

UNIVERSITY POLICIES & PROCEDURES

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| POLICY NAME: Minnesota State University, Mankato, Crime Reporting Requirements | TEMPORARY REVIEW NUMBER: NA |
| CLASSIFICATION: UNIVERSITY | SUPERSEDES: PREVIOUS POLICY |
| AUTHOR: MARY DOWD | LAST REVIEW: 2002 |
| AUTHORITY: JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT | NEXT REVIEW: SEPTEMBER 2008 |
| APPLICATION: <input checked="" type="checkbox"/> Undergraduate only <input type="checkbox"/> Graduate only <input type="checkbox"/> All University | EFFECTIVE DATE: FALL 2003 |
| DISTRIBUTION (IDENTIFY AUDIENCE/PUBLICATION): UNIVERSITY POLICY AND PROCEDURES WEB SITE | CUSTODIAN OF POLICY: VICE PRESIDENT FOR STUDENT AFFAIRS |

BACKGROUND:

As part of the Higher Education Reauthorization Act, Congress enacted the Student Right-to-Know and Campus Security Act (CSA) in 1990. Since then, Congress has amended the CSA three times. In 1998, the law was renamed the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act" or more simply, the Clery Act. Minnesota State University, Mankato (MSU) annually publishes a description of policies and procedures relating to campus security along with required campus crime statistics in the "Partners in Safety" brochure which is available at Campus Security. The "MSU Crime Reporting Requirements" policy complements "Partners in Safety" by outlining the University's expectations of faculty, staff, and students with regard to reporting suspected campus crime.

POLICY:

Minnesota State University is committed to safety. For the protection of all members of the University community and to ensure compliance with federal legislation, any suspected criminal activity should be immediately reported to Campus Security (389-2111), or to a campus security authority. Minnesota State University, Mankato encourages reporting to law enforcement agencies and prosecution through the criminal courts. MSU will take appropriate action against any individual found responsible for unsafe acts in violation of University policy. Students with alleged involvement in reported criminal activity may be adjudicated through the University's student judicial system before, after, or simultaneously with legal proceedings.

PROCEDURES:

Geographic Location

Suspected crimes must be reported if occurring at the following locations:

1. any building or property owned or controlled by MSU within the same reasonably contiguous geographic area of MSU and used by the institution in direct support of, or in a manner related to, MSU's educational purposes, including residence halls; and

2. any building or property that is within or reasonably contiguous to the geographic area of MSU that is owned by the institution but controlled by another person, is used frequently by students, and supports MSU's purposes (such as a food or other retail vendor); and
3. any building or property owned or controlled by a student organization recognized by the institution; and
4. any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution; and
5. all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

Crime Reporting Requirements

Individuals designated as "campus security authorities" who become aware of alleged criminal activity must promptly report this information to Security. A campus security authority, as defined in federal regulation, includes:

1. University Security department;
2. Other individuals who have campus security responsibilities in addition to the University Security department;
3. University officials who have significant responsibility for student and campus activities, including, but not limited to, student housing, and student discipline, along with advisors to recognized student organizations, and athletic coaches. This includes faculty and staff advisors to student organizations, internship programs, and study-abroad activities. A list of positions designated as campus security authorities will be updated annually by the MSU Clery Act compliance team for inclusion in "Partners in Safety."

*Professional counselors in the counseling unit of the Career Development and Counseling Center, whose official responsibilities include providing mental health counseling, along with medical staff in Student Health Services, who are functioning within the scope of their license or certification are not included in this definition of campus security authorities. Reports of campus crime are encouraged but not required.

All other faculty, staff and students who become aware of alleged criminal activity, should report this information promptly to Security or to another campus security authority. Similarly, all faculty, staff and students, including campus security authorities, should assist anyone who wants to make an official Campus Security or police report of alleged criminal activity in contacting Security and law enforcement officials.

Federal regulations require the University to compile and disclose statistics on murder and non-negligent manslaughter; negligent manslaughter, forcible and non-forcible sex offenses; robbery; aggravated assault; burglary; arson; motor vehicle theft, and hate crimes. Campus Security or local law enforcement personnel will investigate to determine whether a crime took place. There

is no penalty for reporting allegations made in good faith that may later prove unfounded. The Clery Act further requires tracking and disclosure of arrests and disciplinary referrals for liquor law violations; drug related violations; and weapons possession. These statistics are reported to the federal government and published in "Partners in Safety."

Timely Warning to the Campus Community

Campus Security, in conjunction with the Mankato Department of Public Safety, reviews reports of campus crime to determine if a continued threat exists to other students and employees. If it is determined that a threat does exist, a timely warning will be issued through releasing the information to campus media services; disseminating the information online; posting on the MSU Security Web page; distributing posters and notices in various campus buildings; and updating the 24 hour "Personal Safety Hotline."

Confidentiality of Reporting

Victims and witnesses of campus crime may contact any campus security authority for appropriate assistance or to report incidents. In general, campus security authorities, other than Campus Security, will not disclose personally identifiable information to law enforcement about an alleged victim without the victim's consent unless reasonably necessary to address an ongoing threat of safety to the victim or others, or as may otherwise be required by law. Absolute confidentiality of reports made to campus security authorities cannot be promised. Confidential reports to pastoral counselors, professional mental health or crisis counselors, or medical professionals are not included in the University annual crime statistics, unless made voluntarily, under the Clery Act. Reporting to a campus security authority is strongly encouraged for purposes of issuing a timely warning and statistical reporting if a victim will not make a formal report to Campus Security or law enforcement.