

University Policies

Policy Name: Crime Reporting Requirements	Effective Date: July 1, 2010
Custodian of Policy: Associate Vice President for Student Affairs and Enrollment Management	Last Review: September, 2002
	Next Review: September, 2016

Policy:

For the protection of all members of the University community and to ensure compliance with federal legislation, any suspected criminal activity shall be immediately reported to University Security, or to a campus security authority who in turn will immediately report to University Security.

Minnesota State University, Mankato also encourages the reporting of such activity to law enforcement agencies and prosecution through the criminal courts.

The University 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 judicial system before, after, or simultaneously with legal proceedings.

Procedures:

Geographic Location

Suspected crimes must be reported if occurring at the following locations as defined by the federal Clery Act:

1. Any building or property owned or controlled by the institution within the same reasonably contiguous geographic area of the campus and used by the institution in direct support of, or in a manner related to its educational purposes, including residence halls; and
2. any building or property that is within a reasonably contiguous geographic area of the campus that is owned by the institution but controlled by another person, is used frequently by students, and supports the University'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 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 reasonably contiguous geographic area of the institution; and
5. all public property that is within the 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 institutions in direct support of, or in a manner related to the institution's educational purposes.

Reporting Requirements

All faculty, staff and students who become aware of alleged criminal activity, shall report this information promptly to University 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 University Security or police report of alleged criminal activity in contacting University Security and law enforcement officials.

Individuals designated as “campus security authorities” who become aware of alleged criminal activity shall promptly report this information to University 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 personnel, and student discipline personnel, along with advisors to recognized student organizations, and athletic coaches. This includes faculty and staff advisors to student organizations, athletic teams, etc. A list of positions designated as campus security authorities will be updated annually and are available from the Security Department.

Professionals in the counseling unit of the 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 from these individuals but not required.

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. University 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 “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” (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 annually in “Partners in Safety.”

Timely Warning to the Campus Community

University 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 electronically; posting it on the University Security Web page; distributing posters and notices in various campus building; and updating the 24 hour “Personal Safety Hotline” (507-389-2594).

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 University Security, will not disclose personally identifiable information to law enforcement officials 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, professional mental

health, and crisis counselors, or medical professionals are not included in the University annual crime statistics, unless made voluntarily, under the Clery Act.

Rationale:

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 annually publishes a description of policies and procedures relating to University Security along with required campus crime statistics in the “Partners in Safety” brochure which is available at University Security electronically. The “Crime Reporting Requirements” policy-outlines the University’s expectations of faculty, staff, and students with regard to reporting suspected campus crime.