A. Purpose:


B. Policy:

It is the policy of the Department of Public Safety to accurately report all criminal activity and providing public access to criminal statistical data to comply with all provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

C. Definition:

1. United States Code 20 Section 1092 referred to as the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” requires that all institutions of higher learning who participate in Federal Student Aid Programs will annually publish and distribute, through appropriate publications and mailings, an annual security report that contains information on campus security issues and crime statistics for the following crimes: (CALEA 91.4.1.a, 91.4.1.f.)

Murder;
Sex offenses, forcible or non-forcible;
Robbery;
Aggravated assault;
Burglary;
Motor vehicle theft;
Manslaughter;
Arson; and
Arrests or persons referred for campus disciplinary action for liquor law violations, drug-related violations, and weapons possessions; and

2. If the crimes described above involve bodily injury to any person in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim and reported as such to campus law security authorities or local police agencies, this data shall be collected and reported according to the category of prejudice.

3. Statistics will be disclosed in four categories:

a. On campus - any building or property owned or controlled by the institution within the same reasonable contiguous geographical areas of the institution and used by the institution in direct support of, or in a manner related to the institution’s educational purposes and the property within the same contiguous geographical area of the institution that is owned by the institution but controlled by another person, is used by students, and supports educational purposes (such as a food or other retail vendor).

b. Non campus - any building or property owned or controlled by a student organization recognized by the institution; and any building or property owned or controlled by an institution 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. (i.e. Trident Family Medicine Facility)

c. Public property - all public property that is within the same reasonable contiguous 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.

d. Residential facilities for students

4. Under this law, the responsibility for collecting these statistics rests with the “campus security authority.” Campus security authority is defined as the following: the campus law enforcement unit, an individual or organization specified in the institution’s statement of campus security policy as the individual or organization to whom students and employees should report criminal offenses
or an official of the institution who has significant responsibility for student and campus activities, but does not have significant counseling responsibilities.

5. In additional to providing statistical data, the law also requires each institution participating in any program under title 20 of the United States Code, which maintains a security department shall, make, keep, and maintain a daily log, written in a form that can be easily understood, recording all crimes committed on campus and the generally contiguous area and reported to the security department, including:

a. the nature, date, time, and general location of each crime; and

b. the disposition of the complaint, if known

6. The entries that are required pursuant to the above requirement shall, except where disclosure of such information is prohibited by law or such disclosure would jeopardize the confidentiality of the victim, be open to public inspection within two business days of the initial report being made to the department or campus security authority. Generally contiguous area has been interpreted by the Medical University of South Carolina to include that area designated in attachment (1).

7. In addition to the required crime statistical data identified in paragraph (1), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires that the annual security report contains at least the following information with respect to the campus security policies:

a. A statement of current campus policies regarding procedures and facilities for students and others to report criminal actions or other emergencies occurring on campus and policies concerning the institution’s response to such reports.

b. A statement of current policies concerning security and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities.

c. A statement of current policies concerning campus law enforcement including-

1. the enforcement authority of security personnel, including their working relations with State and local police agencies; and

2. policies which encourage accurate and prompt reporting of all
crimes to the campus police and the appropriate police agencies.

d. A description of the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others.

e. A description of programs designed to inform students and employees about the prevention of crimes.

f. A statement of policy concerning the monitoring and recording through local police agencies of criminal activity at off-campus student organizations which are recognized by the institution and that are engaged by students attending the institution, including those student organizations with off-campus housing facilities.

g. A statement regarding the possession, use, and sale of alcoholic beverages and enforcement of State underage drinking laws and a statement regarding the possession, use, and sale of illegal drugs and enforcement of Federal and State drug laws and a description of any drug or alcohol abuse education programs as required under title 20 U.S.C.

h. A statement regarding the institution’s campus sexual assault programs, which shall be aimed at prevention of sex offenses; and the procedures followed once a sex offense has occurred. This policy shall address the following areas: (CALEA 91.4.1.e)

1) Education programs to promote the awareness of rape, acquaintance rape, and other sex offenses.

2) Possible sanctions to be imposed following the final determination of an on-campus disciplinary procedure regarding rape, acquaintance rape, other sex offenses, forcible or non-forcible

3) Procedures students should follow if a sex offense occurs, including who should be contacted, the importance of preserving evidence as may be necessary to the proof of sexual assault, and to whom the alleged offense should be reported.

4) Procedures for on-campus disciplinary action in cases of alleged sexual assault, which shall include in a clear statement that -
a) The accuser and the accused are entitled to the same opportunity to have others present during a campus disciplinary proceeding; and
b) Both the accuser and the accused shall be informed of the outcome of any campus disciplinary proceeding brought alleging a sexual assault.

5) Informing students of their options to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by campus authorities in notifying such authorities, if the student so chooses.

6) Notification of students of existing counseling, mental health or student services for victims of sexual assault, both on campus and in the community.

7) Notification of students of options for, and available assistance in, changing academic and living situations after an alleged sexual assault incident, if so requested by the victim and if such changes are reasonably available.

8) This publication shall be published annually and distribute to all current students and employees, and to any applicant for enrollment or employment upon request.

9) Title 42 U.S.C. also requires that the institution shall make timely reports to the campus community on crimes considered to be a threat to other students and employees which are reported to campus security or other law enforcement agencies. Such reports shall be provided to students and employees in a manner that is timely and that will aid in the prevention of similar occurrences. (CALEA 91.4.1.b)

D. Procedures:

1. Department of Public Safety:
   1) The Systems Administrator will develop the data entry report to
meet the reporting requirements of this act and update as required. Develop a program to extract the required criminal offenses as listed in paragraph C.1 above and annually provide this information to the Business Manager.

2) The Records Clerk will review all Department of Public Safety incident reports.

3) The City of Charleston Police Department will provide crime information for the area around the Medical University of South Carolina designated as “contiguous.”

4) The Records Clerk will receive crime statistics from the Charleston City Police Department.

5) The Training Officer will prepare and forward all reports required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to the Department of Education. (CALEA 91.4.1.d, 91.4.1.f)

b. Make, keep, and maintain a daily log of all criminal activity on campus and contiguous geographic areas. Data for on campus criminal activity will be obtained from the Department of Public Safety incident reports. Data on criminal activity in the contiguous geographic areas will be obtained from the Charleston Police Department. The Medical University of South Carolina will use the Public Safety Internet Site (http://www.musc.edu/publicsafety) as the primary means of making this information readily available for public inspection. Hard copy information will be available for inspection at Public Safety Headquarters at 101 Doughty Street during normal business hours. (CALEA 91.4.1.c)

1) The Information Resource Consult II will develop the data entry report to meet the reporting requirements of this act and update as required. Receive crime information from the Records Clerk and the Crime Prevention Officer and post this information on the Public Safety Internet web page.

2) The Records Clerk will review all Department of Public Safety incident reports and place the required information in the computer data base using format of attachment (1). This information must be entered within two business days of the offense. Information will be updated as necessary to reflect the disposition of the offense if
known.

3) The Charleston Police Department will provide crime information for the area around the Medical University of South Carolina designated as “contiguous.”

4) The Business Manager will coordinate the data input.

c. The Investigation Division shall provide timely reports to the campus community on crimes considered to be a threat to other students and employees which are reported to campus security or other law enforcement agencies. Such reports shall be provided to students and employees in a manner that is timely and that will aid in the prevention of similar occurrences. The Investigation Division may use the Internet, E-mail, handouts or any other medium as appropriate to disseminate this information.

2. **Department of Enrollment Services has agreed to:**

a. Prepare and publish the annual security report. Public Safety will provide the required crime statistics and assist with other areas as requested.

b. Distribute the annual security report to all current students and provide this report to prospective students on request.

c. Provide sufficient copies of the annual report to both University and Medical Center Departments of Human Resources for further distribution.

d. Publish the annual security report on the Department of Enrollment Internet site (http://www.musc.edu/es).

3. **Human Resources Department (University and Hospital Authority) has agreed to:**

a. Obtain copies of the annual security report from Enrollment Services.

b. Distribute the annual security report to all current employees and provide this report to prospective employees on request.

4. **University Officials, Deans, Administrators and Directors**

a. Are required by law, to report all violations of criminal law. These
violations include all infractions that are discovered as the result of disciplinary and administrative hearings. These violations must be reported to Public Safety no later than two business days after the disclosure of the incident.

E. **Penalties:**

1. Institutions who do not comply with the provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act may be fined up to $25,000 for each violation, failure, or misrepresentation.

2. An institution which fails to comply with the provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is subject to the loss of Federal Student Financial Aid.

Attachments

1. Map of MUSC contiguous areas
POLICY AND PROCEDURE # 97 Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act