

CLERY ACT REQUIREMENTS: FAQS FOR CAMPUS SECURITY AUTHORITIES

1. What is the Clery Act and what does it require?

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") is a federal law requiring universities to maintain and disclose campus crime statistics and security information. The U.S. Department of Education enforces the Clery Act and can issue fines for violations.

MUSC collects information about certain crimes and publishes it in an Annual Security Report (ASR) every October.

Any employee who is designated as a Campus Security Authority (CSA) must immediately report certain criminal conduct to the MUSC Department of Public Safety (DPS) so that MUSC can accurately disclose campus crime statistics, investigate ongoing threats, and issue timely warnings or emergency notifications.

3. What conduct must I report?

As soon as a CSA becomes aware of conduct that reasonably appears to be a Clery Act incident they must immediately report the incident to DPS. The following crimes constitute Clery Act incidents (definitions are available in the Crime Reporting Policy):

- All primary crimes, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, and arson;
- Hate crimes;
- VAWA crimes: dating violence, domestic violence, and stalking; and
- Arrests and referrals to MUSC officials for liquor, drug, and weapons law violations

2. What is a CSA?

There are four categories of employees that are designated as CSAs.

(1) In addition to all Department of Public Safety personnel and security staff responsible for monitoring access to campus property, you may be a CSA if you are (2) an official with significant responsibility for student and campus activities. (3) CSAs may include student affairs/student conduct staff, student activities staff, human resources staff, and advisors to student organizations. (4) Lastly, you may be a CSA if you are specifically designated by our policies as a CSA.

You will be notified by your supervisor if you are a CSA and will be required to complete annual training.

4. How do I report a Clery Act incident?

For emergency situations or crimes in progress: call (843) 792-4196 if on-campus or 911 to reach the local law enforcement if off campus. Inform the dispatcher of the location and nature of the emergency, and an officer will be sent to the location.

For non-emergency situations: call the DPS at (843) 792-4196 contact MUSC's Clery Compliance Manager, Lt. Layne Thompson, at (843) 792-3767 or cleryact@musc.edu

Be prepared to provide a description of the incident (date, time, location, and individuals involved if it is not an anonymous reporting situation).

If the victim wishes to remain anonymous, they may do so. The CSA does not need to provide personally identifying information about the victim or perpetrator.

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5. What if I'm not sure if a Clery Act incident occurred?

CSAs should report the incident even if they received the information secondhand or are not sure if a crime has actually occurred. It is not the CSA's job to determine whether all the elements of a crime have occurred. The only times CSAs do not need to report are when (1) they reasonably believe the report was not made in good faith or (2) they are reasonably certain that the incident has already been reported. When in doubt, we suggest reporting. Failing to report a Clery Act incident may lead to disciplinary action.

6. When do I need to report a Clery Act incident to DPS?

CSAs should report the incident in a timely manner. In non-emergency situations, when the incident does not pose a serious and ongoing threat, CSAs should report promptly. Reporting delays might occur if a CSA becomes aware of a Clery Act incident off campus (e.g., abroad). In emergency situations, CSAs should always contact local law enforcement.

7. Are any CSAs exempt from reporting to the Department of Public Safety?

Only those CSAs who are professional mental health counselors and pastoral counselors are exempt from the requirement to report, and only if they learn of the Clery Act incident while acting in their capacity as a professional mental health counselor or pastoral counselor. Exempt counselors may still encourage the student or employee to make a voluntary anonymous report to the Department of Public Safety, on a confidential basis, for inclusion in the ASR.

8. Is there anything a CSA should avoid doing?

CSAs should not attempt to investigate or prove whether the alleged incident occurred. That is the job of law enforcement. CSAs also should not try to convince a victim to contact law enforcement. It is the victim's choice to report the incident to law enforcement or to decline to report.

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9. Where must the incident occur for it to be reportable?

CSAs are required to report incidents that occur in locations that constitute Clery Act Geography:

- On campus: this refers to MUSC's downtown Charleston campus and means any location that is owned or controlled by MUSC and is used (1) for educational purposes or (2) by students for some other purposes. Please refer to the [Campus Map](#) for further reference.
- Public property bordering campus: this means all parking facilities, sidewalks, thoroughfares, and streets adjacent to MUSC's campus.
- Non-campus areas that are owned or controlled (1) by an official student organization or (2) by MUSC and frequently used by students in connection with MUSC's educational mission. For example, MUSC-contracted housing for students on away rotations.

If you are unsure whether the location constitutes Clery Act geography, consult with DPS.

10. What does DPS do with the reported information?

De-identified statistical information will be published in the Annual Security Report and the daily campus crime log. This reporting helps to provide a clear picture of the extent and nature of campus crime to ensure greater community safety.

DPS may also issue timely warnings whenever a situation occurs within MUSC's Clery geography and represents a serious or continuing threat. The purpose of timely warnings is to help prevent similar crimes. DPS determines whether a timely warning is necessary on a case-by-case basis and considers the totality of the circumstances.

The amount and type of information published in a timely warning will vary depending on the incident. If certain information could compromise law enforcement efforts, it may be withheld from the timely warning. Timely warnings are typically distributed via email or text messages.

13. How is CSA reporting different from Title IX reporting?

CSAs must report all Clery Act crimes to the DPS. Reporting a Clery Act crime to DPS is not the same as reporting violations of the Nondiscrimination, Anti-Harassment, and Equal Opportunity Policy. Under that policy, faculty and certain staff are considered "Responsible Employees," and must report to the Title IX Coordinator whenever they become aware of Prohibited Conduct.

Because sexual assault, stalking, dating violence and domestic violence are Clery Act crimes and violations of the Nondiscrimination, Anti-Harassment, and Equal Opportunity Policy, an employee may need to report it to both DPS (if they are a CSA) and to the Title IX Coordinator. More information about reporting as a Responsible Employee is available online on the [Title IX web page](#).

*These FAQs were developed for the MUSC community by the Department of Public Safety and the Office of Equity.

If you have any follow-up questions about this material, please contact:

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or

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