



Clery Act Compliance

1. PURPOSE

This policy establishes the expectations at Northern Pennsylvania Regional College (“NPRC” or the “College”) for compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).

2. SCOPE AND APPLICABILITY

This policy applies to all NPRC employees, students, and facilities.

3. REFERENCES

- 3.1 INDX-1310-01: Master Policy Index
- 3.2 CLDR-1310: Policy Review Schedule
- 3.3 INDX-1310-02: Document Naming Key
- 3.4 Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), 20 U.S.C. § 1092(f)
- 3.5 The Handbook for Campus Safety and Security Reporting 2016 Edition; US Department of Education
- 3.6 Pennsylvania College and University Security Act of 1988
- 3.7 PA Uniform Crime Reporting
- 3.8 Pennsylvania State Law - Act 80 of 2018, the Timothy Piazza Antihazing Law, 18 Pa.C.S. §2809 et seq
- 3.9 Federal Law - Public Law 118-173-DEC. 23, 2024, “Stop Campus Hazing Act”
- 3.10 PROC-5705-01: Clery Act Compliance
- 3.11 TEMP-5705-01: Annual Security Report
- 3.12 CORR-5705-01: Police Authority Letter – Campus Location
- 3.13 CORR-5705-02: Police Authority Letter – Non-Campus Location
- 3.14 NPRC-1205: Title IX
- 3.15 NPRC-5720: Stop Campus Hazing Act
- 3.16 TEMP-5720-01 Campus Hazing Transparency Report
- 3.17 NPRC-5715: Continuity of Operations

3.18 Title IX of the Education Amendments of 1972., 20 U.S.C. §§ 1681-1688

3.19 NPRC-3050: Class Cancellation

4. DEFINITIONS

4.1 Annual Security Report (ASR) – A report containing statistics of Clery Crimes and certain fire safety statistics (as applicable) for the three most recent calendar years, as well as College policy statements and procedures addressing campus security and fire safety (as applicable) within NPRC’s Clery Geography.

4.1.1 A College does not need to do Clery Act fire reporting if it does not have any on-campus residential facilities; fire incidents are part of emergency reporting.

4.2 Emergency Notification – Notification to the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus.

4.3 Timely Warning – Notification to the campus community of Clery Crimes that occur within NPRC’s Clery Geography and represent a serious or continuing threat to the safety of students or employees or a continuing threat to the College ‘Campus’ and surrounding community.

4.4 Campus Security Authority (CSA) – As defined by the Clery Act - An individual who meets one of the following definitions:

4.4.1 Campus Police or Security Department - including members of a college's police or security force;

4.4.2 Other Security Personnel - individuals responsible for monitoring campus property, like those in access control, even if they are not part of the police or security department.

4.4.3 Designated Individuals - employees or offices specifically identified in the College's statement of campus security policy as those to whom crimes should be reported; and

4.4.4 Officials with Significant Responsibility - college officials who have significant responsibilities related to student and campus activities, such as those in discipline or judicial proceedings

4.5 Clery Crimes – Crimes designated as reportable and specifically defined under the Clery Act, which include:

4.5.1 Criminal Offenses – criminal homicide (murder and non-negligent manslaughter, manslaughter by negligence), sexual assault (rape, fondling, incest, and statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, and arson.

4.5.1.1 Murder and Non-Negligent Manslaughter are the willful (non-negligent) killing of one human being by another.

4.5.1.2 Manslaughter by negligence is the killing of another person through gross negligence.

4.5.1.3 Sexual Assault includes:

4.5.1.3.1 Rape - The penetration, no matter how slight, of the vagina or anus with any body part or object or oral penetration by a sex organ of another person, without the consent of the victim.

4.5.1.3.2 Fondling - The touching of the private body parts of another person for the purpose of sexual gratification without the consent of the victim.

4.5.1.3.3 Incest—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

4.5.1.3.4 Statutory Rape—Sexual intercourse with a person who is under the statutory age of consent as determined by state law.

4.5.1.4 Robbery - taking or attempting to take anything of value from the care, custody, and control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

4.5.1.5 Aggravated assault - an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually involves a weapon or means likely to cause death or great bodily harm.

4.5.1.6 Burglary - the unlawful entry into a structure to commit a felony or theft. Theft or unlawful entry into open-access areas, such as dining halls and libraries, is not burglary. A structure is a physical space enclosed by four walls, with a roof and door, and so does not include lockers, tents, or cars, for example. Shoplifting is not burglary.

4.5.1.7 Motor vehicle theft - the theft or attempted theft of a motor vehicle. (This classification also includes "joyriding"). Motor vehicles are defined broadly to include not only cars and trucks but any self-propelled vehicle that runs on land surface and not on rails, such as golf carts, motor scooters, motorized wheelchairs, and ATVs.

4.5.1.8 Arson - maliciously burning or attempting to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another.

4.5.2 Hate Crimes – any of the above-mentioned Criminal Offenses and any incidents of larceny-theft, simple assault, intimidation, or destruction/damage/vandalism to property when such crimes are motivated, in whole or in part, by the offender's (perpetrator's) bias.

- 4.5.2.1 Intimidation - unlawfully placing another person in reasonable fear of bodily harm through threatening words and/or other conduct but without displaying a weapon or subjecting the victim to an actual physical attack.
- 4.5.2.2 Destruction/damage/vandalism of property – willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.
 - 4.5.2.2.1 The act must be done on purpose (willfully) or with malicious intent to cause harm or damage.
 - 4.5.2.2.2 Real or personal property includes both buildings and land (real property) and movable possessions (personal property)
 - 4.5.2.2.3 Without consent means the property must be damaged or destroyed without the permission of the owner or the person in control of it.
- 4.5.2.3 Bias - a performed negative opinion toward a group of persons based on their race, gender, religion, ethnic/national origin, disability, sexual orientation, or gender identity.
- 4.5.3 Violence Against Women Act (VAWA) Offenses – includes Domestic Violence, Dating Violence, and Stalking.
 - 4.5.3.1 Domestic Violence – a violent crime (either a felony or misdemeanor) committed by:
 - 4.5.3.1.1 A current or former spouse or intimate partner of the victim.
 - 4.5.3.1.2 A person with whom the victim shares a child in common.
 - 4.5.3.1.3 A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner.
 - 4.5.3.1.4 A parent, child, stepparent or stepchild, sibling (full or half), grandparent or grandchild of the victim.
 - 4.5.3.1.5 The victim's mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, or sister-in-law, if they reside in the same home with the victim; or
 - 4.5.3.1.6 Any other person who cohabits or, within the previous 12 months, cohabitated with the victim.
 - 4.5.3.2 Dating Violence - violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
 - 4.5.3.2.1 The existence of such a relationship shall be determined based on the reporting party's statement and considering the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

4.5.3.2.2 Dating Violence - includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating Violence does not include acts included under the definition of Domestic Violence.

4.5.3.3 Stalking - engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

4.5.3.3.1 Fear for the person's safety or the safety of others; or suffer substantial emotional distress. Such distress does not have to be severe enough to require medical or other professional treatment or counseling to be substantial emotional distress.

4.5.3.3.2 Stalking requires two or more acts, including but not limited to acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates, to or about, a person, or interferes with a person's property.

4.5.4 Weapons, Drug, and Liquor Law Violations – arrests must be reported for:

4.5.4.1 Drug Abuse Violations - violations of laws prohibiting the production, distribution, or use of certain controlled substances and associated equipment; unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic; and arrests for violations of state and local laws the relating to the unlawful possession, sale, use, growing or manufacturing and making of narcotic drugs.

4.5.4.2 Liquor Law Violations - defined as violations of laws or ordinances prohibiting the manufacture, sale, possession, transporting, or furnishing of intoxicating liquors or alcoholic beverages and all attempts to commit any of the aforementioned. (Public drunkenness and driving under the influence are not included).

4.5.4.3 Weapons Violations - violations of laws or ordinances dealing with weapon offenses, such as manufacture, sale, or possession of deadly weapons; carrying of deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of these acts.

4.6 Clery Geography – As defined by the Clery Act are buildings and properties considered to be:

4.6.1 On campus – buildings or property owned or controlled by the College within the same reasonably contiguous geographic area; or buildings or property within the same reasonably contiguous areas, owned by the College but controlled by another person or entity, frequently used by students, and supporting educational and College purposes.

- 4.6.2 Non-campus building or property – building or property owned or controlled by the College that is used in direct support of, or in relation to, the College’s educational purposes, is frequently used by students, and is not within the reasonably contiguous geographic area of the College; or building or property owned or controlled by a registered student organization.
 - 4.6.3 Public property - refers to any publicly owned property, including streets, sidewalks, and parking facilities, either within the campus itself or immediately adjacent and accessible to the campus. This means that if a public area like a street or sidewalk directly borders the campus and students can easily access it, it is considered part of the Clery Act's defined geography
 - 4.6.4 Separate campus – An additional location that (a) the College owns or controls, (b) is not reasonably geographically contiguous with the main campus, (c) has an organized program of study, and (d) there is at least one person on-site acting in an administrative capacity.
- 4.7 Stop Campus Hazing Act (SCHA) is a federal law that aims to prevent hazing on college campuses. It requires institutions of higher education participating in federal student aid programs to report hazing incidents in their ASRs, implement hazing education and prevention programs, and publish hazing transparency reports detailing any violations of hazing policies by student organization.
- 4.7.1 Hazing - for purposes of reporting statistics on hazing incidents, hazing is any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that:
 - 4.7.1.1 Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
 - 4.7.1.2 Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including:
 - 4.7.1.2.1 Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone’s body, or similar activity;
 - 4.7.1.2.2 Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
 - 4.7.1.2.3 Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
 - 4.7.1.2.4 Causing, coercing, or otherwise inducing another person to perform sexual acts;

- 4.7.1.2.5 Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
 - 4.7.1.2.6 Any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
 - 4.7.1.2.7 Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of Local, State, Tribal, or Federal law.
- 4.7.2 Results in destruction or removal of property (theft).
- 4.8 A Student Organization (as defined by the Stop Campus Hazing Act) is an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution
- 4.9 Pastoral Counselor – a person who is associated with a religious order or denomination, is recognized by religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor.
- 4.10 Professional Counselor – A person whose official responsibilities include providing mental health counseling to members of the College community and who is functioning within the scope of the counselor’s license or certification.
- 4.11 Employee shall mean any individual who serves the College in a full-time or part-time capacity as an administrator, staff, or faculty.
- 4.12 Facility/ies and Facility Property/ies refers to any NPRC Administrative Center(s), NPRC Education and Training Center(s), Instructional locations, Instructional Sites, or any other physical space utilized by NPRC which may or may not be primarily owned or controlled by the College at which any College activity, educational or otherwise, occurs.
- 4.13 A Student is any individual enrolled in any course(s) of instruction offered by NPRC.

5. POLICY

- 5.1 NPRC complies with the Clery Act and its reporting requirements.
- 5.2 By the publication deadline established by the U.S. Department of Education, the College will publish the ASR. The report will contain the following:
- 5.2.1 Safety and security-related policy statements (including emergency notification and evacuation procedures);
 - 5.2.2 Clery Crime Statistics within Clery Geography;

- 5.2.3 Procedures for institutional disciplinary action in cases of dating violence, domestic violence, sexual assault, and stalking (per Title IX); and
- 5.2.4 Crime prevention and awareness educational programs and campaigns for students and employees.
- 5.2.5 The following Clery Act requirements are not applicable to NPRC:
 - 5.2.5.1 Fire statistics for each on-campus student housing facility;
 - 5.2.5.2 Fire safety information related to on-campus student housing facilities;
 - 5.2.5.3 A Daily Fire Log for on-campus student housing facilities;
 - 5.2.5.4 Missing student notification procedures that pertain to students residing in on-campus student housing facilities; and
 - 5.2.5.5 Daily Crime Log - campuses with a public safety or police department are required to create, maintain, and make available an easily understood daily crime log.
- 5.3 The College will distribute notice of availability of the ASR to all current students and employees as well as make it available to prospective students and employees.
 - 5.3.1 A paper copy of the ASR will be provided upon request.
- 5.4 The ASR is available for viewing on the College website.
- 5.5 Campus Security Authorities (CSAs):
 - 5.5.1 Include all College employees with designated CSA's being assistant directors and above.
 - 5.5.2 Receive regular training, information, and guidance from the College regarding their responsibilities.
 - 5.5.3 Have their training participation tracked through the Human Resources Information System.
 - 5.5.4 Are obligated to report Clery Act crimes to the College's designated Clery Compliance Officer or College Safety Officer.
 - 5.5.5 Must record information about Clery Crimes that occur within Clery Geography and submit the information to the Clery Compliance Officer in accordance with PROC-5705-01: Clery Act Compliance for inclusion in the ASR.
 - 5.5.6 Play a role in supporting campus safety by encouraging students, employees, volunteers, and guests to promptly report all crimes to local law enforcement by calling 911.
 - 5.5.7 Do not include Pastoral and Professional Counselors, who are exempt from reporting obligations under the Clery Act to allow for confidential counseling services.

5.6 Emergency Notifications and Timely Warnings:

5.6.1 Will be disseminated throughout the College as soon as pertinent information is available and will provide information that will allow the community to take precautions to protect themselves and prevent similar crimes from occurring.

5.6.1.1 Information identifying victim(s) or other involved parties is considered confidential and will be withheld from Emergency Notifications and Timely Warnings.

5.6.2 Emergency Notifications and Timely Warnings will be distributed as follows:

5.6.2.1 A campus-wide communication will be issued to all affected within the College community.

5.6.2.2 Through various media, as applicable, for 30 days or until resolved.

5.6.2.3 When an emergency or dangerous situation threatens the health or safety of some or all community members, the Facilities and Safety Committee and President's Council, as available, consider what to release and begin the notification process.

5.6.3 NPRC instructional locations, not owned or controlled by NPRC, have their own safety plans and maintain the capabilities necessary to warn and evacuate their respective locations.

5.6.3.1 NPRC will follow NPRC-5715: Continuity of Operations.

5.6.4 The Academics team, Workforce Development team, and Facility and Safety Committee will collaborate to notify students and employees in case of emergency or class cancellation.

5.6.4.1 NPRC may cancel classes, courses and other offerings due to the weather and unforeseen circumstances. Emergency response guidelines are distributed to students, faculty, and employees.

5.6.4.2 NPRC will follow NPRC-3050: Class Cancellation

5.7 The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly known as the Clery Act, has been amended by the Stop Campus Hazing Act (SCHA), which was signed into law in December 2024 requiring:

5.7.1 Hazing incidents to be included in NPRC's ASRs

5.7.2 Development and publishing of NPRC-5720: Stop Campus Hazing Act

5.7.2.1 Creation of TEMP-5720-01 Campus Hazing Transparency Report requires details of hazing incidents and findings and be made publicly accessible.

5.7.3 Established hazing awareness and prevention programs

6. RESPONSIBILITIES AND TIMELINES

- 6.1 The Director of Human Resources or designee will manage the publication of the ASR and the Campus Hazing Transparency Report, collection of crime statistics, and coordination of the training of Campus Security Authorities (CSAs).
- 6.2 The Office of the Registrar will provide students with the ASR link.
- 6.3 The Office of the President will provide employees with the ASR link.
- 6.4 Campus Security Authorities (CSAs) are obligated to report Clery Act crimes to the College's designated Clery Compliance Officer or College Safety Officer.
- 6.5 The Safety Committee and President's Council will coordinate the dissemination of Emergency Notifications and Timely Warnings.

7. REVIEW STATEMENT

Review of this policy will occur in alignment with CLDR-1310: Policy Review Schedule.

8. SIGNATURES

_____	_____
Chairperson, Board of Trustees	Date

_____	_____
President	Date

Revision Notes: Policy in Revision