



Clery Act Compliance

1. PURPOSE

This procedure establishes the guidelines 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. APPLICABILITY

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

3. ASSOCIATED POLICIES AND DOCUMENTS

- 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 NPRC-5705: Clery Act Compliance
- 3.11 TEMP-5705-01: Annual Security Report
- 3.12 CORR-5705-01: Police Authority Letter – Campus Locations
- 3.13 CORR-5705-02: Police Authority Letter – Non-Campus Locations
- 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

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:
 - 4.7.1.3 Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
 - 4.7.1.4 Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
 - 4.7.1.5 Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
 - 4.7.1.6 Causing, coercing, or otherwise inducing another person to perform sexual acts;
 - 4.7.1.7 Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
 - 4.7.1.8 Any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
 - 4.7.1.9 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. PROCESSES, TIMELINES, AND RESPONSIBILITIES

- 5.1 By the publication deadline established by the U.S. Department of Education, October 1, the College will publish the ASR, using TEMP-5705-01: Annual Security Report. The report will contain the following:
- 5.1.1 Safety and security-related policy statements (including emergency notification and evacuation procedures);
 - 5.1.2 Clery Crime Statistics within Clery Geography – for prior three years.
 - 5.1.2.1 Addition of Hazing incidents per the Stop Campus Hazing Act (SCHA), 2024.
 - 5.1.3 Procedures for institutional disciplinary action in cases of dating violence, domestic violence, sexual assault, and stalking (per Title IX); and
 - 5.1.4 Crime prevention and awareness educational programs and campaigns for students and employees.
 - 5.1.5 Stop Campus Hazing Act – additional requirements for the calendar year 2025:

5.1.5.1 Development and publication of policy and procedures for the Stop Campus Hazing Act.

5.1.5.2 Creation of a Campus Hazing Transparency Report

5.1.5.3 Hazing awareness and prevention program.

5.1.6 The following Clery Act requirements are not applicable to NPRC:

5.1.6.1 Fire statistics for each on-campus student housing facility;

5.1.6.2 Fire safety information related to on-campus student housing facilities;

5.1.6.3 A Daily Fire Log for on-campus student housing facilities;

5.1.6.4 Missing student notification procedures that pertain to students residing in on-campus student housing facilities; and

5.1.6.5 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.

5.2 Publication:

5.2.1 A notice will be sent to all students via email, by October 1, from the NPRC Office of the Registrar with the link to the ASR and a message about the importance of the information contained within the ASR.

5.2.2 A notice will be sent to all NPRC employees via email, by October 1, from the Office of the President with the link to the ASR and the importance of the information contained within it.

5.2.3 The ASR is available for viewing on the College website.

5.2.4 A paper copy of the ASR will be provided upon request.

5.3 Gathering Clery Crime Statistics for the ASR:

5.3.1 The Human Resources Department will coordinate with the Assistant Director of Facilities and the Director of Institutional Research to identify NPRC locations within the NPRC Clery Geography and the corresponding local law enforcement agencies for the calendar year.

5.3.2 The Clery Act requires NPRC to make a “reasonable, good-faith effort” to obtain Clery Crime Statistics from all local law enforcement agencies that have jurisdiction over the College’s Clery Geography.

5.3.2.1 A letter requesting Clery Crime Statistics will be generated by the Human Resources Department using CORR-5705-01: Police Authority Letter – Campus Locations and CORR-5705-02: Police Authority Letter – Non-Campus Locations and sent to all local law enforcement agencies (via U.S. postal service or email) no later than June 30, prior to the October submission of the ASR.

5.3.2.2 The Human Resources Department will respond to inquiries, make additional communications as warranted, and collect data/responses from local law enforcement agencies.

5.3.3 Additional Clery Crime Statistics will be collected by the Human Resources Department from CSAs for inclusion in the ASR.

5.3.4 Clery Crime Statistics will be compiled no later than August 1 prior to the published report date.

5.3.5 The Facilities and Safety Committee will review, approve and submit to the Presidents Council (PC) by September 1st each year.

5.3.6 Once approved by the President's Council, the Report will be linked to the NPRC Consumer Information web page.

5.3.7 The Facilities and Safety Committee will review, update, submit, and post the ASR by October 1 of each year using TEMP-5705-01: Annual Security Report.

5.4 Clery Crime reporting:

5.4.1 All students, employees, volunteers and guests of the College who have witnessed or are a victim of a crime are to report the alleged crime promptly to local law enforcement, by calling 911, and reporting via the NPRC Website: Report Concern/Complaint.

5.4.2 An employee made aware of any criminal incident should report the incident immediately.

5.4.2.1 Employees should not wait for criminal charges to be brought or arrests or a determination of guilt to be made before reporting.

5.4.2.2 The employee should not attempt to decide as to whether there is adequate evidence of a crime or whether the alleged incident occurred.

5.4.3 When a CSA becomes aware of conduct or behavior that reasonably appears to constitute a Clery Act crime that occurred within NPRC Clery Geography, the CSA must immediately report the incident, even if the information was shared with them confidentially, to the College's designated Clery Compliance Officer or the College Safety Officer at NPRC via telephone or in person and the CSA must also:

5.4.3.1 Report the crime via the NPRC Website Report Concern/Complaint.

5.4.3.2 A CSA must report the incident as soon as possible unless they:

5.4.3.2.1 Have good reason to doubt the validity of the information or

5.4.3.2.2 Verify that the incident has already been reported to the Clery Compliance Officer or the College Safety Officer.

5.4.3.3 If a victim does not want their identity revealed, the CSA may withhold the identity of the victim when making the report, except for incidents of sexual violence or sexual harassment.

5.5 A Clery Crime Report should be descriptive in nature as to the details about the alleged or occurred incident including but not limited to who was involved and when and where the incident took place.

5.6 Pastoral and Professional Counselors are exempt from disclosing offenses reported to them for the purposes of Clery compliance; these exemptions are intended to ensure that these individuals can provide appropriate counseling services without an obligation to report crimes about which they may have learned.

5.7 Emergency Notifications and Timely Warnings

5.7.1 Clery Crimes must be promptly reported to determine if there is a need to issue an Emergency Notification or Timely Warning to the College community.

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

5.7.3 Emergency Notifications shall be sent, without delay, and take into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

5.7.3.1 Emergency Notifications may be tailored to the location at risk.

5.7.3.2 The Safety and Facilities Committee and President's Council will consider what to release and begin the notification process.

5.7.3.2.1 Emergencies where issuing a notification would compromise efforts to assist a victim, contain the emergency, respond to the emergency, or mitigate the emergency are not subject to the emergency notification requirement.

5.7.4 NPRC must provide Timely Warnings about Clery Act Crimes that occur in a Clery Reportable Location that pose a serious or ongoing threat to the College community.

5.7.4.1 Timely Warnings will be disseminated throughout the College as soon as pertinent information is available to notify students and employees of certain crimes that may represent a serious or ongoing threat to the College community and to heighten safety awareness.

5.7.4.2 Timely warnings include information about the crime that triggered the warning, but do not include personally identifiable information about the victim of the crime.

5.7.4.3 Timely warnings are made only in response to the occurrence of crimes specified in the Clery Act.

5.7.5 Emergency Notifications and Timely Warnings will be directed by the College Safety Officer and distributed as follows:

5.7.5.1 The Human Resources Department will provide notifications via the Human Resources Information System (HRIS) to all employees.

5.7.5.2 The Registrar's Office will provide notification via the Student Information System (SIS) to all students.

5.7.5.3 The Marketing Department will provide notifications via the NPRC Website and Intranet.

5.7.5.4 The Academics Division will provide notifications via the Learning Management System (D2L).

6. REVIEW STATEMENT

Procedures are reviewed as needed or when the related policy is reviewed in accordance with CLDR-1310: Policy Review Schedule.

7. APPROVAL

Name

Title

Date

Revision Notes: Procedure in Origination