



## University Operating Procedure

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# Campus Security Authorities (CSAs) and Responsible Employees under Federal Law – Designation of and Reporting By

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## Overview

The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act) was enacted in the belief that crime awareness can prevent campus victimization. The Clery Act requires colleges and universities receiving federal funding to prepare, publish, and distribute, by October 1 of each year, campus security policies and crime statistics.

The University encourages all members of the campus community to contact UVM Police Services when they have been the victim of or have witnessed criminal actions. However, under the Clery Act, certain individuals designated as [Campus Security Authorities \(CSAs\)](#) are **required to promptly** report Clery qualifying [crimes](#) that occur within the University's Clery Geography to UVM Police Services for inclusion in the University's Annual Security Report. Pursuant to federal non-discrimination laws, CSAs are also **required** by federal law and University policy to **promptly** notify the Office of Affirmative Action and Equal Opportunity (AAEO) of all reported incidents of discrimination and harassment, including incidents of sexual assault, dating violence, domestic violence, gender-based stalking, and sexual exploitation (collectively "sexual misconduct"), involving members of the University community, regardless of geographic location. In this latter capacity, CSAs are referred to under federal law as "Responsible Employees". Collectively, CSAs and Responsible Employees may be referred to as "UVM Reporters".

*Public Safety at the University of Vermont* serves as the Annual Security Report for the UVM campus: <http://www.uvm.edu/police/reports/clery/public-safety-report.pdf>.

## Procedures

### Identification and Training of UVM Reporters

It is the responsibility of the University's Clery Coordinator, in cooperation with the Vice Provost for Student Affairs and the University's Title IX Coordinator, to annually identify who, as a result of their job duties at the University, constitutes a UVM Reporter, as defined below.

Based on the list compiled by the Clery Coordinator, an annual notice will then be distributed to all UVM Reporters informing them of their responsibilities under federal law and University policy using individuals' official uvm.edu e-mail addresses. Should a UVM Reporter not possess an official UVM email address, the annual notice will be distributed to them via the email address they have provided the University for official communications.

Additionally, the University *strongly encourages* all UVM Reporters to complete a training program to familiarize themselves with their legal obligations under federal law and applicable University policies on an annual basis. Instructions for appropriate training will be detailed in the annual notice, with periodic announcements and updates communicated by the Clery Coordinator.

### **Crime Reporting**

All UVM Reporters are *required* to report certain (alleged) crimes, including hate crimes and instances of sexual misconduct, of which they become aware to help inform whether a timely warning or emergency notification to the campus community is warranted; to allow Police Services to optimize the safety of our campus community; to ensure proper statistical inclusion of reported crimes in the University's Annual Security Report, in compliance with federal law; to facilitate and ensure appropriate support and institutional response in cases of discrimination and harassment, including all forms of sexual misconduct.

**Call 9-1-1 immediately if a crime or other emergency is in progress**, or if at any time there is an imminent or continuing threat of harm to persons or property.

**In all other cases**, upon the receipt of information that a crime or incident of discrimination or harassment (including sexual misconduct) has occurred, the UVM Reporter **MUST**:

1. **Promptly fill out a CSA form** at [www.uvm.edu/police/csa](http://www.uvm.edu/police/csa), regardless of whether the individual who disclosed the incident to you chooses to file a police report, as outlined above.

*The name of the alleged victim(s) should not be included on the CSA Form unless:*

- Disclosure is required by law (e.g. abuse or neglect of minors<sup>1</sup> or vulnerable adults<sup>2</sup>);

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<sup>1</sup> Vermont law **requires** that certain professionals report to the Vermont Department for Children and Families (DCF) any incident arising as to which there is reasonable cause to believe a minor has been sexually abused or neglected. In addition, to protect optimally the safety of minors who are participating in University programs and activities, the University **requires** any employee who has reasonable cause to believe that a minor participating in such program or activity has been abused or neglected to report the concern promptly to DCF and UVM Police Services. You need not have proof that abuse or neglect has occurred. Any uncertainty in deciding whether to report suspected abuse or neglect should be resolved in favor of making a good faith report. **Please see** the Minors; Reporting Abuse or Neglect of and Crime University Operating Procedure at [http://www.uvm.edu/policies/general\\_html/vulnerableadults.pdf](http://www.uvm.edu/policies/general_html/vulnerableadults.pdf).

**DCF Child Abuse Hotline: 1-800-649-5285**

**UVM Police Services: (802) 656-3473**

<sup>2</sup> Vermont law further **requires** that certain professionals listed in 33 V.S.A. § 6903 report within 48 hours to the Vermont Department of Disability, Aging, and Independent Living any incident arising as to which there is reasonable cause to believe a vulnerable adult has been abused or neglected by calling the Abuse Reporting Hotline at 1-800-564-1612. In addition, to protect optimally the safety of vulnerable adults who are participating in

- The incident presents an “imminent or continuing threat of harm”<sup>3</sup>; or
- The UVM Reporter is given permission to do so.

UVM Reporters are not responsible for determining authoritatively whether a crime took place. A report should be made based on the information currently available to them, including location, name(s) of alleged perpetrators or witnesses, and an incident description.

2. **Promptly contact AAEO** to facilitate appropriate support and institutional response, if the (alleged) incident involves discrimination or harassment, as follows:
  - **Sexual Harassment and Misconduct:** [TitleIX@uvm.edu](mailto:TitleIX@uvm.edu) or [Title9@uvm.edu](mailto:Title9@uvm.edu)
  - **All Other Forms of Discrimination and Harassment:** Bias, Discrimination & Harassment Incident Reporting Form ([https://publicdocs.maxient.com/reportingform.php?UnivofVermontAAEO&layout\\_id=5](https://publicdocs.maxient.com/reportingform.php?UnivofVermontAAEO&layout_id=5))
3. **Make the individual with whom they are in contact aware of their option to report the incident to local law enforcement** (UVM Police Services: 284 East Avenue; 656-3473) **and that UVM makes confidential and non-confidential resources available** to the campus community that may be helpful to individuals who have experienced or witnessed an alleged crime, or incident of discrimination or harassment. Information on confidential and non-confidential resources is set out in the Contacts section of this Policy.

### **Compilation of Statistics for Annual Safety and Security Report**

UVM Police Services is responsible for the collection and compilation of crime statistics for Clery qualifying crimes, including hate crimes, through exercise of their traditional duties, working relationships with area law enforcement agencies, affirmative outreach to law enforcement agencies serving the University’s non-campus property outside of Vermont, and receipt of CSA Reporting Forms through [www.uvm.edu/police/csa](http://www.uvm.edu/police/csa).

In addition, UVM Police Services shall query UVM Responsible Officials for campus conduct processes at the close of each calendar year as to violations of state and local ordinances (drug abuse, liquor, and weapons law) occurring within Clery Geography for inclusion within the Annual Security Report, including: (1) the number, (2) location within Clery Geography, and (3)

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University programs and activities, the University **requires** any employee who has reasonable cause to believe that a vulnerable adult participating in such program or activity has been abused or neglected to report the concern promptly to the Department of Disability, Aging, and Independent Living and UVM Police Services. You need not have proof that abuse or neglect has occurred. Any uncertainty in deciding whether to report suspected abuse or neglect should be resolved in favor of making a good faith report. *Please see* the Vulnerable Adults; Reporting Abuse, Neglect or Exploitation of, and Crimes University Operating Procedure at [http://www.uvm.edu/policies/general\\_html/vulnerableadults.pdf](http://www.uvm.edu/policies/general_html/vulnerableadults.pdf).

**Abuse Hotline: 1-800-564-1612**

**UVM Police Services: (802) 656-3473**

<sup>3</sup> The University presumes as a matter of policy that incidents of relationship violence and stalking constitute a continuing threat of harm to the targeted individual, thereby requiring notification of UVM Police Services, including names of the individuals involved, to maximize both personal and campus safety, unless such notification by the UVM Reporter is constrained by law (e.g. doctor-patient confidentiality).

classification of violations (e.g. drug, liquor, or weapons laws). UVM Police Services, in cooperation with local law enforcement agencies, shall track arrests of the same. UVM Reporters must contact the appropriate campus disciplinary body – Center for Student Conduct (Students); College of Medicine Office of Student Affairs (COM Students); Human Resource Services (Faculty and Staff) – in accordance with applicable University policies, when witness to violations of liquor, drug abuse or weapons laws, or UVM policies concerning the same.

## Definitions

***Campus Security Authority (CSA) and Responsible Employee (“UVM Reporters”):*** An individual with legally required reporting responsibilities related to Clery Crimes that have occurred within the University’s Clery Geography, as well as incidents of discrimination and harassment, including incidents of Sexual Misconduct, that involve a member of the University community (e.g. faculty, staff, student, or affiliate), as detailed in this Policy and defined in the University’s Campus Safety and Security: Clery Act Policy (<http://www.uvm.edu/policies/riskmgm/clery.pdf>) and Sexual Harassment and Misconduct ([http://www.uvm.edu/policies/general\\_html/sexharass.pdf](http://www.uvm.edu/policies/general_html/sexharass.pdf))/ Discrimination and Harassment (<http://www.uvm.edu/policies/student/studentharas.pdf>) Policies respectively. By way of illustration, UVM Reporters include, but are not limited to:

- Members of the University of Vermont Department of Police Services and contract security personnel;
- A supervisor, manager, or higher level employee;
- A chair, director, or dean of an academic unit;
- Full and part time faculty members;
- Personnel with oversight responsibilities for students or student employees;
- Advisors to recognized student organizations; and
- Coaches and coaching staff.

For purposes of this Policy, employees who have a legally recognized confidential relationship with the individual who has reported a Clery Crime or incident of discrimination or harassment, such as licensed health care providers in the Center for Health and Well Being or the Employee Assistance Program, and the Campus Victim’s Advocate, do not constitute Responsible Employees (collectively, “Confidential Employees”). However, while Confidential Employees are exempt from the definition of a Responsible Employee under federal law, they nevertheless are required by University policy to report de-identified statistical information of discrimination and harassment incidents (including the nature, date/time, and general location) to AAEO. Further, Confidential Employees, other than licensed mental health counselors and pastoral counselors working within the scope of their license or religious assignment, are, by law, considered CSAs and must at all times comply with their obligations as CSAs under the Clery Act, as detailed in “Step 1” of the reporting process outlined in this Procedure.

Individuals should contact the General Counsel’s Office at (802) 656-8585 or [general.counsel@uvm.edu](mailto:general.counsel@uvm.edu) if they have any questions about whether they or another member of the campus community is a “UVM Reporter.”

**Clery Crimes<sup>4</sup>:** the following (alleged) crimes occurring within the University's Clery Geography must be reported using the CSA Information Portal:

**1. Criminal Offenses (Also called "Primary Clery Crimes")**

- Murder/Non-Negligent Manslaughter
- Manslaughter By Negligence
- Rape
- Fondling
- Incest
- Statutory Rape
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson

**2. Violence Against Women Act (VAWA) Offenses**

- Domestic Violence
- Dating Violence
- Stalking

**3. Hate Crimes:** In addition to the offenses listed above, where a victim is intentionally selected because of their actual or perceived race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability, the following crimes shall be reported as Hate Crimes according to the category of prejudice evidenced:

- Simple Assault
- Larceny-Theft
- Intimidation
- Vandalism

**4. State and Local Ordinance Violations:** Violations of state, local, or federal weapons, drug, or liquor laws. Note that violations weapons, drug and liquor laws are only reported in the Annual Security Report if an arrest was made *or* if the matter was referred for campus conduct proceedings.

**Clery Geography:** is comprised of three property types:

- **On Campus Property:** Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to such buildings or property that is owned by the institution but controlled by another person and is frequently used by students and supports institutional purposes. [see UVM Main Campus Clery Geography ([http://www.uvm.edu/policies/riskmgm/campussecuruity\\_geo.pdf](http://www.uvm.edu/policies/riskmgm/campussecuruity_geo.pdf))]
  - **Subset of On Campus Property – Student Housing Facilities:** Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus.

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<sup>4</sup> Clery Crimes are defined by the Federal Bureau of Investigation's Uniform Crime Reporting Handbook (UCR), the National Incident-Based Reporting System (NIBRS) Edition of the UCR for sex offenses, and the Violence Against Women Reauthorization Act of 2013 for domestic violence, dating violence and stalking, respectively. Full definitions are available on the CSA Information Portal: Crime Definitions (<http://www.uvm.edu/police/?Page=reports/csareport/crime-definitions.html&SM=reports/nav.html>).

- **Non-Campus Property:** Any building or property owned or controlled by a student organization that is officially recognized by the institution; or 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 frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
- **Public Property:** All thoroughfares, streets, sidewalks, and parking facilities within the campus, or immediately adjacent to and accessible from the campus.

## Contacts/Responsible Official

Questions related to the daily operational interpretation of this procedure should be directed to:

**Clery Coordinator** (for crime reporting)  
Kelly Riel  
(802) 656-3052

**UVM Police Services**  
284 East Avenue  
**Emergency: 9-1-1 (6-FIRE if on campus)**  
Headquarters: (802) 656-3473

**Affirmative Action and Equal Opportunity** (for discrimination and harassment)  
Nick Stanton, Title IX Coordinator  
428 Waterman Building  
(802) 656-3368

The Vice President for University Relations and Administration is the official responsible for the interpretation and administration of this procedure.

### *Other Campus and Community Resources:*

UVM Police Services	(802) 656-3473 or 911(for emergencies)
Chittenden Unit for Special Investigations (CUSI)	(802) 652-6800
UVM Medical Center Emergency Department ( <i>confidential</i> ) *including SANEs – Sexual Assault Nurse Examiners	(802) 847-2434
Dean of Students Office	(802) 656-3380
Campus Victim’s Advocate ( <i>confidential</i> )	(802) 656-7892 or (802) 656-9538 (direct)

UVM Counseling & Psychiatry Services ( <i>confidential</i> ) <i>*For after-hours assistance, select voicemail #2.</i>	(802) 656-3340
Howard Center Mobile Crisis Team ( <i>confidential</i> ) Rapid 24/7 Mental Health Assistance	(802) 488-6400
Student Health Center ( <i>confidential</i> )	(802) 656-3350
Employee Assistance Program ( <i>confidential</i> )	(802) 864-EAPØ <i>or</i> (866) 660-9533

24-hour free and confidential community services are also available in the greater Burlington community specific to individuals who have experienced sexual harassment, sexual violence, relationship violence, or gender-based stalking, regardless of gender-identity or sexual orientation:

H.O.P.E. Works (formerly the Women's Rape Crisis Center)	(802) 863-1236 <i>or</i> (800) 489-7273
Steps to End Domestic Violence (formerly Women Helping Battered Women) <i>*24 hour in-person response to the UVM Medical Center Emergency Department is available.</i>	(802) 658-1996
SafeSpace (LGBTQA Survivors)	(802) 863-0003 <i>or</i> (866) 869-7341

## Forms

Bias, Discrimination & Harassment Incident Reporting Form  
[https://publicdocs.maxient.com/reportingform.php?UnivofVermontAAEO&layout\\_id=5](https://publicdocs.maxient.com/reportingform.php?UnivofVermontAAEO&layout_id=5)  
CSA Information Portal and Reporting Form  
[www.uvm.edu/police/csa](http://www.uvm.edu/police/csa)

## Related Documents/Policies

Alcohol, Cannabis and Other Drug Use – Students Policy  
<http://www.uvm.edu/policies/student/drugandalco.pdf>  
Alcohol, Cannabis and Other Drug Use – Faculty and Staff  
[http://www.uvm.edu/policies/general\\_html/drugfreeworkplace.pdf](http://www.uvm.edu/policies/general_html/drugfreeworkplace.pdf)  
Campus Safety and Security: Clery Act Policy  
<http://www.uvm.edu/policies/riskmgm/clery.pdf>  
Discrimination and Harassment Policy  
<http://www.uvm.edu/policies/student/studentharas.pdf>  
Minors; Reporting Abuse or Neglect of and Crimes Operating Procedure  
[http://www.uvm.edu/policies/general\\_html/abuse\\_minors.pdf](http://www.uvm.edu/policies/general_html/abuse_minors.pdf)  
Missing Student Policy  
[http://www.uvm.edu/policies/general\\_html/missingstudent.pdf](http://www.uvm.edu/policies/general_html/missingstudent.pdf)

Personal Safety and Security Policy

[http://www.uvm.edu/policies/general\\_html/personalsafety.pdf](http://www.uvm.edu/policies/general_html/personalsafety.pdf)

Sexual Harassment & Misconduct Policy

[http://www.uvm.edu/policies/general\\_html/sexassault.pdf](http://www.uvm.edu/policies/general_html/sexassault.pdf)

Vulnerable Adults; Reporting Abuse, Neglect or Exploitation of, and Crimes Procedure

[http://www.uvm.edu/policies/general\\_html/vulnerableadults.pdf](http://www.uvm.edu/policies/general_html/vulnerableadults.pdf)

Weapons and Explosives Policy

[http://www.uvm.edu/policies/general\\_html/firearms.pdf](http://www.uvm.edu/policies/general_html/firearms.pdf)

## **Effective Date**

Approved by the Vice President for University Relations and Administration  
September 27, 2016