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Timely Warnings & Emergency Notifications

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I. REASON FOR THIS POLICY

To keep the campus community informed about safety and security issues on an ongoing basis, all Title IV institutions are required to have a timely warning and emergency notification policy.

II. STATEMENT OF POLICY

In the event a Clery Act reportable crime is reported, that occurred within the last 15 days, within the USD Clery geography, a “timely warning” will be issued. In the event that a situation arises, either on or off campus, that constitutes a threat to members of the campus community, a “emergency notification” will be issued. The timely warning and/or emergency notification will be issued through the USD Campus Alert system, which includes notification through email, text message, and telephone.

III. DEFINITIONS

Clery Act – a federal mandate that requires higher educational institutions collect crime data, report and disseminate to the campus community and the Department of Education. The Clery Act states that higher educational institutions must have a policy and procedure in place to give timely warnings of crimes that represent a threat to the safety of students or employees, and to make public their campus security policies.

Clery type offenses – Institutions of higher education must collect data concerning Criminal Homicide (including Murder and Non-Negligent Manslaughter), Negligent Manslaughter, Sex Offenses (including forcible and

non-forcible sexual contact), Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft & Arson.

Timely – as soon as the pertinent information is available in regard to a Clery type offense. The University will issue a timely warning for any Clery Act crime that occurs within Clery geography that is:

- Reported to campus security authorities or local police agencies; and
- Is considered by the University to represent a serious or continuing threat to students and employees.

Although the Clery Act does not provide a definition for timeliness, the intent of a timely warning is to enable the campus community to take measures to promote their safety. Therefore, the University will issue a warning as soon as the pertinent information is available, unless the University determines the risk of threat to students and employees no longer remains.

Clery Geography – the geographic area for which an institution is responsible for reporting crime statistics. Institutions must include statistics for Clery type offenses that occurs in any of the following areas:

1. On-Campus
 - a. 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
 - b. Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).
2. Non-campus
 - a. Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
 - b. 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.
 - c. Non-campus does not automatically refer to all surrounding neighborhoods of a college campus, nor does it include all properties that students happen to rent.
3. Public Property
 - a. Public property immediately adjacent to, within, or surrounding one's on-campus geography.

- b. For example, public property includes the public sidewalk that borders the campus, the public street, and the public sidewalk on the other side of the street.

IV. PROCEDURES

- A. The University Police Department (UPD) is the law enforcement agency responsible for investigating criminal activity of the campus of the University of South Dakota. The Vermillion Police Department and the Clay County Sheriff's office work closely with the UPD and maintain an open line of communication regarding criminal activity on or near the campus of the university.
- B. A crime is considered reported when it is brought to the attention of the UPD or a university Campus Security Authority.
- C. If the crime reported is a Clery type offense, then the University Chief of Police, or his/her designee, must consider whether a timely warning is required to warn the campus community of the criminal event. This decision will be done in partnership with the Dean of Students, General Counsel, Chief of Staff, and AVP of Marketing when possible. Each report must be evaluated on a case-by-case basis in light of all the facts surrounding a Clery type of offense, including:
 - 1. Whether the Clery type offense is a serious or continuing threat to the campus community,
 - 2. if the Clery type offense occurred on campus, on immediately accessible public property or at a non-campus University affiliated locations (e.g., Greek housing),
 - 3. the credibility of 1) the person reporting the Clery type offense and 2) the evidence that suggests the offense took place, and
 - 4. the opinions of other law enforcement or University officials with significant experience or knowledge regarding the Clery type offense.
- B. Should a timely warning be necessary, the next step is to determine by what means the University Chief of Police or the Dean of Students Office will communicate the message to the campus community. Timely warnings must be issued in a manner likely to reach the entire campus community.
 - 1. The most immediate form of communication is the USD Campus Alert System. The USD Campus Alert System should be used during incidents of broad ranged threats where the campus community must take immediate action to protect themselves.
 - 2. Emails, text messaging and reverse-911 phone systems are considered acceptable forms of communications during a timely warning in the event the campus alert system is unavailable. Flyers must be used in conjunction with other forms of communication to be considered effective.
 - 3. If appropriate, a campus alert may be displayed on the top of each page of our website. In the event of a major emergency, the USD homepage will be updated with information about the nature of the emergency and further emergency procedures.

4. If assistance is needed from additional law enforcement or emergency response agencies, they will be contacted by UPD to request assistance. If local media is helpful or necessary to disseminate any alerts, such outlets will be contacted for assistance.
 5. In some cases, the main university social media accounts also will share emergency information.
 6. A fire alarm may be used to evacuate a building when a timely warning is necessary for an immediate evacuation.
- C. A timely warning should be issued as soon as pertinent information is available. The intent of the warning is to enable members of the community to protect themselves, so the warning should include all information that would promote safety. This should include:
1. the Clery type offense reported,
 2. the locations on campus where the Clery type offenses have or may occur,
 3. safety tips to help prevent continuing incidents of the Clery type offense, and
 4. contact information for the UPD and Dean of Students office.
- D. Nothing in the policy restricts the use of the USD Campus Alert System from being used to notify the campus community of an incident involving a non-Clery type offense.
- E. In the event of an emergency or a dangerous situation, should an emergency notification be necessary, the University shall issue an emergency notification. The University shall, without delay and account for the safety of the community, determine the content of the notification and initiate the notification system, unless such notification will compromise efforts to assist a victim or contain, respond to, or mitigate the emergency.

V. RELATED DOCUMENTS, FORMS AND TOOLS

Not Applicable