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Timely Warnings

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I. REASON FOR THIS POLICY

In order 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 policy.

II. STATEMENT OF POLICY

In the event that a situation arises, either on or off campus, that constitutes a threat to members of the campus community, a “timely warning” will be issued. The warning 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. Also, 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 – 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 regards to a *Clery* type offense.

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 *Clery* University official with significant responsibility for student and campus activities (e.g. Dean of Students), by 1) another law enforcement agency, 2) a victim or witness to the crime or 4) any third party that has knowledge that the crime took place.
- C. If the crime reported is considered to be a *Clery* type offense, then the Director, 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, or his/her designee. Each report must be evaluated on a case-by-case basis in light of all the facts surrounding a *Clery* type offense, including:
 - a. whether the *Clery* type offense is a serious or continued threat to the campus community,
 - b. 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),
 - c. the credibility of 1) the person reporting the *Clery* type offense and 2) the evidence that suggests the offense took place, and
 - d. the opinions of other law enforcement or University officials with significant experience or knowledge regarding the *Clery* type offense.
- D. Should a timely warning be necessary, the next step is to determine by what means 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.
 - a. The most immediate form of communication is by utilizing 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.
 - b. Emails, text messaging and reverse-911 phone systems are considered acceptable forms of communications during a timely warning. Flyers must be used in conjunction with other forms of communication to be considered effective.
 - c. A fire alarm may be used to evacuate a building when a timely warning is necessary for an immediate evacuation.

- E. 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:
 - a. the *Clery* type offense reported,
 - b. the locations on campus where the *Clery* type offenses have or may occur,
 - c. safety tips to help prevent continuing incidents of the *Clery* type offense, and
 - d. contact information for the UPD and Dean of Students office.

- F. 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.

V. RELATED DOCUMENTS, FORMS AND TOOLS

Not Applicable