

Memo

TO: Campus Security Authorities
FROM: Jaimie Wilson, Clery Act Coordinator
DATE: August 24, 2023
RE: Campus Crime and Reporting of Crime Statistics

I am providing this information to you as the Clery Act Coordinator for ACC. This memo contains important information regarding compliance with the Clery Act. The Clery Act (Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act) requires ACC to disclose statistics concerning the occurrence of certain criminal offenses.

The Clery Act also requires the College to identify individuals that meet the definition of a CSA. These include athletic directors, coaches, advisors to student organizations, faculty with significant student interaction outside the classroom, president, vice presidents, assistant, deans, directors, Title IX coordinator, and others.

I have enclosed a list of those individuals whom the College has identified as CSAs, based on their function and responsibilities. You are receiving this memo because you are a CSA. As a CSA, you have certain duties as outlined below.

Prepare a CSA Reporting Form, if required.

If you receive information that a Clery Act Reportable Offense has occurred, you are required to prepare an incident report. **This is not optional. It is a requirement of federal law and ACC policy.** A copy of the form to be used is attached and is also available at the link below: https://container.alpenacc.edu/safety/docs/CSA_Reporting_Form.pdf

The report should be prepared and submitted at the time you become aware of the incident, regardless of when the incident occurred. This form contains definitions of the reportable Clery Act crimes, which are also listed in the attachment to this letter.

We have received some questions about how to handle a situation where you become aware of an incident, but the person who tells you about it does not want to take any action and wants the information to remain confidential. I have attached a document regarding how to handle such a request. As a CSA, you have a legal duty to make a report, but it is not your duty to investigate or try to obtain information beyond that which is provided to you.

If you have information about an incident that should have been reported but was not, please fill out Reporting Form now and return it to me.

If you are unsure whether an incident is reportable, please report it. If it is not necessary for the College to include that incident in our crime statistics report, we will not do so.

Please return all completed CSA Reporting Forms to me. You may deliver forms to me in any of the following ways:

- **Drop off the form to my office at 102 Van Lare Hall**
- **Email the form to me at wilsonj@alpenacc.edu**
- **Fax the form to me at 989-358-7379**

Please remember that in the future, you should fill out a CSA Reporting Form as soon as you become aware of a reportable incident and deliver it to:

Melissa Guy - Director of Human Resources/Title IX Coordinator

She will route the reports to me upon receipt for data collection purposes. If appropriate, she will also undertake any necessary follow-up on the report. If the incident involves neither an employee nor a student, you should send the report directly to me.

If you have any questions about this request, please contact me. Thank you for your assistance in complying with this federal law.

IMPORTANT NOTE TO CSAs ABOUT REPORTING SEXUAL MISCONDUCT AND REQUESTS FOR CONFIDENTIALITY

As provided by College Policy 7003, the College encourages all its students, faculty, staff and guests to report crimes and public safety incidents. Because you have been identified as a Campus Security Authority (CSA), we believe that students may be likely to report such incidents to you and therefore we want you to understand your responsibilities if you receive such a report.

In addition, the ACC Sexual Misconduct Policy 7009 **requires all employees** to report any allegations of Sexual Misconduct immediately to Melissa Guy, the Title IX Coordinator.

As a CSA, it is NOT your responsibility to investigate the reported crime or determine whether a crime occurred. Rather, it is your responsibility to document the information provided to you and make an internal report to the College. If there is a reasonable basis to believe the information given to you, you have an obligation to report.

The CSA Reporting Form (attached) includes the information you should attempt to collect and include. You are only required to provide the information that is given to you.

Sexual Misconduct, including domestic violence, dating violence and stalking, is reportable under the Clery Act. Sexual Misconduct is also reportable under a separate federal law known as Title IX. If you receive a report of sexual misconduct, **you are required to report the information you receive to the College so that appropriate action can be taken by the College. This is a requirement both of federal law and college policy.**

Under the College Sexual Misconduct Policy, ALL employees of ACC—not just CSAs—are considered “responsible employees” having a duty to report incidents of sexual misconduct. There is a separate reporting form for these incidents found at the link below (which is attached):

https://container.alpenacc.edu/safety/docs/sexual_misconduct_reporting_form.pdf

Because you are a CSA, you should use the CSA reporting form, but we want you to be aware of the Sexual Misconduct Form is also available. It can be used by anyone wants to report information about sexual misconduct.

You may learn of an incident of Sexual Misconduct which the person involved want to report anonymously or asks that no action be taken. As a College employee or representative of the College, **you cannot assure this.** The College may have a legal duty investigate or take other action. However, we want to provide you with some guidance in handling such a situation.

When someone comes to you with information regarding an allegation of sexual misconduct:

1. Tell them that you will be filling out a form providing the information you are aware of to the Title IX Coordinator, Melissa Guy. She will then follow-up with the person to make sure they receive all the information about the rights and options available to them.
2. Before you complete the form or obtain more information from the person, explain that you want them to understand that the information they share with you will be included in the report.
3. Tell the person you understand that the information they disclose to you is sensitive and that it will be treated as such. The privacy of the individuals involved will be respected to extent permitted by law, but you cannot promise them confidentiality. Information that they share with you will be reported to the College.
4. If there is specific information they do not wish to disclose or if they want to speak to someone in confidence, the Title IX Coordinator's Office can arrange for them to speak to a trained advocate who is not a College representative and is a "confidential resource." For example, we work closely with Hope Shores Alliance, which is a non-profit agency that can provide advocacy and confidentiality for those who have experienced sexual misconduct or abuse.
5. Encourage the person to provide you with information about the incident and listen with empathy, but do not pressure them to provide details they do not wish to provide. The Office of the Title IX Coordinator will follow up with the person to gather additional facts and provide information regarding the measures that are available to them.
6. Some people may be worried that if they report an incident of sexual misconduct, they may be pressured into filing a police report or a formal complaint through the college. Explain no one will pressure them to take any action. It is their right to file a formal complaint or report to the police. It is also their right not to do so. Their rights will be respected.
7. Tell the person where they can access the Sexual Misconduct Reporting Form and other information about Sexual Misconduct. https://container.alpenacc.edu/safety/docs/sexual_misconduct_reporting_form.pdf

The College also provides a brochure containing helpful information and resources for dealing with sexual misconduct. It is called Campus Guide for Prevention and Response to Sexual Misconduct. This brochure is found at:

https://discover.alpenacc.edu/safety/docs/acc_sexual_misconduct_brochure.pdf

The Title IX Coordinator, Melissa Guy, can provide additional guidance and information. She can explain the rights, options and protective measures that are available to the individual.

If you would like further information or have questions, please do not hesitate to contact the Title IX Coordinator, Melissa Guy at 989-358-7211.

Clery Act Reportable Offenses Include the Following:

- murder/non-negligent manslaughter
- negligent manslaughter
- sex offenses (forcible and non-forcible)
- robbery
- aggravated assault
- burglary
- motor vehicle theft
- arson
- domestic violence
- dating violence
- stalking
- sexual assault
- arrests or referrals for drug and alcohol violations

Hate Crimes

In addition, we are required to report if any above-listed Clery Act Reportable Offenses were categorized as hate crimes. Hate crimes are those bias-related crimes where the offender's actions were motivated by bias on the basis of actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability.

The following incidents must also be reported, if motivated by bias on the basis of the above "hate crime" categories:

- larceny-theft
- intimidation
- simple assault
- damage/destruction/vandalism of property
- any other crime involving bodily injury

We are required to disclose statistics for offenses that occur on campus, in or on non-campus buildings or property owned or controlled by our school, and public property within or immediately adjacent to our campus.

Alcohol, Drug and Weapons Violations

The College is also required to report arrests and discipline referrals of students, staff, and faculty for liquor, drug, weapons, and law violations, **regardless of where the offense occurred.**

How to Access Blackboard Training for CSAs

The training is located in the College's Learning Management System, Blackboard, which can be found in the myACC portal. It is best to use either the **Google Chrome, Firefox,** or **Safari** web browser when accessing Blackboard.

Navigate to the ACC homepage, <https://discover.alpenacc.edu> and click the myACC button .

Enter your ACC email address and password to access the portal.

* If you need assistance with your ACC email address and/or password, reach out to the ACC Technology Help Desk at helpdesk@alpenacc.edu or (989) 358-7374.

Once you are logged into the portal, select Blackboard.

To access the Clery Act Training, click "Courses" in the navigation menu. Select the "Clery Act Training" link and proceed through the training.

*Contact Sarah Burt burts@alpenacc.edu with questions regarding Blackboard.