



UNIVERSITY OF  
WEST GEORGIA

Last Approved N/A  
Effective N/A  
Next Review N/A

Area Risk/Security/  
Environmental  
Health & Safety  
Chief Or  
Responsible Chief Legal  
Office Officer

## Clery Act Compliance (#7008)

### Purpose/Reason for Policy

To comply with the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998” (Clery Act).

### Policy Statement

To maintain a safe and secure environment for its faculty, staff, employees, students, and visitors, the University of West Georgia (UWG) will comply with the provisions of the Clery Act. The Clery Act requires the University to report specified crime statistics on and near the Grounds and provide other safety and crime information to the campus community.

For more information on the Clery Act at UWG, visit <https://www.westga.edu/cleryact/>; for questions, or contact the Clery Compliance Team at [clery@westga.edu](mailto:clery@westga.edu).

### Scope/Applies To:

All Employees  Faculty  Staff  Students  Vendors/Contractors  Others\_\_\_\_\_

The Chief Legal Officer is authorized to establish procedures for compliance with this Policy.

Specifically, UWG will:

#### A. Publish an Annual Security and Fire Safety Report (ASFSR)

1. The University will publish an Annual Security and Fire Safety Report (ASFSR), which will include Clery crime statistics, security policies and procedures, and information on the fundamental rights guaranteed to crime victims. All Clery crime statistics shall be provided by the established deadline to the U.S. Department of Education (DOE).
2. The report must be made available to all current faculty, staff, and students. Prospective

faculty, staff, and students must be notified of the ASF SR's existence and provided a copy upon request. Paper copies of the report will be available upon request. The current ASFR report is published on the University's [Clery webpage](#).

## B. Disclose Crime Statistics

Crime statistics for incidents that occur in Clery reportable geography must be disclosed annually. The Clery Act requires reporting of crimes in the following categories: murder & non-negligent manslaughter, negligent manslaughter, rape, fondling, statutory rape, incest, robbery, aggravated assault, burglary, motor vehicle theft, arson, domestic violence, dating violence, stalking, liquor law violations, drug law violations, weapon law violations, and hate crimes as defined by the Clery Act. **See Attachments - Clery Reportable Crimes and Clery Geography.**

### VAWA Sexual Misconduct Disciplinary Proceedings

UWG prohibits the crimes of Dating Violence, Domestic Violence, Sexual Assault, and Stalking (as defined in this policy). This covers alleged misconduct both on and off-campus, and whether or not it is on the basis of sex. All VAWA Sexual Misconduct Proceedings will include "a prompt, fair, and impartial process from the initial investigation to the final result" as defined by [34 CFR § 668.46\(k\)\(3\)\(i\)](#). This includes, but is not limited to, the following procedural safeguards for all parties:

- The Title IX /ADA Coordinator & Equal Opportunity Officer will provide timely and equal access to the Complainant, the Respondent, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings.
- The Title IX /ADA Coordinator & Equal Opportunity Officer will provide simultaneous notification, in writing, to both the Complainant and the Respondent, of:
  - The result of any institutional disciplinary Proceeding that arises from an allegation of Dating Violence, Domestic Violence, Sexual Assault, or Stalking;
  - The institution's procedures for the Respondent and Complainant to appeal the result of the institutional disciplinary Proceeding;
  - Any change to the result; and
  - When such results become final.
- If an appeal is filed by either party the Title IX /ADA Coordinator & Equal Opportunity Officer will notify the other party in writing within 3 business days and afford them an opportunity to respond in writing within 5 business days.

### Prohibition on retaliation

UWG, or an officer, employee, or agent of the institution, may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision in this policy.

## C. Identify, Notify, and Train Campus Security Authorities (CSAs)

On an ongoing basis, the University will identify positions meeting the CSA definition and notify individuals of their obligations to report all Clery Crimes witnessed or reported to them, which may have occurred in a Clery reportable location. Training will be provided regularly, and all CSAs are required to complete all training and reporting requirements under the Clery Act. See associated Procedure: Identification, Notification, and Training of Campus Security Authorities.

## D. Issue Timely Warnings

1. The University shall provide Timely Warnings about Clery reportable crimes that pose a serious or ongoing threat to the University Community and that occurred within the institution's Clery Geography. This is determined by University Officials who have been pre-identified in the University's Annual Security and Fire Safety Report. Because the nature of criminal threats is not limited to a single location, Timely Warnings must be issued in a manner reasonably likely to reach the entire University Community. See UWG PL 7008 Associated Procedure, [Timely Warning Notices, Safety Advisories, and Emergency Notifications](#).
2. Exception: Crimes that would otherwise be reportable but are reported to a licensed mental health counselor or Pastoral Counselor, in the context of a Privileged (Confidential) Communication, are excluded from the Timely Warning requirement.

## E. Issue Emergency Notifications

1. The University is required to inform the University Community about a significant emergency event or dangerous situation involving an immediate threat to the health or safety of University faculty, staff, employees, students, patients, and visitors occurring on or near University property. An Emergency Notification expands the definition of Timely Warning as it includes both Clery reportable crimes and other types of emergencies (e.g., fire, infectious disease outbreak, etc.). Emergency events may be localized; therefore, notifications may be tailored exclusively to the segment of the campus community at risk.
2. The University must have emergency response and evacuation procedures in place specific to its on-campus facilities. A summary of these procedures must be disclosed in the ASR, and emergency response procedures must be tested annually.
3. Exception: Notification not subject to the Emergency Notification requirement are those that would compromise efforts to assist a victim, contain the emergency, respond to or mitigate the emergency.

## F. Responding to Reports of Missing Students

1. The University will implement a Missing Residential Student Procedure and provide each student living in on-campus housing facilities the opportunity and means to identify an emergency contact. Students may identify a separate individual the University may confidentially contact if a student is reported missing. See UWG PL 7008 Associated

Procedure, [Missing Residential Student](#).

2. The University Police Department (UPD) shall investigate all reports of missing students. UPD will notify and cooperate with other law enforcement agencies, as necessary, to further the investigation within 24 hours of notification that the student is missing.
3. All employees must immediately report missing students to UPD or file a report to UPD at the affected University Location.

## G. Compile, Report, and Publish Fire Safety Data

1. The Higher Education Opportunity Act of 1998 (HEOA) amended the Clery Act to include fire statistics. These statistics are reported in the Annual Security and Fire Safety Report (ASFSR). The University must collect and disclose fire statistics for each on-campus student housing facility separately for the most recent three calendar years for which data are available. Each on-campus student housing facility must be identified in the statistics by name and street address, regardless of whether fires have occurred.
2. The University will describe in the AFSR the fire safety system in each student housing facility. These descriptions include mechanisms (e.g., fire extinguishers, fire doors, posted evacuation routes, etc.) or systems related to the detection, warning, and control of a fire. The current ASFR report is published on the University's [Clery webpage](#).

## H. Maintain a Fire Log

1. The University will maintain a daily Fire Log documenting the nature of the fire, the date the fire occurred, the report date and time of the fire, and the general location of each fire-related incident in an on-campus student housing facility reported to University Officials. Within two business days of receiving the report, incidents must be entered into the log. The previous 60 days of Fire Log entries must be available for public inspection during regular business hours. A separate log will be kept at each University Location and available online and in hard copy. The Fire Log is available from the UWG Police Department at each location during regular business hours.
2. Requests for public inspection of daily Fire Log entries beyond 60 days will be made available within two business days of the request. The Crime and Fire Logs are found at: <https://www.westga.edu/cleryact/crime-log-and-warnings-map.php>.

## I. Maintain a Daily Crime Log

1. The University will maintain a Daily Crime Log documenting the nature, date, time and general location of each crime reported to the UPD within the last 60 days and the disposition, if known, of the reported crimes. Incidents are entered into the log within two business days of receiving the report. Current crime logs are available online and for public inspection during regular business hours upon request from the UWG Police at all institutional sites.
2. Requests for public inspection of Daily Crime Log entries beyond 60 days will be made

available within two business days of the request. Logs are found at: <https://www.westga.edu/cleryact/crime-log-and-warnings-map.php>.

## **J. Establishing and Maintaining Primary Prevention and Awareness Programs**

UWG will establish sufficient primary prevention and awareness programs to comply with the Clery Act and the Drug-Free Schools and Communities Act (DFSCA).

## **K. Establish Sufficient Administrative Capacity for Clery Compliance and Internal Controls**

To be eligible to participate in the Title IV programs, schools must demonstrate that they have the administrative capability to meet the statutory requirements of Title IV and the DOE's implementing regulations (34 C.F.R. Section 668.16(a)). To be considered administratively capable, schools must employ an adequate number of qualified persons and administer the Title IV programs with adequate checks and balances in a system of internal controls (34 C.F.R. Section 668.16(b)(2) and (c)(1)). These requirements apply to a school's administration of its Clery Act compliance program.

1. UWG will ensure it has sufficient administrative capacity to comply with Clery Act requirements.
2. Clery Officers will include, but are not limited to, a representative from University Police, Title IX, Student Conduct, Human Resources, Facilities, Athletics, and Housing and Residence Life.
3. The Clery Officers will meet together as part of the Clery Compliance Team at least twice a year to address Clery compliance issues and regularly collaborate throughout the year to maintain the Clery compliance program.
4. The University will ensure employees involved with Clery compliance regularly receive updated training on issues related to Clery Compliance.
5. The University will maintain membership in a nationally recognized Clery compliance organization to be utilized as a resource for the Clery compliance program.
6. The University will conduct periodic audits of various portions of the compliance program.

## **L. General Expectations**

1. All University Community members, including students, faculty, staff, visitors, and guests, are encouraged to accurately and promptly report all criminal or suspicious actions and any potential emergencies to the UPD or an appropriate law enforcement agency.
2. All witnesses to a crime and crime victims, including victims who elect not to or unable to make a formal complaint or do not want to pursue action within the University System or the criminal justice system, are encouraged to report crimes on a voluntary, confidential basis to

UPD.

UPD officers can file a confidential report detailing the incident without revealing the identity of a victim or witness to the extent allowed by state and federal laws. However, the Georgia Open Records Act (O.C.G.A. § 50-18-70 et. seq.) governs what information is exempt from being disclosed by UWG. Therefore, confidential reports filed pursuant to this paragraph shall be counted and included in the University's Annual Security and Fire Safety Report (ASFSR), Daily Crime Log, and used to assess Timely Warnings.

3. Clery Compliance is the responsibility of all members of the University Community.

## **M. Additional Information**

Clery Compliance Procedures have been established to assist the University in complying with Clery Act compliance, thereby increasing overall safety within Clery Geography.

In order to maintain a safe and secure environment for its employees, students, patients, and visitors and address compliance all Clery procedures are interrelated and must be read together.

## **Compliance Responsibilities by Role or Unit**

**A. The Clery Compliance Team, made up of senior leaders from across the University's functional areas and led by the Office of Legal Affairs,**

1. monitor and manage the University's compliance with the Clery Act;
2. appoint and direct the Clery Officers in matters related to the Clery compliance;
3. collect and classify reports of Clery Act Crimes received by the University in conjunction with specified Clery Officers such as Student Conduct, Title IX, and UPD;
4. create and publish the Annual Security and Fire Safety Report by the due date as directed by the U.S. DOE;
5. notify all currently enrolled students and University employees of the availability of the Annual Security and Fire Safety Report, providing: (i) a statement of the report's availability; (ii) a list and a brief description of the information contained in the report; (iii) the exact URL (a direct link) for the website at which the report is available; and (iv) a statement that a paper copy of the Annual Security and Fire Safety Report is available without fee upon request. Requests may be received in writing (including email), by phone, or in-person;
6. update Clery policy and procedures, as necessary, when federal legislation is amended;
7. review and update the institution's Clery Geography annually;
8. complete the DOE's annual Campus Safety and Security Survey on behalf of the University. Any University department receiving the survey directly from DOE should forward it to the Office of Legal Affairs for completion;

9. coordinate with campus partners such as Health Education and Human Resources to ensure offered primary prevention and awareness programs meet Clery Act requirements; maintain audit trails and records for seven years; and
10. classify incidents reported to the University for inclusion in the annual crime statistics.

A listing of the Clery Compliance Team members may be found posted on the UWG Clery website.

#### **B. Executive Leadership**

1. provide sufficient resources, including but not limited to administrative capacity, personnel, supplies, budget, and infrastructure, to ensure compliance with all provisions of the Clery Act; and
2. provide sufficient authority to the Clery compliance program to ensure compliance with all provisions of the Clery Act.

#### **C. Office of Legal Affairs**

1. adopt a system to track policy compliance. The Clery Compliance Team will use this system to archive policies and procedures relevant to the Clery compliance program. This program will include any information, audit trails, and files to provide evidence of compliance for the last seven calendar years.
2. request internal auditors review all or portions of the Clery Compliance program at least biannually;
3. lead the Clery Compliance Team in their duties and provide legal guidance on issues of Clery compliance.

#### **D. Campus Planning & Facilities**

1. provide the Clery Compliance Team each January, a list of all buildings or property owned or controlled by the University, including specific address information and a notation of those properties that fall within a University campus;
2. provide the Clery Compliance Team each January, a list of all active properties leased from third parties on behalf of the University, including specific address information, a contract number for referral, and contact information;
3. notify Clery Compliance Team, within 30 days of such change, when buildings or property owned, leased, or controlled by the University are bought or sold, or if the use of such property changes, to allow updates to the Clery Geography map and building list;
4. review Clery Geography maps and building lists with the Clery Compliance Team annually;
5. provide to the Clery Compliance Team each January, an electronic and printed version of the Clery Geography Map;
6. provide to the Clery Compliance Team each January, a description of the fire safety system in each student housing facility. Descriptions should include any mechanisms (e.g., fire



extinguishers, fire doors, posted evacuation routes, etc.) or systems related to detecting, warning, and controlling a fire.

#### **E. Human Resources**

1. maintain an active list of all identified CSA positions. This list includes the employee's name, home department id, home department name, position number, status as a CSA, job code, and job title.
2. provide the active list of Campus Security Authorities upon request;
3. notify each CSA identified annually of their status as a CSA;
4. consult with the Clery Compliance Team when a position is created or changes to evaluate or exclude the position as a CSA;
5. ensure identified CSA position job descriptions and job postings are identified and list their CSA obligations under the Clery Act;
6. provide electronic notice of the availability of the ASFSR to all prospective employees;
7. provide each January, statistics reflecting violations of any Clery Act Crimes by employees that occur within the Clery reportable geography and result in arrest or referral for disciplinary action.
8. coordinate with the Clery Compliance Team or other University Officials to ensure new employees receive the University's current primary prevention and awareness training in compliance with the Clery Act and DFSCA.

#### **F. Campus Security Authorities (CSA)**

1. complete all mandatory training. Online training will be made available, or units may request in-person training by contacting the Office of Legal Affairs;
2. report any Clery reportable crime regardless of University Affiliation by completing and submitting the online [Campus Security Authority Disclosure Form](#) as soon as practicable after being made aware of a crime. CSAs are not responsible for investigating crimes unless within the scope of a particular CSA's duties. CSAs who deliberately fail to report Clery reportable crimes they are aware of may be subject to appropriate disciplinary action.

#### **G. University Police Department**

1. maintain the daily Fire Log for each location and make the Fire Log available, upon request, for public inspection;
2. maintain the Daily Crime Log for each location and make available, upon request, for public inspection;
3. determine on a case-by-case basis whether and when to issue a Timely Warning through the UWG notification system to inform the affected campus community about Clery Act Crimes that occur on university Clery Geography. UPD's determination will be based on when and



where the incident occurred, the date reported, the amount of information known by UPD, and any serious or ongoing threat to the university community.

4. in conjunction with Emergency Management on a case-by-case basis, determine whether and when to issue an Emergency Notification to the affected University Community. Emergency Notifications are issued through the UWG notification system either by UPD or Emergency Management if a situation poses a significant confirmed emergency or dangerous situation involving an immediate threat to the health or safety of the University Community.
5. record the issuance of a Timely Warning or Emergency Notification for audit purposes, and provide that information to the Clery Compliance Team;
6. review each incident reported to UPD to determine an initial Clery classification; and
7. meet regularly with the Clery Compliance Team to review incidents and classify to exclude or include in the annual crime statistics.
8. The Access Control Office will maintain the security of and access to campus facilities, including on-campus residences.
9. Campus academic and administrative security and access controls include adherence to building hours (including classroom, administrative, and library buildings) set by each location.

#### **H. Emergency Management**

1. conduct a test of emergency response and evacuation procedures at least once each calendar year. Emergency Management will document the test/drill/exercise, describe the date and time held with start and end times, whether the test/drill/exercise was announced, and include any follow-through activities designed to assess and evaluate emergency plans and capabilities. This information will be provided to the Clery Compliance Team within 30 days of a completed test;
2. determine, in conjunction with UPD on a case-by-case basis, whether and when to issue an Emergency Notification to the affected University Community. Emergency Notifications are issued through the UWG notification system either by UPD or Emergency Management if a situation poses a significant confirmed emergency or dangerous situation involving an immediate threat to the health or safety of the University Community; and
3. record issuance of Emergency Notifications and provide this information to the Clery Compliance Team for audit purposes.

#### **I. Office of Education Abroad**

1. provide the Clery Compliance Team each January a list of all student travel to foreign countries for the preceding calendar year. The list will include the lodging location address, and dates for each trip;
2. provide the Clery Compliance Team each January a list of all students traveling to other countries for the preceding calendar year. The list will include the lodging location address,

and dates for each trip.

3. provide Clery Compliance Team each January a list of all faculty or staff study abroad leaders for the preceding year; and
4. ensure faculty or staff study abroad leaders receive current Campus Security Authority (CSA) training through the Clery Compliance Team before traveling for their study abroad program.

#### **J. Athletics**

1. provide the Clery Compliance Team each January, a list of all student travel for athletic events for the preceding calendar year. The list will include the lodging location address, room number, and dates for each trip.

#### **K. Student Affairs**

1. provide statistics by campus location reflecting referrals for violations of any liquor, drug, or weapon laws that occur within the Clery reportable geography to the Clery Compliance Team for inclusion in the crime statistics for the Annual Security and Fire Safety Report;
2. coordinate with UPD and local police agencies to monitor criminal activity involving students and student organizations occurring at Non-Campus Property;
3. provide an electronic link to the UWG Clery website, including the Annual Report, to all prospective students on the admissions website;
4. include a notice of availability in admissions mailings to prospective students; and
5. provide a list of all non-campus properties owned or controlled by officially recognized student organizations to the Clery Compliance Team each January.
6. a Student Affairs official, as a member of the Clery Compliance Team, will assist with classifying referrals and other Clery Act reportable incidents reported to Student Affairs.
7. meet regularly with the Clery Compliance Team to review incidents and categorize exclusions or inclusions in the annual crime statistics.

#### **L. Office of Title IX/ADA and Equal Opportunity**

1. provide Clery Act reportable statistics to the Clery Compliance Team;
2. assist, as a member of the Clery Compliance Team, with classifying possible Clery Act reportable incidents reported to Title IX and Equal Opportunity;
3. forward all received Clery reportable incidents to the Clery Compliance Team for review and consideration of issuing a Timely Warning.
4. meet regularly with the Clery Compliance Team to review incidents and classify to exclude or include in the annual crime statistics.

#### **M. Office of Procurement**

1. ensure the Clery Act Statement and Clery Act Notice of Availability is included in the Standard Engagement Agreement.

#### **N. Office of Admissions (undergraduate, graduate, and international)**

1. provide an electronic link to the UWG Clery website, including the Annual Report, to all prospective students on the admissions website;
2. include a notice of availability in admissions mailings to prospective students

## **Definitions**

**Annual Security and Fire Safety Report (“Annual Report”):** Annual report required by 34 CFR 668.41(e) setting forth statistics on a rolling three-year basis for Clery Act Crimes and disciplinary referrals for drug, alcohol, and weapon offenses by type, location, and year; campus security and safety policy statements. Also included are procedures for issuing to the campus community Timely Warnings and Emergency Notifications; Title IX information, drug and alcohol abuse programs, fire safety policies and procedures for on-campus student housing, and statistics for fires in on-campus students housing.

**Campus Security Authority (“CSA”):** Identified individuals and groups of individuals and organizations specified in the Clery Act and associated with a university campus, including:

- (1) the University Police Department (UPD);
- (2) individual(s) who have responsibility for campus security but not affiliated with UPD;
- (3) any individual or organization specified in the security and safety policy statements as an individual or organization to which students and employees should report criminal offenses; and
- (4) any official of the campus who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings, and who has the authority and the duty to act or respond to issues on behalf of the campus.

When acting within the scope of their official responsibilities, Pastoral Counselors, Professional Counselors, and uncertified persons acting under the supervision of an exempt counselor are not CSAs.

**Clery Act Crimes:** Certain crimes specified in the Clery Act, and further described in **Attachment -Clery Reportable Crimes**, on which each campus will compile statistics of reports made to campus UPD, CSAs, and local law enforcement, including aggravated assault; arson; burglary; motor vehicle theft; murder and non-negligent manslaughter; manslaughter by negligence; robbery; sex offenses; hate crimes; domestic violence; dating violence; stalking; weapon law violations; drug law violations; and alcohol law violations.

**Clery Geography:** For each University of West Georgia campus; a map depicting the Core Campus and surrounding area identifies On-Campus Property, Non-Campus Property, Public Property, and Patrol Jurisdiction.

**Clery Reportable Crimes:** See **Attachment - Clery Reportable Crimes**.

**Complainant:** For purposes of this policy, an individual alleged to be the victim of conduct prohibited by this policy. A complainant may be a student, employee, other affiliate, or unaffiliated with the institution.

**Daily Crime Log:** The required Clery Crime log maintained by UPD at each campus of all alleged criminal incidents reported to campus UPD.

**Dating Violence:** For purposes of this policy, violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

(i) The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

(ii) For the purposes of this definition—

(a) Dating violence includes sexual or physical abuse or the threat of such abuse.

(b) Dating violence does not include acts covered under the definition of domestic violence.

(iii) Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting

**Domestic Violence:** For purposes of this policy, a felony or misdemeanor crime of violence committed by:

(A) a current or former spouse or intimate partner of the victim;

(B) a person with whom the victim shares a child in common;

(C) a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;

(D) a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or

(E) any other person against an adult or youth victim protected from that person's acts under the domestic or family violence laws of the jurisdiction where the crime of violence occurred.

Any incident meeting this definition is considered a crime for the purposes of the Clery Act reporting.

**Emergency Notification:** An announcement required by the Clery Act and issued via the university notification system to inform an affected campus community of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees on the impacted campus.

**Emergency Test:** Regularly scheduled drills, exercises, and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities. An institution must conduct at least one test per year.

**Fire Log:** A log maintained by UPD of any report to a campus official of a fire occurring in on-campus student housing.

**Missing Student Notification:** A notification issued to a student's designated confidential contact, the

parent or legal guardian, and the local law enforcement agency with jurisdiction following a determination by UPD that a student has been missing for 24 hours. Although the Clery Act requires a Missing Student Notification only for students who reside in on-campus housing, the University of West Georgia may assist local law enforcement in investigating any missing student, irrespective of the location of residency.

**Non-Campus Property:** For each University of West Georgia campus:

- (1) any building or property owned or controlled by a student organization officially recognized by the campus; or
- (2) any building or property owned or controlled by the campus used in direct support of, or relation to, the campus' educational purposes is frequently used by students and is not within the same reasonably contiguous geographic area of the campus.

Non-Campus property also includes all locations used by students during School-Sponsored Trips (see below) controlled by the university during the trip and used to support the university's educational purposes.

**On-Campus Property:** For each University of West Georgia campus, any building or property owned or controlled by the university within the same reasonably contiguous geographic area and used by the university in direct support of, or a manner related to, its educational purposes; and any building or property that is within or reasonably contiguous to the area owned by the University of West Georgia but controlled by another person or entity, is frequently used by students, and supports the university's institutional purposes (such as a food or other retail vendor).

On-Campus Property includes, for example, university buildings; university residential facilities; university-owned land/property; university streets, sidewalks, and parking lots; property leased by the university; properties owned by the university but controlled by a third-party bookstore or coffee shop.

**Pastoral Counselor:** An employee of an institution associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and functioning within the scope of that recognition as a Pastoral Counselor.

**Proceeding:** All activities related to a non-criminal resolution of an institutional disciplinary complaint, including fact-finding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and parties concerning accommodations or protective measures to be provided to a party.

**Professional Counselor:** A campus employee whose official responsibilities include providing psychological counseling to members of the campus community and functioning within the scope of his or her license or certification.

**Public Property:** For each University of West Georgia campus, all Public Property, including thoroughfares, streets, sidewalks, and parking facilities, is within the campus or immediately adjacent to and accessible from the campus. Public Property includes, for example, city streets (e.g., Maple Street, West Georgia Drive); and sidewalks in front of private businesses.

**Respondent:** an individual reported to be the perpetrator of conduct prohibited by this policy. A respondent may be a student, employee, other affiliate, or unaffiliated with the institution.

**Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as defined below.

**Rape:** The penetration, no matter how slight, of the vagina or anus with anybody part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

**School-Sponsored Trips:** All university-sponsored, short-stay “away” trips of more than one night for any of its students. If the university sponsors student travel on an overnight trip every year and the students stay in the same hotel each year, UWG must include portions of the hotel in its report of non-campus geography.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- (A) Fear for the person's safety or the safety of others; or
- (B) Suffer substantial emotional distress.

For the purposes of this definition:

(A) Course of conduct means 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.

(B) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. (C) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Timely Warning:** An announcement issued via the university notification system to inform an affected campus community of Clery Act Crimes and other serious incidents when a reported crime may pose a serious or continuing threat to the impacted campus and surrounding community.

**University Community:** (1) All persons enrolled at or employed by the University, including University

students, faculty, staff, administrators, and employees, and (2) recognized University-affiliated entities including University departments, foundations, and registered University student organizations.

**VAWA:** Violence Against Women Reauthorization Act of 2013 amendments to the Clery Act, Public Law 113-4 Section 304.

**VAWA Sexual Misconduct:** Dating violence, domestic violence, sexual assault, and stalking as defined by this policy whether it is alleged to have occurred on or off-campus. VAWA Sexual Misconduct need not be based on sex.

## Guidelines/Related material

[Clery Act Appendix of the Federal Student Aid \(“FSA”\) Handbook](#)

[Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act](#)

UWG PL 4002, [Non-Discrimination/Anti-Harassment Policy](#) and Associated Procedures

## Associated Procedures

[Identification, Notification, and Training of Campus Security Authorities](#)

[Missing Residential Student](#)

[Timely Warning Notices, Safety Advisories, and Emergency Notifications](#)

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## Attachments

[Clery Geography.pdf](#)

[Clery Reportable Crimes.pdf](#)

## Approval Signatures

Step Description

Approver

Date