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**1. Purpose**

This policy identifies Tidewater Community College’s Campus Security Authorities and delineates their responsibilities in fulfillment of the requirements contained in

federal law, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) and the Higher Education Opportunity Act (“HEOA”).

The Clery Act and HEOA require that TCC, and all other colleges and universities participating in federal student-aid programs, collect and disclose certain timely and annual information about campus crime and security policies. Typically, such crimes will be reported to TCC Security or to local or state police authorities. However, a student who is the victim of a crime may be more inclined to report it to someone other than police or security officials. For this reason, the Clery Act requires that institutions collect crime reports from a variety of individuals and organizations considered to be Campus Security Authorities (CSAs).

## **2. Policy**

In order to maintain a safe and secure learning and working environment for students, employees, and visitors, Tidewater Community College shall designate certain college officials as Campus Security Authorities (CSAs) in accordance with the Clery Act and HEOA. Designated CSAs shall assist in gathering crime data by reporting in a timely manner to the college’s Director of Public Safety or designee all information of alleged criminal activity provided in good faith by any person. CSAs shall be trained in their responsibilities under the Clery Act, the procedures they are to follow, and the crimes they are required to report.

Nothing in this policy shall be interpreted to relieve any college employee receiving information of alleged criminal activity from reporting that information to TCC Security staff or a supervisor.

### **2.1. Designation of TCC Campus Security Authorities**

The Clery Act identifies four categories of individuals and organizations who shall be designated as CSAs. The specific designations for TCC are listed below.

#### **2.1.1. Campus Police or Security Department Personnel**

All members of the TCC Department of Public Safety who have security-related responsibilities, whether directly employed by the college or contracted:

- Director of Public Safety
- Security Manager – Technical Security Systems
- Security Manager (contract employee)
- Security Officers (contract employees)

#### **2.1.2. Other Individuals Responsible for Campus Security**

College staff with responsibility for security who are not assigned to the TCC Department of Public Safety:

- COO, Facilities and Public Safety

- Vice President for Workforce Solutions (for the college's site at Suffolk)
- Campus Provosts

### **2.1.3. Individuals & Organizations to Whom Reports Are Directed**

College staff and organizations identified to receive reports of criminal activities in TCC's Annual Security Report:

- Campus Deans of Student Services

### **2.1.4. TCC Officials with Significant Responsibility for Student and Campus Activities**

Other college officials to whom students may report/confide criminal activity:

- Executive Vice President for Academic Affairs & Student Affairs
- Academic Deans and Directors of the Regional Automotive Center and Visual Arts Center
- Student Center Directors and Co-Directors
- Student Center Associate Directors (Student Activities)
- Director of Military Student Support Services
- Associate Vice President for Human Resources
- Academic & Personal Counselors and Advisors (except as noted below)
- Athletic Team Coaches
- Student Club and Organization Faculty & Staff Advisors

## **2.2. Exemption for Pastoral and Professional Counselors**

The Clery Act provides an exemption for two types of individuals who, although they may have significant responsibility for student and campus activities, are not Campus Security Authorities under the Clery Act in certain situations: pastoral counselors and professional counselors. TCC does not employ pastoral counselors.

Professional counselors are exempt from acting as CSAs when their official responsibilities, as defined in the employee's job description, include providing mental health counseling to members of the college community and when they are functioning within the scope of their license or certification. This category would include professional counselors who are under contract to provide mental health counseling for the college. The Clery Act does not exempt a person whose responsibilities include both academic and professional counseling when that person learns of a criminal incident while engaged in academic counseling.

### **3. Responsibilities**

#### **3.1. COO, Facilities and Public Safety**

The COO, Facilities and Public Safety shall develop and promulgate procedures to implement this policy and shall have overall responsibility for coordinating the college's program for complying with the provisions of the Clery Act and the HEOA. The COO, Facilities and Public Safety shall designate those individuals responsible for developing procedures, programs, and data collection, notices of timely warning or emergency notifications, and reports to comply with the Clery Act.

#### **3.2. Director of Public Safety**

The Director of Public Safety is responsible for coordinating the collection of crime data from the CSAs, for providing Clery Act training to the CSAs, for coordinating and posting of the Daily Campus Crime Reports, and is designated the Clery Act Campus Safety Survey Administrator (CSSA) for coordinating the preparation and posting of the TCC Annual Security Report.

#### **3.3. Campus Security Authorities**

CSAs shall report to the Director of Public Safety any allegation of criminal activity reportable under the Clery Act that is made in good faith.

### **4. Procedures**

The following procedures shall be followed in fulfilling the requirements of this policy.

#### **4.1. Notification of Campus Security Authority Responsibilities**

Clery Act annual crime reporting is based on the calendar year. Annually, in December, the COO, Facilities and Public Safety or his designee will notify the college's CSAs of their designation, the associated responsibilities, and the reporting process they are to follow to document Clery Act reportable incidents.

#### **4.2. Training and Documentation**

The Director of Public Safety will provide annual training to all CSAs on their responsibilities and any updates to the reporting requirements of the Clery Act and any other relevant law. Any new employee appointed to a position designated a CSA will be scheduled to receive the required training within 45 days of initial appointment. The Director will document the training and maintain the documentation in the Department of Public Safety files.

#### **4.3. Reporting Crimes Requiring Timely Warning**

The Clery Act requires institutions to alert their campus communities in the event of certain crimes in a manner that is timely and will aid in the prevention of similar crimes. A CSA who becomes aware of a Clery Act crime that represents a serious or continuing threat to students or employees shall report that information immediately and by the most expeditious means to Campus Security, the Director of Public Safety, to the Campus Provost or the COO, Facilities and

Public Safety for determination of the need to issue a campus or college-wide warning.

#### **4.4. Collection of Information on Clery Act Reportable Incidents**

A CSA who receives information regarding a Clery Act reportable incident will submit a report of the information to the Director of Public Safety within twenty-four hours of receiving the information using the Campus Security Authority Crime and Incident Report Form ([Appendix A](#)) or online through the Department of Public Safety web page. This requirement applies to a crime previously reported under the timely warning requirement described in 4.3 above. The Director of Public Safety will review the reports for inclusion in the Daily Crime Reports, for the Annual Security Report, and, in consultation with the COO, Facilities and Public Safety, for issuing Timely Warnings

#### **4.5. What Campus Security Authorities Should Not Do**

College officials designated as CSAs who are not otherwise assigned such responsibilities are not responsible for:

- determining authoritatively whether a crime has taken place – this is a function of law enforcement;
- trying to apprehend the alleged perpetrator(s) of a crime – this is also a law enforcement function; or
- trying to convince a victim to contact law enforcement if the victim chooses not to do so. This does not relieve a college official of the responsibility for advising a victim of the limits placed on TCC's ability to investigate or take disciplinary action in the event of an incident in which the victim is unwilling to assist in the college's process.

## **5. Definitions**

**Campus Safety Survey Administrator (CSSA)** – the campus representative designated to coordinate documenting and reporting of Clery Act data to the U.S Department of Education.

**Clery Act Incident or Crime** – criminal activity that is among the types of crimes or incidents that are required to be reported by the Clery Act and that occurs within the geography stipulated by that law relative to TCC. It is not necessary that the crime be investigated by law enforcement or a Campus Security Authority, nor must a finding of guilt or responsibility be made for the incident to be reported and disclosed in the college's Clery Act crime reports.

**College Official** – any person who has the authority and duty to take action or respond to particular issues on behalf of the college.

## 6. References

TCC Emergency Notification and Timely Warning Policy No. 1304

Code of Federal Regulations Title 34, § 668.46

*The Handbook for Campus Safety and Security Reporting* (2016 ed.)

Higher Education Opportunity Act of 2008, as amended

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) 20 U.S.C. § 1092(f)

## 7. Review Periodicity and Responsibility

The COO, Facilities and Public Safety shall review this policy at each anniversary of its approval and, if necessary, recommend revisions.

## 8. Effective Date and Approval

This revision to the policy is effective upon its approval by the College President on August 22, 2017.

Policy Approved:

Procedure Developed:

\_\_\_\_\_  
Edna V. Baehre-Kolovani, Ph.D.  
President

\_\_\_\_\_  
Matthew J. Baumgarten  
COO, Facilities and Public Safety

## 9. Review and Revision History

The initial version of this policy was effective July 25, 2013.

Approved July 25, 2013 by President Edna V. Baehre-Kolovani, Ph.D.

- Revision 1 updated executive staff member responsibility from Executive Vice President to Vice President for Institutional Advancement. Updated titles for Vice President for Workforce Solutions and the Associate Vice President for Human Resources. Added in section 4.1 Notification of Campus Security Authority Responsibilities that the Vice President may designate someone to notify college CSAs of their designation. In section 4.2 revised scheduled training from 30 days to 45 days. Edited section 4.3 Reporting Crimes Requiring Timely Warning and section 4.4 Collection of Information on Clery Act Reportable Incidents to be consistent with Emergency Notification and Timely Warning Policy. Under definitions, added definition for Clery Act Campus Safety Survey Administrator (CSSA). Under reference section, added TCC Emergency Notification and Timely Warning Policy No.1304.

Approved February 1, 2017 by President Edna V. Baehre-Kolovani, Ph.D.

- Revision 2 provides changes to policy reflecting changes to titles and transitions the responsibility from one department to another. Updated executive staff member responsibility from Vice President for Institutional Advancement to COO, Facilities and Public Safety.

Approved August 22, 2017 by President Edna V. Baehre-Kolovani, Ph.D.

**APPENDIX A**  
**TIDEWATER COMMUNITY COLLEGE**  
**CAMPUS SECURITY AUTHORITY CRIME AND INCIDENT REPORT FORM**

If you are an individual identified as a “Campus Security Authority,” use this form to report the required information about specified crimes (listed below) pursuant to the federal Clery Act. The information collected from these forms is used to prepare a compilation of statistical crime information for inclusion in TCC’s Annual Security Report.

Reports of offenses that pose an immediate or continuing serious threat to the campus community that may require an emergency notification or timely warning to the community are to be reported immediately to campus security officials and/or to the Director of Safety and Security. Submission of this report form should follow that immediate report.

**Campus Security Authority Information:**

Last Name:		First Name:	
Phone:		E-Mail:	@tcc.edu
Campus:		Department:	
Date of this report:		MM/DD/YYYY	
When & how did you receive this information?		Date reported to you:	

**Incident Information:**

Date of incident:		MM/DD/YYYY	Time of incident:		<input type="checkbox"/> AM <input type="checkbox"/> PM
Or date range: from		to		or date(s) unknown:	<input type="checkbox"/>
<b>Criminal offense</b> – select the category that best describes the incident you are reporting:					
<input type="checkbox"/>	<b>Criminal Homicide</b> – murder, non-negligent manslaughter, the willful (non-negligent) killing of one human being by another or negligent manslaughter, the killing of another person through gross negligence (do not include traffic fatalities)				
<input type="checkbox"/>	<b>Sex Offense (Forcible)</b> – forcible rape, forcible sodomy, sexual assault with an object, forcible fondling				
	Were the victim and offender acquainted? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown				
<input type="checkbox"/>	<b>Sex Offense (Non-forcible)</b> – incest, statutory rape				
<input type="checkbox"/>	<b>Robbery</b> – taking something of value from a person by force or threat of force or violence				
<input type="checkbox"/>	<b>Aggravated Assault</b> – attack of a person that inflicts severe or aggravated bodily injury often with the use of a weapon or by means likely to produce death of great bodily harm				
<input type="checkbox"/>	<b>Burglary</b> – unlawful entry of a structure to commit a felony or theft, thefts from areas of open access are not burglaries				
<input type="checkbox"/>	<b>Motor Vehicle Theft</b> – theft of any self-propelled vehicle that runs on land surfaces				
<input type="checkbox"/>	<b>Arson</b> – willful or malicious burning or attempt to burn a dwelling house, public building, motor vehicle, aircraft or personal property of another				
<b>Hate Crime:</b> any <u>criminal offense</u> committed against a person or property that is bias motivated. Is there evidence that the incident was motivated by bias based on any of the following characteristics?					
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No		
<input type="checkbox"/>	Race	<input type="checkbox"/>	Religion	<input type="checkbox"/>	Sexual Orientation
<input type="checkbox"/>	Gender	<input type="checkbox"/>	Disability	<input type="checkbox"/>	Ethnicity/ National Origin

**Tidewater Community College  
Campus Security Authorities  
Appendix A**

<b>Incidents that involve arrests or judicial referrals:</b>			
<input type="checkbox"/>	Liquor law violation – underage drinking, distribution to minors, does not include public drunkenness or intoxication		
<input type="checkbox"/>	Arrest	<input type="checkbox"/>	Referral
<input type="checkbox"/>	Drug Law Violation – use, possession, distribution of a controlled substance		
<input type="checkbox"/>	Arrest	<input type="checkbox"/>	Referral
<input type="checkbox"/>	Weapon Law Violation – possession or use of an <b>illegal</b> weapon, does not include policy violations		
<input type="checkbox"/>	Arrest	<input type="checkbox"/>	Referral
<b>Victim Information:</b>			
It is the policy of TCC to ensure that victims of and witnesses to crime are aware of their right to report criminal acts to the police and to report college policy violations to the appropriate office (i.e., student conduct violations to the Camps Dean of Student Services, employee conduct violations to the Office of Human Resources). However, if a reporting person requests anonymity, this request must be honored to the extent permitted by law. Accordingly, no information should be included on this form that would personally identify the victim without his/her consent.			
<input type="checkbox"/>	Female	<input type="checkbox"/>	Male
Age:			
<input type="checkbox"/>	TCC Student	<input type="checkbox"/>	TCC Employee/Contractor
<input type="checkbox"/>			Visitor
<b>Provide name and contact information of victim if he/she gives permission:</b>			
Last name:		First Name:	
Telephone:		E-Mail:	
Address:			
Is the victim willing to provide his/her name for security/police follow-up? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Has the victim made a TCC Security Report? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Has the victim made a police report? <input type="checkbox"/> Yes <input type="checkbox"/> No			
To which police agency?			
Has a Student Conduct Code/Disciplinary referral been made? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			
Has a referral to the Office of Human Resource been made? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			
<b>Offender Information (provide known or reported information):</b>			
<input type="checkbox"/>	Female	<input type="checkbox"/>	Male
Age:			
<input type="checkbox"/>	TCC Student	<input type="checkbox"/>	TCC Employee/Contractor
<input type="checkbox"/>			Visitor
Is the victim willing to provide offender's name for security/police follow-up? <input type="checkbox"/> Yes <input type="checkbox"/> No			
<b>Provide name and contact information of offender, if available*:</b>			
Last name:		First Name:	
Telephone:		E-Mail:	
Address:			
*If you observed the incident and can identify the offender, the victim's permission is not required to provide the offender's identity and contact information.			
<b>Who reported the incident to you?</b> <input type="checkbox"/> Victim <input type="checkbox"/> Third Party <input type="checkbox"/> I observed the incident			
If Third Party, relationship to Victim:			
Unless confidentiality has been requested, provide the Third Party's identity and contact information:			
Last name:		First Name:	
Telephone:		E-Mail:	
<b>Incident Details:</b>			

