

**Virginia Tech Police Department  
Directives Manual**

<b>Subject:</b> Higher Education And Clery Act	<b>Number:</b> A-8.0
<b>Approved By:</b> Kevin L. Foust Chief of Police	<b>Effective Date:</b> October 15, 2014
<b>Amends:</b> November 30, 2011	<b>Rescinds:</b>

I. Purpose

The purpose of this policy is to outline departmental responsibilities and procedures to be followed to maintain compliance with the requirements set forth by the Higher Education Opportunity Act of 1965, as amended, and outlined by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) as well as University Policy 5615 and the Emergency Notification System Protocols

II. Policy

A. Responsibilities

1. The Chief of Police is designated by the University as the having the responsibility for compliance with the Clery Act. The Chief is responsible for ensuring that the department complies with the following:
  - a. Annual Reporting
  - b. Timely Warnings (Crime Alerts)
  - c. Daily Crime and Fire Log
  - d. Victim/Witness rights and responsibilities
  - e. Submission of data to the United States Department of Education
  - f. Any other operational and reporting requirements as stipulated by the United States Department of Education.
2. The Chief of Police has designated the Clery Act Coordinator as the position responsible for the following:

- a. Reviewing incident reports to ensure crime classifications are correct and publishing the daily crime and fire log on the departments' website and making copies accessible to the public.
- b. Documentation and information related to contact with campus security authorities, including biennial notification of responsibilities, collection of crime statistics or other data, and maintaining updated list of campus security authorities by area or department.
- c. Maintaining a list of campus buildings and areas immediately adjacent to campus.
- d. Collection of crime statistics from outside law enforcement, including initial requests and responses for adjacent property and off campus buildings.
- e. Maintaining all documentation associated with timely warnings (crime alerts) and immediate notifications.
- f. Annual verification of necessary statements related to report availability on university websites including: Undergraduate Admissions, Graduate Admissions, Virginia-Maryland College of Veterinary Medicine Admissions, and on the Human Resources employment site.
- g. Annual notification to the university community that the annual report is available prior to the October 1<sup>st</sup> deadline.
- h. Publication of required annual reports prior to October 1<sup>st</sup> of each year for the main campus and each satellite campus.
- i. Distribution of paper copies of the annual report to admissions offices, Human Resources and satellite campuses.
- j. Electronic submission of crime and fire statistics during the time designated in the letter from the Department of Education each fall.

**B. Procedures for Timely Warning and Immediate Notifications**

In accordance with the Higher Education Act of 1965 as amended and Section 23-9.2:11 of the Code of Virginia, the university has implemented a comprehensive communications system to provide prompt warning notifications and alerts of emergencies for threats to the campus community. The procedures

for making emergency notifications will be in accordance with University Policy 5615 and Annex B to the Crisis and Emergency Management Plan: Emergency Notification System Protocols.

1. Crime Alerts

- a. As required by the Act, “timely warnings” will be provided to the community in the event of a reported crime, either on campus or off, that, in the judgment of the Chief of the Virginia Tech Police Department or a designee, constitutes an ongoing or continuing serious threat to the university community.
- b. A supervisor with the Virginia Tech Police Department will develop timely warning notices (Crime Alerts) for the University community about serious crimes against people that occur on campus. These alerts will be distributed if the incident is reported to the Virginia Tech Police Department directly or to the Virginia Tech Police indirectly through a campus security authority, the Blacksburg Police Department or other law enforcement agency with jurisdiction on campus or on adjacent property. The Chief of Police or Deputy Chief will be notified by the involved supervisor and will approve the issuing of the Crime Alert.
- c. All crimes meeting the criteria outlined in the Higher Education Act will be evaluated on a case-by-case basis to determine if a Crime Alert is necessary (i.e. pose a serious on-going threat). The department will typically issue Crime Alerts for incidents of:
  - (1). Murder
  - (2). Aggravated assault
  - (3). Robbery involving force or violence
  - (4). Sexual Assault
  - (5). Major crimes of arson.
  - (6). Other crimes as determined necessary by the Chief of Police, or designee.
- d. The police department does not generally issue Crime Alerts for the above listed crimes if:

- (1). The department apprehends the offender(s) and the threat of imminent danger for members of the Virginia Tech community has been mitigated by the apprehension.
  - (2). A report was not filed with the Virginia Tech Police Department or the department was not notified in a manner that would allow the department to post a "timely" warning for the community.
  - (3). The issuing of a Crime Alert would jeopardize the immediate investigation.
- e. Crime Alerts are generally written by a supervisor with the Virginia Tech Police Department or other as designated by the Chief of Police. They may also be written by University Relations based on information provided by the police department. They are typically distributed to the community via email to anyone with a VT.edu email address by Chief of Police or designee or University Relations.
- f. The Crime Alerts are also posted on the Virginia Tech Police Department website. Updates to the Virginia Tech community about any particular case resulting in a Crime Alert will normally be distributed via email.
3. Testing
- a. A campus wide test of emergency response and evacuation procedures is conducted at least annually. This test is conducted and documented by the Office of Emergency Management as described in the University Crisis and Emergency Management Plan. This information, as well as the published notice in conjunction with the test, is included as part of the Annual Clery Act Report. The Virginia Tech Police assists OEM in testing by sending the alerts.
  - b. Daily silent tests are conducted and documented by the on shift communications officer(s) to ensure the emergency notification system is operational.

Effective Date:

This policy will become effective October 15, 2014

By order of:

Kevin L. Foust  
Chief of Police