

Procedure 6.2302

Clery Act Procedure

The College is committed to complying with all requirements of The Clery Act and the Violence Against Women Act (VAWA). This procedure sets forth guidelines intended to ensure the College's ongoing compliance with the Clery Act's crime reporting and disclosure obligations, and its obligation to make available to the campus community and the public campus security and safety policy statements as prescribed by the law.

The Clery Act requires colleges to report annual statistics on crime, including sexual assault and rape, on or near their campuses, and to develop and disseminate prevention policies. All such statistics are compiled annually in a report prepared by the BCCC (Beaufort County Community College) Police Department (PD). The annual report will also describe the College's ongoing prevention and awareness campaigns for students and employees.

Definitions

The following is a non-exhaustive list of College offices and individuals with an obligation to assist with the College's Clery compliance: BCCC Police Department; Title IX Coordinator; Student Affairs; Human Resources; Counseling Center; Admission Offices; and Deans. The College's Police Department, or designee, informs individuals who are Campus Security Authorities (CSAs), and conducts training.

Annual Security Report — Clery requires the College to annually submit a report to the Department of Education containing the following: statistics for Clery Crimes by type location and year; statistics of fires in on-campus student housing; campus safety and security related policy statements that address crime reporting and prevention; law enforcement data bases of registered sex offenders; drug, alcohol and sex offenses; procedures for issuing timely warning to the campus of potentially dangerous criminal and emergency situations; campus evacuation procedures; and policy statements, procedures, and programs to prevent dating violence, domestic violence, sexual assault and stalking.

Arrest — Persons processed by arrest, citation, or summons. The College shall compile statistics for and specifically disclose arrests related to weapons and drug and alcohol abuse. If an individual is both arrested and referred for disciplinary action for an offense, only the arrest will be disclosed.

Campus Security Authority ("CSA") — Used in Clery to identify four groups of individuals and organizations associated with an institution who, as a result of their functions at the College, are required to report to the official or office designated by the institution to collect crime report information. There are four general categories of CSA:

- Campus police department or a campus security department of an institution - the BCCC Police Department is the College's campus security department and all of its members are CSAs.
- Any individual or individuals who have responsibility for campus security but who

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do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).

- Any individual or organization specified in an institution's statement of security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. Clery Act broadly defines "official" as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

Clery Crime Statistic — The College must compile statistics of reports made to the BCCC PD, CSAs and local law enforcement of the following types of crimes:

- Criminal offenses — Criminal homicide, including murder and non-negligent manslaughter, and manslaughter by negligence; sexual assault, including rape, fondling, incest, and statutory rape; robbery, aggravated assault, burglary, motor vehicle theft; and arson.
- Hate Crimes — Any of the above-mentioned offenses, and any incidents of larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property that were motivated by bias.
- VAWA Offenses — Any incidents of sexual assault, domestic violence, dating violence and stalking; and
- Arrests and Referrals — For weapons (carrying, possessing, etc.), law violations, drug abuse violations, and liquor law violations.

Daily Crime Log — The BCCC PD maintains for public inspection a Daily Crime Log of any and all alleged criminal incidents that are reported to the BCCC PD. Incidents are recorded in the Daily Crime Log with the date and time the alleged crime is reported, the date and time the alleged crime occurred, the nature of the alleged crime, and general location description, if available.

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

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence — Felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the victim.
- By a person with whom the victim shares a child in common.
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner.

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- By 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;
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Emergency Notification — Requirement to make emergency notifications of emergency events and dangerous conditions then occurring on campus or that present an imminent threat to the campus.

Hate Crime — Criminal offenses that manifest evidence that the victim was intentionally selected because of the perpetrator's bias against the victim, specifically because of the following categories: race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, and disability. For Clery purposes, hate crimes include any of the following offenses that are motivated by bias: murder and non-negligent manslaughter, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property.

Non-Campus Property — Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

On-Campus Property — Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to that described in the first part of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

Professional Counselor — A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification. Professional Counselors, when acting within the scope of the official responsibilities are not Campus Security Authorities.

Public Property — All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

Referral for Disciplinary Action — The College shall compile statistics for and specifically disclose students' referrals for disciplinary action related to weapons' and drug and alcohol abuse. If an individual is both arrested and referred for disciplinary action for an offense, only the arrest will be disclosed.

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Reported Crime — The College shall compile and publish statistics of “reported” Clery Crimes. For purposes of the Clery Act a crime is reported when it is brought to the attention of a CSA or local law enforcement by a victim, witness, other third party or even the offender. Information about the crime does not need to be explicit. It does not matter whether the persons involved with the crime or making a report are associated with the College. If a CSA believes that there is a reasonable basis to conclude the information is not just rumor or hearsay (the information about the crime was provided in "good faith") he or she should document the information pursuant to College procedure.

- Sexual Assault (Sex Offenses) — any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.
- Rape — the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
- 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 their age or because of their 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 age of consent.
- Stalking — engaging in a course of conduct directed at a specific person that would cause a reasonable person to: fear for the person's safety or the safety of others; or suffer substantial emotional distress.

Timely Warning — The College must alert the campus community in a timely manner to Clery Crimes. Even if all of the facts surrounding the criminal incident(s) are not yet available, a warning will be issued as soon as pertinent information is available to enable individuals to take precautions to protect themselves and to prevent similar crimes from occurring.

Responsibilities

Campus Police Department

The BCCC Police Chief collects and compiles statistics of Reported Crimes from CSAs and local law enforcement for the College's Annual Security Report to the Department of Education. Campus Safety ensures that the Annual Security Report(s) are linked to the College website to provide access to current and prospective employees and students. Hard copies are retained in the BCCC PD and at each location.

The BCCC PD coordinates with College divisions, departments, offices, and individuals to identify individuals whose functions qualify as a CSA and informs the College and personnel of their Clery obligations, and the College's procedures for collecting information about Reported Crimes.

The BCCC PD maintains the Daily Crime Log.

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The BCCC PD issues Timely Warnings and Emergency Notifications to the campus community.

The BCCC PD, Title IX Coordinator, and other specified individuals assist in the development of procedures for the College community to follow when a VAWA related offense occurs or is alleged. The Title IX Coordinator with assistance from the Division of Student Affairs works to notify the College community of on and off campus counseling, health and other services that are available to victims of VAWA related offenses. The Title IX Coordinator with assistance from the BCCC PD develops and presents primary prevention and awareness programs regarding such offenses.

The BCCC PD provides the College community information concerning registered sex offenders that is available online.

The BCCC PD supports and advise appropriate College officials in developing procedures to disclose Missing Student Notification procedures pertaining to the College students residing in on-campus student housing facilities.

The BCCC PD, and Title IX Coordinator ensure that required supporting records used in compiling the Annual Security Report are maintained for three years from the latest publication of the report to which they apply. Records to be kept include referrals for disciplinary action.

Campus Security Authorities (CSA)

Under the Clery Act, various job positions on the College campus are designated as a Campus Security Authority (CSA). A CSA is required to report murder/non-negligent manslaughter, negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, domestic violence, dating violence, stalking, arson, liquor law violations, drug violations, and illegal weapons possession. A CSA is also required to report statistics for hate (bias) related crimes for the following classifications: murder/non-negligent manslaughter, negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny, vandalism, intimidation, and simple assault. A CSA is required to report offenses that occur on campus and on public property.

CSA Identification — Because personnel and job positions change, someone who is a CSA one year may not be a CSA the following year. To determine which individuals are CSAs, the function served by that individual must be considered. If someone has significant responsibility for student and campus activities, they are a CSA. To ensure that the College maintains a current list of CSAs, the BCCC PD in conjunction with the Clery Compliance Committee conducts an annual review of the list and functions of those individuals notated as CSAs.

The following provides the job positions on campus designated as a CSA:

Student Services	
Vice President of Student Services	252-940-6216

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Director, Admissions and Records	252-940-6233
Director of Counseling	252-940-6252
Counselor	252-940-6443
Student Engagement Coordinator	252-940-6217
Accessibilities Coordinator	252-940-6313
Director of Student Support Services	252-940-6287
Student Development Coordinator	252-940-6462
Academic Success Coordinator	252-940-6487
Switchboard Receptionists	252-940-6194
Academics	
Vice President of Academics	252-940-6417
Director of Learning Enhancement Center	252-940-6338
Librarian	252-940-6345
Audio Visual Coordinator	252-940-6310
Dean of Arts and Sciences	252-940-6223
Health and PE Instructor	252-940-6278
Lead Instructor - Social and Behavioral Sciences	252-940-6283
Lead Instructor - Human Services	252-940-6361
Lead Instructor, Mathematics	252-940-6490
Lead Instructor - Sciences	252-940-6305
Dean, Business Technology and Public Services	252-940-6374
Lead Instructor - Boat Building	252-940-6380
Lead Instructor - Agri-Business	252-940-6304
Lead Instructor- Electrical/Electronics Engineering	252-940-6418
Lead Instructor - Business/Moa	252-940-6331

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Lead Instructor - Early Childhood	252-940-6368
Lead Instructor, Mech. Engineering Technology	252-940-6279
Lead Instructor - Business Technology	252-940-6330
Medical Laboratory Technology Lead Instructor	252-940-6285
Lead Instructor - Cosmetology	252-940-6469
Lead Instructor, Automotive Systems Technology	252-940-6329
Lead Instructor, Criminal Justice Programs	252-940-6268
Coordinator, Welding & Mech. Engineering Technology	252-940-6224
Dean, Allied Health & Professional Services	252-940-6205
Lead Instructor Associate Degree Nursing Seniors	252-940-6265
Lead Instructor Associate Degree Nursing Freshmen	252-940-6409
Lead Instructor - Practical Nursing	252-940-6318
Continuing Education	
Vice President of Continuing Education	252-940-6241
Registration & Records Coordinator	252-940-6349
Director of Healthcare Programs	252-940-6263
Director Personal Enrichment Initiatives & BCCC Centers	252-940-6357
Director, Small Business Center	252-940-6306
Director - Law Enforcement Programs	252-940-6405
Director of Fire and Emergency Management Training	252-940-6363
Coordinator of HRD and Workforce Initiatives	252-940-6307

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Truck Driving & Industry Training Instructor	252-940-6257
Director of College and Career Readiness	252-940-6298
EMS Director	252-940-6468
Director of Industry Training	252-940-6262
Director, Customized Training	252-940-6311
Administrative Services	
Director of Financial Aid	252-940-6219
Chief of Campus Police	252-940-6499
Accounts Receivable	252-940-6350
Health & Safety Coordinator	252-940-6383

College CSAs must record information about Reported Crimes and submit the information to the BCCC PD in accordance with College procedure for inclusion in the annual security report. The College encourages all students, employees, volunteers, and guests to report promptly all crimes to the BCCC PD and/or local law enforcement as soon as possible.

CSAs are required to notify the BCCC PD in writing (e.g., e-mail, memo, letter, etc.) of all reports of Clery Crimes. Notice to Campus Safety should be made orally where circumstances demand but shall be followed with written notice.

Professional Counselors are exempt from disclosing offenses reported to them for Clery compliance. The Professional and Pastoral Counselor exemptions are intended to ensure that these individuals can provide appropriate counseling services without an obligation to report crimes about which they may have learned.

CSA Reporting — CSAs shall make reports to the BCCC PD of all reported crimes. CSAs who are unsure whether an incident is a Clery crime should report it. CSAs are not responsible for determining conclusively whether a crime occurred.

CSA Training — CSAs receive Clery training on a regular basis through the BCCC PD.

Gathering and Compiling Statistics of Clery Crimes — The BCCC PD will collect and compile statistics regarding Clery Crimes. The BCCC PD will coordinate with the Directors of each College campus location and local law enforcement agencies to collect statistics.

Annual Security Report (ASR)

Pursuant to the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act,” the College publishes an annual report on campus crime statistics from the previous three calendar years for each of its locations.

The ASR will be published and distributed by October 1st of each year. The ASR must be distributed to all currently enrolled students and all employees in one of two ways: 1) Directly by publications and mailings via the US Postal Service; campus mail, email, or a combination of these methods; or 2) Posting the ASR on an Internet or Intranet website

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that is reasonably accessible to enrolled students and to current employees. This method may be used only if individual notices about the ASR are distributed to each student and employee by October 1. The notice should include: a statement of the report's availability; a list and brief description of the information contained in the report; the exact address (URL) of the Internet or Intranet website at which the report is posted (a direct link to the annual security report must be provided); and a statement that the school will provide a paper copy of the annual security report without fee upon request, written or otherwise.

The ASR must also be provided to prospective students and prospective employees upon request. If the ASR is provided to prospective students and prospective employees by posting the report on an Internet site, the notice provided to each individual must include: the exact URL where the report is posted; a brief description of the report; and a statement that the institution will provide a paper copy of the report upon request.

The Annual Security Report is available for viewing on the College website. Hard copies are available at the BCCC Police Station in building 10 on the Beaufort County Community College campus. Questions regarding the report may be directed to the Chief of Police at 252-940-6499.

Records Retention

The supporting records used in compiling the report shall be retained for three years from the latest publication of the report to which they apply. Records to be kept include, but are not limited to, copies of crime reports; the daily crime logs; records for arrests and referrals for disciplinary action; timely warning and emergency notification reports; documentation, such as letters to and from local police having to do with Clery compliance; letters to and from Campus Security Authorities; correspondence with the U.S. Department of Education regarding Clery Act compliance; and copies of notices to students and employees about the availability of the annual security report. All documentation should be dated.

Submitting Crime Statistics to the U.S. Department of Education (DOE)

The College is not required to send the ASR to the DOE; however, the College is required to submit the crime statistics from the ASR. During late summer, DOE conducts the annual Campus Safety and Security Survey. This survey is used to collect statistical data from the ASR. The data is then posted on the DOE public website for use by higher education consumers. Each year a few weeks prior to the collection, DOE sends a letter and a registration certificate to the President of Beaufort County Community College who shares the information with the College's Board of Trustees. The certificate contains information necessary to access the survey and enter data. The letter and registration certificate will be routed to the BCCC Police Chief for appropriate handling. The BCCC Police Chief, or designee, enters the data on the DOE site. The BCCC Police Chief reviews the entries and locks the submissions on the DOE website.

Campus Contact
BCCC Police Department
252-943-8721

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References

Legal References: *Enter legal references here*

Cross References: *Enter cross references here*

History

Leadership Council Review/Approval Dates: *10/13/2023*

Senior Staff Review/Approval Dates: *10/2/2023*

Board of Trustees Review/Approval Dates: *Enter date(s) here*

Implementation Dates: *Enter date(s) here*