

Clery Act Compliance Policy

Policy Statement and Purpose

Northern Illinois University (“NIU” or “the university”) is committed to promoting the safety and security of the campus community. The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) is a federal statute which requires institutions of higher education participating in the federal financial aid program to collect certain information with respect to campus crime statistics and campus security policies of that institution. This policy outlines the university’s compliance with certain requirements of the Clery Act and designates individuals or departments as those responsible for specific Clery-related responsibilities.

Scope

This policy applies to all NIU campuses.

Definitions

Campus Clery Committee: A committee composed of various individuals with Clery-related responsibilities who meet throughout the calendar year to discuss Clery-related matters. The Director of Clery Compliance chairs the committee.

Campus Security Authority (CSA): A term defined by the Clery Act and designated by the Director of Clery Compliance for individuals or organizations that are required to report in a timely manner suspected or actual Clery crimes they witness or become aware of that occurred on or within the university’s Clery geography.

Clery Act: The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, signed in 1990, is a federal statute codified at 20 U.S.C. § 1092 (f), with implementing regulations in the U.S. Code of Federal Regulations at 34 CFR 668.46.

Clery Crimes: The following four categories of crimes -

- (1) Primary crimes, which includes murder, nonnegligent manslaughter, manslaughter by negligence, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, and arson;
- (2) Arrests and referrals for disciplinary actions, which includes arrests for liquor law violations, drug law violations, and illegal weapons possession, and also persons who were not arrested but were referred for campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession;
- (3) Hate crimes, which include all primary crimes, larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property, which were determined to be hate crimes; and
- (4) Dating violence, domestic violence, and stalking.

Clery Geography: Clery geography includes (1) buildings and property that are part of the NIU campus; (2) NIU noncampus buildings and property; and (3) public property within or immediately adjacent to and accessible from the campus. These relevant terms are defined as follows:

- (1) **Campus:** Any building or property owned or controlled by NIU within the same reasonably contiguous geographic area and used by NIU in direct support of, or in a manner related to, NIU's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to the area identified above, that is owned by NIU but controlled by another person, is frequently used by students, and supports NIU purposes (such as a food or other retail vendor).
- (2) **Noncampus building or property:** Any building or property owned or controlled by a student organization that is officially recognized by NIU; or any building or property owned or controlled by NIU that is used in direct support of, or in relation to, NIU's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of NIU.
- (3) **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.

Daily Crime Log: A written log of crimes that occurred daily within the university's Clery geography and NIU Department of Police and Public Safety's patrol jurisdiction.

Director of Clery Compliance: The official responsible for managing and coordinating Clery compliance at the university.

Emergency Notification: An announcement called an "NIU Alert" to inform the campus community of a significant emergency or dangerous situation occurring on the campus involving an immediate threat to the health or safety of students or employees.

Timely Warning: An announcement called a "Safety Warning" to inform the campus community of Clery crimes occurring on or within the university's Clery geography, which pose a serious or continuing threat to students and employees.

Pastoral Counselor: A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

Professional Counselor: A person whose official responsibilities include providing mental health counseling to members of NIU's community and who is functioning within the scope of their license or certification.

How to Report a Crime or Emergency

Campus safety depends upon the prompt reporting of criminal actions and other emergencies occurring on or within NIU's Clery geography. NIU encourages all members of the NIU community to report all crimes and emergencies occurring on campus to the NIU Department of Police and Public Safety (NIU Police).

Below is a list of different ways an individual may report a Clery crime occurring at one of NIU's campuses.

Reporting to Police Agencies

Individuals are encouraged to report all crimes accurately and promptly to the NIU Police or the appropriate police agency, including when the victim elects to, or is unable to, make such a report. A report to a police agency related to one of NIU's campuses may be made using one of the following options:

DeKalb Campus	
Emergency	911
Non-Emergency	
NIU Police	Phone: 815-753-1212 Email: niupd@niu.edu In-person: 295 Wirtz Drive, DeKalb, Illinois Online: NIU Safe App
DeKalb Off-campus	
Emergency	911
Non-Emergency	
DeKalb Police	815-748-8400
DeKalb County Sheriff's Office	815-895-2155
Lorado Taft	
Emergency	911
Non-Emergency	
NIU Police	815-753-1212
Ogle County Sheriff's Office	815-732-1101
Naperville Campus	
Emergency	911
Non-Emergency	
NIU Police	815-753-1212
Naperville Police	630-420-6666
Rockford Campus	
Emergency	911
Non-Emergency	
NIU Police	815-753-1212
Rockford Police	815-966-2900

The NIU Police are trained to receive, document and investigate all crimes reported. An officer will work with individuals reporting a crime to obtain information and evidence, identify potential witnesses and conduct a thorough investigation. When appropriate, crime suspects may be adjudicated through the criminal justice and/or university system.

Reports made to the NIU Police are also evaluated by the NIU Police for inclusion in the daily crime log and to determine if a timely warning or emergency notification should be issued to the campus community.

The Director of Clery Compliance reviews all reports made to the NIU Police for inclusion in the annual crime statistics.

Reporting to Campus Security Authorities

Individuals may also report Clery crimes that occurred on or within NIU's Clery geography to campus security authorities (CSAs). Some examples of CSAs at NIU include:

- Leadership within the Division of Student Affairs.
- College deans and department chairs.
- Housing and residential services staff (including community advisors, hall directors and desk assistants).
- Athletics department staff (including coaches and athletic trainers).
- Directors of diversity and cultural resource centers.
- Title IX coordinator, deputy Title IX coordinators and investigators.
- Student Conduct Office.
- Faculty and staff advisors to student organizations.
- NIU Department of Police and Public Safety.

To make a report to a CSA, an individual should inform the CSA of pertinent information related to the crime, such as where it occurred, when it occurred, who was involved, and what happened.

After a crime report is made to a CSA, the CSA is required to report it to the university through the procedures listed in the Campus Security Authority section below. The NIU Police evaluate all CSA crime reports for inclusion in the daily crime log and to determine if a timely warning or emergency notification should be issued to the campus community. The NIU Police will respond and investigate a CSA crime report based on the severity of the reported crime, or if there is an indication that the victim wants police assistance.

The Director of Clery Compliance reviews all CSA crime reports for inclusion in the annual crime statistics.

For additional information on CSAs, see the Campus Security Authorities section below.

Reporting Confidentially

If an individual wants to report a crime on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics, but does not want to pursue action with the university and/or criminal justice system, they may contact NIU's Confidential Advisor within the Center for Student Assistance, Peters Campus Life Building 150, 815-753-8300. When a crime is reported to the Confidential Advisor, the NIU Police are not notified and, therefore, will not investigate the matter unless they receive a report via a non-confidential reporting process.

Crime reports can also be filed anonymously with the NIU Police by calling the NIU Police TipLine at 815-753-TIPS (8477) or by completing the TipLine Confidential Online Reporting Form at go.niu.edu/tipline. Anonymous crime reports are investigated to the extent possible by the NIU Police so long as it is within their jurisdiction. They are also reviewed for inclusion in the daily crime log and to determine if a timely warning or emergency notification should be issued to the campus community. The Director of Clery Compliance also reviews anonymous reports for inclusion in the annual crime statistics.

Campus Security Authorities

Campus security authorities (CSAs) are individuals and departments at the university that are required to report in a timely manner suspected or actual Clery crimes they witness or become aware of that occurred on or within the university's Clery geography, regardless of whether the victim or suspect is associated with the university. CSAs are notified annually of their reporting and training obligations. CSAs who fail to report a Clery crime or complete annual Clery CSA training are in violation of this policy and will be subject to corrective action, in accordance with applicable procedural and substantive due process principles and personnel procedures as stated by applicable university policies.

Identification

The university's Director of Clery Compliance identifies and designates individuals and departments as CSAs and may consult with the Campus Clery Committee in determining such designations. NIU's current list of CSAs is maintained by the Director of Clery Compliance.

Identifying and designating CSAs at the university is based on four groups of individuals the Clery Act requires to be designated as CSAs:

1. Officers (sworn and unsworn) and employees within the NIU Department of Police and Public Safety.
2. Any individual(s) who has responsibility for campus security but who does not work within the NIU Department of Police and Public Safety, such as an individual who is responsible for monitoring entrances into NIU property (including parking lots, buildings, etc.).
3. Any individual or organization specified in NIU's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
4. An official of NIU who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor as defined in this

policy, the official is not considered a CSA when acting in that capacity. However, they are encouraged to inform persons they are counseling of procedures to report crimes on a voluntary, confidential basis for inclusion in the annual crime statistics.

Reporting Procedures

CSAs are required to report in a timely manner suspected or actual Clery crimes they witness or become aware of that occurred on or within the university's Clery geography, regardless of whether the victim or suspect is associated with the university. If the CSA is unsure whether a crime is in fact a Clery crime and/or occurred within Clery geography, they should contact the Director of Clery Compliance.

If the reported crime or incident involves an emergency, the CSA must immediately call 911. Otherwise, CSAs must report a Clery crime that occurs on or within NIU's Clery geography by one of the following means:

1. Calling the non-emergency phone number for the NIU Department of Police and Public Safety (815-753-1212) or the local law enforcement agency with jurisdiction.
2. Going in-person to the NIU Department of Police and Public Safety located at 395 Wirtz Drive, DeKalb, Illinois, or the local law enforcement agency with jurisdiction.
3. Online reporting:
 - a. For sexual offenses, domestic violence, dating violence, and stalking:
go.niu.edu/file-misconduct.
 - b. For all other Clery crimes:
<https://cm.maxient.com/reportingform.php?NorthernIllinoisUniv>.

The report must be made in a timely manner. It is not the responsibility of the CSA to investigate the crime or determine if a crime occurred. A CSA should not go out of their way to learn additional information about a reported crime.

At the end of each calendar year, all CSAs will be contacted and asked to confirm that they properly reported all Clery crimes that were reported to them.

Training

CSAs are required to complete Clery CSA training on an annual basis to ensure they understand their reporting obligations. Training is administered online and in-person, by request. CSAs will be notified when the training period opens and the manner in which completion is recorded.

Annual Security Report

The university shall prepare, publish, and distribute an [annual security report](#) (ASR) that reflects campus security policies and campus crime statistics for the past three calendar years, as specified in the Clery Act. The Director of Clery Compliance prepares the ASR in consultation with the Department of Police and Public Safety and other departments, including, but not limited to the Division of Student Affairs, the Division of Academic Diversity, Equity and Inclusion, and Human Resource Services. By October 1 of each year, the university will send an email notification to all enrolled students and current employees including a statement of the ASR's

availability, the exact electronic address at which the ASR is posted, a brief description of the ASR's contents, and a statement that the university will provide a paper copy of the ASR upon request. The university will post a disclosure on its website for prospective students and employees including a statement of the ASR's availability, the exact electronic address at which the ASR is posted, a brief description of the ASR's contents, and a statement that the university will provide a paper copy of the ASR upon request.

The ASR is publicly available via the NIU webpage. In addition, anyone may obtain a paper copy of the ASR at the NIU Department of Police and Public Safety located at 395 Wirtz Drive in DeKalb. Paper copies of the ASR are also available upon request to the Director of Clery Compliance via email at CleryCompliance@niu.edu.

Annual Crime Statistics

NIU's Director of Clery Compliance compiles the annual crime statistics in consultation with the Department of Police and Public Safety, Student Conduct, and the Ethics and Compliance Office. The annual crime statistics are disclosed in the university's annual security report and are reported by the Director of Clery Compliance to the U.S. Department of Education by October 1 each year.

The annual crime statistics include Clery crimes that occurred on or within NIU's Clery geography and were reported to local police agencies or to a campus security authority during the three most recent calendar years.

Compiling Crime Statistics

To compile the annual crime statistics, the Director of Clery Compliance reviews all NIU Police reports, as well as all reports filed with Student Conduct and the Ethics and Compliance Office. Information is also requested from campus security authorities and local law enforcement agencies. When reports are reviewed by the Director of Clery Compliance, reports of the same crime are identified to prevent duplication of the same crime statistic.

The Director of Clery Compliance meets at least annually with campus security authorities who are in confidential positions (such as the Ombudsperson and Confidential Advisor), excluding pastoral or professional counselors, to determine if they have received reports of any Clery crimes that are not already included within the crime statistics.

Unfounded crimes. NIU will not withhold, or subsequently remove, a reported crime from its crime statistics based on a decision by a court, coroner, jury, prosecutor, or other similar noncampus official. However, NIU may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore "unfounded." Only sworn or commissioned law enforcement personnel may "unfound" a crime report for purposes of Clery reporting. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not "unfound" a crime report. NIU will report to the U.S. Department

of Education and disclose in its annual security report crime statistics the total number of crime reports that were “unfounded” and subsequently withheld from its crime statistics during each of the three most recent calendar years.

Crimes are recorded by calendar year. Crime statistics will be recorded for the calendar year in which the crime was reported to local police agencies or to a campus security authority.

Hate crimes are recorded by category of bias. For each hate crime recorded, NIU will identify the category of bias that motivated the crime. The categories of bias include the victim's actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, and disability.

Crimes are recorded by location. It shall be specified whether each of the crimes recorded occurred: on campus; in or on a noncampus building or property; or on public property. Additionally, of the crimes that occurred on campus, NIU will identify the number that took place in dormitories or other residential facilities for students on campus.

Recording reports of stalking. When recording reports of stalking that include activities in more than one calendar year, NIU will record a crime statistic for each and every year in which the course of conduct is reported to a local police agency or to a campus security authority. NIU will record each report of stalking as occurring at only the first location within its Clery geography in which (A) a perpetrator engaged in the stalking course of conduct, or (B) a victim first became aware of the stalking.

Identification of the victim or the accused. The compiled crime statistics as presented in the annual security report and provided to the U.S. Department of Education will not contain personally identifiable information of the victim or person accused of committing the crime.

Pastoral and professional counselor. NIU will not include statistics for crimes reported to a pastoral or professional counselor.

Using the FBI's Uniform Crime Reporting Program and the Hierarchy Rule.

1. Crime statistics for murder and nonnegligent manslaughter, negligent manslaughter, rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug law violations, and illegal weapons possession must be compiled using the definitions of those crimes from the “Summary Reporting System (SRS) User Manual” from the FBI's Uniform Crime Reporting (UCR) Program, as provided in 34 CFR Pt. 668, Subpt. D, App. A.
2. Crime statistics for fondling, incest, and statutory rape must be compiled using the definitions of those crimes from the “National Incident–Based Reporting System (NIBRS) User Manual” from the FBI's UCR Program, as provided in 34 CFR Pt. 668, Subpt. D, App. A.
3. Crime statistics for the hate crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property must be compiled using the definitions

provided in the “Hate Crime Data Collection Guidelines and Training Manual” from the FBI's UCR Program, as provided in 34 CFR Pt. 668, Subpt. D, App. A.

4. Crime statistics for dating violence, domestic violence, and stalking must be compiled using the definitions provided in 34 CFR § 668.46(a).
5. In counting crimes when more than one offense was committed during a single incident, NIU will conform to the requirements of the Hierarchy Rule in the “Summary Reporting System (SRS) User Manual” from the FBI's UCR Program.
6. If arson is committed, NIU will always record the arson in its statistics, regardless of whether or not it occurs in the same incident as another crime.
7. If rape, fondling, incest, or statutory rape occurs in the same incident as a murder, NIU will record both the sex offense and the murder in its statistics.

Statistics from police agencies. NIU will make a reasonable, good-faith effort to obtain statistics for crimes that occurred on or within its Clery geography and may rely on the information supplied by a local or State police agency.

The annual crime statistics are presented separately for each NIU campus.

In the event of any reporting errors, NIU will update the ASR, republish it, and redistribute it. NIU will also update its reporting to the U.S. Department of Education Office.

Designation of Clery Act Responsibilities

Compliance with the Clery Act requires the cooperation and assistance of various individuals and departments at NIU. While the Director of Clery Compliance oversees Clery compliance at the university, specific individuals and departments are responsible for ensuring certain requirements of the Clery Act are met. The below list outlines which individuals and departments are designated for specific Clery Act responsibilities.

Responsibility	Individual/Department
Annual crime statistics	Director of Clery Compliance
Annual security report	Director of Clery Compliance
Daily crime log	Department of Police and Public Safety
Emergency response and evacuation procedures	Department of Police and Public Safety
Missing student notification policies and procedures	Department of Police and Public Safety
Policy regarding the possession, use, and sale of alcoholic beverages and enforcement of State underage drinking laws	Human Resource Services (for employee policies) Student Conduct (for student policies)
Policy regarding the possession, use, and sale of illegal drugs and enforcement of Federal and State drug laws	Human Resource Services (for employee policies) Student Conduct (for student policies)

Procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking	Ethics and Compliance Office
Programs to prevent dating violence, domestic violence, sexual assault, and stalking	Academic Diversity, Equity and Inclusion and Ethics and Compliance Office
Timely warnings and emergency notifications	Department of Police and Public Safety

Retaliation

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