JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY & CAMPUS CRIME STATISTICS ACT

Campus Security Authority (CSA) Training

11-16 Version
OBJECTIVES OF THIS PROGRAM

- Gives an overview of what and why the Clery Act is the law, its compliance requirements, its impacts on the University.

- Allows you to appreciate WHAT must be reported and WHO must report it.

- Provides specific information that you will need to fulfill your role as a Campus Security Authority (CSA), specifically the reporting requirements.

- Emphasizes the importance of accurate, specific and timely information in the CSA reporting process, and the potential consequences for errors.
KEY TRAINING ELEMENTS OF THIS PROGRAM

Will cover

- A description of the Campus Security Authority (CSA) role
- Provide information on the Reporting Process
- Discuss the importance of documentation
- Emphasize the need for timely report submission
HISTORY OF THE CLERY ACT

The Clery Act was named in memory of a student, Jeanne Clery, who was murdered and raped in her dorm room at Lehigh University in 1986. Her attacker was also a student at the University whom Jeanne did not know prior to the attack. Her parents championed laws requiring the disclosure of campus crime information, and the federal law that now bears their daughter's name was first enacted in 1990.
The act is intended to provide current and potential students and their families, as higher education consumers, with accurate, complete and timely information about safety on campus so they can make informed decisions. Choosing a college or university is a major decision for students and their families. The issue of campus safety is the vital concern that drives this nationwide law. The Clery Act requires colleges and universities across the United States to disclose information about crime on and around their campuses. It is the University, along with all mandatory reporters (known as Campus Security Authorities or CSAs) that bear responsibility for reporting.

Keys to the Clery Act:
Provide “Support for Victims” and “Policies and Procedures”
What does the Clery Act have to do with me?
Crimes and incidents, especially sexual assaults, may not always be reported to the police.

To ensure that the Rowan community knows about potential safety issues on our campuses, the Clery Act requires institutions to gather and publish data from sources, which includes additionally Campus Security Authorities or CSAs.

That’s where you as a CSA play such an important role in the Clery Act reporting process.
CLERY ACTS CRIMES TO BE REPORTED

They are “serious crimes”. Examples include but are not limited to:

- Criminal Homicide: Murder/Non-Negligent Manslaughter, Manslaughter by Negligence
- Sex Offenses (Rape, Fondling, Incest, Statutory Rape)
- Robbery and Burglary
- Aggravated Assault
- Arson
- Motor Vehicle Theft
- Hate Crimes (any of the above and assault, intimidation, vandalism, property destruction motivated by bias)
- Alcohol/Drug Violations
- Weapons Possession
- Domestic Violence, Dating Violence, Stalking
REQUIREMENTS OF THE LAW

Institutions are required to provide data about Clery Act crimes by:

- **Publish statistics**, accessible to employees and current and prospective students, regarding crime occurring on or near the University’s premises.

  Note: The Violence Against Women Act (VAWA) of 2013 added Dating Violence, Domestic Violence and Stalking to the crimes that had to be reported.

- **Publish an Annual Security and Fire Safety Report (ASR)** by October 1st.

  Report includes Crime and Fire Statistics for the **three previous calendar years** for the required locations.

  Report contains information about where to find security-related policies and resources for victims.

  “Annual Security & Fire Report” can currently be **accessed** via the Public Safety web page at:

  http://www.rowan.edu/safety/clery/security_report.html

- **Maintain a public Daily Crime Log and Fire Log**

  https://www.rowan.edu/pubsafety/information/crime_log/

  https://www.rowan.edu/pubsafety/information/fire_log/index.cfm
REQUIREMENTS OF THE LAW

Institutions are ALSO required to:

- Issue **timely warnings** about Clery Act crimes which pose a serious or ongoing threat to students and employees.
- Have an **emergency response, emergency notification** (immediate notification) and **testing policy**.
- Compile and **report fire related data** to the federal government (for incidents occurring in **on-campus housing**) and publish an annual Fire Safety report. (This report at Rowan is part of the Annual Security and Fire Safety Report)
- Enact policies and procedures to handle **reports of missing students**.
PENALTIES FOR NON-COMPLIANCE

- **Monetary Fines:** Colleges and Universities found in violation can be “fined” per incident by the U.S. Department of Education for any material misrepresentation of information (what we actually report, or what we fail to report).

- **Disqualification:** Non-compliance with the Clery Act can have a negative impact on the University’s ability to receive federal financial aid or qualify for federal grant programs.

- **Reputational Damage:** Clery Act violations can have national attention and consequences. Indeed, the DoE uses adverse publicity to incentivize compliance by other universities.

For example: Nov. 3, 2016, The U.S. Department of Education announced that it is seeking to impose on Penn State a record fine of nearly $2.4 million for failing to comply with the Clery Act after a comprehensive review prompted by on-campus sex offenses involving former assistant football coach Jerry Sandusky.
THE MOST IMPORTANT PENALTY FOR NON-COMPLIANCE

Ultimately, the health and safety of our students and other campus constituents are at stake. If it’s not reported, we cannot fix it, others won’t know about it, and they could remain at risk.

Proper timely reporting of incidents is the key to being compliant with the Act. As a CSA you play a crucial role in the process and for our many campus communities!!
WHY YOU? DEFINITION OF A CAMPUS SECURITY AUTHORITY

A Campus Security Authority (CSA) is a Clery-specific term. It encompasses four groups of individuals and organizations associated with an institution.

- A campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who 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 campus 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. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

Well-trained CSAs are essential to the success of the Clery Act.
WHY YOU? (Continued)

You may think that you do not fit within this definition. However, the categories are broad. CSAs are individuals who have significant responsibility for student and campus activities.

- Guidance issued under the Clery Act makes clear that this provision was intended to include student group advisors and employees involved in student life and other activities.
- While being a faculty member alone may not be enough to trigger qualification under the law, additional service and other activities may qualify you for inclusion as a CSA.

Some examples of CSAs: University President and members of his cabinet, Resident Assistants, Directors of Housing/Residential Life, Dean of Student Conduct, Coaches, Athletic Directors, Title IX Coordinators, Faculty Advisors to Student Groups, Student Community Safety Assistants, Greek Affairs coordinators, Human Resources staff receiving employee disciplinary infractions

- Do not get confused over term CSA which is also used at Rowan for Community Safety Assistants, who are also CSAs under Act.
WHO IS NOT A CSA?

- Faculty member who does not have any responsibility for student and campus activity beyond the classroom;
- Professional counselors: person whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of the counselor’s license or certification;
- Pastoral counselors: 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;
- Clerical Staff;
- Physician or nurse whose only responsibility is to provide care for students.

FUNCTION, FUNCTION, FUNCTION of the person and their job is the determining point!!!
NOTE CSAs under the Clery Act are not the same as “Responsible Employees”

Title IX is the law requiring equal opportunity regardless of gender in the educational environment.
- Title IX requires that Rowan promptly redress allegations of sexual discrimination and harassment and the law requires that “Responsible Employees” promptly report acts of harassment and discrimination that come to their attention.

A Responsible Employee is any employee (full-time, part-time or volunteer) who:
- has the authority to take action to redress sexual harassment;
- has the duty to report to appropriate school officials sexual harassment or any other student misconduct (i.e., plagiarism, alcohol/drug violations, or other student code of conduct violations); or students would reasonably believe has the aforementioned authority or responsibility.

Some examples of Responsible Employees who are NOT CSAs:
All faculty members including adjunct faculty who don’t serve as advisors to student organizations and certain Professional Staff.

The Rowan Office of Equity and Diversity, handles TITLE IX issues at the University. Please contact them for further information.
WHAT DOES A CSA DO?

According to the Dept. of ED Handbook:

“The function of a campus security authority is to report to the official or office designated by the institution to collect crime report information, such as the campus police or security department, those allegations of Clery Act crimes that he or she receives. CSAs are responsible for reporting allegations of Clery Act crimes that are reported to them in their capacity as a CSA.

This means that CSAs are not responsible for investigating or reporting incidents that they overhear students talking about in a hallway conversation; that a classmate or student mentions during an in-class discussion; that a victim mentions during a speech, workshop, or any other form of group presentation; or that the CSA otherwise learns about in an indirect manner.”

(4-5 DoE Handbook 2016)
WHAT DOES A CSA DO?
According to the Dept. of ED Handbook:

In most cases it is possible for a CSA to fulfill his or her responsibilities while still maintaining victim confidentiality. CSA reports are used by the institution to compile statistics for Clery Act reporting and to help determine if there is a serious or continuing threat to the safety of the campus community that would require an alert (i.e., a timely warning or emergency notification). However, those responsibilities can usually be met without disclosing personally identifying information. A CSA report does not need to automatically result in the initiation of a police or disciplinary investigation if the victim does not want to pursue this action. (4-8 DoE Handbook 2016)
WHEN IS A CRIME “REPORTED”?

- A crime is reported when it is brought to the attention of law enforcement or a CSA.
- Function of a CSA is to report information to the official or office designated by the institution to collect crime report information, such as the campus police or security department, those allegations of Clery Act crimes that he or she receives. (For RAs, RDs, etc. RLUH/OCS reporting system)
- If a CSA receives information about a crime it must be logged, categorized, and publicly reported by the University.
  - It does not matter if the person reporting was not directly involved.
  - If there is a report of a crime made to a CSA or if the CSA becomes aware of a crime in another way, the CSA should report it!
- CSAs are NOT responsible for determining whether the crime took place, or whether what happened actually constitutes a crime under the Crimes Code. You don’t have to prove what happened or who was at fault, and it is not your responsibility to find the perpetrator.

WHEN IN DOUBT, REPORT
AS A CSA - WHAT STEPS DO YOU HAVE TO DO TO REPORT?

- **Step 1** – Get and record the facts using the “Fact Gathering Checklist.”

- **Step 2** – Report the facts as completely and accurately as possible – using the online CSA Report located at: [http://www.rowan.edu/safety/](http://www.rowan.edu/safety/)

Note: RLUH staff utilize their reporting system explained later in this training.

**For EMERGENCIES/CRIMES IN PROGRESS:**

Contact Rowan Public Safety immediately

- 911 will be directed to the Rowan University Public Safety Communications
  - 856-256-4911 from any phone.
  - ext. 4911 from any campus phone

- Program 856-256-4911 as a speed dial in your cellular phone
STEP 1 – REVIEW: GET THE FACTS

- The most important thing you can do up-front is GET AS MANY OF THE FACTS AS YOU CAN and WRITE THEM DOWN.

- Tell the person who disclosed the crime that you must share the information. (Their name does not have to be reported if they want to remain anonymous).

- You can include reports from a witness, third party, victim or offender, BUT CSAs ARE NOT EXPECTED OR REQUESTED TO DO ANY INVESTIGATION! CSAs are ONLY REPORTERS!!

ALWAYS REMEMBER: Help to connect the person to available options and resources. Be aware of them.
STEP 1 – REVIEW: GET THE FACTS

Remember as explained earlier:
• A campus security authority is not responsible for determining authoritatively whether a crime took place—that is the function of law enforcement personnel. A campus security authority should not try to apprehend the alleged perpetrator of the crime. That too is the responsibility of law enforcement.

What do you do:
✓ Get the Information
✓ Report the Information

And always help to connect the person to available options and resources.
ALWAYS

If the crime is in progress on campus what do you do?

Report it to Public Safety immediately!
YOUR FACT GATHERING CHECKLIST

Use the “Fact Gathering Checklist” to assist you in ensuring you get all pertinent facts.

- **WHEN** did the incident occur (date and time)?
- **DATE** the incident was REPORTED to you.
- **WHERE** the incident occurred (be as specific as possible).
- **WHO** was involved in the incident?
- **WHAT** happened?

**Other key questions:**
Has the incident been reported to the police or another source at the University?
Has the victim sought or is the victim in need of assistance or services?

**Detailed information** is necessary to properly log, categorize and report the crime.
STEP 2 – REVIEW: REPORT THE FACTS

How to report:

- Complete the online CSA Report provided by the University. [http://www.rowan.edu/safety/](http://www.rowan.edu/safety/)
- Answer questions on the form as accurately and completely as possible.
- Submit the form to the Department of Public Safety.

Residential Life reporting process may be different and is explained later in presentation.

- If the victim wishes to remain anonymous, you still need to submit a report. DO NOT identify the victim if they DO NOT want to be identified.
- Let the victim know about options for reporting to police and using the confidential hotline. Remember they are not required to do either!
STEP 2 – REVIEW: REPORT THE FACTS ON LINE

Find the CSA Reporting Form on the Rowan University Department of Public Safety Webpage, click on “CSA Reporting Form”:
CRIME REPORTING
Some Special Considerations

In review when a Clery Crime is reported to you as a CSA:

- **REMEMBER:** Crime/incident in progress **call 911**, report to Rowan Public Safety (Rowan University Campuses)

- CSA reporting not in progress:
  Use the on-line reporting form

There are some **special reporting considerations** to this process for:

- Resident Advisors/RLUH staff
- Student Travel/Off Campus
- Rowan University classes held at other campuses (Not Rowan University)
- Public Safety (Who **complete DPS Incident Reports** on all reports)
CRIME REPORTING
Special Considerations Review

For RLUH staff, CSAs should report:
In most cases, general incidents reported to you as RLUH staff (RAs, etc.) are reported through the University’s Community Standards Violation Report Form.

DPS receives copies of these reports, which are reviewed for Clery purposes.

You can always report (not in progress) CSA reporting by use of the on-line reporting form

Remember DPS has to have the incident reported to them
CRIME REPORTING
Special Considerations Review

For Rowan University classes held on the campuses of other Non-Rowan colleges, (For example Rowan University at Rowan College at Gloucester County RCGC, Rowan University at Rowan College at Burlington County RCBC ....) CSAs should report:

Two Step process:
1. Report it immediately to Public Safety/Police at your campus. Rowan University Public Safety is NOT the responding agency at these non Rowan campuses. (Check the institution’s reporting process)

2. Then follow up, also report to Rowan DPS:
For incidents (not in progress) effecting our Rowan University students in our Rowan classrooms, buildings please use the on line reporting process.
CRIME REPORTING
Special Considerations Review

For Rowan University sponsored trips off campus, or off site events CSAs should report:

Two Step process:
1. Report it immediately to the law enforcement agency that is the jurisdiction for that location, for example 911, especially if in process.

2. Then follow up also report to Rowan DPS:
Please use the on line reporting process
# Review: THE DO’S AND DON’TS OF RECORDING THE FACTS

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REQUIRED CRIME REPORTING LOCATIONS
“CLERY GEOGRAPHY” OVERVIEW
A CRIME MUST BE REPORTED IF IT OCCURRED

On campus:

- Any building or property owned or controlled by the University within the same reasonably contiguous geographic area, or used by the University in direct support of education purposes (i.e. any classroom or other building on campus).

- Any building or property, that is within or reasonably contiguous to the University, that is owned by the University but controlled by another person, is frequently used by students, and supports institutional purposes.
A CRIME MUST BE REPORTED IF IT OCCURRED

Non-campus building or property:

- Any building or property **owned or controlled** by a student organization that is officially recognized by the University (i.e. fraternity and sorority housing).

- Any building or **property owned or controlled** by the University that is used in **direct support** of the University’s educational purposes, is frequently used by the students, and is **not within the same reasonably contiguous geographic area** of the University.
A CRIME MUST BE REPORTED IF IT OCCURRED

On public property:
A crime must be reported if it occurred on property owned by a public entity (city or state government) that is immediately adjacent to and accessible from the campus.
This is primarily streets and sidewalks, but could include parking lots and public spaces that immediately border the University’s geographic boundaries.
Some examples of “Public Property” under the Clery Act:
- in Glassboro, sections of Mullica Hill Rd. (Rt. 322), Bowe Blvd., Carpenter St., Main St. (from West St. to High St.)
- in Camden, the sidewalk in front of the doorway of CMSRU on North Broadway; the sidewalk in front of the doorway of RUCAB on Cooper St.
- in Stratford, portions of East Laurel Road bordering RowanSOM
REPORTING ALL CRIMES IS CRITICAL

Clery Geography is important but, reporting all crimes is critical.

CSAs are not expected to understand the specifics of the Clery Act’s geographical requirements.

Your rule is easy:
If you become aware of a crime involving Rowan students, Rowan property, or in your role as a Rowan employee or volunteer, REPORT IT IMMEDIATELY.
“You are a **Resident Advisor** attending a Take Back the Night rally at our university. You attend the event as a participant and are not involved in providing any counseling services. As part of the event’s programming, a student gives a speech in which she says that she was raped on campus last year. In response to hearing the speech, three other students decide to address the crowd and disclose their own experiences being sexually assaulted. After the event, you return to your room where a student from your housing facility knocks on your door and tells you that she was sexually assaulted at an on-campus party in another housing facility three months ago.

**What do you need to do before you decide whether to report the assault?**
You should **forward the report of the incident that was reported to you by the student in your housing facility, as you were acting in your capacity as an RA for your housing facility.** You should not report the Sexual Assaults that you heard discussed at the Take Back the Night event, because you were not acting as a CSA.

**Report it NOW!** Follow the CSA reporting process. The Clery Coordinator will do the rest.

**Remember:** The function of a campus security authority is to report to the official or office designated by the institution to collect crime report information, such as the campus police or security department, those allegations of *Clery Act* crimes that he or she receives. CSAs are responsible for reporting allegations of *Clery Act* crimes that are reported to them in their capacity as a CSA.
"A student mentions to her boyfriend that a number of rooms on her dorm floor were broken into during the previous night’s basketball game on campus. Later that day, her boyfriend tells you as the Athletic Director what he heard. You ask which dorm it was and what, if anything else, the boyfriend knows about the incident."

**What should you do?**
ANSWER

Report it!
You should document the information and forward it to the Public Safety Department per the University’s CSA reporting process.

Remember: The function of a campus security authority is to report to the official or office designated by the institution to collect crime report information, such as the campus police or security department, those allegations of Clery Act crimes that he or she receives. CSAs are responsible for reporting allegations of Clery Act crimes that are reported to them in their capacity as a CSA.
"You are a Resident Assistant in your building and a student reports his roommate was just attacked and robbed at gun point outside the Student Center, his roommate does not want to report it to the police. He has provided you with a good description of the attacker."

What should you do?
CRIMES THAT INCLUDE
THE POSSIBILITY OF AN ONGOING THREAT

You as a CSA must report it! It should be reported regardless of whether the victim chooses to file a report with law enforcement or press charges.

REMEMBER if a serious crime may cause an ongoing threat to the University community, DO NOT WAIT to report that incident to the Rowan Department of Public Safety. It must be reported AS SOON AS POSSIBLE! Do not wait to use the on-line process, call Public Safety or Dial 911 immediately!

The University has a responsibility to notify the campus community about any crimes which pose an ongoing threat to the community.
Ms. Jones, the director of Student Housing at our university, gets a call from the director of a counseling center in town. The caller wants to let the director know that four students from Rowan sought assistance at the center over the past month and told the center’s counselors that they had been sexually assaulted on campus and were seeking emotional support. They did not want police investigations.

What should Ms. Jones do?
ANSWER

Report it!

These are third-party reports and Ms. Jones, having no reason to believe that they were not made in good faith, should document all of the information she was given and forward the reports to the Department of Public Safety who is responsible for collecting Clery Act crime reports at Rowan, following the University’s CSA reporting process.

**Remember:** The function of a campus security authority is to report to the official or office designated by the institution to collect crime report information, such as the campus police or security department, those allegations of Clery Act crimes that he or she receives. CSAs are responsible for reporting allegations of Clery Act crimes that are reported to them in their capacity as a CSA.
VICTIM RESOURCES

As a follow up to the report being made, be aware that:

- Victims have on and off campus reporting options, which include law enforcement and the University’s student conduct process.
- Title IX reporting may be involved.

Remember if you receive a report:
Share information about programs for assisting victims of sexual assault and other crimes, procedures for seeking medical help and the options for reporting as we discussed.

Be aware of the resources being offered here at Rowan University for victims and provide that information to them, to include Title IX, and the Wellness Center.
OTHER RESOURCES INCLUDE

Anonymous Crime Tip line Public Safety:
856-256-7428

Counseling and Psychological Services, (Student Health Services/Wellness Center):
856-256-4333

Emergency (after hours) on call counselor:
856-256-4911 (Ask to speak with the counselor on call)

Rape information:
856-256-4333

Title IX Office:
855-431-9967, 856-256-5440

University Integrity Hotline (Confidential “Whistleblower” Reporting):
855-431-9967 http://rowan.edu/integrityline

New Jersey Office of the Attorney General Victim Witness Advocacy:
609-292-6755 www.nj.gov/oag/dcj/victimwitness

Public Safety Webpage/Annual Security and Fire Safety Report:
http://www.rowan.edu/safety/index.html
REVIEW, You’re a CSA
What do you have to do?

- **Step 1** – Get the facts about the possible crime that occurred on or near the University premises using the “Fact Gathering Checklist.”
  - Record the facts as completely and accurately as possible.
- **Step 2** – Report the facts using the online CSA Report located at [http://www.rowan.edu/safety/](http://www.rowan.edu/safety/)

Remember for an emergency/crime in progress, an immediate or ongoing threat to the campus, contact University Public Safety immediately by dialing 911 which will be directed to DPS, also dialing x4911 from any campus phone, or 856.256.4911 from a non-campus phone.
REPORT IS SUBMITTED-

If you are a CSA and hear about a crime, report first, ask questions after.

**Remember:** CSA crime reports should include personally identifying information if available. This is important for law enforcement purposes and to avoid double counting crimes. If a victim doesn’t want the report to go any further than the CSA, the CSA should explain that he or she is required to submit the report for statistical purposes, but it can be submitted without identifying the victim. If a CSA is unsure of whether an incident is a *Clery Act* crime, or even if it’s criminal in nature, they should report it.

**What happens with your report?  CAMPUS SAFETY REVIEW**

**Communications:** The University must **NOTIFY** the campus community of serious or continuing threats to their health or safety. The University will evaluate reports from CSAs to determine whether a warning must be disseminated.

**REQUIRED REPORTING:** Crime Statistics: Clery Act crimes within the designated Clery geography of the University’s campuses are **recorded and reported** to the DoE and in the **Annual Security and Fire Safety Report**. They are also reported in the **Daily Crime Log**. Personal identifiers are NOT included.

Timely and complete reporting is essential!
CSA Process- Follow up during the year
Document, track and train, compliant with the law

As a Campus Security Authority you may in the follow up process:

Receive through email:
- Newsletter and Informational alerts
- Training

Required:
- Annually or when requested, complete reporting audit form, whether or not you have already reported all crimes. **YOU ARE REQUIRED TO RESPOND.**
- Reporting includes on University sponsored trips to off-campus locations under certain circumstances. University personnel who are responsible for students on University sponsored trips (both domestic and international) are CSAs. Report by use of the **Travel form found at:**
  http://www.rowan.edu/home/consumer-disclosures/clery-act-campus-security
Campus Security Authority (CSA) Overview

If should you have a question on this training or on your role as a CSA, please contact:
cleryact@rowan.edu

Associate Director for Clery Compliance
Ronald Massari
856.256.4562
massarir@rowan.edu

General Counsel
Melissa Wheatcroft, Esq.
856.256.5107
wheatcroft@rowan.edu

Vice President for Student Life and Dean of Students
Dean Richard Jones
856.256.4283
jonesri@rowan.edu
Not a CSA?

Department heads and other officials at the University have assisted in identifying CSAs in their departments. As you can see reporting of incidents is so very critical to the Clery compliance process. If you do not think your job fits within this definition, please contact:

cleryact@rowan.edu

Ronald Massari
Associate Director for Clery Compliance
Department of Public Safety
856.256.4562 Desk
THE CLERY ACT AND YOU

Thank you for your review of this presentation.

"It is in your interest!"

Rowan University
The following resources were used in developing this training presentation:

- Clery Center for Security on Campus website: [http://clerycenter.org](http://clerycenter.org)