

UNIVERSITY OF KENTUCKY <b>ADMINISTRATIVE REGULATIONS</b>	IDENTIFICATION AR II-1.2-8		PAGE 1
	DATE EFFECTIVE 8/3/07	SUPERSEDES REGULATION DATED 12/20/00	

## POLICY ON DISCLOSURE OF CAMPUS SECURITY AND CRIME STATISTICS

### I. Introduction

The University is required by state and federal law to provide certain information to the public about campus crime. This regulation implements the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, and the Michael Minger Act.

### II. Responsibilities

A. The Office of Emergency Management is designated as the Clery and Minger Compliance Office and is responsible for ensuring that the University maintains compliance with all requirements of these acts. The Office of Emergency Management is responsible for preparing and submitting annual reports pursuant to the Clery and Minger Acts. The Office of Emergency Management, working with the University Police Department, is responsible for making the daily crime log available to the public.

B. The Office of Environmental Health and Safety is responsible for reporting fires, threats of fire, and fire alarms to the State Fire Marshal's Office pursuant to the Minger Act.

C. The Executive Vice President for Finance and Administration is responsible for overall coordination of campus-wide efforts to comply with the Clery and Minger Acts and this Administrative Regulation.

D. Each senior administrator shall fully cooperate with the Office of Emergency Management, University Police Department, Environmental Health and Safety and the Executive Vice President for Finance and Administration to ensure that employees of his or her area comply with the requirements of this regulation.

E. Federal and state laws require university employees defined as "campus security authorities" to report all campus crimes, fires, and threats of fires of which he or she becomes aware (complete list detailed below). For the purposes of this regulation, a "campus security authority" is broadly defined as an individual having responsibility for campus security and officials having

significant responsibility for student and campus activities. This includes but is not limited to:

1. Officers and employees of the University Police Department,
2. Contract security workers of any University unit,
3. Employees of Parking and Transportation Services,
4. Employees of the Office of the Vice President for Student Affairs,
5. Employees of University Housing,
6. Employees of colleges who are designated as student affairs officers,
7. Employees of the Athletics Department, and
8. Advisors to registered student organizations.

### III. Exceptions

A. Maintenance, support and clerical staff within the units listed above in Section II.E are not considered campus security authorities.

B. Pastoral counselors and licensed or certified mental health professionals are not required to report when functioning within the scope of their official capacity. A “pastoral counselor” is defined as a person associated with a religious order or denomination and is recognized by that religious order or denomination as someone who provides confidential counseling. A “mental health professional” is defined as a person licensed or certified pursuant to Kentucky statute whose official responsibilities include providing mental health counseling. This includes graduate students acting under the supervision of a licensed or certified mental health professional. Medical professionals are not required to report under these acts.

### IV. Crimes Which Shall be Reported by Campus Security Authorities:

A. The following crimes shall be reported immediately to the Office of Emergency Management or the University Police Department:

1. Arson
2. Assault

3. Burglary
4. Criminal Damage to Property
5. Hate Crimes (if there is evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability)
5. Manslaughter
6. Menacing
7. Motor Vehicle Theft
8. Murder
9. Reckless Homicide
10. Robbery
11. Sex Offenses (including but not limited to forced intercourse, sodomy and fondling)
12. Stalking
13. Terroristic Threatening
14. Theft
15. Wanton Endangerment
16. Weapons Possession
17. Criminal attempt of any of the above crimes
18. Arrests for Liquor and Drug Law Violations

B. Incidents where students are referred for campus disciplinary action related to liquor law, drug law, or weapons violations shall be reported on an annual basis.

V. Fires, Fire Alarms, and Threats of Fire Which Shall be Reported to University Police

Every fire, fire alarm, or threat of fire (an expression of an intention to inflict something harmful in the way of destructive burning or explosions) shall immediately be reported to the University Police Department, which in turn shall report the incident to Environmental Health and Safety, which shall report to the State Fire Marshal as required by the Minger Act. University Police shall also report all threats or actual alarms to the local fire department. The Physical Plant Division shall coordinate their fire alarm reporting activities with those of the University Police Department.

VI. Definition of Campus

For the purposes of this regulation, the University campus is defined as:

- A. All buildings or property owned, leased, controlled, or managed by the University in Fayette County
- B. All public property, including thoroughfares, streets, sidewalks, and parking facilities, within the campus, or immediately adjacent to the campus.
- C. The Woodford County Farm
- D. Robinson Forest
- E. The Quicksand and Princeton Agricultural Experiment Stations
- F. Center of Excellence in Rural Health
- G. University-operated facilities on the campus of Paducah Community College
- H. All buildings or property owned, leased or controlled by a registered student organization including fraternities and sororities  
Any other buildings or property owned, leased or controlled by the University that are used in direct support of, or in relation to, the University's educational purposes and are frequently used by students.

VII. Cooperation with other Agencies

The Office of Emergency Management shall make reasonable, good faith efforts to obtain the required statistics from local police agencies and the State Police concerning campus crimes reported to those agencies.

VIII. Timely Warning Reports

The Office of Emergency Management shall, within 24 hours after an incident is first reported and in a manner which will aid in the prevention of similar crimes, report to the campus community on crimes that are reported pursuant to this policy that are considered to represent a threat to students and employees.

IX. Crime Log

A. The University shall make available to the public in written form and on the World Wide Web an easily understood daily crime log that records, by the date the crime was reported, any crime that occurred on campus which is reported pursuant to this regulation. The log is maintained through a joint effort between the University Police Department and the Office of Emergency Management. The log must include the nature, date, time, and general location of each crime; and the disposition of the complaint, if known.

B. The University Police Department may withhold information required in the log only if there is clear and convincing evidence that the release of that specific information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence. This information shall be disclosed once the adverse effect is no longer likely to occur.

References:

- Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC 1092(f), 34 CFR Part 668.46)
- Michael Minger Act (KRS 164.948 to 164.9489; KRS 164.993)
- 13 KAR 2:100