

Timely Warning Policy

Purposes

The purpose of this policy is to ensure the issuance of timely warnings regarding crimes posing a serious or ongoing threat to the campus community. This policy complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) by establishing procedures for the University regarding the circumstances and delivery of warnings of serious or ongoing threats (see 20 USCA section 1092; 34 CFR 668.46(e)).

Scope and Application

This policy applies to the University of the South, including the School of Theology.

Definitions

Timely warnings are provided to notify students, faculty, and staff of certain crimes under the Clery Act that may represent a serious or ongoing threat to the campus community and to heighten safety awareness. A timely warning also seeks information that may lead to the arrest and conviction of the offender.

Policy Statements

WHEN? Timely warnings are made only in response to the occurrence of certain crimes under the Clery Act. Not every instance of a Clery crime represents a continuing or serious threat to the community and therefore Timely Warning Notifications are not issued in every instance of a Clery crime on or near the campus. Other dangers to the campus community are addressed through emergency communications, such as text messages, emails, and a voice-siren system.

WHAT'S INCLUDED? Timely warnings include information about the crime that triggered the warning, but do not include personally identifiable information about the victim of the crime. Timely warnings also include other available information that the University determines will help members of the campus community to protect themselves, ranging from descriptive information about suspects to tips on deterring theft or other crimes. The content and amount of information varies depending on the nature of the threat, the amount of information available at the time, the risk of compromising law enforcement efforts, in addition to other factors.

Decisions to issue a warning are made on a case-by-case basis considering the nature and circumstances of the crime and the danger posed to the community. A warning is only required when the reported crime occurred on campus, on public property bordering campus, or on property controlled by the University.

WHO DECIDES? Timely warnings typically are made by the Sewanee Police Department.

HOW? Timely warnings typically are made through campus-wide emails sent to students and employees.

CONSIDERATIONS AND CRITERIA USED TO DETERMINE WHETHER TO ISSUE A TIMELY WARNING:

1) a Clery Act crime is reported; 2) the crime occurred in a Clery Reportable Location; 3) the perpetrator has not been apprehended; and 4) there is a serious or ongoing threat to the campus community because of this crime. The decision to issue a Timely Warning shall be made on a case-by-case basis using the following criteria:

- Was a report filed with the Sewanee Police Department?
- Was the suspect identified?
- Was the suspect apprehended?
- If known, does the suspect have prior arrests, reports or complaints, or any other history of violent or other criminal behavior?
- If known, does the suspect have a history of failure to comply with a University No-Contact Directive, other protective measures, or judicial protective order?
- Did the incident involve physical violence or serious property damage or theft?
- Has the suspect threatened to commit physical violence?
- Did the incident involve multiple victims?
- Does it appear to be an isolated incident involving a specifically “targeted” victim?
- Does the report reveal a pattern of behavior (e.g., by suspect, by a particular group or organization, around a particular recurring event or activity, or at a particular location)?
- Did the suspect use “date-rape” or similar drugs or intoxicants?
- Did the incident occur while the victim was unconscious, physically helpless or unaware that it was occurring?
- Was the victim under 18 years of age?
- Were there other aggravating circumstances or signs of predatory behavior that may constitute a serious or ongoing threat?

Responsibilities

- The Sewanee Police Department is responsible for this policy and its implementation, with the involvement of the Title IX Coordinator and the Dean of Students staff.
- Legal Counsel and Risk Management review the policy and the Provost has final approval.

Related Documents

- [Sexual Misconduct Policy](#)
- [Annual Fire Safety and Security Report](#)
- [EQB: The Guide for Living in Community](#)

Effective Date/Approved Date: September 16, 2018.