

Office of the Vice Provost for Student Affairs

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Clery Act Compliance Information

The Office of the Vice Provost for Student Success has been given responsibility for coordinating the University's compliance activities with the Clery Act. [KU's Annual Safety Security Report](#) provides information about the Clery Act.

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Crime Definitions

Murder/Non Negligent Manslaughter: The willful (non-negligent) killing of one human being by another. Note: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

Negligent Manslaughter: The killing of another person through gross negligence.

Robbery: The taking or attempting to take anything of value from the care, custody or control of a person or persons by force or threat of force or violence and/or putting the victim in fear.

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes unlawful entry with intent to commit a larceny or a felony: breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle all cases where automobiles are taken by persons not having lawful access, even through the vehicles are later abandoned - including joy riding).

Arson: The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another kind.

Sex Offenses-Forcible:

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

- a. **Forcible Rape** — The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

- b. **Forcible Sodomy** — Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- c. **Sexual Assault With An Object** — The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- d. **Forcible Fondling** — The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Sex Offenses-Non-forcible: Unlawful, non-forcible sexual intercourse.

- a. **Incest** — Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- b. **Statutory Rape** — Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Weapon Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempt to commit any of the aforementioned.

Drug Abuse Violations: Violations of state and local laws regulating to the unlawful possession, sale, use growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives; marijuana; synthetic narcotics.

Liquor Law Violations: The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor, maintaining unlawful drinking places; bootlegging, operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

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Clery Act Crime Notification Information

According to federal law, specifically The Clery Act, the University is required to report statistics concerning the occurrence of the following criminal offenses reported to the local police agency or any official of the institution who has significant responsibility for student and campus activities. The requirement to report these crimes applies to offenses involving students, faculty, staff or visitors.

The criminal offenses that we are required to report are murder/non-negligent manslaughter, negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug violations, and/or illegal weapons possession.

We are required to report offenses that

- occur on campus,
- in University residence facilities,
- in fraternity and sorority houses,
- in KU owned, controlled, or leased property,
- on streets and sidewalks bordering campus, and/or
- at University sponsored activities or events.

If anyone is aware of any applicable crimes that occurred in the calendar year, it is important that you forward that information to Jane Tuttle (Assistant to the Vice Provost

for Student Success, in 133 Strong Hall) as it occurs or *no later than January 30 of each calendar year*.

Crime Statistics Report Form can be found on the Student Success web site and should be used to report the incidents described above. University personnel who have significant responsibility for student and campus activities are asked to report crime to the Office of the Vice Provost for Student Success and/or the KU Office of Public Safety. At a minimum the following persons must report:

- Supervisors,
- Resident Assistants,
- Judicial Officers,
- Deans,
- Directors of Student Activities or Programs,
- Director of Athletics,
- Team Coaches, and/or
- Organization Advisors.

If you have any questions about this request, or would like to discuss the specifics of an incident, please contact Jane Tuttle at 864-4060. Thank you for your assistance in complying with this federal law. If you would like to know more about KU's compliance with the law, please visit www.ku.edu/safety.

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Clery Act Safety Programs Notification Information

According to federal law, specifically the Clery Act, the University must report the type and frequency of programs designed to inform students and employees about campus security procedures and practices to encourage responsibility for personal and community safety.

If anyone in your department provided programs that were safety related, it is important that you forward the information to [Jane Tuttle](#) (Assistant to the Vice Provost for Student Success, 133 Strong Hall) no later than January 30. Provide a short descriptor of the programming type and the number of programs given during the calendar year. Fire safety, personal safety, and alcohol awareness programming would be included in this count. If you have any questions about this request or if you would like to discuss specifics, feel free to contact Jane at 864-4060. If you have suggestions for making this process easier, please share them with Jane.

Thank you for your assistance in complying with this federal law. If you would like to learn more about KU's compliance, please visit www.ku.edu/safety.

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Campus Safety Authority Training Video

Reporting crime is one aspect of keeping KU safe. The Jeanne Clery Act requires Campus Security Authorities, officials with significant responsibility for student and campus activities, to report crime. This ten minute video provides more information on the Clery Act and how to report crime.

STUDENT SUCCESS — IT'S NOT JUST OUR NAME — IT'S OUR MISSION!



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