

Subject Timely Warnings and Emergency Notifications		General Order 15.04
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Authorized by Garrett Shelton, Chief of Police		<input type="checkbox"/> New Directive <input checked="" type="checkbox"/> Replaces A-10.1/.2 <input type="checkbox"/> Revised

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Purpose

To comply with the Jeanne Clery Campus Safety Act (Clery Act)[1] and keep the campus community informed about safety and security issues on an ongoing basis. All Title IV institutions are required to have timely warning and emergency notification policies to enable members of the campus community to protect themselves and make informed decisions about their health and safety.

Scope

This policy applies to all members of the ODU Police Department and governs the issuance of timely warnings for Clery Act crimes and emergency notifications for significant emergencies or dangerous situations affecting the campus community.

Policy

The Old Dominion University Police department will disseminate timely warning and emergency notifications in conformance with the Jeanne Clery Campus Safety Act, 20 U.S.C. § 1092(f), codified in Section 485(f) of the Higher Education Act of 1965 and the Code of Federal Regulations 34 CFR 668.46.

Definitions and Descriptions

Campus Security Authority (CSA): An official of the institution who has significant responsibility for student and campus activities, or an individual or organization specified in an institution's security policy as one to which students and employees should report criminal offenses. CSAs include but are not limited to: University Police Department personnel, Individuals with responsibility for campus security (excluding clerical staff), Individuals designated by the institution to whom students and employees should report crimes, Officials with significant responsibility for student and campus activities, including student housing, student discipline, and campus judicial proceedings.

Clery Act Crimes – Institutions must collect data and issue timely warnings, when appropriate, for the following offenses:

- Criminal Homicide (Murder, Non-Negligent Manslaughter, Negligent Manslaughter)
- Sex Offenses (Rape, Fondling, Incest, Statutory Rape)
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Hate Crimes (including Larceny-Theft, Simple Assault, Intimidation, and Destruction, Damage, or Vandalism of Property when motivated by bias)
- Hazing

- Dating Violence
- Domestic Violence
- Stalking
- Arrests and referrals for disciplinary action for Liquor Law Violations, Drug Law Violations, and Weapons Law Violations

Clery Geography: The geographic area for which an institution is responsible for reporting crime statistics. Institutions must include statistics for Clery Act crimes that occur in any of the following areas:

- On-Campus: Any building or property owned or controlled by the institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls. Any building or property that is within or reasonably contiguous to the campus, owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes
- Non-Campus: Any building or property owned or controlled by a student organization that is officially recognized by the institution. Any building or property owned or controlled by the institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution
- 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

Emergency Notification: An announcement issued upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus. This includes but is not limited to: active shooter situations, bomb threats, hazardous material incidents, severe weather events, fires, public health emergencies, or any other situation posing an immediate threat.

Timely: As soon as pertinent information is available regarding a Clery Act crime. Although the Clery Act does not provide a specific definition for timeliness, the intent of a timely warning is to enable the campus community to take measures to promote their safety. Therefore, the University will issue a warning as soon as the pertinent information is available, unless the University determines the risk or threat to students and employees no longer remains.

Timely Warning: An alert issued to the campus community regarding Clery Act crimes that have already occurred but represent a serious or continuing threat to students and employees. The purpose is to aid in the prevention of similar crimes and enable people to protect themselves.

Procedures

A. Reporting of Crimes

1. A crime is considered reported when it is brought to the attention of the Old Dominion University Police Department or a Campus Security Authority.
2. The Old Dominion University Police Department is the primary law enforcement agency responsible for investigating criminal activity for the University's campuses. ODUPD works closely with the local, state, and federal law enforcement agencies and maintains open lines of communication regarding criminal activity on or near the campuses as well.

B. Timely Warnings

1. Should a situation arise within the Clery geography that is confirmed to pose a serious or continuing threat to safety of students or employees, an ODU Timely Warning will be issued.¹
2. Evaluation for Timely Warning²
 - a) When a Clery Act crime is reported directly to ODUPD, the on-duty supervisor notifies the on-duty patrol lieutenant or on-call commander, who completes the Timely Warning Determination form in TEAMS.
 - b) When a CSA reports a Clery Act crime, the Clery Compliance Manager or Coordinator, shall complete the Timely Warning Determination form in TEAMS.

- c) Each report is evaluated case-by-case considering:
 - (1) Whether the Clery Act crime represents a serious or continuing threat to the campus community.
 - (2) Whether the crime occurred within Clery Geography (on campus, on immediately accessible public property, or at a non-campus University-affiliated location).
 - (3) The credibility of the report and supporting evidence.
 - (4) The opinions of other law enforcement officials or University administrators with significant experience or knowledge regarding the crime.
 - (5) Whether issuing a warning could compromise a law enforcement investigation.
 - d) The Chief of Police must be notified if the crime poses a serious or ongoing threat to campus.
 - e) The Chief of Police determines whether to issue a timely warning.
3. Content of Timely Warnings
- a) A timely warning should include all information that would promote safety and enable members of the community to protect themselves, including:
 - (1) The type of Clery Act crime reported.
 - (2) The date, time, and location where the crime occurred.
 - (3) A brief description of the incident.
 - (4) Physical description of the suspect(s), if available and if disclosure would not compromise victim confidentiality or the investigation.
 - (5) Safety tips and information to help prevent continuing incidents or similar crimes.
 - (6) Contact information for the Old Dominion University Police Department.
 - (7) Any other relevant information that promotes safety.
 - b) Timely warnings shall be issued in a manner that withholds the names and other personally identifying information of victims as confidential.
4. Distribution Methods for Timely Warnings³
- a) Timely warnings will be issued through methods that are likely to reach the entire campus community, which may include one or more of the followingⁱ:
 - (1) University Announcements.
 - (2) ODU Alert System. (mass notification system utilizing email, text message, push and/or telephone)
 - (3) University email to all students, faculty, and staff.
 - (4) Posting on the ODUPD website and/or University homepage.
 - (5) Digital signage and displays across campus.
 - (6) Social media through official University accounts, when appropriate.
- C. Emergency Notifications
1. Confirmation of Emergency
- a) Should a situation arise within the on-campus Clery geography that is confirmed to pose an immediate threat to the health and safety of students or employees on-campus, an ODU Emergency Notification will be issued.⁴
 - (1) Examples include but are not limited to: Extreme weather conditions such as a tornado or hurricane, gas leak, terrorist incident, armed intruder, bomb threat or explosion, chemical or hazardous substance exposure, civil unrest or rioting.
 - b) Upon receiving such report, the on-duty supervisor (main and medical campus) or on-duty public safety officer (VA Beach and Tri-Cities campus) shall make proper notifications as outlined in general order 6.01.

ⁱ The primary method is the ODU Alert System, which may be used during incidents requiring immediate notification.

- c) The Chief of Police or their designee in their absence will confirm that there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community.ⁱⁱ
2. Authorization to Issue Emergency Notification:
 - a) The Chief of Police or designee is authorized to issue an emergency notification.
 - b) Other authorized personnel may include Director of Emergency Management, Vice President for Student and Campus Life, the University President or their designees.
 3. Determination of Notification Content and Segment:
 - a) If time permits, the Chief of Police or designee may consult with other senior administrators at the University. However, if the consultation would result in a significant delay in disseminating the information, ODUPD will send alerts on its own initiative, using predetermined templates.⁵
 - (1) ODUPD Main Campus Dispatchers and the Assistant Chiefs of Police have access to and are authorized to send Emergency alerts upon approval from the Chief of Police or designee.⁶
 - b) Authorized personnel will determine the appropriate content of the emergency notification based on the situation and will include nature of the emergency, location, recommended protective actions, and where to obtain additional information.
 - c) The University may issue notifications to the entire campus or to specific segments of the campus community, depending on the nature and location of the threat.
 4. Distribution of Emergency Notification: Emergency notifications will be distributed without delay through one or more of the following methods:⁷
 - a) ODU Alert System. (text messages, emails, phone calls)
 - b) Outdoor warning sirens. (if available)
 - c) Building fire alarm systems. (for building evacuations only)
 - d) Public address systems in buildings.
 - e) Digital signage and emergency displays.
 - f) ODU website homepage.
 - g) Official University social media accounts.
 - h) Local media outlets, when appropriate.
 - i) Face-to-face notification, when appropriate.
 5. Follow-Up Information:
 - a) The University will provide timely follow-up information to the campus community as the situation evolves, or additional information becomes available.
 - b) Updates will be distributed through the same channels used for the initial notification.
 - c) An “All Clear” notification will be distributed once the situation has been resolved or it is determined the imminent threat to the safety of the campus community is mitigated.
 6. Exception to Immediate Notification: The only circumstance under which the University would not immediately issue an emergency notification is if, in the professional judgment of responsible authorities, doing so would compromise efforts to:
 - a) Assist a victim.
 - b) Contain the emergency.
 - c) Responding to the emergency.
 - d) Otherwise mitigate the emergency.
- D. Testing and Documentation of Emergency Alert Systems^{iii/8}
1. The University’s Office of Emergency Management will test its emergency response and evacuation procedures at least once a calendar year.

ⁱⁱ Confirmation may be accomplished through direct observation by ODUPD officers, reports from reliable sources, or information from emergency responders or other law enforcement agencies

ⁱⁱⁱ 34 CFR 668.46(b)(13)

2. Tests may be announced or unannounced and may include drills, exercises, and appropriate follow-through activities.
 3. For each test, the University will document the date and time of the exercise, a description of exercise and whether the exercise was announced or unannounced.
 4. Additionally, the University will publicize its emergency response and evacuation procedures in conjunction with at least one test per calendar year.
- E. Non-Clery Crimes and Other Safety Concerns
1. Nothing in this policy restricts the use of the ODU Alert System from being used to notify the campus community of incidents involving non-Clery Act crimes or other safety concerns that may pose a threat to the campus community.
 2. Coordination with Local Agencies
 - a) If assistance is needed from additional law enforcement or emergency response agencies, they will be contacted by ODUPD to request assistance.
 - b) If local media assistance is helpful or necessary to disseminate alerts, such outlets will be contacted for assistance.
 3. Accessibility Considerations
 - a) The University will take steps to ensure that emergency notifications and timely warnings are accessible to individuals with disabilities, including those with vision or hearing disabilities, and will be provided as effectively as they are provided to others.

¹ CALEA-L:91.4.1b

² IACLEA-16.3.2a

³ IACLEA-16.3.2b

⁴ CALEA-L:91.1.5b

⁵ CALEA-L:91.1.5d

⁶ CALEA-L:91.1.5a

⁷ CALEA-L:91.1.5c

⁸ CALEA-L:91.1.5e