

Office/Contact: Division of Technology and Security

Source: Clery Act, codified at 20 U.S.C. § 1092 (f); 34 CFR 668.46(e) and (g).

Link: <https://www.gpo.gov/fdsys/pkg/USCODE-2011-title20/html/USCODE-2011-title20-chap28-subchapIV-partF-sec1092.htm>

SOUTH DAKOTA STATE UNIVERSITY
Policy and Procedure Manual

SUBJECT: Community Notification of Potential, Imminent or Active Threat to the University

NUMBER: 10:3

1. Purpose

This policy and its procedures set forth the guidelines for when and how the University provides information to the University community regarding potential, imminent and active threats to the University in compliance with the Clery Act and other applicable laws and policies.

2. Definitions

- a. Timely Warnings: Notifications to the University community that provide information on Clery Act crimes that occur on University Clery geography, are reported to campus security authorities, the University Police Department (“UPD”), or local law enforcement, and pose a serious or continuing threat to students and employees.
- b. Emergency Notifications: Notifications to the University community that alert the University community to a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the University campus.
- c. Other Notifications: In addition to Timely Warnings and Emergency Notifications, the University, at its discretion, may provide information to the University community when an incident does not meet the threshold for a Timely Warning or an Emergency Notification.

3. Policy

- a. The University establishes campus safety and security measures to be observed by and for the benefit of all students, employees, and visitors. Timely Warnings, Emergency Notifications, and Other Notifications are designed to inform and direct community members to mitigate the damage of a real or potential threat to the University. To accomplish this, the University uses redundant means of communication to provide Timely Warnings, Emergency Notifications, and Other Notifications to the University community.
- b. The University issues Timely Warnings when a situation arises that constitutes a Clery Act crime within the Clery Geography of the University, which are reported to Campus Security Authorities, and that the University considers to constitute an serious ongoing or continuing threat that meets the criteria for notification as set forth in this policy, its definitions and procedures. Emergency Notifications are issued without hesitation upon

the confirmation of a significant emergency or dangerous situation involving an immediate threat to health or safety, unless the Emergency Notification will compromise efforts to assist a victim, contain the incident, or otherwise mitigate the emergency. In every case, an evaluation of the circumstances will be conducted to determine if a Timely Warning or Emergency Notification is required or if Other Notification is appropriate. Notifications will be issued and shall be continually updated until it has been determined the threat is contained or ended.

- c. Decisions to issue a Timely Warning, Emergency Notification or Other Notification to the University community shall be made on a case-by-case basis dependent on the nature of the incident and the continuing danger to the campus community. In criminal cases, information will be provided to the extent possible without compromising law enforcement efforts.
- d. The Chair of the Emergency Management Team, or designee, in consultation with the appropriate member(s) of the Emergency Management Team, and other University units as appropriate, is responsible for initiating Timely Warnings, Emergency Notifications, and Other Notifications to the campus community.
- e. The University's Emergency Management Team (EMT), under the direction of its Chair, is responsible for the preparation for, response to, and recovery from real or potential emergencies that affect, or may affect, the University community.
- f. Individuals with information warranting a Timely Warning, Emergency Notification, or Other Notification should report circumstances to UPD.
- g. Two times per year a request will be sent electronically to individuals new to the University requesting that they designate their notification preferences at least once per year.
- h. The University's emergency communication system is tested within the first two (2) weeks of the fall and spring academic semesters. These tests will be announced prior to being conducted and will contain the location of the University's plans on emergency communications, emergency planning and response, and the evacuation of the University campus.

4. Procedures

- a. Timely Warnings
 - i. When a situation is known to the University that constitutes a Clery crime within the University's Clery geography and poses an ongoing threat to safety and security, the case will be evaluated for possible Timely Warning.
 - ii. The Chair of the Emergency Management Team, or designee, upon consultation with designated units as appropriate, will issue a Timely Warning as soon as pertinent information is available.

- iii. Timely Warnings will be provided to the University community via campus-wide email and posting on the University's webpages.
- iv. Timely Warnings shall contain sufficient information about the nature of the threat to allow members of the campus community to take protective action. This information will include as appropriate: a succinct statement of the incident; possible connection to previous incidents, if applicable; date, time and location of the warning; description and drawing of any suspects, if applicable and available; and other relevant and important information.

b. Emergency Notifications

- i. In situations where an imminent or active threat to the University has been confirmed, the Chair of the Emergency Management Team, or designee, upon consultation with designated units as appropriate, will issue an Emergency Notification to the University community without delay.
- ii. Emergency Notifications will be sent using the University emergency communication system, which will include notifications through email and other formats selected by the subscribers. This notification system may also include desk phones, personal and University-owned computer monitors, video display monitors, cellular phones, and text messages. Information will also be displayed on official University webpages and social media.
- iii. Emergency Notifications will provide sufficient information to inform individuals of threat mitigation needs.
- iv. University may elect to send Emergency Notifications based on geographically limited effect such as weather alert not being sent to Clery Geography when not affected by severe weather. University may separate notifications by residence halls and other geographic areas.

c. Other Notifications

- i. In situations where a Timely Warning or Emergency Notification is not warranted, the Chair of the Emergency Management Team, or designee, upon consultation with designated units as appropriate, may issue Other Notifications to the campus community in order to mitigate potential threats and assist with safety and security.
- ii. Other Notifications may use email, webpage, or other formats determined by the University.

iii. Other Notifications will provide sufficient information to inform individuals of threat, safety, or security needs.

d. Updates to the original Timely Warning, Emergency Notification, or Other Notification messaging will be issued by the Chair of the Emergency Management Team, or designee, in consultation with designated units as appropriate.

5. Responsible Administrator

The Vice President and General Counsel, or designee, is responsible for the ad hoc and annual review of this policy and its procedures. The University President is responsible for approval of this policy.

SOURCE: Approved by President on 02/05/2015; Revised and Approved by President on 10/06/2017; Revised and Approved by President on 09/14/2021.