May 9, 2023

Susan Cochran, Chair, Academic Council
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200

RE: [Systemwide Review] Proposed Presidential Policy – Clery Act Policy

Dear Susan,

The Riverside Executive Council discussed the subject proposed policy during their May 8, 2023 meeting and had no additional comments to add to those attached from local committees that responded to the call for comments.

Sincerely yours,

Sang-Hee Lee
Professor of Anthropology and Chair of the Riverside Division

CC: Monica Lin, Executive Director of the Academic Senate
Cherysa Cortez, Executive Director of UCR Academic Senate Office
April 20, 2023

TO: Sang-Hee Lee, Chair
Riverside Division of the Academic Senate

FROM: John Kim, Chair
CHASS Executive Committee

RE: Proposed Presidential Policy - Clery Act Policy

The CHASS Executive Committee met on April 6, 2023, and discussed the proposed Clery Act Policy. CHASS EC is returning this proposed policy without any comments.
FACULTY WELFARE

April 21, 2023

To: Sang-Hee Lee, Chair
Riverside Division

From: Robert Clare, Chair
Committee on Faculty Welfare

RE: [Systemwide Review] Proposed Presidential Policy – Clery Act Policy

At our April 11, 2023 meeting, the Committee on Faculty Welfare (FW) discussed the proposed Clery Act Policy. FW appreciates the opportunity to evaluate this systemwide review item and commends the University of California’s commitment to provide a safe and secure learning and working environment for UC students and employees.

The following captures our concerns and questions with respect to the proposed policy:

- To better analyze and understand the differences between this “interim” policy and the previous version of the policy, a highlighted “difference list” should be provided. In this same vein, all policies that are revised/updated and subsequently circulated for review should be presented with a difference list, with a first column containing a policy’s “previous text” and a second column containing “current text.”

- The way the policy is written seems to blend disclosing information about safety/security/crimes and also reporting such information (i.e., enforcing). Is this policy intended to center around “disclosure” of information pertaining to campus security policies and crime statistics, or “enforcement” of proper practices related to reporting emergencies/crimes/incidents in a timely fashion to designated campus authorities?

- As it pertains to this policy and most importantly to providing a safe and secure learning and working environment, the responsibilities of the Campus Security Authority (CSA) are confusing and seemingly contradictory. The CSA must immediately or as soon as reasonably practicable report any Clery Act crimes or incidents which they have been made aware of or witnessed to the campus police department and/or Campus Clery Coordinator/Officer. It is even stressed that any CSA who knowingly fails to report a crime may be subject to disciplinary action. However, in accordance with California law, when reporting a crime the CSA is not permitted to disclose to local law enforcement the identity of the victim or alleged perpetrator, unless the victim consents to being identified after being informed of their right to remain anonymous or unless the victim is a minor which may trigger
separate mandated reporting obligations. If a CSA is unable to disclose the identity of a victim and perpetrator, how does this assist local law enforcement to investigate accordingly and resolve the matter expeditiously? In the case of a real crime being committed, how does the preservation of anonymity ensure the safety and security of a victim? Furthermore, when a CSA is the first person made aware of a crime, is the campus at large still notified in as close to real-time as possible of this crime (shortly after the crime has been committed and/or reported)? If not, a failure to notify the campus at large seems to contradict the UC’s commitment to campus safety and security.

Despite what is stated in the policy with respect to the CSA keeping the identity of a victim and alleged perpetrator in confidence, what is perplexing is that the CSA is not classified as a confidential resource. Instead, the CSA is encouraged to inform victims of individuals on campus formally classified as confidential resources. The classification of the CSA as a non-confidential resource suggests that the CSA is indeed able to break confidence to identify the victim and/or perpetrator to local law enforcement or another authority, even perhaps in contexts outside of when the victim consents to being identified and/or when the victim is a minor. The policy should explicitly list the varied/nuanced instances when the CSA can break confidentiality. For example, in cases of sexual assault, domestic violence, dating violence, or stalking, can the CSA identify the victim and/or perpetrator to the campus Title IX Officer, even if the victim did not consent to such?
April 21, 2023

To: Sang-Hee Lee, Division Chair of the UCR Division of the Academic Senate & Cherysa Cortez, Executive Director of the UCR Academic Senate

From: Raquel M. Rall, Ph.D., Faculty Chair of the School of Education Executive Committee


The members of the SOE Executive Committee reviewed the [Systemwide Review] Proposed Policy: Proposed Presidential Policy – Clery Act Policy. Comments were provided at our monthly meeting and via email. Our feedback is below.

The Faculty Executive Committee found the policy informative. The removal of the specific language identified by the Department of Education so that the CARE and Ombuds employees are no longer categorically exempt as a CSA was a good move. We only have one suggestion and a stream of related questions.

Under definitions II.D. “CARE Advocate”, we recommend writing out what CARE stands for (Campus Advocacy, Resources & Education).

Our compound question, which doesn’t need to show up in the policy, is when are all of these annual reports due, to whom are they submitted, where are they housed, and who has access to them? Additionally, do campus stakeholders have to opt in for Clery notifications or is that automatic?

Thank you for the opportunity to provide feedback.

Sincerely,

Raquel M. Rall, Ph.D.
Faculty Executive Committee Chair 2022-2025
School of Education
University of California, Riverside
May 8, 2023

TO: Sang-Hee Lee, Ph.D., Chair, Academic Senate, UCR Division
FROM: Marcus Kaul, Ph.D., Chair, Faculty Executive Committee, UCR School of Medicine

Dear Sang-Hee,

The SOM Faculty Executive Committee has reviewed the Proposed Presidential Policy – Clery Act Policy.

We approve of the proposed policy and have no additional comments.

Yours sincerely,

Marcus Kaul, Ph.D.
Chair, Faculty Executive Committee School of Medicine
TO: Sang-Hee Lee, Chair
Riverside Division

FR: Richard M. Carpiano, Chair
Executive Committee, School of Public Policy


Date: April 24, 2023

The Executive Committee of the School of Public Policy reviewed the documentation for “[Systemwide Review] Proposed Policy: Proposed Presidential Policy – Clery Act Policy.”

In the course of our review, there was confusion regarding whether the Title IX office must report instances of reported crimes outside of confidential resources to the Campus Security Authority. As written, it only appears that the Cleary officer/committee is expected to coordinate with Title IX when appropriate. If so, this would suggest that Title IX is not required to report instances of sexual violence and related crimes to them to be able to accurately count such incidents occurring on campus.

We have no other concerns.

Sincerely,

Richard M. Carpiano, Ph.D., M.P.H.
Professor of Public Policy