

# TIMELY WARNING AND EMERGENCY NOTIFICATION

**POLICY NUMBER:** ADM-TIMELYWARNING

**POLICY TYPE:** ADMINISTRATIVE

**RESPONSIBLE OFFICIAL TITLE:** VICE PRESIDENT FOR STUDENT AFFAIRS

**RESPONSIBLE OFFICE:** UNIVERSITY POLICE/CLERY COORDINATOR

**EFFECTIVE DATE:** UPON BOARD OF REGENTS APPROVAL – 9/15/2022

**NEXT REVIEW DATE:** PREVIOUS REVIEW PLUS TWO (2) YEARS – 9/15/2024

**SUPERSEDES POLICY DATED:** N/A – NEW POLICY

**BOARD OF REGENTS REPORTING (CHECK ONE):**

PRESIDENTIAL RECOMMENDATION (CONSENT AGENDA/VOTING ITEM)

PRESIDENTIAL REPORT (INFORMATION ONLY)

## I. POLICY STATEMENT

The purpose of this policy is to establish parameters and procedures for issuing timely warnings and emergency notifications in accordance with the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (The Clery Act) and the Michael Minger Act (The Minger Act).

### Timely Warnings

Timely warnings are issued as soon as is reasonably practical to report to the campus community Clery Act crimes that have both occurred within the University's Clery geography and are considered to represent a serious or continuing threat to students and employees.

The University shall withhold the victim(s)' names and other identifying information when providing notifications. Notifications are also reported on the [University Police website](#).

To trigger a Timely Warning, the Clery Act crime in question must present a serious or continuing threat to the campus community. University Police shall determine, on a case-by-case basis and based upon the information known, if such a threat exists. Factors examined include, but are not limited to, the following:

- The nature of the crime
- The degree to which evidence exists that the incident is isolated or stems from an incident that does not manifest a threat to the community at large
- The length of time that has lapsed between the crime occurring and receipt of a report
- The recent occurrence of any crimes carried out in a similar manner
- Threats or other statements attributable to the suspected offender
- Other relevant information as it is available

***Timely Warnings, or certain information in Timely Warnings, may be withheld if providing that information could reasonably compromise law enforcement efforts.***

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### **Highland Heights Campus**

The Chief of Police, or designee, is responsible for preparing Timely Warnings. Information for Timely Warnings may come from Campus Security Authority (CSA) reports, other law enforcement agencies, or other offices. While every attempt should be made to distribute the alert as soon as possible after an incident or series of incidents is reported, the release is subject to the availability of accurate information concerning the incident(s). Determinations regarding the existence of a continuing threat to the community are necessarily made with the information available at any given time. To ensure accuracy and clarity of messaging, Timely Warnings are distributed in conjunction with the Vice President of Student Affairs, Marketing and Communications, and the President's Office.

University Police makes every effort to properly classify a criminal incident when issuing a Timely Warning. However, upon further investigation and analysis, it may be determined that an incident for which a Timely Warning was issued did not ultimately fall within the definitions of Clery reportable crimes. Therefore, some incidents for which Timely Warnings were issued may not be included in the crime statistics provided by NKU's Annual Security Report. Timely Warnings may be updated if new or more accurate information becomes available. Timely Warnings may also seek information leading to the arrest and conviction of an offender.

Timely Warnings shall be communicated in a way likely to reach the entire community.

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### **Grant County Campus**

Primary law enforcement response at the Grant County campus is provided by the Williamstown Police Department. The offices of NKU's Grant County campus are responsible for preparing and distributing Timely Warnings for that campus either by email, social media, or by posting fliers within the facility, whichever is best tailored to reach their entire community. University Police will assist as resources and distance between the campuses permit.

### **Emergency Notification**

University Police shall notify the campus community immediately upon a confirmation of a significant emergency or dangerous situation that involves an immediate threat to the health or safety of students or employees on campus. Such events include, but are not limited to, the following:

- Infectious disease outbreak
- Fire or natural disaster
- Terrorist attack
- Chemical or hazardous waste spill
- National Weather Service Tornado Warning affecting NKU's main campus

Incidents such as weather delays or closures and power outages do **not** generally necessitate an emergency notification under the Clery Act though the University may choose to notify the campus community of these situations.

***Emergency Notifications may be withheld or delayed if release would compromise efforts to respond to, mitigate, or resolve the incident.***

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### **Highland Heights Campus**

The Chief of Police, or designee, is responsible for preparing Emergency Notifications within the guidelines deemed acceptable by the University. Information for Emergency Notifications may come from other NKU personnel or administrators, local first responder agencies, and/or the National Weather Service. Determinations regarding the existence of a significant emergency or dangerous situation that involves an immediate threat to the health or safety to the community are necessarily made with the information available at any given time.

Emergency situations are by their nature unpredictable. The content of an Emergency Notification is designed to help members of the NKU community protect themselves against an imminent threat to their safety. Best efforts shall be made to provide accurate information that will allow NKU community members to protect themselves. Emergency notifications, however, are subject to **minimal** review to provide the community actionable information **as soon as possible**.

Emergency Notifications shall be communicated in a way likely to reach the entire community and should be primarily disseminated using the Norse Alert system. Other notification mechanisms may include the use of sirens, loudspeakers, postings on NKU's website homepage, and/or social media.

Once an emergency is over, University Police shall send an "All Clear" message to inform the community that the emergency is over. "All Clear" messages may also be used to communicate the resolution of a situation for which notification was not practical or was withheld in the interest of a safe resolution.

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### **Grant County Campus**

The offices of NKU Grant County campus are responsible for preparing and distributing Emergency Notifications. University Police does not patrol or provide a primary law enforcement response at this location. Williamstown Police Department is the primary responding department for Grant County. University Police will assist as resources and distance between the campuses permit.

## **II. ENTITIES AFFECTED**

This policy applies to the following:

- all NKU employees (faculty, staff, administrators, and student workers)
- the University Police Department

## **III. AUTHORITY**

- Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ([20 USC 1092 \(f\)](#) and [34 CFR Part 668.46](#))
- The Michael Minger Act ([KRS 164.9481\(2\)](#)).

## IV. DEFINITIONS

**Annual Security Report (ASR):** A report that an institution must prepare each year, containing among other things, policy statements, and other information related to campus safety and security.

**Campus Community:** Enrolled students, faculty, and staff or those who have an active NKU email.

**Clery Act Crimes (Clery Crimes):** Those crimes identified in the Clery Act, including the following:

- Murder and Non-Negligent Manslaughter
- Manslaughter by Negligence
- Sexual Offenses (Forcible and Non-Forcible Sex Offenses)
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Dating Violence
- Domestic Violence
- Stalking

**Clery Act Geography:** Any physical location that is (1) on campus; (2) on public property within or immediately adjacent to the campus; or (3) in or on non-campus buildings or property that an institution owns or controls.

**Emergency Notifications:** Information provided to the campus community upon confirmation of a significant emergency or dangerous situation on campus that poses an immediate threat to the health or safety of students or employees. This includes Clery Crimes and other type of emergencies. Examples of emergencies include, but are not limited to, the following:

- Infectious disease outbreak
- Fire or natural disaster
- Terrorist attack
- Chemical or hazardous waste spill
- National Weather Service Tornado Warning affecting NKU's Highland Heights campus

Incidents such as snow closures or power outages do **not** necessitate an emergency notification under the Clery Act, although the University may notify the campus community of these situations.

**Timely Warning:** A campus alert disseminated upon availability of pertinent information about a reported Clery Act crime, occurring within the institution's Clery Act geography that represents a continuing threat to the safety of students or employees.

## V. RESPONSIBILITIES

NKU's University Police has been designated as the entity responsible for ensuring that the requirements of the Clery and Minger Acts are met, which include the issuance of Timely Warnings and Emergency Notifications.

### Timely Warnings

- 1) University Police shall evaluate crime information for Timely Warnings.
- 2) University Police shall prepare the notification for the Timely Warning.
- 3) University Police shall work in conjunction with the Vice President for Student Affairs to disseminate Timely Warnings.
- 4) University Police shall distribute the Timely Warning to the campus community. Timely Warnings will be disseminated primarily using the NKU Flash and NKU Student Flash email listservs.
- 5) University Police will post Timely Warnings on the [University Police website](#).

### Emergency Notifications

1. University Police will evaluate crime information for Emergency Notifications.
2. University Police in conjunction with the Vice President for Student Affairs will prepare the Emergency Notification.
3. University Police shall distribute the Emergency Notification to the campus community. Emergency notifications will be disseminated primarily using the NKU Flash and NKU Student Flash email listservs.
4. University Police will provide updates and/or an all-clear message when applicable.
5. University Police will post Emergency Notifications on the [University Police website](#)

## VI. REFERENCES AND RELATED MATERIALS

### References

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ([20 USC 1092 \(f\)](#) and [34 CFR Part 668.46](#))

Michael Minger Act ([KRS 164.9481\(2\)](#)).

### Related Policies

[Disclosure of Campus Security and Crime Statistics](#)

### REVISION HISTORY

REVISION TYPE	MONTH/YEAR APPROVED
New Policy	September 15, 2022

# TIMELY WARNING AND EMERGENCY NOTIFICATION

## PRESIDENTIAL APPROVAL

<b>President</b>	
Signature <i>A-K Vaidya</i>	Date <i>6/21/22</i>
Ashish K. Vaidya	

## BOARD OF REGENTS APPROVAL

<b>BOARD OF REGENTS (IF FORWARDED BY PRESIDENT)</b>	
<input type="checkbox"/> This policy was forwarded to the Board of Regents on the <b>Presidential Report (information only)</b> . Date of Board of Regents meeting at which this policy was reported: ____/____/____.	
<input checked="" type="checkbox"/> This policy was forwarded to the Board of Regents as a <b>Presidential Recommendation (consent agenda/voting item)</b> .	
<input checked="" type="checkbox"/> The Board of Regents approved this policy on <u>9/14/2022</u> . (Attach a copy of Board of Regents meeting minutes showing approval of policy.)	
<input type="checkbox"/> The Board of Regents rejected this policy on ____/____/____. (Attach a copy of Board of Regents meeting minutes showing rejection of policy.)	
<b>SECRETARY TO THE BOARD OF REGENTS</b>	
Signature <i>Tammy Knochelmann</i>	Date <i>9/15/2022</i>
Tammy Knochelmann	