



Ohio Administrative Code Rule 3349-10-90 Timely warning.

Effective: August 10, 2025

(A) Purpose

The purpose of this rule is to codify the university's rule concerning timely warnings/crime alerts issued by the university.

(B) Definitions

(1) "Clery Act" refers to Section The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, 20 U.S.C. §1092(f), and its implementation regulations, 34 C.F.R. 688.46.

(2) "Clery Act Crimes" refer to the following criminal activities: murder and non-negligent manslaughter; manslaughter by negligence; sexual assault (rape, fondling, incest, statutory rape); robbery; aggravated assault; burglary; motor vehicle theft; arson; hate crimes (which include all previously listed crimes and larceny theft, simple assault, intimidation, and destruction/damage/vandalism of property where the offense manifests evidence that the victim was intentionally selected because of perpetrator's bias against the victim based on the victim's actual or perceived race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability); domestic violence, dating violence; stalking; and violations of Ohio weapons, drug, and liquor laws.

(3) "Clery Reportable Geography" refers to:

(a) On campus, The Village at NEOMED;

(b) On campus, other than The Village at NEOMED

(c) Non-campus property (owned or controlled by the University, frequented by students and used in support of the educational mission, but not on or reasonably contiguous to one of the campuses;



owned or controlled by an officially recognized student organization); and

(d) Public property immediately adjacent to campus (street, sidewalk, other public property that is adjacent to campus).

(4) "NEOMED Police Department" or "NPD" refers to the commissioned law enforcement officers employed by the University and having jurisdiction on University owned property.

(5) "Security" is the physical space reserved for contracted security officers and their respective functions. It is located in room A-90.

(6) "Timely Warning" is required for all Clery Act Crimes that occur on Clery Reportable Geography that are reported to Campus Security Authorities or local police agencies and are considered by the institution to represent a serious or continuing threat to students and employees. For the purposes of this policy, "timely manner" generally means the warning should be issued as soon as the pertinent information is available, unless notification will compromise the efforts of law enforcement to contain the emergency.

(7) "Nine One One" is the telephone number used to call for local community police, fire or ambulance emergency services.

(C) Body of the rule

(1) The university will issue timely warnings/crime alerts in effort to notify community members about clery crimes occurring in clery reportable geography.

(2) The director of public safety and security, or his/her designee is responsible for consulting with university administration, local police department(s), and with other authorities in making the determination on a case-by-case basis of when "Timely Warning" information in the form of a crime alert is to be disseminated.

(a) Pursuant to the "Clery Act," a two-prong test shall be applied to determine if a crime alert will be issued. The two-prong test requires the director of public safety to determine if the incident is:



- (i) Identified as a "Clery Act" crime; and/or
 - (ii) Represents a serious or continuing threat to students, faculty, staff, or visitors
- (3) Whether to issue a crime alert for non "Clery Act" crimes shall be evaluated on a case-by-case basis, taking into account both the frequency of offense and likelihood for additional occurrence.
- (4) Timely Warnings/crime alerts will contain in the subject line the phrase "Timely Warning" or "Crime Alert" depending on the severity of the threat. The body of the warning will include the following information, if known: a short description of the crime or incident giving the time and date, location, reported offense; a suspect description (age, sex, height, weight, and clothing); weapon used; suspect vehicle; and method of operation used to facilitate the crime. The warning will also include personal safety information to aid members of the University community in protecting themselves from becoming victims of a similar crime and promote overall safety for our educational community.
- (5) Methods of dissemination may include, but are not limited to, electronic distribution through e-mail, posting of hard copies in public areas, posting on the NEOMED web site, and dissemination via local media outlets.
- (6) Status updates as to the resolution or outcome will be disseminated and updated as soon as possible, if appropriate.
- (7) Members of the community who know of a crime or other serious incident should report that incident as soon as possible to NEOMED police department so the decision can be made as to whether or not an alert is needed.
- (8) Timely Warnings/crime alerts will not be issued if:
- (a) the subject is apprehended and the threat of imminent danger for members of the University community has been mitigated by the apprehension;



(b) a crime report was not filed with the NEOMED Police Department in a manner that would allow the notice to be posted "timely" for the University community; or

(c) the release of a Timely Warning/crime alert would jeopardize the investigation efforts of law enforcement.