

**Clery Act Committee Meeting**  
**Thursday, February 23, 2023, 9:00 AM**  
**Via Zoom**  
**DRAFT MINUTES**

**Committee Members Present:**

Frank Mackesy, UPD, Chair  
Anissa Agne, Enrollment Services  
Tim Barnes, Student Government  
Robyn Blank, Compliance Officer  
Misa Bogomaz, Counseling Center  
Adam Brown, UPD  
Jason Edgar, SG Business Office  
Dan Endicott, Environmental Health and Safety  
Kelly Harrison, CPDT  
Anne Hoover, Academic Affairs  
Marlynn Jones, EOI  
Donna Kirk, Athletics  
Michael Malec, Counseling Center  
Valerie Morrison, Student Health Center  
Jacqueline Small, Student Government Advocate  
Rachel Winter, Dean of Students

**Absent:**

Bob Boyle, Housing and Residence Life  
Samantha Brown, Faculty Representative  
Luisa Martinez Joyce, International Center  
Jocelyn Posos, Student Conduct  
John Reis, Office of the General Counsel, Vice-Chair  
Sheila Spivey, Office of Diversity & Inclusion

The meeting was called to order at 9:00 a.m. by Committee Chair, Frank Mackesy.

As we had a new committee member, Chief Mackesy asked each member to introduce themselves and state what department they were representing. After those introductions, Chief Mackesy introduced Robyn Blank, the University's new Compliance Officer. Ms. Blank then gave the committee a brief summary of her experience.

**Minutes:** Chief Mackesy presented the draft minutes of the November 17, 2022 meeting to the committee and offered the opportunity for comments/questions. Upon receiving none, he asked for a motion to approve the minutes. A motion was offered by Tim Barnes and seconded by Misha Bogomaz. The motion was unanimously carried to accept the minutes as written.

**2022 ASR:** Chief Mackesy advised the committee members that it was time to start gathering the information needed for 2022 ASR. Next week, Adam Brown will send out a copy of the 2021 ASR for each member to work from. Also, the Margolis Healy spreadsheet would be extremely helpful to use as a guide when compiling the information. Because of the consent decree the University entered into with the Department of Education's Office of Civil rights, UPD needs to run the ASR through the University's ADA office to make the report ADA compliant. This process usually takes 20 – 25 days, so please get your information to Adam Brown by August 15. If you can get it to him sooner, that would be better.

**Confirmation that bi-annual notification to CSAs went out:** Chief Mackesy said that Lt. John Kane was at a conference today and could not attend the meeting, but the bi-annual notification to the CSAs went out. Kelly Harrison confirmed the notification was sent before the end of the fall semester.

**Audit CSA list to make sure it's up to date:** Kelly was also able to confirm that the list of CSAs that HR maintains is up to date. He reminded everyone that the list is in a constant state of flux because of turnover, but it is up to date now.

**Status of Completion of the Margolis Healy Spreadsheet:** Chief Mackesy said that only three individuals had outstanding issues on the spreadsheet to complete. They were him, Bob Boyle and Sheila Spivey, who led a group. Both Bob and Sheila were called into a meeting at the same time as this one and were unable to attend the committee meeting. Chief Mackesy asked if Dr. Bogomaz could provide an update on the advisory pamphlet (line 38 of the spreadsheet). Dr. Bogomaz confirmed that the group met once and were assigned tasks and he assigned the Counseling Center's tasks to Dr. Malec. Dr. Malec said that he provided contact information for the Counseling Center to Sheila and could see that others provided her information as well, but he could not speak as to the progress of the pamphlet. Dr. Morrison confirmed that she submitted contact information for Student Health Services.

In Bob's absence, Chief Mackesy read Bob's email regarding the status of his portions of the spreadsheet: "As far as the completion of my assigned Margolis Healy Spreadsheet associated items, all are complete with the exception of the needed edit to Missing Residential Student Policy. As this is a University policy under Student Affairs (not HRL policy) it will need to go through Student Affairs leadership and up the chain for edit. I will copy you all on a draft of the proposed edit that I will send to SA leadership for review and next steps." Chief Mackesy said that he will get with Bob and let him know that the new policy needs to be in place so it can be reflected on the 2022 ASR spreadsheet that should be in draft form by August 15.

Chief Mackesy stated that we were using the Clery Act checklist to complete the Annual Security Report until this year. You can still use it as a reference, but please use the Margolis Healy spreadsheet as you complete the ASR. The spreadsheet breaks down ASR requirements succinctly and shows where each section of law appears in the ASR. If you need to update any of your policies, please mimic, whenever possible, the language in the statute in your policy. Remember, your practice has to match policy. Adam said that in the far-right column of the spreadsheet are links to other university ASRs with language that has been successfully used in the past and you can get sample language that worked for other universities. The spreadsheet is a valuable resource.

Chief Mackesy said that all committee members play an important part in the ASR, although some have more responsibility than others. He appreciates that all play an important part.

**Status of Creating a pamphlet to list all services required on Line 38 of the spreadsheet:** Discussed above.

**Status of Updating Performance Evaluations including CSA Requirements:** Chief Mackesy asked if Kelly had any update on this subject. He said that HR is working on implementing a new system, WorkDay, which is, scheduled to go live July of next year. All efforts on HR's part is on the task of moving to this new platform. In WorkDay, there will be a check box in each job profile to identify CSAs. Right now, HR is putting all resources into WorkDay not in the old system. Chief Mackesy spoke with Carrie Guth and she confirmed there will be no progress towards adding CSA requirements into existing performance evaluations, but that should happen once WorkDay goes live. He said to table this agenda item for now and bring it forward again next year.

**Other Business:** Kelly mentioned that the University has hired a new Associate Director of Employee & Labor Relations, Rosemary Ponce Ferguson. She has only been here for about four weeks but may be a good member for this committee. Chief Mackesy said that he would get with Carrie and ask her about an HR representative for the committee. Dr. Malec said that with the appointment of Dr. Bogomaz as the new Director of the Counseling Center, perhaps he should be removed from the committee and the fact that he retires in six months.

**Takeaways:** Chief Mackesy will get with Bob & Sheila and see when the written policy on missing residential students and the advisory pamphlet can be finalized.  
Chief Mackesy will get with Carrie Guth about an HR representative to the committee.  
The ASR information is due no later than August 15. Sooner is better.  
Adam Brown will send an email next week attaching a clean copy of the 2021 ASR and the Margolis Healy spreadsheet.

**Next Meeting:** Thursday, May 25, 2023, at 9:00 a.m. via zoom.

**Adjournment:** There being no further business, the meeting was adjourned at 9:25 a.m.

Approved by Committee vote on May 25, 2023.