

APU Counseling Clery Act Reporting

It is the policy of the APU Counseling & Wellness Center (CWC) to maintain client confidentiality. APU salaried pastoral counselors are afforded the same policy guidance. The Clery Act is a report required by the Federal government, detailing crimes within the university's area. The Clery Act **does not** require a counselor to breach confidentiality, but it is often beneficial to the greater campus population to compile statistics regarding criminal activity in a way that does not violate client confidentiality. As such, CWC staff and interns will work with the Dean of Students by providing a report of non-identifying information, including:

- 1) where the crime occurred;
- 2) the type of crime;
- 3) to whom the crime was reported; and
- 4) when the crime was reported.

The CWC Director will deliver this report to the Dean of Students and is responsible for doing so in a manner that protects client confidentiality. No clinical information will be disclosed, and only the items above may be shared.

Situations requiring more extensive reporting

Situations do exist wherein the counselor is required to breach confidentiality, due to a situation that is beyond the protection of the Clery Act's protection of individual confidentiality, such as in the case of:

"serious and foreseeable harm", which allows for a broader understanding of potential threat. The Alaska statutes state that counselors may breach confidentiality in the case of: "a communication to a potential victim, the family of a potential victim, law enforcement authorities, or other appropriate authorities concerning a clear and immediate probability of physical harm to the client, other individuals, or society, including: (1) child abuse or neglect as required by AS 47.17; (2) harm or assaults suffered by an elderly person or disabled adult as required by AS 47.24."

If a person is making homicidal threats or has direct plans of harming another person, CWC staff and interns must collect as much information as possible about the person they intend on harming such as name, phone number, and address and the means of harm (weapon). If there is a serious and foreseeable risk, then by law, the counselor must warn the possible victim, the Dean of Students, the police department, and others who are deemed necessary to provide assistance and necessarily, the counselor will communicate more detailed information than the Clery Act requires, due to the greater threshold of risk.