

The Clery Act: Fast Facts

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act (the Clery Act) is a federal consumer protection law, enforced by the Clery Compliance Team within the Department of Education's Financial Aid Division. The Clery Act provides guidelines and expectations for campus crime classification and reporting, crime prevention and response and campus safety policy and procedure requirements that create transparency between institutions of higher education and their students and employees.

Institutions of higher education receiving federal financial aid under Title IV are required to fully comply with the Clery Act. The Clery Act requires institutions to complete certain annual and ongoing tasks. Each year, by October 1st, institutions must publish an annual security report containing policy statements, summaries of various campus safety policies and procedures, and Clery crime statistics.

Some examples of campus safety topics covered in the policy statements include:

- to whom to report crimes
- the law enforcement authority and jurisdiction of campus security or police
- procedures to follow in the event of sexual assault, dating violence, domestic violence or stalking
- drug and alcohol policies and prevention programs and,
- for institutions with on-campus student housing, missing student notification procedures and fire safety procedures.



History

Jeanne Clery was a first year student at Lehigh University in April 1986 when she was raped and murdered in her dorm room. Her parents, Howard and Connie Clery, worked tirelessly at the local, state and national level to craft legislation that became what we know today as the Clery Act. The Clerys also founded the non-profit training organization known today as Clery Center.

Clery crime statistics represent Clery-specific crimes that occurred within Clery-specific geography reported by a campus security authority (CSA) to the institution.

WHAT ARE CLERY CRIMES*?

Murder/non-negligent Manslaughter
Manslaughter By Negligence
Sex Offenses (Rape, Fondling, Incest, Statutory Rape)
Aggravated Assault
Robbery
Burglary
Arson
Motor Vehicle Theft

Hate crimes (any of the above, plus simple assault, larceny, intimidation, damage/destruction/vandalism of property when motivated by a bias in one of the bias categories)

Bias categories: race, gender, gender identity, sexual orientation, nationality, ethnicity, disability and religion

Dating violence
Domestic violence
Stalking

**As defined by the Clery Act*

WHAT IS CLERY GEOGRAPHY?

On-Campus Property: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

On-campus student housing: Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

Public property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

Noncampus Property: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

WHO ARE CSAs?

Campus security/police

Those with security responsibilities but not in a campus security or police department

Those to whom reports of crimes should be made

Officials with significant responsibility for student and campus activities

Throughout the year, institutions of higher education must alert their campus community through timely warnings or emergency notification procedures when circumstances arise.



When a reported Clery crime committed within Clery geography poses a serious or ongoing threat to the campus community, the college must issue a "timely warning" to the entire campus community. Timely warnings should include information regarding the nature of the occurrence, where and when it took place, to whom individuals should report any additional information they might know about the crime, and tips to encourage a community commitment to protecting each other and creating a safer atmosphere on campus.



When an event occurs that poses an immediate risk to the health and safety of the entire (or a segment of) campus, the institution must issue an emergency notification informing individuals of what has taken place and what steps they should take immediately to protect themselves.

Both of these alerting measures - timely warnings and emergency notifications - occur on an ongoing basis.



Lastly, institutions must maintain a daily crime log of all crimes reported to the campus security or police department that occurred within the patrol jurisdiction of the institution.

VAWA Amendments to Clery:

As of 2014 the VAWA Amendments to the Clery Act have added and expanded rights to victims of dating violence, domestic violence, sexual assault and stalking.

Once a report is made to a college or university, institutions must provide to student and employee victims of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, a written explanation of rights and options.

WRITTEN NOTIFICATION INCLUDES:

- The importance of preserving evidence
- How and to whom the offense should be reported
- Options about involvement of law enforcement and campus authorities, including the right to:
 - » Notify proper law enforcement authorities (including on-campus and local police)
 - » Be assisted by campus authorities in notifying law enforcement if the victim so chooses
 - » Decline to notify law enforcement
- The rights of victims to obtain, and the institution's responsibilities for enforcing, orders of protection
- Information about how the institution protects the confidentiality of victims or other parties in publicly available recordkeeping and when providing accommodations/ protective measures.
- Information on obtaining accommodations (if reasonably available), including:
 - » academic
 - » living
 - » transportation
 - » working situations
 - » protective measures
- An explanation of procedures for institutional disciplinary action

DISCIPLINARY PROCEEDINGS MUST BE:

- prompt, fair, and impartial from the initial investigation to the final result
- conducted by officials who receive annual training as described in the Clery Act



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