



Clery Act

College of William & Mary
Presentation to Audit & Compliance Committee
November 2013

The Clery Act

The *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act* (commonly known as the Clery Act) is one of the most significant compliance obligations for universities. Key requirements:

1. Campus crime statistic collection
2. Timely warnings
3. Emergency notifications and emergency response procedures
4. Missing student procedures
5. Fire safety
6. Daily crime log
7. Annual report



The Clery Act (continued)

- The Department of Education's *Handbook for Campus Safety and Security Reporting* includes a list of over 60 policy statements that must be in place in order to be in compliance with the Clery Act.
- The Clery Act is one of the most frequently modified parts of the Higher Education Act
 - In 2012, the Violence Against Women Act amended/expanded several Clery Act requirements.



Campus Crime Statistic Collection

- Schools must collect information about certain crimes occurring on campus and other designated property. We call these specified crimes “Clery Act crimes.” We must designate certain employees as “Campus Security Authorities” and inform them of their obligation to report Clery Act crimes.
 - William & Mary's Crime Reporting Policy & CSA notifications

Clery Act Crimes

- Murder & manslaughter
- Sex offenses
- Robbery & burglary
- Aggravated assault
- Motor vehicle theft
- Arson
- Arrests or discipline for liquor law or drug-related violations
- or weapons violations
- Hate crimes (bias)
- *Dating & domestic violence*
- *Stalking*

Timely Warnings

- The Clery Act requires schools to warn the campus community of serious or ongoing threats in a timely way, in certain circumstances.
- Timely warnings must be issued for all Clery Act crimes that are
 - reported to the local police or campus security authority; and
 - determined by the school to constitute a serious or continuing threat to students and employees.

Emergency Notifications and Response Procedures

- Schools must have emergency response and evacuation procedures in place, including procedures for making emergency notifications. Schools must conduct yearly tests of their emergency response system.
 - Schools must distribute immediate emergency notification warnings to the campus community upon confirmation of a dangerous situation on campus involving an immediate threat to the health or safety of students or staff
 - Emergency notifications are a separate requirement from the timely warnings requirement; emergency notifications are not tied to the occurrence of Clery Act crimes
- William & Mary's emergency response protocols and emergency notification procedures can be found in the Emergency Response Plan.

Missing Persons Procedures

- Schools must have procedures detailing how reports of missing residential students should be made, how students can designate emergency contacts, and how these contacts will be notified in the event of missing student report.
- William & Mary's Missing Student Protocol fulfills this obligation.

Fire Safety

- Residential schools must
 - publish fire safety policies,
 - compile and report fire safety data and
 - maintain a fire log.

Daily Crime Log

- Schools with police departments must maintain and make available for inspection a daily crime log.

Annual Report

- Schools must analyze and publish Clery Act crime and fire statistics in an annual report.
- The Campus Safety Report also includes information regarding the timely warning, emergency notification, missing students, and other Clery Act-related policies and procedures.
- Schools must provide a notice of availability of the annual report to all current and prospective students and employees.

Clery Act Amendments in the Violence Against Women Act (2012)

- Changes to the Annual Security Report, including new crimes and reportable incidents
 - Dating violence
 - Domestic violence
 - Stalking
- New requirements about sexual assault-related policies and prevention programs