

Today's Top Clery Act Compliance Concerns

United Educators Member Webinar

Wednesday, Dec. 5

1-2:15 pm ET

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Speaker Biographies

Steven J. Healy (speaker) is a partner with Margolis Healy and Associates, LLC, a firm that provides services relating to campus safety, including Clery Act compliance assessment and training. He previously served as the chief of police at Wellesley College in Wellesley, Mass., director of operations for the Department of Public Safety at Syracuse University, and director of public safety at Princeton University. Healy is a past president of the International Association of Campus Law Enforcement Administrators (IACLEA). He is a frequent speaker at national conferences and seminars on issues related to campus safety and security and serves as a subject-matter expert for the U.S. Departments of Education, Homeland Security, and Justice. Healy has also testified before the Senate Committee on Homeland Security and Governmental Affairs on the topic of “Security on America’s Campuses” and before the House of Representatives Committee on Education and Labor on the topic of “Best Practices for Keeping America’s Campuses Safe.”

Healy is a 1984 graduate of the United States Air Force Academy and spent 10 years on active duty with the United States Air Force as a Security Police Officer.

Hillary Pettegrew (moderator) is a risk management counsel for United Educators and previously served as a UE claims counsel, handling many employee and student claims against UE members. Before joining UE, she was a writer/editor at Research Institute of America Group and practiced law at a Washington, D.C., law firm, where she focused on employment litigation. Pettegrew received her undergraduate degree from Colgate University and her law degree from Northwestern University School of Law.

Webinar Agenda

- I. **Overview of Clery Act mandates and potential penalties**
- II. **Program Reviews by Department of Education**
- III. **Top Clery Act compliance concerns**
 1. **Clery Act Compliance Coordinator**
 2. **Campus Security Authorities (CSAs)**
 3. **Data Collection Process**
 4. **“Clery Geography” Issues**
 5. **Sexual Assault Victims Bill of Rights**

Resources

United Educators

- *Risk Research Bulletin*, “Keeping Campus Informed and Prepared: The Clery Act’s Timely Warning and Emergency Notification Requirements”
www.ue.org/Libraries/Shared_RML/Risk_Research_Bulletin_Keeping_Campus_Informed_and_Prepared_-_05-12.sflb.ashx

Margolis Healy

- This page on Margolis Healy’s website contains various Clery Act resources, including a sample job description for a Clery Act Compliance Coordinator.
www.margolishealy.com/resources/category/clery_act/

Other Resources

- Jeanne Clery Act, 20 U.S.C. § 1092(f) (as amended through 2008)
<http://securityoncampus.org/node/38>
- Clery Act implementing regulations, 34 C.F.R. section 668.46 (as amended through July 1, 2012)
www.gpo.gov/fdsys/pkg/CFR-2012-title34-vol3/pdf/CFR-2012-title34-vol3-sec668-46.pdf
- U.S. Department of Education, *The Handbook for Campus Safety and Security Reporting* (2011) – this revised Handbook issued by the ED is a valuable resource that explains how the Department interprets many provisions of the Clery Act and includes numerous examples.
www.margolishealy.com/files/resources/new_clery_act_handbook.pdf
- Campus Safety Help Desk, Clery Act email (3/26/12) – this “broadcast” email was sent by the Department of Education in response to numerous requests for clarification from institutions about Clery Act reporting; among other things, it addresses reporting for noncampus locations.
<https://surveys.ope.ed.gov/security/HelpDeskEmailView.aspx>
- American Council on Education, “A President’s Guide to the Clery Act” – this pamphlet provides a helpful and succinct overview of Clery Act obligations and may be particularly valuable to officials who have little or no day-to-day involvement with Clery compliance -- but still need to understand the institution’s responsibilities under the Act.
www.acenet.edu/news-room/Documents/A-Presidents-Guide-to-the-Clery-Act.pdf

Sample Policies and Materials – Campus Security Authorities

■ State University of New York at Fredonia

In addition to summarizing the Clery Act and describing the duties of Campus Security Authorities (CSAs), this *Campus Security Authority Manual* created by SUNY Fredonia contains a checklist for CSAs to help determine whether to report an incident and a link to a sample reporting form. In addition, it suggests verbal disclosures CSAs should make to individuals who alert them to potentially reportable crimes and includes the University's protocol for responding to sexual assaults.

www.fredonia.edu/upd/clery/CleryManual.pdf

■ Texas Tech

This PowerPoint presentation was created for the University's police department to train CSAs on their obligations and could be adapted by other institutions.

www.depts.ttu.edu/tttd/clery/CSA_Training.ppt

■ University of California, Los Angeles

This page on UCLA's website features a chart describing which employees are CSAs, outlining their responsibilities, and giving examples of incidents that are and are not reportable to the University's police department.

<http://map.ais.ucla.edu/portal/site/UCLA/menuitem.789d0eb6c76e7ef0d66b02ddf848344a/?vgnextoid=954f4bef3e7ce010VgnVCM100000db6643a4RCRD>

■ University of San Diego

This page includes links to five videos that USD created to train its CSAs; one of the videos features four case studies designed to help CSAs determine whether a specific situation needs to be reported and counted for Clery Act purposes. Other institutions might use the videos as models to design similar training for their own campuses.

www.sandiego.edu/safety/clery_act_compliance/videos.php



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