



**Security On Campus, Inc.**  
<http://www.securityoncampus.org/>

**Jeanne Clery Act Amendments  
Included In “Higher Education Opportunity Act” (H.R. 4137)  
Awaiting Consideration By The President As Of August 1, 2008**

**Campus Emergency Response & Immediate Warning**

H.R. 4137 would add a statement of “emergency response and evacuation procedures” to the Clery Act annual security report (ASR) produced by institutions of postsecondary education. The policy disclosure “shall include” a statement that the institution will “immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff” on campus (as defined in the Act). Warnings may only be withheld if they would compromise efforts to contain the emergency. *Accompanying “report” language calls for warnings to be issued “without any delay” following confirmation of an emergency.*

**Hate Crime Reporting**

H.R. 4137 would expand hate crime statistics reported under the Clery Act to include larceny-theft, simple assault, intimidation, and vandalism.

**Law Enforcement Authority & Agreements For Investigating Crimes**

H.R. 4137 would expand the existing statement of policy on the law enforcement authority of campus security personnel to also include a disclosure about whether or not institutions have agreements, such as a written memorandum of understanding (MOU) with state & local police, for the investigation of alleged crimes.

**Whistleblower Protection & Anti-Retaliation**

H.R. 4137 would protect “whistleblowers” by prohibiting any retaliatory action against any individual “with respect to the implementation of any provision” of the Clery Act.

**U.S. Department of Education Reporting**

H.R. 4137 would require the U.S. Department of Education (ED) to report to Congress annually on Clery Act compliance and their work to implement the law. It also authorizes, but does not require, ED to consult with the U.S. Department of Justice (DOJ) about the development & dissemination of “best practices” on campus safety and emergencies.

**Technical Amendments**

H.R. 4137 would exempt foreign institutions located abroad from Clery Act reporting obligations and would change references to named Congressional committees to “authorizing” committees.

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