**Clery Act Compliance FAQ for Faculty and Staff**

1. What is the Clery Act?
   1. In 1986, Jeanne Clery, a freshman at Lehigh University in Pennsylvania, was murdered and sexually assaulted in her campus residence hall room by another student she did not know. Her school had not informed students about 38 violent crimes on campus in the three years preceding her murder. Clery’s parents led the crusade to enact the original Campus Security Act, which Congress named in memory of Clery in 1998.
   2. The “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” is a federal law that requires institutions of higher education in the United States to disclose campus security information, including crime statistics for the campus and surrounding areas. It was first enacted by Congress in 1990 and amended in 1992, 1998, 2000, and 2008.
2. Which schools are required to report, and what are they required to report?
   1. All institutions of postsecondary education, both public and private, that participate in federal student aid programs must publish and disseminate an annual campus security report and make timely warnings. Institutions that maintain a police or security department are also required to maintain a crime log that is open to the general public.
   2. The annual campus security report must include security policies and three years’ worth of crime statistics for the following categories:
      1. Murder and Non-negligent manslaughter
      2. Negligent manslaughter
      3. Forcible sex offenses
      4. Non-forcible sex offenses
      5. Robbery
      6. Aggravated assault
      7. Burglary
      8. Motor vehicle theft
      9. Arson
      10. Liquor law violations
      11. Drug law violations
      12. Illegal weapons possessions
      13. Hate Crimes based on race, gender, religion, sexual orientation, ethnicity, or disability
3. How is the Annual Security Report disseminated, and to whom?
   1. Currently enrolled students and employees are to receive a school’s annual campus security report automatically. This report may be a webpage, but the exact address must be disseminated to all faculty, staff and students. Further, all notices must include statement that paper copies are available upon request.
   2. Prospective students and employees are to be provided with information about the report, and are entitled to request a copy of the report.
   3. The general public, which includes parents and media, have access to the public crime log.
4. Do school officials other than Campus Police have reporting obligations?
   1. All institutional officials with significant responsibility for campus and student activities (termed as Campus Security Authorities, or CSA’s) have reporting obligations under the Clery Act. This includes, but is not limited to:
      1. Academic Advisors
      2. Athletic Coaches
      3. Organizational Advisors
      4. Residence Life Staff
      5. Campus Police
   2. Exemptions from reporting:
      1. Privileged information such as that between medical doctor and patient, or attorney/client)
      2. Pastoral counselor or mental health professional.
5. Does someone have to be convicted of a crime before it is reportable under the Clery Act?
   1. Convictions are not required under the Clery Act for a crime to be reportable.
6. Who is responsible for enforcing standards under the Clery Act, and what are the penalties?
   1. The US Department of Education enforces the Clery Act. ***Each violation*** of the Clery Act results in a fine of $27,500; both inaccurate statistics reporting and lack of information on policy in the annual campus security report.
      1. That is to say that if a school reports zero incidents of a category, and there are two incidents, the school would be fined $55,000.
7. Who should faculty and staff report information to, and when?
   1. Faculty and staff should always report incidents to Campus Police and the Office of Student Services. These two departments are responsible for Clery Act records and reporting, and need to be made aware of any incidents immediately, especially in cases that may warrant a timely warning or immediate notification.
8. What are the Clery Act Reportable Geographic Locations for WLU?
   1. On-Campus locations include all residential, academic, and administrative buildings located on the main campus
   2. Non-Campus Building or Property includes any facility where the University holds class or activity for the duration of that class or activity. *(i.e. local high schools that conduct dual credit classes for high school students to receive WLU credit; locations that house WLU events such as the Homecoming Dance at WesBanco Arena; Highlands Center)*
   3. Public property includes property within or immediately adjacent to and accessible from campus. *(i.e. roads, sidewalks, parking facilities)*
9. What is a Timely Warning, and when is one issued?
   1. Timely Warning Notices must be issued if a crime is considered by the University o represent a *“serious or continuing threat”* to students and/or employees.
   2. Timely warnings are applicable to all Clery Act reportable crime categories, not just violent crimes.
10. What is an Immediate Notification, and when is one issued?
    1. An immediate notification is intended as disclosure of emergency response and evacuation procedures in response to a significant emergency or dangerous situation involving an *”immediate threat”* to the health or safety of students or employees occurring on the campus. WLU will issue immediate notification by means of the emergency text message system and/or campus email.