

# PUBLICATION

---

## Is Your Institution Ready for the October 1 Clery Report Deadline?

September 10, 2015

By October 1, all colleges and universities that participate in federal financial aid programs must publish and distribute to all current and prospective students and employees an Annual Security and Fire Safety Report. As in prior years, the report must contain an institution's campus safety and fire policies and disclose statistics about crime on or near campus and fires in residential housing facilities. And, as a result of the Campus Sexual Violence Elimination (SaVE) Act, which amended the Clery Act, the report must now also contain, among myriad other things, statistics for new categories of offenses (i.e. domestic violence, dating violence, stalking); an explanation of the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault and stalking; and a description of the institution's educational programs and campaigns to promote bystander intervention and the awareness of dating violence, domestic violence, sexual assault and stalking.

Before your institution publishes and distributes its Clery Report in the next few weeks, a few questions to ask are:

- Does the report contain statistics for the new categories of offenses?
- Does the report contain policy statements describing the institution's primary prevention and awareness programs for all incoming students and new employees?
- Has the institution successfully incorporated the applicable state and/or administrative definitions of "dating violence," "domestic violence," "sexual violence" and "stalking" for inclusion in the report?
- How can the institution ensure that the report meets the "publish and distribute" standard established under the Clery Act and clarified by the Department of Education?
- Does the report contain the institution's policies and rules on evacuations in case of fires, portable electrical appliances, and the number of fire drills held each year, among other things?

In light of the upcoming October 1 deadline and the new Clery Act requirements, Baker Donelson stands ready to assist your institution in answering these questions and others, as well as with the review, evaluation, and drafting of your institution's report. If you have questions about how to ensure your compliance by October 1, please reach out to the authors of this Alert or the Baker Donelson Higher Education attorney with whom you regularly work.