



CAMPUS COUNSEL

A legal blog written for administrators, HR professionals, in-house counsel, and deans at colleges and universities

Negotiated Rulemaking Process Provides Guidance For Good Faith Compliance With Expanded Clery Act Reporting Requirements.

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On April 1, 2014, the negotiated rulemaking process for regulations implementing the Violence Against Women Reauthorization Act of 2013 (VAWA) closed with negotiators reaching consensus on language for the proposed regulations, including new requirements for counting and reporting crimes under the Clery Act. Although the final regulations will not be effective before July 2015, institutions are required to make good faith efforts to comply with VAWA and to include statistics for new crime categories in the Annual Security Report due this October. The consensus language provides useful information about the new requirements for counting and reporting of crimes, including the exception to the UCR crime reporting hierarchy rule for sex offenses and definitions for new gender identity and national origin hate crimes, as well as domestic violence, dating violence, and stalking offenses. Institutions can use this information to structure data collection and reporting practices to demonstrate good faith efforts to comply with VAWA.

Client Tip: *Institutions should review the proposed language and prepare to update their procedures to implement the new requirements for counting and reporting crimes under the Clery Act.*