

2013 Updates to Clery Act Requirements: Violence Against Women Reauthorization Act (VAWA) of 2013

On March 7th, 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013 (VAWA) (Pub. Law 113-4). Among other provisions, this law amended section 485(f) of the Higher Education Act of 1965, as amended (HEA), otherwise known as the Clery Act (20 U.S.C. 1092(f)). These statutory changes require institutions to compile statistics for certain crimes that are reported to campus security authorities or local police agencies including incidents of sexual assault, domestic violence, dating violence, and stalking. Additionally, institutions will be required to include certain policies, procedures, and programs pertaining to these crimes in their Annual Security Reports.

Under section 304(b) of VAWA, the changes made by the new law "take effect with respect to the annual security report prepared by an institution of higher education one calendar year after the date of enactment" of VAWA. Thus, the first Annual Security Report that must include the new required information is the report that must be issued by each institution by October 1, 2014. This report would include crime statistics from calendar years 2011, 2012, and 2013. These crime statistics would also be reported to the Department through the web-based data collection in October 2014.

Final regulations to implement the statutory changes to the Clery Act will not be effective until after the Department completes the rulemaking process. Until those regulations are issued, SOLEX College will make a good faith effort to comply with the statutory requirements in accordance with the statutory effective date. SOLEX College will include statistics for the new crime categories for calendar year 2013 in the Annual Security Report due in October of 2014.

For more information:

- Track Rulemaking for VAWA Regulations at <http://www.regulations.gov/#!home>
Docket ID# ED-2012-OPE-0008
- Department of Education statement on "Implementation of Changes Made to the Clery Act by the Violence Against Women Reauthorization Act of 2013" (May 29, 2013)
<http://www.ifap.ed.gov/eannouncements/052913ImplementofChangesMade2CleryActViolenceAgainstWomenReauthorizationAct2013.html>
- Department of Education Website on Negotiated Rulemaking on the VAWA 2013 Amendments to Clery Act
http://www2.ed.gov/policy/highered/reg/hearulemaking/2012/vawa.html?utm_source=WhatCounts+Publication+Edition&utm_medium=email&utm_campaign=President+to+President%3A+White+House+Talks+Access+With+Higher+Education+Leaders&utm_content=negotiated+rulemaking

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