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## **NEWS RELEASE: NACCOP Engaged with Senate on Reauthorization of HEA**

March 20, 2018

On February 2<sup>nd</sup> and March 14<sup>th</sup> of this year, members from the National Association of Clery Compliance Officers and Professionals (NACCOP) leadership team met with senior staff of the U. S. Senate Committee on Health, Education, Labor & Pensions (HELP); specifically, those staff assigned to Chairman Alexander and Ranking Member Murray.

In December of last year, the House Committee on Education and the Workforce authored their proposed legislation called the PROSPER Act to reauthorize the Higher Education Act of 1965. This committee recently made some updates to PROSPER in February of 2018 and they are ready to send the final draft to the floor of the House for debate and consideration. The Senate HELP Committee is in the early stages of developing its version of a reauthorization bill, and committee staff have indicated that Senator Alexander has expressed a desire to have a bipartisan proposal by April.

During NACCOP's meeting with HELP, staff were most interested in hearing about our reaction to the PROSPER Act's text as it relates to amending the Clery Act and our thoughts and ideas about what should be addressed by the Senate as they develop their own legislation. We enlisted assistance from members of the NACCOP Federal Relations Committee to solicit issues and concerns directly from practitioners to help us round out our response and ensure we were representing concepts and ideas from the field. NACCOP has provided HELP committee staff with a list of Clery Act statutory language changes that would reduce the burden of regulatory oversight without straying from the original intent of the law.

### **Some of the more salient proposals put forth by NACCOP include:**

- Revise the "Short-Stay-Away and Repeated use of Location" requirement related to off campus domestic and international travel. Develop a process more manageable to IHEs and more meaningful to our consumers.
- Revise the definition of reasonably contiguous and remove the one-mile guidance. In modifying the definition of what was meant by "reasonably contiguous", ED required institutions to re-categorize Noncampus locations within one mile of their campus borders as "On-Campus" for Clery Geography purposes, which resulted in additional public property reporting requirements. Members of ED have repeatedly indicated that the impetus of this revision was to require IHEs that own student housing within one mile of the campus border to adhere to Missing Persons and Fire Safety provisions. We propose a requirement for IHEs to include Noncampus residential facilities in the Missing Persons and Fire Safety provisions without expanding the definition of "reasonably contiguous."
- Provide a clarification that IHEs use both FBI definitions and standards, where applicable. This would ensure all Clery Act crime reporting meets all UCR standards. Current inconsistent reporting creates confusion for IHEs and renders data collection for Clery Act purposes as irreconcilable with data collected by campus law enforcement agencies that classify crimes in accordance with FBI definitions and standards.
- Require that IHEs designate someone as the Clery Compliance Officer (CCO) for the IHE just as the Title IX implementing regulations require at least one employee to coordinate its efforts under Title IX.



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- Allow IHEs full discretion and judgment when assessing Clery Act crimes for the potential of a serious or continuing threat and the issuance of Timely Warning Notices (TWN). Provide a definition of what “Timely” means by proscribing a time-frame with which a notice must be issued in order to meet the “Timely” requirement.
- Increase and improve Clery Act technical assistance by ensuring more consistency in application and messaging.
- Require ED to issue timelier program reviews after the completion of an onsite audit.

As NACCOP continues its proactive work on the Hill, we will continue our commitment to keep our membership apprised of proposed and pending legislation that may directly or indirectly impact their work.

### **About NACCOP**

The National Association of Clery Compliance Officers and Professionals (NACCOP) provides a professional association for Clery Compliance Officers and Professionals to collaborate with each other, share resources and best practices. Members are also offered opportunities to participate in professional development engagements which support colleges and universities in their efforts to comply with the Clery Act. NACCOP delivers members with resources to enhance their knowledge of the Clery Act by offering education and training opportunities for the employees who are acting as Clery Compliance Officers on college and university campuses as well as information about Clery related news and legislative updates. For more information, or to join NACCOP, visit [www.naccop.org](http://www.naccop.org).

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