

THE CLERY ACT AND STUDY ABROAD: BEST PRACTICES TO ENSURE COMPLIANCE



Even the best risk management plan cannot prevent all crime from happening. If not handled properly, the public relations fallout from an on-campus incident or one at a school-sponsored program abroad can be devastating. Consider the recent sexual assault cases that have been so prominent in the news lately: the outcry is as much over the schools' alleged mishandling of the crimes as of the crimes themselves.

Public relations issues are not the only ramification of reporting missteps. Schools that don't properly fill out the reporting as defined by the Clery Act, can be subject to large fines to the tune of \$35,000 per error, as well as run the risk of being sued.

Most of this is old news to risk managers. What may not be is that Clery Act reporting applies to both domestic *and* school sponsored international programs— if the college or university owns or controls the location.

This is an important distinction, and one that requires each institution to evaluate their programs and determine if ownership or control applies to them. Therefore, it is critical for global education program directors to understand their reporting obligations and plan accordingly to stay compliant.

What follows is a brief look at how three institutions of higher education are managing Clery Act compliance and reporting:

ABOUT

THE CLERY ACT

The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, commonly referred to as the Clery Act, was named in memory of Jeanne Ann Clery, who was raped and murdered in her dorm room in 1986. It requires U.S. colleges and universities who participate in Title IV federal student financial aid programs to disclose crime statistics for their campus and applicable off-campus locations.



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TRAINING AND TEAMWORK

SACRED HEART UNIVERSITY

Rather than address Clery issues alone, Carrie Wojenski, Director of Global Affairs at Sacred Heart University, works hand in hand with the school's risk manager to make sure the i's are dotted and the t's are crossed. Wojenski feels strongly that Clery Act reporting and management has to be done as a team.

"Regardless of whether your university is large or small, there is typically a lot of decentralization on a college campus, so you have to speak with your colleagues and work together," she said.

Clery Act compliance is most successful when you have a clearly defined process in place with point people to manage it. At Sacred Heart, international program directors give their information to Wojenski, who in turn sends it to the risk manager. They leave no stone unturned when it comes to reporting, opting to, as Wojenski put it, "err on the side of keeping a record of everything."

Although it is built into a larger faculty leader orientation that covers a variety of health and safety incident management issues, faculty training is another key to Clery Act compliance at Sacred Heart. Topics covered include:

- The history and legality of the Clery Act,
- What is reportable vs. non-reportable, and
- What the university wants them to report in terms of safety and crisis management.

Even with training, mistakes can easily happen in the heat of a crisis. To combat this issue, Sacred Heart equips faculty with an online handbook and easy-to-follow risk management forms that cover a broad variety of incidents. These forms spell out step-by-step the questions that need to be asked and the actions that need to be taken so that nothing gets overlooked.

"It helps to have a process in place so that when you are in the middle of a stressful situation you have paperwork in front of you if you need it," Wojenski said.



RISE ABOVE THE NOISE

UNIVERSITY OF ARIZONA

At the much larger University of Arizona, the primary responsibility for Clery Act reporting runs through the University Police Department, with help and input from several other departments:

- The University Police Department manages the request for overseas crime statistics.
- The Office of Institutional Equity handles the investigative process when employees are involved.
- The Dean of Students manages investigations for issues involving students.
- The Office of Global Initiatives International Risk Analyst and the Study Abroad Office advise the University Police department about their international programs so they can make inquiries as needed.

As for the report itself, Steve Holland, Assistant Vice President Risk Management Services, University of Arizona, would like to see more consistency with information gathering, formatting, and routing to eliminate confusion. Holland noted that there are different schools of thought about what should be included in the report, but, "we would rather over-report than under-report."

Holland also shared with us that with all the noise in the room right now focused on domestic incidents, it is making it a little more challenging to get people interested in Clery Act reporting for study abroad programs.

"It is an ongoing process to educate people about reporting requirements and procedures," he said, adding that training for faculty leading study abroad programs is crucial to maintain compliance.

FOSTERING GOOD PARTNERS

DREXEL UNIVERSITY

According to Daniela Ascarelli, Assistant Vice Provost for International Programs/Director of Study Abroad at Drexel University, a big part of ensuring Clery Act compliance is fostering strong partnerships. She feels that study abroad directors have a responsibility to educate international partners about U.S. reporting requirements as much as possible. Ascarelli stated, "It is important for our partners to understand that if a student were to report an incident that we want the partner to tell us. It is not a legal obligation, but it is a good partner obligation."

It's not just international partnerships that matter. Partnership is the key to compliance on campus as well. As a result, the Public Safety Office and Study Abroad Office collaborate closely to make sure the annual report is accurate, complete, and in the right context. "Additionally, the Office of Equality and Diversity at Drexel is currently implementing an online Title IX training module that will be a yearly requirement for all faculty and staff who are involved with study abroad programming."

"You have amazing resources on campus and people who are professionals in their respective fields, so don't think you have to be an expert on any or all of this stuff. You need to look to others for guidance or you will go crazy."

Daniela Ascarelli,
Assistant Vice Provost for
International Programs,
Director, Drexel Study Abroad



SUMMARY

Study abroad Clery Act reporting is a complex process. Although it is only a small piece of the larger Clery Act reporting, it should not be overlooked. Study abroad directors can help their institution by getting the conversation started, pulling in the right campus resources and working to establish a process flow. It is clear that cooperation and collaboration across institutional departments and with international partners is critical to a successful outcome.



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