

HUSCH BLACKWELL


Drafting Your 2025 Annual
Security Report and Other
Clery Compliance Matters

July 17, 2025


© 2025 Husch Blackwell LLP

1

Presenters



Hayley Hanson
Partner
Hayley.Hanson@huschblackwell.com



Ellen Armentrout
Senior Counsel
Ellen.Armentrout@huschblackwell.com

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

2

Agenda

- Background
- ASR
 - General Information and Policy Statements
 - Drugs & Alcohol
 - VAWA
 - Hazing
 - Other Issues
 - Multiple Campuses
 - Statistics



HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

3

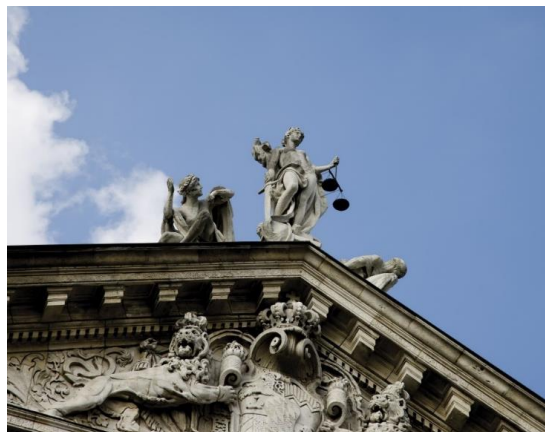
The Law

Statute

- Campus Crime and Security Act of 1990, 1992, 1998, 2000
- 2008: Name of law changed to Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)
- 2013: Violence Against Women Reauthorization Act of 2013 (VAWA) signed into law
- 2024: Stop Campus Hazing Act (name changed to Jeanne Clery Campus Safety Act)

Regulations

- 34 CFR § 668.41 (publication of ASR)
- 34 CFR § 668.46 (Clery generally)
- 34 CFR § 668.49 (fire safety)



HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

4

Subregulatory Guidance



HUSCHBLACKWELL

© 2025 Husch Blackwell LLP

- Clery Handbook
- FSA Appendix
- Finding Letters

5

Overarching Requirements

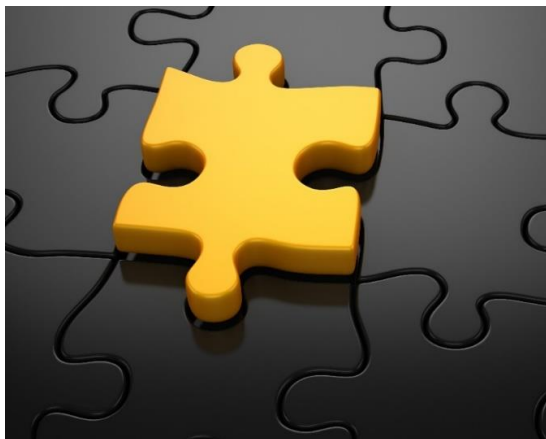
- Collect and classify reports of certain crimes
- **Publish/Distribute Annual Security Report by Oct. 1 each year**
- Provide crime statistics to ED via online survey
- Issue timely warnings and emergency notifications
- Comply with VAWA requirements
 - ASR statements
 - Educational programming
 - Disciplinary procedures
 - Rights & Options document

HUSCHBLACKWELL

© 2025 Husch Blackwell LLP

6

Contingent Requirements



- Institutions with on-campus student housing must:
 - Include missing student policies and procedures in your ASR
 - Comply with certain requirements related to fire safety (including fire safety information in the AFSR)
- Institutions with a campus police department must have a Daily Crime Log

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

7

Annual Security Report

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

8

Key Clery Concept

Annual Security Report must be published each year and include:

- Crime statistics for past 3 calendar years
- **Current** statements of policy, procedure, and programming



HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

9

From the Regulation...

- You must provide your ASR to **current and prospective students and employees**
- If you choose to provide your annual security report by posting the report on an Internet site, the notice provided to each individual must include:
 - the exact URL for where the report is posted,
 - a brief description of the report,
 - a statement that the institution will provide a paper copy of the report upon request.
- Note that you may **not** use an *intranet* site to make disclosures to prospective students and employees

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

10

Correcting Mistakes in the ASR

- If the institution makes corrections to statistical disclosures or changes its policies after publishing the ASR, the institution must update the ASR
- Corrected crime statistics must be corrected in all the affected ASRs
- The most recent ASR should reflect any new policies
- When you make a change:
 - Add a note to the ASR explaining what change was made, why, and when
 - You must redistribute the ASR following the procedures you use for notifying about/distributing your ASR
- If this year's ASR corrects a previous year's ASR, include a note regarding the reason for the change

HUSCHBLACKWELL

© 2025 Husch Blackwell LLP

11

Recordkeeping

- Must keep Clery-related records for 3 years *from the latest publication of the ASR to which they apply*
- Effectively, 7 years
- Example:
 - In January 2022 a Clery crime is reported to campus police
 - Statistic included in ASRs published in October 2023, 2024, and 2025
 - Retain for three more years = 2026, 2027, 2028



HUSCHBLACKWELL

© 2025 Husch Blackwell LLP

12

General Policy Statements

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

13

Policy Statements

- Clery regulation requires that ASRs contain certain policy statements
- Policy statements in the ASRs must accurately reflect institutional policy ***and*** meet the legal requirements



HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

14

Required Policy Statements

- Information regarding ASR preparation and how to obtain a hard copy
- Law enforcement authority and jurisdiction
 - This should be consistent throughout the ASR and pertain to all campus locations
- Working relationship with state and local law enforcement agencies, including whether the institution has written agreements with such agencies, such as written MOUs, for investigation of alleged criminal offenses
 - It is perfectly acceptable for the institution **not** to have any MOUs, but that should be stated

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

15

Required Policy Statements (*cont.*)

- CSAs to whom to report Clery crimes
 - We recommend including ~ 5 individuals to whom you would prefer individuals report Clery crimes; you do not need to include every CSA
- Policies for victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the ASR
 - Make sure that what you say here is consistent with institutional policy, particularly with regard to Title IX, e.g.:

The University will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim, or disciplining the perpetrator will know the victim's identity.

Pursuant to the University's sexual harassment policy, when an employee who is not a confidential resource becomes aware of alleged misconduct under that policy (including but not limited to dating violence, domestic violence, sexual assault, and stalking), the employee is responsible for reporting that information, including the status of the parties if known, to the Title IX Coordinator. A victim of other types of crimes (e.g., aggravated assault, burglary, etc.) who does not want to pursue action within the University disciplinary system or the criminal justice system is nevertheless encouraged to make a confidential report to a campus security authority. Upon the victim's request, a report of the details of the incident can be filed with the University without revealing the victim's identity. Such a confidential report complies with the victim's wishes, but still helps the University take appropriate steps to ensure the future safety of the victim and others. With such information, the University can keep an accurate record of the number of incidents involving members of the campus community, determine where a pattern of crime may be developing and alert the community as to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for the University.

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

16

Required Policy Statements (cont.)

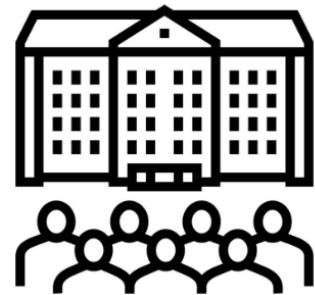
- Policies to encourage accurate and prompt reporting to law enforcement (when victim elects, or is unable to)
- A description of procedures, if any, that encourage pastoral counselors and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics
 - Fine to say that you have no policies
 - Fine to say that you have no pastoral or professional counselors

Sample language: The University encourages its professional counselors, if an when they deem it appropriate, to inform the person they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual report of crimes statistics. The University has no pastoral counselors.

HUSCHBLACKWELL

© 2025 Husch Blackwell LLP

Required Policy Statements (cont.)



- Security and access to campus facilities (including student housing)
- Security considerations used in the maintenance of campus facilities
 - Note that these two requirements are not identical
- A statement that describes the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others
- A description of programs designed to inform students and employees about the prevention of crimes
 - Note that while these programs may overlap with VAWA programming (to be discussed later), they are not limited to the VAWA crimes

HUSCHBLACKWELL

© 2025 Husch Blackwell LLP

Required Policy Statements (*cont.*)

- A statement that the institution will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense; if the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph
- A policy statement concerning the monitoring and recording, through local police agencies, of criminal activity in which students engaged at noncampus locations of student organizations officially recognized by the institution, including student organizations with noncampus housing facilities (if the institution has no officially recognized student organizations with noncampus locations, state this in the ASR)

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

19

Drugs and Alcohol

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

20

ASR Must Include



- Statements regarding:
 - the possession, use and sale of alcoholic beverages
 - the institution's enforcement of state underage drinking laws
 - the possession, use and sale of illegal drugs
 - the institution's enforcement of federal and state drug laws
- A description of any drug or alcohol abuse education programs for students AND employees
 - To meet this requirement, “an institution may cross-reference the materials used to comply with [the Drug Free Schools and Communities Act]”
 - This is the **only** ASR requirement that can be met exclusively by means of a cross-reference

HUSCHBLACKWELL

© 2025 Husch Blackwell LLP

21

Drug Free Schools and Communities Act Requirements (DFSCA)



- Annual notification(s) to students and employees
- Biennial review of drug and alcohol abuse prevention program (DAAPP)
- While DFSCA materials can be cross-referenced in ASR, they will be checked during a program review along with Clery compliance
- This includes the relevant state and federal drug laws and the state underage drinking laws for each campus location

HUSCHBLACKWELL

© 2025 Husch Blackwell LLP

22

Biennial Review

- Review DAAPP every 2 years
- Goals:
 - Determine effectiveness
 - Implement needed changes
 - Ensure consistent enforcement of disciplinary sanctions
- Previous guidance said that Biennial Review needs to be referenced in the ASR (we think doing so is still a good idea)



HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

23

VAWA Requirements

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

24

VAWA

Violence Against Women
Reauthorization Act of 2013

Affects campus
procedures, on-campus
programming, Clery
reporting, and ASR
content

Four major crimes
covered: domestic
violence, sexual assault,
dating violence, and
stalking

© 2025 Husch Blackwell LLP

Definitions

- **Domestic Violence:** A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- **Dating violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

Definitions (*cont.*)

- **Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting program
- **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. Course of conduct = two or more acts, including when a person directly or indirectly follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

27

Policy Statements

- A statement of policy regarding VAWA crimes that must include:
 - Description of institutional **programs and campaigns** to promote the awareness of VAWA crimes
 - Procedures victims should follow if a VAWA crime has occurred
 - Information about how institution will protect confidentiality
 - Notification about services available to victims
 - Notification about accommodations and protective measures available
 - Explanation of procedures for institutional disciplinary action
 - A statement that the reporting party will be given a statement of rights and options

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

28

VAWA Programming

- ASR must include a description of educational programming for students and employees, which must include:
 - A statement that the institution prohibits the VAWA offenses
 - Definitions of dating violence, domestic violence, sexual assault, and stalking in applicable jurisdiction
 - Definition of consent (as it relates to sexual activity) in applicable jurisdiction
 - Description of safe and positive options for bystander intervention
 - Information on risk reduction

HUSCHBLACKWELL

© 2025 Husch Blackwell LLP

29

Prevention and Awareness Programs

Primary Prevention and Awareness Programs

- Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur.

Ongoing Prevention and Awareness Programs

- Sustained over time and focus on increasing understanding of topics relevant to, and skills for addressing, VAWA crimes using a range of strategies with audiences throughout the institution.

HUSCHBLACKWELL

© 2025 Husch Blackwell LLP

30

VAWA Procedures

The ASR must include procedures victims should follow if a VAWA crime has occurred, including:

Where applicable, the rights of victims and the institution's responsibilities for orders of protection, "no contact" orders, restraining orders, or similar lawful orders issued by a criminal, civil or tribal court, or by the institution.

HUSCHBLACKWELL

© 2025 Husch Blackwell LLP

31

VAWA Procedure (cont.)

The importance of preserving evidence

How and to whom the alleged offense should be reported

Victim's options regarding the involvement of law enforcement and campus authorities

- Notify proper law enforcement authorities
- Be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses
- Decline to notify such authorities

Victim's rights and institution's responsibilities regarding lawful orders (orders of protection, restraining orders, etc.)

© 2025 Husch Blackwell LLP

32

Confidentiality

- How will the institution protect confidentiality of victims and other parties?
 - Clery Act reporting
 - Confidential Accommodations



HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

33

Services Available (Written Notification)



- Services available to victims in the institution and in the community regarding
 - Counseling
 - Mental health
 - Victim advocacy
 - Legal assistance
 - Visa/Immigration assistance
 - Student financial aid
 - Other services

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

34

Accommodations and Protective Measures (Written Notification)

MUST make accommodations or provide protective measures if requested and reasonably available.

May include (depending on the situation):

- Changes to class schedule or section
- Changes in housing/residence
- Campus escorts
- Academic accommodations, such as rescheduling an exam, tutoring, or a Leave of Absence.
- Banning perpetrator from campus (If they are not a student or employee)
- Transportation
- Employment accommodations
- Access to medical, mental health or disability services

HUSCHBLACKWELL

© 2025 Husch Blackwell LLP

Procedures for Institutional Disciplinary Action

Describe **each type** of disciplinary proceeding used by the institution, including

The steps of the process,
The anticipated timelines,
The decision-making process,
How to file a complaint,
How the institution decides which proceeding to use.

Standard of evidence used for VAWA crimes

Generally, the preponderance of the evidence

HUSCHBLACKWELL

© 2025 Husch Blackwell LLP

Disciplinary Proceedings

The standard requires that the ASR include a description of ***each type of disciplinary proceeding*** used by the institution; the steps, anticipated timelines, and decision-making process for each type of disciplinary proceeding; how to file a disciplinary complaint; and how the institution determines which type of proceeding to use based on the circumstances of an allegation of dating violence, domestic violence, sexual assault or stalking.

If there are multiple processes that may be used to address allegations of dating violence, domestic violence, sexual assault, and stalking (for students and for employees), each process should be included in the ASR

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

37

Sanctions and Protective Measures

List ***all the possible sanctions*** that the institution may impose following the results of any institutional disciplinary proceeding for an allegation of dating violence, domestic violence, sexual assault or stalking.

List ***range*** of protective measures.

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

38

Sample language

Following a final determination in the institution's disciplinary proceeding that dating violence, domestic violence, sexual assault, or stalking has been committed, the institution may impose a sanction depending on the mitigating and aggravating circumstances involved. The possible sanctions include: warning; reprimand; probation; restitution; fine; loss of privileges; housing probation; suspension or expulsion/termination; restriction on eligibility to represent the University at any official function or in any intercollegiate competition. If a suspension is imposed on a student, it may be for part of a semester, a full semester, or an entire academic year. An employee may be suspended for any length of time determined appropriate by the Director of Human Resources. Following a suspension, the individual will be required to meet with the Dean of Students (student) or Director of Human Resources (employee) to discuss re-entry and expectations going forward.

- In addition, the University can make available to the victim a range of protective measures. They include: forbidding the accused from entering the victim's residence hall and from communicating with the victim, other institutional no-contact orders, security escorts, modifications to academic requirements or class schedules, changes in working situations, etc.*

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

39

Written Notification

ASR must include a statement that, when a student or employee reports to the institution that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the institution will provide the student or employee a written explanation of the student's or employee's rights and options

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

40


SCHA and the ASR

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

41

Stop Campus Hazing Act



- New statutory language, signed by President Biden on December 24, 2024
- Amended the Higher Education Act of 1965, in particular 20 U.S.C. 1092(f) (the Clery Act)
- Includes various implementation dates for different statutory requirements

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

42

Important Points

- First Federal law of its kind to address hazing
 - Many states have hazing laws, but there has not been a uniform approach
- Changes the name of the Clery Act
 - Former name: *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*
 - Current name: *Jeanne Clery Campus Safety Act*



HUSCHBLACKWELL

© 2025 Husch Blackwell LLP

43

What does the Stop Campus Hazing Act (SCHA) do?

- Defines hazing
- Defines student organization
- Creates statistical reporting requirements
- Creates policy statement requirements
- Creates programming requirements
- Requires an additional report (Campus Hazing Transparency Report)

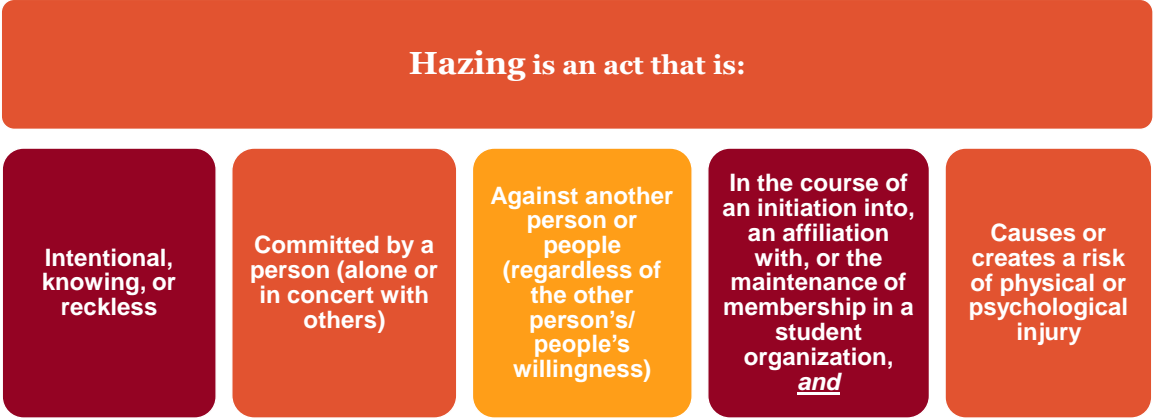


HUSCHBLACKWELL

© 2025 Husch Blackwell LLP

44

Definition of Hazing



HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

Examples of hazing provided in the statute

- Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity
- Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity
- Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances
- Causing, coercing, or otherwise inducing a person to perform sexual acts;
- Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct
- Any activity against another person that includes a crime
- Any activity that induces, causes, or requires another person to perform a duty or task that is a crime

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

Definition of Student Organization

- An organization at an institution in which two or more of the members are students enrolled at the institution, whether or not the organization is established or recognized by the institution
- Examples: clubs, societies, associations, varsity or junior varsity athletic teams, club sports teams, fraternities, sororities, bands, or student government



HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

47

ASR Statistical Reporting (for your 2026 ASR)

- Existing statistical reporting requirements are the same
- SCHAs now requires that incidents of hazing reported to CSAs or local police agencies must also be included in the ASR
 - Data gathering for statistical reporting requirements for the ASR began on **January 1, 2025** (for publication in the October 1, 2026, ASR)
 - Reported hazing incidents need to be included in the ASR if they occur anywhere on your **Clery geography** (on campus, noncampus, on campus student housing, and public property)

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

48

What about multiple incidents of hazing?

For purposes of the ASR, hazing statistics:


Shall be compiled per each single hazing incident and in accordance with the definition of [hazing], and if the same person or persons commit more than one hazing act, and the time and place intervals separating each such act are insignificant, such acts shall be reported as a single hazing incident.


HUSCH BLACKWELL


© 2025 Husch Blackwell LLP


49

Required Policy Statements in the ASR

Statement of current policies relating to hazing as defined by the institution (e.g., “hazing, which is defined as _____, is prohibited by the University”)

How to report incidents of hazing

Process used to investigation such incidents of hazing

Information on applicable local, State, and Tribal laws on hazing

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

50

Required Policy Statement (cont.)






- Statement of policy regarding **prevention and awareness programs** related to hazing as defined by the institution that includes a description of **research-informed campus-wide** prevention programs designed to reach **students, staff, and faculty**, which includes:
 - Hazing policy statement, how to report, investigation process, relevant laws
 - Primary prevention strategies intended to stop hazing before it occurs, including (as examples)
 - Bystander intervention,
 - Information about ethical leadership, and
 - Promotion of strategies for building group cohesion without hazing

HUSCHBLACKWELL

© 2025 Husch Blackwell LLP

51

Questions about anti-hazing policy and programming

 When do I need to have a policy and programming in place?	Implementation of this section of the SCHA is “6 months after the date of enactment,” which is June 23, 2025 , and applies to the 2026 ASR
 What if we already have a policy for our students in fraternities and sororities?	The definition of hazing is not limited to students or student groups. The statutory language says that the programming, which includes information about the policy, must campus wide and designed to reach students, staff, and faculty
 Does the anti-hazing program have to be mandatory for everyone?	It needs to be “campus-wide,” which we believe means it needs to be accessible to everyone
 What does it mean to be research-informed?	We understand this to mean that the programming is based on accurate and tested information
 Can our programming consist of referring community members to an external website?	We believe this could be a piece of your programming, but it would not suffice alone, in part because the programming needs to include information regarding institutional policies and procedures (as well as state law); consider folding anti-hazing training in with your TIX training

HUSCHBLACKWELL

© 2025 Husch Blackwell LLP

52

Missing Students and Fire Safety Report

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

53

Missing Students

- For campuses with student housing, the ASR must include:
 - Where to report a missing student
 - That reports should be immediately referred to campus police or local police
 - How to designate a missing person contact person (separate from other emergency contact) and that contact person will be kept confidential
 - When parents will be notified (under 18 and not emancipated)
 - That local law enforcement will be notified within 24 hours (if report did not originate from local law enforcement)

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

54

Annual Fire Safety Report

- Campuses with student housing must have a fire safety report:
 - Can accompany the ASR
 - Must include:
 - Description of fire safety systems in campus housing, with street addresses
 - Number of drills
 - Rules re appliances, smoking, open flames
 - Evacuation plan
 - Student training
 - Plans for future improvement (even if there aren't any)

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

55

Crime Statistics

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

56

Category	Descriptions
Primary Criminal Offenses	Murder/Non-Negligent Manslaughter; Manslaughter by Negligence; Rape; Fondling; Incest; Statutory Rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson
Hate Crimes	<p>A hate crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim.</p> <p>For Clerly Act purposes:</p> <ul style="list-style-type: none">• Hate crimes include the primary criminal offenses listed above (except Manslaughter by Negligence) plus: Larceny-Theft; Simple Assault; Intimidation; and Destruction/Damage/Vandalism to Property.• The eight categories of bias that may result in a hate crime being reported are as follows: race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability.
Arrests and Disciplinary Referrals	The number of arrests and the number of persons referred for disciplinary action for the following law violations: Drug Abuse Violations; Liquor Law Violations; and Weapons: Carrying, Possessing, Etc.
VAWA Offenses	Dating Violence; Domestic Violence; and Stalking
SCHA	Hazing

57

What should be reported . . .



HUSCH BLACKWELL

- Statistics based on reports of *alleged* criminal incidents.
 - Not necessary:
 - Investigation
 - Finding of guilt or responsibility
- Disclosures must be made based on “**year reported**” and not “year occurred”

© 2025 Husch Blackwell LLP

58

Hate Crimes

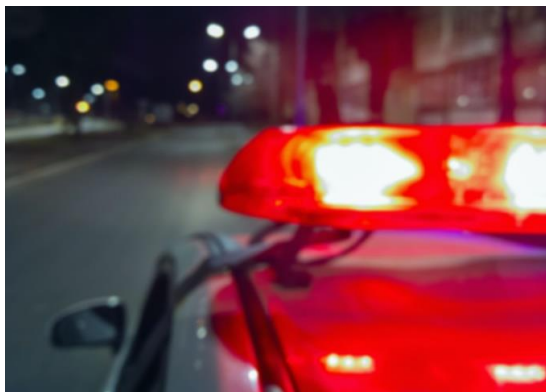
- Potential Hate Crimes:
 - Primary crimes AND
 - Larceny-theft
 - Simple assault
 - Intimidation
 - Destruction/damage/vandalism of property
- Motivated by:
 - Race
 - Gender
 - Gender identity
 - Religion
 - Sexual orientation
 - Ethnicity
 - National origin
 - Disability

HUSCHBLACKWELL

© 2025 Husch Blackwell LLP

59

Arrests and Referrals (Drugs, Alcohol, Weapons)



- You must report statistics for violations of the law that occur on your Clergy Act geography and result in arrests or persons being referred for disciplinary action
- Do not include violations of your institution's policies that resulted in persons being referred for disciplinary action if there was no violation of the law

HUSCHBLACKWELL

© 2025 Husch Blackwell LLP

60

What is a referral for campus disciplinary action?

- Per the regulation:
 - *The referral of any person to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.*
- Per the Clery Handbook:
 - *Note that a disciplinary action can be initiated in an informal as well as a formal manner. It can include an interview or an initial review of names submitted to an official. It does not need to result in a sanction.*

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

61

Multiple Campuses

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

62

What happens if our institution is made up of multiple campuses?

- Institutions must meet the regulatory requirements for **each** separate campus
 - Be sure you understand what a separate campus is and that your Clery geography is appropriately categorized (understand the difference between a separate campus and your noncampus property)
 - Policy statements may differ from campus to campus (e.g., security considerations may be different at different campus locations)
 - If your campus is spread over more than one state, you need to be sure that you include the relevant state laws for each locations
 - You may meet your compliance obligation by filing one comprehensive ASR, or a separate ASR for each campus

HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

63

Questions



HUSCH BLACKWELL

© 2025 Husch Blackwell LLP

64

