



**Proposed Jeanne Clery Act Amendments  
Included In The College Opportunity and Affordability Act of 2007 (H.R. 4137)  
As Passed By The U.S. House Of Representatives, February 7, 2008**

**Emergency Response & Evacuation**

H.R. 4137 adds a statement of “emergency response and evacuation procedures” to the Clery Act annual security report (ASR) produced by institutions of postsecondary education. The policy disclosure “shall include” a statement that the institution will notify their campus community “in not more than 30 minutes” if there is an emergency that presents an “immediate threat to the health or safety of students or staff” on the campus, on a non-campus property or on public property (those areas which institutions must report crime statistics for under the Act). The Senate version contains a similar provision but does not specify a time frame for issuing the warnings.

**Hate Crime Reporting**

H.R. 4137 expands hate crime statistics reported under the Clery Act to include larceny-theft, simple assault, intimidation, and vandalism. The Senate version doesn’t contain corresponding language.

**Investigating Felonies & Missing Students (Gillibrand Amendment)**

H.R. 4137 adds an annual policy disclosure concerning plans for investigating any Clery Act reportable felony and reports of missing students. The disclosure would address coordination with state and local police. The disclosure would also note whether or not there is a written agreement, such as a memorandum of understanding, in place with state and local police. The Senate version doesn’t contain corresponding language.

**Whistleblower Protection & Anti-Retaliation**

H.R. 4137 protects “whistleblowers” prohibiting any retaliatory action against individuals who file, assist, or are otherwise involved in a Clery Act complaint or investigation. The Senate version doesn’t contain corresponding language.

**U.S. Department of Education Reporting**

H.R. 4137 requires the U.S. Department of Education (ED) to report to Congress annually on Clery Act compliance and their work to implement the law. It also authorizes, but does not require, ED to disseminate “best practices” on campus safety and emergencies. The Senate version contains identical language.

**Technical Amendments**

H.R. 4137 exempts foreign institutions located abroad from Clery Act reporting obligations and changes references to named Congressional committees to “authorizing” committees. The Senate version contains corresponding language.

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