

College and University responsibility under the Clery Act for Emergency Notifications

U.S. Department of Education *Handbook for Campus Safety and Security Reporting* notes in section 6-2 – a requirement for notification under these circumstances:

“...significant emergency or dangerous situation involving an immediate threat to the **health** or safety of students or employees occurring on the campus...”

The Clery Center has issued the following guidance:

1. **Should we be considering any Clery Act alerting requirements as we consider campus response to COVID-19?**

“Yes. Unlike timely warning policies, which are specific to crimes that have already occurred but you believe to be a serious or ongoing threat, your **emergency notification policies outline how your institution will notify the campus community when there is an immediate threat to the health or safety of students or employees**, and, as the *Handbook for Campus Safety and Security Reporting* notes in section 6-2, **serious illnesses** can be immediate threats to the health or safety of the campus community.” (<https://clerycenter.org/article/covid-19-clery-act-faqs/>)

Guidance published from Campus Safety Magazine:

“The Clery Act and its implementing regulations require institutions to notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on campus,” reads the guidance. “The Department does not interpret the statutory language as requiring institutions to give regular, on-going updates on COVID-19 or to proactively identify positive COVID-19 cases within the campus community. The Department also does not interpret the statutory language to apply to positive COVID-19 cases among individuals who are not attending classes, working, or residing on campus or to require notifications to such individuals.”

The emergency notification requirement can be satisfied by:

1. Providing students and employees a single notification through the regular means of communicating emergency notifications informing them about COVID-19 and necessary health and safety precautions, as well as encouraging them to obtain information from health care providers, state authorities, and the Center for Disease Control and Prevention’s (CDC) [COVID-19](#) website.
2. Creating a banner at the top of the institution’s homepage containing that same information, including a statement about the global [pandemic](#) and a link to the CDC’s website.

Emergency Notifications can be sent only to those in direct contact with infected persons, unless a campus community-wide notification is required by Clery. (<https://www.campusafetymagazine.com/clery/clery-act-compliance-covid-19/>)