

112TH CONGRESS  
2D SESSION

# H. R. 5844

To amend the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to provide further clarity for institutions of higher education, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 18, 2012

Mr. MEEHAN (for himself, Mr. CARNEY, Mrs. EMERSON, Mr. BRADY of Pennsylvania, Mr. ISSA, and Mr. PLATTS) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To amend the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to provide further clarity for institutions of higher education, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Protecting Victims on  
5       Campus Act of 2012”.

1 **SEC. 2. DISCLOSURE OF CAMPUS SECURITY POLICY AND**  
2 **CAMPUS CRIME STATISTICS.**

3 Section 485(f) of the Higher Education Act of 1965  
4 (20 U.S.C. 1092(f)) is amended—

5 (1) in paragraph (1)—

6 (A) in subparagraph (A), by inserting be-  
7 fore the semicolon the following: “, and making  
8 available to students and employees a list of the  
9 titles, in each department of the institution, of  
10 each individual who is a campus security au-  
11 thority to whom students and employees should  
12 report the criminal offenses described in sub-  
13 paragraph (F)”;

14 (B) in subparagraph (F)(i)—

15 (i) by striking “and” at the end of  
16 subclause (VIII); and

17 (ii) by adding the following at the  
18 end:

19 “(X) criminal offenses involving  
20 minors; and”;

21 (2) by repealing paragraph (2);

22 (3) in paragraph (3)—

23 (A) by striking “Each” and inserting “(A)  
24 Each”;

1 (B) by inserting “, that keeps confidential  
2 the personally identifiable information of vic-  
3 tims,” after “that is timely”; and

4 (C) by adding at the end the following:

5 “(B) In carrying out the requirements of  
6 subparagraph (A), an institution shall—

7 “(i) designate an individual who is fa-  
8 miliar with the requirements of this sub-  
9 section to serve as a campus security au-  
10 thority coordinator to—

11 “(I) oversee campus security au-  
12 thorities;

13 “(II) solicit and compile the  
14 crimes described in subparagraph (F)  
15 of paragraph (1) reported to such au-  
16 thorities for the purpose of including  
17 such information in the timely reports  
18 required under this paragraph; and

19 “(III) ensure that when a crime  
20 of violence (as defined in section 16 of  
21 title 18, United States Code) is re-  
22 ported to a campus security authority,  
23 the authority reports the crime to  
24 local law police agencies;

1           “(ii) establish policies or procedures  
2           for training campus security authorities  
3           and the campus security authority coordi-  
4           nator; and

5           “(iii) employ or designate an indi-  
6           vidual or other entity to conduct such  
7           training using the policies or procedures  
8           established under clause (ii), upon receiv-  
9           ing approval from the Secretary for such  
10          individual or other entity to conduct such  
11          training.”;

12          (4) in paragraph (13)—

13           (A) by striking “Upon” and inserting “(A)  
14           Upon”;

15           (B) by inserting “which distinguishes be-  
16           tween institutional neglect and intentional mis-  
17           representation or withholding of information,”  
18           after “this subsection,”;

19           (C) by inserting “, except that the Sec-  
20           retary shall impose a larger civil penalty in the  
21           case of an institution of higher education deter-  
22           mined to have intentionally violated this sub-  
23           section, as compared to an institution of higher  
24           education that violated this subsection as a re-  
25           sult of institutional neglect. An intentional vio-

1           lation of this subsection by an institution of  
2           higher education shall be subject to criminal  
3           prosecution” after “under section  
4           487(c)(3)(B)”; and

5           (D) by adding at the end the following:

6           “(B) Prior to making a determination de-  
7           scribed in subparagraph (A) with respect to an  
8           institution of higher education, the Secretary  
9           shall—

10                   “(i) conduct an investigation with re-  
11                   spect to the institution; and

12                   “(ii) provide the institution with a  
13                   timeline of the investigation and a prelimi-  
14                   nary report that includes the reasons for  
15                   conducting such investigation.”; and

16           (5) in paragraph (17), before the period insert  
17           the following: “or any individual because such indi-  
18           vidual provided information or made a complaint to  
19           a law enforcement agency relating to the implemen-  
20           tation of any provision of this subsection, provided  
21           that the individual acted in good faith when pro-  
22           viding such information or making such complaint”.

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