



# STOP CAMPUS HAZING ACT:

Considerations for Practitioners as they Implement and Manage the New Requirements in 2025 and Beyond



## 2025





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## BACKGROUND

For decades, hazing within athletics, the band, and other recognized and unrecognized student organizations has been one of many vexing issues facing institutions of higher education (IHE). The type and intensity of hazing incidents has escalated over time. In far too many cases, hazing has resulted in serious bodily injury and even death.

According to Stophazing.org,<sup>4</sup> there are only four states that do not have some form of antihazing law. For those that do, laws tend to vary greatly. Some focus solely on athletics and Greek Life while others are much more comprehensive. In addition, according to Inside Hazing,<sup>5</sup> current hazing statistics underestimate the prevalence of hazing. One reason for this is that many students don't realize when they've been hazed. Another reason is that, in some organizations, "there is a strong code that inhibits students from reporting hazing."<sup>6</sup>

Statistics indicate that "55% of college students involved in clubs, teams and organizations experienced hazing,"<sup>7</sup> yet in 95% of hazing cases, students who were aware they were hazed did not report it.<sup>8</sup>

The realities of hazing and its detrimental consequences are what fueled many congressional leaders to embark on a journey to establish a framework for hazing prevention and disclosure requirements for IHEs. The path to get to a federal antihazing law took nearly a decade. Advocates, associations, families impacted by hazing incidents, and key members of Congress led the effort through several iterations of proposed antihazing legislation before the Stop Campus Hazing Act (SCHA)<sup>9</sup> ultimately became law.

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[4] <https://stophazing.org/policy/state-laws/>

[5] <https://www.insidehazing.com/statistics>

[6] Ibid

[7] <https://stophazing.org/issue/hazing-statistics/>

[8] According to national statistics from [insidehazing.com](http://insidehazing.com), [hazingprevention.org](http://hazingprevention.org), and [hazingstudy.org](http://hazingstudy.org)

[9] <https://www.congress.gov/bills/118/congress/house-bill/5646/text>

## THE LAW

On December 23, 2024, President Biden signed the SCHa into law, which amended the Clery Act and renamed it the “Jeanne Clery Campus Safety Act.” The timing of when the Act was signed – while many campus employees were out of the office on holiday break – made it so Clery practitioners returned to work in the new year with a new set of responsibilities.

The requirements of the SCHa impact institutions in numerous ways. First, it requires hazing statistics to be included in your Annual Security Report (ASR)<sup>10</sup> and reported to the U.S. Department of Education (ED)<sup>11</sup> using a standardized federal definition of hazing for statistical disclosure purposes.<sup>12</sup> While IHEs will not use their local or state antihazing laws for Clery Act statistical disclosures, they must outline applicable jurisdictional laws (local, state, and tribal) in both the ASR<sup>13</sup> and “in a prominent location on the institutional website.”<sup>14</sup>



This public-facing website must also contain a statement regarding the availability of hazing statistics published in the Annual Security Report (along with a link to the current report) and the Campus Hazing Transparency Report,<sup>15</sup> which must disclose up-to-date information summarizing the results of institutional disciplinary proceedings initiated against student organizations that are found to have violated the IHE’s campus hazing policy.<sup>16</sup> The law further requires ASR policy statements outlining the institution’s antihazing policies, which must address the process for reporting, investigating, and adjudicating allegations of hazing involving student organizations.<sup>17</sup> Institutions must also disclose in the ASR, and provide to students and employees, research-informed education, awareness, and prevention programming that not only addresses the institution’s hazing policies,<sup>18</sup> but also “primary prevention strategies intended to stop hazing before hazing occurs.”<sup>19</sup>

[10] 20 USC 1092(f)(1)(F)(iv)

[11] 20 USC 1092(f)(5)

[12] 20 USC 1092(f)(6)(A)(vi)

[13] 20 USC 1092(f)(1)(K)

[14] 20 USC 1092(f)(9)(D)(ii)

[15] 20 USC 1092(f)(9)(D)(iii)

[16] 20 USC 1092(f)(9)(A)

[17] 20 USC 1092(f)(1)(K)

[18] 20 USC 1092(f)(1)(L)(i)

[19] 20 USC 1092(f)(1)(L)(ii)





This statement will require Clery practitioners to expand their focus when assessing Clery crimes since incidents of hazing occur in the context of organizational affiliation. It will also require institutions to consider a wider array of organizations than those it has historically “registered” or “recognized” via established institutional procedures.

Previously, for most other Clery crimes, the dispositive elements were the what and where of an offense – was it a Clery Act crime, and did that crime reportedly occur on Clery Geography? Now, for hazing assessment purposes, Clery practitioners will also need to check the boxes of *who* and *why* – did it involve initiation, affiliation or maintenance-related activities associated with a student organization? For statistical reporting purposes, the student organization need not be established or recognized by the institution for reported hazing incidents to be eligible for inclusion in the crime statistics.<sup>21</sup>

## THINGS TO CONSIDER NOW

The SCHA added hazing that occurs within student organizations as a reportable Clery crime. Institutions were required to begin collecting hazing statistics for the purpose of Clery Act statistical disclosures starting on “January 1 of the first year after the date of enactment.” Because the law was enacted on December 23, 2024, campuses had to begin collecting hazing statistics just nine days later, on January 1, 2025. In other words, your campus should have started assessing reports of hazing for potential inclusion in the crime statistics several months ago. This requirement has several immediate downstream effects to consider:

- The Act provides definitions of the terms “hazing” and “student organization” that must be used for statistical reporting purposes. These definitions should be adopted and employed for all incidents of reported hazing going back to January 1, 2025. Notably, the definition of hazing provides that acts must be committed “in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization.”<sup>20</sup>

- Institutions should update their CSA training to include information about the requirement of CSAs to promptly forward reports of alleged hazing to the reporting structure of the institution. Since updating training may take time, practitioners should consider meeting as soon as possible with applicable Title IX personnel, student organization personnel and advisors of student organizations to inform them of the new hazing definition and reporting requirements, as these CSAs may be more likely to become aware of hazing allegations. Additionally, institutions may want to consider sending a communication out to all CSAs to apprise them of new hazing reporting requirements until such time that CSA trainings can be updated to address this content.

[20] 20 USC 1092(f)(6)(A)(vi)(I)

[21] *Ibid*





In addition, reporting pathways for hazing should be ironed out and optimized, where necessary. For example, if students, employees, and/or the larger community were previously directed to report hazing only to a student conduct office, how will your institution ensure the appropriate individual(s) or office(s) are notified immediately if any of the conduct reported to them could constitute hazing or other criminal act(s)? The appropriate individuals or offices typically include the campus police or security department, Clery Compliance Officer (CCO), or any person or office designated by the institution to receive reports of crime in order to fulfill other Clery obligations. While existing channels of communication and collaboration should already be in place between those individuals or offices that may receive reports of alleged crimes and the individuals who must review these reports for Clery Act purposes, the inclusion of hazing among required statistical disclosure provides a fresh opportunity to ensure adequate systems are in place to quickly relay essential information to the reporting structure of the institution.

- Speaking of timeliness, as hazing is now a Clery crime, reports of hazing will need to be assessed for Timely Warning (TW) purposes, and such reports must be included on the Daily Crime Log when the alleged hazing occurred in the institution's Clery Geography or otherwise in the expanded patrol zone of the campus police or security department. Reported hazing incidents may also constitute a "significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus"<sup>22</sup> and therefore may require issuance of an Emergency Notification (EN). If a TW or EN is deemed necessary, since hazing only applies to student organizations (which are broadly defined in the SCH<sup>23</sup>),<sup>23</sup> the notice may require the institution to identify the student organization by name in the TW or EN, which may represent a departure from past practice when issuing alerts.



Of course, practitioners will have to exercise due care and diligence when deciding upon the contents of these alerts given the Clery Act's mandate of not jeopardizing the confidentiality of victims when issuing Timely Warnings.

- As for how to count reports of hazing for Clery purposes, the SCH<sup>24</sup> requires this be done in the same way it is done for robbery: count one offense per distinct operation, irrespective of the number of people who hazed or were hazed.<sup>24</sup> In addition, a person's willingness to be hazed isn't a factor to consider in deciding whether hazing has been reported.<sup>25</sup> While individuals subjected to hazing might even speak positively about the experience, if the reported conduct meets the definition of hazing that is provided in the SCH<sup>25</sup>, it must still be regarded as a report of hazing for Clery Act purposes.

[22] 34 CFR 668.46(g)(1)

[23] See 20 USC 1092(f)(6)(A)(vii)

[24] Notably, the law does provide a caveat to indicate that acts may be viewed as separate incidents if the time and place intervals separating each act are significant. We anticipate this is an area in which ED will provide guidance, and we also anticipate parameters for counting hazing incidents will be explored during the negotiated rulemaking process that will be followed to develop implementing regulations.

[25] 20 USC 1092(f)(6)(A)(vi)





- Part of the hazing definition includes an act that “causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury...”<sup>26</sup> Notice the SCHA doesn’t set a lofty threshold for risk – it doesn’t say an act must create a “substantial” or “high” risk, just an *unreasonable* one that could lead to physical or psychological injury. Accordingly, it will be helpful to start thinking about a consistent calculus for determining what constitutes an unreasonable risk. Many reports of hazing will be a no-brainer, but what about those reports that might not be on the higher end of the risk continuum? For example, would an *Office*-esque series of ever-increasing trust falls cross this threshold?

- The definition of hazing in the SCHA seems like it could have a cross-pollinating effect on another Clery crime: stalking. As noted above, part of the definition of hazing includes an unreasonable risk of psychological injury.<sup>26</sup> An example of hazing is also provided in the definition to include “any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct.” Stalking, by comparison, is defined as “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.”<sup>27</sup>

[26] 20 USC 1092(f)(6)(A)(vi)(II)

[27] 34 C.F.R. 668.46(a)





Given the overlap, if multiple reports of hazing come in regarding the same group of people (e.g., fraternity brothers hazing the same group of pledges), Clery practitioners should keep stalking in mind as a potential accompanying statistic. While some may argue that persons who are voluntarily in each other's presence and/or living together cannot be stalked and stalking is more likely to occur by someone with whom a victim does not want to associate, it remains possible for acts performed in pursuit of hazing to also constitute a course of conduct that causes a victim to suffer substantial emotional distress or fear for their safety or the safety of others. Furthermore, given that hazing falls outside the hierarchy rule and occupies its own general category of crime based on the statutory text,<sup>28</sup> practitioners need to be alert for other co-occurring crimes within a single report of hazing. It is not hard to imagine that hazing reports might also involve sexual assaults, aggravated assaults, liquor law violations, and other reportable offenses that occur as part of hazing activities.



- Finally, activities that may constitute hazing don't always take place on campus. As with all other Clery crimes, getting specific location information about where the hazing allegedly occurred will be critical, as only hazing incidents occurring within the institution's Clery Geography should be included in the annual crime statistics.

The SCHA requires institutions to have compliant hazing policies and procedures in place by June 23, 2025. These must include (1) the definition of hazing, as defined by your institution, (2) how to report hazing, (3) the process used to investigate hazing, and (4) local, state, and tribal laws pertaining to hazing.<sup>29</sup>

[28] Hazing stands alone at 20 USC 1092(f)(1)(F)(iv)

[29] 20 USC 1092(f)(1)(K)





Practitioners should consider the following as they work to come into compliance with these requirements:

- Notice the SCHA allows institutions to use separate hazing definitions: for Clery statistical reporting purposes, institutions must use the definition provided in the law. For institutional policy and code of conduct purposes, campuses may use their own definition(s) of hazing. While the law does not expressly direct institutions to define hazing using the federal definition provided for statistical reporting purposes in the institution's hazing policy, it seems sensible to do so as a starting point. If an institution wants to prohibit *additional* conduct that does not conform to the federal definition, the law appears to allow institutions to prohibit such conduct. If an institution chooses to prohibit additional conduct not already addressed by the federal definition of hazing, it may be prudent to differentiate, in the institution's policy, which conduct is prohibited under the federal definition and which conduct is prohibited exclusively under institutional policy. This way, reports of hazing can be evaluated for inclusion in the crime statistics using the federal definition, whereas other conduct prohibited by institutional policy only should not be included in the institution's crime statistics.

When deciding upon how to define hazing in the institution's policy, be sure to consider whether any state hazing laws address conduct that is not otherwise included in the definition of hazing that is used for disclosing crime statistics before adopting the federal definition as the institution's sole definition of hazing for educational and/or disciplinary purposes.

- Institutions will be required to provide information (in both their policies and ASR disclosures) on how to report hazing. If some members of your campus community are required to report hazing (e.g., CSAs) while others may do so on a voluntary basis, specify this in your policy. Consider whether your existing ASR disclosures about voluntary, confidential reporting are still accurate as written now that hazing is a Clery crime. Furthermore, describe any differences in reporting that may exist for different populations (e.g., if CSAs should report through a Clery-specific reporting mechanism whereas non-CSAs should report using a different mechanism). Consider whether your institution has any anonymous reporting tools that may be used for purposes of reporting hazing. For example, companies like RealResponse offer two-way anonymous communication platforms that enable individuals to make anonymous reports of hazing via text, email, or through logging into a portal.<sup>30</sup> Now is the time to query key departments, such as Athletics, to determine whether any departments or programs have made these types of services available to the populations they serve, and incorporate these reporting pathways into your hazing policy.

[30] <https://www.realresponse.com/products/anonymous-threads/>





- The definition of hazing provided in the SCHA includes Title IX and Violence Against Women Act (VAWA) offenses. Consider who will be responsible for investigating hazing reports, and under what circumstances, when the conduct at issue also addresses allegations of sex-based harassment and/or VAWA offenses. Clarify in your hazing policies how the “typical” investigation or resolution processes used in response to allegations of hazing will be impacted when Title IX or Clery-required procedures must be considered.
- Consider who will deliver prevention and awareness programs, and how. Since you already must provide primary prevention and awareness programs under VAWA,<sup>31</sup> could your institution add a hazing module to your existing content? Do you already offer training, including bystander intervention or training on campus-safety tools (e.g., campus safety apps), where hazing information could be reasonably included? As you make a plan for training, be sure that your training will address all students and employees, not just those associated with student organizations.
- Who will be responsible for developing the Transparency Report? Given the content, it seems ownership would most neatly fit with whomever is primarily responsible for adjudicating hazing offenses. However, if your institution has identified someone to serve as the institution’s CCO, be sure this person is consulted when the report is developed to ensure they agree the report, as designed, meets all requirements of the law.
- The SCHA indicates institutions don’t need to publish a Transparency Report until a student organization is found to have engaged in a hazing policy violation. However, in the spirit of transparency, consider creating and publishing a materially complete Transparency Report even if no hazing violations have been determined. Such a report could indicate that no student organizations were found to have violated campus hazing policies during the specified timeframe. This proactive step might stave off allegations that your institution has failed to publish a Transparency Report when, in fact, the institution has not yet had a resolution that requires such a report to be posted. Furthermore, you might thank yourself later if you publish a Transparency Report now on the institution’s website so that you aren’t scrambling to develop a Transparency Report if you have a student organization that is found to have engaged in a hazing policy violation after December 23, 2025.

[31] 20 USC 1092(f)(8)(A)(i)

## THINGS TO CONSIDER SOON

SCHA also requires institutions to compile and publish a Campus Hazing Transparency Report (Transparency Report). This report will provide information about student organizations who have been found to be in violation of your institution’s hazing policies, as that term is defined by your institution. Data used to populate the Transparency Report must start being collected on July 1, 2025, and must be published in a “prominent” location on your institution’s public website by December 23, 2025. As you begin preparing the components of the Transparency Report, consider the following:



- Hazing statistics might be different from data published in your Transparency Report for various reasons. For one, the institution's crime statistics reflect allegations of hazing, as defined by the SCHA, whereas Transparency Report disclosures only reflect *incidents where an organization has been found responsible* for violating an institution's hazing policy. Another reason is that incidents of hazing will only be disclosed in the statistics when the hazing occurred within your Clery Geography. This is not the case with the Transparency Report, as there are no location limitations applicable to that report. A third reason has to do with how the SCHA uses different lenses for student organizations. For Clery statistical purposes, the SCHA requires Clery statistics to be counted even for student organizations who aren't established or recognized by your institution. The Transparency Report, on the other hand, narrows the scope of eligible incidents to those involving established or recognized student organizations.<sup>32</sup> Finally, as noted previously, if your institution uses a separate definition of hazing for Clery statistics compared to policy violations, this could result in differences between reports. Consider adding a footnote to both reports indicating why there may be differences in the data each data set presents.<sup>33</sup>



- Consider where you will “prominently” post the Transparency Report on your institution's website. The same language exists for Title IX, requiring you to prominently display the Title IX Coordinator's contact information, so could you post the Transparency Report in a similar manner? Including it somewhere on the main splash page of your institution's website seems like it would meet this requirement.



## PLANNING PROCESS

The first time you will need to publish hazing statistics in your ASR will be on or before October 1, 2026.<sup>34</sup> However, much work will be required to ensure you don't find yourself scrambling at the last minute.

If you have not done so already, it is critical for those primarily responsible for your institution's Clery compliance efforts to begin conversations with key offices and departments to educate them on the SCHA and the new institutional requirements and disclosures. Some IHEs have formed special antihazing committees or working groups to address the specifications in the law, while others have used their established Clery compliance committees or a subgroup of that committee for this purpose.

[32] The student organization definition, presumably, only applies to established or recognized student organizations because while institutions may hold individual students accountable for off campus conduct, they may not be able to have the same leverage or jurisdictional control over a group that is not or never has been affiliated with the institution.

[33] A footnote may be wise since your institutional website that includes the Transparency Report must provide a statement notifying the public of the annual availability of hazing statistics in accordance with 20 U.S.C. 1092(f)(9)(D)(i). Since the SCHA requires you to cross-reference the statistics published in the ASR, you can see how the different requirements for these disclosures could easily confuse a consumer.

[34] Presumably, institutions will also be required to disclose hazing statistics as part of the Department's online data collection system during the data collection that will occur in 2026 for the 2025 calendar year statistics, if the online survey has been updated to collect this information.

Obviously, one of the first items on the agenda should include a detailed discussion of the law and implementation timeline with a clear understanding of which persons or offices have responsibility for each of the key compliance requirements. Next, a comprehensive review and identification of recognized, registered, or established student organizations as well as any unrecognized student organizations known to the institution is critical (don't forget to include formerly recognized student organizations that have temporarily lost recognition due to prior misconduct).

Updating your systems and processes for collecting crime reports from all intake offices and preferred receivers of reports is critical. This would include key functions such as student conduct, human resources, Title IX, equity and compliance, police/public safety, behavioral threat assessment and CARE teams, athletics, and other areas who may receive conduct-related reports on behalf of your institution. It is also yet another reminder of their responsibility to make sure the designated reporting structure of your institution is receiving these reports in a timely manner for Clery Act purposes.

From a policy and programming perspective, you will want to make sure institutional hazing policies are updated, implemented, and communicated to the campus community. You should also be prepared to deploy hazing prevention programming prior to the return of student groups who may return to campus earlier than others, such as members of athletic teams, the band, ROTC students, and the cast and crew of theatrical productions. Hazing policies should address when, how, and by whom this training will be delivered. A separate training plan will be beneficial to document the strategy of providing prevention programs not only for students, but also employees (as the SCHA requires that these programs be “designed to reach students, staff, and faculty”).<sup>35</sup> It might be prudent to establish a clear programming schedule for students, staff, and faculty and ensure this training is documented and tracked (not unlike what you should already be doing for VAWA educational programs).



While not specified in the law, those investigating reports of hazing should be trained on an annual basis regarding the relevant requirements of the SCHA, complying with federal and state laws (such as state hazing laws, Title IX, FERPA, etc.), reasons why hazing occurs, and the fundamentals of conducting hazing investigations, including consideration for developing an investigative strategy, information-gathering techniques, interviewing members and new members of a student organization, and determining findings and recommendations.

As with everything pertaining to Clery compliance, the new requirements contained in the SCHA are an institutional responsibility and will thus require an institution-wide effort to develop and deploy. This is especially important prior to publication of implementing regulations, which are not anticipated until 2027. In the interim, ED may provide sub-regulatory guidance and technical assistance, but has also signaled that the regulated community can expect guidance through enforcement cases. It will be important for institutions to develop comprehensive policies and procedures that comply with the law's requirements, and to follow those scrupulously. Doing so will best equip institutions to achieve the goal the law's name establishes: stop campus hazing.

[35] 20 U.S.C. 1092(f)(1)(L)





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