



March 24, 2020

The Honorable Betsy DeVos  
Secretary of Education  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

Dear Secretary DeVos:

First, let me thank you and other federal officials for the steps that you've taken to protect the American people during the COVID-19 pandemic. I would also like to draw your attention to another important tool that can help keep higher education communities safe – the Jeanne Clery Act's emergency notification requirement – and respectfully ask that you please publicly highlight this requirement along with related existing guidance as soon as possible.

The emergency notification requirement, enacted in 2008 and codified at 20 U.S.C. § 1092(f)(1)(J)(i), requires institutions to “*immediately notify the campus community* upon the confirmation of a... dangerous situation involving *an immediate threat to the health or safety of students or staff* occurring on the campus”. Department guidance, found in *The Handbook for Campus Safety and Security Reporting, 2016 Edition*, provides that this includes the “*outbreak of meningitis, norovirus or other serious illness*”. We, as campus safety consultants, have, however, seen that this may be overlooked compared to other threats like active shooters or weather events.

**We would suggest, consistent with existing guidance, that institutions be encouraged to work with public health authorities “to confirm a serious virus outbreak” and upon confirmation issue warnings.** This may be a positive test on-campus or an imminent community outbreak akin to an “approaching tornado, hurricane or other extreme weather conditions”. Also, while most associated with mass notifications the regulations, at 34 CFR § 668.46(g)(2)(ii), provide that a notification may be limited to an “appropriate segment or segments of the campus community” down to a single individual who may have been exposed. This flexibility too is often overlooked.

This action will help save lives, even on campuses that have limited their populations, and we thank you in advance for your consideration. If we can help in any way please don't hesitate to ask.

Sincerely,

A handwritten signature in black ink that reads "S. Daniel Carter". The signature is written in a cursive, flowing style.

S. Daniel Carter, President

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