

Commenter Name	ED Summary of Comment from VAWA NPRM	ED Response
Commenter A	<p>In PRA, ED needs to weigh the burdens of the rule against the benefits. ED should evaluate the utility of the individual information collection requirements against their costs, considering comment from affected institutions. If rule is implemented, ED should commit to evaluating the actual burdens of the required collections as well as the effect of that information on campus safety.</p>	<p>These requirements are a result of the statutory changes made by VAWA to the Clery Act and, as a result, the final regulations must be implemented and cannot be waived based upon some cost estimate. In addition to the PRA section of the NPRM there was an information collection (IC) sent to OMB for approval, the IC is periodically updated and re-sent to OMB for re-approval. This insures that the burden associated with this set of regulations will be evaluated in the future.</p>
Commenter B	<p>The additional reporting elements of the ASR will require significant collaboration across campus constituents who may not currently share the level of detail necessary per these guidelines. Even for a small campus, it seems Clery follow up and reporting is becoming a full time job with obligations of training and follow-up throughout the year – not a few hours to compile a report. This does not seem to be accurately represented in the time estimates noted in this document.</p>	<p>These changes are statutory in nature and cannot be waived because they are burdensome. Thank you for taking the time to provide comment on this issue. Over time, ED will re-evaluate the burden associated with these final regulations and the public will be afforded an opportunity to comment on the burden of these requirements.</p>
Commenter C	<p>The cost of complying with the proposed regulations may be quite significant, especially for smaller institutions that do not have existing staff members with the expertise or workload capacity to review and revise institutional policies or to conduct the required training.</p> <p>The cost of revising a single institutional policy or code of conduct has been estimated at \$3,500 – 12,500.</p> <p>The cost of conducting live, in-person</p>	<p>These requirements are a result of the statutory changes made by VAWA to the Clery Act and, as a result, the final regulations must be implemented and cannot be waived based upon some cost estimate.</p> <p>No methodology or bases for these estimates were provided by the commenter. ED is unable to respond to this calculation.</p> <p>Over time, ED will re-evaluate the burden associated with these final regulations and</p>

	<p>awareness and prevention programs may also be significant (which may be less costly, many institutions may believe that in-person programs are more effective than electronic programs).</p> <p>We encourage the Department to recognize that Clery Act compliance costs are significant and to work with the higher education community to consider comprehensively the compliance costs associated with Higher Education Act requirements and possible approaches to minimize those costs.</p>	<p>the public will be afforded an opportunity to comment on the burden of these requirements.</p>
<p>Commenter D</p>	<p>68.46(k)(2)(ii) on proceedings conducted by officials who, at a minimum, receive annual training, on... is an unfunded mandate on schools. Understands that this is mostly restatement of statutory language and not likely to be changed through regulations. ED acknowledged that it didn't attempt to quantify potential costs associated with prescribed annual training because costs could vary significantly amongst institutions. But, ED also acknowledged that a large number of impacted institutions are small entities, so could take into consideration impact of imposing undefined but potentially significant annual cost on small entities. The annual cost to obtain such required training can have negative implications upon small institutions, some of which may only process 30-40 applications for federal student aid per year, and more that process 100 or less per year.</p>	<p>These requirements are as a result of the statutory changes made by VAWA to the Clery Act, as a result, the final regulations must be implemented and cannot be waived based upon some cost estimate.</p> <p>The assertions noted are from the Regulatory Impact Analysis not from the Paperwork Reduction Act section of the NPRM.</p> <p>No methodology or alternative cost basis has been offered by the commenter.</p>