

May 16, 2014

The Honorable Claire McCaskill
U.S. Senate
506 Hart Senate Office Building
Washington, DC, 20510

Dear Senator McCaskill:

I write in response to your May 12 letter requesting that ACE provide your office with the list of institutions that participated in our recent webinar on congressional investigations, as well as the PowerPoint presentation handout.

As I noted in my earlier letter to you this week seeking a meeting to discuss the serious problem of sexual assault in society and on college campuses, I, along with the higher education community, very much appreciate your deep commitment to confronting and solving this problem. I also stressed that all college and university presidents share your concerns and commitment, and stand steadfast in their dedication to addressing education and prevention and ensuring a prompt, supportive, equitable response when sexual assaults occur.

Our member institutions have every reason to expect that ACE will respect their confidentiality, and we are honor-bound not to provide the names of the colleges and universities that participated in the webinar. For the same reasons, we also cannot release the presentation materials used during the webinar.

However, I hope you will accept my assurances that the free webinar was strictly educational, done at the request of a number of our members, and with the volunteer assistance of a law firm which provided the accompanying materials. The webinar in no way discouraged institutions from participating in your survey. To the contrary, the intent of the webinar was to provide straightforward information to institutions, many of which had never received a congressional request of this type and have no in-house counsel, on how congressional investigations proceed. Participants were advised to ensure their responses to the survey were correct.

While I cannot provide you with the information you seek about the webinar or its participants, I would like to extend several opportunities for you and your office to engage with ACE and our members on the issue of campus sexual assault.

For instance, we would be pleased to have you speak at ACE's June 24 Board of Directors meeting. We also could host a webinar where you could interact with a broad range of college and university presidents and other senior administrators. ACE also would appreciate the chance to publish an op-ed from you on campus sexual assault on our *Higher Education Today* blog (higheredtoday.org).

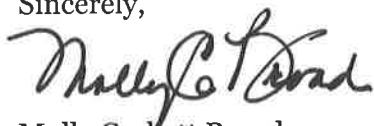
As I can say from personal experience, outside the death of a student, campus sexual assaults may be the most difficult and heart wrenching emotional issues confronting senior campus leaders. Such assaults also are frequently extraordinarily complex, and college administrators often are faced with navigating between conflicting stories, no witnesses, little or no evidence, impaired judgments and memories, and a long lag time between incident and report.

When an institution becomes aware of a sexual assault, its response is guided by twin core principles: protect the victim and be fair to both parties.

Every day, institutions make a good-faith effort to act promptly and fairly on the information made available to them by accusers and unearthed in the course of an investigation. Our goal is to assist colleges and universities in improving their capacity to respond to sensitive and complex circumstances. We also want to work with federal, state and local officials to combat sexual assaults on campus and share our expertise as the frequent first responders to these incidents.

Our institutions have been asking ACE for information and guidance about how to do the best job possible in responding to these situations. I hope you will understand our reasons for not sharing the webinar information you seek. But I also very much hope you will consider our offer to engage with our Board and our members so we can work together to achieve our common goal of providing the safest and most welcoming environment for all students.

Sincerely,

A handwritten signature in black ink, appearing to read "Molly Corbett Broad". The signature is fluid and cursive, with the first name "Molly" being the most prominent.

Molly Corbett Broad
President