



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF LEGISLATION AND CONGRESSIONAL AFFAIRS

May 21, 2014

Honorable Claire McCaskill
Chairman, Subcommittee on Financial and Contracting Oversight
United States Senate
Washington, DC 20510

Dear Senator McCaskill:

Thank you for your April 1, 2014, letter requesting information regarding sexual assault on college campuses and the oversight provided by the U.S. Department of Education (the Department) to protect students across the country. We appreciated the opportunity to meet with you about this issue on April 9, 2014, along with our colleagues from the Department of Justice (DOJ). This letter supplements the information we shared during that meeting. An identical letter is being sent to Subcommittee Ranking Member Ron Johnson.

We share your concerns about campus safety for our nation's students and want to assure you that the Department is committed to ensuring that colleges and universities that participate in the Federal student financial aid programs accurately report all campus crime statistics, including sexual assault incidents, and promptly review any allegations of discrimination on the basis of sex. We also take very seriously any alleged violations of the requirement that an institution provide a timely warning of certain crimes and appropriately review such allegations. The Department is committed to conducting Title IX¹ and Clery Act² compliance reviews and investigations to ensure accountability for institutions that fail to comply with these Federal laws.

Since 2009, the Department's Office for Civil Rights (OCR) has proactively initiated 22 compliance reviews focused on sexual violence and harassment. Of these, 15 compliance reviews included a specific focus on sexual violence issues at postsecondary institutions. In addition, OCR has entered into 52 resolution agreements with postsecondary institutions related to sexual violence. As of May 13, 2014, OCR had 64 pending Title IX complaint investigations involving allegations of sexual violence involving postsecondary institutions. Compliance reviews related to sexual violence comprise more than 10% of the total number of OCR's compliance reviews even though sexual violence complaints are less than 1% of the total number of complaints received by OCR.

The Department has also made training available to thousands of school personnel on how to improve compliance with Title IX, the Clery Act, and the Drug-Free Schools and Communities Act at several national and regional training conferences, including the National Training Conference offered by the Department's Federal Student Aid (FSA) office, which consistently draws more than 5,500 institutional officials each year, and at other forums that include training sessions on Title IX requirements delivered by OCR staff. The Department has focused special

¹ Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 *et seq.*

² Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990, 20 U.S.C. §1092(f)

attention on sexual assault prevention and response along with other essential campus safety topics such as emergency and evacuation procedures and threat assessment. FSA and OCR staff also jointly developed a promising new program in cooperation with the Philadelphia Bar Institute. This all-day training event provided in-depth guidance on the Clery Act and Title IX requirements, as well as other topics such as confidentiality protections for survivors of sexual assault and the treatment of records covered by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g. The program was offered to a diverse group of stakeholders including college and university attorneys, campus police and security officials, student affairs personnel, and victim advocates, among others.

In addition, the Department is an active participant in the White House Task Force to Protect Students from Sexual Assaults (Task Force) and has supported the Task Force in hosting a dozen online listening sessions and over a dozen in-person listening sessions to shape recommendations for how to best address and prevent sexual assault on college and university campuses. The Task Force's First Report was issued on April 22, 2014 and can be found at: http://www.whitehouse.gov/sites/default/files/docs/report_0.pdf.

We appreciate your interest and engagement on this important issue and look forward to continuing to work with your office. Attached please find responses to your specific questions. If you or your staff has additional questions, please contact this office at 202-401-0020.

Sincerely,



Lloyd Horwich
Principal Deputy Assistant Secretary

Enclosure

Attachment A

Clery Act Fines and Federal Student Aid Funding

Source: Postsecondary Education Participants System (PEPS) as of 4/7/2014							Source: Program Compliance Annual Funding Summaries								
School	OPE-ID	Type	Date FPRD-EDL	Fine Initiated or Planned	Date Fine Initiated	Fine Imposed / Settled	Date Fine Imposed / Settled	Award Years		Award Year Funding					
								Fine Initiated	Years Prior	2 Years After	2 Years Prior to Fine	1 Year Prior to Fine	Year of Fine	1 Year After Fine	2 Years After Fine
Mount St. Clare (Ashford U.)	00188100	Non-Profit	03/24/00	\$25,000	04/28/00	\$15,000	10/17/00	1999-2000	1997-1998	2001-2002	2,360,544	2,453,496	2,659,646	2,305,849	2,596,037
Salem International University	00382000	Proprietary	04/14/04	\$250,000	05/19/04	\$200,000	04/07/05	2003-2004	2001-2002	2005-2006	2,054,182	2,579,815	2,498,006	2,279,962	2,372,491
Miami University of Ohio	00307700	Public	05/24/05	\$27,500	09/13/05	\$27,500	10/24/05	2004-2005	2002-2003	2006-2007	58,159,745	63,507,663	67,069,153	69,752,932	70,899,779
Pittsburgh Technical Institute	00743700	Proprietary	12/29/05	\$110,000	N/A	\$55,000	09/18/07	2005-2006	2003-2004	2007-2008	20,676,372	21,902,200	22,492,471	22,981,433	24,720,605
La Salle University	00328700	Non-Profit	09/19/06	\$110,000	10/25/07	\$87,500	07/08/08	2007-2008	2005-2006	2009-2010	39,211,245	39,179,005	39,807,372	45,519,423	55,205,491
Eastern Michigan University	00225900	Public	11/14/07	\$357,500	12/14/07	\$350,000	06/05/08	2007-2008	2005-2006	2009-2010	108,535,642	115,148,675	121,647,369	142,859,313	179,080,745
Schreiner University	00361000	Non-Profit	02/08/09	\$55,000	06/25/09	\$42,000	07/02/10	2008-2009	2006-2007	2010-2011	7,152,842	6,895,359	7,727,981	8,986,388	9,307,776
Tarleton State University	00363100	Public	06/10/09	\$137,500	10/06/09	\$123,500	07/25/12	2009-2010	2007-2008	2011-2012	46,651,372	54,040,347	67,100,059	74,791,452	85,663,407
Paul Smith's College	00279500	Non-Profit	11/07/08	\$260,000	04/09/10	\$195,000	04/14/11	2009-2010	2007-2008	2011-2012	8,625,432	9,316,725	10,439,355	12,097,630	12,694,963
Virginia Tech	00375400	Public	12/09/10	\$55,000	03/29/11	\$32,500	01/30/14	2010-2011	2008-2009	2012-2013	122,277,750	142,556,957	151,643,450	155,441,504	149,392,770
Notre Dame of Ohio	00308500	Non-Profit	03/12/10	\$165,000	06/17/11	\$89,000	01/04/12	2010-2011	2008-2009	2012-2013	12,946,658	16,135,584	19,700,050	19,434,323	19,128,311
Washington State University	00380000	Public	03/08/11	\$82,500	08/19/11	\$82,500	02/14/13	2011-2012	2009-2010	2013-2014	173,923,741	185,493,600	197,561,620	199,405,904	*
University of Vermont	00369600	Public	04/25/11	\$65,000	03/09/12	\$55,000	10/11/12	2011-2012	2009-2010	2013-2014	115,141,756	117,340,150	120,351,615	111,135,540	*

Wesley College	00143300	Non-Profit	09/13/06	\$60,000	03/23/12	\$45,000	01/02/13	2011-2012	2009-2010	2013-2014	20,120,469	20,566,451	20,692,191	18,304,220	*
University of Northern Iowa	00189000	Public	04/25/11	\$110,000	03/12/13	\$110,000	03/27/13	2012-2013	2010-2011	2014-2015	94,911,446	86,502,589	78,178,726	*	*
University of North Dakota	00300500	Public	12/19/11	\$115,000	03/29/13	\$115,000	07/17/13	2012-2013	2010-2011	2014-2015	90,794,754	93,182,585	90,427,097	*	*
University of Texas - Arlington	00365600	Public	12/22/11	\$82,500	04/02/13	\$49,500	07/31/13	2012-2013	2010-2011	2014-2015	207,609,652	212,174,525	210,166,707	*	*
Liberty University	02053000	Non-Profit	03/23/10	\$165,000	04/03/13	\$120,000	12/18/13	2012-2013	2010-2011	2014-2015	576,776,438	703,778,654	787,264,186	*	*
Dominican College of Blauvelt	00271300	Non-Profit	04/03/12	\$262,500	04/09/13	\$200,000	07/19/13	2012-2013	2010-2011	2014-2015	20,552,675	19,747,858	19,779,249	*	*
Yale University	00142600	Non-Profit	05/23/11	\$165,000	04/19/13	\$155,000	07/09/13	2012-2013	2010-2011	2014-2015	80,782,359	80,043,475	74,440,812	*	*
Oregon State University	00321000	Public	07/16/10	\$280,000	09/27/13	\$220,500	02/19/14	2012-2013	2010-2011	2014-2015	171,591,647	186,286,764	190,166,689	*	*
Lincoln University	00247900	Public	02/14/10	\$275,000	10/25/13	Appealed 11/14/13	11/19/13 referred to OHA	2013-2014	2011-2012	2015-2016	26,391,036	22,475,316	*	*	*
<i>Note: Gray = Open</i>															
<i>* Full award year funding not available for current and future award years.</i>															

Responses to Senator McCaskill

- (1) Processes for conducting oversight of data reporting by colleges and universities;
 - A1. The Clery Act promotes consumer protection and transparency about crime and other public safety matters by requiring institutions which participate in the federal student financial aid programs under Title IV of the Higher Education Act of 1965, as amended (HEA) to provide accurate and complete information about campus safety and crime prevention to the campus community. Institutions must disclose statistics for the most serious incidents of crime that are reported to a campus security authority or local law enforcement agencies that occur on campus, in or on non-campus buildings or property or on public property 34 CFR 668.46(c). The Department's Clery Act Compliance Division (Clery Division) in the Federal Student Aid (FSA) office has developed a monitoring and enforcement program to assess compliance with these requirements. The Clery Division conducts in-depth campus crime program reviews to identify any violations of the Clery Act or the Department's regulations and appropriate responsive corrective actions that need to be taken by the institution. Many reviews are the result of complaints filed by victims of campus crime or their advocates. The Department also proactively conducts non-complaint-based reviews. Some of these latter reviews are conducted jointly with staff from the Federal Bureau of Investigation (FBI) under a Memorandum of Understanding between FSA and the audit unit of the FBI's Criminal Justice Information Service. Please see our response to item #4 below for more information about completed program reviews and enforcement actions.

In addition, every general assessment program review that is conducted by FSA's Office of Program Compliance includes a Clery Act compliance check. All findings of violation from these cases are reviewed by the Clery Division to ensure consistent application of the statute and regulations. The Clery Division also monitors media coverage of campus crime activity and conducts a preliminary assessment of major campus crimes to determine if any additional investigation is needed to determine if the institution complied with the Clery Act in response to these incidents. The Clery Division has also developed a strategic plan that will use crime analytics and other technology to more effectively monitor crime trends and identify possible compliance failures.

The Department also utilizes the services of Westat, a Federal contractor, to collect campus crime statistics from institutions and to provide customer support services. At the beginning of each year, Westat assists the Department in collecting annual crime and fire safety data from postsecondary institutions. In January, Westat sends a broadcast email to all institutions participating in the Title IV programs, reminding them of their responsibility under the Clery Act to make a good-faith effort to collect crime statistics from local and state law enforcement agencies. The process includes reminding institutions of their obligations, administering the on-line data collection of crime statistics, monitoring submissions by institutions, and data review and correction, if necessary.

Westat also maintains a year-round Help Desk to provide assistance to postsecondary institutions and agencies without interruption. All Help Desk staff members receive annual training on all Clery Act requirements, the content of the annual data collection, and the online data collection tool. In 2013, the Help Desk responded to 5,207 incoming phone calls and 1,684 incoming emails from postsecondary institutions or agencies looking for guidance on Clery Act compliance or seeking assistance in submitting their annual statistics.

(2) Copies of written materials or guidance provided to colleges and universities, local law enforcement, and other relevant agencies regarding legal issues, policies, and procedures;

A2. The Clery Act itself, which is §485(f) of the HEA and the Department's regulations at 34 CFR §668.41 and §668.46, provides significant information on how institutions must comply with the requirements of the Act. In addition, the Department has provided additional guidance for compliance with the Clery Act in the *Handbook for Campus Safety and Security Reporting* and the companion audio/visual presentation *Campus Safety and Security Reporting Training*. These items can both be found at:
<http://www2.ed.gov/admins/lead/safety/campus.html>.

Links for the *Handbook for Campus Safety and Security Reporting* and audio/video presentation, along with the *User Guide*, glossary, guidance emails and announcement letters are on the home page of the *Survey for Campus Safety and Security* website at <https://surveys.ope.ed.gov/security>.

In 2011, the Department's Office for Civil Rights (OCR) issued a first-of-its-kind Dear Colleague Letter (DCL) to educational institutions that receive federal financial assistance about their obligations under Title IX to prevent and address sexual violence. This policy document can be viewed at <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.html>.

In April 2014, OCR followed up on its 2011 guidance by issuing a detailed questions-and-answers document to address many of the questions received from students, colleges, and advocates. This document can be viewed at <http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>.

OCR has also issued several guidance documents about sexual harassment under Title IX including the following:

- 2001 Revised Sexual Harassment Guidance
(<http://www2.ed.gov/about/offices/list/ocr/docs/shguide.pdf>)
- 2008 pamphlet entitled *Sexual Harassment: It's Not Academic*
(<https://www2.ed.gov/about/offices/list/ocr/docs/ocrshpam.pdf>)
- 2010 *Dear Colleague Letter on Harassment and Bullying*
(<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.pdf>)

Additionally, OCR issued guidance in 2013 to remind educational institutions that retaliation is a violation of federal law, including Title IX. This guidance can be viewed at <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201304.pdf>.

- (3) Information regarding training provided to colleges and universities, local law enforcement, and other relevant agencies;
- A3.** As the Department’s contractor for the Campus Safety and Security Help Desk, Westat staff members provide technical assistance by telephone and email five days a week year-round. This assistance can range from answering a simple deadline question to offering customers resources such as the *User Guide* or the *Handbook for Campus Safety and Security Reporting* to assisting with a particularly challenging reporting situation. Senior Westat staff members have also conducted a variety of training sessions over the past ten years ranging from two hour webinars to two day in-person sessions. The length and focus of each session is determined based on the needs of the sponsor. The Department also provides high-quality Clery Act training and technical assistance to external and internal customers. We utilize a variety of methods to deliver training remotely via webinar or other electronic means. The Clery Division also offers technical assistance and information to institutions, law enforcement, other governmental agencies, auditors, consultants, and most importantly, students and families with concerns about campus safety.

The following list includes recent examples of the support that the Department has provided at various conferences and training initiatives in recent years.

2014 Philadelphia Bar Institute - Compliance with the Clery Act	Presentation and Panel
2014 Private Career College and Schools Conference	Presentation
2014 Region VI Advisory Council of Private Career Schools Conference	Webinar
2013 FSA Training Conference	Presentations
2013 U.S. Department of Education HBCU National Conference	Panel
2013 Minority-Serving & Under-Resourced Schools Division Speaker Series	Webinars
2013 Clery Center for Security on Campus Compliance Collaborative	Multiple Events
2012 FSA Training Conference	Presentations
2012 OCR Briefing/Clery Act Training for Sexual Harassment Network	Presentation and Panel
2012 Readiness & Emergency Management for Schools Tech.	Webinar

Asst. Center	
2012 Black Law Enforcement Executives Association Conference	Presentations

From 2011 to April 17, 2014, OCR conducted more than 60 presentations to colleges and university staff and administrators, law enforcement officers, attorneys, and advocacy groups. OCR proactively contacts higher education officials to offer technical assistance and also responds to requests from institutions and groups. OCR's technical assistance presentations have been conducted in multiple states and territories, to large and small colleges, including community colleges and statewide higher education systems. OCR has also recently presented to national advocacy and legal groups. Some examples are included below:

2014 Virginia Commonwealth University	Presentation
2014 University of Michigan Conference on Campus Sexual Assault Policy	Panel
2013 WA State Board for Community & Tech Colleges	Presentation
2013 Virginia Department of Criminal Justice Services	Presentation
2013 University of Missouri-St. Louis	Presentation
2013 University of Michigan Conference on Campus Sexual Assault Policy	Panel
2013 Selected Washington Postsecondary Institutions	Teleconference
2013 Selected Oregon Postsecondary institutions	Teleconference
2013 Selected Nevada Postsecondary institutions	Teleconference
2013 Selected Montana Postsecondary institutions	Teleconference
2013 Selected Idaho Postsecondary institutions	Teleconference
2013 Selected Hawaii Postsecondary institutions	Teleconference
2013 Selected Guam, Pacific Island Postsecondary institutions	Teleconference
2013 Selected Alaska Postsecondary institutions	Teleconference
2013 Portland State University	Presentation
2013 Ohio Safer Campus Task Force	Presentation
2013 North Carolina Diversity and Inclusion Partners	Presentation

2013 Norfolk State University	Presentation
2013 National Conference on Law and Higher Education	Panel
2013 Metropolitan State University of Denver	Presentation
2013 Lewis-Clark State College	Presentation
2013 Everett Community College	Presentation
2013 Ending Violence Against Women International	Panel
2013 Denison University	Presentation
2013 CUNY Office of Human Resources Management	Presentation
2013 Association of Independent Colleges & Universities	Presentation
2012 Wisconsin Technical College System	Presentation
2012 Virginia Campus Safety Forum	Presentation
2012 University of Mississippi Main Campus	Presentation
2012 University of Michigan Conference on Campus Sexual Assault Policy	Panel
2012 Thomas Jefferson University	Presentation
2012 Rockford College	Presentation
2012 Office of the Ohio Attorney General	Presentation
2012 OCR Civil Rights Seminar for Postsecondary Institutions	Presentation
2012 North Virginia Community College	Presentation
2012 New York Law School	Presentation
2012 New Jersey College Counseling Association	Presentation
2012 NC Coalition Against Sexual Assault Campus Summit	Presentation
2012 National Conference on Law and Higher Education	Panel
2012 National Collegiate Athletic Association	Presentation
2012 National Business Institute	Presentation
2012 National Association of Students Personnel Administrators	Presentation/Workshop
2012 National Association of Colleges & Univ. Attorneys	Presentation

2012 Everett Community College	Presentation
2012 Division of Florida Colleges	Presentation
2012 DC Consortium of Colleges and Universities	Presentation
2012 Curtis Institute of Music	Presentation
2012 CT Campus Coalition to End Violence Against Women	Presentation
2012 Community Colleges (Robbins Schwartz)	Presentation
2012 Clark College	Presentation
2012 Chicago Bar Association	Presentation
2012 Berklee College of Music	Presentation
2012 American Collegiate Health Association	Presentation
2011 University of Maryland School of Law	Presentation
2011 National Collegiate Athletic Association	Presentation
2011 National Association of Students Personnel Administrators	Presentation/Workshop
2011 George Mason University	Presentation
2011 Boston Area Rape Crisis Center	Presentation
2011 American Association of University Women	Presentation

(4) Information regarding all enforcement actions entered into since 1991, including the name of the school, a brief description, the resolution of the action (including penalties, if any) and any subsequent oversight;

A4. All Clery Final Program Review Determinations (FPRDs), as well as documents relating to any administrative fine actions and settlement agreements are available at the FSA Data Center:
<http://studentaid.ed.gov/about/data-center/school/clery-act>.

OCR opens many investigations each year based on complaints it receives. It also initiates a smaller number of investigations proactively, known as compliance reviews. Compliance reviews are not random audits of schools - they are selected based on various sources of information, including statistical data, news reports and information from parents, advocacy groups and community organizations.

Compliance reviews are initiated in order to remedy possible violations of students' rights. Both compliance reviews and complaint-based investigations can include narrower allegations pertaining to one or more individuals; issues related to school policies or practices that are systemic in nature and impact entire student bodies, schools, or school systems; or a combination of these elements. It should be noted that the opening of an investigation by OCR, whether based on a complaint or a compliance review, does not indicate that the school is violating or has violated any federal law or that OCR has reached a conclusion as to whether a violation has occurred.

OCR did not begin tracking statistics on enforcement related to sexual violence as a discrete issue until October 1, 2008. Since 2009, OCR has entered into 52 resolution agreements with postsecondary institutions related to sexual violence, and has 64 investigations still pending (as of May 13, 2014). The list of postsecondary institutions that OCR has investigated for Title IX sexual violence compliance since FY2008 follows:

State	Recipient Name	Resolutions	Stage
AK	UNIVERSITY OF ALASKA SYSTEM		Investigation
AZ	ARIZONA STATE UNIVERSITY		Investigation
AZ	UNIVERSITY OF ARIZONA	No Violation	Closed
CA	BUTTE-GLEN COMMUNITY COLLEGE DISTRICT		Investigation
CA	MERCED COLLEGE	Agreement	Closed
CA	OCCIDENTAL COLLEGE		Investigation
CA	PITZER COLLEGE	Agreement	Closed
CA	UNIVERSITY OF CALIFORNIA-BERKELEY		Investigation
CA	UNIVERSITY OF SOUTHERN CALIFORNIA		Investigation
CO	REGIS UNIVERSITY		Investigation
CO	UNIVERSITY OF COLORADO AT BOULDER		Investigation
CO	UNIVERSITY OF COLORADO AT DENVER		Investigation
CO	UNIVERSITY OF DENVER		Investigation
CT	UNIVERSITY OF CONNECTICUT		Investigation
CT	YALE UNIVERSITY	Agreement	Monitoring
DC	CATHOLIC UNIVERSITY OF AMERICA		Investigation
DC	GEORGE WASHINGTON UNIVERSITY	Agreement	Monitoring
DE	UNIVERSITY OF DELAWARE		Investigation
FL	FLORIDA STATE UNIVERSITY		Investigation
GA	CLARK ATLANTA UNIVERSITY	Agreement	Monitoring
GA	EMORY UNIVERSITY		Investigation
HI	UNIVERSITY OF HAWAII AT MANOA		Investigation
ID	UNIVERSITY OF IDAHO		Investigation
IL	KNOX COLLEGE		Investigation
IL	NORTHWESTERN UNIVERSITY	Agreement	Monitoring
IL	SOUTHERN ILLINOIS UNIVERSITY-CARBONDALE	Agreement	Monitoring
IL	UNIVERSITY OF ILLINOIS AT URBANA-CHAMPAIGN	Agreement	Closed
IL	UNIVERSITY OF CHICAGO		Investigation
IN	INDIANA UNIVERSITY-BLOOMINGTON		Investigation
IN	UNIVERSITY OF NOTRE DAME	Agreement	Monitoring

IN	VINCENNES UNIVERSITY		Investigation
KS	UNIVERSITY OF KANSAS	Agreement	Monitoring
KY	KENTUCKY WESLEYAN COLLEGE	Agreement	Monitoring
MA	AMHERST COLLEGE		Investigation
MA	BOSTON UNIVERSITY		Investigation
MA	EMERSON COLLEGE		Investigation
MA	HARVARD COLLEGE		Investigation
MA	HARVARD UNIVERSITY - LAW SCHOOL		Investigation
MA	MASSACHUSETTS MARITIME ACADEMY	Agreement	Monitoring
MA	QUINCY COLLEGE	Agreement	Monitoring
MA	TUFTS UNIVERSITY	No Violation	Closed
MA	TUFTS UNIVERSITY	Agreement	Enforcement
MA	UNIVERSITY OF MASSACHUSETTS-AMHERST		Investigation
MD	FROSTBURG STATE UNIVERSITY		Investigation
MD	ST MARY S COLLEGE OF MARYLAND	Agreement	Monitoring
MI	EASTERN MICHIGAN UNIVERSITY	Agreement	Monitoring
MI	MICHIGAN STATE UNIVERSITY		Investigation
MI	MICHIGAN STATE UNIVERSITY		Investigation
MI	UNIVERSITY OF MICHIGAN-ANN ARBOR		Investigation
MO	LINCOLN UNIVERSITY	Agreement	Closed
MS	UNIVERSITY OF MISSISSIPPI	Agreement	Monitoring
MT	UNIVERSITY OF MONTANA-MISSOULA	Agreement	Monitoring
NC	GUILFORD COLLEGE		Investigation
NC	UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL		Investigation
ND	MINOT STATE UNIVERSITY		Investigation
NH	DARTMOUTH COLLEGE		Investigation
NJ	PRINCETON UNIVERSITY	No Violation	Closed
NJ	PRINCETON UNIVERSITY		Investigation
NJ	RIDER UNIVERSITY	Agreement	Closed
NM	NORTHERN NEW MEXICO COMMUNITY COLLEGE	Agreement	Closed
NM	SOUTHWEST ACUPUNCTURE COLLEGE	Agreement	Closed
NY	CUNY HUNTER COLLEGE		Investigation
NY	ELMIRA COLLEGE		Investigation
NY	HOBART AND WILLIAM SMITH COLLEGES		Investigation
NY	SARAH LAWRENCE COLLEGE		Investigation
NY	STATE UNIVERSITY OF NEW YORK AT BINGHAMTON		Investigation
NY	STATE UNIVERSITY OF NEW YORK SYSTEM	Agreement	Monitoring
NY	THE NEW SCHOOL UNIVERSITY	No Violation	Closed
OH	DENISON UNIVERSITY		Investigation
OH	NOTRE DAME COLLEGE	Agreement	Monitoring
OH	OHIO STATE UNIVERSITY		Investigation
OH	OWENS STATE COM. COLLEGE-TOLEDO CAMPUS	Agreement	Closed
OH	THE UNIVERSITY OF AKRON		Investigation
OH	WITTENBERG UNIVERSITY		Investigation
OH	WITTENBERG UNIVERSITY		Investigation
OH	XAVIER UNIVERSITY	Agreement	Monitoring

OK	OKLAHOMA STATE UNIVERSITY		Investigation
PA	CARNEGIE MELLON UNIVERSITY		Investigation
PA	FRANKLIN AND MARSHALL COLLEGE		Investigation
PA	HAVERFORD COLLEGE	Agreement	Monitoring
PA	PENNSYLVANIA STATE UNIVERSITY		Investigation
PA	SWARTHMORE COLLEGE		Investigation
PA	TEMPLE UNIVERSITY		Investigation
TN	VANDERBILT UNIVERSITY		Investigation
TX	CISCO JUNIOR COLLEGE		Investigation
TX	SOUTHERN METHODIST UNIVERSITY		Investigation
TX	SOUTHERN METHODIST UNIVERSITY		Investigation
TX	SOUTHERN METHODIST UNIVERSITY		Investigation
TX	THE UNIVERSITY OF TEXAS-PAN AMERICAN		Investigation
VA	COLLEGE OF WILLIAM AND MARY		Investigation
VA	UNIVERSITY OF VIRGINIA-MAIN CAMPUS		Investigation
VA	VIRGINIA MILITARY INSTITUTE	Agreement	Monitoring
VA	VIRGINIA COMMONWEALTH UNIVERSITY	Agreement	Monitoring
WA	WASHINGTON STATE UNIVERSITY		Investigation
WI	UNIVERSITY OF WISCONSIN-WHITEWATER		Investigation
WV	BETHANY COLLEGE		Investigation
WV	GLENVILLE STATE COLLEGE	Agreement	Monitoring
WV	SCHOOL OF OSTEOPATHIC MEDICINE		Investigation

Although OCR cannot provide detailed information regarding sexual violence enforcement efforts related to sexual violence before October 1, 2008, when OCR began tracking the issue as a discrete category, OCR data does indicate that, from October 1, 1993 to April 21, 2014, OCR resolved 17,710 complaints with resolutions that required change or action by institutions. Among these 17,710 resolutions, 2,571 were Title IX complaints.

(5) The amount of federal funding received by each school in (4) for the two years preceding, during, and the two years subsequent to the enforcement action;

A5. Attachment A lists the twenty-two schools against which the Department has proposed to impose a fine based on the institution's violation of the Clery Act. The spreadsheet includes the fine amount actually imposed and the amount of federal student financial aid funding for each school for the period requested.

OCR has not withheld federal funding from any higher education institution due to a Title IX sexual violence investigation.

(6) The number of universities that have been suspended from participating in federal student aid programs since 1991;

A6. The Clery Act itself provides that the primary sanction imposed by the Department should be a fine (see the spreadsheet above in response 5). As reflected in the spreadsheet provided in response to question 5, the Department has imposed fines on 22

institutions for violations of the Clery Act. The Department has not taken a limitation, suspension or termination (LST) action against an institution based on Clery Act violations.

The Department does have the authority under the HEA to initiate an action to limit, suspend or terminate an institution's participation in the federal student financial aid programs if the institution commits serious violations of the HEA or the Department's regulations. The Department has taken LST action against a number of institutions over the years based on violations of the rules relating to the distribution of use of federal student financial aid funds.

(7) Data related to how many sexual assault cases are adjudicated administratively by universities vs. how many are dealt with in the local criminal system;

A7. Neither the Clery Act nor Title IX requires that institutions provide statistics on the number of sexual assault cases that are adjudicated in their administrative adjudication processes or in local courts. Therefore, we do not have the information you requested.

(8) The number and pay grade of full time federal employees responsible for these issues at the Department;

A8. OCR's enforcement staff (e.g., enforcement attorneys, equal opportunity specialists) work on cases related to all of the statutes under OCR jurisdiction, including but not limited to Title IX. OCR's Program Legal Group, which is responsible for drafting policy guidance, includes a Title IX team. OCR does not have any staff assigned solely to Title IX enforcement.

Similarly, FSA has staff which work on reviewing institutions' compliance with all of the requirements of Title IV, including the Clery Act. In addition, the Department has a Clery Act Compliance Division solely dedicated to Clery reviews and enforcement. This division includes 14 staff ranging in pay from a GS-7 to GS-14. Other staff from the Department assists as needed.

(9) If contractors provide support services related to these issues, the number of full time-equivalent contractors, their responsibilities, and the contract number of the contract under which they are employed;

A9. Under contract number: ED-IES-10-C-0016, the Department has retained Westat to provide certain services in support of the Department's campus crime statistics data collection. We have described those services earlier.

Westat dedicates 9.5 salaried and 5.2 hourly full-time equivalent employees (FTEs) to this project. The majority of their time is concentrated during the data collection period from July-December annually; however, contract staff also provides technical assistance throughout the year. Contract employees also staff the Help Desk to provide training,

update and maintain the data collection, and coordinate and update the *Handbook for Campus Safety and Security Reporting*.

OCR does not have any contractors, part-time or otherwise, who work on these issues.

(10) Any audits, investigations, or other reports related to the Department's work on campus sexual assault dated from 1991 to the present, including any analyses prepared by private contractors.

A10. March 1997 GAO Report entitled, "Campus Crime: Difficulties Meeting Federal Reporting Requirements." This report is available at:
<http://www.gao.gov/assets/230/223730.pdf>.

During this Administration, OCR has released the following reports that relate to its work, including Title IX enforcement activities:

In 2012, OCR released a report to the President and Secretary of Education entitled *Helping to Ensure Equal Access to Education* (<http://www2.ed.gov/about/reports/annual/ocr/report-to-president-2009-12.pdf>).

In 2012, OCR released a Title IX enforcement highlights document that includes work related to sexual violence (<http://www2.ed.gov/documents/press-releases/title-ix-enforcement.pdf>).

