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Complexities of Clery Act Reporting Requirements as Related to Non-Compliance:

Perceptions of Compliance Officials at Midwest Higher Education Institutions

by

William R. Kenny

A Dissertation submitted to the Education Faculty of Lindenwood University

In partial fulfillment of the requirements for the

Degree of

Doctor of Education

School of Education

Complexities of Clery Act Reporting Requirements as Related to Non-Compliance:
Perceptions of Compliance Officials at Midwest Higher Education Institutions

by

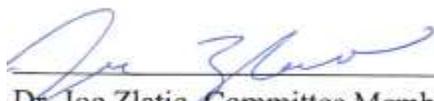
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This dissertation has been approved in partial fulfillment of the requirements for the
degree of
Doctor of Education
at Lindenwood University by the School of Education



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Declaration of Originality

I do hereby declare and attest to the fact that this is an original study based solely upon my own scholarly work here at Lindenwood University and that I have not submitted it for any other college or university course or degree here or elsewhere.

Full Legal Name: William R. Kenny

Signature: William R. Kenny Date: 04/12/2019

Dedication

This dissertation is dedicated to the life of Jeanne Clery and to her parent's endless commitment to enhance safety at higher education institutions throughout our country. Howard and Connie Clery were instrumental in the development and implementation of federal legislation to protect college students against violent crime. Their efforts changed campus security procedures and initiatives that have saved countless lives.

Acknowledgement

I would like to take the opportunity to acknowledge my family and friends who supported me along this incredible journey. I would not have been able to complete this dissertation without the assistance of my fiancé, Jazmin Gibson, my mother, Carolyn Karpa and my stepfather, Don Karpa. You were always there to assist me with the girls and take care of things when I was busy with my studies. To my daughters, Alaina Kenny, Lily Kenny, and Alexzandra Kenny, thank you for your unconditional love. You girls are the light of my life.

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In closing, I would like to thank my dissertation committee, Dr. Thomas Trice, Dr. Joe Zlatic, and Dr. Kevin Winslow for their wisdom and guidance. Your direction and leadership has been invaluable during this study and I am forever grateful. To my best friend and committee chair, Dr. Thomas Trice, this endeavor has been more meaningful with you by my side.

Abstract

Violent crimes and sexual assaults on higher education campuses in the United States has been an ongoing for decades. In 1990, Congress enacted the Jeanne Clery Act in to enhance the safety of students by requiring higher education institutions to publish their crime statistics and security policies in the form on an Annual Security Report (Fox, Khey, Lizotte, & Nobles, 2012; Richards & Kafonek 2013). Previous research revealed the Clery Act's many requirements are confusing and open to interpretation, which has prevented higher education institutions from maintaining compliance (Wood & Janosik, 2012).

This study investigates the complexities of Clery Act requirements as they relate to institutional non-compliance from the perspective of Clery Act compliance officials. The researcher conducted interviews with 20 Clery compliance officials and triangulated their responses with previous research and secondary data obtained in the literature review. The results identified specific information related to the complexities of Clery Act requirements and recommendations to enhance compliance. At the conclusion of the study several areas of future research were identified that could help generate additional information as to the factors that impede and enhance Clery Act compliance.

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Chapter One: Introduction

It has been well documented that crime rates on higher education campuses in the United States are much lower than the national crimes rates in any given community, reinforcing that students are safer on campus than anywhere else (Fisher & Sloan, 2013). However, Kaplin and Lee (2007) indicated the number of violent crimes; especially sexual assaults have increased over the years. Anderson and Clement (2015) with the Washington Post reported the outcome of the Kaiser Family Foundation poll revealed 25% of college women and 7% of college men reported being victims of sexual assault at some point during their college days (para. 3). The results of an additional study in 2015 sponsored by the Association of American Universities (AAU) supported the results of the Washington Post-Kaiser Family Foundation Poll (as cited in Cantor et al., 2015). The AAU study surveyed 150,000 students from 27 universities (as cited in Cantor et al., 2015). The results indicated 26% of senior female students, 6% of senior male students, and 29% of senior transgender students reported experiencing sexual assault since enrolling in college (Cantor et al., 2015, p. 116).

Prior to the 1970s, higher education institutions were not liable for protecting students against crimes that occurred on campus within Clery geography (Fisher & Sloan, 2013; Heacox, 2012). According to Heacox (2012), Clery geography included all on campus property, off campus property owned by the institution used by students, and public property immediately adjacent to the campus. McNeal (2007) stated, “Higher education institutions were not legally required to provide safe campuses or to report their campus crime statistics which allowed institutions to portray themselves as safe when all too often they were not” (p. 105). However, the sexual assaults of college

students Lisa Mullins, and Madelyn Miller in the 1970's, and the brutal rape, torture, and murder of Jeanne Clery in 1986 brought significant attention to campus crime rates and higher education security policies (Kaplin & Lee, 2007).

In 1986 Jeanne Clery, a 19-year-old student at Lehigh University in Pennsylvania was raped and murdered in her dormitory room by a fellow classmate (Kaplin & Lee, 2007). In 1990 Congress passed the Student Right to Know Campus Security Act, later named the Jeanne Clery Disclosure of Campus Security Policies and Campus Crime Statistics Act, hereafter referred to as the Clery Act (Richards & Kafonek 2016; Wood & Janosik, 2012). The purpose of the Clery Act was to protect higher education students by keeping them and their parents informed of crimes on campus and safety policies (Fisher & Sloan, 2013; Fox, , Khey, Lizotte, & Nobles, 2012).

The Clery Act intended to protect students by mandating all higher education institutions who received federal Title IV funding to publish an Annual Security Report, hereafter referred to as ASR, and make it available to all students, parents and school employees (Fisher & Sloan, 2013; Heacox, 2012; Richards & Kafonek, 2016). The Clery Act required the ASR to contain campus crime statistics for the past three years, and security policy statements to enhance student safety (Fisher & Sloan, 2013; Heacox, 2012; Richards & Kafonek, 2016). Higher education institutions must comply with Clery Act requirements or face significant fines or loss of federal funding (Wood & Janosik, 2012).

The Department of Education, hereafter referred to as DOE, is responsible for overseeing Clery Act compliance (Kiss, 2013). The DOE has administered fines to higher

education institutions who have not complied with Clery Act requirements but they have yet to strip an institution of their ability to receive federal funding (Kiss, 2013).

Over the past 27 years, Clery Act compliance officials have spent numerous hours and resources attempting to understand and comply with Clery Act reporting requirements (Richards & Kafonek, 2016; Wood & Janosik, 2012). Most commonly, campus police chief/security administrators are responsible for the majority of Clery Act compliance related tasks at their respective institutions. In some cases, higher education administrators have created a Clery Act compliance official position in their police/security departments to meet the demands of Clery Act requirements. The many legal requirements have made it difficult for Clery Act compliance officials to understand all of the Act's legal mandates (Gregory & Janosik, 2013; Wood & Janosik, 2012). To add to the complexity, the Clery Act has been amended numerous times by other federal legislation including, Title IX of the Education Amendments of 1972 (Title IX) the Violence Against Women's Act (VAWA, 2013), the Higher Education Opportunity Act (HEOA) of 2008 and the Family Educational Rights and Privacy Act (FERPA) (Gregory & Janosik, 2013; Kiss, 2013).

Contrary to lack of supporting evidence and in light of previous research, many Clery advocates believed Clery Act compliance officials were intentionally manipulating their campus crime statistics (Fisher & Sloan, 2013; McNeal, 2007; Yung, 2015). McNeal (2007) believed higher education institutions were intentionally hiding their campus crime statistics from students and parents to protect their reputation and increase enrollments. In 2015, Yung conducted a study that involved the sexual assault statistics for 31 higher education institutions audited by the DOE between 2001 and 2012. Yung

(2015) stated, “The results indicated the sexual assault data in the institutions’ ASR severely under reported the number of sexual assaults on campus and the actual rate of sexual assault was 44% higher than the numbers submitted” (p. 7). The ASR is the only source of public information that includes campus crime statistics (Fisher et al., 2013). Yung (2015) suggested that Clery Act compliance officials have internal ambitions to under report crime statistics that are available to the public in order to attract students and protect the reputation of the institution. McNeal (2007) stated, “The failure of institutions of higher education to fully comply with Clery Act mandates is believed to be associated with institutional efforts to maintain an ultra-safe image” (p. 107).

Clery Act compliance officials have had numerous issues complying with all of the Clery Act mandates required in their ASR (Wood & Janosik, 2012). Interviews conducted with Clery Act compliance officials indicated reporting requirements were voluminous, ill focused, and confusing (Wood & Janosik, 2012). Gregory and Janosik (2013) stated, “After more than two decades, some Clery Act compliance officials may not fully understand some of the nuances of the Act” (p. 56). Fisher and Sloan (2013) indicated the majority of research conducted on campus crime reporting revealed most compliance officials did their best to comply with Clery Act reporting requirements but unintentional mistakes occurred due to the complexities of the requirements.

The number of amendments over the past 27 years enhanced the complexities of the Clery Act crime reporting and security policy statements for higher education compliance officials (Wood & Janosik, 2012). Wood and Janosik (2012) stated, “Despite higher education officials’ attempts to adhere to Clery Act regulations, many colleges and universities do not comply with federal regulations” (p. 9). McNeal (2007) indicated

proper Clery Act compliance training would help clarify the Act's many requirements and enhance compliance. McNeal (2007) stated, "Successful implementation of the Clery Act is for campus administrators to provide compliance officials with a greater understanding of the procedural aspects involved in implementing Clery Act requirements" (p. 112). Wood and Janosik (2012) recommended higher education administrators do more to educate their students and faculty members on Clery Act requirements. Furthermore, Wood and Janosik (2012) believed the DOE should do more to assist higher education institutions with compliance.

Solovay (2016) believed the issues of non-compliance stemmed from a lack of training and administrative support. Solovay (2016) stated, "Given proper training compliance officials can have a tremendous impact on the effort to eliminate violence on campus" (p. 33). Wood and Janosik (2012) reported administrators within higher education institutions needed to collaborate in order to enhance compliance. Wood and Janosik (2012) stated, "Although the official source of crime reporting data stems from the campus police office, many campuses include university counsel, student affairs representatives, counselors, and various other administrators in the data collection process." (p. 13).

Purpose

The purpose of this study is to investigate the complexities of Clery Act requirements as they relate to institutional non-compliance from the perspective of Clery Act compliance officials. Clery Act compliance officials have had numerous issues complying with all Clery Act requirements (Wood & Janosik, 2012). Anecdotal evidence obtained from a personal interview with a Clery Act compliance official with 16 years of

experience suggested there were numerous organizations that provided Clery Act training for higher education compliance officials in the United States (M. Green, personal communication, April 8, 2016). In addition, the DOE created *The Handbook for Campus Safety and Security Reporting* in 2005 to help compliance officials adhere to Clery Act reporting requirements (Gregory & Janosik, 2013).

The DOE amended the *handbook* in 2011 and 2016 to include additional legislative requirements and amendments to the Clery Act. The *handbook* contains systematic information on how to develop policy statements and use various resources to collect accurate campus crime statistics (Westat, Ward, & Mann, 2016). Despite the compliance assistance training and material, compliance officials still have problems understanding Clery Act legislative requirements (Gregory & Janosik, 2013). Fisher and Sloan (2013) indicated the majority of research conducted on campus crime reporting and security policies revealed most compliance officials did their best to comply with Clery Act reporting requirements but unintentional mistakes occurred due to the complexity of the requirements.

To get an adequate understanding of the complexities and non-compliance issues associated with the Clery Act the researcher will conduct interviews with higher education Clery Act compliance officials in the Midwestern region of the United States. This study will generate a more complete understanding of the complex variables involved in complying with Clery Act requirements from the perspective of institutional compliance officials as well as their experiences with non-compliance. This study will attempt to identify specific requirements of the Clery Act that are most complex, the factors that enhance or impede overall compliance, and the steps higher education

administrators, federal legislators, and the DOE can take to enhance compliance. The following eight research questions guided this study:

Research Questions

Research Question 1: Do Clery Act compliance officials perceive the Clery Act requirements can be met?

Research Question 2: Do Clery Act compliance officials perceive Clery Act requirements are too complex for overall understanding and compliance?

Research Question 3: What factor(s) do Clery Act compliance officials believe enhance or limit their ability to comply with Clery Act requirements?

Research Question 4: What are the relationships between the complexities of the Clery Act reporting requirements and institutional non-compliance?

Research Question 5: What measure(s) do Clery Act compliance officials believe their institution could take to enhance Clery Act compliance?

Research Question 6: What measure(s) do Clery Act compliance officials believe Federal legislatures could take to enhance Clery Act compliance?

Research Question 7: What measure(s) do Clery Act compliance officials believe the Department of Education (DOE) could take to enhance Clery Act compliance?

Research Question 8: How does the perceptions of Clery Act compliance officials compare with the secondary data obtained from the Department of Education's (DOE) and United States Subcommittee on Sexual Violence?

Problem Statement

Almost three decades after the Clery Act was signed into law some Clery Act compliance officials at higher education institutions still have problems understanding Clery Act legislative requirements leading some experts to believe the Act is too complex for overall understanding and compliance (Wood & Janosik, 2012). Information provided by the DOE revealed numerous institutions have been monetarily sanctioned for failing to comply with Clery Act requirements (Federal Student Aid, 2016).

Definitions of Terms

Annual Security Report - Is a mandatory requirement under the Clery Act which contains information on the higher education institution's reported crime statistics, security policies and procedures, emergency notifications and procedures, security awareness programs, crime prevention programs, and sexual assault awareness programs (Fisher & Sloan, 2013).

Campus Security Authority - Any person or organization associated with higher education institutions who is required to report criminal activity (Kiss, 2013; Westat et al., 2016).

Clery Act - Federal legislation that required all higher education institutions who received Title IV funding to publish their crime statistics and security policy statements in an Annual Security Report (Fisher & Sloan, 2013; Richards & Kafonek, 2016; Wood & Janosik, 2012).

Compliance - The ability for higher education officials to follow and understand the many legal requirements of the Clery Act (Gregory & Janosik, 2013).

Compliance Officials - Higher education Campus Police/Security officials responsible for collecting and publishing campus crime statistics and security policy statements at their institution (Wood & Janosik, 2012).

Department of Education - Department of the United States Federal Government that enforces Clery Act compliance by investigating complaints, conducting audits and administering resolutions (Kiss, 2013).

Family Educational Rights and Privacy Act - Is a federal law that protects higher education student's privacy but allows parents specific rights in relation to education records (Kiss, 2013).

Higher Education Opportunity Act of 2008 - Amended the Clery Act to include emergency warning notifications, missing student and fire safety policy statements in higher education institution's ASR (Carter, 2010; Westat et al., 2016).

Sanctions - Negative consequences colleges and universities face for not complying with Clery Act mandates. These sanctions include loss of title IV funding, significant fines for each Clery Act violation, increased civil liability, and an unsavory reputation for the institution (Wood & Janosik, 2012).

The Handbook for Campus Safety and Security Reporting - The DOE created the handbook in 2005 to help compliance officials adhere to Clery Act reporting requirements (Gregory & Janosik, 2013). The handbook contains systematic information on how to develop policy statements and use various resources to collect accurate campus crime statistics (Westat et al, 2016).

Title IX of the Education Amendments of 1972 - Is a federal law that protects student's civil rights against gender based sexual discrimination on higher education campuses (Koss, Wilgus, & Williamsen, 2014).

Title IV Funding - Higher education institutions that utilize federal student aid programs under Title IV of the Higher Education Act of 1965 (Kiss, 2013).

Violence Against Women Act - In 2013, the VAWA amended the Clery Act to expand the rights of college and university students to include, prevention programs and confidential reporting (Clery Center for Security on Campus, 2012).

Significance of the Study

The purpose of the Clery Act is to protect college students from violent crime while on campus or on campus property in direct support of student activities (Fisher & Sloan, 2013; Heacox, 2012; Richards & Kafonek 2016). The legislation intended to accomplish this by requiring higher education institutions to publish their campus crime statistics and security policy statements (Fisher & Sloan, 2013). The many legal requirements and amendments to the Clery Act have made it difficult for compliance officials to understand all of the Act's legal mandates (Gregory & Janosik, 2013).

The study relied on two sources of secondary data. The secondary data will add value to this study by identifying the non-compliance issues plaguing Clery Act compliance officials nationwide. The first source of data collected from the DOE identified four common Clery Act compliance violations at higher education institutions between 2011 and 2015 (Federal Student Aid, 2016). The second source of data collected by The United States Senate Subcommittee per the request of Chairman Missouri State Senator Claire McCaskill revealed quantitative and qualitative data regarding non-

compliance issues generated from 440 public and private four-year institutions in the United States (United States Senate, 2014). Chairman McCaskill is leading the political efforts to reduce sexual violence on campus. The qualitative data received from the participant's interviews will address research questions 1 through 7. The researcher will compare the participant's responses to the interview questions with the secondary data to answer research question 8.

This study will fill the gap in the current literature by generating new information regarding the perceptions of Clery Act compliance officials as to what specific factors impede and enhance compliance. The researcher will also compare these factors with expert opinions, prior research, and secondary data obtained from the DOE and the United States Subcommittee on Sexual Violence to verify complexity issues and identify new areas of non-compliance. In addition, this study will seek to identify the steps higher education administrators, federal legislatures, and the DOE can take to enhance compliance.

Conclusion

Even though campus crime rates are typically lower than the crime rates in the surrounding communities, the increases in violent crime and sexual assaults are of great concern to all stakeholders in higher education. In recent years, courts have held higher education institutions liable for failing to protect students (Fisher & Sloan, 2013; Kaplin & Lee, 2007). In addition, the DOE has administered sanctions and fines against higher education institutions for failing to comply with Clery Act requirements (Federal Student Aid, 2016; Kiss 2013; Wood & Janosik, 2012). Congress enacted the Clery Act in 1990 to enhance student safety and hold higher education institutions accountable who fail to

publish accurate crime statistics and security policies (Fox et al., 2012). Some experts in campus security believe higher education institutions fail to report accurate crime statistics in order to protect the reputation of their institution, while other experts believe the Clery Act is too complex for overall compliance (Gregory & Janosik, 2013; McNeal, 2007).

The Clery Act is an important piece of legislation that requires higher education institutions to publish their campus security policies and crime statistics in the form of an ASR (Fisher & Sloan, 2013; Heacox, 2012; Richards & Kafonek 2016). Most experts in campus security believe Clery Act compliance officials spend a great deal of time and resources to include necessary and accurate information in their ASR in order to avoid DOE sanctions (Richards & Kafonek, 2016; Fisher & Sloan, 2013). The recent amendments to the Clery Act have only compounded the issues of non-compliance by adding additional layers of complex requirements (Gregory & Janosik, 2013).

The researcher focused on achieving four goals for this study. These goals included, (a) determine which Clery Act requirements were the most difficult to comply with, (b) identify institutional factors impeding compliance, (c) determine what institutional factors enhanced compliance, and (d) identify the steps federal legislatures, and the DOE could take to enhance compliance. This study will seek information from Clery compliance officials to gain a more complete understanding of the complex variables involved in complying with Clery Act requirements. Identifying these variables through the perspective of compliance officials may lead to greater dialog between higher education administrators, federal legislatures and DOE officials in areas of institutional compliance.

Chapter Two: Literature Review

Pre Clery Act

Over the past several decades, increases in violent crimes including rape and murder on campuses in the United States prompted Congress to enact laws mandating higher education institutions publish their crime statistics and security policies (Solovay, 2016; Wood & Janosik, 2012). Several high profile rapes and murders in the 1970s, and 1980s on higher education campuses brought attention to how vulnerable students were to random acts of violence (Kaplin & Lee, 2007). In the past, court rulings mostly favored higher education institutions (Daly, Keller, Lewis, & Sokolow, 2008). However, in recent times victims successfully sued higher education institutions for damages related to violent crimes on campus (Daly et al., 2008). Kaplin and Lee (2007) stated,

Although contemporary jurisprudence rejects the concept that colleges are responsible for the safety of students, institutions of higher education were liable for injury to students when the injury was foreseeable or when there was a history of criminal activity on campus. (pp. 392-393)

Daly, Keller, Lewis, & Sokolow (2008), asserted that higher education institutions had an obligation and duty to protect their students against victimization under the student/institution relationship theory and landlord/tenant theory. Research has shown the majority of reported sexual assaults at colleges and universities occur on campus in residential housing units by offenders who attended the same school and known to the victim (Fisher, Cullen, & Turner, 2000). Sampson (2002) authored a report titled *Acquaintance Rape of College Students* stated, "Rape is the most violent crime on American campuses." Sampson (2002) further identified several components of

acquaintance rape including party rape, date rape, non-party rape, intimate partner rape, and former intimate partner rape. In 2015 researchers conducted a study of 704 male and female students from a large Midwestern university that revealed students living in fraternity/sorority housing and in on campus residence halls were at greater risk of sexual assault (Franklin, 2015; Tyler, Schmitz, & Adams, 2015).

As early as the 1970s, higher education institutions were not held liable for failing to protect students from victimization while on campus (Fisher & Sloan, 2013). The campus sexual assaults of Lisa Mullins and Madelyn Miller in the 1970s and the campus sexual assault and murder of Jeanne Clery in 1986 were tragic examples of institutional negligence in regards to the expectations of the institution to provide safety for students (Kaplin & Lee, 2007).

In the case *Mullins v. Pine Manor College*, 449 NE. 2d 331 (Mass. 1983) the Massachusetts court outlined several areas of institutional liability involving the institution's campus security personnel and lack of supervision. On December 11th, 1977 at around 4:00 a.m. the plaintiff Lisa Mullins, a female college student at Pine Manor College located in Chestnut Hill, Massachusetts was abducted from her dormitory room and raped by and an unknown suspect, who forcefully escorted her off campus through numerous unlocked gates and doors (449 NE. 2d 331). The court further stated the defendant, Pine Manor College was negligent because the entrance and exit points were not secure enough to prevent the suspect from accessing the campus, the security personnel failed to lock outer gates and building doors, there were improper locking devices on dormitory doors, and the lack of security patrols (449 NE. 2d 335).

In *Miller v. State of New York* 62 N.Y. 2d 506 (N.Y. App. Div. 1984) the court held the State University of New York at Stony Brook liable, stating the institution failed in their duty to protect students against foreseeable criminal acts. On March 9th, 1975 around 6:00 a.m. the plaintiff, 19-year-old Madelyn Miller, a student at the State University of New York at Stony Brook was abducted at knife point by an unknown suspect from the laundry room located in the dormitory basement, forced to a third floor dormitory room and raped twice (62 N.Y. 2d 509). The court heard testimony from numerous witnesses that all entrance doors to the dormitories were routinely left open all day and night even after the campus security department was made aware of strangers loitering the hallways and in the women's bathroom (62 N.Y. 2d 509). The court concluded the unlocked doors and the college's previous knowledge of criminal activity occurring in the dormitory made the rape of Madelyn Miller foreseeable and most likely preventable (62 N.Y. 2d 510).

The civil lawsuit involving the rape and murder of Jeanne Clery settled out of court for a confidential amount so there was no opportunity for a court ruling or opinion (Fisher & Sloan, 2013). On April 5 1986, Joseph Henry brutally raped and murdered his fellow classmate at Lehigh University in Pennsylvania, 19-year-old Jeanne Clery (Fisher & Sloan, 2013). The investigation revealed Henry was able to gain entry into Clery's room through a series of unlocked (propped open) doors at every level of the dormitory which should have been checked and locked by campus security officers (Fisher & Sloan, 2013). Further information indicated Lehigh University administrators failed to notify students of 38 violent criminal acts including one rape, which occurred on campus property prior to Clery's rape and murder (Heacox, 2012).

The Clery Act

After her rape and murder, Jeanne Clery's parents, Howard and Connie Clery were concerned the lapses in security at Lehigh University likely occurred on campuses around the country (Fisher & Sloan, 2013). To protect other students and their families from experiencing a similar tragedy, Clery's parents influenced federal legislatures to draft the 1990 Student Right to Know Campus Security Act that required all higher education institutions to report their campus crime statistics and security policies (Fisher & Sloan, 2013; Fox et al., 2012).

Heacox (2012) stated, "Given the increasing prevalence of campus violence, as well as a particular disturbing incident at one university, Congress passed a federal law that requires universities to disclose their campus crime statistics and security policies" (p. 51). The Act required higher education institutions to collect and publish their campus crime statistics and publish their security policy statements in the form of an ASR and make it available to students, their families, employees, and the general public (Kiss, 2013). Heacox (2012) stated, "The crime statistics were to include incidents that occurred on campus, non-campus property owned or controlled by the institution, and on public property immediately adjacent to the campus" (pp. 52-53).

As part of collecting the crime statistics, the Clery Act made it mandatory for higher education institutions to identify their campus security authorities (CSA's) (Solovay, 2016). Westat, Ward, and Mann (2016) stated, "If someone has significant responsibility for student and campus activities, he or she is a campus security authority" (p. 75). Solovay (2016) stated, "Campus security authorities have a duty to report crimes of which they become aware" (p. 33).

After numerous amendments over the years, the Clery Act further required institutions to maintain a public crime log, and issue “timely warnings” about potential safety threats to the campus community (Heacox, 2012; Janosik & Gehring, 2003; Kiss, 2013). Solovay (2016) indicated the legislative intent of the Clery Act was to provide students, parents, and employees with campus crime statistics and other data that would enable them to make informed decisions and identify potential dangers.

Clery Act Amendments

Congress has amended the Clery Act several times since 1990 and created new legislation that significantly increased the amount of security policy statements compliance officials had to include in their institution’s ASR (Kiss, 2013). The amendments also significantly enhanced the criteria for collecting and publishing campus crime statistics (Kiss, 2013). Wood and Janosik (2012) stated, “During the past two and a half decades, numerous amendments to the Clery Act have added layers of complexity to campus crime reporting and policy development for higher education administrators” (p. 9). Wood and Janosik (2012) further stated, “The amendments to the Clery Act have caused confusion about crime reporting and have placed higher education institutions at risk of non-compliance” (p. 9).

Congress enacted Title IX in 1972 to protect student’s civil rights against gender based sexual discrimination and reduce the number of sexual assaults that occurred on higher education campuses (Koss et al, 2014). Title IX amended the Clery Act in 1992 making it mandatory for higher education institutions to inform student sexual assault victims of their right to report crimes to the proper law enforcement authority and to give students the opportunity to present evidence at school disciplinary hearings (Kiss, 2013;

Richards & Kafonek, 2016; Wood & Janosik, 2012). These amendments also known as the Campus Sexual Assault Victims' Bill of Rights, required higher education institutions to offer medical and counseling services to victims of sexual assault and to offer alternative living arrangements opposed to remaining on campus (Kiss, 2013; Richards & Kafonek, 2016).

Legislative amendments to the Clery Act in 1998 required compliance officials to create additional security policy statements in their ASR and maintain a daily crime log that must be made available to students, employees, and the public (Heacox, 2012; Kiss, 2013). The public crime log had to contain the type of crime committed, the date it occurred, location of the crime, and disposition (Kiss, 2013). Heacox (2012) stated, "Although the daily crime log must be made available to the public, a university may withhold information if there is clear and convincing evidence that the release of such information would jeopardize the criminal investigation" (p. 54).

The Campus Sex Crimes Prevention Act of 2000 (CSCPA) required higher education institutions to create a policy disclosure statement in their ASR that outlined the registration process for registered sex offenders that attended or worked on campus (Wood & Janosik, 2012). The Act placed the burden on the sex offenders to register their campus employment and/or enrollment information with state or local law enforcement agencies and in turn, the law enforcement agencies were required to inform the campus security departments (Westat et al., 2016). The Act further required higher education institutions to inform students and staff through the ASR where to obtain information on or about registered sex offenders (Wood & Janosik, 2012).

Congress enacted the FERPA to protect the privacy of student's education records (Young, 2015). The amendments to FERPA in 1992 and 1998 related to confidentiality protections in terms of student sexual misconduct, directly impacted Clery Act requirements (Kiss, 2013). To adhere to these new requirements compliance officials had to publish student disciplinary policy statements in their ASR (Kiss, 2013). Westat et al., (2016) stated, "FERPA did not prohibit an institution from disclosing information about registered sex offenders and personal information could be released without the sex offender's consent" (p. 146).

The HEOA of 2008 amendments to the Clery Act required higher education institutions to include emergency warning notifications, missing student and fire safety policy statements in their ASR (Carter, 2010; Westat et al., 2016). As required the "timely warning" was to consist of any man made, natural disaster, or any significant ongoing threat to the campus community (Kiss, 2013). The notification had to be immediate upon confirmation of the safety threat and the policy disclosure statement had to include the method of notification (Kiss, 2013). The majority of higher education institutions have implemented an alert system where students can receive an email, text message and/or voicemail to warn them of potential emergencies on campus (Han, Ada, Sharman, & Rao, 2015). The missing student and fire safety policies as required by the Act were mandatory for institutions who had at least one on campus student resident facility (Carter, 2010; Westat et al., 2016). The missing student policy had to include information about the procedures the institution would take once a student was missing for at least 24 hours (Carter, 2010; Westat et al., 2016). The 2008 HEOA further required institutions to develop and publish a policy statement related to student disciplinary

hearings and adjudication process that involved crimes of violence (Kiss, 2013; White House Task Force to Protect Students from Sexual Assault [White House Task Force], 2014).

In 2011, the DOE's Office for Civil Rights issued a "Dear Colleague Letter" authored by Russlynn Ali that explained their expectations for how higher education Title IX coordinators handled sexual harassment/assault allegations involving students (Ali, 2011; Koss et al., 2014). The "Dear Colleague Letter" essentially amended Clery Act requirements in relation to the policy disclosure statements compliance officials must include in their ASR (Koss et al., 2014). The policy disclosure statement had to include the name and contact information of the Title IX coordinator(s), and the coordinator's responsibilities in addressing complaints (Ali, 2011). Other requirements included the following:

- Title IX coordinators had to receive adequate sexual harassment and sexual violence training and grievance procedure training,
- Campus security/law enforcement personnel had to be trained on the institution's Title IX grievance procedures and investigative procedures sexual violence,
- Campus security/law enforcement personnel were required to notify their Title IX coordinator of any reported sexually based complaint (Ali, 2011).

In 2013, the Campus Sexual Violence Elimination Act (SAVE) in conjunction with the VAWA of 2013 amended Clery Act reporting requirements and made it mandatory for higher education institutions to change their sex offense reporting categories and increase student awareness of sexual offense policies (Richards & Kafonek, 2016; Solovay, 2016). The list of sex offense categories to be changed included

other sexual/gender based crimes such as domestic/dating violence, and stalking (Richards & Kafonek, 2016; Solovay, 2016). In addition, the SAVE amendments expanded the rights of students to include, sexual assault reporting procedures, information on how to file a complaint, information on victim's rights, confidential reporting information, and additional sexual assault prevention programs (Clery Center for Security on Campus, 2012). For the first time since the inception of the Clery Act the SAVE amendments required higher education institutions to educate their faculty and staff on the information contained in their ASR and ways to prevent sexual assaults on campus (Richards & Kafonek, 2016).

In 2014 and in conjunction with Clery Act, the White House Task Force launched two national campaigns titled "It's On US" and "Not Alone" which set forth a list of best practices for higher education institutions to comply with Clery Act requirements (Ferdina, Holmes, & Backes, 2016). According to the most recent report prepared by the Department of Justice the best practices were designed to enhance student awareness of sexual offense policies in order to improve reporting, investigations, and adjudications of sexual assault complaints (Fisher et al., 2012). In efforts to increase reporting the White House Task Force reiterated that the Clery Act required higher education institutions to have sexual offense policy statements related to victim services, such as counseling, medical consultations, and the ability to seek alternative academic and living accommodations (Richards & Kafonek, 2016; United States Senate, 2014). In addition, the White House Task Force recommended higher education institutions allow students to confidentially report acts of sexual violence (White House Task Force, 2014).

The White House Task Force recommended compliance officials include the adjudication process in their ASR (White House Task Force, 2014). The sexual offense policy had to include, investigative procedures, disciplinary action for the offender (if a student), and appeals process (White House Task Force, 2014). Westat et al. (2016) stated, “In this statement you must disclose your institution’s procedures for campus disciplinary action for alleged sex offenses as required by the HEOA’s amendments to the Clery Act in 2008 (p. 144). The amendments required compliance officials to include additional policy statements that informed students the rights of the accuser and accused during disciplinary proceedings (Westat et al., 2016).

The Annual Security Report

The Clery Act required higher education institutions to publish and distribute a yearly ASR that contained their security policy statements and campus crime statistics (Heacox, 2012; Richards & Kafonek 2016). The ASR was to be published every year by October 1 on the institution’s website and paper copies be presented up request (Heacox, 2012). The Act mandated the report to include campus security policies and campus crime statistics for the current reporting year and two years’ prior (Janosik & Gehring, 2003; Kiss, 2013; Wood & Janosik, 2012). Furthermore, the ASR had to include policy statements that described all crime prevention and sexual assault programs available at the institution (Heacox, 2012).

The Clery Act further required institutions to collect and publish crime statistics within Clery geography, which included on campus, off campus property controlled by the institution, public property immediately adjacent to the institution, and in residence halls (Fisher et al., 2013). Westat et al. (2016) stated higher education institutions must

report any Clery Act offenses that occurred on off campus property owned or controlled by the institution including hotel rooms used for overnight field trips and athletic events. Heacox (2012) indicated the Clery Act required compliance officials to report Clery Act offenses that occurred on “public property that is within or immediately adjacent to the campus” (p. 53). Westat et al. (2016) stated, “Understanding each of these geographic categories as defined by the Clery Act is vital to being in compliance with the law and institutions must provide a breakdown of the crime statistics by category” (p. 11).

The Clery Act required higher education institutions to collect and publish campus crime statistics based on seven crime categories known as “Clery offenses” (Kaplin & Lee, 2007). These offenses included (a) murder/non-negligent manslaughter, (b) aggravated assault, (c) robbery, (d) arson, (e) motor vehicle theft, (f) forcible and non-forcible sex offenses, and (g) burglary (Kaplin & Lee, 2007; Kiss, 2013; Wood & Janosik, 2012). The Clery Act further required higher education institutions to collect statistics on crimes related illegal possession of alcohol, drugs, and weapons and other sexually based offenses that included dating violence, domestic violence and stalking (Kaplin & Lee, 2007; Kiss, 2013). Wood and Janosik (2012) stated, “Many university compliance officials indicated confusion about reporting, classification, and location determination of crimes” (p. 15). The information contained in Table 1 represented how higher education institutions were to report their crime statistics based upon the seven Clery offenses and Clery geography.

Table 1

Annual Security Report-Clery Crimes and Clery Geography

Clery Offenses	On-Campus	Off-Campus (Property Controlled by Institution)	Public Property (Immediately Adjacent to Institution)	Residence Halls	Totals
Murder/Non-Negligent Manslaughter					
2014	0	0	0	0	0
2015	0	0	0	0	0
2016	0	0	0	0	0
Negligent Manslaughter					
2014	0	0	0	0	0
2015	0	0	0	0	0
2016	0	0	0	0	0
Aggravated Assault					
2014	0	0	0	0	0
2015	0	0	0	0	0
2016	0	0	0	0	0
Robbery					
2014	0	0	0	0	0
2015	0	0	0	0	0
2016	0	0	0	0	0
Arson					
2014	0	0	0	0	0
2015	0	0	0	0	0
2016	0	0	0	0	0
Motor Vehicle Theft					
2015	0	0	0	0	0
2014	0	0	0	0	0
2016	0	0	0	0	0
Forcible Sex Offenses					
2014	0	0	0	0	0
2015	0	0	0	0	0
2016	0	0	0	0	0
Non-Forcible Sex Offenses					
2014	0	0	0	0	0
2015	0	0	0	0	0
2016	0	0	0	0	0
Burglary					
2014	0	0	0	0	0
2015	0	0	0	0	0
2016	0	0	0	0	0

Table 1 also illustrated how the Clery Act required higher education institutions to break down the offenses of murder and sexual assault into multiple categories. The murder statistics had to include first-degree murder (premeditated), non-negligent manslaughter, and negligent manslaughter (Westat et al., 2016). The sex offense statistics had to be broken down into forcible and non-forcible categories (Westat et al., 2016).

The VAWA of 2013 expanded the Clery Act's list of sex offense categories published in the ASR to include other sexual/gender based crimes such as domestic/dating violence, and stalking (Richards & Kafonek, 2016). The definitions of these sex offense categories also had to be changed according to FBI standards (Richards & Kafonek, 2016; Solovay, 2016). The following sex offenses were defined according to FBI standards through the most current literature:

Domestic/Dating Violence –

Acts of violence perpetrated by the victim's current or ex-spouse, boyfriend/girlfriend, family member and/or cohabitants of the same residence. (Violence Against Women Reauthorization Act of 2013, 42 U.S.C. §§ 13701)

Stalking –

Any undesired intentional conduct that causes a reasonable person to fear for their safety. In order to meet the elements of the crime the intended conduct must occur on at least two occasions. (Violence Against Women Reauthorization Act of 2013, 42 U.S.C. §§ 13701)

The information in Table 2 illustrated how higher education institutions were to include the new sex offense reporting categories mandated by the VAWA (2013) in their ASR.

Table 2

Annual Security Report-VAWA Categories and Clery Geography

VAWA Categories	On-Campus	Off-Campus (Property Controlled by Institution)	Public Property (Immediately Adjacent to Institution)	Totals	Residence Halls
Dating Violence					
2014	0	0	0	0	0
2015	0	0	0	0	0
2016	0	0	0	0	0
Domestic Violence					
2014	0	0	0	0	0
2015	0	0	0	0	0
2016	0	0	0	0	0
Stalking					
2014	0	0	0	0	0
2015	0	0	0	0	0
2016	0	0	0	0	0

Current research has shown a correlation between heavy consumption of alcohol and sexual assault at higher education institutions in the United States (Tyler et al., 2015). The results of this study revealed excessive use of alcohol was related to peer pressure and the culture of the institution (Tyler et al., 2015). In a study conducted by Lindgren, Neighbors, Blayney, Mullins, and Kaysen (2012) nearly 30% of female students in higher education who reported being sexually assaulted indicated alcohol consumption was involved (p. 324). Abbey (2011) stated, “Approximately half of all reported and unreported sexual assaults involved alcohol consumption by the perpetrator, victim, or both” (p. 482). Additional research suggested both the perpetrator and victim in most cases were inexperienced drinkers who were unaware how they would process certain social situations when they were under the influence of alcohol (Abbey, 2011).

The information in Table 3 represented how institutions were to report Clery offenses related to alcohol, drugs, and weapons in their ASR.

Table 3

Annual Security Report-Drug, Alcohol, and Offenses and Clery Geography

Drug and Weapon Arrest and Discipline Referrals	Alcohol On-Campus	Off-Campus (Property Controlled by Institution)	Public Property (Immediately Adjacent to Institution)	Totals	Residence Halls
Drug Arrests					
2014	0	0	0	0	0
2015	0	0	0	0	0
2016	0	0	0	0	0
Drug Violations Discipline Referrals					
2014	0	0	0	0	0
2015	0	0	0	0	0
2016	0	0	0	0	0
Alcohol Arrests					
2014	0	0	0	0	0
2015	0	0	0	0	0
2016	0	0	0	0	0
Alcohol Violations Discipline Referrals					
2014	0	0	0	0	0
2015	0	0	0	0	0
2016	0	0	0	0	0
Weapon Arrests					
2014	0	0	0	0	0
2015	0	0	0	0	0
2016	0	0	0	0	0
Weapon Arrests Discipline Referrals					
2014	0	0	0	0	0
2015	0	0	0	0	0
2016	0	0	0	0	0

In 2015, the Association of American Universities (AAU) sponsored a campus climate study that surveyed 150,000 students from 27 universities (Cantor et al., 2015).

The results indicated 5.4% of undergraduate female students reported being sexually

penetrated and 6.6% reported being sexually touched while incapacitated and unable to affirm or deny consent (Cantor et al., 2015, p. 15). In relation to the Virginia Tech mass shooting tragedy the HEOA amended the Clery Act again in 2008 to include emergency response and notification policies (Wood & Janosik, 2012). Several other mass shootings on campus and drug/alcohol related sexual assaults brought additional amendments to the Clery Act that required higher education institutions to collect and publish crime statistics and disciplinary referrals related to drug, alcohol, and weapon offenses (Moore & Baker, 2016; Tyler et al., 2015; Wood & Janosik, 2012).

In 2016, the DOE revised, the *handbook* they created in 2005 and revised in 2011 and 2016 to assist Clery Act compliance officials publish their security policies statements and crime statistics (Gregory & Janosik, 2013; Wood & Janosik, 2012). The *handbook* included information on nine core policy disclosure statements required by the Clery Act that must be included in the institution's ASR (Westat et al., 2016).

Crime reporting. In relation to the crime reporting policy statement, compliance officials had to include the names, titles, and list of numbers of each person and/or organization responsible for campus security in their policy statement (Westat et al., 2016). Westat et al. (2016) stated "Under the Clery Act, a crime is "reported" when it is brought to the attention of a campus security authority or local law enforcement personnel by a victim, witness, other third party or even the offender" (p. 73). The intent of the Clery Act crime reporting requirements were to help protect students, faculty, and staff by making them aware of the number and types of crimes that occurred on campus (Fisher & Sloan, 2013; Kiss, 2013; Solovay, 2016).

Timely warnings. The HEOA of 2008 required higher education institutions to issue a timely warning policy statement in light of the Virginia Tech mass shooting on campus to protect students (Wood & Janosik, 2012). The HEOA amended the Clery Act and mandated institutions publish a policy statement related to the procedures an institution would undertake in the event of any man made, natural disaster, or significant current or previous criminal act that threatened the safety of students or staff (Kiss, 2013). The policy had to contain information on (a) emergency response and evacuation procedures, (b) specified content of notification, (c) when to initiate warning, (d) list of names and title of personnel responsible to initiating the warning, (e) how and when to disseminate warning to surrounding communities, and (f) procedures to test emergency response and evacuation (Westat et al., 2016).

Security of and access to campus facilities. The Clery Act required higher education institutions to include a policy statement that described their methods to secure and access their facilities including student housing, parking lots, and any other property controlled or used by the institution (Westat et al., 2016). The investigations in to the rapes of Madelyn Miller at State University of New York at Stony Brook in 1975 and Lisa Mullins at Pine Manor College in 1977 revealed the suspect in each case were able to easily access the campus and dormitories through unlocked doors and unsecured checkpoints (449 NE. 2d 331; 62 N.Y. 2d 509). The investigation into the 1986 rape and murder of Jeanne Clery at Lehigh University also revealed the suspect was able to gain entry into Clery's dorm room through a series of unlocked doors at every level of her dormitory (Fisher & Sloan, 2013). Westat et al. (2016) stated, "This policy must include

information about what the institution does to keep its facilities secure and how individuals gain access or are prevented from gaining access to these facilities” (p. 124).

Type of security personnel. The successful lawsuits against the State University of New York, Pine Manor College, and Lehigh University prompted higher education administrators to improve their campus security departments (Fisher & Sloan, 2013). The security personnel policy required higher education institutions to draft a statement that identified their security personnel as either commission police officers or non-commissioned security officers in their ASR (Westat et al., 2016). Fisher and Sloan (2013) identified commissioned officers as having the authority to make arrests and non-commissioned officers provided services to campuses such as, enforcing institutional rules and monitoring student activities.

Type of programs related to crime prevention and security procedures. The Clery Act required higher education institutions to include crime prevention programs and the type and frequency of security programs available to students and employees in their ASR. (Westat et al., 2016). The White House Task Force believed that comprehensive sustained crime prevention programs were the best way to bring awareness to violent crime and reduce sexual assaults on higher education campuses (White House Task Force, 2014). Westat et al., (2016) stated, “This policy statement should describe the type and frequency of programs designed to inform students and employees about crime prevention programs and to encourage students and employees to be responsible for their own security and the security of others” (p. 132). The United States Senate Subcommittee report on sexual violence stated, “crime prevention programs were the best way to lower the number of campus sexual assaults by both

educating potential perpetrators and by educating future bystanders on how to recognize and safely intervene to prevent sexual assault” (United States Senate, 2014, p. 7). The same report further revealed 31% of the higher education institutions who participated in their survey did not provide crime prevention or sexual assault training for students (United States Senate, 2014, p. 7).

Communication policy between campus security and local law enforcement agencies relating to student criminal activity at non-campus locations. The communication policy related to student criminal activity at non-campus locations under the authority of outside law enforcement agencies (Westat et al., 2016). In 2015, the White House Task Force reminded higher education institutions that a criminal investigation involving a student by other law enforcements agencies does not automatically relieve the school from conducting their own investigation into the incident (White House Task Force, 2014). Westat et al. (2016) stated, “This statement addresses whether or not your institution uses local police to monitor and document criminal activity by your students at off-campus locations of student organizations” (p. 134).

Drug and alcohol policies and abuse programs: The Clery Act required higher education institutions to develop a policy statement that included the possession, use and sale of alcohol and illegal drugs and abuse prevention programs available to students and employees (Westat et al., 2016). Previous research has shown a direct correlation between alcohol and sexual assaults (Tyler et al., 2015). These findings accompanied with other studies revealed elevated use of alcohol due to high levels of peer pressure at some institutions compound the efforts to reduce sexual assaults on campus (Tyler et al., 2015). A recent study of 620 undergraduate female students revealed a direct correlation

between alcohol and sexual assault (Neilson et al., 2015). Neilson et al. (2015) stated, “Given the public health necessity to prevent sexual assault, risk reduction programming could include teaching drinking protective strategies to incoming college students as a potentially powerful and empirically sound intervention” (p. 16).

Sexual assault investigative procedures and prevention policies. Title IX amendments to the Clery Act in 1992 required higher education institutions to develop and publish a sexual assault investigative procedures and prevention policy statement (Westat et al., 2016). These amendments made it mandatory for higher education institutions to inform student sexual assault victims of their right to report crimes to the proper law enforcement authority and to give students the opportunity to present evidence at school disciplinary hearings (Kiss, 2013; Mancini, Pickett, Call, & Roche, 2016; Richards & Kafonek, 2016; Wood & Janosik, 2012;). Title IX amendments further required institutions to offer medical and counseling services to victims of sexual assault and to offer alternative living arrangements opposed to remaining on campus (Kiss, 2013; Richards & Kafonek, 2016).

Registered sex offender information. The Campus Sex Crimes Prevention Act of 2000 (CSCPA) required higher education institutions to create a policy disclosure statement that outlined the registration process for registered sex offenders that attend or work on campus (Wood & Janosik, 2012). The Act further required higher education institutions to inform students and staff through the ASR where to obtain information on registered sex offenders (Wood & Janosik, 2012). Westat et al. (2016) indicated in the *handbook*, “registered sex offenders who are enrolled at, or employed at a postsecondary

institution must provide this information to the state who is mandated to inform the respective higher education institutions” (p. 146).

Between 2011 and 2015 the DOE’s Clery Act compliance team indicated their audits revealed higher education institution’s lack of or inadequate policy statements was the second leading cause for non-compliance (Federal Student Aid, 2016). To gather additional information on the on the policy disclosure statements included in the ASR the researcher conducted an interview with a Clery Act compliance official with sixteen years of experience. The compliance official indicated through time and numerous amendments the required policy statements has grown from the core nine to over a hundred (M. Green, personal communication, April 8, 2016). The compliance official further stated the last ASR he published contained 111 policy disclosure statements in addition to the mandatory campus crimes statistics (M. Green, personal communication, April 8, 2016).

Clery Act Compliance Issues

The United States Senate Subcommittee report revealed quantitative and qualitative data on Clery Act compliance issues collected from a survey of 440 public and private four-year institutions in the United States. These compliance issues included inadequate policy disclosure statements and failure to adhere to the policies published in their ASR. These compliance issues included: (a) lack of victim services; (b) lack of trained, law enforcement officials; (c) improper adjudication processes; (d) lack of adequate sexual assault training; and (e) under investigated reports of sexual violence (United States Senate, 2014). The information displayed in Table 4 describes the type of Clery Act policy violations and the percentages of non-compliant institutions.

Table 4

Clery Act Policy Violations and the Percentages of Non-Compliant Institutions

Type of Clery Act Policy Violation	Percentage of Non-Compliant Institutions
Lack of victim services	51%
Lack of trained, law enforcement officials	30%
Improper adjudication processes	30%
Lack of adequate sexual assault training	20%
Under investigated reports of sexual violence	20%

McNeal (2007) indicated experts in campus security are very concerned with higher education institutions inability to comply with Clery Act requirements. McNeal (2007) stated, “Research has identified some of the non-compliance issues but further research is needed to examine what factors enhance or impede knowledge of all Clery Act requirements” (p. 106). Over the past 27 years, Clery Act compliance officials who prepared their institutions ASR spent numerous work hours and resources attempting to comply with Clery Act reporting requirements designed to keep students safe and protect them against sexual assault (Fisher & Sloan, 2013; Richards & Kafonek, 2016). Wood and Janosik (2012) indicated the number of amendments to the Clery Act created significant compliance issues that subjected higher education institutions to significant fines and loss of reputation. Higher education institutions who fail to comply with Clery Act requirements could lose their Title IV funding, and face significant fines for each Clery Act violation (Wood & Janosik, 2012).

The United States Congress empowered the DOE to audit higher education institutions for compliance violations and administer monetary fines for each violation (Kiss, 2013). Wood and Janosik (2012) stated, “While the DOE has not eliminated Title IV funding from a school in violation of the Clery standards, institutional representatives

deal with fines regularly” (p. 12). Wood and Janosik (2012) believed the DOE should create and train a Clery Act compliance commission that could communicate directly with higher education administrators and compliance officers to reduce the amount of confusion related to Clery Act requirements.

Recent research has shown Clery Act requirements increased crime awareness in the campus community but higher education Clery Act compliance officials still had issues drafting policy statements and reporting their crime statistics (Wood & Janosik, 2012). The Clery Act required every institution to conduct an investigation into all reports of sexual violence that occurred within their Clery geography (Fisher et al., 2013; Heacox, 2013). The results of the United States Senate Subcommittee survey identified nearly 40% of participating higher education institutions had not conducted a sexual violence related report in the past five years (United States Senate, 2014). Additional results revealed, “more than 20% of large private institutions conducted fewer investigations than the number of incidents they reported to the DOE, with some institutions reporting seven times more incidents of sexual violence than they actually investigated” (United States Senate, 2014, p. 1).

There are roughly 4,000 post-secondary institutions in the United States (Kretovics, 2011). Information from the DOE revealed four common Clery Act compliance violations resolved at 52 higher education institutions between 2011 and 2015 (Federal Student Aid, 2016). These top compliance issues included: (a) failure to properly classify and disclose crime statistics; (b) failure to distribute the Annual Security Report (ASR) in accordance with federal regulations; (c) failure to report crimes based on proper geography; and (d) lack of or inadequate policy statements (Federal Student Aid,

2016). The data described in Table 5 specified the type of Clery Act violation and the number of institutions who had their complaints resolved. The data further indicated several institutions had multiple types of Clery Act violations (Federal Student Aid, 2016).

Table 5

Clery Act Violations Resolved Between 2011 and 2015

Type of Violation	Number of Institutions	Percentage
Failure to properly classify and disclose crime statistics	30/52	58%
Lack of or inadequate policy statements	16/52	31%
Failure to distribute ASR in accordance with Federal regulations	15/52	29%
Failure to report crimes based on proper geography	11/52	21%

Yale University was one of 30 institutions who failed to properly classify and disclose crime statistics (Federal Student Aid, 2016). In 2013, the DOE's Clery Act Compliance Team resolved a long-standing complaint with Yale University who failed to include four separate incidents of sexual assault between 2001 and 2002 in their ASR (Mills-Senn, 2013). The resolution included a \$165,000 fine for failure to properly classify and disclose crime statistics and mandated required action to resolve their methods of data collection in relation to crime reporting and publishing accurate crime statistics (Federal Student Aid, 2016; Hua & Zorthian, 2013).

In another example, the DOE's Compliance Team audited and sanctioned Michigan University (Mills-Senn, 2013). The audit revealed university Clery Act compliance officials failed to include detailed information regarding the campus murder of Laura Dickerson that occurred in 2006 into the crime statistics for that year (Wood &

Janosik, 2012). The resolution imposed by the DOE included a \$357,500 fine for 13 Clery Act violations that included a failure to report information related Dickerson's murder (Wood & Janosik, 2012).

Thirty-one percent of the institutions including the University of Utah lacked or had inadequate policy statements. In 2011, the DOE's Clery Act Compliance Team resolved a complaint with the University of Utah for the lack of adequate policy statements (Federal Student Aid, 2016). The results of the United States Senate Subcommittee survey indicated a lack of or inadequate policy disclosure statements was a common non-compliance issue (United States Senate, 2014). The audit at the University of Utah revealed the university lacked crime reporting and emergency warning policy statements in their ASR (Federal Student Aid, 2016).

Twenty-nine percent of the institutions failed to distribute ASR in accordance with federal regulations. The Clery Act specifically required institutions publish their ASR by October 1 every year without exception (Heacox, 2012; Richards & Kafronek, 2016). In 2015, the DOE's Clery Act Compliance Team resolved a complaint with Cornell College for not distributing the institution's 2011 ASR to students and employees (Federal Student Aid, 2016). The complaint indicated Cornell College did not notify students or employees about the availability of the ASR until well after the October 1 deadline and failed to include the availability of a paper copy of the report (Federal Student Aid, 2016).

The University of Alaska Anchorage was one of 11 of the institutions who failed to report crimes based on proper geography. During a six-month period in 2011, the DOE's Clery Act Compliance Team conducted an off-site audit of the University of

Alaska Anchorage's (UAA) campus crime statistics, and security disclosure policies (Federal Student Aid, 2016). The audit revealed UAA failed to report crimes based on proper geography. UAA improperly identified locations of certain crimes that occurred on property immediately adjacent to campus (Federal Student Aid, 2016). McNeal (2007) conducted a study with 420 members of the International Association of Campus Law Administrators (IACLEA) who had extensive knowledge of Clery Act requirements to help identify some of the factors that impede compliance. The results of the 221 IACLEA participants who completed the survey revealed 86% agreed the information in the Clery Act which described Clery geography for campus crime reporting was vague at best (McNeal, 2007, p. 110). Janosik and Gregory (2009) indicated some higher education institutions were non-compliant in accurately reporting crime statistics due to the complexity of Clery Act requirements in relation to Clery geography. Wood and Janosik (2012) stated, "Given the intricacies of the requirements, it is not surprising that school officials make errors in their reports" (p. 12).

From the researcher's perspective there has been significant time and energy reflected in the passing of federal legislation to enhance campus security and address the seriousness of campus crime and more importantly sexual assaults. Clery Act compliance officials have often had issues understanding the confusing and ever changing Clery Act requirements (Wood & Janosik, 2012). For the first time since the Clery Act became law new federal legislation included in the VAWA of 2013 forced higher education institutions to train their staff and educate their students on the Clery Act requirements (Richards & Kafonek, 2016).

There were many other issues centered on Clery Act compliance in relation to the top four issues reported by the DOE. The results of the United States Senate Subcommittee survey revealed many crimes go unreported on higher education campuses because students lacked confidence with their institutions ability to investigate complaints of sexual assault (Fisher et al., 2013). The report indicated only 30% of the 440 institutions provided sexual assault investigative training to their campus security personnel as required by the Clery Act (United States Senate, 2014, p. 2). In addition, over 70% of the institutions who relied on local law enforcement agencies to conduct their sexual assault investigations did not have proper disclosure policies in place that specified the roles and responsibilities of each investigative entity (United States Senate, 2014, p. 2).

In 2013, the VAWA amended the Clery Act to allow students the opportunity to report a sexual assault to campus officials in confidence (Clery Center for Security on Campus, 2012). The White House Task Force recommended higher education institutions allow students to report acts of sexual violence confidentially based upon research that showed sexual assault victims were more likely to report the assault if given the proper support (White House Task Force, 2014). The United States Senate Subcommittee survey revealed approximately 8% of institutions did not have a policy in place that would allow students to report a sexual assault in confidence (United States Senate, 2014, p. 1). The White House Task Force stated, “A school should make it clear, up front, who on campus can maintain a victim’s confidence and who can’t so a victim can make an informed decision about where best to turn” (White House Task Force, 2014, p. 3). Westat et al. (2016) stated, “You must let students know that they have the option to notify law

enforcement authorities about the offense and inform students about the procedures to confidentially report the crime” (p. 124).

The government has recently taken great steps towards reducing the number of serious crimes and sexual assaults that occur on college and university campuses.

According to the White House Task Force and the United States Senate Subcommittee on sexual violence, many higher education institutions are failing to comply with the Clery Act in handling sexual violence (United States Senate, 2014).

Previous Research

Over the past 27 years, there has been limited research on the Clery Act. The majority of research focused on trying to determine if publishing crime statistics actually reduced the number of sexual assaults on campus and whether or not students and parents reviewed the campus crime statistics in the ASR (Fisher & Sloan, 2013; Gregory & Janosik, 2012; Janosik & Gehring, 2003). Despite the additional amendments and White House recommendations sexual violence on college campuses continued to be a significant problem (Fox et al., 2012). In consideration of the limited studies, involving the effectiveness of the Clery Act there was no evidence to suggest the Act reduced sexual assaults at higher education institutions across the nation (Gregory & Janosik, 2012).

According to Fisher and Sloan (2013) most students and parents did not review or consider the campus crime statistics in an institution’s ASR or its related information on sexual assault policies before deciding on which higher education institution to attend. In 2003, Janosik and Gehring conducted a research study to determine student knowledge of the Clery Act where they distributed 9,150 questionnaires containing 13 questions

relating to student knowledge of the Clery Act and crime prevention programs published in their institution's ASR (p. 83). The results of the 3,866 questionnaires that were returned showed only 27% of the students were familiar with the Clery Act (Janosik & Gehring, 2003, p. 83). In a similar study, Janosik (2004) distributed 450 questionnaires to parents who were on campus with their children during summer orientation. The results of the 435 questionnaires that were completed showed 15% of parents actually read the campus crime report presented to them as part of the orientation process, which indicated parent's lack of concern with campus crime when they made the decision which institution their child should attend (Janosik, 2004, p. 45).

Clery Act compliance officials and researchers have discussed the importance of mandatory campus crime reporting requirements across the United States in relation to reducing crime on campus (Fox et al., 2012). Many experts and researchers concluded the Clery Act's requirement of reporting crime statistics, especially sexual assaults has not reflected accurate numbers or the full extent of the sexual misconduct problems on campus (Fox et al., 2012). Research revealed less than 5% of student sexual assault victims reported the crime to campus authorities (Fisher et al., 2012, p. 66). Additional research suggested victims of sexual assault on campus do not report the crime for a variety of reasons including self-blame, relationship with the suspect, and/or embarrassment (Gardella et al., 2014). Due to under reporting issues involving sexual assaults on campus no researcher has been able to actually confirm or deny if the Clery Act and its reporting requirements has had any impact on reducing the number of sexual assaults over the past 25 years (Gregory & Janosik, 2012).

Conclusion

There has been little research on how the Clery Act has affected higher education institutions around the country. The recent studies focused on crime reporting and the usefulness of this data to students and parents when it comes time to select a higher education institution (Fox et al., 2012). This research suggested the Clery Act has had both positive and negative effects in the higher education system. Crime reporting has improved even though the reporting only covers those crimes that actually occur on campus or property owned, supported, or used by the institution and not the crimes in the immediate surrounding area (Fox et al, 2012; Heacox, 2012). Furthermore, the Clery Act and their publishing requirements fostered communication between school administrators and campus security personnel making everyone involved in the process more aware of compliance issues (Janosik & Woods, 2012).

Experts on campus sexual assault believed the Clery Act has made higher education students more aware of their institutions sexual assault policies causing a significant relationship between this knowledge and increased reporting of sexual assaults. (Stampler, 2014; Wermund, 2014). In May of 2015, U.S. News published information from the DOE that showed reports of sexual assault on college and university campuses increased from 3,264 in 2009 to 6,016 in 2014 (Bidwell, 2015, para. 5). Campus security expert and professor of higher education and student affairs at Oklahoma State University, Dr. John Foubert stated, "Given that Clery reports tend to grossly underestimate the actual incidence of rape, any time I see a dramatic rise in the number of reports, it says to me that institution is doing something right" (Wermund, 2014, para. 5). Experts believed the increased reporting is less likely due to increased

violent crimes on campus and more likely a direct reflection of increased knowledge of how to report sexual assaults and increased confidence the report will be investigated (Wermund, 2014).

At the time of this study, many experts believed the Clery Act has had a positive impact on campus safety and security (Fisher & Sloan 2013). Despite these improvements, Clery Act compliance officials raised several issues over the past 27 years, which questioned the necessity and importance of the Act in the realm of protecting students (Fisher & Sloan, 2013). These issues included difficulty complying with Clery Act policy statements, and the inaccuracy of crime statistics (Federal Student Aid, 2016; Wood & Janosik, 2012).

Fisher and Sloan (2013) stated, “The Clery Act has had some positive effects on administrative practices in higher education. Clearly, college administrators devoted resources to comply with the Clery Act and generate the mandated reports required under the Act” (p. 57). In light of the positive aspects of the Clery Act, compliance officials at some institutions still, have issues complying with policy statements and crime reporting requirements (Wood & Janosik, 2012). Campus security administrators and compliance officers indicated Clery Act reporting requirements were overwhelmingly complex to understand (Wood & Janosik, 2012). Gregory and Janosik (2013) stated, “After more than two decades, some Clery Act compliance officials may not fully understand some of the nuances of the Act” (p. 56). Wood and Janosik (2012) stated the DOE could enhance compliance by improving their communications with Clery Act compliance officials. In addition, Wood and Janosik stated, “The DOE should do more to provide a proper context for the data it requires institutions to report” (p.14).

Fisher and Sloan (2013) indicated the majority of research conducted on campus crime reporting revealed most compliance officials did their best to comply with Clery reporting requirements but unintentional mistakes occurred due to the complexity of the requirements. The number of amendments over the years has only added to the complexity of Clery Act requirements (Wood & Janosik, 2012). Wood and Janosik (2012) suggested many higher education institutions failed to comply with Clery Act requirements despite their efforts to do so.

Chapter Three: Methodology

Purpose Statement

The researcher is a retired Patrol Captain from a Sheriff's Department and an Adjunct Professor in the Midwest Region of the United States. The researcher's experience in sexual assault investigations accompanied with interpreting and adhering to state and federal legislation was paramount in researching the compliance issues associated with Clery Act requirements. The researcher designed this study to collect data concerning the complexities of Clery Act requirements from the perspective of Clery Act compliance officials. The researcher compared the data with current literature to check for similarities and differences.

The researcher decided to conduct a qualitative study because it offers a greater opportunity to obtain a holistic view of the phenomenon (Fraenkel, Wallen, & Hyun, 2012). The literature review revealed some compliance experts believed Clery Act requirements were too complex, vague, voluminous, and easily misinterpreted but these experts did not reveal the components of the Act that were most difficult to comply with or offer any explanation to support their beliefs. Secondary data obtained from the DOE and the United States Subcommittee identified some of the Clery Act requirements that were causing compliance issues.

This study allowed the participants to identify and explain what Clery Act requirements are the most difficult to comply with and why. In addition, the researcher compared their perceptions with DOE compliance statistics and the information obtained from research conduct by the United States Subcommittee to check for similarities and/or differences in the data.

Participant Selection

Clery Act compliance officials are typically comprised of Campus police chiefs/security administrators and Clery Coordinators. In short, they are the individuals tasked with Clery Act compliance at their perspective institutions. Each higher education institution is unique in size, type, demographics, programs, and financial stability. All institutions who receive Title IV funding must adhere to Clery Act requirements regardless of their demographics and enrollment numbers.

The participants used for this study consisted of 20 Clery Act compliance officials from two-year public, four-year public, and four-year private institutions in Illinois and Missouri. Both states combined have an approximate total of 200 public, private, two-year, and four-year higher education institutions. The goal was to conduct interviews with at least 20 participants or 10% of the sample population (Fraenkel et al., 2012). Fraenkel, Wallen, and Hyun, (2012) stated, “In qualitative studies, the number of participants in a sample size is usually somewhere between 1-20” (page, 103). The required selection criteria for the participants consisted of the following:

- Current or recent (within a year) on the job experience complying with Clery Act requirements.
- Current or recently retired (within a year) Clery Act compliance official from a two-year public, four-year public and four-year private institution in Illinois and Missouri.

The researcher initially sought participation from Clery Act compliance officials at institutions in the Saint Louis Metropolitan area and later expanded the search to outer areas in each state to meet the desired number of interviews. The contact information for

campus police/security administrators and Clery compliance coordinators is publically available information on their respective institution's webpage. The researcher conducted telephone calls to recruit participants. Participation in this study was voluntary. Each of the participants signed an Informed Consent for Participation in Research Activities form (see Appendix A) prior to their interview. For the face-to-face interviews, the participants signed the consent form prior to their interview. The participants who agreed to a telephone interview were emailed the consent form with the instructions to print the form, sign it, scan it into a deliverable form and return it via email.

Research Design

The researcher conducted structured interviews for this research project to collect data. Interviews allow participants a greater opportunity to explain their responses (Fraenkel et al., 2012). The researcher used a combination of demographic and opinion based questions to investigate the relationship between the complexities of Clery Act requirements as they relate to institutional non-compliance from the perspective of Clery Act compliance officials. The demographic questions inquired about the background of the participants. The opinion, based open-ended allow the participants to elaborate on their perceptions of Clery Act requirements as they relate to non-compliance (Fraenkel et al., 2012).

The first seven interview questions were demographic in nature relating to the participant's, (a) job title, (b) age, (c) type of security personnel, (d) years of experience, (e) compliance training hours, and (f) compliance responsibilities. The researcher presented the participant's responses to the seven demographic questions as categorical

data and converted them into percentages. The eight remaining interview questions contained two parts that specifically address the research questions (see Appendix B).

Interview questions eight and nine asked the participants if it is realistic to comply with all Clery Act requirements and if they believe the requirements are too complex for overall compliance. The first part of these questions was closed-ended asking the participants to respond yes or no. The researcher presented these responses as categorical data searching for frequencies and converting them into percentages. The second part of these questions was open-ended allowing the participants to explain their response.

Interview question 10 asked the participants to identify the Clery Act requirements that are the most difficult to comply with and why. Interview questions 11 and 12 ask the participants to identify factors that enhance and impede Clery Act compliance. Interview questions 13 through 15 asked the participants to identify steps their institution, federal legislatures, and the DOE can take to enhance Clery Act compliance. The researcher coded the qualitative data collected from interview questions eight through 15 using participant quotes and categorizing them into distinction types. The researcher will present this information in Chapter Four using organized quotes and tables to display the percentages in relation to the distinction types.

To enhance the validity of the study the researcher utilized data triangulation to cross verify information from the different data sources, including prior research and expert opinions (Fraenkel et al., 2012). Maxwell (2013) stated, “This strategy reduces the risk of chance associations and of systemic biases due to a specific method, and allows a better assessment of the generality of the explanations that one develops” (p. 128). The data collected from the participants’ interviews directly addressed research questions one

through seven. In addition, the researcher compared the participant's responses with the secondary data obtained from the DOE and the United States Subcommittee Report on Sexual Violence to address research question #8.

Interview Procedures

The researcher conducted face-to-face and telephonic structured interviews using questions developed in advance and approved by the Internal Review Board (IRB). All interviews were audio recorded with the verbal permission of each participant. The overall average time of the interviews was approximately 14 minutes. The researcher personally transcribed all of the recorded interviews. This process was time consuming but it allowed the researcher to get an accurate reflection of the data based upon how the participants presented their responses.

Confidentiality

The researcher did everything possible to ensure the participant's confidentiality. The researcher did not identify the participants in this dissertation or any additional publication. The participants in this study were identified as Clery Act compliance official with a corresponding number, 1-20. The written, audio, and electronic data collected will remain in the researcher's possession in a secure location.

Summary

In closing, this study was designed to collect data from Clery Act compliance officials that would identify and explain which Clery Act requirements were the most difficult to comply with. Previous information and research identified some of the most difficult requirements; but, there was no explanation as to why these certain requirements impeded compliance. The interview questions were developed to answer the research questions that would have fill this gap in then- current literature.

Chapter Four: Results

The purpose of this qualitative study was to investigate the complexities of Clery Act requirements as they relate to institutional non-compliance from the perspective of Clery Act compliance officials. The information in this chapter will consist of the descriptive and qualitative data obtained from the participant responses to the 15 interview questions.

Participants' Demographics

The participants in this study consisted of male and female Campus Police Chiefs, Directors of Security and Clery Compliance Coordinators from two-year public, four-year public and four-year private institutions in Illinois and Missouri. The information in Table 6 contains the descriptive information of the participants, asked in interview questions 1 through 6 in terms of location, gender, type of institution, age, Clery Act compliance experience, hours of Clery Act compliance training, and years of higher education work experience.

The compliance officials consisted of 13 males and seven females. Fourteen of the compliance officials worked for higher education institutions in Missouri and six worked for institutions in Illinois. Five of the compliance officials worked at two-year public institutions, nine at four-year public institutions, and six at four-year private institutions.

Table 6

Descriptive Information of Participants

Compliance Official	Location	Gender	Type of Institution	Compliance Experience	Compliance Training Hours	Higher Education Work Experience
1	Illinois	M	2-Year Public	17 years	200 Hours	17 Years
2	Illinois	F	2-Year Public	1 Year	150 Hours	10 Years
3	Illinois	M	2-Year Public	2 Years	200 Hours	2 Years
4	Missouri	F	4-Year Private	2 Years	50 Hours	4 Years
5	Illinois	M	2-Year Public	11 Years	50 Hours	11 Years
6	Missouri	M	2-Year Public	2 Years	50 Hours	8 Years
7	Missouri	M	4-Year Private	21 Years	300 Hours	21 Years
8	Missouri	M	4-Year Public	8 Years	50 Hours	8 Years
9	Missouri	F	4-Year Private	2 Years	100 Hours	2 Years
10	Missouri	M	4-Year Private	7 Years	45 Hours	14 Years
11	Missouri	M	4-Year Private	1 Year	32 Hours	14 Years
12	Missouri	F	4-Year Public	4 Years	16 Hours	14 Years
13	Illinois	M	4-Year Public	4 Years	500 Hours	10 Years
14	Missouri	M	4-Year Public	6 Years	8 Hours	8 Years
15	Missouri	M	4-Year Public	13 Years	24 Hours	18 Years
16	Missouri	M	4-Year Public	10 Years	30 Hours	16 Years
17	Missouri	F	4-Year Private	15 Years	90 Hours	15 Years
18	Missouri	F	4-Year Public	5 Years	10 Hours	5 Years
19	Illinois	F	4-Year Public	1 Year	60 Hours	5 Years
20	Missouri	M	4-Year Public	21 Years	200 Hours	23 Years

Compliance official 3 and compliance official 9 had the least amount of higher education work experience with 2 years. Compliance official 20 had the most higher education work experience with 23 years. The median number of the participant's higher education work experience was 10 years. Compliance officials 2, 11, and 19 had the least amount of Clery Act compliance experience with only 1 year. Compliance official 7 and compliance official 20 had the most Clery Act compliance experience with 21 years. The median years of the participant's Clery Act compliance experience was 5.5 years.

Compliance official 14 had the least amount of Clery Act Compliance training with 8 hours. The participant with the most Clery Act compliance training hours was compliance official 13 with 500 hours. The median number of Clery Act compliance training hours for the participants was 50 hours.

Interview question 7 asked the participants their level of responsibilities related to Clery Act compliance at their respective institutions. All of the participants were responsible for the core Clery Act requirements in terms of collecting crime statistics and developing campus security policy statements that are published their institution's ASR.

Data Analysis-Interview Question 8-Research Question 1

Interview question 8 asked the participants if they believed all Clery Act requirements could be met and to provide information to support their response as listed in sub questions a and b. Interview question 8 addressed Research Question 1. Do Clery Act compliance officials perceive the Clery Act requirements can be met?

As shown in Table 7, 40% of compliance officials believed it was possible to comply with all Clery Act requirements but with stipulations and 60% did not believe they could comply with all Clery Act requirements.

Table 7

Numerical Responses to Interview Question 8

Interview Question 8	Response	Number	Percentage
Compliance Officials	Yes	8/20	40%
Compliance Officials	No	12/20	60%

Several common themes emerged from the responses of the eight compliance officials who believed it was possible to meet all Clery Act requirements. Table 8 shows the breakdown of the common themes into three categories and their percentages.

Table 8

Participant Responses to Interview Question 8.a

Rational As To Why Requirements Can Be Met	Number	Percentage
Interpretation	4/8	50%
Number of Responsibilities	2/8	25%
Clery Coordinator	2/8	25%

Fifty percent of compliance officials who believed it was possible to comply with all Clery Act requirements still mentioned having issues interpreting some of the Clery Act requirements. Twenty-five percent stated their number of responsibilities impeded compliance. The remaining 25% percent mentioned the importance of having a Clery Coordinator.

Compliance officials 5, 6, 15, and 18 stated they could meet all Clery Act requirements, but they still identified areas of the Act that were vague and up to interpretation. Compliance official 5 stated,

I think they can be met but there are grey areas. I guess because some of the crimes are different from what we report to the state and what we report to Clery. There are different classifications. When it is a burglary? When is it a theft? Some

of those can be somewhat complicated when trying to figure out where they fit as far as Clery goes.

Compliance officials 6 and 15 also identified several area of the Clery Act that could easily be misinterpreted Compliance official 6 stated,

I think most places do not always have them met all the time. Some of the Clery requirements in the *handbook* point out things that are not technically required but the way they have worded makes it required. The CSA's is a good example. They do not mandate the training on CSA's and they do not specifically state how often.

Compliance official 15 stated,

The way stuff is worded some stuff would fit and some would not. You are left to make the decision on whether you report it and get dinged for over reporting or not reporting and take the hit for not reporting what you should have. It is possible to report everything they require. It is just a lot of extra steps to make sure you are reporting exactly. Unfortunately for us everything does not fit exactly what they are looking for.

Compliance official 18 stated,

I think they can be met but a lot of it due to interpretation and the way the individual interprets versus the way the DOE wants you to count the things. A lot of things have a lot of grey areas. I think there is a lot of room for misinterpretation or different interpretation and they would probably call it non-compliance if you interpret it differently.

Compliance official 3 indicated the routine amendments of the Clery act complicated compliance stating, “The Clery responsibilities that continue to be added every year makes it more difficult so with the right staffing and the right training can it be met yes but it is something you have to stay up on.” Compliance official 19 stated, “I think that initially when we started seeing what the Act entailed it was exhausting, people were overwhelmed and they thought there were things in there that we could not accomplish.”

Compliance officials 8 and 14 believed having a compliance coordinator or committee was the best way to achieve compliance. Compliance official 8 stated, “Yes, it is a matter of knowing and staying abreast of what they want and what needs to be done and doing it and that is why it is important to have a Coordinator, someone who is going to focus on making sure that we are meeting the requirements.”

Table 9 explains the breakdown of the themes and the calculated percentages.

Table 9

Participant Responses to Interview Question 8.b

Rational As To Why Requirements Can Not Be Met	Number	Percentage
Interpretation	7/12	58%
Number of Policy Statements	4/12	33%
Geography	3/12	25%
Changing Requirements	2/12	17%
(New) Identifying/Training CSAs	1/12	8%

Compliance official 14 stated, “Yes, but it will take cooperation and vigilance from a team of people and not just one individual.”

Four common themes and one singular response emerged from the 12 compliance officials who did not believe it was possible to comply with all Clery Act requirements. Several of the compliance officials described more than one example of why they did not believe it was not possible to comply with all Clery Act requirements.

Fifty-eight percent of the compliance officials stated the vagueness and different interpretations of Clery Act requirements as a key factor impeding overall compliance.

Compliance official 7 stated,

Knowing that 100% compliance truly to the letter of the law is somewhat difficult. It seems like the interpretation by the head auditors are not consistent. So you and I may be under the impression this is how it is done but an auditor comes in and looks at it and has a different opinion and we may be out of compliance.

Compliance official 10 stated,

There are requirements that are ridiculous. Some of them actually contradict themselves even in the Clery documents. You have to pick which one you want to comply with and which one you do not because some of them are totally opposite of each other. The biggest issues is that there is no consistency through the whole process.

Compliance official 11 who believed the DOE could do a better job enhancing compliance stated, “I just think because they way DOE spells things out is confusing. Not

that they couldn't be met if the criteria were spelled out in a better fashion." Compliance official 12 stated,

I believe there is not a clear documented understanding of what it is they are looking for. I feel there is a grey area and you are not sure you are meeting the requirements. Sometimes you can run into problems if you include too many offenses. I think it is tricky when you start looking at numbers and you start trying to figure out what to include and what not include by reading their definitions. My university has a definition for sexual assault. The state statute has a definition for sexual assault. Clery has a definition for sexual assault. In all those cases, the definitions are not all the same. It gets confusing.

Compliance official 16 stated, "Some of the requirements are ambiguous and they are subject to the opinion of the investigator who investigates an agency for compliance." Compliance official 17 stated, "It is too much and too unspecific. The new DOE *handbook* is better but there is still such a grey area. I think there is a lot of room for error even when you are doing the best you can." Compliance official 20 stated, "It is very difficult to accomplish. Those policies are very nebulous, a little bit generic, not really specific enough, like the timely warning portion of it."

Three of the compliance officials believed the number of policy statements they had to include in their ASR impeded compliance. Compliance official 1 stated, "There are too many policy requirements. I truly believe in the concept as to why it was created, but I think they went overboard with the policy requirements." Compliance official 2 stated, "There is a lot of them." Compliance official 3 elaborated on their responses

stating, “It is a difficult task and technically there are over 100 policy statements within the Annual Security Report (ASR) itself.”

Twenty-five percent of the compliance officials identified several issues with Clery geography in relation to compliance. Compliance official 7 stated, “I just think the study abroad, the frequently used and overnight travel for students is almost an impossible task to be compliant with. I have to send out almost 200 letters to law enforcement agencies all across the United States.” Compliance official 9 stated, “I think the tracking of the short stay trips. Logistically you’re never going to get everyone at an institution who needs to tell you about things to actually tell you what you need to know.” Compliance official 12 stated,

I feel that sometimes when you need assistance even with geography you try to go to your representatives at the university level which would be for us our General Counsel and sometimes they are not sure what the Clery Geography is.

Seventeen percent of the compliance officials identified institutional changes and amendments to Clery Act requirements prevented overall compliance.” Compliance official 1 stated, “I think because universities and colleges change daily by acquiring property and people get new positions, there are things that will be missed.” Compliance official 4 referred to the number of policy statements and amendments to the Clery Act by stating, “There are so many and they change so often.”

In addition to the common themes compliance official 7 stated, “I think identifying every single CSA is almost a difficult task. Here on my campus we have almost 900 CSA’s identified that I had to train through and online training program.”

Compliance official 7 believed the identification and training of Campus Security Authorities (CSA's) as area that limited Clery Act compliance.

In conclusion, 60% of the compliance officials did not believe it was possible to comply with all Clery Act requirements. The 40% who stated it was possible to comply with all requirements still mentioned several areas of the Act's requirements that were complex. As shown in Figure 1 the researcher triangulated the compliance official's responses to sub questions 8a and 8b with the information related to prior research and expert opinions.

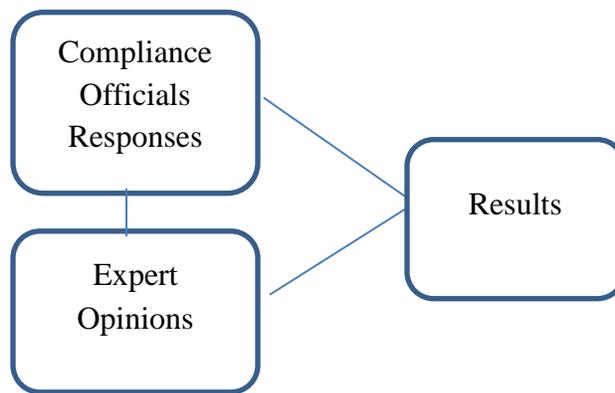


Figure 1. Compliance official's responses (themes) compared with expert opinions and the results.

In 2013, researchers, Gregory and Janosik described the complexities of Clery Act requirement in terms of vague interpretations, numerous policy statements, changing requirements, and campus geography. This information was discussed during the literature review and was consistent with common themes identified by the compliance official's responses. The new information generated from interview question 8 in relation to research question 1 was 60% of the compliance officials believed they could not comply with all Clery Act requirements. In addition, the one compliance official who

stated identifying and training CSAs was a complex requirement filled the gap in current literature.

Data Analysis-Interview Question 9-Research Question 2

Interview question 9 asked the participants if Clery Act requirements were too complex for overall compliance and to provide information to support their response as listed in sub questions a and b. This question addressed research question 2. Do Clery Act compliance officials perceive Clery Act requirements are too complex for overall understanding and compliance?

Table 10 shows 80% of the compliance officials believed Clery Act requirements were too complex for overall compliance and 20% believed they were not.

Table 10

Numerical Responses to Interview Question 9

Interview Question 9	Response	Number	Percentages
Compliance Officials	Yes	16/20	80%
Compliance Officials	No	4/20	20%

Several common themes emerged from the responses of the 16 compliance officials who believed Clery Act requirements were too complex for overall compliance. Table 11 shows how the themes were broken down in to four categories and their associated percentages.

Fifty percent of the compliance officials believed Clery Act requirements were vague and open to interpretation, therefore making them too complex for overall compliance. Compliance official 1 stated, “Yes, they are too complex and there is a lot of area for misunderstanding. A lot of interpretation.”

Table 11

Participant Responses to Interview Question 9 a.

Reasons Why Requirements Are Too Complex	Number	Percentage
Interpretation	8/16	50%
Geography (New)	5/16	31%
Identifying/Training CSAs	2/16	13%
Number of Policy Statements	1/16	6%

Compliance official 6 stated,

Yes. They are a little at times. I think if they were more specific. I think they should be more specific on chargeable/fineable things. You didn't do this specific thing, then you are in the wrong. I think with a few revisions and it would be a lot better. I don't like the ambiguous nature of something that is so important and that is going to cost the college so much money if something doesn't get done."

Compliance 16 stated, "It is open to interpretation by people who are not police."

Compliance official 17 stated, "I think it is because they are not clear enough about exactly what they want." Compliance official 20 summed up the vagueness of the Act by stating,

Yes. It is very difficult to understand. We have a legal team and we will get five different opinions from our five different lawyers. Yale University has seven attorneys who are geared towards working on Clery and they were fined \$300,000. So I am thinking if seven attorneys can't figure it out how is some police guy going to figure it out.

Compliance official's 5, 8, and 11 specifically described the vagueness of Clery crime definitions that can easily be misinterpreted. Compliance official 5 stated,

Yes, I just think that in specific incidents. Was it a burglary? It have four walls and a door but the door was unlocked. There are just a lot of complications in there to try and figure it out and score it right.

Compliance official 8 stated,

What Clery defines as an assault in Florida may be what we call a battery. So depending on what geographical area you are from you have to look at the Clery definition and then interpret local law to fit the statute. That makes it complex and confusing.

Compliance official 11 stated,

I think it comes down to defining them in a better fashion. We had a scooter that was taken in a residential hall. We tried to report that as a motor vehicle theft because by definition it is a motor vehicle and Clery would not take it. So we called to verify. Why can't we put this in? They said well you can't have a motor vehicle theft inside a residence hall. So we explained and they still argued that. Finally, they accepted it.

Thirty-one percent of the compliance officials believed the requirements related to Clery geography were too complex. Compliance officials 5, 7, 9, 13, and 17 all described certain aspects of Clery geography that impeded compliance. Compliance official 5 stated, "The buildings across the street from campus related to Clery Geography in terms of adjacent property and campus property." Compliance official 7 stated, "The whole travel, frequently used aspect of it is cumbersome. I think it is a waste of time. Out of the

200 letters I sent out, I have one domestic violence report that will go into this year's stats." Compliance official 9 stated, "A lot of it relates to the short term trips. I think that is probably the hardest to track." Compliance official 13 stated,

I am taking things that may not seem complex but they are if you look at the intent of Clery. It's too inform the campus community, potential employees, and potential students. But what it leaves out is where the real issue is which is off the campus, outside of Clery Geography, where 90% of the issues happen.

Compliance official 17 stated, "You have so many organizations with the campus and not all of them let you know they are going on a trip. I think it is almost impossible to be totally compliant with this."

Thirteen percent of the compliance officials described the complexities of CSA requirements. Compliance official 9 stated,

I think it is difficult to sometimes interpret who should be classified as a CSA and track those changing individuals throughout the institution. I think those are the two most difficult administrative burdens. I also think our CSAs are required report crimes to us on an ongoing basis but at the same time we have to have them fill out an annual form. Getting all those people to actually listen to you and fill out the form simply stating I told you what I was supposed to tell you during the year is very burdensome. I think it is very difficult to get 100% compliance on that.

Compliance official 19 stated,

Yes, there are things that are difficult. Again, you can comply with them but it would be easier if they would relax some things. Specifically within training

CSA's it is a difficult to maintain or constantly update those titles and positions. I think the way they have defined them it pretty much includes everybody, so that has presented some challenges. If you just use the umbrella effect and train everybody, I guess you can deal with the statute.

Compliance official 2 identified too many policy statements added to the complexity of the Clery Act by stating,

The policy statements are required to be published in the handbook, student applications, and employment applications. It is not enough to be doing it you have to prove it. It is hard to make sure you have all of the policy statements.

Compliance official 10 and compliance official 12 stated Clery Act requirements were too complex for overall compliance but they did not offer any reasoning to support their response.

Twenty percent of the compliance officials believed Clery Act requirements were not too complex for overall compliance. Table 12 shows the breakdown of their responses into three categories and their percentages.

Table 12

Participant Responses to Interview Question 9b.

Reasons Why Requirements Are Not Too Complex	Number	Percentage
Interpretation (New)	2/4	50%
Identifying/Training CSAs	1/4	25%
Incomplete Response	1/4	25%

Compliance official 15 and compliance official 18 did not believe Clery Act requirements were not too complex but they did articulate their concerns in relation to

how they interpreted some of the requirements. Compliance official 15 stated, “The rules and regulations around them are too complex but the stats and general stuff they are looking for is pretty straight forward.” Compliance official 18 stated, “I think they are complex but not too complex. There are many grey areas and I like things in black in white, especially if am going to be getting a fine if I don’t do it right.”

Compliance official 4 mentioned the complexity of identifying and training CSAs by stating,

I do not think they are too complex. I think at times they are difficult to manage because of all the different puzzle pieces you have to put together. CSA, know their responsibility and know what to do. You also have to make sure that your human resources has those CSAs listed in the job descriptions so they know when they are hired. When you have turn, over you do not always know when someone left or someone came, so you have to train this new person. Keeping up with the components of the daily crime log, to capture everything. So, it’s just a number of parts puzzle pieces that have to work together and making sure everyone knows their responsibility. Compliance sometimes is a big task.

In conclusion, 80% percent of compliance officials believed Clery Act requirements were too complex for overall compliance. The remaining 20% who believed the requirements were not too complex still mentioned several complex areas of the Clery Act. As shown in Figure 2 the researcher triangulated the compliance official’s responses to interview question 9 with the information published by Wood and Janosik in 2012 and research published by McNeal in 2007.

Wood and Janosik (2012) stated Clery Act compliance officials believed the Clery Act was too complex for overall compliance. McNeal's (2007) research study involving 221 IACLEA revealed 86% believed Clery geography requirements in terms of crime reporting was complex. This information was consistent with the participants' responses to interview question 9. The compliance official's responses regarding difficulties with identifying/training CSAs generated new information that filled the gap in current literature by identifying a specific area they believed was too complex for overall compliance.

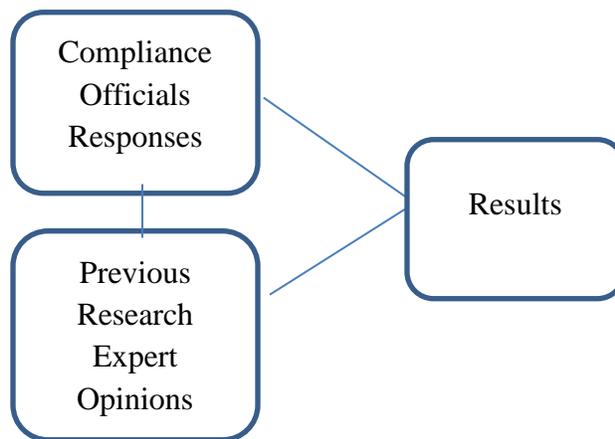


Figure 2. Compliance official's responses (themes) compared with expert opinions and the results.

Data Analysis-Interview Question 10-Research Question 3

Interview question 10 asked the participants to identify the Clery Act requirements that were most difficult in relation to compliance. This question addressed Research Question 3. What are the relationships between the complexities of the Clery Act reporting requirements and institutional non-compliance?

Some of the participants listed multiple requirements as required in sub question 10a. Table 13 reveals four common themes generated from the participant's responses and their percentages.

Table 13

Participant Responses to Interview Question 10

Requirement	Number	Percentage
Clery Geography	9/20	45%
(New)	8/20	40%
Identifying/Training CSAs		
(New) Timely Warning	4/20	20%
Crime Classifications	3/20	15%

Forty-five percent of the compliance officials identified Clery geography as a major compliance issue. Compliance official 3 stated, "The troublesome has been establishing the Clery Geography. We are kind of fortunate because our institution is really fenced in although we do have some other areas." Compliance official 6 stated,

It is almost impossible to know every single instructor and every single athletic person and if they have been at a certain location. If they go there every year, they have to report. If they only go there once, they do not have to report.

Compliance official 7 stated,

The letters sent out to law enforcement for frequently used, repetitive use student travel, just because it is so time consuming. Getting that information from the key people on your campus to identify and look up what police agencies has that jurisdiction. Getting the letters drafted and send them out, knowing only 10% will come back and say that hotel is not in our jurisdiction.

Compliance official 10 stated,

There are so many. The toughest one now is this new one-mile perimeter crime reporting that involves input from many agencies around us. We have two major interstates, that gets to be ridiculous and there is no need for it.

Compliance official 11 stated, “I would say the overnight stays. We have to gather the information on them because it is a certain area and not the entire hotel. So I think that would probably be it.” Compliance official 12 stated, “Getting a good understanding of the Geography.”

Compliance official 17 stated, “The overnight trips is the main one for me. The geography is difficult. The crime statistics are not that difficult except for the overnight trips.” Compliance official 18 stated, “How to count international students study abroad studies.” Compliance official 14 stated,

The things I have the most challenges with are dealing with issues with overnight stays, as far as getting information from all the various groups. To gather that information because you have to know the rooms they were in because it is treated as non-campus property or extended stays. When you have to contact multiple external agencies for requests, it is difficult at times to get responses that apply with your situation.

Compliance official 16, “The ones that get over encompassing such as groups of students who travel abroad or travel to other areas. Trying to get crime data from a foreign country is nearly impossible to do.”

Forty percent of the compliance officials had issues identifying and training their CSAs. Compliance official 1 stated. “Identifying and training our CSAs to report in a timely manner.” Compliance official 2 stated, “Always making sure that you are not

missing people being trained. Most of our faculty is part time. A lot of time is spent just keeping up with who is here, who is leaving, training the new folks.” Compliance official 6 stated, “The campus security authorities. Keeping up on who is, who isn’t and making sure everybody adequately understands the requirements.” Compliance official 7 mentioned the number of CSA’s they were responsible for identifying and training. Compliance official 7 stated, “I have a challenge identifying the CSA’s on a large campus. We have almost 900 CSA’s we have identified and trained.” Compliance official 9 stated, “I think it is also difficult to get everyone trained.” Compliance official 12 reiterated the need to identify and train faculty and staff members because most are not aware they are a campus authority. Compliance official 12 stated,

You would almost have to put it in a job description here for everyone to know who is a CSA. It is frowned upon because they already established job descriptions and that is not something they are willing to change. So that has been one of my greatest problems is trying to locate all the CSA’s

Compliance official 15 furthered this by stating,

Training and getting the university to accept that other people are responsible for Clery and not just the police department. To be compliant with Clery Act reporting requirements it is important for CSA’s to notify campus security authorities of Clery crimes they become aware of.

Compliance official 18 stated, “Having CSA requirements. We educate them yearly and try to remind everybody who is a CSA what their responsibilities are.”

Twenty percent of the compliance officials identified issues knowing when to issue a timely warning according to Clery Act requirements. Compliance official 8 stated,

“Sometimes knowing when to send out a timely warning or emergency notification. Compliance official 13 stated, “Well the thing that most schools struggle with is the timely warning and the immediate notifications because there is so much conflicting information out there.” Compliance official 17 stated, “The timely warning. You get different instructions on when you should do it and when you should not. All the DOE will tell you is that you have to access the situation.” Compliance official 20 stated,

The timely warning portion is the one that gives me the most headache and trouble. Knowing when to send it. Is there a time frame that we have to send it within to make it timely to those who we are trying to alert? Classifying what crimes to send it for. Sexual assault? Sexual violence? Some of those we have a pretty good inclination that we might know who the offender is. Do we have to send it in those cases? If we could have more guidance and more specifics on when we need to send those that would help me greatly.

The remaining participants (15%) identified issues complying with Clery Act crime classification requirements. Compliance official 3 stated, “Classification of some of the VAWA crimes. There are so many times we have to pull out the handbook.” Compliance official 5 stated, “I just think for me it was the definitions of crime categories that we had to bounce off of each other as what do you think it means.” Compliance official 6 stated, “The toughest thing is getting accurate crime statistics. It is too much for everybody to understand it all.”

Compliance official 10 stated,

The other thing is Clery crime reporting. There is no need for them to create their own crime reporting matrix. All they have to do is use the standard FBI Uniform

Crime Report (UCR). Clery makes their own. What is sexual assault? Clery wants to count them differently than the UCR. That is another difficult issue.

In conclusion, the compliance officials identified four Clery Act requirements that were complex in terms of compliance. These areas included difficulties establishing Clery geography, identifying/training CSAs, when to issue a timely warning and how to classify Clery crimes based upon Clery crime definitions. The researcher triangulated the compliance official's responses to interview question 10 with the top four Clery Act violations resolved at 52 higher education institutions by the DOE between 2011 and 2015.

As illustrated in Figure 3 the researcher triangulated the compliance official's responses to interview question 9 with the Clery Act violations resolved by the DOE compliance team between 2011 and 2015.

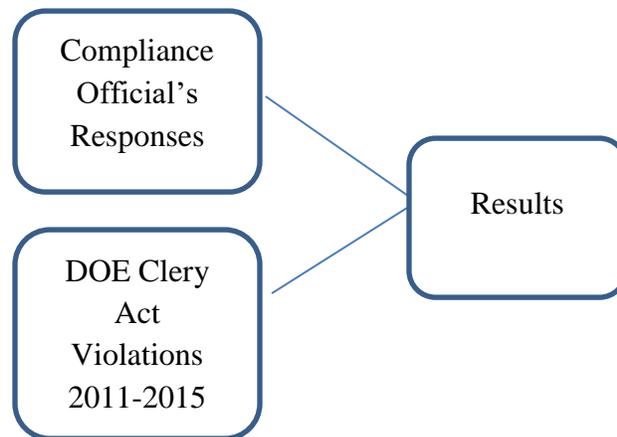


Figure 3. Compliance official's responses (themes) compared with DOE Clery Act Violations, and the results.

The compliance official's responses indicated they had issues with properly classifying/disclosing crimes and identifying campus geography, which is consistent with two of the top four Clery Act violations resolved by the DOE. The compliance official's

responses in relation to identifying/training CSAs and timely warning requirements filled the gap in current literature by identifying specific requirements that impeded compliance.

Data Analysis-Interview Question 11-Research Question 4

Interview question 11 asked the participants to identify the factors that limited their ability to comply with Clery Act requirements. This question addressed **Research Question 4**. What factor(s) do Clery Act compliance officials believe enhance or limit their ability to comply with Clery Act requirements? Several of the participants listed multiple factors as required in sub question 11a.

Table 14 reveals five common themes generated from the participant's responses and their percentages.

Table 14

Participant Responses to Interview Question 11

Factors Limiting Compliance	Number	Percentage
(New) Lack of Internal Support	5/20	25%
(New) Time	4/20	20%
(New) Lack of Communication	4/20	20%
Vague Requirements	3/20	15%
(New) Cost	2/20	10%
No Factors	2/20	10%

Twenty-five percent of the compliance officials identified the lack of internal support limited their ability to comply with Clery Act requirements. Compliance official 1 stated, "From my perspective a true buy in from the institution." Compliance official 2 stated,

I think getting the overall college community to understand is a challenge. I do not think the executives and presidents understand how complex it is. We have invited them to the training we offer CSAs but they do not participate. I think they think it is just a report that has to be done every year that you type and publish. I don't think they understand. I do not think the department heads or the dean grasp it either.

Compliance official 7 stated,

I think the challenge with Clery compliance is it is an institutional responsibility. However, because it is a crime statistic gathering, administrators often believe that it is a law enforcement/public safety responsibility. When in fact there are so many moving parts and pieces to this, it really involves a campus wide participation to make you compliant.

Compliance official 9 stated, "I think one of the difficulties I personally have is not having additional administrative support."

Compliance official 14 stated,

At times I feel that the people at the university work in silos and they don't tend to see the importance of why we need to do certain things such as specific training modules, giving information so you can make accurate statistical reports and the importance of getting good records.

Twenty percent of the compliance officials stated the lack of time to meet all Clery Act requirements was an issue. Compliance official 1 stated, "From a public safety or police side is time." Compliance official 3 stated, "Time, because of other duties

assigned, because of the staffing being short, trying to do more responsibilities with less.”

Compliance official 12 stated,

We are a small police department so being taxed with the Clery report, for me is a lot. I do hiring and I have the parking and transportation department. I have crime prevention officers, so this is just one of many roles I have. It is not an easy task to spend all the time you need for the Clery report to get done the way they believe it should get done.

Compliance official 13 stated, “They say it should not take more than a few hours or something. I have 648 CSA’s, that alone is a two week project getting the list and getting them all trained.”

Twenty percent of the compliance officials believed the lack of communication impeded compliance. Compliance official 1 stated,

Coordination between public safety, CSAs, and student development, Public safety has the criminal side, student development has the student discipline side, and sometimes if there is not good coordination there are things that are reported to student development personnel that does not get moved over to the police side.

Compliance official 4 stated, “Participation from the numerous different departments who have responsibilities in Clery. It’s a little taxing. Our campus is not that big but it is a good size and at times is difficult for me to do by myself.”

Compliance official 8 stated,

I think sometimes the lack of contact and the lack of communication between local law enforcement and the institution. There are things that occur within a close proximity to the university that we should let our campus community know

about. But because the communication is not there with our local law enforcement they don't let us know if they had a shooting, robbery or vehicle burglary on the street that is close to the university. Clery requires that we do notify the campus community about it but we can't notify them if we don't know about it. So that lack of communication is a challenge.

Compliance official 16 stated, "Sometimes people just don't want to tell you, like counselors and the nurse's office. When you call about stats and people get complacent about reporting in a timely manner."

Fifteen percent of the compliance officials believed the vagueness of Clery Act requirements limited compliance. Compliance official 6 stated,

Just the certain vague regulations or requirements. Sometimes it seems like they want a certain result but they don't mandate it's done a certain way. Just the wording. If the actual rules on certain things such as geography and CSA's training etc. . . . If that was more specific it would be a lot easier.

Compliance official 17 stated, "The vagueness of the handbook." Compliance official 20 stated,

The language they are written in and the lack of training from the actual department that is auditing you. I just find it interesting that we receive training from third party vendors. It would be neat to receive training from the organization who is going to audit and fine you, rather than just receiving the book with guidance.

Ten percent of the compliance officials mentioned the cost associated involved in complying with Clery Act requirements. Compliance official 10 stated,

Some of the factors are just the out and out cost of Clery compliance. We are doing this Clery geography map they decided they wanted of the campus, one mile radius, and any satellite facilities. We are finding out to create a map like that is costing thousands of dollars. That is ridiculous. So there are a lot of costs that are not necessary.

Compliance official 13 stated,

It is expensive. You are required to do all this training well somebody has to do the training. You can't just throw out any kind of training. It has to be backed with some kind of research to it and that is not free. A lot of places do not have those resources.

Compliance official 15 and compliance official 19 did not identify any factors that limited their ability to comply with Clery Act requirements.

In conclusion, the compliance officials identified five factors that limited their ability to comply with Clery Act requirements. The data obtained from the DOE's four common Clery Act compliance violations resolved at 52 higher education institutions between 2011 and 2015 and the United States Senate Subcommittee report revealed numerous areas of non-compliance but they did not identify any specific factors limiting compliance officials ability to comply. The information related to lack of internal support, time, lack of communication, and cost generated new information and filled the gap in the current literature by identifying specific factors that limited the compliance official's ability to comply with Clery Act requirements.

Data Analysis-Interview Question 12-Research Question 4

Interview question 12 asked the participants to identify the factors that enhanced their ability to comply with Clery Act requirements. This question addressed Research Question 4. What factor(s) do Clery Act compliance officials believe enhance or limit their ability to comply with Clery Act requirements? Some of the participants listed multiple factors as required in sub question 12a.

Table 15 reveals six common themes generated from the participant's responses and their percentages.

Table 15

Participant Responses to Interview Question 12

Factors Enhancing Compliance	Number	Percentage
Internal Support	9/20	45%
Training	8/20	40%
(New) Clery Committee	3/20	15%
Self-Motivation	3/20	15%
(New) Technology	2/20	10%
DOE Assistance	2/20	10%

The compliance official's responses revealed 45% believed internal support from other members of the institution and external support from other institutions or agencies enhanced their ability to comply with Clery Act requirements. Compliance official 2 believed cooperation with local law enforcement agencies enhanced compliance by stating, "Good working relationships with local law enforcement agencies. So when situations happen in or around campus we are able to communicate." Compliance official 8 also believed their relationship with law enforcement enhanced compliance in addition to internal support from their institution. Compliance official 8 stated,

The relationship that I had with the law enforcement agencies. We actually carried their radios so we had inoperability in terms of communication. We had one of their radios in dispatch so when a call went out if those of us who had their radios could hear it dispatched. So, that helped to enhance it. The relationships with the surrounding higher education institutions. We had a little consortium where trained together had an exchange of information together. So those were things that helped us to stay in compliance. By staying on top of what was going on. Knowing what we had to do and sharing with each other.

The remaining seven compliance officials all believed internal and external support enhanced compliance. Compliance official 3 stated, Collaboration with other higher education institutions.” Compliance official 5 stated, “We had to collaborate to make sure we got it right.”

Compliance official 4 stated, “Good support from leadership. I have some good constituents if I have a question. All of that goes towards compliance. If you do not have support from hirer ups then you feel like Clery is a waste of time.”

Compliance official 6 stated,

The college administration helps. They are very supportive of Title IX and student rights. Mental health. I could not ask for any more support if I wanted to. If I tell the college this is something I have to do under Clery they already know it. They are very versed in the Clery Act. They know all the rules. I have seen them refuse to bend the rules for students who wanted financial aid because it was against the rules.

Compliance official 7 stated,

You have to have the support of your administration and your campus to really to push it through. If your administration does not understand this is an institutional responsibility and does not support your compliance, then you are going to have difficulty getting other people to help you. If you're President and others are supportive of it and believe we should be doing this correctly it seems to get more people to buy in and get better compliance. I know here I have had good reception from athletics, student conduct, and student residential life. Some key support from my boss and his boss so that makes life a little easier.

Compliance official 13 stated,

I have a boss that lets me do what you have to do to make sure. I know that is an issue with a lot of universities. I do a lot of things for my position but my priority is Clery.

Compliance official 14 stated, "When you have upper administration that knows and sees the importance of what you are doing is the biggest help in Clery compliance."

Forty percent of the compliance officials believed the training available for Clery Act requirements enhanced compliance. Compliance official 1 stated, "There is Clery training available. You have experts in the field that have developed their own business or provide expertise that can help you." Compliance official 2 stated, "Good budgets so we are allowed to go out and spend money for training." Compliance official 3 simply stated, "Training."

Compliance official 4 stated, "There is good training that helps guide me in the direction."

Compliance official 5 also simply stated, "Probably training."

Compliance official 7 stated,

I think the training that is offered out there helps. I think you have seen the push by DOE. Especially, Jim Moore who is the lead investigator for DOE. I think you see them trying to be, you know instead of us versus them kind of thing. They are trying to help educate us on what they are looking for to help us be compliant. I think the training out there makes help improve it.

Compliance official 16 stated, “Just getting everyone trained in what is required. This year I had to train some people about timely reporting and how important that was.

Training is a big thing.”

Compliance official 19 stated,

I like the trainings. I like the stuff they put online. The webinars are usually pretty good so if you ever have questions or if new things come out, they are pretty good about putting out trainings regarding that.

Fifteen percent of the compliance officials mentioned having a Clery Act compliance team that helped enhance compliance. Compliance official 3 gave a one-word response in this area by stating, “Committee.” Compliance official 11 stated, “I guess having a team helps. Since we don’t have a Clery compliance officer, having that team so we can sit down and talk about ideas to make sure of checks and balances.”

Compliance official 20 stated, “I think having a legal team to assist. Our legal team wrote a program, which asks you a ton of questions, which alleviates just how things do not tie together. I think having that program has enhanced our ability to comply.”

An additional 15% of the compliance officials believed their knowledge of Clery Act requirements and their self-motivation enhanced their ability to comply with Clery

Act requirements. Compliance official 9 stated, “I think my background in legal compliance and that my understanding of data information management help me.”

Compliance official 12 stated, “I am familiar with the offenses that occur on campus. So, when it is time for the report to come up it is easy for me to gather that information.”

Compliance official 17-Just that I am dedicated to trying to do it the right way because I do not want to be the cause of my campus being audited or fined.

Ten percent of the compliance officials stated technology enhanced their ability to comply with Clery Act requirements. Compliance official 15 stated, “Our records management system because it does the majority of the work for us as long as we get all of our reports entered correctly it will figure everything out.” Compliance official 18 put documents and trainings online that enhanced their ability to track student trips and deliver CSA trainings. Compliance official 18 stated,

I think having things available on the web and computer technology. Every time somebody submits a trip letter now. Working with our information technology since everything is pretty much web based. When they submit a trip I get an email and my assistant director gets an email. Doing the online training for CSA’s. I put a video out there. They can watch it and it gives me an email. I collect a data base of who has watched it and who has not. So I guess technology really. Making it easier.

Two compliance officials (10%) mentioned the DOE help desk and *handbook* to enhance compliance. Compliance official 1 identified the DOE help desk as a compliance tool but offered some skepticism. Compliance official 1 stated,

Even though the DOE has a help desk. I have always been cautious of that because if you call in does that mean you will get flagged for asking questions look at it from a negative perspective even though I have never been through an audit I have read a lot of the audits they have done you are always worried about. I would always do a good faith effort but did I make a mistake that would cost the institution a fine.

Compliance official 5 stated, “Being able to use the *handbook* to match up the crimes to what we had.

In conclusion, the compliance officials identified six factors that enhanced their ability to comply with Clery Act requirements. As shown in Figure 4 the researcher triangulated the compliance official’s responses to interview question 12 with the expert opinions.

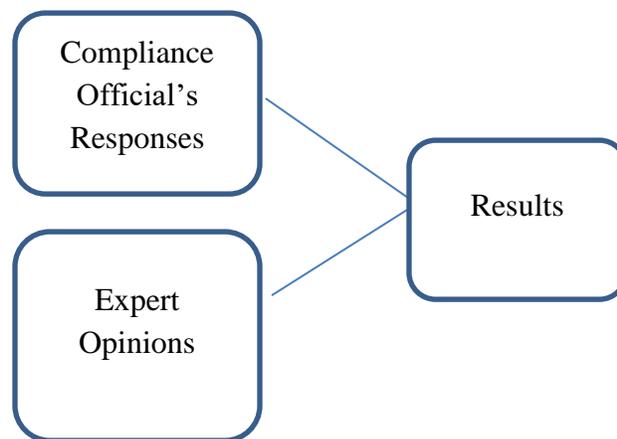


Figure 4. Compliance official’s responses (themes) compared with expert opinions, and the results.

Solovay (2016) believed the issues of non-compliance stemmed from a lack of training and administrative support. McNeal (2007) stated training would enhance compliance. Wood and Janosik (2012) recommended higher education administrators do

more to educate their faculty members on Clery Act requirements. The compliance officials agreed with 45% stating internal/external support enhanced compliance and forty percent stating training was a significant factor that enhance their ability to comply with Clery Act requirements.

Wood and Janosik (2012) believed the DOE should do more to assist higher education institutions with compliance. Only 10% of the compliance officials stated the DOE enhanced their ability to comply, indicating need for more involvement to improve compliance. The information presented by the compliance official's responses in the areas of technology and having a compliance committee generated new information and filled the gap in the current literature by identifying new factors that enhanced the compliance official's ability to comply with Clery Act requirements.

Data Analysis-Interview Question 13-Research Question 5

Interview question 13 asked the participants list the steps their institution could take to enhance Clery Act compliance. This question addressed Research Question 5. What measure(s) do Clery Act compliance officials believe their institution could take to enhance Clery Act compliance? Some of the participants listed multiple steps as required in sub question 13a.

Table 16 reveals five common themes generated from the participant's responses and their percentages.

Table 16

Participant Responses to Interview Question 13

Institutional Steps to Enhance Compliance	Number	Percentage
Administrative Training	9/20	45%
Internal Support	7/20	35%
Compliance Committee	5/20	25%
No Steps	3/20	15%
(New) Identifying CSAs	2/20	10%

Forty-five percent of the compliance officials believed training, especially administrators on Clery Act requirements would enhance compliance. Compliance official 1 believed senior level administrators should receive training. Compliance official 1 stated, “Senior administration should receive training on Clery requirements. So that way when the Director of Public Safety comes to the Dean of Students or President that we need to issue a “timely warning” they will understand.” Compliance official 2 stated, “The decision makers can take steps to familiarize their self with it would be helpful and it could trickle down to everyone else understanding.” Compliance official 3 stated, “Continue with the training and not get behind there.” Compliance official 5 stated, “We needed an administrator that has Clery training besides the people reporting. The Dean of Students or somebody along those lines should be involved in that.” Compliance officials 8, 9, 15, and 18 believed overall training was significant to enhance compliance. Compliance official 8 stated, “Helping the campus community to understand what Clery is all about. Training the campus community to truly understand what Clery is and the requirements.” Compliance official 9 stated, “Helping the branch campuses be

more involved in the process themselves by giving them the resources and training they need so they can take over the administrative burden.” Compliance official 15 stated, “A major training program for all faculty, staff, and full time folks. They currently do a web based form of it. It is just not enough.”

Compliance official 18 stated, “I think educating everybody as a whole on campus instead of just having myself and my assistant director be the gurus. University staff and faculty education on the Clery Act and requirements would be my biggest thing.” Compliance official 10 mentioned a specific organization that offered compliance training. Compliance official stated,

That is why we hired D Stafford. We need her help. What is compliance and what is not compliance? Because a lot of the documents are not clear. But I mean the school is 100 percent wanting to comply with it. Well they have to they have no choice. It is tough.

Thirty-five percent of the compliance officials stated internal support either enhanced or would enhance their ability to comply with Clery Act requirements. Compliance official 1 stated, “Monthly meetings with the Dean of Students. How many alcohol drug offenses did you have this month and what did you do with them? That way you can go into your statistics on the police side and compare them.” Compliance official 3 stated, “The responsibilities of the CSA’s especially coaches, teachers, and studying abroad. What their responsibilities are so that we can take that statistical data if something happens and get it back on campus. Compliance official 4 stated,

The one woman show is not sufficient. More can be said by the higher ups about Clery so the Department heads feel that it is important. Better communication

across offices. I have some departments that never show up and they hold one of those pieces to compliance.

Compliance official 6 stated, "I think the college administration is very helpful because I get no push back from anyone here. I just think they are just happy I am keeping in compliance. They are very interested in staying compliant and very helpful."

Compliance official 7 stated, "I think the institution can enhance compliance by making sure it starts at the top. Making it clear that compliance is an important piece. Compliance official 14 stated,

Being able to get information in a timely manner and appropriate information from people to ensure they we have compliance. Certain times you might have issues dealing with certain groups, athletics or academic affairs that might not provide the information in a timely manner or at all.

Compliance official 20 indicated their many responsibilities took time away from Clery Act compliance. Compliance official 20 stated,

We need to invest in a full time compliance person and maybe they have some other duties as well. We need someone who could really spend a lot of time and infuse themselves in every detail of it. Keeping up with the reports, and the daily crime log because those things are just difficult to stay up on in a small unit like ourselves. We are an 11 man police department. We have 11,000 calls for service a year, 800 reports a year. It is just hard for me to do all of those things because you are sending them back to be edited. That is our biggest nightmare. If we could have someone who could spend time on our compliance, we would be in better shape.

Twenty-five percent of the compliance officials stated their institution had a Clery Act compliance committee or needed to have one to enhance compliance. Clery compliance official 4 stated, “Clery Act committee meeting.” Compliance official 1 stated, “Create a Clery compliance committee is a critical step.” Compliance official 5 stated, “We always talked about forming a Clery Committee which never really happened.” Compliance official 13 stated,

The biggest thing was having a Clery committee. Just meeting once a year, where it has everybody from Title IX and whoever is running your property management. The coordinator would decide who is important to Clery to come in and sit on this. So you can have updated information right before the school year starts. When October comes around you are good to go.

Compliance official 17 stated, “I wish we had a Clery compliance group-committee. I think it would help, other than just me trying to reach out to the coaches and organization advisors to find out if they have any stats.”

Ten percent of the compliance officials stated they could enhance compliance if their institution did a better job of identifying their CSA’s Compliance official 3 stated, “Being committed to identifying CSA’s and having them trained.” Compliance official 12 stated, “The CSA’s. Identifying them better than we have been able to.

Two compliance officials thought their institution was doing everything possible to enhance compliance. Compliance official 11 stated, “I can’t think of any.” Compliance official 16 stated, “They do a fairly good job of getting the word out and asking the right questions. Seems like we have a pretty good system going. I feel like we are very

accurate with our reporting. Compliance official 19 stated, “I think we do a pretty good job with it now. I can’t think of anything else we should be doing.”

In conclusion, the compliance officials identified four steps their institution could take to enhance their ability to comply with Clery Act requirements. As shown in Figure 5 the researcher triangulated the compliance official’s responses to interview question 13 with expert opinions.

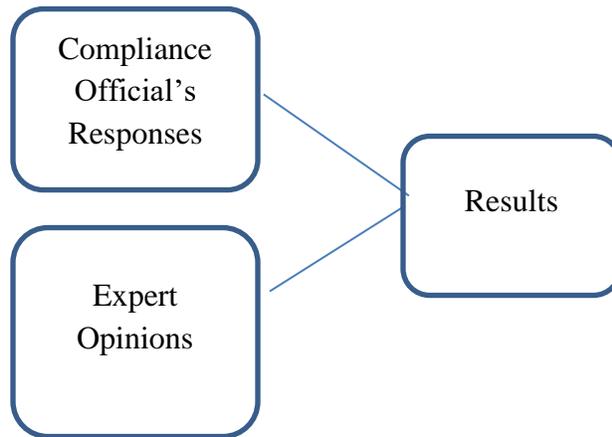


Figure 5. Compliance official’s responses (themes) compared with expert opinions, and the results.

Solovay (2016) believed the issues of non-compliance stemmed from a lack of training and administrative support. Forty-five percent of the compliance officials believed upper administrators should be training on Clery Act compliance and thirty-five percent stated internal support would enhance compliance. Wood and Janosik (2012) reported administrators within higher education institutions needed to collaborate in order to enhance compliance. Wood and Janosik (2012) stated, “Although the official source of crime reporting data stems from the campus police office, many campuses include university counsel, student affairs representatives, counselors, and various other administrators in the data collection process.” (p. 13). Twenty-five percent of the

compliance officials stated having a Clery compliance committee involving other members of the data collecting process would enhance compliance.

The compliance official's responses to interview question 13 were primarily consistent with expert opinions. The new information related to identifying/training CSAs generated new information and filled the gap in the current literature identifying a specific step higher education institutions could take to enhance compliance official's ability to comply with Clery Act requirements.

Data Analysis-Interview Question 14-Research Question 6

Interview question 14 asked the participants to identify the steps federal legislatures could take to enhance Clery Act compliance. This question addressed Research Question 6. What measure(s) do Clery Act compliance officials believe Federal legislatures could take to enhance Clery Act compliance?

Table 17 reveals one common theme and five singular identified steps generated from the participant's responses and their percentages.

Table 17

Participant Responses to Interview Question 14

Legislative Steps to Enhance Compliance	Number	Percentage
(New) Simplify Requirements	16/20	80%
(New) Eliminate Threats	1/20	5%
(New) Practitioner Input	1/20	5%
(New) Minimize Changes	1/20	5%
Enhanced Training	1/20	5%
No Measures	1/20	5%

Overwhelmingly 80% of the compliance officials believed federal legislatures should simplify Clery Act requirements in order to enhance compliance. Compliance official 1 stated, “They need to take a big broad picture of reassessing Clery and other federal requirements that impact Clery and take all those requirements and put them in one location to determine what is still effective.” Compliance official 5 stated,

I think they need to clear up the language and have some uniformity in the different types of crimes. To run a little bit more with what the state requires. I think part of it is just hard to understand at times.

Compliance official 6 stated, “They could simplify some of the regulations or procedures without really hurting it. I think the spirit of the law is pretty clear.” Compliance official 8 stated, “Really their legislation should be more realistic and clearer in what they want. There is a lot of ambiguity in what they want us to do.”

Compliance official 11 stated, “Making definitions more clear.” Compliance official 12 stated,

I am like, do you all read this. Have you actually sat down and read through the Clery Handbook? I think they need to get a better understanding their selves of what the expectations are. If they don’t do that then they can keep on piling more fines on top of it and you can keep on asking for more. But not having a good understanding of what is there now I think hinders them in making any future adjustments or whatever they can do to help us out. Maybe just reading over it and actually realizing how much grey area there is there and try to help us out.

Compliance official 13 stated,

Remove half of it. Simplify it. Remove all the restrictions to it. It is a great idea. I understand why they are doing it. I do not know how somebody is that dumb to have done this but now it is a broad rule for everybody. Everybody has to follow this.

Compliance official 15 stated, “Clearly define the rules and regulations for reporting. Get rid of the grey areas.” Compliance official 16 stated, “Simplify it a little bit and don’t make it a witch hunt when they come to find any little issue. Make it about actual legitimate violations, like withholding rape information.” Compliance official 18 stated,

Making things more black and white. More direct and less grey area. There are sometimes I have called the DOE and they are like we do not know. We will have to get back to you. I am not sure even the DOE knows what they are supposed to be doing in the Clery Act sometimes. I would say just making things more clear.

Compliance official 10 stated,

Really easy. Make this thing a whole lot simpler than what it is. You have Clery, VAWA, SAVE, and CASA. They are all the same thing they just say it in different ways. They need to just come up with one law, simplify it so everyone could understand and it would be a whole lot easier to comply with.

Compliance officials 9, 14, and 17 believed simplifying requirements related to Clery geography and short-term trips would enhance compliance. Compliance official 9 stated, “They need to remove the short term trips. We also need to look at what the statistics are actually telling our communities. The fact that our statistics are telling what was reported but not when the crimes occurred.” Compliance official 14 stated, “They could remove the stipulation of overnight stays the way it is written in the regulations. It is almost

impossible to get the information to ensure compliance for the room numbers.”

Compliance official 17 stated,

I think they could take out some of the requirements. The law enforcement entities we send these crime stats requests to don't have to respond and Clery does not seem to care if they do not respond. All we have to say is that I made a good faith effort and they did not respond. How is they helping? Take out some of the geography stuff. Be more specific about what they actually want in timely warnings.

Compliance official 7 stated,

I think we all would recommend that they blow it up and redo it and focus on what is important. To educate kids and parents on key safety issues and policies. Give them crime data that is actually relevant. I will give you an example. Here is the problem the Clery Act. When you look at the non-campus category on your stats you can have a crime that occurred in China or a mile down the street and we would never know. You put your non campus property, study abroad, and all that stuff goes into your non campus category. There is no way to break that out. So if a parent looks at that, they have no clue that that problem could be two miles from campus or it can be in a whole different country or whole different part of the United States. So I think that is a problem.

Compliance official 7 also believed the amount of policy statements should be reduced or simplified to enhance compliance. Compliance official 7 stated, “You have 114 policy statements. Again, out of those policy statements what is really important that we educate our community on?” Compliance official 3 agreed by stating, “Be more clear

and reduce the compliance issues. The pure number. There are 132 policy statements now and they are continuously growing.” The discrepancy between the number of policy statements listed by compliance official 7 and compliance official 3 is not unique. All compliance officials interpret Clery Act requirements differently and may add or reduce the number of policy statements included in the ASR’s based upon these interpretations and the differences between institutions.

The remaining responses were singular in nature but the information has value in terms of what federal legislatures can do to enhance compliance. Compliance official 2 believed federal legislatures should seek input from Clery Act practitioners in order to make necessary changes that will enhance compliance. Compliance official 2 stated,

They should take into account the practitioners when they are making these rules or publishing the handbook. They should have people that actually live it and do it provide feedback or input. I don’t know if they care how easy or hard it is to be done. My recommendation is that the law makers should get feedback from people who are actually doing it.

Compliance official 4 stated, “They can stop ruling with the threat of an audit and an institution losing their funding.”

Compliance official 8 stressed the need to stop changing Clery Act requirements by stating, “Stop changing the Dear Colleague Letter every few years.”

Compliance official 20 stated, “I think they should provide training on what their expectations are. Also have some hands on training based upon what their expectations are.”

Compliance official 19 stated, “I really do not know about that one. They already go a good job and they send out auditors to check and make sure people are actually complying with it.”

In conclusion, the compliance officials identified one major step in terms of simplifying regulations federal legislatures could take to enhance their ability to comply with Clery Act requirements. The singular responses related to requirement changes, additional training, practitioner input, and penalty threats added to the value of this study by identifying problem areas federal legislatures could evaluate to enhance compliance. In totality, the information presented by the compliance official’s responses generated new information and filled the gap in the current literature by identifying the specific steps federal legislatures could take to enhance compliance.

Data Analysis-Interview Question 15-Research Question 7

Interview question 15 asked the participants to identify measures the DOE could take to enhance Clery Act compliance. This question addressed Research Question 7. What measure(s) do Clery Act compliance officials believe the DOE could take to enhance Clery Act compliance?

Table 18

Participant Responses to Interview Question 15

DOE Steps to Enhance Compliance	Number	Percentage
Clarify Requirements/Better Assistance	12/20	60%
(New) Reduce Fear	4/20	20%
(New) Practitioner Input	3/20	15%
(New) Training	1/20	5%

Table 18 reveals three common themes and one singular measure generated from the participant's responses and their percentages.

Sixty percent of the compliance officials believed the DOE should clarify requirements and offer better assistance to enhance compliance. Compliance official 1 stated,

You want compliance but are you looking for it. There are so many interpretations of the law so what do you mean. The law has so many different interpretations you can never been in full compliance If I can understand.

Compliance official 3 stated, "The DOE needs to be clear and give good guidance."

Compliance officials 4, 5, and 17 agreed with compliance official 3 and offered some examples of inconsistent guidance by the DOE help desk. Compliance official 4 stated,

One thing that is pretty prominent is if you call the help desk on Tuesday with a question and get an answer and you can call on Wednesday and ask the same question and get a different answer. So there is not consistency. We are held to the standard that we have to be consistent in what we do. We have to be accurate and get the reports out on time. But the help desk we are directed to go to if we have an issue, they are not consistent.

Compliance official 5 stated,

Make it a little more understandable. You can ask two different people and get two different answers or they say they don't know. That is one of the things I remember from some of the conferences I went to. Sometimes you present them with a situation and then they tell you just to use your best judgement. I just think they make the whole thing way too complicated.

Compliance official 17 stated, “I have called them and asked and the help desk had to hang up and go ask because they had no clue which makes me think they don’t even know what they are asking.” Compliance official 7 stated, “They are the ones who ultimately have to change the policy or try to clean it up.”

Compliance official 8 stated,

I think we are all equipped and ready to really give them whatever there is they are asking for but they have to be realistic about time frames and have to be realistic about our ability to get our folks trained to make it happen and provide additional opportunities for that to take place.

Compliance official 10 stated,

They can make it simpler. It is just too complicated. One example I really like to use is how convoluted it is the DOE has two offices of civil rights. One for Clery and one for Title IX. There is a group of people under Title IX that can be confidential reporters. Those same people under Clery are mandatory reporters. The whole office of civil rights apparently don’t talk to each other.

Compliance official 11 stated, “So we have more up to date stats and clearly define things.”

Compliance official 13 stated, “Dumb it down. Remove a lot of the things. Expand the geography. The 120 mandates. You want me to put in here our entire policy on sexual assault.”

Compliance official 15 stated, “It just needs to be better defined. Exactly, what they are looking for. A lot of it is left up to interpretation and I don’t think they are getting the exact figures they are looking for.”

Compliance official 18 stated,

I am not sure why they change things from year to year. Adding the VAWA and stuff about domestic violence and sexual violence. I think that is a great thing. In essence the theory behind the Clery Act is great. It is just so detailed and not very clear.

Twenty percent of the compliance officials revealed being afraid of an audit or sanctioned by the DOE. Compliance official 4 stated,

I am afraid to call the help desk. I am nervous when I have to call them more than once or twice. I am extremely nervous when I have to make changes on the DOE website which I did and I am nervous because I am publishing three crime reports in addition to the one that is due. Am I worried? Yes. Do I have anything to hide? No.

Compliance official 6 stated,

I think could lower the fines and give more warnings on first offenses so people would not be so petrified to do their jobs. I think the fear of an audit is enough to make somebody mess up. I did this report last year, looked it over, proof read it, and printed it. I looked it over and found one typographical error in the crime stats. One little typo which was insignificant, like a liquor violation for referral something silly but it was in the wrong place and that was a \$35,000 fine had we been audited. I think they can help people be more willing to prepare these stats without that fear. If they were not so rabid in their fines for unintentional mistakes. I think that would be very helpful.

Compliance official 12 stated,

I think we should feel more comfortable calling and asking questions and not feel like oh. Stuff they may come looking if I am asking these questions. We should be able to ask these questions. They should have a webpage dedicated to questions. People shooting off questions as they need to and actually receiving and answer to those questions.

Compliance official 14 stated, “More outreach by phone or even for a visit. Not necessarily for enforcement purposes but as a courtesy and an outreach I think would be helpful.”

Ten percent of the compliance officials believed the DOE could seek more input from Clery Act practitioners. Compliance official 2 stated, “Just reach out to the practitioners for more input from people that live it, breath it, do it. Take recommendations for things.” Compliance official 16 stated, “I don’t know. I feel like sometimes they were just thrust into an area they had little expertise in and were given so much over reaching authority that maybe they went past their capability.” Compliance official 17 stated, “They need to hire people that have actually worked at a university and have done Clery compliance work. It is my understanding most of the people that work up there have never even worked in an institution.”

Compliance official 1 identified the need for DOE training by stating, “More training from the DOE. Through the training you can get a better understanding of what they are doing for compliance and what they are looking for.”

Compliance official 9 and compliance official 19 did not identify any steps the DOE could take to enhance compliance.

In conclusion, the compliance officials identified four steps the DOE could take to enhance their ability to comply with Clery Act requirements. As illustrated in Figure 6 the researcher triangulated the compliance official's responses to interview question 15 with expert opinions.

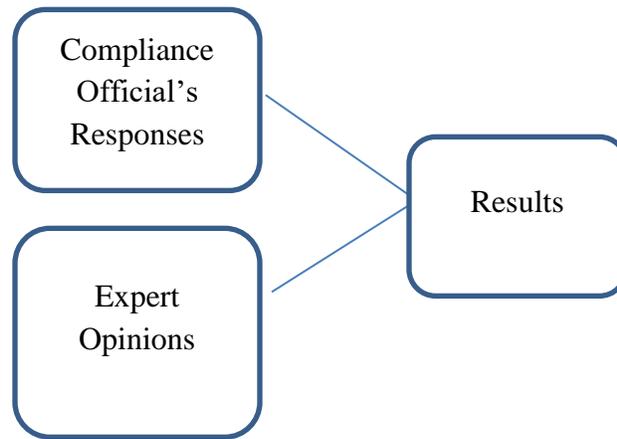


Figure 6. Compliance official's responses (themes) compared with expert opinions, and the results.

Wood and Janosik (2012) stated the DOE could enhance compliance by improving their communications with Clery Act compliance officials. In addition, Wood and Janosik (2012) stated, "The DOE should do more to provide a proper context for the data it requires institutions to report" (p.14). These recommendations would correlate with the compliance official's responses in terms of the steps the DOE could take to enhance compliance by clarifying requirements and offering better assistance. The new information identified by the compliance officials in the areas of the DOE reducing the fear of fines and audits, seeking practitioner input and offering additional training filled the gap in the current literature as a specific steps the DOE could take to enhance compliance.

Data Analysis-Interview Questions 8-15-Research Question 8

Data obtained from interview questions 8 through 15 addressed Research Question 8. How does the perceptions of Clery Act compliance officials compare with the secondary data obtained from the DOE and United States Subcommittee on Sexual Violence? The data collected from the DOE identified four common Clery Act compliance violations resolved at 52 higher education institutions between 2011 and 2015 (Federal Student Aid, 2016). The information obtained from the United States Subcommittee report contained Clery Act policy statement violations from 440 public and private institutions higher education institutions. The researcher-compared data obtained from the interview questions that specifically addressed compliance issues identified by the secondary data.

Table 19 reveals information provided by the participants in relation to the secondary data and their percentages.

Table 19

Compliance Official Responses – Secondary Data

Compliance Official Responses	Number	Percentage
Number of policy statements	17/20	85%
Vague Policy Statements	15/20	75%
Clery Geography	13/20	65%
Inconsistent Crime Definitions	5/20	25%

As shown in Figure 7 the researcher triangulated the compliance officials responses from interview questions eight through 15 in relation to what factors they believed impeded their ability to maintain compliance with secondary data provided by the DOE and the United States Subcommittee on Sexual Violence.

The most common compliance issue identified by the DOE was failure to properly classify and disclose crime statistics. Fifty-eight percent of the 52 institutions were in violation of this requirement. Twenty-five percent of the compliance officials believed Clery Act crime definitions were inconsistent with the crime definitions in their state. Compliance officials gave several examples of how certain crimes, including property crimes could be misclassified based upon these different crime definitions. The Clery Act crime definitions mirror those used by the FBI. State crime definitions contain different language and in some cases different crime elements that could lead to improper classification. The data obtained from the United States Subcommittee report did not contain any specific information on crime reporting.

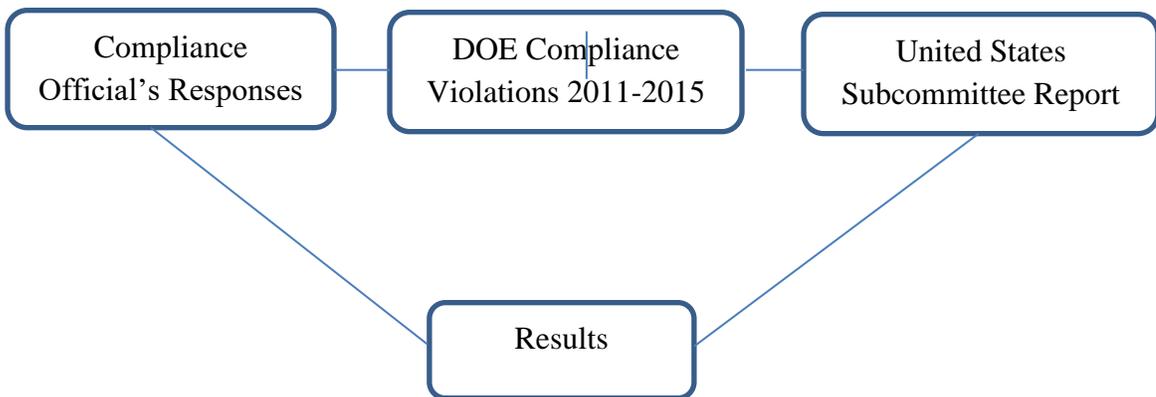


Figure 7. Compliance official's responses compared with secondary data and the results.

The second compliance issue identified by the DOE was the lack of or inadequate policy statements. Thirty-one percent of the institutions were in violation of this Clery Act requirement, meaning they did not include the proper policy statements in their ASR or the policy statements they did publish did not contain adequate information. Seventy-five percent of the compliance officials believed Clery Act policy statement requirements were open to interpretation. The compliance officials stated it was difficult to comply

with some of the Clery Act policy statements because the language was so vague they did not understand what the requirements were asking for. Eighty-five percent of the compliance officials stated the sheer number of policy statements required in their ASR was difficult to manage. Compliance officials reported their ASR's now contain over 100 policy statements. All of the compliance issues identified in the United States Subcommittee report were consistent with inadequate policy statements and/or the institutions failure to adhere to their own policies.

The third compliance issue was failure to distribute the ASR in accordance with federal regulations. Twenty-nine percent of the institutions sanctioned by the DOE were in violation of this requirement. None compliance officials identified this requirement as being difficult to comply with. The United States Subcommittee report did not offer any information related to distributing the ASR.

The final compliance issue obtained from the DOE was failure to report crimes based on proper geography. Twenty-one percent of the institutions were in violation of this requirement. Sixty-five percent of the compliance officials stated the Clery geography requirements made it extremely difficult to maintain compliance. The compliance officials emphasized having difficulties obtaining accurate crime statistics from law enforcement agencies in relation overnight/short stay trips. The United States Subcommittee report did not contain any information on Clery geography.

Conclusion

In conclusion, the secondary data revealed areas of Clery Act non-compliance but the information did not provide an explanation as to the complexities of the requirements. The explanations from the compliance officials regarding the number of policy

statements, vague policy statements, Clery geography, and inconsistent crime definitions generated new information and filled this gap in current literature.

Chapter Five: Discussion

Research Goals

The researcher focused on achieving four goals when drafting the research and interview questions used for this study. The first goal was to determine which Clery Act requirements were the most difficult to comply with. The majority of the compliance officials agreed with the expert opinions that Clery Act requirements were voluminous, ill focused and often confusing (Fischer & Sloan, 2013; Gregory & Janosik, 2013; Wood & Janosik, 2012).

The data obtained from compliance official's interviews revealed specific Clery Act requirements in relation to Clery geography, CSAs, and timely warnings they believed were the most complex. The compliance officials articulated having difficulties compiling crimes statistics within their Clery geography for short stay and overnight trips that support student activities. To adhere to Clery Act requirements compliance officials must attempt to obtain crime statistics from local law enforcement authorities that have jurisdiction over property used by students. Compliance officials stated they send out hundreds of letters to the law enforcement agencies and never get a response. In addition, the compliance officials stated it was difficult to compile crime statistics for property adjacent to their campus. As required, compliance officials must attempt to obtain crimes statistics from incidents that occur on adjacent property.

Most higher education institutions have employee turnover from year to year. Compliance officials indicated having issues with identifying and training their CSAs due to the constant changes. In most cases, the compliance officials have to rely on data from

Human Resources department to provide them with an updated list of current employees and their training records.

The timely warnings, which must be delivered to students and staff via mass text or email for any serious on-going threat to campus safety was mentioned by several compliance officials as being a very complex requirement. A common issue was knowing what constituted a serious threat and determining if to issue a timely warning for serious incidents that occurred on non-campus property adjacent to the institution or on non-campus property related to short stay or overnight trips. The compliance officials believed the Clery Act timely warning requirements were vague, and open to interpretation.

The second goal was to identify institutional factors impeding compliance. The data obtained from the interviews revealed a lack of administrative support, time, and communication. Compliance officials believed their senior administrators should receive training on Clery Act requirements so they have a better understanding of the amount of time and resources it takes to be in compliance. The researcher learned throughout this study that most compliance officials have multiple responsibilities outside of Clery compliance, which limits their time and ability to meet all Clery requirements. The lack of internal and external communication stemmed from crime reporting issues. According to Clery mandates public safety officers, administrators, faculty members, housing coordinators, and members of the athletic department are CSAs and must report crime information to compliance officials so they can maintain accurate statistics. This study revealed how difficult it was for some compliance officials to obtain crime statistics from other divisions within their institution.

The third goal was to determine what institutional factors enhanced compliance. Compliance officials believed internal/external support, having a compliance committee, and technology enhanced compliance. The data revealed the support compliance officials received from their administration, colleagues from other institutions, and law enforcement agencies enhanced their ability to comply with Clery requirements. Administrative support in terms of providing resources for compliance training, implementing procedures to identify and train CSA's, and limiting compliance officials other institutional responsibilities were listed as critical factors that enhanced compliance.

Several compliance officials stated the importance of being able to contact colleagues with more compliance experience enhanced their ability to meet Clery Act requirements. In addition, compliance officials believed maintaining good working relationships with local law enforcement allowed them to collect and publish accurate crimes statistics in their ASR.

The compliance officials confirmed information previously mentioned by Wood and Janosik (2012) as to the importance of having a compliance committee comprised of other members of the institution with a stake in compliance. New technology has also enhanced compliance efforts. The compliance officials mentioned recently developed report writing software that allows them to better maintain their Clery crime statistics.

The fourth goal was to identify the steps federal legislatures, and the DOE could take to enhance compliance. Compliance officials overwhelmingly suggested federal legislatures needed to reduce the number of Clery Act requirements in relation to the number of required policy statements. This research study revealed there are over 100 required policy statements that must be included in the ASR in order to achieve

compliance. The compliance officials believed federal legislatures should seek practitioner input in order to clarify some of the vague requirements.

Compliance officials identified inconsistent responses from the DOE help desk leading them to believe Clery Act requirements were too complex even for those tasked with governing compliance efforts. Compliance officials also requested the DOE limit sanctions for minor compliance violations or oversights and provide better feedback during audits to enhance compliance instead of threatening to administer fines.

The triangulation of data to analyze information was significant in gathering a holistic view of the compliance phenomenon and achieving the four research goals. The compliance issues identified in the secondary data was critical to this study, but the information lacked significant explanation as to why certain Clery Act requirements were so complex. The compliance official's responses and explanations as to which Clery Act requirements were the most complex and why generated new information and filled the gap in current literature.

Limitations of the Study

The researcher has identified several limitations during this study. First, the researcher interviewed 20 Clery Act compliance officials from various two-year, four-year, public and private higher education institutions in the Midwest. The compliance official's institutions differed in terms of geographical location/size, enrollment size, administrative compliance support, surrounding community crime rates, and residential housing that make some compliance issues greater than others.

Second, the majority of participants used for this study have never experienced an internal compliance audit provided by a risk mitigation specialist or an actual compliance

audit conducted by the DOE. Internal audits by Clery Act experts can help compliance officials identify and correct certain requirements of the Act that may be out of compliance. Some higher education institutions contract private Clery Act experts to conduct periodic audits in an attempt to comply with all Clery Act requirements and avoid sanctions if audited by the DOE. This particular limitation was significant because some of the participants may believe they are maintaining compliance when in fact they are not.

Last, the participants varied in years of compliance experience, and hours of compliance training. The differences in these areas benefit the study in terms of different perspectives in relation to the interview questions but it is also a limitation because one would assume the compliance officials with enhanced experience and training would have a greater understanding of Clery Act requirements.

Future Research and Recommendations

Federal legislatures drafted and implemented the Clery Act to protect college students from serious crimes by requiring higher education institution to publish their crimes statistics and safety policies in an ASR. During this study, the researcher identified several areas that requires future research to explore the complexities of Clery Act requirements as they relate to compliance.

The first area of future research should focus on compliance officials intentionally hiding crime statistics. Several Clery advocates believed compliance officials were intentionally manipulating their campus crime statistics in order to protect the reputation of their institution (Fisher & Sloan, 2013; McNeal, 2007; Yung, 2015). According to information provided by the DOE 58% of Clery Act violations resolved at higher

education institutions between 2011 and 2015 involved failure to properly classify and disclose crime statistics (Federal Student Aid, 2016). The information does not reveal if DOE auditors determined if the compliance officials were intentionally hiding crime statistics or if the errors made were in a good faith. The data obtained from future research in this area could be beneficial to enhance compliance efforts. If compliance officials made errors during a good faith effort additional training on accurately collecting and publishing crime statistics may help solve the issue. If DOE auditors were able to determine compliance officials were intentionally hiding crime statistics they have the power to administer harsh sanctions to force compliance.

A second area of future research should include the number of Clery Act training hours and experience the compliance officials had who the DOE determined were non-compliant. The data obtained during this study revealed large difference between the compliance officials level of training and compliance experience. Again, the information provided by the DOE did not include the compliance official's level of training or experience who were non-compliant. Future research in this area could determine if Clery Act violations are more prevalent among compliance officials with less training and experience. If the case, the DOE could develop a system to offer better support for compliance officials lacking in training or experience. Federal legislature could also assist by mandating minimum training standards for compliance officials nationwide.

The final area of future research is centered around the Clery crime statistics and underreporting. The crime statistics collected by compliance officials only takes into account reported crimes. Wood and Janosik (2012) reported, it is difficult to determine the actual amount of crime on campus because the institution's statistics does not take

into account crimes that are not reported. Many experts and researchers concluded the Clery Act's crime reporting mandates, has not accurately reflected the amount of crime that occurs on campus (Fox et al., 2012). In relation to sexual assaults, research revealed less than 5% of students reported the crime to a CSA (Fisher et al., 2012, p. 66). In 2014, the White House Task Force launched two national campaigns titled "It's On US" and "Not Alone" which set forth a list of best practices instructing higher education institutions how to prevent and respond to complaints of sexual violence on campus (Ferdina et al., 2016). The best practices outlined by the campaigns placed significant interest on the campus climate surrounding sexual violence. Despite the recommendations, statistics generated in the U.S. Senate Subcommittee report revealed only 16% of the institutions who participated in the survey conducted campus climate surveys (United States Senate, 2014, p1). Conducting future research may help determine if the White House Task Force campaigns and recommendations for higher education institutions will increase compliance and reduce sexual violence.

For compliance officials to ensure campus safety it is imperative to continue research into the challenges they experience in their efforts to meet Clery Act mandates (McNeal, 2007). Continuing to obtain data from compliance official's perceptions of the Clery Act requirements is invaluable towards improving compliance. Additionally, compliance officials, the federal government and the DOE should continue to address the complexities of Clery Act requirements that impede compliance in order to protect students. Experts would agree the Clery Act has improved campus safety, but it will take a sustained effort from all stakeholders to improve compliance.

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Appendix A

LINDENWOOD

INFORMED CONSENT FOR PARTICIPATION IN RESEARCH ACTIVITIES

A qualitative study investigating the complexities of Clery Act reporting requirements as they relate to non-compliance: Perceptions of Clery Act compliance officials at higher education institutions in the Midwest.

Principal Investigator William Kenny

Telephone: 618-593-6941 E-mail: wrk524@lionmail.lindenwood.edu

Participant _____

Contact information _____

1. You are invited to participate in a research study conducted by William Kenny under the guidance of Dissertation Chair Dr. Thomas Trice. The purpose of this research study is to investigate the complexities of Clery Act requirements as they relate to institutional non-compliance from the perspective of Clery Act compliance officials.
2. a) Your participation will involve
 - Submitting to a 30-45 minute interview
 - Signing the informed consent for participation in research activities form

b) The amount of time involved in your participation will be 30 to 45 minutes. Approximately 20-25 subjects will be involved in this research.
3. There are no anticipated risks associated with this research.
4. There are no direct benefits for you participating in this study. However, your participation will contribute to the knowledge about the complexities of Clery Act requirements as they relate to institutional non-compliance.
4. Your participation is voluntary and you may choose not to participate in this research study or to withdraw your consent at any time. You may choose not to answer any questions that you do not want to answer. You will NOT be penalized in any way should you choose not to participate or to withdraw.
6. We will do everything we can to protect your privacy. As part of this effort, your identity will not be revealed in any publication or presentation that may result from

this study and the information collected will remain in the possession of the investigator in a safe location.

7. If you have any questions or concerns regarding this study, or if any problems arise, you may call the Investigator, William Kenny at 619-593-6941 or the Supervising Faculty, Dr. Thomas Trice at 618-581-5751. You may also ask questions of or state concerns regarding your participation to the Lindenwood Institutional Review Board (IRB) through contacting Dr. Marilyn Abbott, Provost at mabbott@lindenwood.edu or 636-949-4912.

I have read this consent form and have been given the opportunity to ask questions. I will also be given a copy of this consent form for my records. I consent to my participation in the research described above.

Participant's Signature Date

Participant's Printed Name

Signature of Principal Investigator Date

Investigator Printed Name

Appendix B

Interview Questions

Clery Act Complexities and Compliance

1. What is your title?
2. What is your age?
3. Are you classified a campus police administrator or campus security administrator?
4. How many years of campus police/campus security experience do you have?
5. How many years of Clery Act compliance experience do you have?
6. How many hours of Clery Act compliance training do you have?
7. What are your responsibilities related to Clery Act compliance at your institution?
8. Do you believe all Clery Act requirements can be met?
 - a. If so why?
 - b. If not, why not?
9. Do you believe Clery Act requirements are too complex for overall compliance?
 - a. If so why?
 - b. If not, why not?
10. What Clery Act requirements are the most difficult to comply with?
 - a. If you identified one or more requirements, please explain why they are difficult.
11. What factors limit your ability to comply with Clery Act requirements?
 - a. If you identified one or more factors, please explain why they limit compliance.
12. What factors enhance your ability to comply with Clery Act requirements?

- a. If you identified one or more factors, please explain why they enhance compliance.

13. What steps can your institution take to enhance Clery Act compliance?

- a. If you identified one or more steps, please explain how the step(s) would enhance compliance.

14. What steps can Federal legislatures take to enhance Clery Act compliance?

- a. If you identified one or more step, please explain how the steps(s) would enhance compliance.

15. What steps can the Department of Education take to enhance Clery Act compliance?

- a. If you identified one or more steps, please explain how the step(s) would enhance compliance.

Appendix C

Interview Question 8-Data Set 8.a

Write-up with quotes (organized types)

Participant-quote/raw data	Distinction Types
<p>CO3-Q8- Yes-In good faith. I'm sure we can get to the accuracy of it. As I say that the statements now for the mission. The Clery responsibilities that continue to be added every year makes it more difficult so with the right staffing and the right training can it be met yes but it is something you have to stay up on.</p>	<p>Number of responsibilities</p>
<p>CO19-Q8-, Yes I think that initially when we started seeing what the Act entailed it was exhausting, people were overwhelmed and they thought there were things in there that we could not accomplish</p>	<p>Number of responsibilities</p>
<p>CO5-Q8Yes, I think they can be met but there are a lot of grey areas. I guess because some of the crimes are different from what we report to the state and what we report to Clery. There is different classifications. You know when it is a burglary? When is it a theft? Some of those can be kinda complicated on trying to figure out where they fit as far as Clery goes.</p>	<p>Interpretation</p>
<p>CO6-Yes, For the most part I think they can. Yeah I think they can be. I think probably most places don't always have them all met all the time on the basis but some of the Clery requirements are in the Handbook really kinda points this out there are things that aren't technically required but they say they way they worded it is. Its nearly impossible to remain compliant without doing this so it doesn't actually say you have to do this but if you don't do this you are not going to be able to stay compliant and so the CSA's is a good example. They don't mandate the training on CSA's is not</p>	<p>Interpretation</p>

<p>specifically stated how often but if you don't it on an ongoing basis if you don't renew it if you don't update your list you can't maintain because you people are not going to report like they should. That's our responsibility and the college's responsibility and mine that. Well why didn't they report. I did not know we were supposed to report. Why don't you know? It come back on me because if I would have trained them they would have known they had to report.</p>	
<p>CO8-Q8 Yes, because I think we have done it at my last institution. It is a matter of knowing and staying abreast of what they want and what needs to be done and doing it and that is why it is important to have a Coordinator someone who is going to focus on making sure that we are meeting the requirements.</p>	Clery Coordinator
<p>CO14-Q8 Yes, but it will take cooperation and vigilance from a team of people and not just one individual.</p>	Clery Coordinator
<p>CO15-Q8- Yes, with exceptions. The way stuff is worded some stuff would fit some would not. Your left as the institution to make the decision on whether you report it and get dinged for over reporting or not reporting and take the hit for not reporting what you should have. We have always errored on the side of giving them everything and we will take the hit on too much rather than not reporting something that should have been. It is possible to report everything they require it is just a lot of extra steps to make sure you are reporting exactly. Unfortunately for us everything does not fit exactly what they are looking for.</p>	Interpretation
<p>CO18-Q8- I think they can be met but a lot of it due to interpretation and the way the individual interprets versus the way the DOE wants you to count the things. A lot of things have a lot of grey areas. I think there is a lot of room for misinterpretation or different</p>	Interpretation

interpretation and they would probably call it non-compliance if you interpret it differently.	
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Appendix D

Interview Question 8-Data Set 8.b

Write-up with quotes (organized types)

Participant-quote/raw data	Distinction Types
CO1-Q8- I think because universities and colleges change, daily by acquiring property or people get new positions there are things that can will be misses just based on change.	Change
CO4-Q8- there are so many and they change so often and there are so many moving pieces with Clery so many different departments.	Change
CO1-Q8- There are too many policy requirements. I truly believe in the concept as to why it was created. But I think it's went overboard with what the policy requirements are.	Numerous policy statements
CO2-Q8- There is a lot of them.	Numerous policy statements
CO7-Q8- It is a difficult task and technically there's been who you talk to there is over 100 policy statements that are within the Clery policy within the Annual Security Report itself. That is something you should be pretty compliant with but yet it still comes down to every policy statement are correct so I think you can get close.	Numerous policy statements
CO7-Q8- I say that knowing that 100% compliance truly to the letter of the law is somewhat difficult because it seems like the interpretation by the head auditors are not consistent. So you and I may be under the impression this is how it is done but an auditor comes in and looks at it and has a different opinion and we may be out of compliance.	Interpretations
CO10-Q8- There are some of them that are absolutely ridiculous. Some of them actually contradict themselves even in the Clery documents you have to pick which one you want to comply with and which	Interpretations

<p>one you don't cause some of them are totally opposite of each other. That is the biggest issues is that there is no consistency through the whole process.</p>	
<p>CO11-Q8- I just think because they way DOE spells things out is confusing. Not that they couldn't be met of those criteria were spelled out in a better fashion.</p>	<p>Interpretations</p>
<p>CO12-Q8-I believe sometimes there is not clear documented understanding of what it is they are looking for sometimes I feel there is a grey area and you are not really sure if you are meeting the requirements. You always want to go over and beyond sometimes you can run into problems if you include too many offenses. I think it is tricky we you start looking at numbers and you start trying to figure out what to include and not include reading their definitions. Sometimes their definitions are not clear and then for me I- Our University had definitions for sexual assault. The state statute has a definition for sexual assault. Clery has a definition for sexual assault. And in all those cases they are not all the same so just trying to make sure that you have an understanding of what Clery is looking for and not necessarily looking at the state statute what I can charge somebody for what the University now has come back and said this is their definition of sexual assault. It gets confusing.</p>	<p>Interpretations</p>
<p>CO16-Q8- However, some of the requirements are ambiguous and they are subject to the opinion of the investigator who investigates and agency for compliance.</p>	<p>Interpretations</p>
<p>CO17-Q8- It is too much and too unspecific the new handbook that is out is better but there is still such a grey area I think there is a lot of room for error even when you are doing the best you can.</p>	<p>Interpretations</p>
<p>CO20-Q8 No, It is very difficult to accomplish. Those policies are very</p>	<p>Interpretations</p>

nebolis, a little bit generic, not really specific enough, like the timely warning portion of it	
CO7-Q8- I just think the study abroad, the frequently used and overnight travel for students I think is almost an impossible task to be compliant with and then I have sent out probably almost 200 letters to law enforcement agencies all across the United States.	Geography
CO9-Q8- I think the tracking of the short stay trips I think just logistically you're never going to get everyone at an institution who needs to tell you about things to actually tell you what you need to know.	Geography
CO12-Q8- I feel that sometimes when you need assistance even with geography you try to go to your representatives at the University level which would be for us our General Counsel and sometimes they are not sure what the Clery Geography is.	Geography
CO7-Q8- I think identifying every single CSA is almost a difficult task. Here on my campus we have almost 900 CSA's identified that I had to train through and online training program	Campus Security Authorities

Appendix E

Interview Question 9-Data Set 9.a

Write-up with quotes (organized types)

Participant-quote/raw data	Distinction Types
CO1- Yes, they are too complex and there is a lot of area for misunderstanding. A lot of interpretation.	Interpretations
CO5- Yes, I just think that in specific incidents like was it a burglary does it have four walls and a door but the door was unlocked there was just a lot of complications in there to try and figure it out to score it right.	Interpretations
CO6- Yes, They are a little at times. I think if they were more specific. It really is because it's such a specific and the fines are so heavy for non-compliance. I think they should be more specific on chargeable fineable things. You didn't to this specific thing then you are in the wrong. I think a few revisions in it and it would be a lot better. I don't like the ambiguous nature of something that is so important and that is going to cost the college so much money if something doesn't get done. If it is not written down it has to be done. I don't think that is really right. But I think that is something that probably that they know about and hear about quite a bit and I would imagine. I know they have made changes. They have changed rules on Geography. Even in just the two years that I have been doing it and so they do make changes and they put out a Handbook every year to help people navigate the vague areas. If you follow the Handbook I think you are in good shape.	Interpretations
CO8- Yes. What Clery defines as an assault in Florida may be what we call a battery and so depending on what	Interpretations

<p>geographical area you are from you really have to look at the Clery definition and then interpret local law to fit the statute with where you are at. That makes it complex and confusing.</p>	
<p>CO11-Yes. I think it comes down to defining them in a better fashion. If that is considered complex then I would have to say yeah I would say that. The definitions- I can give an example of that. We had a scooter that was taken in a residential hall. We tried to report that as a motor vehicle theft because by definition it is a motor vehicle and Clery would not take it. So we called to verify. Why can't we put this in? They said well you can't have a motor vehicle theft inside a res hall. So we explained and they still argued that. So we don't have to report it can you send us something. They would not do that. Finally they accepted it.</p>	<p>Interpretations</p>
<p>CO16-YesIt is open to interpretation by people who are not police.</p>	<p>Interpretations</p>
<p>CO17-Yes I think it is because they are not clear enough about exactly what they want</p>	<p>Interpretations</p>
<p>CO20- Yes, It is very difficult to understand. We have a legal team and we will get five different opinions from our five different lawyers. Yale University have seven attorneys who are geared towards working on Clery and they were fined \$300,000 so I am thinking if seven attorneys can't figure it out how is some police guy going to figure it out.</p>	<p>Interpretations</p>
<p>CO2- Yes. The policy statements that are required to be published in the handbook, student applications, employment applications. It is not enough to be doing it you have to prove you are doing it. It hard to make sure you have all of those (policy statements).</p>	<p>Numerous Policy Statements</p>
<p>CO5-Yes The buildings across the street from campus as they relate to Clery Geography in terms of adjacent property and campus property.</p>	<p>Geography</p>

<p>CO7-Yes The whole travel that we just talked about. The frequently used aspect of it. I think that is cumbersome. I think it is a waste of time to be honest. The 200 letters I have sent out I have one domestic violence report that will go into the report (ASR) this year. I do believe from what Jim Moore was saying out in Baltimore NACCOP conference that they are actually going to look into getting rid of that.</p>	<p>Geography</p>
<p>CO9. Yes, A lot of it relates to the short term trips. I think that is probably the hardest to track.</p>	<p>Geography</p>
<p>CO13-Yes I am taking things that may not seem complex but they are if you look at the intent of what Clery is. It's too inform the campus community, potential employees, and potential students, those who are students those who are working here to know what is going on campus. But what it leaves out is where the real issue is which is off the campus, right off the campus, right outside of that Clery Geography is where 90 percent of the issues happen and that is every college.</p>	<p>Geography</p>
<p>CO17-Yes overnight trips or the trips that are more than three days and the trips where the stay at the same place I think is probably necessary to send for stats but you have so many organizations with the campus and not all of them let you know that they are going on a trip like our debate club might go for 3 or 4 nights and the only reason I might know about it is because a student might mention they are going somewhere for 3 or 4 nights. I think it is almost impossible to be totally compliance for this.</p>	<p>Geography</p>
<p>CO9-Yes I think it is difficult to sometimes interpret who should be classified as a CSA and track those changing individuals throughout the institution. I think those are the two most difficult administrative burdens. I also think our CSAs are required report crime</p>	<p>Campus Security Authorities</p>

<p>to us on an ongoing basis but at the same time we have to have them fill out an annual form and getting all those people to actually listen to you and fill out the form simply stating I told you what I was supposed to tell you during the year is very burdensome and I think is very difficult to get 100 percent compliance on that as well if you are at a larger institution.</p>	
<p>CO19-Yes. There are some things that are a little bit difficult. Again you can comply with them it would be easier if they would relax some things. Specifically within training CSA's it is a difficult to maintain or constantly update those titles and positions. I think the way they have defined them it pretty much includes everybody so that has presented some challenges but if you just use the umbrella effect and train everybody I guess you can deal with the statute.</p>	<p>Campus Security Authorities</p>

Appendix F

Interview Question 9-Data Set 9.b

Write-up with quotes (organized types)

Participant-quote/raw data	Distinction Types
<p>CO4- No. I do not think they are too complex. I think at times they are difficult to manage because of all the different puzzle pieces you have to put together. CSA, know their responsibility and know what to do you also have to make sure that your human resources has those CSA listed in the job descriptions so they know when they are hired. When you have turn over you do not always know when someone left or someone came so you have to train this new person. Keeping up with the components of the daily crime log, are we capturing every thing. So it's just a number of parts puzzle pieces that have to work together and making sure everyone knows their responsibility. Compliance sometimes is a big task.</p>	Campus Security Authorities
<p>CO14-No, I would not say they are too complex for overall compliance. I would say there are certain requirements that do not support the overall safety but they can be used as a matrix for certain things people could use to draw conclusions from sometimes.</p>	Incomplete Response
<p>CO15-No, The rules and regulations around them are too complex but the stats and general stuff they are looking for is pretty straight forward.</p>	Interpretation
<p>CO18-No. I think they are complex but not too complex. I wish they gave you more training and guidance in how they want you to do things specifically. Again there are a lot of grey areas and I like things in black in white especially if am going to be getting a \$54,000 fine if I don't do it right.</p>	Interpretation

Appendix G

Interview Question 10-Data Set 10

Write-up with quotes (organized types)

Participant-quote/raw data	Distinction Types
CO1- Identifying and training our Campus Security Authorities. Training CSA to report in a timely manner. Getting people to report in a timely manner so you can issue a “timely warning” if you need to.	Identifying Campus Security Authorities
CO2- On our campus the training. Not only for the Officers in the department since we have a high turnover rate. Always making sure that you are not missing people being trained. A lot of out faculty is part time. A lot of time is spent just keeping up with who is here, who is leaving, training the new folks. It is hard to reach all of the students because they do not leave on campus in regards to Education and awareness training to students and staff.	Identifying Campus Security Authorities
CO6- The campus security authorities (CSA’s) keeping up on who is who isn’t and sure everybody adequately understands the requirements	Identifying Campus Security Authorities
CO7- I think the other part I have a challenge with is just identifying CSA’s in a large campus. We have almost 900 CSA’s we have identified and get them trained. I think that is the two biggest challenges in my opinion.	Identifying Campus Security Authorities
CO9- I think it is also difficult to get everyone’s training in (CSAs).	Identifying Campus Security Authorities
CO12- The CSA’s you would almost have to put it in a job description here for everyone to know who is a CSA. We have brought that forward before. It is frowned upon because they have already established job descriptions and that is not	Identifying Campus Security Authorities

<p>something they are willing to change. SO that has been one of my greatest problems is trying to locate all the CSA's</p>	
<p>CO15- The Campus Security Authorities (CSA). Training and getting the university to accept that other people are responsible for Clery and not just the police department.</p>	<p>Identifying Campus Security Authorities</p>
<p>CO18-Having CSA requirements. We educate them yearly and try to remind everybody who is a CSA what their responsibilities are.</p>	<p>Identifying Campus Security Authorities</p>
<p>CO3-The troublesome has been establishing the Clery Geography now we are kind of fortunate because our institution is really fenced in in one area although we do have some other area with fire science but hearing from other practitioners Geography</p>	<p>Clery Geography</p>
<p>CO6-because the geography question comes in and some people may not know. It's almost impossible to know what every single instructor and every single athletic person if they have been at a certain location. If they go there every year they have to report if they only go there once they don't have to report.</p>	<p>Clery Geography</p>
<p>CO7- I think number one is definitely the letters sent out to Law Enforcement for the frequently used repetitive use student travel just because it is so time consuming. Getting that information from the key people on your campus to identify and look up what police agencies has that jurisdiction. Getting the letters drafted and send them out to them knowing only 10 percent will come back and say that hotel is not in our jurisdiction you need to contact xyz and you need to do it again.</p>	<p>Clery Geography</p>
<p>CO10- There are so many. The toughest one now is this new one mile perimeter crime reporting that involves input from many agencies around us. We have two</p>	<p>Clery Geography</p>

major interstates that gets to be absolutely ridiculous and there is no need for it.	
CO11- I would say the overnight stays. We have to gather the information on them because it's a certain area and not the entire hotel. It is just that certain area is being used. So I think that would probably be it.	Clery Geography
CO12-getting a good understanding of the Geography.	Clery Geography
CO17- The overnight trips is the main one for me. The geography is difficult. The crime statistics are not that difficult except for the overnight trips. What constitutes more than three nights	Clery Geography
CO18- How to count international students study abroad studies. What trip information they teach the trip information recently where you have to. Where it used to be a two or more a night stay now it is a one night stay.	Clery Geography
We have an online trip reporting form now that departments go in as the trips come and go do that so that is not really hard.	
CO14- The things I have the most challenges with are emergency response exercises and the overnight stays dealing with issues with overnight stays as far as getting information from all the various groups to gather that information appropriately because you have to know the rooms they were in cause its treated as non-campus property or extended stays basically and when most of the people provide that information will not have the room numbers. When you have to contact multiple external agencies for requests that it's difficult at times to get responses and to get meaningful responses that apply with your situation.	Clery Geography
CO16- The ones that get over encompassing such as groups of students who travel abroad or travel to other area and try to get crime data from a foreign country is nearly impossible to do and	Clery Geography

normally when you call they don't care and won't give you anything.	
CO3 classification of some of the VAWA crimes. There are so many times we do have to pull out the handbook.	Crime Classification
CO5- I just think for me it was the definitions of crime categories that was the biggest thing that we had to bounce off of each other as what do you think it means. I keep going back to the burglary and thefts but that seemed to be a real touchy issue because there is a big there is a big difference in your crime report whether it's a burglary or theft.	Crime Classification
CO6 I expect that is the toughest thing getting accurate statistics and genuinely not out of any malice or anything like that just simply. It's too much for everybody to understand it all. So getting accurate statistics would be the toughest thing.	Crime Classification
CO10-The other thing is Clery crime reporting there is no need for them to create their own crime reporting matrix. All they have to do is just use the standard FBI UCR. Clery makes their own what is sexual assault what is different crimes and that is difficult to operate and confusing to police officers who are used to the UCR. Clery wants to count them differently than the UCR. That is another difficult issue.	Crime Classification
CO8- I want to say to some extent they are difficult but not to me. My opinion is you know again some of them can be complex and confusing. Sometime knowing with to send a timely warning or emergency notification out.	Timely Warning
CO13- I would not really say it is one thing. Well the thing that most schools struggle with is the timely warning thing and the immediate notifications because there is so much conflicting information out there. D Stafford who are the experts right they will tell you to send one out anytime you hear anything about a sexual assault otherwise you can get fined. You call the help desk and they say no our	Timely Warning

<p>intent is if you have a pattern of or if see an ongoing threat. Well on an acquaintance rape is there and ongoing threat. That is what is open to interpretation. This is not somebody who is going out and just finding somebody and raping them this is somebody who spent time with and is a specific person that they done this to. It's a poor way of saying it but its someone they know they did not just pick a random person so what do you do. I have one person who helped wrote the handbook tell me that I have to do this and then I have the help desk saying no that is really not our intent but neither one is responsible for fining me. Also the thing is with D Stafford they more confusing they can make this the more profitable it is for them. So I don't even know why they even ask her to testify and do everything else with it. It is a bit frustrating but you got to attend her classes or otherwise you are going to miss out on the most updated things that are coming out. I know some university that have never sent a single one out. I used to send them out for everything because that is what Stafford was telling me.</p>	
<p>CO17-but also the timely warning. You get some many depending on what organization you go to that is teaching Clery you get different instructions on when you should do it and when you should not. Deloris. Stafford said you should do a timely warning every time you have a sexual assault report. If there is no threat to the campus then you do not need to send it. All the Department Of Education will tell you is that you have to access the situation.</p>	Timely Warning
<p>CO20- The timely warning portion is the one that gives me the most headache and trouble of knowing when to send it, is there a time frame that we have to send it within to make it timely to those who we are trying to alert. Classifying what crimes</p>	Timely Warning

<p>to send it for, sexual assault sexual violence. Some of those we have a pretty good inclination that we might know who the offender is, do we have to send it in those cases. If we could have more guidance and more specifics on when we need to send those that would help me greatly.</p>	
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Appendix H

Interview Question 11-Data Set 11

Write-up with quotes (organized types)

Participant-quote/raw data	Distinction Types
CO1- From a public safety or police side is time.	Time
CO3- Time, because of other duties assigned, because of the staffing being short, trying to do more responsibilities with less.	Time
CO12- For our organization we are a small police department so being taxed with the Clery report for me is a lot. I do IA's, hiring, I have the parking and transportation department. I have crime prevention officers so this is just one of many roles I have. It's not an easy task to spend all the time you need there or for that Clery report to get done the way they believe it should get done.	Time
CO13- Time. They say it should not take more than a few hours or something. I have 648 CSA's that alone is a two week project getting the list and getting them all trained.	Time
CO1- From my perspective true buy in from the institution.	Administrative Support
CO2- I think getting the overall college community to understand is a challenge. I do not think the Executives and Presidents understand how complex it is how necessary it is. We have invited them to the training we offer CSAs they do not participate in that. I think they think it is just a report that has to be done every year that you type and publish I don't think they understand. I do not think the Department Heads the Dean grasp it either. The ones that are responsible for making their employees do what they are supposed to do.	Administrative Support

<p>CO7- I think the challenge with Clery compliance is it is an institutional responsibility. However, because it is a crime statistic gathering, administrators often believe that it is a law enforcement/public safety responsibility when in fact there are so many moving parts and pieces to this and it really involves a campus wide participation to make you compliant I think that is what I would say.</p>	<p>Administrative Support</p>
<p>CO9- I think one of the difficulties I personally have is not having additional administrative support. So doing all the higher level tasks but also doing all of my other administrative support</p>	<p>Administrative Support</p>
<p>CO14- At times I feel that the people at the university they work in silos at times and they don't tend to see the importance of why we need to do certain things such as specific training modules giving information need so you can make accurate statistical reports and the importance of getting good records at times and I think that they silos and territorial issues and politics of things can make things difficult for a Clery compliance officer to be able to comply at times.</p>	<p>Administrative Support</p>
<p>CO10- Some of the factors are just the out and out cost of Clery compliance. We are doing this Clery geography map they decided they wanted of the campus, one mile radius, any satellite facilities. We are finding out to create a map like that is costing thousands of dollars. That is ridiculous. SO there are a lot of costs that are not necessary.</p>	<p>Cost</p>
<p>CO13-It is expensive. You are required to do all this training well somebody has to do the training. You can't just throw out any kind of training. It has to be backed with some kind of research to it and that is not free. A lot of places do not have those resources.</p>	<p>Cost</p>

<p>CO1- Coordination between public safety, CSAs, student development because those three public safety has the criminal side student development has the student discipline side and sometimes if there is not good coordination there are things that are reported to student development personnel that does not get moved over to the police side when it becomes a Clery compliance issue especially if the institution has dorms.</p>	<p>Internal/External Communication</p>
<p>CO4- Participation from the numerous different departments who have responsibilities in Clery and it's a little taxing. Our campus is not that big but it is a good size and at times it is difficult for me to do it by myself.</p>	<p>Internal/External Communication</p>
<p>CO8- I think sometimes the lack of contact and the lack of communication between local law enforcement and the institution because there are things that occur within a close proximity to the university that we probably should let our campus community know about but because the communication is not there with our local law enforcement they don't let us know if they had a shooting or robbery or vehicle burglary on the street that is close to the university. Clery requires that we do notify the campus community about it but we can't notify them if we don't know about it. So that lack of communication is a challenge.</p>	<p>Internal/External Communication</p>
<p>CO16- Sometimes people just don't want to tell you like counselors and nurse's office when you call about stats and people get complacent about reporting for the crime log in a timely manner.</p>	<p>Internal/External Communication</p>
<p>CO6- Just the certain vague regulations or requirements sometimes it seems like they want a certain result but they don't mandate its done a certain way. Just wording. If the actual rules on certain things such as geography and CSA's training etc...If that was more specific it would be a lot easier. That is kinda</p>	<p>Vague Requirements</p>

restrictive if I want to the perfect Clery Act compliance officer that would be the one that I wish they would be more specific on.	
CO17- The vagueness of the handbook.	Vague Requirements
CO20- The language they are written in the lack of training from the actual department that is auditing you. I just find it interesting that we receive training from third parties vendors. It would be neat to receive training from the organization who is going to audit and fine you rather than just receiving the book with guidance.	Vague Requirements
CO15- I have not had any factors.	No Factors
CO19- none that I can think of	No Factors

Appendix I

Interview Question 12-Data Set 12

Write-up with quotes (organized types)

Participant-quote/raw data	Distinction Types
CO1- There is Clery training available. You have experts in the field that have developed their own business or provide expertise that can help you	Training
CO2- Good budgets so we are allowed to go out and spend money for training.	Training
CO3- Training	Training
CO4- There is good training that helps guide me in the direction.	Training
CO5- Probably training	Training
CO-7- I think the training that is offered out there helps. Between The Clery Center , Deloris Stafford, Steve Heely group. Gary Marquelle's group. There is training out there that helps. Again it is their interpretation. I think you have seen the push by DOE. Especially Jim Moore who is the lead investigator for DOE. I think you see them push trying to be you know instead of us versus them kind of thing they are trying to help educate us on what they are looking for to help us be compliant. I think the training out there makes it help improve it. I think bottom line though it still comes down to in house.	Training
CO16- Just getting everyone trained (CSA's) in what is required even this year I had to train some people about timely reporting and how important that was. Training is a big thing.	Training
CO19- I like the trainings I like the stuff they put online the webinars are usually pretty good so if you ever have questions or if new things come out they are pretty	Training

good about putting out trainings regarding that.	
CO9- I think my background in legal compliance and that my understanding of data information management help me.	Self Motivation
CO12- I am familiar with the offenses that occur on campus. We also send out timely warnings-emergency notification. So when it is time for the report to come up it is easy for me to gather that information. It is just the other portion of the reports that are not related to police work are a little more complex.	Self Motivation
CO17- Just that I am dedicated to trying to do it the right way because I do not want to be the cause of my campus being audited or fined.	Self Motivation
CO1-Even though the DOE has a help desk. I have always been cautious of that because if you call in does that mean you will get flagged for asking questions look at it from a negative perspective even though I have never been through an audit I have read a lot of the audits they have done you are always worried about. I would always do a good faith effort but did I make a mistake that would cost the institution a fine.	DOE Assistance
CO5- being able to use the <i>Handbook</i> to match up the crimes to what we had.	DOE Assistance
CO2- Good working relationships with local law enforcement agencies so when situations happen in or around campus we are able to communicate.	Internal/External Support
CO3- collaboration with other higher education institutions	Internal/External Support
CO5- We had to collaborate to make sure we got it right.	Internal/External Support
CO8- The relationship that I had with the Law Enforcement agency there. We actually carried their radios so we had inoperability in terms of communication. We had one of their radios in dispatch so when a call went out if those of us who had their radios could hear it dispatched and it was being call out. So that helped to	Internal/External Support

<p>enhance it. The relationships with the surrounding higher Ed institutions. We had a little consortium where trained together had an exchange of information together. So those were things that helped us to stay in compliance. By staying on top of what was going on. Knowing what we had to do and sharing with each other.</p>	
<p>CO4-Good support from leadership. I have some good constituents if I have a question. All of that goes towards compliance. If you do not have support from hirer ups then you just feel like Clery is a waste of time and know it's not.</p>	Internal/External Support
<p>CO7- You have to have the support of your administration and you campus to really to push it through. If your administration does not understand this is an institutional responsibility and does not support your compliance then you are going to have difficulty getting other people to help you. If your President and others are supportive of it and believe we should be doing this correctly it seems to get more people to buy in and get better compliance. I know here I have had good reception from athletics from student conduct student residential life some head key support from my boss and his boss so that makes life a little easier.</p>	Internal/External Support
<p>CO6- The college administration helps. They are very receptive to title IX very supportive of Title IX and student rights. Mental health. I could not ask for anymore support if I wanted to. If I tell the college this is something I have to do under Clery they already know it. They are very versed in the Clery Act. They know all the rules. I have seen them refuse to bend the rules for students who wanted financial aid because it was against the rules.</p>	Internal/External Support

<p>CO13- I have a boss that lets me do what you have to do to make sure. I know that is an issue with a lot of universities. You know I have. I mentioned a lot of things I do for my position but my priority is Clery.</p>	Internal/External Support
<p>CO14- When you have upper administration that knows and sees the importance of what you are doing and they give support and the lent credence of what you are trying to do it's the biggest help in Clery compliance.</p>	Internal/External Support
<p>CO3-Committee</p>	Committee
<p>CO11- I guess having a team helps. Since we don't have a Clery compliance officer having that team so we can sit down and talk about ideas to make sure-checks and balances.</p>	Committee
<p>CO20- I think having a legal team to assist. Our legal team has wrote a program which asks you a ton of questions which eleviates just how things don't tie together I think having that programs has enhanced our ability to comply</p>	Committee
<p>CO15-Our records management system because it does the majority of the work for us as long as we get all of our reports entered correctly it will figure everything out.</p>	Technology
<p>CO18- I think having things available on the web and computer technology. Every time somebody submits a trip letter now and working with our IT since everything is pretty much web based I have all of the trips come when they submit a trip I get an email my assistant director gets an email we can go in and compile it right there. If we have any questions we can do that. Online CSA reporting form. The have an online form that they report. They can also get a copy to Title IX so we are intergrated that way. Having everything online pretty much. Doing the online training for CSA's. I put a video out there.</p>	Technology

<p>They can watch it and it gives me an email. I collect a data base of who has watched it and who has not. So I guess technology really. Making it easier.</p>	
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Appendix J

Interview Question 13-Data Set 13

Write-up with quotes (organized types)

Participant-quote/raw data	Distinction Types
CO1- Senior administration should receive some type of training on Clery requirements. So that way when the Director of Public Safety comes to the Dean of Students or President that we need to issue a “timely warning” for this they will understand.	Administrative Training
CO2- The decision makers can take steps to familiarize their self with it would be helpful and it could trickle down to everyone else understanding.	Administrative Training
CO3- Continue with the training and not get behind there.	Administrative Training
CO5- We needed an administrator there that had Clery training besides the people reporting. The Dean of Students or somebody along those lines should be involved in that. Some schools that I talked to had 3 or 4 people that were involved.	Administrative Training
CO8- Helping the campus community to understand what Clery is all about and we started that process. We actually brought a young lady in that used to work for me at BSU who was my Clery Compliance Coordinator there. She spent some time here did training. The CSA training and that got the ball rolling. Jeff Robertson now has to keep that ball rolling. Training the campus community to truly understand what Clery is and the requirements and how it applies to not to just public safety or to a handful of people but how it applies to the entire campus community.	Administrative Training
CO9- I think there are things we are going on right now but since we have multiple campuses. Helping the branch campuses	Administrative Training

<p>being more involved in the process themselves by giving them the resources and training the need so they can take over the administrative burden we have been caring for them.</p>	
<p>CO10-That is why we hired D Stafford we need her to help what is compliance and what is not compliance because a lot of the documents are not clear. But I mean the school is 100 percent wanting to comply with it well they have to they have no choice. It is tough.</p>	Administrative Training
<p>CO15- A major training program for all faculty, staff, and full time folks. They currently do web based form of it. It is just not enough.</p>	Administrative Training
<p>CO18- I think educating everybody as a whole on campus instead of just having myself and my assistant director be the gurus I guess on campus or the people that actually care. University staff and faculty education on the Clery Act and requirements would be my biggest thing.</p>	Administrative Training
<p>CO1- Monthly meetings with the Dean of Students how may alcohol drug offenses did you have this month and what did you do with them (Disciplinary wise) that way you can go into your statistics on the police side and compare them.</p>	Administrative Support
<p>CO3-The responsibilities of the CSA's especially coaches, teachers studying abroad what their responsibilities are so that we can take that statistical data if something happens and get it back on campus and maintaining a good working relationship with our sexual assault advocates.</p>	Administrative Support
<p>CO4- The one woman show is not sufficient. More can be said by the hirer ups about Clery so the Department heads feel that it is important. Better communication across offices. Clery Act committee meeting. I have some departments that never show up and they hold one of those pieces to compliance.</p>	Administrative Support

<p>CO6- I think the college administration is very helpful because I get no push back from anyone here. I just think they are just happy I am keeping in compliance. They are very interested in staying compliance and very helpful.</p>	<p>Administrative Support</p>
<p>CO7- I think the institution can enhance compliance by one making sure that it starts at the top making it clear that Compliance is an important piece. Making sure you have your people properly trained.</p>	<p>Administrative Support</p>
<p>CO14- The silo issue again at times being able to get information in a timely manner and appropriate information from people to ensure they we have compliance if certain times you might have issues dealing with certain groups, athletics or academic affairs that might not provide the information in a timely manner or at all.</p>	<p>Administrative Support</p>
<p>CO20- We need to invest in a full time compliance person and maybe they have some other duties as well but we need someone who could really spend a lot of time and infuse themselves in every detail of it, keeping up with the reports, the daily crime log because those things are just difficult to stay up on in a small unit like ourselves. We are an 11 man police department. We have 11,000 calls for service a year, 800 reports a year. It is just hard for me to do all of those things because you are sending them back to be edited. That is our biggest nightmare. If we could have someone who could spend time on our compliance we would be in better shape.</p>	<p>Administrative Support</p>
<p>CO1-Create a Clery compliance committee is a critical step</p>	<p>Compliance Committee</p>
<p>CO5-We always talked about forming a Clery Committee which never really happened.</p>	<p>Compliance Committee</p>
<p>CO13- The biggest thing pointed out was having a Clery committee to where just meeting once a year where it has</p>	<p>Compliance Committee</p>

<p>everybody from title IX whoever is running your property management whoever the coordinator would decide who is important to Clery to come in and sit on this so you can have this updated information right before the school year stats so when October comes around you are good to go you got the information on where all your property is the statistics that Title IX might have that you don't. Counseling services as well.</p>	
<p>CO17- I wish we had a Clery compliance group-committee. I think it would help a lot other than just me trying to reach out to the coaches and organization advisors and those to find out if they have any stats.</p>	Compliance Committee
<p>CO3-Being committed to identifying CSA's and having them trained.</p>	Identifying Campus Security Authorities
<p>CO12- The CSA's. Identifying them better that we have been able to. The time is not there for me to be able to work on it the way that I need to.</p>	Identifying Campus Security Authorities
<p>CO11-I can't think of any.</p>	No Steps
<p>CO16- They do a fairly good job of getting the word out and asking the right questions. We send out letters to partner schools and request crime stats as they do us. Seems like we have a pretty good system going. I feel like we are very accurate with our reporting</p>	No Steps
<p>CO19- I think we do a pretty good job with it now. We were having issues with training in the past but I think we have starting dealing with that pretty well. I can't think of anything else we should be doing.</p>	No Steps

Appendix K

Interview Question 14-Data Set 14

Write-up with quotes (organized types)

Participant-quote/raw data	Distinction Types
CO1- They need to take a big broad picture of reassessing Clery and other Federal requirements that impact Clery or Clery impacts and take all those requirements and put them in one location to determine what is still effective.	Simplify Requirements
CO3- Be more clear and reducing the compliance issues the pure number. The policy statements 132 now and they are continuously growing.	Simplify Requirements
CO5- I think they need to clear up the language and have some uniformity in the different types of crimes. To run a little bit more with what the state requires. I think part of it is just hard to understand at times	Simplify Requirements
CO6- They could simplify some of the regulations or procedures without really hurting. I think the spirit of the law is pretty clear for the Clery Act was intended to make consumers know what they are getting into when they decide to send their kid away to a particular school. I think the geography. I can image how complicated that part is for compliance. The geography questions have changed. If they gave it to me I could make it a lot simpler. Government bureaucracy gets in the way. Confusing	Simplify Requirements
CO7- I think we all would recommend that they blow it up and redo it and focus on what is important to educate kids and parents on key safety issues and policies give them crime data that is actually relevant. In my opinion. I will give you an example. Here is the problem the Clery Act in my opinion when you look at the non-campus category on your stats you can have a crime that occurred in China or	Simplify Requirements

<p>a mile down the street and we would never know. You put your non campus property, study abroad, all that stuff goes into your non campus category and there is no way to break that out. So if a parent looks at that they have no clue that that problem could be two miles from campus or it can be in a whole different country or whole different part of the United States. So I think that is a problem. You have 114 policy statements. Again out of those policy statements what is really important that we educate our community on.</p>	
<p>CO8-I think really their legislation should be more realistic and clearer in what they want. There is a lot of ambiguity in what they want us to do.</p>	Simplify Requirements
<p>CO9- I think they need to remove the short term trips which Jim Moore did say at NACCOP that he is looking um thinking that might happen. I also think we also need to look at what the statistics are actually telling our communities I think this non-campus category is helpful. The issue of delayed reports. The fact that our statistics are telling what was reported but not when the crimes occurred I think gives particularly students and campus newspapers a skewed viewed of what reports are actually providing them. I wonder if there is some kind of way we can make the statistics actually provide better information about what underlies the numbers</p>	Simplify Requirements
<p>CO10- Really easy. Make this thing a whole lot simpler than what it is. You have Clery, VAWA, SAVE, CASA. They are all the same thing they just say it in different ways. The CASA thing why is that different than Clery. They need to just come up with one law-simplify it so everyone could understand and it would be a whole lot easier to comply with.</p>	Simplify Requirements
<p>CO11- Making definitions more clear.</p>	Simplify Requirements

<p>CO12- I am like do you all read this. Have you actually sat down and read through the Clery Handbook? I think they need to get a better understanding their selves of what the expectations are. If they don't do that then they can keep on piling more fines on top of it and you can keep on asking for more but not having a good understanding of what is there now I think that hinders them in making any future adjustments or whatever they can do to help us out. Maybe just reading over it and actually realizing how much grey area there is there and try to help us out.</p>	Simplify Requirements
<p>CO13- Remove half of it. Simplify it. Remove all the restrictions to it. It is a great idea but when the good idea ferry shows up. I understand why they are doing it. I do not know how somebody is that dumb to have done this but now it is a broad rule for everybody. Everybody has to follow this. There is a lot of that going on in there and it causes compliance issues.</p>	Simplify Requirements
<p>CO14- They could remove the stipulation of overnight stays the way it is written in the regulations. It is almost impossible to get the information to ensure compliance for the room numbers so if they have 15-20 rooms they stayed in I have no way of getting the actual room numbers from the individuals because they will not remember or will not have the information handy. I don't know if they can contact the hotel to get that information or they refuse to do it and it creates and ordinate amount of time to try to dig through 60 overnight stays and call 60 hotels and call 60 different external police agencies.</p>	Simplify Requirements
<p>CO15- Clearly define the rules and regulations for reporting. Get rid of the grey areas.</p>	Simplify Requirements
<p>CO16- Simplify it a little bit and don't make it a witch hunt when they come try to find any little issue, make it about actual legitimate violations like</p>	Simplify Requirements

withholding rape information and not nit picking as to whether something was classified improperly in the opinion of the Clery investigator.	
CO17- I think they could take out some of the requirements. The law enforcement entities that we send these crime stats requests to they don't have to respond and Clery does not seem to care if they do not respond. All we have to say is that I made a good faith effort and they did not respond so how is they helping. Take out some of the geography stuff be more specific about what they actually want in timely warnings give maybe not an agenda but a rubric on if this occurs this is when you need to send a timely warning.	Simplify Requirements
CO18- Making things more black and white. More direct and less grey area less up to interpretation. There are sometimes I have called the DOE and they are like we do not know we will have to get back to you. I am not sure even the DOE knows what they are supposed to be doing in the Clery Act sometimes. I would say just making things more clear.	Simplify Requirements
CO2- They should take into account the practitioners when they are these rules or publishing the handbook they should have people that actually live it do it provide feedback or input. I don't know if they care how easy or hard it is to be done my recommendation is that the law makers should get feedback from people who are actually doing it	Practitioner Input
CO4- They can stop ruling with the threat of an audit and an institution losing their funding. I think they can bring more positiveness around Clery about how really it is just a way to protect students on campus and a way to get them important information.	Threats
CO8- Stop changing the Dear Colleague Letter every few years.	Stop Changing Requirements
CO20- I think they should provide training on what their expectations are.	Training

<p>Other than in a written document to also have some hands on training based upon what their expectations are. So when they audit you and say hey you missed this then it is on me.</p>	
<p>CO19- I really do not know about that one. They already go a good job and they send out auditors to check and make sure people are actually complying with it.</p>	<p>No Steps</p>

Appendix L

Interview Question 15-Data Set 15

Write-up with quotes (organized types)

Participant-quote/raw data	Distinction Types
CO3- The DOE needs to be clear and give good guidance.	Clarify Requirements/Better Assistance
CO1- You want compliance but are you looking for. There are so many interpretations of the law so what do you mean. The law has so many different interpretations you can never been in full compliance If I can understand	Clarify Requirements/Better Assistance
CO4- One thing that is pretty prominent is if you call the help desk on Tuesday with a question and get an answer and you can call on Wednesday and ask the same question and get a different answer. So there is not consistency. We are held to the standard that we have to be consistent in what we do. And we have to be accurate and get the reports out on time. But the help desk we are directed to go to if we have an issue they are not consistent.	Clarify Requirements/Better Assistance
CO5- Make it a little more understandable. You can ask two different people and get two different answers or they say they don't know. That is one of the things I remember from some of the conferences I went to was sometimes you present them with a situation and then they tell you just to use your best judgement. I just think they make the whole thing way too complicated.	Clarify Requirements/Better Assistance
CO-7- I think what we were just talking about. They are the ones who ultimately have to change the policy or try to clean it up. I think if you look at the comments that the president from ICLEA the recommendations for 3 or 4 things. I heard Jim Moore say at the NACCOP conference that there looking at getting	Clarify Requirements/Better Assistance

<p>rid of the student frequently used or more than one night issue. Getting rid of that. But we are also going to get hazing legislation based on the incidents at Penn State. So they are at least trying to clear it up a little bit.</p>	
<p>CO8- Outside of tying in what I already said about the federal legislation I think that would go hand in hand with the DOE. I think we are all equipped and ready to really give them whatever there is they are asking for but they have to be realistic about time frames and have to be realistic about our ability to get our folks trained to make it happen and provide additional opportunities for that to take place.</p>	Clarify Requirements/Better Assistance
<p>CO10- They can make it simpler. It is just too complicated. One example I really like to use is how convoluted it is the DOE has two offices of civil rights one for Clery and one for Title IX. There is a group of people under Title IX that can be confidential reporters. Those same people under Clery are mandatory reporters. The whole office of civil rights apparently don't talk to each other.</p>	Clarify Requirements/Better Assistance
<p>CO11- So we have more up to date stats and clearly define things.</p>	Clarify Requirements/Better Assistance
<p>CO13-Dumb it down remove a lot of the things. Expand the geography. The 120 mandates why should I have to you want me to put in here our entire policy on sexual assault, what's going to happen the course of action yet we have it listed four other places</p>	Clarify Requirements/Better Assistance
<p>CO15- The same thing for them. It just needs to be better defined exactly what they are looking for. A lot of it is left up to interpretation and I don't think they are getting the exact figures they are looking for.</p>	Clarify Requirements/Better Assistance
<p>CO17-I have called them and asked and the help desk had to hang up and go ask cause they had no clue which makes me think they don't even know what they are asking.</p>	Clarify Requirements/Better Assistance

<p>CO18- They need to go an make things. I am not sure why they change things form year to year. Adding the VAWA and stuff about domestic violence and sexual violence. I think that is a great thing. In essence the theory behind the Clery Act is great. It is just so detailed and not very clear. So encouraging legislatures to make it more clear and direct and leave it alone. Stop changing it.</p>	<p>Clarify Requirements/Better Assistance</p>
<p>CO4-I am afraid to call the help desk. I am nervous when I have to call them more than once or twice. I am extremely nervous when I have to make changes on the Department of Ed website which I did and I am nervous because I am publishing three of crime reports in addition to the one that is due. Am I worried yes. do I have anything to hide no.</p>	<p>Reduce Fear</p>
<p>CO6- I think could lower the fines and give more warnings on first offenses so people would not be so petrified to do their jobs. I think the fear of an audit is enough to make somebody mess up. I did this report last year looked it over proof read it printed it looked it over and found one typographical error in the crime stats. One little typo which was insignificant like a liquor violation for referral something silly but it was in the wrong place and that was a \$35,000 fine had we been audited. I think they can help people be more willing to prepare these stats without that fear. If they were not so rabid in their fines for unintentional mistakes. I think that would be very helpful.</p>	<p>Reduce Fear</p>
<p>CO12- I think we should feel more comfortable calling and asking questions and not feel like oh “Stuff” they may come looking if I am asking these questions. We should be able to ask these questions. They should have a webpage dedicated to questions. People shooting off questions as they need to and actually receiving and answer to those questions</p>	<p>Reduce Fear</p>

not the grey area not the well if you do this or well if you do that its no come on.	
CO14- More outreach by phone or even for a visit not necessarily for enforcement purposes but as a courtesy and an outreach I think would be helpful. To stop by institutions this is not an investigation. In my former life I was a hazardous waste inspector I worked with the environmental engineer for compliance and we would give friendly compliance visits to explain the regulations and laws to individuals and offer help and assistance instead of penalizing them for things to ensure they understand the right way to do things and how we are here to help not just to punish and you do not have to be scared of us.	Reduce Fear
CO1- More training from the DOE. Through the training you can get a better understanding of what they are doing for compliance and what they are looking for.	DOE Training
CO2- Just reach out to the practitioners for more input from people that live it breath it do it. Take recommendations for things.	Practitioner input
CO16- I don't know. I feel like sometimes they were just thrust into an area they had little expertise in and were given so much over reaching authority that maybe they went past their capability.	Practitioner input
CO17- They need to hire people that have actually worked at a university and have done Clery compliance work. It is my understanding most of the people that work up there and this is according to Deloris Stafford have never even worked an in institution so they really don't know how the institution works and what goes on within those walls.	Practitioner input
CO9- None	No Steps
CO19- I think just making sure the universities are holding their employees accountable for trainings and reporting crimes.	No Steps