

**Program Against Violence to Women
Sexual and Relationship Violence at UHM
Findings & Recommendations for the University
of Hawai'i**

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EXECUTIVE SUMMARY

In 2001 the UHM Women's Center and Gender Equity Office secured a grant from the US Department of Justice Violence Against Women Office to address issues of sexual and relationship violence on our campus. This grant included the implementation of a needs assessment. This report represents findings from this assessment.

Literature Review

Over the last two decades a large body of research clearly demonstrates that nationally women in college between the ages of 18-24 experience higher rates of rape/sexual assault (Carr, 2005) and stalking (Fisher, Cullen & Turner, 2000) than non-students. Local and national statistics indicate that UHM students experience similar levels of these kinds of violence reported nationally. Local research also indicates that women in Hawai'i are less likely to report sexual and relationship violence than women on the continent (Ruch, Coyne & Perrone, 2000).

Finding from the UHM Student Violence Survey

A study conducted in Fall 2003 looked at sexual and relationship violence experienced by female undergraduates since starting school at UHM. This study found that almost 11% of UHM female undergraduates report experiencing partner violence. Additionally over 10% report experiencing stalking, almost two percent report being raped and nearly 10% report experiencing sexual assault since starting school at UHM. Twenty-four to 63% percent of these crimes were reported to have happened on campus yet only four percent were reported to the police and only one percent was reported to campus security.

Review of Federal Mandates and UHM Policies

A brief review of the Jeanne Clery Act (see below), Title IX, *Student Conduct Code*, *Sexual Assault Policy and Procedure*, and the *UH Sexual Harassment Policy* was conducted. Findings included the following:

- The current UHM *Student Conduct Code* is 13 years old, does not define sexual assault or consent, nor does it reference the UHM Sexual Assault Policy and Procedure. It also does not uniformly notify both the accuser and accused regarding conduct hearings and the ability to have a representative present, a requirement of both the Clery Act and the UHM Sexual Assault Policy.
- The UHM *Sexual Assault Policy and Procedure* is 8 years old, does not clearly define sexual assault or consent, nor does it clearly define who at UHM is responsible for developing and implementing protocols related to assisting victims of sexual violence.
- Under Title IX sexual assault is considered the most extreme form of sexual harassment yet sexual assault is mentioned only once in the system wide *Policy on Sexual Harassment and Related Conduct*. Readers are referred to each campus' sexual assault policy however not every UH campus has a formal sexual assault policy.

UH Compliance with the Jeanne Clery Act

An informal survey of each UH campus was conducted to determine compliance with the Jeanne Clery Act. Findings indicate that with the possible exception of Kaua'i Community College, not a single campus is in compliance with even minimal aspects of the Act.

Review of the UH Benchmark Peer Institutions

An informal review of sexual assault prevention programs at institutions on the *University of Hawai'i Benchmark and Peer Groups* list (Office of the Vice President for Planning and Policy, 2001) found that all the 12 campuses have a campus police force with the power to make arrests; only one had a formal sexual assault policy; about half had sexual violence prevention programs that received institutionalized funding and the other half had sexual violence prevention programs funded through their campus police departments.

Recommendations

The following recommendations are made:

- Demonstrate institutional commitment sexual and relationship violence prevention and perpetrator accountability;
- Implement a system wide sexual assault policy;
- Secure campus law enforcement with the power to arrest;
- Update the UHM student conduct code;
- Improve compliance with all training and reporting aspects of the Clery Act;
- Institutionalize funding for sexual violence and drug and alcohol education and prevention programs modeled on evidence based practices;
- Implement residential life programming modeled on evidence based practices;
- Explore how to increase reporting of sexual and relationship violence offenses to campus authorities; and
- Establish a full time Clery Act Coordinator position.

INTRODUCTION

In October 2001 and October 2003 the University of Hawai'i at Mānoa (UHM) Gender Equity Office and Women's Center were awarded two-year Campus Violence Prevention grants from the US Department of Justice, Violence Against Women Office to fund a project known as the Program Against Violence to Women (PAVW). PAVW's purpose is to provide education and prevention for UHM students on sexual assault, relationship violence and stalking. Grant requirements include the development of a Campus-Community Partner Response (CPR) team and training of staff and students. The first grant also included the implementation of a campus needs assessment to determine the levels of sexual and relationship violence experienced by UHM students. This report is a presentation of findings from the PAVW needs assessment and has been reviewed by the Sexual Assault Task Force, a subcommittee of the CPR. It includes a literature review of local and national statistics, findings from the UHM Student Violence Survey, a review of relevant federal mandates and UHM policies, a review of the University of Hawai'i's (UH) compliance with the Jeanne Clery Act (also known as the Clery Act), a review of UH's peer institutions, and recommendations.

SEXUAL AND RELATIONSHIP VIOLENCE ON COLLEGE CAMPUSES REVIEW OF NATIONAL AND LOCAL DATA

Violence against women including stalking, partner violence, rape and sexual assault is a serious problem across the nation. Since one of the first stories on "date rape" hit the mainstream media in 1991 (Time Magazine, June 2, 1991), a large amount of research has been conducted on the sexual victimization of college women. Below is a review of the literature on sexual and relationship violence among college women.

Rape and Sexual Assault

A recent large-scale survey involving 4,446 college women nation-wide concluded that about one in five female students will experience a completed or attempted rape during her undergraduate experience (Fisher, Cullen, & Turner, 2000). This means that institutions of higher education can expect approximately 35 rapes per 1,000 female students each academic year. Annually the American College Health Association implements a random sample assessment (the National College Health Assessment – NCHA) at 47 post-secondary institutions including UHM. The 2004 NCHA survey consisted of 47,202 cases nationally, of which 442 were from UHM. This survey collects data on a variety of health topics including some questions related to the respondents' experiences with sexual violence within the last school year.

Comparing UHM data to the entire sample results in similar findings:

- 2.3% of UHM students report verbal threats for sex vs. 3.6% of all NCHA respondents
- 8% of UHM students report sexual touching against their will vs. 9.2% of all NCHA respondents
- 3.2% of UHM students reported attempted sexual penetration against their will vs. 2.8% of all NCHA respondents, and
- 1.8% of UHM students reported sexual penetration against their will vs. 1.5% of all NCHA respondents.

Partner Violence

According to the Centers for Disease Control and Prevention (CDC) the average rate of partner violence (also known as relationship violence, domestic violence, dating violence, or intimate partner violence) among college students is 32% (1998). Bacchus & Gamma Peer Education Network (BGPEN) conducts annual surveys at post secondary institutions including UHM. In 1999 BGPEN collected 1,204 surveys by a random sample mailing from six institutions; 244 of the surveys came from UHM. Both the NCHA and BGPEN surveys have questions related to relationship violence experienced within the last school year. When data from the UHM subset of each of these samples are compared to their respective samples as a whole, findings are similar:

- 14% of UHM respondents and 14% of all BGPEN respondents reported verbal violence in a relationship
- 4% of UHM respondents reported physical violence in a relationship vs. 3% of all BGPEN respondents
- 15% of UHM students reported being in an emotionally abusive relationship vs. 14% of all NCHA respondents, and
- 3% of UHM students and 3% of all NCHA respondents reported being in a physically abusive relationship.

Stalking

Research has found that over 13% of college women report having been stalked in a single college year, with campus stalking incidents lasting an average of 60 days (Fisher, Cullen & Turner, 2002). It is important to note that there is a connection between stalking and other forms of violence against women, with 81% of stalking victims being physically assaulted by the stalker and 31% sexually assaulted by the stalker (Tjaden & Thoennes, 1998). The BGPEN data found that nine percent of UHM respondents reported stalking within the last year; the average for the entire sample was 10%.

Under Reporting

The widespread under reporting for sexual and relationship violence among college students is widely documented (Abbey, Zawacki, Buck, Clinton, & McAuslan, 2001; Benson, Charlton & Goodhart, 1992; Hart, 2003; Pirog-Good & Stets, 1989; Sellers & Broomley, 1996). Fisher, Cullen & Turner found that 95% of college sexual assaults and 83% of stalking incidents are not reported to police/campus law enforcement officials (2002).

According to the National Violence Against Women Survey (Tjaden & Thoennes, 1998) Asian and Pacific Islander women are the least likely to formally report any kind of physical victimization. While most Asian communities consider this type of violence unacceptable, many women of Asian decent do not believe in reporting violence to anyone outside of their family (Yoshioka & Dang, 2000). Research in Hawai'i has also found local women of Asian ancestry (primarily Japanese and Chinese) to be "significantly less apt to report a sexual assault" (Ruch, Coyne & Perrone, 2000). In *Reporting Sexual Assault to the Police in Hawai'i* Ruch et. al. examined data from a sample of 709 women accessing services from the Sex Abuse Treatment Center. They found that reporting rates for Caucasian, Hawaiian/Part Hawaiian, Filipina and women of "Other" ethnicities were between 71% and 76% compared to 56% for women of Asian ancestry (2000).

The FBI estimates that nationally approximately one in 10 sexual assaults is reported to

the police; however, in Hawai'i, the number is about one in 16 (Ruch, Coyne & Perrone, 2000). UHM statistics indicate that five cases of forcible sexual offenses were reported in 2001, seven in 2002 and seven in 2003 (Campus Security Crime Statistics 2002-2004 Report). Although underreporting of sexual assaults is well recognized, the gap between reported and actual prevalence at UHM is possibly higher than many other college campuses on the continent since over 49% of our student body is of Asian ancestry (UH Institutional Research Office, 2004).

According to the *American College Health Association Campus Violence White Paper* (Carr, 2005) under reporting by campus victims of sexual and relationship violence “stems from a combination of individual, institutional, and socio-cultural factors” (Carr, p. 2). The report goes on to say that many institutions of higher education “unintentionally condone victim-blaming when they circulate materials that focus primarily on the individual victim’s responsibility to avoid sexual assault without...prevention education that stresses the perpetrator’s responsibility for committing the crime” (Carr, p. 2).

Description of Perpetrators

In the face of incontrovertible data that the vast majority of rapes, physical abuse and stalking incidents against women are perpetrated by someone known to the victim (Abbey, Ross, McDuffie, & McAuslan, 1996; Benson, Charlton, & Goodhart, 1992; Fisher, Cullen, and Turner, 2000; Johnson & Sigler, 1996; Pirog-Good, & Stets, 1989; Ruch, Coyne & Perrone, 2000), society continues to promulgate the myth of the perpetrator as a stranger lurking in the dark. Because of this well accepted myth, ironically the vast majority of perpetrators, even those who commit multiple acts of “date rape”, do not see themselves as rapists or abusers; hence many do not hesitate to report these behaviors to researchers (Lisak, 2004). For example, one study found that 84% of men whose actions met the legal definition rape said that what they did was definitely not rape (Koss, 1998). A study done at UHM found that 17% of the male students surveyed admitted to committing acts that meet the legal definitions of sexual assault in Hawai'i (Mills & Granoff, 1992). Other national studies have found that 51% of college males admit perpetrating one or more sexual assault incidents during college (Berkowitz, 1992) and Rapaport and Posey (as cited by Harner, 2003) noted that 43% of college males reported that they had used some form of coercive behavior to have sex, like lying, ignoring protests, using physical violence, and forcing sexual intercourse. At UHM Mills and Granoff found that 29% of the male students surveyed admitted to making continued sexual advances after a women said “no” and on average a woman had to say “no” three times before he believed her (1992).

The term “date rape” so commonly used on college campuses has also led many to believe that campus rapes are inadvertently committed by almost any “basically good guy” who when faced with the combination of too much alcohol and “miscommunication” accidentally sexually assaults a woman (who has made some “bad choices”). An example of this can be found in the current *UHM Athletic Department Student Handbook* under the heading “Date Rape,”

“As a man, be careful, especially if you have been drinking, that you do not misread signals. Trouble has often occurred when a woman has remained alone with several men after a drinking party. While some feel that this shows poor judgment on the woman’s part, it certainly does not invite rape...As a woman, be conscious of the signals you send. Don’t place yourself in situations that can be

misunderstood or can get out of hand. Good judgment can often save you from an embarrassing or painful situation” (p. 11).

This quote is also a good example of the subtle forms of victim blaming perpetuated by institutions as described by the *American College Health Association Campus Violence White Paper* (Carr, 2005).

Research on sexual perpetrators over the last two decades has clearly shown that the majority of campus rapes are not accidents due to miscommunication and in fact, it is clear that most campus rapes are committed by a small number of male students who are, in essence, serial rapists. For example, in a recent study published in the journal *Violence and Victims* identified 120 rapists out of a sample of 1,882 male college students. Of the 120 men, 76 were serial rapists who on average assaulted 14 victims each – 439 rapes and attempted rapes, 49 sexual assaults, 277 acts of sexual abuse against children, 66 acts of physical abuse against children and 214 acts of battery against intimate partners (Lisak, 2002). Equally disturbing is a finding by Koss and Harvey (as cited by Harner, 2003) that 51% of the college-aged men they sampled said that they might commit a rape if they knew they would not be caught.

Impact on Victims

Sexual and relationship violence can affect a student’s entire post-secondary educational experience, resulting in significant negative educational consequences for the victims (Finn, 1995; Kirkland, 2002). Victims of sexual assault, stalking and partner violence report higher incidents of posttraumatic stress, severe anxiety, panic reactions, depression (Ackard & Neumark-Sztainer, 2002; WHO, 2002), sleeping and eating disorders, drug and alcohol use, suicide attempts (CDC 2000; Raj, Silverman, Amaro, 2000; Silverman, Raj, Mucci, & Hathaway, 2001), loss of self-esteem, and stress-related illnesses (Shapiro & Shwarz, 1997) than non-victims.

Negative effects on academic performance following an assault include a decrease in grade point average, reduced course loads, and suspension of studies for varying lengths (Bohmer & Parrot, 1993, Carr, 2005). Rather than face their attacker in class, in the residence hall, in the dining hall or on campus students may even drop out of college (Bohmer & Parrot, 1993; Carr, 2005; Frintner & Rubison, 1993). The NCHA survey has a question related to this very issue. It asks, “Within the last year has sexual assault affected your academic performance?” Of the UHM students who reported some form of sexual abuse within the past year, six percent responded affirmatively, saying that they had received a lower grade on an exam or had to receive an incomplete/drop a class due to a sexual assault (2002).

Some of the risk factors that have been associated with an increased risk of experiencing sexual and relationship violence for young people include lack of dating experience (WHO, 2002), alcohol and drug use (Abbey, Zawacki, Buck, Clinton, & McAuslan, 2001), previous victimization (Rhea, Chafey, Dohner, & Terragno, 1996; Wordes and Nunez, 2002), and acceptance of gender stereotypes (Kershner, 1996; Rickert, Sanghvi, and Wiemann, 2002). Data at UHM suggests that many of our students come to us with some of these risk factors. For example of the 822 incoming UHM freshman surveyed at the 2004 New Student Orientation program, 53% reported alcohol use, 15% reported marijuana use and three percent reported use of other illegal drugs (McCreary, 2004). Of these new students, 10% of females (N=469) and

one percent of the males (N=353) also reported previous sexual victimization (McCreary, 2004). Another study done at UHM for a PhD dissertation found that of the 1,459 students surveyed, almost half (48%) experienced some form of sexual victimization since the age of 14 (Luo, 1991). Additionally, Luo found that of the students surveyed men were more likely than women (42% vs. 15%) to see sexual harassment as normal, natural and non-offensive and twice as many men as women (42% vs. 21%) attributed blame to the victim for sexual harassment (1991). Luo (1991) found that "Forty percent of the respondents did not exclude the possibility that women provoke rape through their appearance and or behavior (p. 108). A study done at UHM by Mills and Granoff (1992) found that 51% of the male students they surveyed believed that women sometimes say no to sex when they really mean yes. These findings suggest that significant numbers of UHM students endorse some of the stereotypes and myths that support sexual violence against women.

UNIVERSITY OF HAWAI'I AT MÄNOA STUDENT VIOLENCE SURVEY

National surveys suggest that sexual and relationship violence is occurring at UHM at higher rates than reported to University officials. In order to have a more accurate assessment of the experiences of UHM students, a survey was implemented in Fall 2003 to determine levels of sexual and relationship violence experienced by UHM students. While both male and female students were surveyed only responses from female students will be examined in this report. Findings for UHM male victims of sexual and relationship violence will be presented at a later date.

Method

Subjects

Data for this report were collected from UHM students in undergraduate lecture courses in the fall of 2003. A total of 794 surveys were collected, with 724 usable for analysis. For this report only findings from the female undergraduate respondents (N=435) will be examined. In Fall 2003 there were 7,284 female undergraduates attending UHM (UH Institutional Research Office, 2004).

Instrument

To determine the extent of sexual violence at UHM, an eight page anonymous survey titled *UHM Student Survey on Violence*, consisting of 57 closed ended questions, was administered. This survey collected demographic data, attitudinal information related to gender roles and rape myths, information on the participants' experiences with rape, sexual assault, stalking and relationship violence while at UHM, and their willingness to report these incidents (for the definitions of rape, sexual assault, stalking and partner violence used in the survey see Appendix A- UHM Student Violence Survey Definitions).

Procedures

After receiving approval from the Human Subjects Committee, an invitation to participate was extended to instructors teaching randomly selected undergraduate lecture courses with 50 or more students. Of the 10 instructors asked to participate, seven agreed. Instructors allowed class time for the survey and encouraged their students to participate resulting in a very high participation rate.

Limitations

Financial, temporal and logistical limitations precluded the use of stricter random sampling and collection of a larger sample. While the survey tool was adapted from an instrument used by the University of Puerto Rico this tool has not been validated for use with Asian and Pacific Islanders.

Findings

Demographics

Of the 435 UHM female respondents:

- 53.3% were freshmen, 27.4% sophomores, 15.2% juniors, and 4.1% seniors;
- 59.9% Asian/part Asian, 20.3% Caucasian, 13.2% Pacific Islander/part Pacific Islander, and 7.6% “other”;
- 44.0% lived in university housing, 38.7% lived in a parent/guardian home, and 17.4% lived elsewhere; and
- 58.8% were from Hawai‘i, 30.0% from the continental US or Alaska, and 11.3% from another country.

Partner Violence

When asked about partner violence, 10.8% (N=46) of female respondents said they have experienced partner violence since starting school at UHM. If we extrapolate this given the total number of 2003 undergraduate women, it translates to 758 UHM female undergraduates. Of those reporting partner violence since starting school at UHM:

- 24.1% reported it happening on campus;
- 30.4% told no one;
- 4.4% reported it to the police;
- 0% reported it to campus security;
- 0% reported it to a UHM staff/faculty person;
- 17.1% said it happened 1 time;
- 14.6% said it happened 2 – 4 times; and
- 31.7% said it happened 5 or more times.

Stalking

When asked about stalking, 10.4% (N=45) of female respondents said they have experienced stalking since starting school at UHM. If we extrapolate this given the total number of 2003 undergraduate women, it translates to 758 UHM female undergraduates. Of the female respondents reporting stalking since starting school at UHM:

- 62.5% reported it happening on campus;
- 8.9% told no one;
- 6.7% reported it to the police;
- 0% reported it to campus security;
- 4.4% told a UHM staff/faculty person (the counseling center);
- 20.5% said it happened 1 time;
- 36.4% said it happened 2 - 4 times; and
- 9.1% said it happened 5 or more times.

Rape

When asked about rape, 1.9% (N=8) of female respondents said they have experienced rape since starting school at UHM. If we extrapolate this given the total number of 2003 undergraduate women, it translates to 138 UHM female undergraduates. Of the females reporting rape since starting school at UHM:

- 40.0% reported it happening on campus;
- 25.0% told no one;
- 0% reported it to the police;
- 0% reported it to campus security;
- 12.5% told a UHM staff/faculty person (the counseling center);
- 57.1% said it happened 1 time;
- 28.6% said it happened 2 – 3 times; and
- 14.3% were not sure how many times it happened.

Sexual Assault

When asked about sexual assault, 9.7% (N=41) of female respondents said they have experienced sexual assault since starting school at UHM. If we extrapolate this given the total number of 2003 undergraduate women, it translates to 707 UHM female undergraduates. Of the female students reporting sexual assault since starting school at UHM:

- 51.4% reported it happening on campus;
- 17.1% told no one;
- 0% reported it to the police;
- 2.4% reported it to campus security;
- 2.4% told a UHM staff/faculty person (the counseling center, an instructor);
- 38.5% said it happened 1 time;
- 33.3% said it happening 2 – 4 times; and
- 7.7% said it happened 5 or more times.

Review of UHM Campus Security Daily Logs

In addition to the *Student Survey on Violence*, a review of UHM Campus Security daily logs for a 12-month period (September 2003 – August 2004) was conducted. The number of reported incidents that could be considered as sexual or relationship violence or harassment of women was counted. A total of 63 incidents were reported. This count is conservative as several reports of “harassment” or “assault” were documented, but due to time constraints formal security reports were not reviewed to see if these were related to sexual/relationship violence. Additionally, numerous incidents from an on-going stalking case of a female faculty member were not included. The following is a breakdown of the 63 incidents by type:

- 8 reports of sexual assault,
- 12 reports of harassment/assault of a female by a male/males,
- 22 reports of partner violence,
- 10 reports of stalking, and
- 11 reports of indecent exposure (considered fourth degree sexual assault under state law).

Summary

Findings from the "UMH Student Survey on Violence" and review of Campus Security Logs are similar to findings by other local and national researchers suggesting that sexual assault, partner violence and stalking are serious issues for students at UHM. The UHM survey found that 24% - 63% of rapes, sexual assaults, stalking, and partner violence incidents reported are happening on campus. Findings also support previous research suggesting that under reporting is serious issue on our campus, as none of the students reporting rape went to the police or campus security, and only three students reporting other types of violence told the police or campus security.

These findings have serious implications for UHM as well as the UH system. There are currently no institutionalized programs at any campus to address issues of sexual and relationship violence, and only two of our 10 campuses have a formal sexual assault policy (see "University of Hawai'i Clery Act Compliance" section below). The negative impact of violence on a student's entire post-secondary educational experience is clearly documented in the literature. Unless incidents are reported and then appropriately responded to by University officials little can be done to address change on our campuses.

FEDERAL MANDATES & UHM POLICIES

Below is an overview of relevant federal mandates and UHM policies and procedures related to sexual and relationship violence.

Federal Laws

Jeanne Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (originally the Campus Security Act) requires colleges and universities across the US to disclose information about crime on and around their campuses (for a more detailed version refer to Appendix B – Jeanne Clery Act). The Clery Act mandates the following:

1. Reporting of crimes for the following geographic areas: on campus, residence halls, off campus buildings or property, including university owned or operated research sites or vessels, public property immediately adjacent and accessible within one mile of the campus, and each separate campus.
2. The "Campus Security Authorities" required to report crimes include: campus police, campus security officers, campus security guards and parking guards, student housing staff, judicial affairs staff, athletics staff, staff responsible for recognized clubs, and paraprofessionals like resident advisors (RA) and security monitors.
3. Crime data must be collected and reported annually. Requirements for this task include: identifying all the sources of crime report data and developing a systematic way of receiving and compiling that data; notifying, informing and training of the Campus Security Authorities; contacting and informing local police agencies; maintaining a daily crime log available for public viewing; reporting of every crime brought to the attention of a campus security authority or local police by a victim, witness or third party; publication of timely warnings for crimes posing a serious or continuing threat, and publication of arrest and discipline data.
4. The disclosure of institutional policies is a major portion of the annual security report.

Specific statement topics that must be addressed include: procedures of reporting crimes and other emergencies; policies concerning the security of and access to campus facilities; description of the type and frequency of programs for students and staff regarding security practices and crime prevention – specifically sexual assault prevention programs; reference to campus alcohol and drug abuse education programs; enforcement and arrest authority of staff; working relationship with local police; encouragement of prompt crime reporting; monitoring through local police of crimes at off campus locations of recognized student organizations; alcoholic beverage policy and law enforcement; drug policy and law enforcement; specific information on who to contact in the event of a sexual assault and; where to find information concerning registered sex offenders.

5. An annual Clery Act report must be formatted and distributed in the following fashion: appear within a single document by October first each year; all supporting records including daily logs must be kept for three years following publication; each separate campus must have a report and; the annual report must be given individually and directly to all current students, prospective students, all employees, and all prospective employees.

Title IX

Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in education programs and activities that receive federal financial assistance. Information on the law can be found at: <http://www.ed.gov/policy/rights/guid/ocr/sex.html>. Specifically, Title IX states that “no person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal funds”. Discrimination by sexual harassment is defined as unwanted behavior that is sexual in nature (or based on sex), which alters the ability of an individual to access his/her education. This type of behavior can take many forms, but is commonly divided into two categories, hostile environment and quid pro quo. Quid pro quo sexual harassment is defined as sexual advances, requests for sexual favors, and/or verbal or physical conduct of a sexual nature when submission to such conduct is either explicitly or implicitly a factor in evaluation. Hostile environment is defined as a pattern of behavior that is intimidating, threatening or offensive and sufficiently severe, persistent and pervasive.

Sexual assault is an extreme form of sexual harassment and hostile environment. Under Title IX, the University is required to investigate reports of sexual harassment and hostile environment, and to take reasonable steps to end any harassment, eliminate a hostile environment and prevent their recurrence. If UH is aware of the harassment, then Title IX’s investigation requirements are the University’s responsibility, whether or not the student who was harassed makes a complaint or requests any action. Title IX mandates that student rape victims have access to "prompt and equitable" grievance procedures.

Student Conduct Code

Sexual and relationship violence is not specifically addressed in the *Student Conduct Code* (University of Hawai'i at Mānoa, Office of Student Affairs, revised July, 1992) but covered under the "Personal Misconduct" section of the Code. Section I.C.1. describes inappropriate conduct as, "Harassing, physically threatening, or physically or verbally abusing any person at the University or at any University-sponsored function or event or conducting oneself in a manner endangering the health or safety of any person" (p. 3). The reader is then referred to the "Board of Regents policy and UHM campus guidelines for further information regarding sexual harassment" (p. 3). No reference is made to the *UHM Sexual Assault Policy and Procedure* as it was created in 1997 – five years after the most recent revision of the *Student Conduct Code*. Additionally no definitions for sexual assault or consent are provided in the code (the complete code can be found at <http://www.hawaii.edu/student/conduct/process.html>)

Sexual Assault Policy and Procedure

The *UHM Sexual Assault Policy and Procedure* (UH Office of the Senior Vice President and UHM Executive Vice Chancellor, July 15, 1997) provides a limited definition for sexual assault and then refers the reader to the Federal Bureau of Investigation Uniform Crime Reporting/National Incident-Based Reporting System Crime Definitions for the official definition. No definition of "consent" for sexual relations is given (a link for the entire policy can be found at http://www.hawaii.edu/osa/Gender_Equity/).

The policy goes on to state that the "Mānoa Campus is charged with providing activities and programs aimed at informing and educating its campus constituencies on matters of sexual assault. Campus units including, but not limited to, campus security, housing, health and counseling services provide education and training aimed at sexual assault prevention" (p. 1). However to date there is no institutionalized funding designated for such programming.

In the "Procedures" section of the policy it clearly states, "In all instances, both the accuser and accused are entitled to have a representative present" (p. 2); however, the student conduct code only notifies the accused regarding the student conduct hearings, and thus only allows the accused to have representation (*Student Conduct Code*, pp. 10 – 11).

Finally the policy states "The Mānoa Campus is charged with identifying and developing a protocol for on-campus units to provide assistance and support to victims of sexual assault" (p. 3), yet no specific unit is charged with this task and to date no formal protocols exist for assisting victims of sexual assault at UHM.

Sexual Harassment Policy

The *Policy on Sexual Harassment and Related Conduct* (Office of the President, April 2001) is a system wide policy covering all campuses of the University of Hawai'i (a link for the entire policy can be found at http://www.hawaii.edu/osa/Gender_Equity/). Sexual assault is mentioned once in the entire document. At the end of the introduction on page one the policy states, "In addition, sexual assault or any forcible physical sexual behavior is prohibited by each

campus' sexual assault policy and may also be prosecuted as a criminal offense". However, as discussed in the following section of this document, not every campus of the University has a

sexual assault policy.

UNIVERSITY OF HAWAI'I CLERY ACT COMPLIANCE

An informal survey of each campus was conducted in September and October 2004 to determine UH's compliance with the Jeanne Clery Act. Using contact information provided on their respective websites, each campus was contacted by phone and the following information was collected, (1) do you have a formal sexual assault policy, (2) do you have annual crime statistics, and (3) how are your crime statistics distributed.

University of Hawai'i at Hilo (UH Hilo) & Hawai'i Community College (HawCC)

Since UH Hilo and HawCC are adjacent campuses they share campus security services and crime reporting statistics. A copy of the annual crime report was requested from the head of Auxiliary Services but only the web address for the Office of Postsecondary Education (OPE), US Department of Education for Clery Act compliance was provided. While statistics for both campuses are collected and compiled on the database sponsored by the OPE apparently no formal report for distribution is available. According to the Dean of Student Services Office and the Women's Center for UH Hilo, no formal sexual assault policy exists for either campus.

Leeward Community College (LCC) & University of Hawai'i at West O'ahu (UHWO)

Since UHWO is housed on LCC property they share campus security services and crime reporting statistics. LCC collects annual crime statistics and mails them out every fall to all students along with the federally mandated Drug Free Workplace Act. A copy of their sexual assault policy was obtained from the Office of the Dean of Students. It is not clear whether this is a formal policy as it is not dated or approved by any particular office or administrator.

Honolulu Community College (HCC)

HCC has a document titled "Sexual Assault Policy"; however, it appears to be more of a statement than an actual policy as it is a brief description of procedures and it is not dated or approved by any particular office or administrator. Current annual crime statistics, produced by campus security, are available on line and mailed out every fall to all new students along with the federally mandated Drug Free Workplace Act.

Kapi'olani Community College (KCC)

A copy of KCC's sexual assault policy was obtained from the Dean of Student Services Office; however, it was not a formal policy as it is still in draft form. Annual crime statistics are compiled, available on line and printed in the course schedule.

Kaua'i Community College (Kaua'iCC)

Kaua'iCC has a formal sexual assault policy (approved by Provost David Iha on August 24, 1995). The Student Services Office mails the crime statistics out annually to all students.

Maui Community College (MCC)

According to the Office of the Dean of Student Services MCC does not have a sexual assault policy. Crime statistics are compiled annually and given to all MCC applicants through

the Administrative Services Office.

Windward Community College (WCC)

As reported by the Coordinator of Student Services Office, there is no formal sexual assault policy at WCC, and according to the Campus Security Office there is no annual crime statistics report.

University of Hawai'i at Mānoa (UHM)

As the flagship campus of the University of Hawai'i system a more in depth look at UHM will be presented. Each component of the Clery Act outlined previously in this report will be addressed below as well as the other relevant UH policies.

Clery Act - Geographical Reporting of Crimes

UHM Campus Security is responsible for reporting crimes that occur on campus and in their patrol areas, including Lyon Arboretum as required by the Clery Act. Areas of concern that remain regarding reporting include sites not covered by Campus Security, such as affiliated housing sites (when in operation), research vessels, Coconut Island, Waikiki Aquarium and Cancer Research Center.

As UH continues to grow with new campuses like the UH School of Medicine in Kākā'āko, UH will have to produce annual security reports for these separate campuses and include crimes that occur at all parks and public parking structures within one mile of them.

Clery Act - Campus Security Authorities Required to Report Crimes & Receive Related Training

Highlighted below is each of the UHM campus security authorities mandated by Clery to report crimes and receive notification, information and training to acquaint them with their reporting obligations.

Athletics

Each year the director of athletics is asked by the Dean of Students Office to provide data for the annual crime statistics report. This department consistently reports no knowledge of any sexual assaults. These reports are in contrast to numerous anecdotal reports from students, faculty and staff (both within the department and outside of the department) of athletes perpetrating or experiencing sexual and relationship violence. To date Athletics has not received Clery mandated training related to sexual violence reporting issues.

Campus Security

The Clery Act specifies that each campus must have a designated Clery Act coordinator. This duty falls on Campus Security, who working closely with the Dean of Students Office, collects the annual crime data, produces and disseminates the annual report. However, Campus Security has neither the staff nor the resources to implement and fulfill all of duties of the Clery Act coordinator described in this report.

Campus Security has received Clery mandated training. In addition, in November 2003 all campus security staff attended a mandatory three-hour training related to sexual violence, responding to victims and crime reporting.

The Clery Act encourages campus law enforcement to work closely with local police. According to the Acting Chief of Campus Security, UHM has had a strained relationship with the Honolulu Police Department (HPD). Challenges have included lack of respect between individual patrol officers and campus security officers. Another area of difficulty which impacts the Clery Act is the statistical gathering of crimes that occur on campus and are then turned over to HPD or crimes that are reported directly to HPD, as these statistics are rarely reported back to Campus Security. While HPD does produce an annual crime report there is no way to determine which crimes are associated with the UHM community since the UHM lies within two different HPD patrol zones that each encompass geographic areas well beyond the UHM.

Another difficulty involves individuals considered security personnel by the Clear Act that do not fall under the auspices of Campus Security. This includes security individuals contracted to work by Auxiliary Enterprises (for the parking areas and bookstore), the libraries, Campus Center for special events and Athletics for sporting events. These security guards must be trained under Clery but no such training has ever occurred. The lack of training and lack of coordination between the various types of security personnel has been problematic. A recent *Ka Leo O Hawai'i* editorial "Parking Security Needs Some Training in Creep Handling" (Torres, 2004) is one example. The article is by a student who was sexually assaulted in a campus bathroom. As the assailant fled the student asked a uniformed parking security guard for help. The guard's reply was "Oh, I can't do anything about that; you have to go down to the blue light phones and call security" (Torres, p. 5).

Counseling Services

Counselor-client privilege shared by counseling professionals and their clients exempt counselors from reporting under the Clery Act, however counseling centers may choose to provide anonymous data for the annual crime statistics. While the UHM Counseling and Student Development Center (CSDC) currently chooses not to provide anonymous data to the annual crime statistics, they do work closely with all of the designated campus security authorities to provide continuity of care to survivors of sexual and relationship violence.

Related to the issue of continuity of care for sexual assault survivors, in 2004 the Director of the CSDC brought a concern to the attention of the Sexual Assault Task Force about the need for licensed female therapists on staff. According to the CSDC Director two-thirds of the Center's clientele are female, and female clients, especially those who seek counseling related to concerns of a sexual nature, feel more comfortable talking to other women. Currently the CSDC does not have a licensed female therapist on the clinical team.

Dean of Students Office & Judicial Affairs

The Dean of Students Office works closely with Campus Security in producing the annual crime statistics report. This office is also responsible for collecting crime statistics from each of the designated campus security authorities at UHM. Staff in this department have received training related to issues of sexual violence and Clery Act reporting. However, to date members of the Student Conduct Committee, which operates under a directive by the Dean of Students, have never received such training. Between 2002 and 2004 a total of 13 sexual and relationship violence related cases were formally brought to the Dean of Students Office and

sanctions were imposed for each case. Two of these cases were brought to the Student Conduct Committee, and the committee completely dismissed one of the cases and removed the suspension sanction from the other case. Due to the fact that the Student Conduct Committee has never received formal training related to their purpose and responsibilities (let alone issues around sexual and relationship violence) the validity of their decisions is highly questionable.

Health Services

Doctor-patient privilege shared by medical professionals and their patients exempt physicians from reporting under the Clery Act, however the University Health Services Mānoa (UHSM) chooses to provide anonymous data for the annual crime statistics. They also work closely with all of the designated campus security authorities to provide continuity of care to survivors of sexual and relationship violence. Health Educators however are not exempt from Clery reporting requirements and to date health educators have not been trained in these requirements.

In the past few years, the UHSM has used its own funds (from patient fees and a minimal dedicated health fee paid by students at registration) to fund the Alcohol/Other Drug Education/Outreach Program (ADEP). However, University general funds support only a small percent of the UHSM, and the University has not approved an increase in the student health fee; thus the UHSM was not able to continue a full-time position for the ADEP. Although UHSM staff have absorbed the responsibility for providing primary prevention programming and secondary brief intervention services, these are in addition to their ongoing pre-established full-time duties. Currently no ongoing funding exists at UHM dedicated to providing alcohol and drug education and prevention.

Student Housing

Student housing staff has consistently worked closely with Campus Security and the Dean of Students Office to report crimes as mandated by Clery, however training of housing staff around these requirements has been sporadic and inconsistent. Training for housing staff around sexual assault was done for the first time in three years in 2003. However, no new RA or housing staff training occurred in 2004.

Three recent articles in local and student newspapers brought increased attention to concerns around alcohol misuse and violence in the residence halls. In the October 16, 2004 edition of the *Honolulu Advertiser*, it was reported that eight students in the fall semester were taken to hospitals in the first six weeks of the semester as a result of alcohol consumption, and less than two years ago a student died in housing from an alcohol and drug overdose. There is an extensive body of research related to the connection of alcohol use and violence against women in the literature (Abbey, 2002; Abbey, Ross, McDuffie & McAuslan 1996; Abbey, Zawacki, Buck, Clinton, & McAuslan, 2001; Finn, 1995; Frintner, & Rubinson, 1993; Mohler-Kuo, Dowdall, Koss, & Wechsler, 2004; Parks & Fals-Stewart, 2004), and this concern was also addressed in a *Ka Leo O Hawai'i* article titled "UH Alcohol Violations in Question" (November 5, 2004). While each of the recent newspaper articles mention attempts by the Interim Housing Director and other concerned individuals to reduce the amount of drinking violations occurring on campus, they also cite inadequacies with these measures including institutional resistance, insufficient policing, inconsistent enforcement of infractions, fragmentation of residential life

programs, inadequate prevention and education programs and contention among housing staff (Affleck 2004; Ali, 2004; Creamer, 2004). Since this issue has become publicized it appears that staff have been pressured to institute “solutions” that are not evidence based. Furthermore, to date, no one has proposed additional staff or funding to implement a comprehensive program.

In 2003 concerns around crimes committed at the off campus student affiliated housing site in Waikiki were brought to the attention of several campus authorities. Challenges related to this type of multi-campus site were highlighted when a housing resident attending UHM reported a sexual assault by a housing resident attending KCC. Since each student was covered under a different student conduct code, a different sexual assault policy and a different dean of students office, there was initial confusion by the victim’s family on how to proceed with complaints. The student who was sexually assaulted subsequently dropped out of school.

Co-Curricular Activities, Programs and Services (CAPS)

Annual Clery Act statistics are collected from the Director of Co-curricular Activities (the department responsible for the new student orientation, chartered student organizations and registered independent student organizations, leadership programs, and intramural sports and leisure activities programs). No report of sexual assault has ever been made by a CAPS employee nor has anyone in CAPS received Clery Act related training.

Clery Act - Crime Data Collection & Reporting

Most aspects of these requirements are being met by UHM with two exceptions: (1) Not all of the required campus security authorities have been provided with notification, information and training to acquaint them with their reporting obligations. Anecdotal information suggests that it is, perhaps because of this that not every crime brought to the attention of a campus security authority is documented, and (2) HPD rarely follows up with UHM about relevant crimes reported directly to them or those turned over to them by UHM officials.

Clery Act - Policy Disclosure

Most aspects of these requirements are being met by UHM, with the following exceptions: (1) There is no reference to the *UHM Sexual Assault Policy* in the annual crime report. (2) Requirements related to the “description of the type and frequency of programs for students and staff” regarding sexual assault prevention and campus alcohol and drug abuse education programs are extremely difficult to accomplish as there is no institutionalized funding for these programs. The last institutionalized funding of a sexual assault program at UHM ended over a decade ago (Creating Options for a Rape Free Environment funded through the office of the Vice President for Student Affairs), and institutionalized funding for substance abuse prevention has been equally inconsistent. In both of these areas the majority of funding for the programs has come from grants. The lack of institutional support has meant that staff are required to take these additional duties on, without adequate time or resources (see “Health Services” section above).

Clery Act - Annual Report Format & Distribution

UHM does meet the format requirements for the annual report. However, it currently does not meet the distribution requirements, as the report or information on how to access it must be given individually and directly to all current students, prospective students, all employees, and

all prospective employees.

REVIEW OF PEER INSTITUTIONS

In light of present efforts to re-organize the UH to better reflect other research institutions, an informal review of sexual assault prevention programs at our peer comparison institutions based on the *University of Hawai'i Benchmark and Peer Groups* listing form (Office of the Vice President for Planning and Policy, 2001) was implemented in October and November 2004. Information was collected from each campus' respective websites. Eight of the 12 schools were also contacted by phone. The following information was collected: (1) Do you have a campus police force; (2) Do you have a formal sexual assault policy; and (3) Do you have any sexual violence prevention programs, and if yes, what are they and how are they funded. A total of 12 institutions are considered our sister institutions: University of California-Davis, Colorado State University, University of Georgia, Iowa State University, University of Kentucky, Louisiana State University, University of Missouri-Columbia, University of North Carolina- Chapel Hill, Oregon State University, University of Tennessee at Knoxville, University of Utah and University of Virginia.

Campus Police

All 12 of our benchmark institutions have a campus police force with the power to make arrests. Unlike UH, none relies solely on security officers.

Formal Sexual Assault Policy

Of the eight institutions contacted by phone, only one had a formal sexual assault policy (Iowa State University). However, most of the other institutions said they are actively in the process of developing and formalizing their policy to comply with the Clery Act.

Sexual Violence Prevention Programming

Colorado State has an institutionalized prevention and education program funded through the Office of Students Affairs and the Office of the Provost. The program is housed in the Women's Center, which has a full time director and a full time administrative assistant. Their sexual assault victim assistance program provides advocacy for victims with trained faculty, staff and student volunteers. They also provide training to campus offices and programs that may encounter victims.

The University of Missouri has a rape education program, which is housed in their Women's Center. Half of the program is paid for from student body fees and the other half is a line item in the institution's budget.

Iowa State University has a Sexual Assault Response Team (SART), which is coordinated through their campus police department. Seventy-five percent of funding comes from a federal grant funneled through the state and 25% from the campus police department. The SART is made up of specially trained professionals from nine agencies on campus and in the community who provide victim centered services including medical care, advocacy, counseling and criminal justice services 24 hours a day, seven days a week. The University of Kentucky also has a SART program.

University of Georgia has a full time relationship and sexual violence prevention educator. This position is a line item in the university's budget. Additionally, the campus police department has prevention and safety programs that include rape resistance and self-defense workshops. The campus police departments of the University of Tennessee-Knoxville and the University of Utah have similar programs as well.

Oregon State University has a full time female therapist in their counseling center whose job is to provide sexual assault response and education for the campus. They are currently working on getting another position for education/prevention programming, housed in either the health center or women's center.

UC Davis' Campus Violence Prevention Program is a unit of their campus police department, which focuses on sexual assault, relationship violence and hate or bias related crimes. The program provides crisis intervention and advocacy to both recent survivors and those working to recover from past incidents. In addition, they provide short-term intervention and support for friends, family, roommates and co-workers of the survivor. Workshops and trainings are provided to students, faculty and staff and are facilitated by professional staff and student peer educators. Student peer educators are trained through a yearlong series of classes.

Louisiana State University has a Sexual Assault Victims Advocates (SAVA) program, which is housed in and funded by the Wellness Education Department of the Student Health Center. Advocates are trained and located in many different departments and offices on campus including the Dean of Students Office, Women's Center, Academic Affairs and Residential Life. SAVA provides assistance with filing a police report, medical care, the university judicial process, housing relocation, academic assistance/accommodations and appropriate referrals.

RECOMMENDATIONS

Institutional Commitment

Findings in this report clearly demonstrate that UHM students are experiencing sexual and relationship violence on campus while attending UHM. UH must demonstrate an institutional commitment to sexual and relationship violence prevention and perpetrator accountability. A genuine commitment to addressing issues of sexual and relationship violence includes institutionalized funding of staff and programming, developing relevant policies, procedures and protocols, updating existing policies, and full compliance with all federal laws.

Implement a System Wide Sexual Assault Policy

UH should develop and implement a system-wide sexual assault policy approved by the President and Board of Regents.

UHM Campus Law Enforcement with Power to Arrest

UHM is possibly the only metropolitan institution of its size in the nation that does not have campus law enforcement. UHM should implement a campus police force with the power to arrest or at minimum officials at the highest institutional levels must make genuine efforts to

improve our relationships with HPD.

Update the Student Conduct Code

The UHM *Student Conduct Code* is 13 years out of date. It must be updated to include the UHM sexual assault policy and clearly articulated definitions of “sexual assault” and “consent” for sexual activity.

Improved Clery Act Compliance

UHM must comply with all federally mandated laws including the Clery Act. Clery compliance includes implementing:

- Mandatory training of *all* current Clery designated campus security authorities and future trainings for all new campus security authorities.
- Mandatory *annual* training of all Student Conduct Committee members.
- Provide proper access to annual crime statistics for all prospective and current students and all prospective and current employees. UHM currently meets these requirements for the annual drug free workplace information, and Clery requirements could be included in this distribution process. Notification to current students could also be made on line via announcements on each individual student’s portal home page.
- Continued and improved funding for civil rights based offices at UHM like the Equal Employment Opportunity and Affirmative Action Office, Civil Rights Counselor, Gender Equity Counselor, Women’s Center, Lesbian/Gay/Bisexual/Transgender Office, and KOKUA (the disability access office).
- UHM should consider establishing a full time Clery Act Coordinator position. Such a position could be housed in student services or campus security.

Institutionalized Funding For Sexual Violence and Drug and Alcohol Education & Prevention Programs

UHM should institutionalize sexual violence and drug/alcohol education and prevention programs with adequate resources. These programs must be culturally appropriate. They should also be modeled on evidence based practices and programs with proven effectiveness. Sexual and relationship violence programs must educate male students as well as potential victims and hold perpetrators accountable for their actions.

Improved Residential Life Programming

University housing programs that offer alternatives to drinking and provide education on responsible drinking should be implemented consistently. Residential life programming should be modeled on evidence based practices and programs with proven effectiveness.

Increase Reporting of Sexual and Relationship Violence

More research needs to be done on how we can better support UHM victims of sexual and relationship violence to report violence to campus authorities.

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APPENDIX A

UHM Student Violence Survey Definitions

Partner Violence

“Partner violence is when your boy/girlfriend, husband/wife, date, lover and/or special friend are abusive to you. This can include verbal abuse (like name calling or put downs), physical abuse (like hitting, slapping or pushing) and/or emotional/mental abuse (like threatens you or your family/kids, controls who you see/talk to, controls the money, and/or drives carelessly with you in the car).”

Stalking

“Stalking is when someone you know or do not know repeatedly follows you, watches you, calls, writes, emails or communicates with you in other ways that are unwanted, seem obsessive and/or makes you feel afraid or concerned for your safety.”

Rape

“Rape is when someone forces you to have oral, anal or vaginal sex. It includes putting a penis in your mouth, vagina or anus and/or putting a finger or object (like a bottle) in your vagina or anus – against your will. It also includes someone putting their mouth on your vagina, penis or anus and/or someone forcing you to put your mouth on their penis, vagina or anus – against your will.”

Sexual Assault

“Sexual assault is unwanted touching of a sexual nature like forced kissing, touching of private parts, grabbing, fondling and/or rubbing up against you in a sexual way, even if it is over your clothes.”

APPENDIX B

Jeanne Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is the landmark federal law, originally known as the Campus Security Act that requires

colleges and universities across the United States to disclose information about crime on and around their campuses. This summary is adapted from the National Association of College and University Business Officers (www.nacubo.org). Text for the original 1990 law can be found at <http://www.securityoncampus.org/schools/cleryact/pl101542.html>. Amendments to the law through 2000 can be found at <http://www.securityoncampus.org/schools/cleryact/text.html>.

The Clery Act mandates the following:

1. **Geographical Reporting of Crimes:** crime statistics must be reported for the following geographic areas:
 - a. On campus including the residence halls
 - b. Non-campus buildings or property including university owned or operated research sites or vessels
 - c. Public property immediately adjacent and accessible within one mile of the campus (i.e. parks, thoroughfares streets, side walks and public parking facilities); and separate campuses.
 - d. Each separate campus of an institution is subject to the geographic categories a-c listed above.
2. **Campus Security Authorities Required to Report Crimes:** Clery Act identifies different officials considered to have significant responsibility for student/campus safety and activities. They include:
 - a. Campus police, campus security officers, campus security guards and parking guards
 - b. Department like Student Housing, Judicial Affairs, Team Sports and recognized clubs.
 - c. Paraprofessionals like RAs and Security Monitors.
3. **Crime Data Collection, Reporting & Related Training:** Crime Data must be collected and reported annually. Requirements for this task include:
 - a. Identifying all the sources of crime report data and developing a systematic way of receiving and compiling that data.
 - b. The campus security authorities described above must be provided with notification, information and training to acquaint them with their reporting obligations.
 - c. Local police agencies must be contacted and informed.
 - d. A daily crime log must be maintained and available for public viewing.
 - e. Every time a crime is brought to the attention of a campus security authority or local police by a victim, witness or third party regardless of their relationship to the institution and there is reasonable basis for believing the report it must be documented as a crime report.
 - f. Timely Warnings must be made to the campus community for crimes posing a serious or continuing threat.
 - g. Arrest and discipline data must be reported.
4. **Policy Disclosure:** The disclosure of institutional policies is a major portion of the annual security report. Specific statement topics that must be addressed include:
 - a. Current procedures of reporting crimes and other emergencies with the following information: who to tell and how they will respond, confidential reporting options

(if any), the campus timely warning policy and, annual campus security report preparation.

- b. Current policies concerning the security of and access to campus facilities including residences. Security related maintenance considerations (how facility is maintained in terms of security).
 - c. Description of the type and frequency of programs for students and staff regarding security practices and crime prevention - address specifically sexual assault prevention.
 - d. Reference to campus alcohol and drug abuse education programs.
 - e. Enforcement and arrest authority of staff, working relationship with local police, encouragement of prompt crime reporting, monitoring through local police of crimes at off campus locations of recognized student organizations, alcoholic beverage policy and law enforcement, drug policy and law enforcement.
 - f. For sex offenses specific information about who to contact, where to make a report and a statement that campus personnel will assist if requested, the importance of preserving evidence, notice of on and off campus victim services and notice of the availability of academic and living changes if requested by a victim. Information about sex offense discipline should include disciplinary hearing procedures that assure both the accuser and the accused (i.e. the same opportunities to have others present and notification of the outcome of the proceedings) and a statement of the sanctions the institution may impose following a final determination of a disciplinary proceeding regarding rape and forcible and non-forcible sex offenses.
 - g. Community Sex Offender Notice must be given and indicate where law enforcement agency information concerning registered sex offenders may be obtained (i.e. police department, web address, etc.).
5. Annual Clery Act Report Format & Distribution
- a. The report must appear within a single document by October first each year. It can be a part of a larger publication or on its own. Web publications may include hyperlinks. All supporting records including daily logs must be kept for 3 years following the publication of the last annual report to which they apply.
 - b. Each separate campus must have a report.
 - c. The annual report must be given individually and directly to all current students, prospective students, all employees, and all prospective employees. Or it can be sent via US mail, campus mail or email. Posting on a website requires direct individual notice of the exact electronic address where it may found – but reports must also be available in print. A combination of methods may be used. Posting information on a web site or a poster on a wall does not constitute notice.