



National Institute of Justice

S o l i c i t a t i o n

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Research on Procedures of Institutions of Higher Education to Report Sexual Assaults

APPLICATION DEADLINE:

August 13, 1999

**U.S. Department of Justice
Office of Justice Programs**
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Research on Procedures of Institutions of Higher Education to Report Sexual Assaults

I. Introduction

The National Institute of Justice (NIJ) is soliciting proposals for a national study to examine procedures undertaken after an institution of higher education receives a report of campus sexual assault. According to Public Law 105-244, and for the purposes of this solicited study, the term “campus sexual assaults” means sexual assaults occurring at institutions of higher education and sexual assaults committed against or by students or employees of such institutions. *NIJ interprets this definition to mean that one or both of these elements need to be present for an incident to be defined as a campus sexual assault. NIJ anticipates awarding one grant with a funding total not to exceed \$575,000.*

II. Background

In 1990, Congress passed the *Student Right-to-Know and Campus Security Act* (20 USC 1092), which requires colleges and universities that participate in Federal financial aid programs to publicly disclose 3 years of statistics for specific on-campus FBI Index offenses, liquor and drug violations, and weapon possessions. The law also mandates that institutions disclose their respective crime prevention and security policies and procedures. The law was amended in 1992 to include specific basic rights that schools were required to afford sexual assault victims, and again in 1998 to include additional reporting obligations and a daily public crime log requirement. Specifically, the 1998 amendment requires institutions to provide annually crime statistics to the Secretary of Education. The 1998 amendment also formally changed the name of the law to *Jeanne Clery Disclosure of*

Campus Security Policy and Campus Crime Statistics, in memory of Jeanne Clery who was a 19 year old Lehigh University freshman who was raped, beaten, and murdered while sleeping in her residence hall room in 1986. Historically, institutions of higher education have generally failed to proactively disseminate information about the incidence of crime on campus and preventing and reporting sexual assault to students, and have traditionally handled crimes of violence against women through closed administrative procedures and processes. Congress passed this legislation to ensure that students and employees of institutions of higher education are aware of the incidence of crime and the policies and procedures to prevent or report crime occurring on their campuses.

According to the *Higher Education Amendments of 1998* (20 USC 1092), the term “campus” means (1) any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and (2) property within the same reasonably contiguous geographic area of the institution that is owned by the institution, but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor). The term “noncampus building or property” means (1) any building or property owned or controlled by a student organization recognized by the institution, and (2) any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution’s educational purposes, is used by students, and is not within the same reasonably

contiguous geographic area of the institution. The term “public property” means all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution. If the facility is used by the institution in direct support of, or in a manner related to the institutions’ educational purposes. The stipulation to report crime statistics applies to crimes occurring on campus, in or on noncampus buildings or property, and on public property.

For the purposes of this solicitation, the NIJ is defining “students” to include both full- and part-time students enrolled at an institution of higher education; and “employees” of the institution to include full- and part-time faculty, staff, and administrators, as well as temporary and contract employees such as visiting professors, and contractors whose primary work duties are on campus or at a location that is affiliated with the institution.

Public Law 105-244 also requires that the Attorney General, in consultation with the Secretary of Education, provide for a national study to examine procedures undertaken after an institution of higher education receives a report of sexual assault. *The award that results from this solicitation will satisfy the letter and spirit of the law.*

Campus Crime Statistics and Compliance with the Student Right-to-Know and Campus Security Act of 1990. The *Student Right-to-Know and Campus Security Act* (1990) required the Secretary of Education to make a one-time report to Congress on campus crime statistics. This survey was the first attempt to gather this type of information from a nationally representative sample of post-secondary institutions. Violent crimes (murder, forcible sex offenses, robbery, or aggravated assault) were reported by about a quarter of the institutions for the years 1992, 1993, and 1994. For 1994, 9 percent of campuses

reported incidents of forcible sex offenses. This survey also asked about general campus security procedures and programs including access to rape crisis counseling, increased lighting on campus, campus safety services and programs (e.g., foot and bicycle patrols, night-time escort services, limited access to residential halls, emergency phone systems, victim assistance programs, program of publishing or posting safety reminders), and public safety employees.¹

In 1995, to determine the nature of law enforcement services provided on college and university campuses, the Bureau of Justice Statistics (BJS) surveyed U.S. four-year institutions of higher education with 2,500 or more students (a sample of almost 600). Nearly all of the responding campus law enforcement agencies (95%) reported having responsibility for their institution’s compliance with the *Campus Security Act*. These agencies reported, for 1994, about 4,000 violent crimes; this is an average of about 7 each, comprising 1 forcible sex offense, 2 robberies, and 4 aggravated assaults.² Fisher et al. (1998), based on interviews designed after the National Crime Victimization Survey that were conducted with 3,472 randomly selected students across 12 institutions, found an overall rape and sexual assault victimization rate of 30 per 1,000 students.³

¹U.S. Department of Education, National Center for Education Statistics (January, 1997) *Campus Crime and Security at Post-secondary Education Institutions*. NCES 97-402, by Laurie Lewis and Elizabeth Farris. Washington, DC.

²U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics (December, 1996) *Campus Law Enforcement Agencies, 1995*. NCJ-161137, by Brian Reaves and Andrew Goldberg. Washington, DC.

³Fisher, B.S., J. Sloan, F. Cullen, and C. Lu (August, 1998) Crime in the Ivory Tower: The Level and Sources of Student Victimization. *Criminology*, 36 (3): 671-710.

Lu and Fisher (1996) conducted a national study to determine the extent and patterns of compliance with the *Student Right-to-Know and Campus Security Act of 1990* among post-secondary institutions. These researchers sent out 785 letters from a fictitious prospective transfer student to randomly sampled schools, and asked specifically for their respective annual campus security reports. Eighty-seven percent of the schools acknowledged the request letter and sent some information, but only 37% of the schools sent the required information as mandated by the *Campus Security Act*. Overall, the researchers noted a consistent pattern of noncompliance.⁴

The Government Accounting Office (1997) reported on how the Department of Education has implemented and monitored compliance with the *Student Right-to-Know and Campus Security Act*; the types of problems, if any, colleges are having with the Act; and the requirements of State laws related to public access to police records on reported crimes on campuses. At the campus level, the GAO reports that colleges are finding it difficult to consistently interpret and apply some of the law's reporting requirements. Specifically, there is considerable variation in how colleges decide which incidents to include in their reports and what categories to use in classifying certain crimes; how to include incidents reported to campus officials other than law enforcement officers; interpreting Federal requirements for reporting sexual offenses; and reporting data on hate crimes.⁵ These variations and difficulties, in conjunction with campus

victims' reluctance to report may contribute to the low official reported rates of victimization.⁶

III. Areas of Research Required

Research Requested. This national study may use a sample of institutions and should consider the following issues raised in the Public Law 105-244 legislation:

- (1) the existence and publication of the institution of higher education's and State's definitions of sexual assault;
- (2) the existence and publication of the institution's policy for campus sexual assaults;
- (3) the individuals to whom reports of sexual assault are given most often, and how, and the extent to which these individuals are trained to respond to the reports;
- (4) the reporting options that are articulated to the victim or victims of the sexual assault regarding both on- and off-campus reporting and procedure options;
- (5) the resources available on campus and within the community for victims' safety, support, medical health, and confidentiality, including how well the resources are articulated both specifically to the victim of sexual assault and generally to the campus at large, and the security of the resources in terms of confidentiality or reputation;
- (6) policies and practices that may prevent or discourage the reporting of campus sexual assaults to local crime authorities, or that may

⁴Lu, C., and B. Fisher (1996) *The Extent and Patterns of Compliance with the Crime Awareness and Campus Security Act of 1990 Among Post-Secondary Institutions: A National Study*.

⁵Government Accounting Office (March, 1997) *Campus Crime: Difficulties Meeting Federal Reporting Requirements*. Letter Report, GAO/HEHS-97-52.

⁶See Sloan, J., B.S. Fisher, and F. Cullen (April, 1997) *Assessing the Student Right-to-Know and Campus Security Act of 1990: An Analysis of the Victim Reporting Practices of College and University Students*. *Crime and Delinquency*, 43 (2): 148-168.

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otherwise obstruct justice or interfere with the prosecution of perpetrators of campus sexual assaults;

(7) policies and practices found successful in aiding the report and any ensuing investigation or prosecution of a campus sexual assault;

(8) the on-campus procedures for investigation and disciplining the perpetrator of a sexual assault, including the format for collecting evidence, and the format of the investigation and disciplinary proceeding, including the faculty responsible for running the disciplinary procedure and the persons allowed to attend the disciplinary procedure; and

(9) the types of punishment for offenders, including whether the case is directed outside the institution for further punishment, and how the institution punishes perpetrators.

In addition to the required analyses specified above, applicants are strongly encouraged in their proposed study to develop a research design that will incorporate other relevant and important issues and questions specific to campus sexual assault and institutional reporting procedures. Issues and questions include, but are not limited to:

- Differentiating victimizations of and perpetrations by students, faculty, staff, and outsiders.
- Incorporating the institution's policies, procedures and services for campus sexual assaults into the existing academic curriculum.
- Underserved victims (e.g., victims with disabilities, commuter students, victims of hate/bias crimes, international students and students from diverse cultures).
- Victims' rights, including maintaining victim privacy and confidentiality.
- Differentiating the type of institution including less than two-year, two-year, and four-year, and public, private non-profit and private for-profit colleges and universities that participate in Federal Title IV financial aid programs; rural, urban, and suburban campus contexts; colleges and universities with specific religious affiliations; and historically black, and Hispanic, colleges and universities.
- Technology incorporated by institutions of higher education in their reporting procedures.
- The institutions' interpretations and applications of the law's reporting requirements.
- Training on violence against women issues for campus disciplinary boards.
- Coordination among the institution, the local criminal justice system, local service providers, and local nonprofit, nongovernmental victim advocacy organizations.
- Alcohol and/or drug facilitated sexual assaults (e.g., tracking suspected versus confirmed cases of drug facilitated rape, how the culture of alcohol and substance abuse may contribute to the commission of sexual assault and to some victims' reluctance to report a sexual assault).
- Underlying etiology of student reporting behavior (e.g., victim's fear of retaliation and incurring academic disadvantage, financial penalties, or emotional hardship).
- Underlying perceptions, attitudes, incentives (or lack of) that drive the formation, implementation, and adherence to successful reporting strategies.
- Legal concerns of campus and administrators, specifically legal reprisals or civil suits (i.e., for failure to protect or inform).
- Data from both the university and student, and victim and perpetrator perspectives.

- Fraternities and/or sororities.
- Male perpetrators who are athletes.

Methodological Considerations. In this solicitation, innovation, particularly on qualitative and quantitative measures, culturally sensitive measures, and many different levels of data is encouraged. While primary focus of this research may include university administrators or campus security services, additional parties such as victims, perpetrators, students, peers, faculty, college and university staff, campus and community based victim services providers, and knowledgeable criminal justice practitioners should be brought into the various stages of the research process as appropriate.

Applicants are required to submit a detailed research design and analysis plan, including a full explanation of sampling strategy, and a detailed explanation of their approach to conducting this research given the sensitive nature of these issues. Applicants should describe their prior experience conducting research on violence against women issues. Specifically, applicants must describe the procedures to be used that will ensure the maximum valid and reliable response rate from institutions.

Proposals must also include a time and task outline to display how the proposed work will be accomplished. ***This time line should represent an 18 month project with an anticipated start date of November 1, 1999, which includes two distinct reporting periods.*** According to Public Law 105-244, a report to Congress on the results of this study must be submitted no later than September 1, 2000. Applicants must, therefore, (1) provide a detailed description of what types of information will be available by July 1, 2000 in order to meet the Congressional mandate, and (2) provide a table of contents for the expected final report due March 1, 2001, which represents an additional 8 months of the project.

Applicants **must** include a statement that demonstrates an understanding of the requirement to ensure the protection of human subjects of such research and the confidentiality of the research data. The human subjects and confidentiality issues **must** be addressed through submission of a privacy certificate required by Federal regulations of all NIJ grantees.

Dissemination of Results. NIJ is interested in expeditious and innovative methods to disseminate the results from the project supported under this solicitation. Methods that would supplement the more traditional forms of dissemination are encouraged. Results of projects are expected to be reported to NIJ as they become available, and at a minimum, through semi-annual progress reports. Applicants should provide a discussion of the types of reports or products that would become available over the course of the project.

IV. How to Apply

Those interested in submitting proposals in response to this solicitation must complete the required application forms and submit related required documents. (See below for how to obtain application forms and guides for completing proposals.) Applicants must include the following information/forms to qualify for consideration:

- Standard Form (SF) 424—application for Federal assistance
- Assurances
- Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements (one form)
- Disclosure of Lobbying Activities
- Budget Detail Worksheet
- Budget Narrative
- Negotiated indirect rate agreement (if appropriate)

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- Names and affiliations of all key persons from applicant and subcontractor(s), advisors, consultants, and advisory board members. Include name of principal investigator, title, organizational affiliation (if any), department (if institution of higher education), address, phone, and fax
- Proposal abstract
- Table of contents
- Program narrative or technical proposal
- Privacy certificate
- References
- Letters of cooperation from organizations collaborating in the research project
- Résumés
- Appendixes, if any (e.g., list of previous NIJ awards, their status, and products [in NIJ or other publications])
- Current NIJ awards and status of these projects

Proposal abstract. The proposal abstract, when read separately from the rest of the application, is meant to serve as a succinct and accurate description of the proposed work. Applicants must concisely describe the research goals and objectives, research design, and methods for achieving the goals and objectives. Summaries of past accomplishments are to be avoided, and proprietary/confidential information is not to be included. Length is not to exceed 400 words. Use the following two headers:

Project Goals and Objectives:

Proposed Research Design and Methodology:

Page limit. The number of pages in the “Program Narrative” part of the proposal must not exceed 30 (double-spaced pages).

Due date. Completed proposals **must be received** at the National Institute of Justice by the close of business on August 13, 1999. Extensions of this deadline will not be permitted.

Award period. In general, NIJ limits its grants and cooperative agreements to a maximum period of 12 or 24 months.

Number of awards. NIJ anticipates supporting one grant under this solicitation.

Award amount. One award totaling up to \$575,000 will be made available for this NIJ solicitation.

Applying. Two packets need to be obtained: (1) application forms (including a sample budget worksheet) and (2) guidelines for submitting proposals (including requirements for proposal writers and requirements for grant recipients). To receive them, applicants can:

- Access the Justice Information Center on the web:

<http://www.ncjrs.org/fedgrant.htm#NIJ>

or the NIJ web site:

<http://www.ojp.usdoj.gov/NIJ/funding.htm>

These web sites offer the NIJ application forms and guidelines as electronic files that may be downloaded to a personal computer.

- Request hard copies of the forms and guidelines by mail from the National Criminal Justice Reference Service at 800-851-3420 or from the Department of Justice Response Center at 800-421-6770 (in the Washington, D.C., area, at 202-307-1480).
- Request copies by fax. Call 800-851-3420 and select option 1, then option 1 again for NIJ. Code is 1023.

Guidance and information. Applicants who wish to receive additional guidance and information may contact the U.S. Department of Justice Response Center at 800-421-6770. Center staff can provide assistance or refer applicants to an appropriate NIJ professional. Applicants may, for example, wish to discuss

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their prospective research topics with the NIJ professional staff.

Please send the original, signed application package and two unbound copies to:

Research on Procedures of Institutions of Higher
Education to Report Sexual Assaults
National Institute of Justice
810 Seventh Street N.W.
Washington, DC 20531
[overnight courier ZIP code 20001]

NIJ is streamlining its process to accommodate the volume of proposals anticipated under this and other Crime Act solicitations. Researchers can help in a significant way by sending NIJ a nonbinding letter of intent by **July 28, 1999**. The Institute will use these letters to forecast the numbers of peer panels it needs and to identify conflicts of interest among potential reviewers. There are three ways to send these letters. You can fill out the mailer on the last page of this solicitation. You can reach NIJ by Internet by sending e-mail to *tellnij@ncjrs.org* and identifying the solicitation and section(s) you expect to apply for. You can write a letter with the same information to Research on Procedures of Institutions of Higher Education to Report Sexual Assaults, 810 Seventh Street N.W., Washington, DC 20531. Help us help you.

To find out more information about the National Institute of Justice, please contact:

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If you have any questions, call or e-mail NCJRS.