

2018

# Awareness of Clery Act Reporting Requirements Across Institutional Strata in West Virginia Community and Technical Colleges

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AWARENESS OF CLERY ACT REPORTING REQUIREMENTS  
ACROSS INSTITUTIONAL STRATA IN WEST VIRGINIA  
COMMUNITY AND TECHNICAL COLLEGES

A Dissertation submitted to  
the Graduate College of  
Marshall University  
In partial fulfillment of  
the requirements for the degree of  
Doctor of Education  
in  
Educational Leadership

by  
Christina C. Johnson

Approval by  
Dr. Barbara Nicholson, Committee Chairperson  
Dr. Feon Smith-Branch  
Dr. Michael Cunningham  
Dr. Beverly Jo Harris

Marshall University  
May 2018

## Approval of Dissertation

### APPROVAL OF THESIS

We, the faculty supervising the work of Christina C. Johnson, affirm that the dissertation, *Awareness of Clery Act Reporting Requirements Across Institutional Strata in West Virginia Community and Technical Colleges*, meets the high academic standards for original scholarship and creative work established by the EdD Program in Leadership Studies and the College of Education and Professional Development. This work also conforms to the editorial standards of our discipline and the Graduate College of Marshall University. With our signatures, we approve the manuscript for publication.



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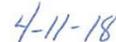


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Date

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## **Dedication**

This dissertation is dedicated to my husband, my children, and to my late parents. These are the people who kept me going when I wanted to give up. Thank you for your unwavering love and support. I also want to dedicate this dissertation to the many, many hours of my life that I spent writing and rewriting. You will be missed!

## **Acknowledgments**

I want to express my gratitude and appreciation by thanking a few individuals who played a part in my academic journey.

To my committee chairperson, Dr. Bobbi Nicholson, I want to express my heartfelt appreciation for her continued support. Without her guidance, support, and occasional crack of the whip, I would not have been able to meet the challenges of this program. Dr. Nicholson allowed me to lead when I was strong and was a pillar of support when my motivation and desire to finish dwindled. I will never be able to thank her enough for sharing with me her time, energy, and knowledge.

Next, I want to thank the other members of my dissertation committee: Dr. Michael Cunningham, Dr. Beverly Jo Harris, and Dr. Feon Smith-Branch. Throughout my journey as a doctoral student, each of you graciously shared with me your time, knowledge, and professional experience, and for that I thank you.

Finally, I would like to thank my husband and children. Without their love and support and constant encouragement, I would have never been able to finish this journey.

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## **Abstract**

### **AWARENESS OF CLERY ACT REPORTING REQUIREMENTS ACROSS INSTITUTIONAL STRATA IN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGES**

More than 25 years after its enactment, colleges are still finding themselves failing to comply with Clery Act reporting mandates. With each amendment to the Clery Act and its associated policies, the trend has been to add to the list of reportable items, which only increases the difficulty of institutional compliance. The purpose of this non-experimental, descriptive study was to evaluate employee awareness of the Clery Act and its current Clery Act reporting requirements at varying employment strata within West Virginia's nine community and technical colleges. Using a web-based survey, data showed that approximately one-fourth of survey participants had never heard of the Clery Act. Mean Clery Act Reporting Awareness Scores were calculated for each institutional stratum and levels of awareness were ranked using a researcher defined point scale. Awareness score data suggests that the overall level of awareness for Clery Act reporting requirements fell within the Very Low Awareness score range. West Virginia community college administrators may have cause for concern. With Clery Act compliance violation fines set at an all-time high of \$54,789 per violation, understanding where potential breaches in compliance may be found should be a matter of primary concern for all higher education administrators whose colleges participate in Title IV federal funding programs. While many community and technical colleges, like their four-year counterparts, participate in Title IV funding programs, less is known about their compliance practices. To determine if community college employees are aware of the Clery Act and its reporting requirements, administrators need to evaluate employee awareness of reporting requirements across all institutional strata.

Identifying potential Clery Act reporting breaches could save institutions thousands of dollars in noncompliance fines.

*Keywords:* Clery Act, Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, community colleges, West Virginia

## **Abbreviations**

ASR.....	Annual Security Report
CASA.....	Campus Safety and Accountability Act
Campus SaVE.....	Campus Sexual Violence Elimination Act
Clery Act.....	Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistic Act
CSA.....	Campus Security Authority
CTC.....	Community and Technical College
DOE .....	Department of Education
FERPA .....	Family Educational Rights and Privacy Act
HEA .....	Higher Education Act of 1965
HEOA .....	Higher Education Opportunity Act
IPEDS .....	Integrated Postsecondary Education Data System
OCR .....	U.S. Department of Education Office for Civil Right
OPE.....	U.S. Department of Post Secondary Education
Title IV.....	Title IV of the Higher Education Act of 1965
Title IX.....	Title IX of the United States Education Amendments of 1972
VAWA.....	Violence Against Women Reauthorization Act of 2013

## **Chapter One**

### **Overview of the Study**

The Student Right-To-Know and Campus Security Act, also known as Title II of the Crime Awareness and Campus Security Act (Public Law 101-542) was enacted in November of 1990. The Act was renamed the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act in 1998 (hereafter Clery Act) in honor of slain college student Jeanne Clery (Clery Act History, n.d.; U.S. Department of Education Office of Postsecondary Education (OPE), 2011; U.S. Department of Education OPE, 2016). In 1986, Jeanne Clery a nineteen-year-old college freshman was raped and brutally murdered in her dorm room while attending Lehigh University in Pennsylvania. Following Jeanne's murder, her parents lobbied for safer college campuses in Pennsylvania and across the nation. As a result of Howard and Connie Clery's vision for safer college campuses, the Clery Act was born.

Even more than 25 years after enactment, colleges are still finding themselves failing to comply with Clery Act reporting mandates. The Clery Act was the first federal law pertaining to campus crime safety and reporting. The Act mandates that all postsecondary institutions, both public and private, that participate in Title IV financial assistance programs under the Higher Education Act of 1965 must compile and disclose crime statistics and implement campus security policies as of September 01, 1991 (U.S. Department of Education, 2011; 20 U.S. Code § 1092(f)).<sup>1</sup> The Clery Act is a universal act and does not allow for reporting exceptions or

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<sup>1</sup> Title IV financial assistance programs include Pell Grants, Federal Supplemental Educational Opportunity Grants (FSEOGs), the Federal Work –Study Program, Federal Perkins Loans, the Federal Direct Loan Program, and the Leveraging Education Assistance Partnership (LEAP) (U.S. Department of Education OPE, 2016).

limitations based on an institution's size or location (Callaway, Gehring, & Douthett, 2000). Callaway, Gehring, and Douthett's (2000) research suggests that federal regulations do not take into account differences between and among various types of institutions and suggests that the regulations "design one dress to fit all" (p. 181). Their research also suggests that laws enacted by Congress have had a disparate "impact" on two-year institutions (Callaway, Gehring, & Douthett, 2000).

The U.S. Department of Education's (DOE) Office for Civil Rights (OCR) is charged with the oversight of Clery Act compliance (Richardson, 2014; U.S. Department of Education, 2011). To help institutions comply with reporting requirements, the U.S. Department of Education released a guide titled *The Handbook for Campus Safety and Security Reporting*. In the forward of the book, the authors note that "a key ingredient in ensuring compliance is coordination – knowing who does what and when" (p. xi). According to *The Handbook for Campus Safety and Security Reporting* (U.S. Department of Education, 2011).

The law [HEA] contains specific requirements but allows a great deal of flexibility in complying with them. This flexibility acknowledges the myriad differences in types, locations, and configurations of postsecondary schools. Although all institutions have immediate, ongoing and annual requirements, compliance might differ in some respects from one institution to another. For example, compliance for an institution with on-campus student housing facilities will differ in some respects from compliance for a small commuter school located in a strip mall. A single institution might have some different compliance requirements for each of its campuses. In any case, whatever the requirements are for your specific institution, they must be met completely and on time. (U.S. Department of Education, 2011, p.5)

The development and release of the 2011 version of the handbook and the revised 2016 edition are prime indicators of the complexities involved in accurately reporting and complying with Clery Act mandates (U.S. Department of Education OPE, 2011; U.S. Department of Education OPE, 2016).<sup>2</sup>

As a means of increasing the DOE’s transparency, the OCR released a list of higher education institutions with open Title IX sexual violence investigations in May of 2014 (U.S. Department of Education, 2014b). Identified institutions are “under investigation for possible violations of federal law over the handling of sexual violence and harassment complaints” (U.S. Department of Education, 2014b). The release of individual institution names was the first time DOE officials released a comprehensive list of institutions under investigation by the OCR. At the time the original list was released, there were 55 institutions identified as being under investigation nationwide. In January 2015, the total had risen to 94. By June 2015, the list had grown again to 131 sexual violence cases under investigation at 118 postsecondary institutions, and by the end of 2015, there were 177 sexual violence cases under investigation at 147 postsecondary institutions (Department of Education OCR Customer Service Team, 2015; Kingkade, 2015). Between 2016 and 2017, the number of open cases continued to grow. By June of 2016, there were 246 sexual violence cases under investigation at 195 postsecondary institutions, and as of December of 2017, the number had reached and all time high with 339

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<sup>2</sup> The 2011 edition of *The Handbook for Campus Safety and Security Reporting* is a revised version of *The Handbook for Campus Crime Reporting* released in 2005.

sexual violence cases under investigation at 245 postsecondary institutions (U.S. Department of Education OCR Customer Service Team, 2017; U.S. Department of Education OCR, 2016).<sup>3</sup>

The institutional handling of sexual violence investigations falls under the oversight of the U.S. Department of Education Office of Civil Rights as a part of Title IX enforcement of federal civil rights laws. All colleges, universities, and K-12 schools receiving federal funds are required to comply with Title IX. Title IX was established to ensure “that students are not denied the ability to participate fully in educational and other opportunities due to sex” (U. S. Department of Education, 2014). Institutions found to be in non-compliance with Title IX mandates by the OCR can lose federal funding or possibly have further action taken by the U. S. Department of Justice (U.S. Department of Education, 2014b).

Sexual violence as defined by the U.S. Department of Education OCR (2011) refers to physical, sexual acts perpetrated against a person’s will or when a person is incapable of giving consent due to use of drugs or alcohol or due to an intellectual or other disability. Sexual acts include rape, sexual assault, sexual battery, sexual abuse and sexual coercion (U.S. Department of Education OCR, 2011; U.S. Department of Education, 2014b). Title IX violation is the primary Clery Act violation thought of when reporting violations are discussed. The Clery Act, however, encompasses a variety of crimes and security issues. In addition to Title IX violations, institutions are also held accountable for their handling and reporting of non-sexual offenses and security issues such as criminal homicide, robbery, arson, hate crime related offenses, and the

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<sup>3</sup> See Appendix D for a complete list of institutions under OCR Title IX Investigation as of December 27, 2017.

number of persons referred for disciplinary action for weapons, drug abuse, and liquor law violations (U.S. Department of Education, 2011; U.S. Department of Education, 2014b).

### **Clery Act Reporting Requirements**

Institutions of higher education that participate in Title IV federal student financial aid programs are subject to the requirements of both the Clery Act and Title IX. The Clery Act requires institutions of higher education to provide current and prospective students and employees, the public, and the U.S. Department of Education with crime statistics and information about campus crime prevention programs and policies. Reporting requirements associated with the Clery Act apply to many crimes other than those addressed by Title IX (U.S. Department of Education OCR, 2014). Although the primary focus of Clery Act violation investigations is on the institutional handling of cases related to sexual violence and Title IX violations, which include sexual harassment violations, the Clery Act mandates that colleges report a variety of crime statistics other than those related to sexual violence and harassment. The Clery Act (20 U.S. Code § 1092(f)) mandates that all higher education institutions participating in federal Title IV student financial assistance programs as outlined by the Higher Education Act of 1965 report specific crime statistics annually (U.S. Department of Education, 2011). Title IV student financial assistance programs include Pell Grants; Federal Supplemental Educational Opportunity Grants (FSEOGs); the Federal Work-Study Program; Federal Perkins Loans; the Direct Loan Program; and the Leveraging Educational Assistance Partnership (LEAP) (U.S. Department of Education OPE, 2011; U.S. Department of Education OPE, 2016). As part of Clery Act reporting requirements, each institution must publish an annual security report (ASR) that includes crime statistics for the previous three calendar years (U.S. Department of Education Office of Postsecondary Education (OPE), 2011; U.S. Department of Education OPE, 2016; U.S.

Department of Education OPE, 2017). The report must also include various policies, procedures, and program disclosures about security and safety on campus (U.S. Department of Education, 2011). Reporting requirements that fall under Clery Act reporting mandates include the following.<sup>4</sup>

1. Every institution must collect, classify and count crime reports and crime statistics and publish an annual security report with the following crime categories:<sup>5</sup>

- murder;
- manslaughter;
- aggravated assault;
- intimidation without a weapon;
- stalking;
- dating violence;
- domestic violence;

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<sup>4</sup> Per the *Clery Act*, institutions must classify criminal offenses using the Criminal Offense definitions established in the Federal Bureau of Investigation’s (FBI’s) *Uniform Crime Reporting (UCR) Handbook*. Sex offenses, both forcible and non-forcible, are classified using definitions established in the FBI’s *National Incident-Based Reporting System* edition of the UCR Program. Hate crimes are classified according to the FBI’s *Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual*. SEE Appendix H for Criminal Offenses, Sex Offenses, and Geographic Location Definitions.

<sup>5</sup> “For the categories of *Domestic Violence, Dating Violence, and Stalking*, the *Clery Act* specifies that you must use the definitions provided by the *Violence Against Women Act of 1994* and repeated in the Department’s *Clery Act* regulations” (U.S. Department of Education, 2016, p. 3-3).

- sexual assault forcible and non-forcible;
- hate crimes;
- robbery;
- burglary;
- arson;
- arrests or persons referred for campus disciplinary action for liquor law violations, drug-related violations, and weapons possession;
- motor vehicle theft; and
- crimes related to prejudice.

2. If an institution maintains a campus police or security department, a daily crime log of alleged criminal incidents must be maintained.

3. If an institution has any on-campus student housing facilities, information regarding missing – student notification procedures, fire safety procedures, and respective statistics must be reported and maintained.

4. Geographic locations for reporting crime statistics must also be documented.

Institutions must break down the required crime statistics into four categories by location.

The geographic areas are

- on campus;
- in residential facilities (a subset of on-campus);
- in or on a non-campus building or property; and
- on public property (Clery Center for Security on Campus, n.d.; U.S. Department of Education, 2011).

### **Legislative Evolution**

The original intent of the Clery Act included (1) developing a standard by which colleges and universities collect, compile, and report campus crime statistics; (2) allowing parents, students, and employees access to institutional crime statistics in order to make informed

decisions; and (3) reducing criminal activity on college and university campuses (Griffaton, 1993; Janosik & Gregory, 2003; McCallion, 2014). The Clery Act and its associated reporting requirements have changed several times since its original enactment as the Crime Awareness and Campus Security Act of 1990 to meet the changing needs of campus safety. As a result of this evolution, the Clery Act has greatly expanded the responsibilities of postsecondary institutions (Beverage, 2014; Fisher & Sloan, 2013). A timeline showing the inception and evolution of the Act is presented in Figure 1.<sup>6</sup>

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<sup>6</sup> See Appendix B: Evolution of the Clery Act: A Legislative Timeline for a complete description of legislative changes.

## Inception and Evolution of the Clery Act

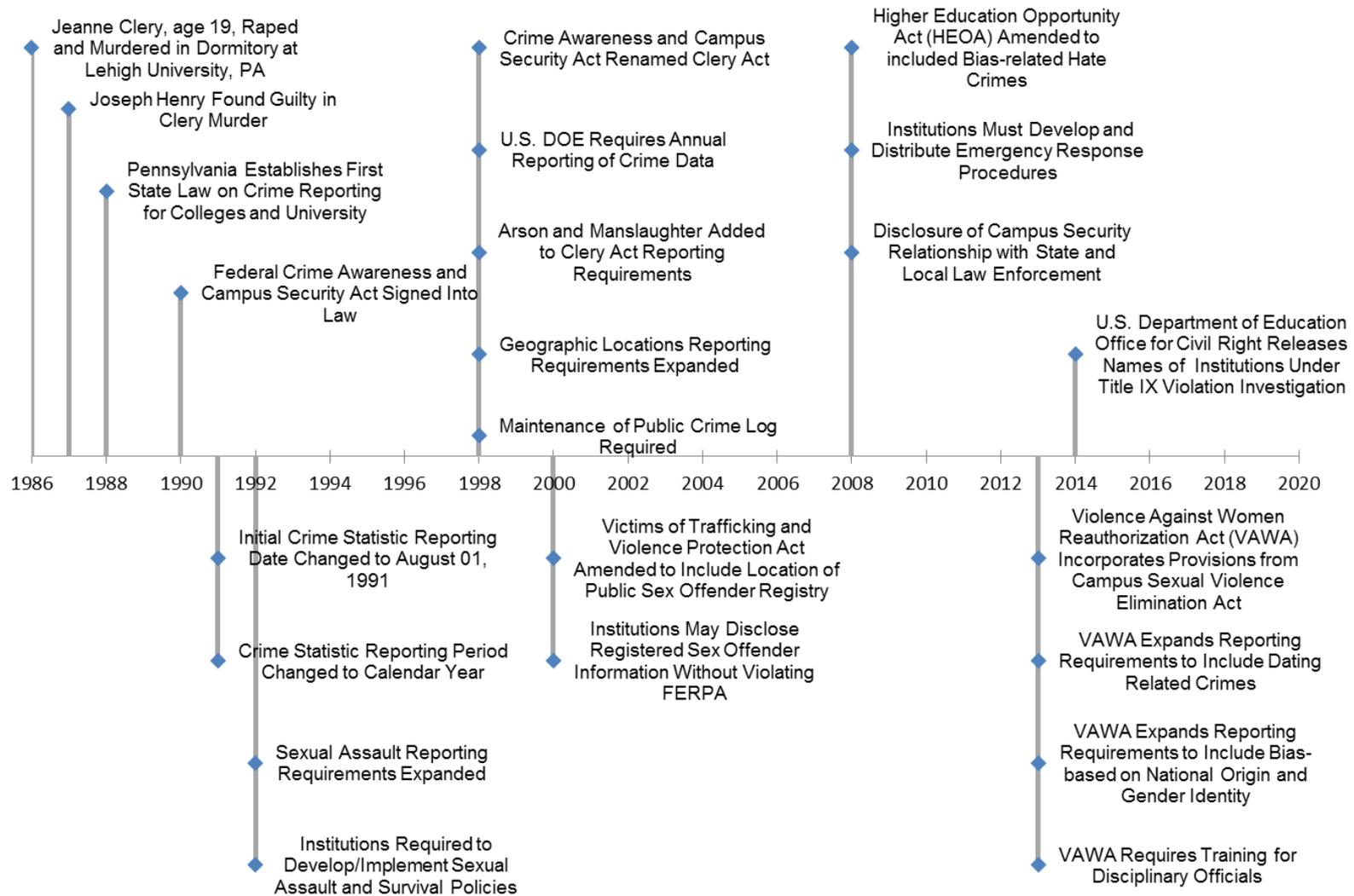


Figure 1. A timeline showing the inception and evolution of the Clery Act since 1986.

## **Amendments on the Horizon**

In February of 2015, Senate Bill 590 (S. 590), titled Campus Accountability and Safety Act (aka CASA), was introduced to the 114<sup>th</sup> Congress (2015-2016) by Senator Claire McCaskill [D-MO]. In March of that same year an identical bill titled Campus Accountability and Safety Act was also introduced by Representative Carolyn Malony [D-NY-12] as House of Representative Bill 1310 (H.R. 1310). Senate Bill 590 was read twice and referred to the Committee on Health, Education, Labor, and Pensions. As of July 2015, no additional actions or committee referrals have been recorded for S. 590. Between March and April of 2015, H.R. 1310 was referred to the Committee on Education and the Workforce, the Committee on the Judiciary, the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, and the Subcommittee on Higher Education and Workforce Training. As of April 2015, no additional actions or committee referrals have been recorded for H.R. 1310.

Representatives McCaskill and Malony reintroduced bills for the Campus Accountability and Safety Act (CASA) to the 115<sup>th</sup> Congress (2017-2018) as Senate Bill 856 (S. 856) and House of Representative Bill 1949 (H.R. 1949), respectively. In April of 2017, Senate Bill 856 was introduced in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions. Also in April, House of Representative Bill 1949 was introduced in the house and referred to the Committee on Education and the Workforce, the House Judiciary, and the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. As of December

2017, no additional actions or committee referrals have been recorded for either S. 856 or H.R. 1949.<sup>7 8</sup>

If S. 856 and H.R. 1949 are approved, CASA would once again amend Clery Act reporting mandates through provisions of the Higher Education Act of 1965 (HEA). The amendment would, among other things, require each institution of higher education (IHE) that receives funding under the HEA to establish a campus security policy that includes “the designation of 1 or more confidential advisors at the institution to whom non-employee victims of sexual harassment, domestic violence, dating violence, sexual assault, or stalking can report, including anonymously” (HEA Part B of Title 1, Section 125(b)(1); H.R.1949 § 4(a) ( 2017)). Section two of the amendment would amend § 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) (aka Clery Act) by requiring 1) the Department of Education to “develop, design, and administer through an online portal, a standardized online survey of students regarding their experiences with sexual violence and harassment” (H.R.1949 § 2(5)(19)(A) (2017)); 2) each institution to administer the survey every 2 years (H.R.1949 § 2(5)(19)(B) (2017)); and 3) each institution participating in any program under Title IV to ensure that an “adequate, random, and representative sample size of students (as determined by the [Education]

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<sup>7</sup> See <https://www.congress.gov/bill/115th-congress/senate-bill/856/committees> for S. 856 – Campus Accountability and Safety Act – committee action updates. Last action date April 05, 2017 (Website last accessed December 2017).

<sup>8</sup> See <https://www.congress.gov/bill/115th-congress/house-bill/1949/titles> for H.R. 1949 – Campus Accountability and Safety Act – committee action updates. Last action date April 26, 2017 (Website last accessed December 2017).

Secretary) enrolled at the institution complete the survey beginning not later than 1 year after the date of enactment of the Campus Accountability and Safety Act” (H.R.1949 § 2(5)(19)(D) (2017)). “Responses to the survey shall be submitted confidentially and shall not be included in crime statistics reported under this subsection (H.R.1949 § 2(5)(19)(E) (2017)).

CASA would authorize the DOE to impose civil penalties upon institutions of higher education that fail to 1) enter into memorandums of understanding with their local law enforcement agencies; 2) carry out campus security and crime statistics reporting requirements; or 3) establish the requisite campus security policy.

Notwithstanding any other provision of this Act, upon determination, after reasonable notice and opportunity for a hearing, that an eligible institution has violated or failed to carry out any provision of this subsection, or agreement made to resolve a compliance review under this subsection, or any regulation prescribed under this subsection, the Secretary may impose a civil penalty upon such institution not to exceed \$150,000, which shall be adjusted for inflation annually, for each violation or misrepresentation, or per month a survey is not completed at the standard required. (H.R. 1949 § 2(5)(20), 2017)

### **Clery in the News**

Compliance with the ever-expanding and often difficult-to-understand reporting requirements of the Clery Act can be an arduous process for colleges and universities to satisfy. The legislative proposal of the Campus Accountability and Safety Act (CASA) and two recent lawsuits against the Department of Education suggest that even after more than 25 years of enactment, there is still a need for additional research regarding the required reporting components and federal oversight of the Clery Act.

While speaking at the Campus Safety National Forum in June of 2015, Senator Claire McCaskill called the Clery Act “a mess” and “flawed,” and called for a repeal or at minimum a simplification of the Clery Act (Knott, 2015). As reported in the Campus Safety magazine, Senator McCaskill’s comments came in the context of advocating for the adoption of CASA (S. 590), which Senator McCaskill introduced earlier in 2015 (Knott, 2015). In October of 2015, when recounting recent outcomes to several Title IX misconduct investigations, *The Chronicle of Higher Education (Chronicle)*, reported that “federal inquiries into how colleges handle sexual assault are growing longer, tougher, and more demanding” (Wilson, 2015).

In February of 2015, *The Washington Post* ran a story describing an open letter written by 16 Penn Law School professors (Volokh, 2015). The Penn Law professors issued the open letter in response to guidelines issued by the U.S Department of Education’s Office of Civil Rights (OCR) to enforce Title IX of the Education Amendments Act of 1975 as outlined in a 2011 “Dear Colleague” letter. The Penn Law professors asserted “we believe that OCR’s approach exerts improper pressure upon universities to adopt procedures that do not afford fundamental fairness” (Rudovsky et al., 2015, p. 2). The faculty maintained that

in addressing the issue of sexual assault, the federal government has sidestepped the usual procedures for making law. Congress has passed no statute requiring universities to reform their campus disciplinary procedures. OCR has not gone through the notice-and-comment rulemaking required to promulgate a new regulation. Instead, OCR has issued several guidance letters whose legal status is questionable. (Rudovsky et al., 2015, p. 2)

The letter also pointed out that the OCR has “used threats of investigation and loss of federal funding to intimidate universities into going further than even the guidance requires” (Rudovsky et al., 2015, p. 2).

In May of 2016, the Inside Higher Ed website released another article focusing on an open letter sent to the U.S. Department of Education by a group of law professors. This letter was also written to protest a series of directives and enforcement actions identified in the “Dear Colleague” letter that was released in April of 2011 by the U.S. Department of Education’s Office for Civil Rights (OCR) (Alexander, et al., 2016). The “Dear Colleague” letter, according to the 2016 article, “urged institutions to better investigate and adjudicate cases of sexual assault” and described how the OCR interprets Title IX of the Education Amendments of 1972 (aka Title IX) (New, 2016). Since 2011, the “Dear Colleague” letter has served as the guiding document for colleges “hoping to avoid a federal civil rights investigation into how they handle complaints of sexual violence” (New, 2016). The OCR views the document as a means to clarify existing regulations. “Critics, however, say that the letters actually enacted sweeping regulatory changes without first going through the required notice-and-comment procedures required by the Administrative Procedure Act” (New, 2016). In the law professors’ open letter, the group describes a 1997 directive from the OCR:

In 1997, OCR issued its Sexual Harassment Guidance, which interpreted sex discrimination to include sexual harassment. Through a series of subsequent directives and enforcement actions, OCR has steadily expanded the definition of sexual harassment and imposed a growing range of responsibilities on colleges to curb such conduct. As a result, free speech and due process on campus are now imperiled. (Alexander et al., 2016, p. 1)

In addition, the professors suggest

a cursory examination of these OCR documents reveals they [the OCR] frequently incorporate language such as ‘must,’ ‘require,’ and ‘obligation,’ without citing any

regulatory or statutory basis. Furthermore, the OCR has instituted numerous compliance investigations against universities, compelling institutions to implement the policies and procedures prescribed in these documents. (Alexander et al., 2016, p. 2)<sup>9</sup>

In a conclusion statement in the open letter, the law professors offered recommendations directed to state and federal lawmakers, college administrators, and officials at the Department of Education Office for Civil Rights, which included suggesting that the OCR

[c]larify the legal status of OCR directives. OCR needs to clarify which directives it considers to be guidance documents vs. regulations. Directives that are guidance documents need to be revised to eliminate provisions containing obligatory wording, unless these provisions are expressly supported by prior legislation or regulation.

Directives that are deemed to be regulations need to be brought into compliance with requirements of the Administrative Procedure Act, including review and comment procedures. (Alexander et al., 2016, p. 5)

The use and enforcement of the guidance presented in the “Dear Colleague” letters are currently the focus of two lawsuits against the Department of Education and the OCR. One suit suggests “the Department’s 2011 letter serves as more than guidance and, instead, advances new substantive rules and creates binding obligations on the affected parties” (New, 2016). The second lawsuit claims “since the [“Dear Colleague”] letter in 2011; there has been a surge in

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<sup>9</sup> *Davis v. Monroe*: The complete open letter identifying specific directives and enforcement actions that have effectively nullified the high court decision in *Davis v. Monroe* is available at <http://www.saveservices.org/wp-content/uploads/Law-Professor-Open-Letter-May-16-2016.pdf>.

colleges and universities mishandling investigations and wrongfully prosecuting male students for fear of losing federal funding” (New, 2016).<sup>10</sup>

In September 2017, the U.S. Department of Education Office for Civil Rights, under the guidance of the newly confirmed U.S. Secretary of Education, Betsy DeVos, issued a new “Dear Colleague” letter. The 2017 “Dear Colleague” letter informed educational institutions that the Department of Education would be withdrawing statements of policy and guidance reflected in the 2011 Dear Colleague Letter and 2014 Questions and Answers on Title IX and Sexual Violence document (U.S. Department of Education’s OCR, 2017a). The letter addresses “commentators,” and specifically cites the 2015 open letter from Penn Law professors, who have criticized the legality of both the 2011 and 2014 documents. The “Dear Colleague” letter states,

The 2011 and 2014 guidance documents may have been well-intentioned, but those documents have led to the deprivation of rights for many students - both accused students denied fair process and victims denied an adequate resolution of their complaints. The guidance has not succeeded in providing clarity for educational institutions or in leading institutions to guarantee educational opportunities on the equal basis that Title IX requires. Instead, schools face a confusing and counterproductive set of regulatory

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<sup>10</sup> See

[https://www.gpo.gov/fdsys/search/pagedetails.action?sr=21&originalSearch=&st=chat+systems&ps=10&na=&se=&sb=re&timeFrame=&dateBrowse=&govAuthBrowse=&collection=&historical=false&granuleId=USCOURTS-cod-1\\_16-cv-00873-0&packageId=USCOURTS-cod-1\\_16-cv-00873&fromState=](https://www.gpo.gov/fdsys/search/pagedetails.action?sr=21&originalSearch=&st=chat+systems&ps=10&na=&se=&sb=re&timeFrame=&dateBrowse=&govAuthBrowse=&collection=&historical=false&granuleId=USCOURTS-cod-1_16-cv-00873-0&packageId=USCOURTS-cod-1_16-cv-00873&fromState=)

for additional information regarding second lawsuit - Neal v. Colorado State University-Pueblo; Civil Action No. 16-cv-873-RM-CBS.

mandates, and the objective of regulatory compliance has displaced Title IX's goal of educational equity. (U.S. Department of Education's OCR, 2017a, p. 3)

In addition, the letter continued,

The Department imposed these regulatory burdens without affording notice and the opportunity for public comment. Under these circumstances, the Department has decided to withdraw the above-referenced guidance documents in order to develop an approach to student sexual misconduct that responds to the concerns of stakeholders and that aligns with the purpose of Title IX to achieve fair access to educational benefits. The Department intends to implement such a policy through a rulemaking process that responds to public comment. (U.S. Department of Education's OCR, 2017a, p. 3).<sup>11</sup>

### **Recent Clery Act Compliance Violations and Fines Levied.**

In May of 2013, after a seven-year investigation that began in 2004 and concluded in 2011, Yale University was fined \$165,000 by the U.S. Department of Education for "serious and numerous" Clery Act violations, including failing to report four instances of forcible sex offenses between 2001 and 2002 (Kingkade, 2013; Mills-Senn, 2013). The \$165,000 fine included a \$27,500 fine for each of the four forcible sex offenses, a \$27,500 fine for failing to include seven required policy statements in its annual crime reports, and a \$27,500 fine for failing to include crime statistics from Yale-New Haven Hospital in the annual campus crime data (Kingkade, 2013; Mills-Senn, 2013).

The most recent and largest fine levied by the U.S. Department of Education for Clery Act violations occurred in November 2016 as a \$2,397,500 fine against Pennsylvania State University (hereafter Penn State) (U.S. Department of Education, 2016; Zamudio-Suaréz &

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<sup>11</sup> SEE <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-title-ix-201709.pdf> for the full 2017 Dear Colleague letter.

Knott, 2016). The investigation into Penn State looked at the University's Clery Act compliance over a 14-year period between the years of 1998 and 2011. The investigation found 11 serious findings of Clery Act noncompliance related to the University's handling of Jerry Sandusky's child-sex-abuse scandal (Zamudio-Suaréz & Knott, 2016). According to the U.S. Department of Education, the findings represent "the university's longstanding failure to comply with federal requirements on campus safety and substance abuse" (U.S. Department of Education, 2016; Zamudio-Suaréz & Knott, 2016). Even though the Sandusky scandal was the mitigating factor in the Penn State compliance investigation, Alison Kiss, executive director of the Clery Center for Security on Campus, indicated that the majority of the Department's findings were for "general compliance violations" and that the findings "go far beyond the Sandusky case" (Zamudio-Suaréz & Knott, 2016). The Department of Education Office of Federal Student Aid Clery Act Compliance Team issued a Campus Crime Final Program Review Determination and Fine Letter to Dr. Eric J. Barron, President of Pennsylvania State University, on November 03, 2016 (U.S. Department of Education, 2016b; Department of Education, 2016c). In the Final Determination and Fine Letter, the DOE included the following 11 compliance violation findings and fines assessed per violation.

1. Clery Act violations related to the Sandusky matter (proposed fines included in compliance violation findings numbers 2-11 below);
2. Lack of administrative capability as a result of the University's substantial failures to comply with the Clery Act and the Drug-Free Schools and Communities Act throughout the review period, including insufficient training, support, and resources to ensure compliance (proposed fine: \$27,500);

3. Omitted and/or inadequate annual security report and annual fire safety report policy statements (proposed fine: \$27,500);
4. Failure to issue timely warnings in accordance with federal regulations (proposed fine \$27,500);
5. Failure to properly classify reported incidents and disclose crime statistics from 2008-2011 (proposed fines: \$2,167,500);
6. Failure to establish an adequate system for collecting crime statistics from all required sources (proposed fine: \$27,500);
7. Failure to maintain an accurate and complete daily crime log (no fine proposed);
8. Reporting discrepancies in crime statistics published in the annual security report and those reported to the department's campus crime statistics database (proposed fine: \$27,500);
9. Failure to publish and distribute annual security report in accordance with federal regulations (proposed fine: \$27,500);
10. Failure to notify prospective students and employees of the availability of the annual security report and annual fire safety report (proposed fine: \$37,500); and
11. Failure to comply with the Drug-Free Schools and Communities Act/Part 86 Requirements (proposed fine: \$27,500) (U.S. Department of Education, 2016a; U.S. Department of Education, 2016b; U.S. Department of Education, 2016c).

Until the Penn State fine was levied, the previous highest fine was levied in 2007 when the U.S. Department of Education Office of Financial Student Aid assessed a fine of \$357,500 against Eastern Michigan University for failing to report the suspicious death of a female student

whose body was found in her dorm room. Under a settlement agreement, Eastern Michigan's fine was reduced by \$7,500 to \$350,000 (U.S. Department of Education, 2016a; Zamudio-Suaréz & Knott, 2016).

### **Clery Act Compliance Violations at West Virginia Colleges**

To demonstrate the need for a West Virginia community college focused study, this portion of the literature review will discuss Clery Act compliance violation findings associated with West Virginia colleges. Even though, as of December 2017, there are no West Virginia community colleges included on the list of compliance violators presented as part of this review, there are, however, at least 10 community or two-year colleges included on the Office of Civil Rights list of higher education institutions with open Title IX investigations as of December 27, 2017 (See Appendix D).

Over the past sixteen years, eight postsecondary institutions in West Virginia, including both public and private institutions, have been the focus of Title IX and Clery Act compliance investigations by the U.S. Department of Education. West Virginia Wesleyan (private, nonprofit, 4-year), Salem International University (public for-profit, 4-year), West Virginia University (public, 4-year), and Marshall University (public, 4-year) have all been cited with Clery Act compliance violations (Richardson, 2014; U.S. Department of Education, 2000; U.S. Department of Education, 2004; U.S. Department of Education, 2009; U.S. Department of Education, 2015). As of December 2017, four West Virginia institutions remain on the list of institutions under investigation by the U.S. Department of Education for possible Title IX violations related to the mishandling of sexual violence investigations. Bethany College (private, nonprofit, 4-year), the West Virginia School of Osteopathic Medicine (public, 4-year), James Rumsey Technical Institute (Vocational Center), and Marshall University (new investigation opened 01/27/2017)

have yet to have their Title IX and Clery Act compliance fate, or lack thereof, determined (U.S. Department of Education, Office for Civil Rights, 2016).

**West Virginia Wesleyan College Clery Act Compliance Violations.** In March of 2000, the U.S. Department of Education issued a Final Program Review Determination to Dr. William R. Haden, President of West Virginia Wesleyan College (Richardson, 2014; U.S. Department of Education, 2000). The final report was based on a Program Review Report issued to West Virginia Wesleyan University in September of 1999. In the Final Determination Report, the U.S. Department of Education (DOE) identified five findings of institutional noncompliance with Clery Act reporting mandates including the following violation categories: 1) required policy statements were either omitted or incomplete on annual Campus Security Report (CSR); 2) hate crime statistics were not included on CSR; 3) failure to include all required incidents on CSR, including miscoding specific incidents and failure to coordinate data from all sources; and 4) failure to notify all prospective students of the availability of the CSR (Richardson, 2014; U.S. Department of Education, 2000).

Based on the noncompliance findings, the DOE advised the college that “repeat findings may result in the Department initiating an adverse action against the institution” (U.S. Department of Education, 2000, p. 2). The DOE concluded that the “findings of non-compliance were a result of unintentional weaknesses in the College’s security operation (U.S. Department of Education, 2000, p. 1). Since the findings were concluded to be “unintentional weaknesses,” the “program review report focused on specific corrective actions aimed at assisting the College toward full compliance with the Act” (U.S. Department of Education, 2000, p. 1).

**Salem International University Clery Act Compliance Violations.** In April of 2004, the U.S. Department of Education issued a Final Program Review Determination to Dr. Richard

Ferrin, President of Salem International University (U.S. Department of Education, 2004). The final report was based on a Program Review Report issued to Salem International University in December of 2001. In the Final Determination Report, the DOE identified seven findings of institutional noncompliance with Clery Act reporting mandates. The report findings of noncompliance included the following violation categories:

1. lack of administrative capability;
2. failure to report specific incidents;
3. miscoding of specific incidents;
4. failure to coordinate information from all sources;
5. failure to comply with the “Timely Warning” requirement;
6. failure to distribute the Campus Security Report in accordance with federal regulations;  
and
7. required policy statements omitted or incomplete (Richardson, 2014; U.S. Department of Education, 2004).

Based on noncompliance finding number 2, the DOE advised the college that as a result of the final determination, the matter was referred to the Administrative Actions and Appeals Division with a recommendation for a fine as authorized by the Clery Act. The referral also included a recommendation for “the imposition of additional civil penalties as a result of the University’s failure to report five specific incidences” of forcible sexual offenses between 1997-1999. The original fine assessed against Salem University by the Department of Education was \$385,000. Until the 2016 Penn State fine, this was the largest fine ever assessed since the inception of the Clery Act. In a final ruling that included a fine reduction,

a total of \$250,000 in fines was levied against the University. Following a settlement, the institution agreed to pay \$200,000 in May 2004.

**West Virginia University Clery Act Compliance Violations.** In September of 2009, the U.S. Department of Education issued a Final Program Review Determination to Dr. James P. Clements, President of West Virginia University (U.S. Department of Education, 2009). The final report was based on a Program Review Report issued to West Virginia University in July of 2008. In the Final Determination Report, the DOE identified one finding of institutional noncompliance with Clery Act reporting mandates. The one category of noncompliance included the “Failure to properly disclose crime statistics in Campus Security Reports” (U.S. Department of Education, 2009, p. 4). The University acknowledged its failure to report crimes properly and agreed to follow corrective actions indicated as part of the Department’s compliance review and an internal review initiated by the University (Richardson, 2014; U.S. Department of Education, 2009).

**Marshall University Clery Act Compliance Violations.** In May of 2015, the U.S. Department of Education issued a Final Program Review Determination to Mr. Gary White, Interim President of Marshall University (U.S. Department of Education, 2015). The final report was based on a Program Review Report issued to Marshall University in June of 2011. In the Final Determination Report, the DOE identified seven findings of institutional noncompliance with Clery Act reporting mandates. The report findings of noncompliance included the following violation categories:

1. failure to distribute the Annual Security Report;
2. failure to retain records;
3. omitted/inadequate policy statements;

4. failure to disclose crime statistics;
5. failure to publish crime statistics for separate campuses;
6. failure to properly classify and disclose crime statistics; and
7. failure to comply with the Drug and Alcohol Abuse Prevention Regulations (U.S. Department of Education, 2015).

Based on the noncompliance findings, the DOE advised the college that

[d]ue to the serious nature of these findings, this FPRD [Final Program Review Determination] is being referred to the Administrative Actions and Appeals Service Group for consideration of possible adverse administrative actions. Such action may include a fine and/or the limitation, suspension or termination of the eligibility of the institution to participate in the Title IV, HEA programs pursuant to 34 C.F.R. Part 668, Subpart G (U.S. Department of Education, 2015, p. 1).

The University concurred with the original Program Review Report findings and the Final Program Review Determination Report noted that remedial action was taken as directed and each of the findings was considered closed.

In July of 2017, the U.S. Department of Education issued a letter to Dr. Jerome Gilbert, President of Marshall University, regarding the completion of OCR Complaint Number 03-16-2243 (U.S. Department of Education's OCR, 2017b). At the conclusion of the investigation, the OCR identified a compliance concern regarding the Complainant's allegation related to disability discrimination, but "did not find sufficient evidence to support the Complainant's allegation concerning sex discrimination" (U.S. Department of Education's OCR, 2017b, p. 2). The University agreed to resolve the concern through a resolution agreement.

## **Statement of the Problem**

Campus safety is a matter of concern for all college and university administrators, faculty, staff, students, student families, and surrounding businesses and community members (Beverage, 2014). Even after more than 25 years of enactment and enforcement, however, colleges are still finding themselves failing to comply with Clery Act reporting mandates. With each amendment to the Clery Act, and its associated policies, the trend has been to add to the list of reportable items, which only increases the difficulty of institutional compliance (National Association of College and University Business Officers, 2002).

In 2012, institutions found in violation of the Clery Act as regulated by the Higher Education Act of 1965 (HEA) faced civil fines (aka civil monetary penalties) of up to \$35,000 per violation (last adjusted for inflation in 2002 to \$27,500 per violation), the limitation or suspension of federal aid, or the loss of eligibility to participate in federal student aid programs (U.S. Department of Education, 2012). In April of 2017, the U.S. Department of Education adjusted the civil fine for inflation once again and increased the fine for Clery Act violations to an all-time high of \$54,789 per violation. The new fine applies to any violation occurring after November 02, 2015 and assessed after April 20, 2017 (Carter, 2017; U.S. Department of Education, 2017). Fines may be assessed if an institution is found guilty of substantially misrepresenting the number, location or nature of the crimes required to be reported or for a violation of any other provision of the safety- and security-related HEA regulations. Understanding where potential breaches in compliance may be found should be a matter of primary concern for all higher education administrators whose colleges participate in Title IV funding programs. While many community and technical colleges, like their four-year

counterparts, participate in Title IV funding programs, less is known about their compliance practices.

Since all community and technical colleges that participate in Title IV funding programs are held to the same standard of Clery Act compliance as universities and other four-year colleges, and taking into account the small number of studies in the extant literature related to the Clery Act's effect on community colleges, this study proposes to 1) expand the research literature by contributing to what is known about the Clery Act as it relates to community and technical colleges; and 2) serve as a point of reference for West Virginia community college administrators as they oversee crime reporting and policy developments as part of yearly Clery Act reporting requirements. In order to determine if employees are aware of the Clery Act and its reporting requirements, administrators need to evaluate employee awareness of reporting requirements across all institutional strata (e.g., administrators, faculty, adjunct faculty, student services, safety officials, institutional support personnel, etc.). Identifying potential reporting breaches could save institutions thousands of dollars' worth of fines during a period when state budgets are routinely slashed, resulting in reduced state appropriations to institutions of higher education (Maccaro, 2015).

### **Research Questions**

In order to evaluate employee awareness of current Clery Act reporting requirements across varying employment strata within the community and technical colleges included in the Community and Technical College System of West Virginia, this study will address the following research questions.

1. To what extent, if any, are full-time faculty aware of Clery Act reporting requirements?

2. To what extent, if any, are adjunct faculty aware of Clery Act reporting requirements?
3. To what extent, if any, are student service administrators aware of Clery Act reporting requirements?
4. To what extent, if any, are non-administrator student service professionals aware of Clery Act reporting requirements?
5. To what extent, if any, are senior-level administrators aware of Clery Act reporting requirements?
6. To what extent, if any, are human resource officials aware of Clery Act reporting requirements?
7. To what extent, if any, are mid-level academic administrators (e.g., academic deans or their equivalent) aware of Clery Act reporting requirements?
8. To what extent, if any, are unit-level academic administrators (e.g., department chairperson, program coordinator, program director, etc.) aware of Clery Act reporting requirements?
9. To what extent, if any, are institutional support personnel aware of Clery Act reporting requirements?
10. To what extent, if any, are institutional safety officials aware of Clery Act reporting requirements?

### **Operational Definition**

To determine the extent to which employees are aware of Clery Act reporting requirements, the variable titled *Awareness*, for the purposes of this study, will be measured by calculating the mean score of survey items 4, 5, 7, and 9-17 in the Johnson Survey of Community College Clery Act Awareness. The calculated mean will be called the *Clery Act Reporting Awareness Score*.

## **Functional Definitions**

The following functional definitions will apply to the institutional strata designations for this research study.<sup>12</sup>

*Full-time faculty* are members of the institutional faculty, whether term or tenure track, who are classified according to the faculty ranks of instructor, assistant professor, associate professor and professor. Faculty may also be categorized as instructional specialists and visiting professors. A full-time faculty member's primary responsibility is teaching courses that are designated as being within an institution's full-time weekly credit or contact-hour load. Additional full-time faculty responsibilities include advising students and active participation in professional development and service-related activities (e.g., community service and institutional service).

*Adjunct faculty* are members of the institutional faculty who hold part-time faculty appointments that may be for one semester or one academic year. The primary obligation for adjunct faculty is teaching the courses(s) for which they are hired.

*Student service administrators* are institutional employees who supervise non-administrative student service professionals. Student service administrators may be identified as either

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<sup>12</sup> Due to faculty and staff splitting time as part of supplemental employment arrangements or job descriptions, individuals may represent overlapping strata (e.g., a department chairperson or program director may be considered a full-time faculty member, an academic administrator or non-administrative student service employee may also be considered as adjunct faculty).

Respondents will be asked to choose the stratum classification they consider their primary job description to represent.

classified or non-classified employees and may be administrators (e.g., director, dean, etc.) within student affairs, student support, or student services departments or divisions, and may also be known as student affairs practitioners or student affairs professionals.

*Non-administrator student service professionals* are institutional employees who provide resources to students through student engagement; counseling, disability, and career services; veteran affairs; financial aid services; as well as service to the community at large. Non-administrator student service professionals may be identified as either classified or non-classified employees and may be members of student affairs, student support, or student services departments or divisions, and may also be known as student affairs practitioners or student affairs professionals.

*Senior-level administrators* include the institution's chief executive officer (i.e., president, provost or equivalent), vice-president of academic affairs or senior vice-president (e.g., chief academic officer), student affairs or workforce development officer, and chief financial officer. Senior-level administrators' primary responsibilities are institutional oversight and management, and they may or may not hold faculty rank. Senior-level administrators are typically considered "will and pleasure" employees but may be identified as either classified or non-classified employees.

*Mid-level academic administrators* are administrators who are responsible for the oversight of academic programs (i.e., academic division or department deans or their equivalents). Mid-level academic administrators may or may not hold faculty rank, and their primary responsibilities are to provide leadership for the development, maintenance and improvement of quality instruction and academic support services at an institution, across multiple campuses or within a division.

*Unit-level academic administrators* are, typically, full-time faculty members who in addition to maintaining a required minimum teaching load, advising students, participating in professional development and service-related activities (e.g., community service and institutional service) are assigned responsibilities to provide academic and administrative leadership to an academic department. Unit-level academic administrators can include designations such as department chairperson, program coordinator, program director or an equivalent title.

*Human resource officials* are individuals whose duties include advising on human resources rules, policies, regulations, coordinating the processes of acquiring new employees, ongoing employee relations, and ensuring institutional compliance with state and federal laws and policies pertaining to human resources. Human resource officials are also tasked with protecting employee rights and privileges and maintaining personnel files on each employee. Human resource officials include both administrator (e.g., chief human resources officer) and non-administrator human resource employees.

*Institutional safety officials* are employees who enable a safe and secure environment for students, faculty, and staff within the campus community by ensuring that the campus community and visitors exhibit appropriate behaviors and abide by campus policies, and local, state, and federal laws. Institutional safety officials include public safety officers, campus police officers, campus security, security officers, or those with other appropriate safety-related designations.

*Institutional support personnel* are employees who are not included in academic or student affairs strata previously described. Institutional support personnel includes clerical/secretarial (e.g., administrative assistants or administrative associates),

technical/paraprofessional, skilled crafts, service/maintenance (e.g., physical plant or facilities personnel), information technology (IT) employees, records personnel, and business office personnel). Institutional support personnel may be identified as either classified or non-classified employees.

### **Limitations of the Study**

One of the primary limitations of this study is that the West Virginia Community and Technical College System is made up of only nine community colleges. A small research population and, in turn, small institutional sample sizes may affect the generalizability of the study. A second potential limitation pertains to the use of self-reported awareness data by college employees to report sensitive information related to Clery Act compliance.

The Clery Act serves as the primary campus crime reporting vehicle for both two-year and four-year colleges, and institutions found to be in noncompliance with reporting mandates risk possible fines or loss of participation in Title IV federal financial aid funding programs. Respondents who are aware of the Act and its potential penalties for noncompliance may be less likely to participate in the study or fully disclose honest opinions as part of survey responses due to perceived institutional implications.

One additional potential limitation is that the author of the study is employed by one of the institutions within the West Virginia Community and Technical College System, which may be viewed as a source of bias.

### **Summary**

Campus crime reporting is a complex and time-consuming process for colleges and universities. With each amendment to the Clery Act, and its associated policies, the trend has been to add to the list of reportable items, which only increases the difficulty of institutional

compliance (National Association of College and University Business Officers, 2002). Previous research studies have been narrowly focused and examined discrete institutional strata for awareness, perspectives, effectiveness and compliance regarding the Clery Act, but no institution-wide, statewide or system-wide studies have been performed. Moreover, the majority of the research that is available was conducted at four-year colleges or universities, the result of which may not be reflective of community colleges. The research presented here will attempt a broader approach by 1) examining community colleges using an institution-wide method in assessing reporting-requirement awareness across multiple institutional strata, and 2) examining awareness using a statewide or system-wide approach as it relates to community and technical colleges.

Since community and technical colleges are held to the same standard of compliance as universities and other four-year colleges, this research will not only expand the extant literature by contributing to the research base on the Clery Act as it relates to community and technical colleges, it will also serve as a point of reference for West Virginia community college administrators as they oversee crime reporting and policy developments as part of yearly Clery Act reporting requirements. In order to determine whether reporting mandates are being accurately met, administrators need to have an understanding of employee awareness of reporting requirements across all institutional strata (e.g., administrators, faculty, adjunct faculty, student services, safety officials, institutional support personnel, etc.).

## **Chapter Two**

### **Review of the Literature**

Throughout the more than 25 years since the enactment of the Clery Act, research has focused primarily on specific niches within the academic community in order to fill gaps within the Clery Act literature base. As acknowledged in a 2006 Gregory and Janosik study, a more detailed literature review would have been included in this review; however, “there is little professional literature on this topic that is scientific in nature” (p. 50). The professional literature that is available for review is dominated by studies and articles published by Steven Janosik or by Janosik and fellow contributors (i.e., Gregory, Gehring, Plummer, and Wood). Previous research has included topics such as frequency of crime on campuses, Act effectiveness, Act awareness, institutional compliance, and personal and professional perceptions as they relate to Act effectiveness and awareness (Gregory & Janosik, 2002; Gregory & Janosik 2003; Janosik 2001; Janosik 2003; Janosik & Gregory, 2001; Janosik & Plummer, 2005; Richardson, 2014; Soden, 2006; Wood & Janosik, 2012). What is lacking in the literature is research on how the Clery Act affects community colleges and other two-year colleges. As part of this literature review, the research compiled below will support the need for additional community college investigations as they relate to Clery Act awareness, Act effectiveness, and institutional compliance.

#### **Clery Act Awareness**

Janosik (2004) examined parents’ views on the Clery Act and campus safety. The purpose of the study was to assess parents’ knowledge of the Clery Act, their use of the information they were provided, their views of campus crime prevention strategies, and the Act’s effectiveness in meeting its stated goals. This research was performed approximately 12 years

after the initial implementation of the Act, and as part of this research, the following four research questions were asked: 1) Are parents aware of the Clery Campus Crime Act; 2) How do parents use the campus crime information they are provided; 3) What do parents think about the strategies college administrators use to inform students about campus crime issues; and 4) What perceptions do parents have about the college administrators that share this kind of information with them?

Janosik's (2004) research involved a 24-item questionnaire and of 450 questionnaires distributed, 435 (97%) were returned. Only 25% of respondents reported awareness of the Clery Act. Less educated parents were less likely to have known about the Act, although the relationship was not found to be significant. The research was limited to a single institution, and participant selection was not completely random (i.e., some self-selection occurred). The researcher concluded that the parents are no more aware and knowledgeable of the Clery Act than students and that campus crime information played almost no role in parent and student decisions regarding college choice.

In 2006, Soden's dissertation was one of the few Clery Act-related research papers that looked at how two-year institutions across the United States are affected by the Clery Act. Soden used a quantitative, nonexperimental (i.e., descriptive) research method to conduct the study. Soden (2006) asked two research questions: 1) To what degree are community college student affairs administrators knowledgeable about the Clery Act? and 2) How does knowledge of the Clery Act differ between student affairs administrators at community colleges and those at four-year institutions? Using a survey to collect quantitative data, a survey response rate of 12.17% was calculated. Of 1,507 usable surveys, 89.4% of respondents were employed at four-year institutions and 10.6% were employed at two-year institutions. Soden first inquired about Act

awareness, finding that 85% of two-year and 83.3% of four-year respondents were aware of the Clery Act. Soden noted that while the awareness percentages were high for both institution types, the fact that at least 15% of student affairs professionals at two-year and four-year institutions did not know about the Clery Act was disconcerting because this legislation both addresses student and staff safety and includes severe consequences for an institution's non-compliance. (p. 73)

Survey results also showed that 61.3% of two-year student affairs administrators and 53.4% of four-year student affairs administrators consider themselves to be "crime reporters" (Soden, 2006, p. 73). Based on the study sample, Soden indicated that because the student affairs professionals included in the study have "significant responsibility for student and campus activities" (p. 73) as defined by the Clery Act (Public Law 101-542), all of the survey respondents should have indicated that they were crime reporters. In addition, only 47.5% of two-year and 49.4% of four-year respondents indicated that they knew how to report a crime. These findings indicated that more than one-half of respondents from each institutional type were not knowledgeable about the crime reporting requirements of the Clery Act.

One additional concerning finding was based on the level of awareness each respondent had with the specific requirements of the Clery Act. Seven percent of two-year and 5.4% of four-year student affairs administrators indicated that they knew the specifics of the Act and used them on a daily basis, while 30.3% of two-year and 31.8% of four-year respondents indicated that they knew the specifics of the Act and its amendments. Of the two-year respondents, 10.6% indicated that they only had a vague awareness of the Act, while 9.2% of four-year respondents indicated a vague awareness. A total of 2.8% of two-year and 2.9% of four-year respondents were not aware of the specific requirements of the Act or its amendments. Soden (2006)

concluded that most student affairs administrators were aware of the Clery Act at both two- and four-year institutions, but also concluded that although many student affairs administrators were aware of the Act, more training was needed relative to the low level of awareness with the specific requirements of the Act. Soden also noted that there is a general lack of community college research as it relates to the Clery Act and that additional research is needed to determine the effects of the Act on community colleges.

As part of a larger collaborative dissertation research project, Colaner (2006)<sup>13</sup> examined to what degree student affairs professionals are aware of and knowledgeable about the Clery Act. Colaner's (2006) study was a nationwide study that used a web-based survey instrument included 53 survey items. The research population ( $N = 12,390$ ) for this study included student affairs professionals at four-year colleges and universities, both public and private, located across the United States. The survey instrument was divided into eight sections: demographic information, perception of campus violence, Clery awareness, Clery knowledge, formal training, campus disclosure of violence, impact of alcohol in sexual assault, and violence prevention programming. Since the Colaner (2006) study was part of a larger collaborative research project, survey questions related to "campus outreach and violence prevention programming and the role alcohol plays in sexual assault" were included in the survey, but were not used as part of the Colaner data analysis (p. 59).

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<sup>13</sup> Colaner (2006) and Soden (2006) collaborated on a larger research project as part of their individual dissertation studies. They both attended the University of Southern California while performing their dissertation research.

A survey response rate of 12.1% ( $n = 1,347$ ) was obtained. Survey responses were analyzed to answer the research question “To what degree are student affairs administrators aware of the Clery Act legislation.” Survey responses indicated that 83.3% ( $n = 1,222$ ) were aware of the Clery Act, while 16.2% ( $n = 218$ ) were not at all aware of the Act, and 0.5% ( $n = 7$ ) failed to respond to the survey item. Of the 83.3% who indicated that they were aware of the Act, the level of awareness varied widely. A total of 7.9% indicated that they had heard of it, but do not know the details of it, 43.5% indicated that they were somewhat familiar with the Act, 27.2% were very familiar with the act and its amendments, and 4.6% ( $n = 62$ ) were extremely familiar with the Act and use their knowledge on a daily basis. Colaner conducted a series of one-way between-group analyses of variance and *t*-tests to determine if significant differences existed between participants’ levels of awareness and independent variables including sex (i.e., female, male or transgender); institutional classification; years in the profession; administrative level; functional work area; and perceptions of violence on their campus. In addition to the direct question asking about the level of awareness, Colaner also included survey items that indirectly assessed the level of awareness of respondents. One such question asked respondents “if they considered themselves to be a campus crime reporter” (Colaner, 2006, p. 74). Results indicated that 53.5% of respondents indicated yes, while 46.3% responded no. When asked “if they know how to report a crime for compliance with the Clery Act,” 49.4% indicated that yes they know how to report a crime under the Clery Act, with 50.6% responding no.

Based on the survey response analysis, Colaner (2006) suggested that at first glance the 83.3% response for awareness of the Clery Act “would signify that the student affairs professionals at four-year institutions are generally aware” of the Clery Act. Upon further examination of the survey responses, Colaner suggested that “this assumption should be

challenged due to the very low level of awareness of the vast majority of professionals and unacceptably high level (16.2%) who are completely unaware of the Clery Act” (Colaner, 2006, p. 80).

In 2009, building on their previous work, Gregory and Janosik published a study examining the perceptions of senior student affairs officers that discussed compliance issues with the implementation of the Clery Act and implementation impediments. They also discussed the effectiveness of the Clery Act reporting mandates. This rendition of Gregory and Janosik’s research served to fill a gap in the Clery Act literature as it related to perceptions from student affairs officers. This research focused on senior student affairs officers (SSAOs) and how they perceived the effectiveness of the Clery Act and meeting the Act’s stated goals. The research looked at both public and private two-year (12% of the population surveyed) and four-year (88% of the population surveyed) institutions. A 33-item questionnaire was used with questions adapted from previous research studies (Janosik, 2001; Janosik & Gehring, 2003; Janosik & Gregory, 2003). The questionnaire was emailed to 1,065 potential research participants. Of the total 1,065 emailed surveys, the researchers calculated a usable survey response rate of 30.7% ( $n = 327$ ). An  $n$  of 325 was calculated based on institutional sector (i.e., two-year or four-year institutions). Of the 325 usable institutional sector surveys, 98% ( $n = 317$ ) of respondents were aware of the Clery Act. Of the 317 respondents who were aware of the Act, 89% ( $n = 281$ ) were employed at four-year institutions, and 11% ( $n = 36$ ) were employed at two-year institutions.

The survey results indicated that there was a significant difference between Clery Act awareness of SSAOs at four-year (98% of four-year respondents) and two-year (90% of two-year respondents) institutions. These results, however, may not reflect a true awareness at two-year colleges due to the small sample size of community college respondents. A small percentage of

respondents thought that the information contained in the annual security report influenced crime prevention behavior. Twenty percent indicated that the information influenced how students protected their personal property, 22% indicated that they perceived behavior change related to how students protected themselves, and 18% perceived behavior changes related to changes in student movements around campus. The researchers noted that self-reported data represented one limitation to this research, and could therefore affect the generalizability of the results. One conclusion of the research, however, as suggested by the researchers, is that “the energy and emphasis devoted to the crime reporting requirements of the Act are ineffective and misplaced” (p. 224). This article represents a continued effort by Gregory and Janosik to bring awareness to issues that exist with using the Clery Act as the primary legislative action to make campuses safer.

### **Act Effectiveness**

Gregory and Janosik (2013), as part of a chapter in the third edition of *Campus Crime: Legal, Social, and Policy Perspectives*, performed a brief literature review of the Clery Act. As part of their review, they discussed and summarized previous research studies. The purpose of the review was

to provide readers a review of the state of the research literature on the Clery Act and describe several studies which demonstrate how the Act and its impact have been perceived by student affairs officials – judicial and housing officers, victim advocates, campus police – as well as students, parents, and admissions professionals. (p. 46)

The Gregory and Janosik chapter provides a review of the current state of research literature (e.g., articles, dissertations, theses, and research reports) on the Clery Act, notes several books which have been written on crime issues related to college campuses, and describes a

number of studies that demonstrate how the effects of the Act are being studied. Conclusions referenced in the chapter include the observations that the Clery Act is often perceived as confusing and ill-focused; that there is little research relative to the number of years the Act has been implemented; that little to no evidence exists to suggest that students and parents are using the crime statistics to make decisions; and that the Act has had a positive effect (to some degree) on administrative practice in higher education. Much of the research presented in the Act effectiveness of this literature review section is based on the research of a handful of researchers. Due to the relatively small amount of available research tackling the topic of Clery Act effectiveness, Steven Janosik and his fellow research associates represent the primary contributors to this research base.

In 2001, Janosik published a study that focused on trying to determine the effect of the Clery Act on student behavior and decision-making. Among the questions Janosik wanted to ask were whether students are aware of the Clery Act and whether they use the information required under the Act to reduce their safety risks. The final sample for this three-institution study included a total of 795 randomly selected students attending a community college ( $n = 172$ ; 21.8%), a comprehensive college ( $n = 254$ ; 31.9%), and a research university ( $n = 362$ ; 46.3%). A 20-item questionnaire was used to assess student knowledge of the Act's existence, and student changes in behavior after attending crime prevention programs or after reading the institution's annual security report. The questionnaire was mailed to 1,465 prospective respondents with a pre-stamped return envelope. Of the original 1,465 mailed questionnaires, a total of 795 questionnaires were returned and included in the data analysis. Based on the questionnaire return rate, Janosik indicated that community college (21.8%) students were

underrepresented, and research university (64.3%) students were overrepresented in the study. A total of 74% of respondents were unaware of the Clery Act.

Seventy-one percent of the female respondents and 77% of the male respondents indicated that they were unaware of the Clery Act, although a chi-square analysis showed that female (29%) respondents were significantly more likely than males (23%) to be aware of the Act (Chi-square = 4.10,  $df = 1$ ,  $p = .043$ ). Forty-percent of females reported that after reading a safety-related report, article or flyer or attending a safety-related program, they had changed their behavior related to the way they protected their personal property. Only 15% of males changed their behavior as a result of the safety-related material information. Janosik (2001) concluded a mixed response for this study, suggesting that implementation of the Clery Act “has caused college and university administrators to change their behavior” through the implementation of campus safety-related programs, distribution of safety flyers, and accessibility of safety reports (p. 359). Unfortunately, the overall number of students reporting behavior changes as a result of the Act was relatively low (e.g., 31% response rate for changing how they protect themselves; 18% response rate for changing how they move around campus). Janosik (2001) concluded by making a statement that is still applicable 16 years after the Janosik article was published. He noted

the findings in this study suggest that the attention paid to these formal reporting requirements may be misplaced. Devoting time and energy in developing a single reporting mechanism by which institutions may be compared may not have its desired effect if the Act’s purpose is to educate, change behavior, and protect college students. (p. 359)

The Janosik and Gehring (2003) study built on the previously described 2001 Janosik study, attempting to expand Janosik's study by collecting similar student information on a national scale. By increasing the size of the research population, Janosik and Gehring could perform additional analyses based on survey responses that could not be accomplished with the three-institution study performed by Janosik (2001). The same research questionnaire that was used in the Janosik (2001) study was distributed as part of the Janosik and Gehring (2003) study. Janosik and Gehring also wanted to determine whether students are aware of the Clery Act and whether students use the information required under the Act to reduce their safety risks. The study included three two-year private institutions (1%), 30 two-year public institutions (10%), 137 four-year private institutions (45%), and 135 four-year public institutions (44%). Of 9,150 distributed questionnaires, 3,866 (42%) were included for analysis. Four hundred eighty-seven respondents attended community colleges and 3,372 attended four-year institutions. As with the Janosik (2001) study, students from two-year institutions were underrepresented, and students attending four-year institutions were overrepresented in this study.

Similar to Janosik's (2001) findings, the Janosik and Gehring (2003) study showed a total of 73% of respondents indicated that they were unaware of the Clery Act. A total of 74% of the female respondents and 71% of male respondents indicated that they were unaware of the Clery Act. Forty-four percent of females reported that reading a safety related report, article or flyer or attending safety related program had changed their behavior related to the way they protected their personal property, and 28% of males changed their behavior as a result of the institutional interventions. Janosik and Gehring (2003) reiterated Janosik's (2001) comment regarding the misplacement of energy with Clery Act reporting requirements, and they added that "policy

makers and college administrators might be better served by focusing their attention on the development of those services and programs that seem to make a difference” (p. 91) .

A 2002 article by Gregory and Janosik reviewed Clery Act issues and previous research as it relates to changes in behavior, crime reporting efforts of institutions, and reporting compliance and confusion. The article looked at how effective the Clery Act has been in raising awareness among prospective college students and mentions the *Chronicle of Higher Education*, a weekly trade paper, as a source that brings light to issues of campus safety through news articles, op-ed pieces, and letters to the editor. Compliance is a popular topic in *The Chronicle* (both student views and institutional views on compliance) and Gregory and Janosik (2002) discuss the confusion that exists with implementation and interpretation of the Clery Act. A lack of clarity and continually changing interpretations on what needs to be reported and to whom makes compliance difficult.

Gregory and Janosik (2002) suggested that the Clery Act has two primary purposes; it is intended to “change institutional behavior” and “to reduce individual risk” (p. 12). Reduction of risk can be obtained by making individuals -- including students, faculty, staff, and visitors -- “aware of potential risks,” and this awareness will, in turn, allow individuals to “make active choices about their personal behavior “ (p. 12). The article noted a lack of research on the extent to which the Clery Act has increased student awareness or improved student decision-making. As part of their review of existing research on the Clery Act, Gregory and Janosik (2002), noted that “it is clear that students remain unaware of the Act and do not use the information contained in the summary or annual report” (p. 14.). The article also stated that campus law-enforcement officials believe that the campus crime reports “are not an effective tool for changing student awareness of crime on campus because so few students read the reports” (p. 14). Gregory and

Janosik (2002) also indicated a lack of research on campus safety related topics and noted that “what research has been conducted has focused upon compliance with the Clery Act rather than determining its effectiveness” (p. 18).

Gregory and Janosik (2003) examined perceptions of campus judicial officers who are members of the Association for Student Judicial Affairs (ASJA) regarding how effective the Clery Act is on judicial practices, which included identification of the volume of judicial violation cases (e.g. adjudication of campus and behavior policy infractions) prior to the Act, and “the volume of cases generated by changes in the law that required reporting of alcohol, drug, and weapons arrests, and similarly of cases that did not result in arrest but were handled through the campus discipline system” (Gregory and Janosik, 2003, p. 766). A 39-question, researcher-designed, web-based survey instrument was used to collect data for the study, asking judicial officers the same questions asked of campus police officials in a previous Janosik and Gregory (2003) research study. One question the researchers asked was “Has the Clery Act been effective in achieving its purposes?” (p. 765). Of 1,143 members of the ASJA surveyed, 88% were employed at four-year institutions, while only 12% were employed at two-year institutions. Of the members surveyed, however, 99% of respondents were aware of the Clery Act. When asked how effective the Clery Act was at reducing crime on their campus, only 2% responded that the Act was either very effective or effective and 98% responded that the Act was ineffective, very ineffective, or could not be determined. The respondents were also asked whether the Act had improved campus crime reporting procedures (p. 771). Forty-eight percent of respondents stated that the act was either effective or very effective in improving campus crime reporting, while 50% indicated that the Act was ineffective, very ineffective, or that its effect could not be determined.

Gregory and Janosik (2003) noted the low awareness and participation rates for respondents at community colleges (12% survey response rate), speculating that the lower rate of awareness and survey participation by respondents employed at community colleges might have been due to 1) lower occurrences of campus crime “because of the nature of their students and the lack of residential facilities”; 2) judicial affairs employees’ at community colleges serving multiple roles within the college and therefore having less time to learn about specific reporting requirements associated with the Clery Act; and 3) community colleges’ having “few if any sworn police officers” and therefore having little interaction with judicial affairs personnel (p. 773). Gregory and Janosik (2003) suggested that based on the results of this survey, the Clery Act had not been effective in reducing crime and had not been effective in increasing campus safety programs on the respondents’ campuses. The Act had, however, improved campus crime reporting and raised awareness about campus crime.

Brinkley (2005) examined crime statistics from the FBI’s Uniform Crime Reporting program, Missouri’s Uniform Crime Reporting program, the National Crime Victimization Survey, and the Clery Act to determine the effectiveness of the Clery Act at postsecondary education institutions in Missouri. Brinkley analyzed crime statistics produced according to the Clery Act reporting requirements to determine whether the statistics accurately reflect crimes occurring on college campuses. The study was limited to 10 four-year institutions in Missouri that reported statistics to the Uniform Crime Reporting program in 2003, and Brinkley’s examination showed that crimes reported to the police only portray a small portion of crimes that are most likely occurring on the included campuses. Brinkley speculated that this is likely because victims may choose not to report certain crimes (e.g., forcible sex offenses).

Brinkley (2005) asked, “Has the intent of the Clery Act Been realized?” Based on his research findings, the intent of the Act has not been realized because only reported crimes, are included in Clery Act statistics, and all campus crimes are not reported to campus officials. Brinkley (2005) concluded that the reported Clery Act statistics included as part of this study were “clearly inadequate for accurately portraying crime at the institutions examined” because of the likelihood that many crimes go unreported to both college crime reporters and local police authorities (p. 80). Brinkley suggested that for a more accurate depiction of campus crime, institutions should be required to administer “victimization surveys” -- similar to the National Crime Victimization Survey [NCVS] and National College Women Sexual Victimization [NCWSV] survey administered through the U.S. Department of Justice -- and to combine the survey results with reported crime statistics. The combination of the survey and reported crime statistics may make the act more effective; however, “the Clery Act as it exists today will likely never be capable of portraying the picture of crime on a college campus accurately” (Brinkley (2005, p.80).

In a study published in 2006, Gregory and Janosik once again filled a niche in the Clery Act research base. They examined the views of senior residence life and housing administrators to determine their levels of awareness of the Clery Act and perceptions of Act effectiveness. For this study, the researchers sent surveys to 832 U.S. institutional members of the Association of College and University Housing Officers - International (ACUHO-I). A 33-item, researcher-developed questionnaire using items adapted from previous studies (Gregory & Janosik, 2003; Janosik, 2001; Janosik & Gregory, 2003) was administered via email. Of the original 832 surveys, 335 (40%) were completed and included as part of the data analysis. Of the 335 survey

respondents, 97% ( $n = 324$ ) were employed at four-year institutions, and 3% ( $n = 11$ ) were employed at two-year institutions.

When asked whether campus residence life and housing officials and students were aware of the Clery Act and its requirements, 98% ( $n = 328$ ) of respondents indicated that they were aware of the Act (p. 53). Gregory and Janosik (2006) determined that these results were consistent with the perceptions of both judicial officers (Gregory & Janosik, 2003) and campus police officers (Janosik & Gregory, 2003). The researchers also asked questions to determine whether the Clery act had an impact on changing student perceptions or behavior. Sixteen percent ( $n = 54$ ) of respondents indicated that crime data did result in behavior changes when it came to how students protect themselves from harm, while 49% ( $n = 164$ ) did not perceive such a change and 30% ( $n = 101$ ) did not know whether such information would change student behavior.

A related question was asked to determine whether the impact of informational materials and programs had an effect on student behavior. For this question, 53% ( $n = 178$ ) of respondents indicated that they perceived that this type of information changed student behavior, while 25% ( $n = 84$ ) and 20% ( $n = 67$ ) perceived no change in behavior or had no perception of the degree of change in behavior. Respondents were also asked for their perceptions as they related to whether the Clery Act had an effect on reducing campus crime and whether crime reporting has improved as a result of the Act. Forty-seven percent ( $n = 157$ ) perceived no attributable reduction in campus crime, while only 5% ( $n = 15$ ) perceived an attributable reduction in campus crime. Fifty-four percent ( $n = 181$ ) of respondents perceived an improvement in crime reporting as a result of the Clery Act, while 22% perceived no improvement and 24% said they didn't know. The findings of this study are similar to those in previous studies (i.e., Janosik, 2001; Janosik &

Gregory, 2003; Gregory & Janosik, 2003) in that the results are mixed. The Act is viewed as being both effective and ineffective, and the levels of Act awareness vary between students and institutional employees.

In a 2007 study, Aliabadi looked at “what the Clery Act has taught students about how to be safe, and how the Clery Act has changed student behaviors on college and university campuses” (p. 10), concluding that the level of effectiveness associated with the implementation of the Clery Act varies depending on how effectiveness is judged. On the one hand, implementation of the Clery Act has forced colleges and universities to report campus crime data more consistently (Janosik, 2004; Janosik & Gregory, 2003; Wood & Janosik, 2012). In addition, the Act has made it possible for parents and students to make informed decisions during the college admissions process and has resulted in improved campus safety programs, policies, and procedures (Aliabadi, 2007; Janosik 2004; Janosik & Gregory, 2003; Wood & Janosik, 2012). On the other hand, Aliabadi indicated that based on previous research, the Act has not been effective at changing student behavior or reducing campus crime (Aliabadi, 2007).

As with most of the Clery Act research presented as part of this literature review, Janosik and Plummer (2005) attempted to fill a niche in the research base, looking at the views of victim advocates who serve as sources for Clery Act reporting information. The original research sample included a questionnaire emailed to 344 advocates and featuring a response rate of 42.7% ( $n = 147$ ). Of the 147 respondents, 2% ( $n = 3$ ) were advocates at community colleges and 98% ( $n = 144$ ) were advocates at four-year colleges. The questionnaire consisted of 29-items that included four demographic questions and 25 questions to address either the groups knowledge of the Act or their views of the influence of the Act on their operations and student behavior. One issue the researchers wanted to determine was whether advocates believe that students use Clery

Act report statistics. Based on survey results, only 3% ( $n = 5$ ) of respondents believed that students read the annual security report.

Survey results related to perceptions of campus safety strategies showed that 75% ( $n = 110$ ) of respondents thought that students read flyers, posters, news articles or email messages about campus safety, while 3% thought that students don't read these materials and 22% indicated that they did not know if students read these materials or not. When asked whether the annual report helps students make decisions about how they protect themselves, 12% of respondents thought that the information distributed as part of the annual security report influenced student crime prevention behavior, while 88% indicated either no or don't know. When asked if they believe that the Clery Act has reduced crime on their campuses, only 3% ( $n = 5$ ) of respondents answered yes, while 97% ( $n = 142$ ) answered either no or don't know. When asked if they believe that the Clery Act has improved campus crime reporting, 44% ( $n = 65$ ) of respondents answered yes, and 56% ( $n = 82$ ) answered either no or don't know. Janosik and Plummer (2005) concluded that the victim advocates included in this research sample appear to be more optimistic in their views regarding the effectiveness of the mandated reporting requirements associated with the Clery Act (Gregory & Janosik, 2002; Gregory & Janosik, 2003; Janosik & Gregory, 2003; Janosik & Gehring, 2003). Janosik and Plummer (2005) noted that "all of the groups studied (in this and previous studies) report that mandated summaries and annual reports are not likely to be read and are not likely to affect student behavior" (p. 129). They also suggest that based on previous Janosik or Janosik and associates research, the Clery Act and its required reporting "does little if anything to reduce crime on campus" (p. 129). The Clery Act does, however, "seem to improve the quality of crime reporting and the consistency of those reports" (p. 129).

## **Institutional Compliance**

To remain compliant with Clery Act reporting mandates, each institution participating in Title IV federal student financial aid programs must publish an annual security report (ASR) that includes crime statistics for the previous three calendar years (U.S. Department of Education OPE, 2011; U.S. Department of Education OPE, 2016). The report must also include various policies, procedures, and program disclosures about security and safety on campus (U.S. Department of Education OPE, 2011, U.S. Department of Education OPE, 2016). Every institution must collect, classify and count crime reports and crime statistics and include these statistics in the ASR. In addition to accurately collecting, classifying, and recording crime statistic information, crime statistics and policy information must also be appropriately disseminated (i.e., timely warnings, access to crime log information, and annual publication of ASR) to the campus community. As of 2017, institutions found in violation of the Clery Act as regulated by the Higher Education Act of 1965 face civil fines of up to \$54,789,000 per violation (last adjusted for inflation in 2012 to \$35,000 per violation), the limitation or suspension of federal aid, or the loss of eligibility to participate in federal student aid programs (U.S. Department of Education, 2012). While the majority of available Clery Act research is associated with compliance-related issues, there is a discernable lack of research related to Clery Act compliance at community colleges.

DeBowes (2014) looked at the role student conduct administrators, defined as “professional staff member[s] employed by a college or university that [are] responsible for resolving alleged violations of behavioral policies through the campus’s established procedures” (p. 12), play in classifying and reporting crimes. DeBowes classified student conduct administrators as campus security authorities as defined by the Clery Act due to the “significant

responsibility for student and campus activities” bestowed on them by virtue of their involvement in student disciplinary proceedings (Westat et al., 2011, p. 74).<sup>14</sup> This research looked at the levels of knowledge regarding the statistical reporting obligations of the Clery Act among professional members of the Association for Student Conduct Administration (ASCA), exploring variations based on several identified variables. A researcher-designed questionnaire including eight scenarios was used to assess knowledge variations. The study was designed based on the recommendations of an unpublished dissertation and, as with many other Clery-related studies, was identified as being designed to fill a gap in the literature (Colaner, 2006). As indicated in the introduction of this chapter, DeBowes noted the lack of published research relating to the Clery Act and also noted that most of the scholarship in this area stems from a handful of authors, specifically Janoski and Gregory.

Even though this is a fairly recent study, DeBowes (2014) concluded that there is still – even after more than two decades of implementation – a low level of knowledge and understanding about Clery Act statistical reporting obligations among higher education professionals. The researcher noted that one limitation of the study was the low overall reliability of the questionnaire as represented by a low Cronbach’s alpha (i.e.,  $\alpha = 0.455$ ), which may have

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<sup>14</sup> Westat et al. (2011) noted, “An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution (p. 74). Westat et al. (2011) also noted that “because official responsibilities and job titles vary significantly on campuses, a list of specific titles is not provided in the regulations (p. 75).

affected the outcomes reported. A review of corrected item-total correlations<sup>15</sup> showed that two items were under 0.1, forcible sex offenses ( $r = -.079$ ) and weapon policy ( $r = .085$ ), and that removal of these items would improve  $\alpha$  (to .491 and .461, respectively). These items were subsequently deleted from the scale and alpha coefficient of reliability improved, (i.e.,  $\alpha = .505$ ). Even with low questionnaire reliability, however, the descriptive results from this study demonstrated a need for clarification and training when it comes to institutional compliance with Clery Act reporting mandates.

Callaway, Gehring, and Douthett (2000) looked at two-year college compliance with the notice requirement of the Clery Act, suggesting that laws enacted by Congress (i.e., Clery Act) have had a disparate impact on two-year institutions. The researchers noted that federal regulations associated with the Clery Act do not take into account the differences between and among the various types of institutions in the United States and suggest that the regulations “design one dress to fit all” (Callaway, Gehring, and Douthett, 2000, p. 181). This study was designed to determine whether two-year colleges were complying with the notice requirement of the Clery Act by providing everyone requesting admission information (including prospective employees) a summary of the contents of the college’s annual security report. The researchers used a commercial listing of 1,473 U.S. community colleges (based on 1997 Higher Education Directory [HED]). Of the 1,473 schools, 143 schools were selected for the study, and a Chi-square analysis was used to determine whether the sample used was representative of the total community college population. Postcards requesting admissions information were mailed to admission directors, and the 117 responses represented 42 states. Twenty-six community

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<sup>15</sup> Corrected item-total correlations represent correlations between each item and the total score from the questionnaire.

colleges were determined to be either in full or partial compliance with the notice requirement of the Clery Act, with eight community colleges (6.8%) in full compliance with the notice requirement. For the purpose of this study, full compliance with the Act was defined as community colleges having provided at least a listing of the nine crime categories described by the Act at that time. The eight community colleges identified as being in full compliance were all state supported institutions and were located in eight different states. The remaining 18 two-year colleges were grouped in the category of partial compliance, which based on Clery Act enforcement, is equivalent to non-compliance and could result in substantial fines to institutions. Even though the Callaway, Gehring, and Douthett (2000) study is more than 15 years old, the financial implications for non-compliance remain applicable.

McNeal (2005, 2007) used Mazmanian and Sabatier's (1983) Theory of Effective Policy Implementation as a conceptual framework to examine challenges to institutional compliance with the Clery Act. McNeal looked at what factors served as impediments to institutional efforts to comply with the Clery Act through the perceptions of campus law administrators and used an online survey consisting of 20 items. McNeal (2005 and 2007), distributed 420 surveys to members of the International Association of Campus Law Enforcement Administrators (IACLEA), whose central purpose is to "represent and promote campus public safety" (McNeal, 2005, p. 45). Survey items were designed to explore the relationship between Clery Act compliance and either institutional resistance, ambiguity in the Act, lack of funding, lack of support, and inaccurate reporting. The principal axis factor analysis procedure was conducted for 221 completed surveys, which represented a 53% response rate, to identify patterns of relationships among the variables. The results of the factor analysis showed that campus law administrators perceived a lack of institutional support and funding, ambiguity in Clery Act

reporting requirements, and lack of training as impediments to Clery Act compliance efforts. Campus law administrators indicated that ambiguity with respect to the Clery Act relates to “the statute’s clarity regarding how and where institutions should collect crime statistics” and the degree of clarity “with respect to providing instruction for fulfilling the safety programming and Annual Crime Reporting requirements” (McNeal, 2005, p 58). A total of 86% of respondents either strongly agreed or agreed somewhat that the Act includes a vague description of which campus areas and which geographic locations to include when reporting. According to McNeal (2005), clarity and structural issues are the greatest challenges in fulfilling Clery Act reporting mandates. McNeal (2007) also noted that “solving the multifaceted problem of Clery Act compliance at institutions of higher education will require a collective effort by advocates, campus security, student affairs, and institutional administrators at all levels” (p. 112).

McNeal’s research from 2007 was based on the unpublished McNeal 2005 dissertation study. In the 2005 study, McNeal identified the April 2004 Clery Act violation findings against Salem International University, located in Salem, West Virginia as one of the most “egregious” Clery Act violations. The original fine assessed against Salem University by the Department of Education was \$385,000. <sup>16</sup> This was the largest fine ever assessed since the inception of the

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<sup>16</sup> See

<https://studentaid.ed.gov/sa/sites/default/files/fsawg/datacenter/cleryact/saleminernationaluniversity/SIUFineActionSettlementAgreementMay04.pdf> for the letter of findings from the U.S.

Department of Education Office of Financial Student Aid to Dr. Richard Ferrin, President of Salem International University.

Clery Act. Following a final ruling that included a fine reduction, a total of \$250,000<sup>17</sup> in fines was levied against Salem University for the following Clery Act violations: failure to report incidents, miscoding specific incidents, failure to coordinate information from all sources, failure to comply with the “timely warning” requirements, hate crime statistics omitted in prior years, failure to distribute Annual Crime Report, and required policy statements either omitted or incomplete (McNeal, 2005).

Richardson (2014), as part of a dissertation, presented a legal analysis of institutional violations as they relate to the Clery Act, focusing on known violations of the Act in order to gain a better understanding of underlying compliance issues. As part of the research, Richardson examined which violations are specific to individual campus types, but found no clear distinction between two- and four-year institutions. She also examined whether the complexity of the Act may be a reason for non-compliance, but the data indicated that the complexity of the Act was not the problem; knowing what the Act requires was the main issue, a task that is complicated by the fact that with each amendment of the Clery Act, the Department of Education updates and releases a new version of *The Handbook for Campus Safety and Security Reporting*. She also

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<sup>17</sup> McNeal’s dissertation (2005) lists the Clery Act violation fines for Salem International University in West Virginia as \$385,000 for multiple Act violations (comprised of 14 violations at \$27,500 per violation). The Department of Education reduced the fine to \$250,000 prior to its final report. Richardson’s dissertation (2014) correctly states that the original fine assessed was \$250,000 and in a settlement agreement, the institution agreed to pay \$200,000 in May 2004.

noted that a new version was expected soon with recent changes that went into effect at the beginning of 2015.<sup>18</sup>

In a 2012 article, Wood and Janosik discuss the importance of institutional collaboration and education in the prevention of Clery Act reporting violations.

[C]ollaboration between higher education administrators can reduce errors and help avoid liability and fines for non-compliance. 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. Such teamwork fosters interest across all levels of the institution and promotes crime awareness in the campus community. Promoting awareness of crime and current legal issues further helps university officials avoid legal implications. (p. 13)

Wood and Janosik (2012) noted the importance of understanding why institutions are being fined and how to eliminate such issues, suggesting that in order to address reporting issues within their own campus communities, “administrators should conduct comprehensive audits of all of their campus locations, policies, and procedures, and should assess the efficacy of their reporting procedures, identify areas of weakness, and work in good faith to improve their systems” (p. 13). The authors also noted that in order for institutions to remain compliant with the complex and evolving Clery Act reporting requirements, administrators must continue to inform and educate the broader audience of students, staff, and faculty about crime on their campuses.

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<sup>18</sup> See <http://www.ed.gov/admins/lead/safety/campus.html> for *The handbook for campus safety and security reporting, 2016 edition*.

## Summary

This chapter presents an overview of available Clery Act research as it relates to awareness, effectiveness, and institutional compliance. More than two decades after the enactment of the Clery Act, research related to the Clery Act is sparse at best and nearly nonexistent when it comes to the Act's effects on community colleges. (Colaner, 2006; Gregory & Janosik, 2006; Soden, 2006; DeBowes, 2014). Much of the commentary that exists related to the Clery Act and campus safety occurs as op-ed pieces or news reports (Gregory & Janosik, 2002; Gregory & Janosik, 2006), and the majority of professional or scientific research that is available is produced by a small pool of researchers (i.e., contributions by Steven Janosik and his research associates). DeBowes (2014) concluded that there is still – even after more than two decades of implementation – a low level of knowledge and understanding about Clery Act statistical reporting obligations among higher education professionals.

Most of the literature presented as part of this review is limited in scope and serves to fill niches in the literature base. Depending upon which population was being sampled, the percentage of individuals who were either aware or unaware of the Act or who perceived the Act as effective or ineffective would increase or decrease substantially. Clery Act compliance violations are usually centered around inaccurate reporting of crime statistics, which can be costly to institutions. This is evidenced by the 195 institutions that, as of June 2016, were under investigation for possible Title IX violations and record-setting fines being levied against universities like Eastern Michigan University (fined \$357,500 in 2007), Yale University (fined \$165,000 in 2013) and Pennsylvania State University (fined nearly \$2.4-million in 2016) for Clery Act violations (U.S. Department of Education, 2016; Zamudio-Suaréz & Knott, 2016).

In order for colleges and universities to remain compliant with the dynamic reporting requirements of the Clery Act, the extant research suggests they must use a collaborative approach to compliance (Gregory and Janosik, 2002; Mills-Senn, 2013). Gregory and Janosik (2002) observed that “all campus constituencies from the president to students and from faculty to housekeeping staff have a role and must contribute and work together if compliance with the Clery Act is to be achieved and campuses are to become safer” (p. 55). In conclusion, this review of the literature demonstrates the need for a more inclusive institution-wide, statewide, or system-wide study related to the level of awareness of community college constituents as it relates to the Clery Act and Clery Act reporting requirements.

## **Chapter Three**

### **Research Methods**

The purpose of this study is to evaluate employee awareness of current Clery Act reporting requirements at varying employment strata within West Virginia's nine community and technical colleges. This chapter provides information on the research design, population and sample selection, survey instrument, survey distribution, data collection techniques, and data analyses that were used to facilitate this study. This is a non-experimental, descriptive study, that will focus on the nine colleges included in the Community and Technical College System of West Virginia (see Appendix C). The research presented here attempts a broader research approach than those in previous studies by 1) examining community colleges using an institution-wide method in assessing reporting requirement awareness across multiple institutional strata, and 2) examining awareness using a statewide or system-wide approach as it relates to community and technical colleges.

### **Research Questions**

The primary intent of this study is to evaluate employee awareness of current Clery Act reporting requirements across varying employment strata within the community and technical colleges included in the Community and Technical College System of West Virginia. For this study, the following research questions are posed.

1. To what extent, if any, are full-time faculty aware of Clery Act reporting requirements?<sup>19</sup>
2. To what extent, if any, are adjunct faculty aware of Clery Act reporting requirements?

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<sup>19</sup> Functional definitions are provided in Chapter One.

3. To what extent, if any, are student service administrators aware of Clery Act reporting requirements?
4. To what extent, if any, are non-administrator student service professionals aware of Clery Act reporting requirements?
5. To what extent, if any, are senior-level administrators aware of Clery Act reporting requirements?
6. To what extent, if any, are human resource officials aware of Clery Act reporting requirements?
7. To what extent, if any, are mid-level academic administrators (e.g., academic deans or their equivalent) aware of Clery Act reporting requirements?
8. To what extent, if any, are unit-level academic administrators (e.g., department chairperson, program coordinator, program director, etc.) aware of Clery Act reporting requirements?
9. To what extent, if any, are institutional support personnel aware of Clery Act reporting requirements?
10. To what extent, if any, are institutional safety officials aware of Clery Act reporting requirements?

### **Research Design**

This is a non-experimental, descriptive study that utilized an electronic, web-based survey to gather information that was analyzed using both Qualtrics and SPSS Statistics 24 software. Analysis of survey responses were, consistent with Creswell (2009), used to provide a quantitative description of trends, attitudes, or opinions of a sample within the population. The survey instrument included three primary question formats; yes-no, multiple choice, and Likert-

type items. Since the results of this study were used to describe the current awareness of participants and calculated scores and other descriptive statistics associated with participant knowledge of a specific subject (i.e., Awareness of the Clery Act and Clery Act reporting requirements) without experimental intervention, a non-experimental, descriptive approach is the appropriate research method for this study (McMillan, 2008; McMillan & Schumacher, 2001; Neuman, 2015).

### **Population and Sample**

The target population for this study included all full-time and adjunct faculty, classified staff, non-classified staff and administrators at West Virginia's nine community and technical colleges who were employed during the fall semester of 2017. This research used an institution-wide method in assessing reporting requirement awareness across multiple institutional strata and awareness using a statewide or system-wide approach as it related to community and technical colleges.

### **Survey Instrument**

A 29-item researcher-designed electronic, web-based survey (Appendix G) was used to collect data for this study. To access the survey, participants were directed to a website using a unique web address associated with the Qualtrics online survey portal. The use of a web-based survey instrument was the appropriate research tool to use for this study because web-based surveys are easy and inexpensive to distribute, are simple for participants to access, provide researchers with quick responses, and allow data to be easily entered and organized into databases for storage and analysis (McMillan, 2008; McMillan & Schumacher, 2001; Neuman, 2015). In addition, according to McMillan (2008), "electronic surveys are most effective with

targeted professional groups” such as professionals within West Virginia’s community and technical college system (p. 208).

The 29-item survey instrument included items for demographic information, strata-level determinations, and questions pertaining to awareness of specific reporting requirements (Appendix G). Demographic questions consisted of two subcategories related to the respondents’ personal and professional characteristics such as sex, highest level of degree obtained, years employed at current institution, years employed in higher education at community colleges, and current primary employment classification. Items on the survey included original researcher-designed items and adopted or adapted questionnaire items used with permission from previous Colaner (2006), Soden (2006), and Gregory and Janosik (2003) studies (Appendix E).

### **Survey Distribution**

Prior to sending the survey to participating colleges for distribution, a pilot test of the survey was sent to 10 faculty and staff members employed at Marshall University. The pilot test allowed the researcher to improve the clarity and format of survey questions and to finalize the survey prior to final distribution (McMillan & Schumacher, 2001). Once the survey was finalized, the researcher contacted a representative from each of the nine West Virginia community colleges to seek permission to distribute the survey invitation, informed consent, and survey web address to the respective colleges. By asking college representatives to distribute the survey information rather than providing the researcher with individual employee email information, the research could provide prospective participants with an assurance of anonymity. Once permission to distribute the survey was obtained, the researcher sent the college representatives directions for distribution.

A letter written by the researcher was emailed to the designated representative at each of the nine community colleges. The letter requested prospective respondents' participation in the study by completing an electronic, web-based survey using the Qualtrics survey management software. The representatives were asked to forward the survey participation request, informed consent information (Appendix F), and survey web address to all full-time faculty, adjunct faculty, classified staff, non-classified staff, and college administrators employed at the respective colleges. A link to the survey instrument titled Johnson Survey of Community College Clery Act Awareness was included in the participation email request. Each college was allowed three weeks to complete the web-based survey. The researcher sent the respective college representatives a survey participation email reminder with the survey link two weeks following the original participation email request. Representatives were asked to redistribute the survey information using the same directions as the original participation request.

### **Data Analysis**

Survey responses were compiled through Qualtrics and analyzed using Qualtrics, Excel, and SPSS Statistics 24 software. Quantitative data were analyzed using the SPSS 24 statistical software package, with the data analysis relying mostly on frequencies of survey responses and Pearson correlation coefficient tests. A Clery Act Reporting Awareness Score was calculated using survey items SQ4, SQ5, SQ7, and SQ9 through SQ17 from the Johnson Survey of Community College Clery Act Awareness (Appendix G). Using the preselected survey questions, the Awareness Score was calculated to determine individual respondents' levels of awareness to Clery Act reporting requirements and awareness within designated strata levels. Frequency distributions were calculated and used as descriptive statistics to examine measures of central tendency for demographic information including sex, highest level of degree obtained,

years employed at current institution, years employed in higher education at community colleges, and current primary employment classification. Inferential analyses using the Pearson correlation coefficient test were conducted to determine whether relationships exist between calculated awareness scores, years of cumulative employment in higher education at community colleges, level of preliminary awareness (i.e., response to survey item SQ1) and stratum designations.

### **Summary**

This chapter provided information on the research design, population and sample selection, survey instrument, survey distribution, data-collection techniques, and data analyses that were used in this study to evaluate employee awareness of current Clery Act reporting requirements at varying employment strata within West Virginia's community and technical colleges. This study is a non-experimental, descriptive study, and focused on colleges included in the Community and Technical College System of West Virginia. The study utilized a 29-item researcher-designed electronic, web-based survey to gather information that was analyzed using both Qualtrics and SPSS Statistics 24 software. Survey items on the Johnson Survey of Community College Clery Act Awareness included demographic information, strata level determinations, and questions pertaining to awareness of specific reporting requirements.

## Chapter 4

### Presentation and Analysis of Data

This chapter presents the findings and statistical analyses for data collected for this study. The purpose of the study was to evaluate employee awareness of current Clery Act reporting requirements at varying employment strata within West Virginia's community colleges. Data for the study were collected using a researcher-designed survey instrument titled Johnson Survey of Community College Clery Act Awareness (Appendix G). The survey instrument was administered electronically using Qualtrics survey software and analyzed using Qualtrics and SPSS Statistics 24 software. The survey instrument was designed to address the following research questions.

1. To what extent, if any, are full-time faculty aware of Clery Act reporting requirements?
2. To what extent, if any, are adjunct faculty aware of Clery Act reporting requirements?
3. To what extent, if any, are student service administrators aware of Clery Act reporting requirements?
4. To what extent, if any, are non-administrator student service professionals aware of Clery Act reporting requirements?
5. To what extent, if any, are senior-level administrators aware of Clery Act reporting requirements?
6. To what extent, if any, are human resource officials aware of Clery Act reporting requirements?
7. To what extent, if any, are mid-level academic administrators (e.g., academic deans or their equivalent) aware of Clery Act reporting requirements?

8. To what extent, if any, are unit-level academic administrators (e.g., department chairperson, division chairperson, program coordinator, program director, etc.) aware of Clery Act reporting requirements?
9. To what extent, if any, are institutional support personnel aware of Clery Act reporting requirements?
10. To what extent, if any, are institutional safety officials aware of Clery Act reporting requirements?

### **Population and Sample**

The target population for this study included all full-time and adjunct faculty, classified staff, non-classified staff and administrators at West Virginia's nine community colleges who were employed during the fall semester of 2017. Due to the anonymous nature of the survey distribution method used to facilitate this study (i.e., college representatives agreed to forward the survey participation request, informed consent information and survey web address to employees at the respective colleges), the total number of survey participation email requests distributed is not known by the researcher. To estimate the research sample size and survey response rate, the researcher used the mean for the "All Staff" data included in the Human Resources section of the National Center for Education Statistics (NCES) Integrated Postsecondary Education Data System (IPEDS) website for the fall of 2015 and 2016 institutional reporting periods (Appendix H). Using the 2015 and 2016 IPEDS data, it is estimated that 2045 survey requests were distributed among the nine West Virginia community colleges during the data collection period.

At the end of the data collection period, the research sample included responses for a total of 443 submitted surveys. After review of the 443 submitted surveys, it was determined that

359 (81.0%) respondents completed the survey in its entirety and 84 (19.0%) started but did not complete the survey. Data for the 84 surveys that were started but not completed were included as part of the descriptive analyses when responses were available, but excluded for the determination of the Clery Act Reporting Awareness Score and inferential statistics analyses. Data for incomplete surveys were excluded from consideration for analysis due to missing Clery Act Reporting Awareness Score calculation components (i.e., survey items SQ4, SQ5, SQ7 or SQ9-SQ17) and missing employment classifications that are required for stratum determinations. Using the average fall 2015 and 2016 “All Staff” Human Resources data reported through IPEDS (Appendix H), the researcher estimates that a survey response rate of 17.6 - 21.7% was achieved. An estimated response rate of 21.7% ( $n = 443$ ) was achieved using the total of all surveys submitted, and an estimated response rate of 17.6% ( $n = 359$ ) was achieved with incomplete surveys excluded.

### **Preliminary Clery Act Awareness**

Since the focus of this study was to evaluate community college employees’ awareness of the Clery Act and its reporting requirements, the first question on the Johnson Survey of Community College Clery Act Awareness asked respondents to report the extent to which they were aware of the Clery Act. This question was asked to gauge each respondent’s initial, perceived level of Clery Act awareness (i.e., preliminary awareness). Once the initial level of respondent awareness was reported for survey item SQ1, respondents were asked additional questions pertaining to Clery Act reporting requirements. Survey items SQ4, SQ5, SQ7, and SQ9-SQ17 (Appendix G) were used to calculate a Clery Act Reporting Awareness Score based on specific Clery Act reporting requirements. A total of 25.3% ( $n = 112$ ) of respondents indicated that they had never heard of the Clery Act or the Jeanne Clery Disclosure of Campus

Security Policy and Campus Crime Statistics Act. Since an “I have never heard of it” response indicated a lack of awareness, a Clery Act Reporting Awareness Score of zero was assigned for respondents who reported their level of awareness as “I have never heard of it.” Respondents who indicated that they had never heard of the act were directed, via the Skip Logic survey option in Qualtrics, to demographic questions that included stratum determination items located at the end of the survey. Seven of the 112 surveys were excluded from Clery Act Reporting Awareness Score determinations due to submitting incomplete surveys with missing stratum reporting information.

Respondents who indicated either 1) “I have heard of the Act, but don’t know the details of it”; 2) “I am somewhat familiar with the Act and its reporting requirements” or 3) “I am very familiar with the Act and its reporting requirements” were asked more specific questions regarding the Act and its reporting requirements before being directed to the demographic and stratum determination questions at the end of the survey. Responses for survey items pertaining to specific reporting requirements were then used in the determination of the Clery Act Reporting Awareness Score. Three hundred and thirty-one (74.7%) respondents indicated that they had a preliminary level of awareness related to the Clery Act and its reporting requirements. Seventy-seven of the 331 surveys were excluded from Awareness Score determinations due to incomplete survey submissions. Table 1 presents respondents’ preliminary awareness responses. Data for the mean preliminary levels of awareness per stratum will be presented in the Findings Related to the Research Questions section of this chapter.

Table 1

*Preliminary Responses: Respondent Perceived Level of Clery Act Awareness*

Level of Awareness	<i>N</i>	Percent
Never heard of it	112	25.3%
Heard of it, but don't know details	109	24.6%
Somewhat familiar with it and its requirements	153	34.5%
Very familiar with it and its requirements	69	15.6%
Total	443	100.0%

**Years of Employment and Preliminary Awareness**

Since the Clery Act has been in effect and actively enforced for more than 25 years, the researcher looked at the distribution of current and cumulative years of employment for the respondents who indicated that they had never heard of the Act (Table 1). Table 2 shows a side-by-side comparison of years of employment at colleges of current employment and total years employed in higher education at community colleges. For this comparison, data for seven of the 112 responses presented in Table 1 were excluded due to incomplete survey submissions.

According to survey results, of the 105 respondents who answered that they have never heard of the Clery Act, 39% ( $n = 41$ ) had worked at their current institutions for one to five years, 44.7% had worked at their current institutions for six or more years, and 4.7% ( $n = 5$ ) had worked for their current institutions for 20 or more years. When asked about their cumulative years of employment in higher education at community colleges, 31.4% ( $n = 33$ ) of the 105 respondents who have never heard of the Act indicated that they had worked at community colleges for one to five years, 52.3% had worked at community colleges for six or more years, and 4.7% ( $n = 5$ ) had worked for community colleges for 20 or more years (Table 2).

Table 2

*Current and Cumulative Years Employed: Respondents Who Answered “I have never heard of it.”*

Years Employed	Current College ( <i>n</i> )	Current College (Percent)	Cumulative Community College ( <i>n</i> )	Cumulative Community College (Percent)
Less than one year	16	15.24%	15	14.29%
1 - 5 years	41	39.05%	33	31.43%
6 - 10 years	28	26.66%	30	28.57%
11 - 15 years	11	10.48%	15	14.29%
16 - 20 years	3	2.86%	5	4.76%
More than 20 years	5	4.76%	5	4.76%
No Response	1	.95%	2	1.90%
Total	105	100.00%	105	100.00%

A Pearson correlation coefficient test was performed using the SPSS 24 statistical software package. The correlational analysis was computed to evaluate a whether relationship exists between preliminary awareness (i.e., response to survey item SQ1) and years of cumulative employment in higher education at community colleges. The Pearson test measures both the strength of an association and the direction of the relationship for each variable. The result of the analysis indicated a positive relationship between preliminary awareness responses and years of cumulative employment in higher education at community colleges ( $r = .293, p < .001$ ). This suggests that years of experience may play a role in an employee’s awareness of the Clery Act. Table 3 presents the correlation result for the association between preliminary awareness and years of cumulative employment.

Table 3

*Bivariate Correlation Between Preliminary Clery Act Awareness and Years of Cumulative Employment at Community Colleges*

		Preliminary Awareness	Years Cumulative
Preliminary Awareness	Pearson Correlation	1	.293**
	Sig. (2-tailed)		.000
	N	358	358
Years Cumulative	Pearson Correlation	.293**	1
	Sig. (2-tailed)	.000	
	N	358	358

\*\* . Correlation is significant at the 0.01 level (2-tailed).

**Demographic Data: Participant Characteristics**

Before Clery Act Reporting Awareness Scores are presented for each stratum levels, demographic statistics related to survey participant characteristics are presented below. Personal and professional demographic items included 1) identification of sex; 2) highest level of degree obtained; 3) years employed at current institution; 4) years employed in higher education at community colleges, and 5) current primary employment classification.

**Demographics: Sex**

Of the 443 recorded surveys included for descriptive analysis, approximately one-half were completed by female respondents. Female respondents completed 54.1%, and male respondents completed 23.5% of the surveys. Fifteen (3.4%) of the 443 respondents selected preferred not to answer the sex designation question, and 82 (18.5%) respondents either did not complete the survey or opted to not answer the question by leaving the question blank. Table 4 shows the distribution of respondents based on sex.

Table 4

*Sex of Survey Respondents*

Designation of Sex	<i>N</i>	Percent
Females	242	54.6%
Males	104	23.5%
Prefer not to answer	15	3.4%
No response	82	18.5%
Total	443	100.0%

**Demographics: Highest Level of Degree Obtained**

Demographic information pertaining to respondents' educational backgrounds was also reported. Respondents were asked to identify the highest level of degree that they, at the time of completing the survey, had obtained. Based on survey responses for all 443 recorded surveys, 39.2% ( $n = 174$ ) of respondents indicated that they had a master's degree as their highest level of degree obtained, and more than 50% of respondents indicated that they had obtained a master's degree or higher. Table 5 shows the distribution of respondent by degree levels obtained.

Table 5.

*Highest Level of Degree Obtained*

Degree Level	<i>N</i>	Percent
High School Diploma	10	2.26%
Associate's Degree	49	11.06%
Bachelor's Degree	77	17.38%
Master's Degree	174	39.28%
Educational Specialist	6	1.35%
Doctoral Degree	38	8.58%
Professional Doctorate	5	1.13%
Other	4	0.90%
No response	80	18.06%
Total	443	100.00%

*Note.* The doctoral degree category included both PhD and EdD degree designations, and the professional doctorate category included degree designations such as JD, MD, DVM, and DDS.

**Demographics: Years of Employment Current and Cumulative**

To establish how long employees have worked for community colleges currently and cumulatively, respondents were asked demographic questions pertaining to years of employment. Respondent were asked to identify both how long they had been employed by their current institutions and how long they had worked in higher education at community colleges. Eighty-four of the 443 total submitted surveys were excluded from analysis for years of employment because survey respondents exited the survey before being asked the years of employment questions. Table 6 lists the percentages of respondents' current and cumulative average years of community college employment. More than 85% of respondents indicated that they had been employed for more than one year at their current institutions, and more than 91% of respondents had been employed in higher education at community colleges for one or more years.

Table 6

*Distribution of Years Employed: Current College and Cumulative Community College*

*Employment*

Years Employed	Current College ( <i>n</i> )	Current College (Percent)	Cumulative Community College ( <i>n</i> )	Cumulative Community College (Percent)
Less than one year	34	9.47%	24	6.68%
1 - 5 years	121	33.70%	97	27.02%
6 - 10 years	93	25.91%	91	25.35%
11 - 15 years	46	12.81%	49	13.65%
16 - 20 years	28	7.80%	48	13.37%
More than 20 years	30	8.36%	43	11.98%
No Response	7	1.95%	7	1.95%
Total	359	100.00%	359	100.00%

*Note.* The total for Table 3 does not include data for 84 of the original 443 respondents who ended the survey and did not participate in this portion of the survey.

**Demographics: Primary Employment Classification**

To determine which stratum respondents represented, respondents were asked to identify their current primary employment classifications based on five primary employment classification options: academics, institutional support, student services, workforce development, and the option “other.” Respondents were instructed to select the group that most accurately reflected their current primary employment classification. Once a primary employment classification was selected, respondents were then asked to identify a more specific employment designation based on their employment roles at their current institutions using the Skip Logic question function (See Appendix G – survey items SQ25, SQ26, SQ27, and SQ28).

Of the 359 completed surveys included for this portion of the data analysis, approximately one-half (49.8%;  $n = 179$ ) of the respondents identified themselves as having a primary employment classification associated within the academic area of their respective colleges. The “Academics” option included individuals who are designated as full-time faculty, adjunct faculty, academic department chairs, academic deans, chief academic officers, provosts, academic vice-presidents and college presidents. Respondents classified as “Student Services” included individuals designated as student services administrators such as vice-presidents, deans, and directors and non-administrator student services personnel. Of the 359 respondents, 16.7% ( $n = 60$ ) categorized their current employment classification as “Student Services.” The “Institutional Support” designation included information technology (IT) personnel, administrative assistants, tutors, facilities personnel, business office employees, records office employees, human resources representatives, and security officials. Institutional support personnel made up 25.3% ( $n = 91$ ) of the total respondents. For the remaining responses, 5.8% ( $n = 21$ ) were designated as “Workforce Development,” and 1.9% ( $n = 7$ ) of respondents listed their primary employment classification as “Other.” Table 7 shows the frequencies of primary employment classifications for the 359 respondents who completed the demographic and stratum determination sections of the survey.

Table 7

*Primary Employment Classification: All Respondents*

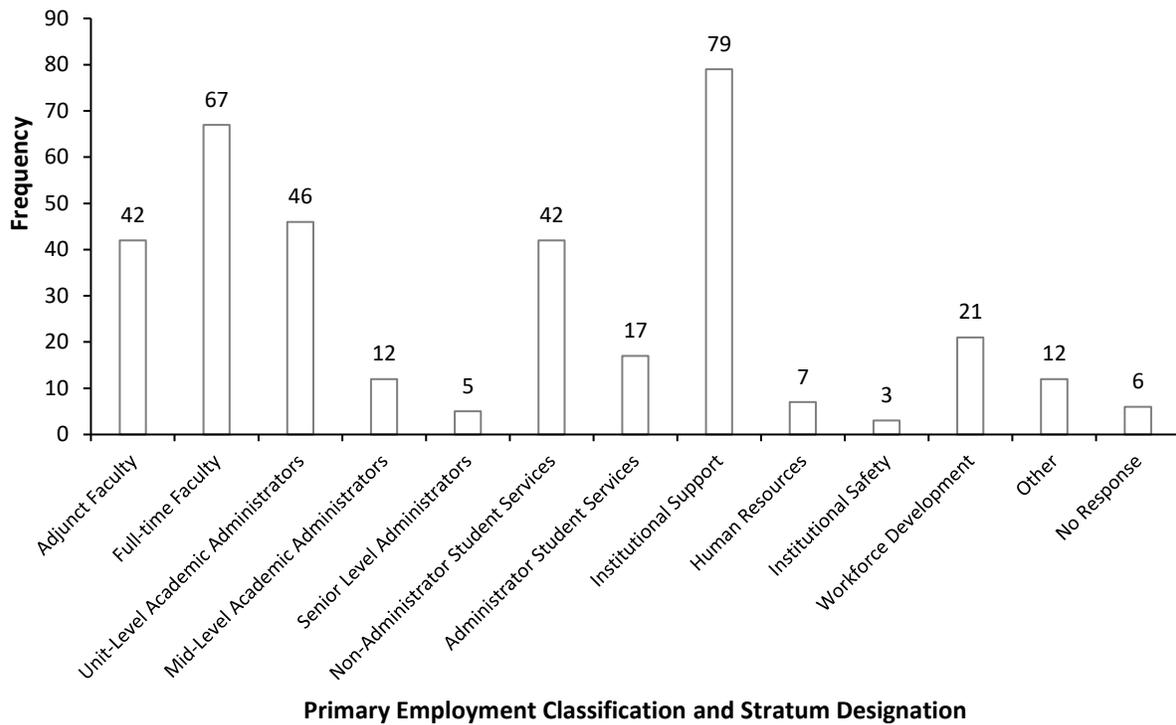
Primary Employment Classification	<i>N</i>	Percent
Academics	179	49.86%
Student Services	60	16.71%
Institutional Support	91	25.35%
Workforce Development	21	5.85%
Other	7	1.95%
No response	1	0.28%
Total	359	100.00%

*Note.* The total for Table 4 does not include data for 84 of the original 443 respondents who ended the survey prematurely and did not provide responses for demographic survey items.

**Stratum Designation**

For this study, the research questions asked the extent to which employees in defined institutional strata were aware of Clery Act reporting requirements. To address the research questions, respondents first had to be categorized into employment strata based on primary institutional employment roles, functional definitions for which were presented in Chapter One. To determine the strata in which respondents should be categorized, Skip Logic survey options were used to direct respondents to more specific employment role designations based on identified primary employment classifications presented in Table 7 above. Figure 2 presents the distribution of primary employment roles for 359 of the total 443 respondents who completed the demographic and strata determination sections of the survey. Survey results show that the highest percentages of survey responses were provided by respondents classified as institutional support (22.0%;  $n = 79$ ), full-time faculty (18.7%;  $n = 67$ ), unit-level academic administrators (12.8%;  $n = 46$ ), and adjunct faculty (11.7%;  $n = 42$ ). The lowest percentage of responses were reported for

institutional safety (0.8%;  $n = 3$ ), senior level administrators (1.4%;  $n = 5$ ), and human resources personnel (1.9%;  $n = 7$ ). Dependent upon how respondents answered survey item SQ1 on the Johnson Survey of Community College Clery Act Awareness, some responses included in Figure 2 will be excluded from Clery Act Reporting Awareness Score calculations. Clery Act Reporting Awareness Score determinations by institutional strata will be discussed in more detail later in this chapter. The next section will present an employment classification breakdown for respondents who have and have not heard of the Act.



*Figure 2.* Distribution of primary employment roles per designated employment stratum. The distribution of primary employment roles for 359 of the total 443 respondents who completed the demographic and stratum determination sections of the research survey.

### **Stratum Designation: “I have never heard of it.”**

Figure 3 presents the employment roles and strata for 105 respondents who indicated that they had never heard of the Clery Act. Survey results show that the highest percentages of survey respondents who had never heard of the Clery Act were institutional support (21.9%;  $n = 23$ ), adjunct faculty (21.9.7%;  $n = 23$ ), and full-time faculty (17.1%;  $n = 18$ ). Although with lower percentages, employees within the unit-level academic administrators (12.4%;  $n = 13$ ), mid-level academic administrators (1.0%;  $n = 1$ ), student services administrators (1.0%;  $n = 1$ ), non-administrator student services (7.6%;  $n = 1$ ), and human resources (1.9%;  $n = 2$ ) strata also indicated that they had never heard of the Clery Act. As stated previously, a Clery Act Reporting Awareness Score of zero was assigned to each of the respondents who had never heard of the Clery Act due to their lack of awareness. The next section will present data for the respondents ( $n = 254$ ) who indicated that they did have a preliminary level of awareness related to the Clery Act.

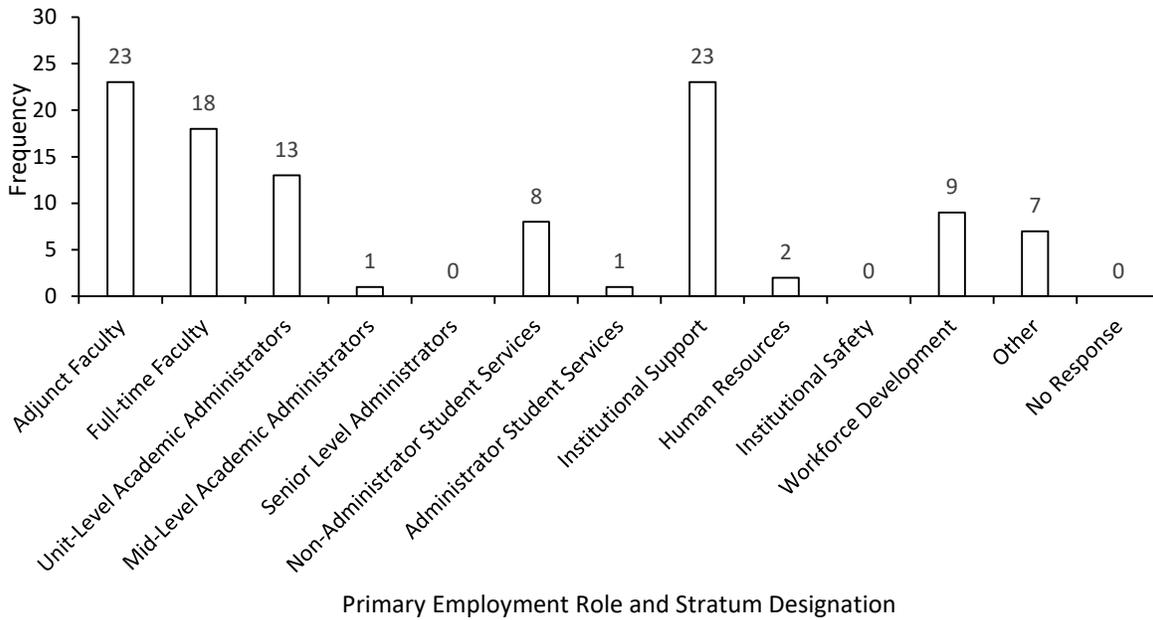
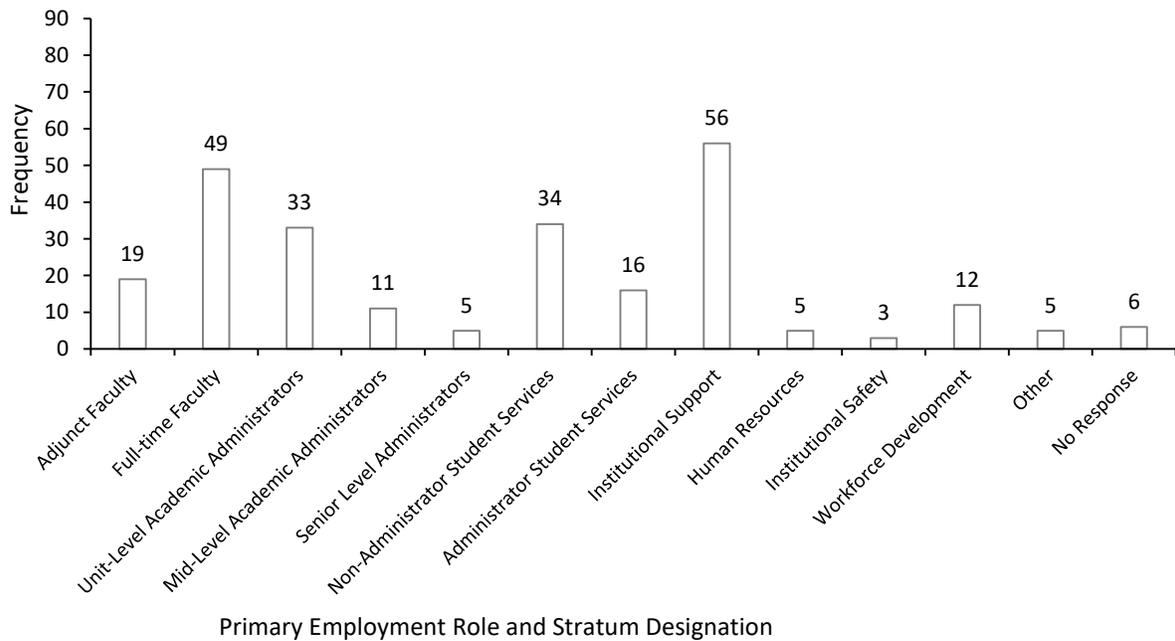


Figure 3. Distribution of employment roles and stratum designations for respondents indicating “I have never heard of it.” The distribution of primary employment roles for 105 respondents who completed the demographic and strata level determination sections of the research survey.

**Stratum Designation: Respondents with Preliminary Awareness.**

Figure 4 shows the distribution of primary employment roles for 254 survey respondents who indicated that they had some preliminary level of awareness regarding the Clery Act for survey item SQ1 (Table 1). For this comparison, data for 77 of the 331 responses presented in Table 1 were excluded because survey respondents exited the survey and did not answer strata determination questions. Survey results show the highest percentages of survey respondents who indicated an initial level of awareness regarding the Clery Act were classified as institutional support (22.0%;  $n = 56$ ), full-time faculty (19.0%;  $n = 49$ ), non-administrator student services (13.4%;  $n = 34$ ), and unit-level academic administrators (13.0%;  $n = 33$ ). At lower percentages, employees within the employment classifications of adjunct faculty (7.5%;  $n = 19$ ), student services administrators (6.3%;  $n = 16$ ), workforce development (4.7%;  $n = 12$ ), mid-level

academic administrators (4.3%;  $n = 11$ ), human resources (2.0%;  $n = 5$ ), senior level administrators (2.0%;  $n = 5$ ), and institutional safety (1.2%;  $n = 3$ ) also reported preliminary levels of awareness. A total of 4.4% of respondents answered either “Other” or provided no response and therefore could not have a stratum designated (Figure 4). The following sections will present findings to address Clery Act Reporting Awareness Score determinations and correlation analyses among preliminary awareness, calculated awareness scores, and employment strata.



*Figure 4.* Distribution of employment roles and stratum designations for respondents reporting preliminary Clery Act awareness. The distribution of primary employment roles for 254 respondents who indicated some level of preliminary Clery Act reporting awareness and completed the demographic and strata level determination sections of the research survey.

## Clery Act Reporting Awareness Score Determinations

To determine respondents' levels of Awareness as it relates to Clery Act reporting requirements, survey items SQ4, SQ5, SQ7, and items SQ9 through SQ17 on the Johnson Survey of Community College Clery Act Awareness (Appendix G) were used to calculate a Clery Act Reporting Awareness Score for each respondent. Of the 443 recorded survey submissions, 359 were completed in their entirety. As previously stated, data for 84 incomplete surveys were removed from consideration for analysis due to missing Clery Act Reporting Awareness Score calculation components (i.e., survey items SQ4, SQ5, SQ7 or SQ9-SQ17) and missing employment classifications that are required for strata determinations. Table 8 shows the preliminary awareness responses for only the 359 respondents included in the Clery Act Reporting Awareness Score determinations (Table 1 shows preliminary awareness responses for all 443 recorded surveys).

Table 8

### *Preliminary Awareness Responses Included in the Clery Act Reporting Awareness Score Determination*

Level of Awareness	<i>n</i>	Percent
Never heard of it	105	29.25%
Heard of it, but don't know details	78	21.73%
Somewhat familiar with it and its requirements	125	34.82%
Very familiar with it and its requirements	51	14.20%
Total	359	100.00%

To calculate a Clery Act Reporting Awareness Score, respondents were assigned one Awareness point for each Clery Act reporting requirement that was answered correctly for survey items SQ4, SQ5, SQ7, and SQ9 through SQ17, based on current Clery Act data reporting

information. A perfect Awareness Score of 76 points was possible for correctly reporting which information items were included and which were excluded for each survey item included in the Awareness Score calculation. Respondents were assigned one Awareness point for each item they knew to include and one point for each item they knew to exclude for each Clery Act reporting item. Once individual respondent scores were determined, a mean Clery Act Reporting Awareness Score was calculated for each institutional employment stratum defined by the research questions developed for this study. Figure 5 presents the mean Clery Act Reporting Awareness Scores per stratum. Levels of awareness were ranked using a researcher defined point scale ranging from zero to 76. Categories for the levels of awareness were designated using the zero to 76 point scale and the standard 10-point academic grading scale (i.e., 100-90% (A), 89-80% (B), 79-70 (C), 69-60% (D); 50-0% (F)). Awareness Scores ranging from 69 to a perfect score of 76 were classified as High Awareness; from 61 to 68 Moderate Awareness; from 53 to 60 Limited Awareness; from 46 to 52 Low Awareness; from 1 to 45 Very Low Awareness; and a score of zero was defined as No Awareness. For the 359 completed surveys, the total average Awareness Score was calculated to be 24.5, which corresponds to Very Low Awareness. When the 105 “I have never heard of it” responses were removed from the calculation, the average rose to 43.5, but that figure also fell within the Very Low Awareness ranking category.

### **Correlation Findings: Preliminary Awareness, Employment Strata, and Awareness Scores**

Pearson correlation coefficient analyses were performed to evaluate whether relationships exist between preliminary awareness (i.e., response to survey item SQ1) and employment strata and between preliminary awareness and calculated awareness scores. The result of the preliminary awareness and employment strata correlation analysis indicated that there was no statistically significant association between preliminary awareness responses and employment

strata ( $r = -.080, p < .05$ ). Table 9 shows the correlation analysis between preliminary awareness and employment strata.

Table 9

*Bivariate Correlation Between Preliminary Awareness and Employment Strata*

		Preliminary Awareness	Strata
Preliminary Awareness	Pearson Correlation	1	-.080
	Sig. (2-tailed)		.129
	N	358	357
Strata	Pearson Correlation	-.080	1
	Sig. (2-tailed)	.129	
	N	357	357

A Pearson correlation was also performed to evaluate whether a relationship exists between preliminary awareness (i.e., response to survey item SQ1) and calculated awareness scores (i.e., responses to survey items SQ4, SQ5, SQ7, and SQ9-SQ17). The result of this correlation analysis indicated that there was a positive association between preliminary awareness responses and calculated awareness scores ( $r = .798, p < .001$ ). This correlation suggests that individuals who reported a preliminary level of awareness were more likely to have higher calculated awareness scores. This result was expected, since a preliminary level of awareness was a requirement in the determination of the calculated awareness scores. Table 10 presents the correlation results for the association between preliminary awareness and calculated awareness scores.

Table 10

*Bivariate Correlation Between Preliminary Awareness and Calculated Awareness Score*

		Preliminary Awareness	Awareness Score
Preliminary Awareness	Pearson Correlation	1	.798**
	Sig. (2-tailed)		.000
	N	358	358
Awareness Score	Pearson Correlation	.798**	1
	Sig. (2-tailed)	.000	
	N	358	358

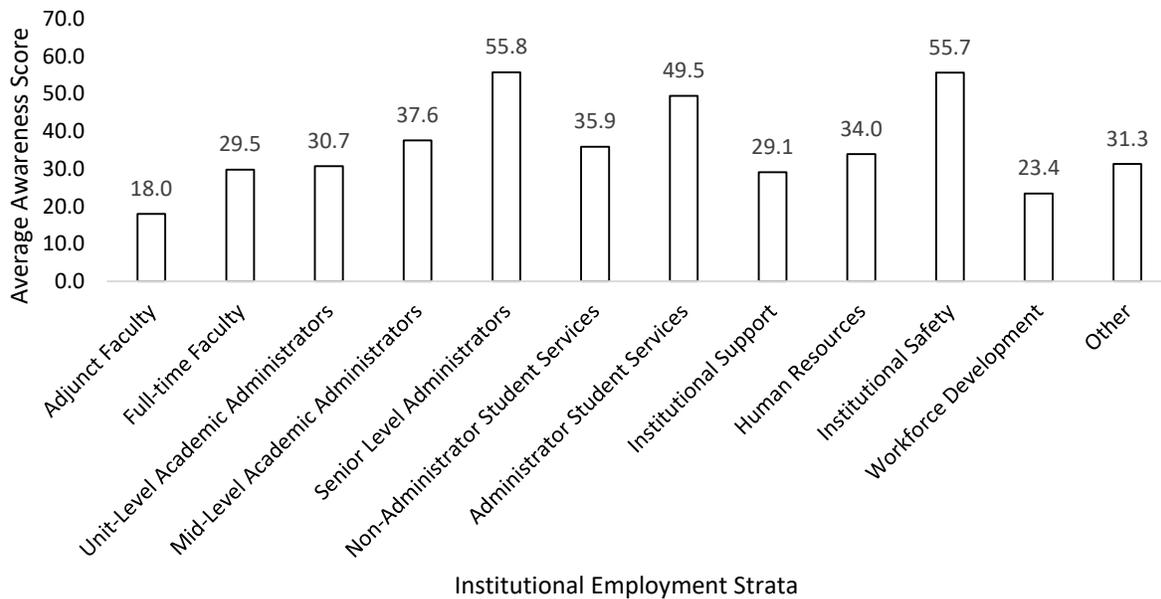
\*\* . Correlation is significant at the 0.01 level (2-tailed).

**Findings Related to Research Questions**

For this study, the research questions were designed to explore the extent to which community college employees in defined institutional strata are aware of the Clery Act and its reporting requirements. Using the Johnson Survey of Community College Clery Act Awareness, respondents were first categorized into defined employment strata based on primary institutional employment roles. Once employment strata were identified, respondent awareness was then calculated using responses from specific survey items. Functional definitions for individual strata designations were presented in Chapter One. To address the research questions, this section will present the findings related to levels of preliminary awareness (i.e., response to SQ1) and calculated Clery Act Reporting Awareness Scores (i.e., responses to SQ4, SQ5, SQ7, and SQ9-SQ17) per stratum. In addition, findings related to preliminary awareness and calculated Clery Act Reporting Awareness Scores across all employment strata will also be presented.

## **Findings: Preliminary and Calculated Awareness Across All Strata**

As an introduction to the findings for the research questions, the mean preliminary awareness responses reported across all strata designations were examined. Survey results showed that 70.8% ( $n = 254$ ) of the research sample included in the analyses for the research questions indicated that they had some level of preliminary awareness (Figures 2 and 4) related to the Clery Act, while 29.2% ( $n = 105$ ) of the research sample indicated that they were unaware of the Act (Table 8). The mean calculated Awareness Score for all included strata were also examined. The mean calculated Awareness Score for all strata designations included as part of the research questions was calculated to be 37.8 out of a possible 76 awareness points, which corresponds to the Very Low Awareness category range. The calculated Awareness Scores ranged from 18.0 to 55.8 awareness points, with 18.0 being the mean score earned by adjunct faculty and 55.8 being the mean score earned by senior-level administrators. Using the researcher designed ranking system for Awareness, an awareness level of Very Low Awareness would receive a grade of “F” on the standard 10-point academic grading scale. For the purposes of this study, workforce development and employees classified as “other” were not included in the mean Awareness Score determination because those designations were not identified as one of the research question strata designations. Figure 5 presents a frequency distribution for average calculated Awareness Scores per employment stratum.



*Figure 5.* Mean Clery Act Reporting Awareness Scores per employment stratum. Mean awareness scores were calculated using individual Clery Act Reporting Awareness Scores for each stratum level based on responses to survey items SQ4, SQ5, SQ7, and SQ9–SQ17 on the Johnson Survey of Community College Clery Act Awareness.

A Pearson correlation was performed to evaluate whether a relationship exists between calculated Awareness Scores (i.e., responses to survey items SQ4, SQ5, SQ7, and SQ9–SQ17) and employment strata. The result of the correlation analysis indicated that there was no statistically significant relationship between calculated Awareness Scores and employment strata ( $r = -.065, p > .05$ ). Table 11 presents the correlation results for the association between calculated Awareness Scores and employment strata. Data for the individual research questions and employment strata will be presented in the next section.

Table 11

*Bivariate Correlation Between Calculated Awareness Scores and Employment Strata*

		Awareness Score	Strata
Awareness Score	Pearson Correlation	1	-.065
	Sig. (2-tailed)		.218
	N	358	357
Strata	Pearson Correlation	-.065	1
	Sig. (2-tailed)	.218	
	N	357	357

**Findings Related to Research Question One**

Research question one (RQ1) asked, “To what extent, if any, are full-time faculty aware of Clery Act reporting requirements?” Data from preliminary awareness responses (i.e., responses to SQ1) and calculated Clery Act Awareness Scores (i.e., responses to SQ4, SQ5, SQ7, and SQ9-SQ17) were used to address RQ1. Using the full-time faculty data presented in Figures 2, 3, and 4 and Table 8, the data showed that 73.1% ( $n = 49$ ) of full-time faculty indicated that they had a preliminary level of awareness related to the Clery Act (Figure 4), while 26.9% ( $n = 18$ ) indicated that they were unaware of the Clery Act (Figure 3).

After indicating a preliminary level of awareness for survey item SQ1, a Clery Act Reporting Awareness Score was determined for each respondent in the full-time faculty stratum. The mean Clery Act Reporting Awareness Score for the full-time faculty stratum was calculated to be 29.5 out of a possible 76 awareness points (Figure 5), which corresponds to the researcher designed ranking category of Very Low Awareness. Of the full-time faculty included in this stratum, 22 (32.8%) earned an Awareness Score of zero either by answering “I have never heard

of it” to survey item SQ1 or by responding incorrectly to survey items included in the Awareness Score calculation. The mean Clery Act Reporting Awareness Scores per employment stratum are presented in Figure 5.

The findings for RQ1 suggest that full-time faculty included in the research sample are more likely to have heard of the Clery Act than not. Outside of a preliminary awareness, however, their knowledge of the specific reporting requirements associated with the Clery Act scored a performance letter grade of “F” on the standard 10-point academic grading scale.

### **Findings Related to Research Question Two**

Research question two (RQ2) asked, “To what extent, if any, are adjunct faculty aware of Clery Act reporting requirements?” Data from preliminary awareness responses (i.e., responses to SQ1) and calculated Clery Act Awareness Scores (i.e., responses to SQ4, SQ5, SQ7, and SQ9-SQ17) were used to address RQ2. Using the adjunct faculty data presented in Figures 2, 3, and 4 and Table 8, the data showed that 45.2% ( $n = 19$ ) of adjunct faculty indicated that they had a preliminary level of awareness related to the Clery Act (Figure 4), while 54.8% ( $n = 23$ ) indicated that they were unaware of the Clery Act (Figure 3).

After indicating a preliminary level of awareness for survey item SQ1, a Clery Act Reporting Awareness Score was determined for each respondent in the adjunct faculty stratum. The mean Clery Act Reporting Awareness Score for the adjunct faculty stratum was calculated to be 18.0 out of a possible 76 awareness points (Figure 5), which corresponds to the researcher designed ranking category of Very Low Awareness. Of the adjunct faculty included in this stratum, 24 (57.1%) earned a score of zero either by answering “I have never heard of it” to survey item SQ1 or by responding incorrectly to survey items included in the Awareness Score

calculation. The mean Clery Act Reporting Awareness Scores per employment stratum are presented in Figure 5.

The findings for RQ2 suggest that adjunct faculty included in the research sample are more likely to have not heard of the Clery Act. With more than 50% of the adjunct research sample indicating that they have never heard of the Clery Act, it is not surprising that the group's knowledge of the specific reporting requirements associated with the Clery Act fell within in the Very Low Awareness ranking category and scored a performance letter grade of "F" on the standard 10-point academic grading scale.

### **Findings Related to Research Question Three**

Research question three (RQ3) asked, "To what extent, if any, are student service administrators aware of Clery Act reporting requirements?" Data from preliminary awareness responses (i.e., responses to SQ1) and calculated Clery Act Awareness Scores (i.e., responses to SQ4, SQ5, SQ7, and SQ9-SQ17) were used to address RQ3. Using the student service administrator data presented in Figures 2, 3, and 4 and Table 8, the data showed that 94.1% ( $n = 16$ ) of student service administrators indicated that they had a preliminary level of awareness related to the Clery Act (Figure 4), while 5.9% ( $n = 1$ ) indicated that they were unaware of the Clery Act (Figure 3).

After indicating a preliminary level of awareness for survey item SQ1, a Clery Act Reporting Awareness Score was determined for each respondent in the student service administrators' stratum. The mean Clery Act Reporting Awareness Score for the student service administrators' stratum was calculated to be 49.5 out of a possible 76 awareness points (Figure 5), which corresponds to the researcher designed ranking category of Low Awareness. Of the student service administrators included in this stratum, one respondent earned a score of zero by

incorrectly responding to survey items included in the Awareness Score calculation. The mean Clery Act Reporting Awareness Scores per employment stratum are presented in Figure 5.

The findings for RQ3 suggest that student service administrators included in the research sample are more likely to have heard of the Clery Act than not. Of the 10 research strata included as part of this study, the student service administrators' stratum had the third highest level of preliminary awareness with 94.1% of student service administrators reporting some level of preliminary awareness. Outside of a preliminary awareness, however, their knowledge of the specific reporting requirements associated with the Clery Act fell within the Low Awareness ranking category and scored a performance letter grade of "D" on the standard 10-point academic grading scale. This result could be viewed as surprising, considering the level of responsibility student service administrators have related to institutional and student-related activities. It was anticipated that this stratum of employees would have a higher level of awareness for the Clery Act and its reporting requirements than those in other strata.

#### **Findings Related to Research Question Four**

Research question four (RQ4) asked, "To what extent, if any, are non-administrator student service professionals (e.g., institutional employees who provide resources to students through student engagement; counseling, disability, and career services; veteran affairs; financial aid services, etc.) aware of Clery Act reporting requirements?" Data from preliminary awareness responses (i.e., responses to SQ1) and calculated Clery Act Awareness Scores (i.e., responses to SQ4, SQ5, SQ7, and SQ9-SQ17) were used to address RQ4. Using the non-administrator student service professionals data presented in Figures 2, 3, and 4 and Table 8, the data showed that 81.0% ( $n = 34$ ) of non-administrator student service professionals indicated that they had a

preliminary level of awareness related to the Clery Act (Figure 4), while 19.0% ( $n = 8$ ) indicated that they were unaware of the Clery Act (Figure 3).

After indicating a preliminary level of awareness for survey item SQ1, a Clery Act Reporting Awareness Score was determined for each respondent in the non-administrator student service professionals' stratum. The mean Clery Act Reporting Awareness Score for the non-administrator student service professionals' stratum was calculated to be 35.9 out of a possible 76 awareness points (Figure 5), which corresponds to the researcher designed ranking category of Very Low Awareness. Of the non-administrator student service professionals included in this stratum, 10 (23.8%) earned a score of zero either by answering "I have never heard of it" to survey item SQ1 or by responding incorrectly to survey items included in the Awareness Score calculation. One respondent earned a total Awareness Score of one after indicating "I am somewhat familiar with the Act and its reporting requirements" as the preliminary level of awareness for survey item SQ1. The mean Clery Act Reporting Awareness Scores per employment stratum are presented in Figure 5.

The findings for RQ4 suggest that non-administrator student service professionals included in the research sample are more likely to have heard of the Clery Act than not. Outside of a preliminary awareness, however, their knowledge of the specific reporting requirements associated with the Clery Act fell within the Very Low Awareness ranking category and scored a performance letter grade of "F" on the standard 10-point academic grading scale. As was the case with the student service administrator stratum, there was some expectation that this stratum of employees would have a higher level of awareness for the Clery Act and its reporting requirements than many of the other strata due to the level of student interactions associated with being a student services professional.

## **Findings Related to Research Question Five**

Research question five (RQ5) asked, “To what extent, if any, are senior-level administrators aware of Clery Act reporting requirements?” Data from preliminary awareness responses (i.e., responses to SQ1) and calculated Clery Act Awareness Scores (i.e., responses to SQ4, SQ5, SQ7, and SQ9-SQ17) were used to address RQ5. Using the senior-level administrators data presented in Figures 2, 3, and 4 and Table 8, the data showed that 100.0% ( $n = 5$ ) of senior-level administrators indicated that they had a preliminary level of awareness related to the Clery Act (Figure 4).

After indicating a preliminary level of awareness for survey item SQ1, a Clery Act Reporting Awareness Score was determined for each respondent in the senior-level administrators’ stratum. The mean Clery Act Reporting Awareness Score for the senior-level administrators’ stratum was calculated to be 55.8 out of a possible 76 awareness points (Figure 5), which corresponds to the researcher designed ranking category of Limited Awareness. Of the senior-level administrators included in this stratum, none earned a score of zero, and the highest score earned for the stratum was a 63, which corresponds to the Moderate Awareness ranking category. The mean Clery Act Reporting Awareness Scores per employment stratum are presented in Figure 5.

The findings for RQ5 suggest that senior-level administrators included in the research sample are one of the most likely groups to have at least heard of the Clery Act. The senior-level administrators’ stratum tied with the institutional safety officials’ stratum (RQ10) as having the highest level of preliminary awareness with 100% of senior-level administrators reporting some level of preliminary awareness. Outside of a preliminary awareness, however, their knowledge of the specific reporting requirements associated with the Clery Act fell within the Limited

Awareness category and scored a performance letter grade of “C” on the standard 10-point academic grading scale. Even though a letter grade of “C” is considered an average level of performance in academia, this result was somewhat surprising considering the level of responsibility senior-level administrators have related to institutional responsibilities.

### **Findings Related to Research Question Six**

Research question six (RQ6) asked, “To what extent, if any, are human resource officials aware of Clery Act reporting requirements?” Data from preliminary awareness responses (i.e., responses to SQ1) and calculated Clery Act Awareness Scores (i.e., responses to SQ4, SQ5, SQ7, and SQ9-SQ17) were used to address RQ6. Using the human resource officials data presented in Figures 2, 3, and 4 and Table 8, the data showed that 71.4% ( $n = 5$ ) of human resource officials indicated that they had a preliminary level of awareness related to the Clery Act (Figure 4), while 28.6% ( $n = 2$ ) indicated that they were unaware of the Clery Act (Figure 3).

After indicating a preliminary level of awareness for survey item SQ1, a Clery Act Reporting Awareness Score was determined for each respondent in the human resource officials’ stratum. The mean Clery Act Reporting Awareness Score for the human resource officials’ stratum was calculated to be 34.0 out of a possible 76 awareness points (Figure 5), which corresponds to the researcher designed ranking category of Very Low Awareness. Of the human resource officials included in this stratum, 2 (28.6%) earned a score of zero by answering “I have never heard of it” to survey item SQ1. The highest earned individual Awareness Score for the respondents in this stratum was 63, which corresponded to the Moderate Awareness ranking category. The mean Clery Act Reporting Awareness Scores per employment stratum are presented in Figure 5.

The findings for RQ6 suggest that human resource officials included in the research sample are more likely to have heard of the Clery Act than not. Outside of a preliminary awareness, however, their knowledge of the specific reporting requirements associated with the Clery Act scored a performance letter grade of “F” on the standard 10-point academic grading scale. This result may also be viewed as surprising considering the close association between the Clery Act and Title IX compliance and the duties of Campus Security Authorities.

### **Findings Related to Research Question Seven**

Research question seven (RQ7) asked, “To what extent, if any, are mid-level academic administrators (e.g., academic deans or their equivalent) aware of Clery Act reporting requirements?” Data from preliminary awareness responses (i.e., responses to SQ1) and calculated Clery Act Awareness Scores (i.e., responses to SQ4, SQ5, SQ7, and SQ9-SQ17) were used to address RQ7. Using the mid-level academic administrators data presented in Figures 2, 3, and 4 and Table 8, the data showed that 91.7% ( $n = 11$ ) of mid-level academic administrators indicated that they had a preliminary level of awareness related to the Clery Act (Figure 4), while 8.3% ( $n = 1$ ) indicated that they were unaware of the Clery Act (Figure 3).

After indicating a preliminary level of awareness for survey item SQ1, a Clery Act Reporting Awareness Score was determined for each respondent in the mid-level academic administrators’ stratum. The mean Clery Act Reporting Awareness Score for the mid-level academic administrators’ stratum was calculated to be 37.6 out of a possible 76 awareness points (Figure 5), which corresponds to the researcher designed ranking category of Very Low Awareness. Of the mid-level academic administrators included in this stratum, 3 (21.4%) earned a score of zero either by answering “I have never heard of it” to survey item SQ1 or by responding incorrectly to survey items included in the Awareness Score calculation. The highest

individual Awareness Score earned for this stratum was a 62, which corresponded to the Moderate Awareness ranking category. The mean Clery Act Reporting Awareness Scores per employment stratum are presented in Figure 5.

The findings for RQ7 suggest that mid-level academic administrators included in the research sample are more likely to have heard of the Clery Act than not. Outside of a preliminary awareness, however, their knowledge of the specific reporting requirements associated with the Clery Act fell within the Very Low Awareness ranking category and scored a performance letter grade of “F” on the standard 10-point academic grading scale. This result is not especially surprising, since mid-level academic administrators focus primarily on managing academic areas and programs and are not typically classified as Campus Security Authorities unless specifically designated as such by the college.

### **Findings Related to Research Question Eight**

Research question eight (RQ8) asked, “To what extent, if any, are unit-level academic administrators (e.g., department chairperson, division chairperson, program coordinator, program director, etc.) aware of Clery Act reporting requirements?” Data from preliminary awareness responses (i.e., responses to SQ1) and calculated Clery Act Awareness Scores (i.e., responses to SQ4, SQ5, SQ7, and SQ9-SQ17) were used to address RQ8. Using the unit-level academic administrators data presented in Figures 2, 3, and 4 and Table 8, the data showed that 71.7% ( $n = 33$ ) of unit-level academic administrators indicated that they had a preliminary level of awareness related to the Clery Act (Figure 4), while 28.3% ( $n = 13$ ) indicated that they were unaware of the Clery Act (Figure 3).

After indicating a preliminary level of awareness for survey item SQ1, a Clery Act Reporting Awareness Score was determined for each respondent in the unit-level academic

administrators' stratum. The mean Clery Act Reporting Awareness Score for the unit-level academic administrators stratum was calculated to be 30.7 out of a possible 76 awareness points (Figure 5), which corresponds to the researcher designed ranking category of Very Low Awareness. Of the unit-level academic administrators included in this stratum, 15 (31.9%) earned a score of zero either by answering "I have never heard of it" to survey item SQ1 or by responding incorrectly to survey items included in the Awareness Score calculation. The highest individual total Awareness Score earned for this stratum was a 67, which corresponded to the Moderate Awareness ranking category. The mean Clery Act Reporting Awareness Scores per employment stratum are presented in Figure 5.

The findings for RQ8 suggest that unit-level academic administrators included in the research sample are more likely to have heard of the Clery Act than not. Outside of a preliminary awareness, however, their knowledge of the specific reporting requirements associated with the Clery Act fell within the Very Low Awareness ranking category and scored a performance letter grade of "F" on the standard 10-point academic grading scale. To the extent that unit-level academic administrators typically focus on managing individual academic areas and programs and are not typically classified as Campus Security Authorities, this was not an unanticipated result.

### **Findings Related to Research Question Nine**

Research question nine (RQ9) asked, "To what extent, if any, are institutional support personnel (e.g., clerical/secretarial, technical/paraprofessional, skilled crafts, service/maintenance, information technology employees, records personnel, and business office personnel, etc.) aware of Clery Act reporting requirements?" Data from preliminary awareness responses (i.e., responses to SQ1) and calculated Clery Act Awareness Scores (i.e., responses to

SQ4, SQ5, SQ7, and SQ9-SQ17) were used to address RQ9. Using the institutional support personnel data presented in Figures 2, 3, and 4 and Table 8, the data showed that 70.9% ( $n = 56$ ) of institutional support personnel indicated that they had a preliminary level of awareness related to the Clery Act (Figure 4), while 29.1% ( $n = 23$ ) indicated that they were unaware of the Clery Act (Figure 3).

After indicating a preliminary level of awareness for survey item SQ1, a Clery Act Reporting Awareness Score was determined for each respondent in the institutional support personnel stratum. The mean Clery Act Reporting Awareness Score for the institutional support personnel was calculated to be 29.1 out of a possible 76 awareness points (Figure 5), which corresponds to the researcher designed ranking category of Very Low Awareness. Of the institutional support personnel included in this stratum, 28 (32.9%) earned a score of zero either by answering “I have never heard of it” to survey item SQ1 or by responding incorrectly to survey items included in the Awareness Score calculation. The highest individual Awareness Score for all strata was earned by a respondent in this category. The highest total Awareness Score earned for this stratum and was a 72, which corresponded to the High Awareness ranking category. The mean Clery Act Reporting Awareness Scores per employment stratum are presented in Figure 5.

The findings for RQ9 suggest that institutional support personnel included in the research sample are more likely to have heard of the Clery Act than not. Outside of a preliminary awareness, however, their knowledge of the specific reporting requirements associated with the Clery Act fell within the Very Low Awareness ranking category and scored a performance letter grade of “F” on the standard 10-point academic grading scale. Some employees in this stratum may have no need to know about the Clery Act and its reporting requirements since they may

have no regular interactions with students or student activities. Others, however, do need to be more aware of the Act than others if they are classified as Campus Security Authorities.

### **Findings Related to Research Question 10**

Research question 10 (RQ10) asked, “To what extent, if any, are institutional safety officials aware of Clery Act reporting requirements?” Data from preliminary awareness responses (i.e., responses to SQ1) and calculated Clery Act Awareness Scores (i.e., responses to SQ4, SQ5, SQ7, and SQ9-SQ17) were used to address RQ10. Using the institutional safety officials data presented in Figures 2, 3, and 4 and Table 8, the data showed that 100% ( $n = 3$ ) of institutional safety officials indicated that they had a preliminary level of awareness related to the Clery Act (Figure 4).

After indicating a preliminary level of awareness for survey item SQ1, a Clery Act Reporting Awareness Score was determined for each respondent in the institutional safety officials’ stratum. The mean Clery Act Reporting Awareness Score for the institutional safety officials’ stratum was calculated to be 55.7 out of a possible 76 awareness points (Figure 5), which corresponds to the researcher designed ranking category of Limited Awareness. Of the institutional safety officials included in this stratum, the highest earned individual Awareness Score was 66, which corresponds to the Moderate Awareness ranking category. The mean Clery Act Reporting Awareness Scores per employment stratum are presented in Figure 5.

The findings for RQ10 suggest that institutional safety officials included in the research sample are one of the most likely groups to have at least heard of the Clery Act. The safety officials’ stratum tied with the senior-level administrators’ stratum (RQ10) as having the highest level of preliminary awareness with 100% of senior-level administrators reporting some level of preliminary awareness. Outside of a preliminary awareness, however, their knowledge of the

specific reporting requirements associated with the Clery Act fell within the Limited Awareness ranking category and scored a performance letter grade of “C” on the standard 10-point academic grading scale. Even though a corresponding letter grade of “C” is considered an average level of performance in academia, it is plausible to expect that institutional safety officials who are typically designated as Campus Security Authorities and are responsible for the recording of Clery Act crimes in the institutional crime log and Annual Security Report would be among those with the most familiarity.

### **Additional Clery Act Related Awareness**

In addition to answering demographic questions and questions pertaining to specific Clery Act reporting requirements that were used in the Clery Act Reporting Awareness Score calculation, respondents were also asked additional awareness questions related to attendance of Clery Act workshops, annual Clery Act training, responsibilities as a Campus Security Authority (CSA), institutional police departments, Annual Security Reports, and service as student group advisors. Data from these additional awareness questions were not used in the determination of Clery Act Reporting Awareness Scores because the survey items related to these topics did not correspond to specific Clery Act reporting mandates. Clery Act Reporting Awareness Scores were calculated using responses for survey items SQ4, SQ5, SQ7 and SQ9 through SQ17.

### **Annual Training and Workshop Attendance**

In addition to examining preliminary and calculated awareness for individual stratum designations to address the research questions, accessibility to annual Clery Act training was also examined across all employment strata. Respondents who indicated either 1) “I have heard of the Act, but don’t know the details of it”; 2) “I am somewhat familiar with the Act and its reporting requirements”; or 3) “I am very familiar with the Act and its reporting requirements” for survey

question number one (SQ1) on the Johnson Survey of Community College Clery Act Awareness (Table 8), were asked two questions pertaining to Clery Act training. Respondents who indicated “I have never heard of it” for SQ1 were not asked about training or specific reporting requirements, and were instead directed to the demographic section of the survey.

When asked “Does your institution provide employees annual training about the Clery Act reporting requirements,” 34.7% ( $n = 87$ ) of respondents indicated that their respective institutions do provide employees with annual training on the Clery Act and its reporting requirements. Approximately two-thirds of respondents answered either no (28.7%;  $n = 73$ ) their institution does not provide annual training or they did not know (37.0%;  $n = 94$ ) if their institutions provided employees annual training on Clery Act reporting requirements. When asked “At your current institution, have you attended a workshop on Clery Act reporting,” only 29.1% ( $n = 74$ ) of respondents indicated that they had ever attended a Clery Act training workshop at their current institutions, while more than two-thirds of respondents indicated either no (64.2%;  $n = 163$ ) they had not attended a Clery Act training workshop or they did not know (5.9%;  $n = 15$ ) if they had attended a Clery Act training workshop at their current institutions. Table 12 shows survey data for annual Clery Act training and workshop attendance.

Table 12

*Annual Employee Training and Workshop Attendance*

Response	Annual Clery Act Training ( <i>n</i> )	Annual Clery Act Training (Percent)	Clery Act Workshop Attendance ( <i>n</i> )	Clery Act Workshop Attendance (Percent)
Yes	87	34.0%	74	29.1%
No	73	28.7%	163	64.2%
I don't know	94	37.0%	15	5.9%
No Response	0	0.0%	2	0.8%
Total	254	100.0%	254	100.0%

*Note.* Respondents who answered “I have never heard of it” for survey question number one (SQ1) on the Johnson Survey of Community College Clery Act Awareness were not asked workshop and training attendance questions due to Skip Logic question settings.

A Pearson correlational analysis was performed to examine the relationship between the access to annual Clery Act training and strata. The results showed a negative relationship between availability of annual Clery Act training and employment stratum ( $r = -.133, p < .05$ ). While this suggests that individuals classified in some strata may have more access to annual training sessions related to the Clery Act and its reporting requirements at their current institutions than individuals classified in other strata, the strata themselves are not clear. The Pearson correlation data analysis for annual Clery Act training and stratum designations is presented in Table 13.

Table 13

*Bivariate Correlation Between Access to Annual Clery Act Training and Stratum Designations*

		Stratum	Annual Training
Stratum	Pearson Correlation	1	-.133*
	Sig. (2-tailed)		.035
	N	357	252
Annual Training	Pearson Correlation	-.133*	1
	Sig. (2-tailed)	.035	
	N	252	253

\*. Correlation is significant at the 0.05 level (2-tailed).

A Pearson correlation was also performed to examine the relationship between availability of annual Clery Act training and calculated Awareness Scores. The results showed a negative relationship between annual Clery Act training and calculated Awareness Scores ( $r = -.250, p < .001$ ). The result of this correlation was unexpected because the researcher expected that access to annual training would have had a positive relationship with the calculated level of awareness. The Pearson correlation data analysis for annual Clery Act training and calculated Awareness Scores is presented in Table 14

Table 14

*Bivariate Correlation Between Calculated Awareness Score and Annual Clery Act Training*

		Annual Training	Awareness Score Total
Annual Training	Pearson Correlation	1	-.250**
	Sig. (2-tailed)		.000
	N	253	253
Awareness Score Total	Pearson Correlation	-.250**	1
	Sig. (2-tailed)	.000	
	N	253	358

\*\* . Correlation is significant at the 0.01 level (2-tailed).

A Pearson correlational analysis was also performed to examine the relationship between survey respondents who had ever attended a Clery Act training and employment strata designations. The results of the Pearson correlation showed that there was no significant relationship between ever having attended of a training workshop and employment stratum ( $r = -.060, p > .05$ ). The Pearson correlation data analysis for Clery Act training workshop and stratum designations is presented in Table 15.

Table 15

*Bivariate Correlation Between Training Workshop Attendance and Stratum Designations*

		Stratum	Training Workshop
Stratum	Pearson Correlation	1	-.060
	Sig. (2-tailed)		.346
	N	357	250
Training Workshop	Pearson Correlation	-.060	1
	Sig. (2-tailed)	.346	
	N	250	251

**Campus Security Authorities**

Respondents who indicated either 1) “I have heard of the Act, but don’t know the details of it”; 2) “I am somewhat familiar with the Act and its reporting requirements”; or 3) “I am very familiar with the Act and its reporting requirements” for survey item number one (SQ1) on the Johnson Survey of Community College Clery Act Awareness (Table 5), were asked a total of three awareness-related questions pertaining to their responsibilities as Campus Security Authorities (CSA) (i.e., respondents were asked survey question SQ6, SQ20, and SQ29). Respondents who indicated “I have never heard of it [the Act]” for survey item one (SQ1) were asked only two of the three supplemental questions discussed below (i.e., respondents were asked only SQ20 and SQ29).

According to the Clery Act (20 U.S. Code § 1092(f)) as defined by Title 34 of the Code of Federal Regulations (34 CFR §668.46(a)) a “Campus Security Authority” (CSA) is a Clery Act term that encompasses four groups of individuals and organizations associated with an

academic institution. The Institutional Security Policies and Crime Statistics section (§ 668.46(a)(i)) of Title 34 of the Code of Federal Regulations, defines a CSA as

- i. a campus police department or a campus security department of an institution;
- ii. any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department;
- iii. any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses; or
- iv. an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings.<sup>20</sup> (U. S. Department of Education, 2014a, p. 62784; U.S. Department of Education OPE, 2017, p. 558)

In addition, according to *The Handbook for Campus Safety and Security Reporting* (U.S. Department of Education OPE, 2016), one example of CSAs who are not classified as members of a police or security department include “a faculty advisor to a student group” (p. 4-3). Examples of other of individuals who generally meet the criteria for being CSAs include deans of students, athletic coaches, student resident advisors, Title IX coordinators, ombudspersons, and students who monitor access to dormitories or buildings that are owned by recognized student organizations.

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<sup>20</sup> An “official” is defined in *The Handbook for Campus Safety and Security Reporting* as “any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution” (U.S. Department of Education OPE, 2016, p. 4-3).

To determine if respondents' levels of awareness related to whether they are or are not considered or classified CSAs according to the Clery Act, survey participants were asked up to three CSA-related questions. First (dependent upon their response to survey question SQ1), they were asked directly, "Do you have responsibilities as a Campus Security Authority?" Next, they were asked, "Do you serve as an advisor to one or more institutional student groups or organizations?" -- which according to the Clery Act would classify an individual as a CSA. The third and final CSA related question asked, "Based on your primary role, do you consider yourself an official of the college who has significant responsibility for students and campus activities?" According to *The Handbook for Campus Safety and Security Reporting* (U.S. Department of Education OPE, 2016), "If someone has significant responsibility for student and campus activities, he or she is a campus security authority" (p. 4-3).

When asked, "Do you have responsibilities as a Campus Security Authority" (CSA) at your current institution?" only 17.3% ( $n = 44$ ) of respondents answered with an affirmative that they do have responsibilities as CSAs, while 67.7% ( $n = 172$ ) indicated that they did not have responsibilities as CSAs and 15% ( $n = 38$ ) indicated that they did not know if they had institutional responsibilities as CSAs. Table 16 presents the distribution of respondents related to designation as a CSA.

Table 16

*Identification of Campus Security Authorities*

Response	Campus Security Authority ( <i>n</i> )	Campus Security Authority (Percent)
Yes	44	17.3%
No	172	67.7%
I don't know	38	15.0%
No Response	0	0.0%
Total	254	100.0%

*Note.* Respondents who answered “I have never heard of it” to survey question SQ1 were not asked if they are identified as CSAs. The Total (*n*) value reflects data only for respondents who indicated that they had some level of awareness regarding the Clery Act.

Table 17 presents the distribution of responses for the two additional CSA-related questions that were asked of all survey respondents regardless of response to survey item SQ1. The second CSA-related question asked, “Do you serve as an advisor to one or more institutional student groups or organizations?” Of the 359 total survey responses, 79.2% (*n* = 286) of respondents indicated that they do not serve as advisors, while 19.2% (*n* = 69) indicated that they do serve as advisors to at least one student group or organization. For the third and final CSA-related question, respondents were asked, “Based on your primary role, do you consider yourself an official of the college who has significant responsibility for students and campus activities?” For this item, 63.2% (*n* = 227) of respondents indicated that based on their primary employment roles, they do not consider themselves to have significant responsibility for students and campus activities, while 30.4% (*n* = 109) indicated that they do have such a responsibility.

According to the Clery Act, the 69 respondents and 109 respondents, respectively, who responded yes to the CSA-related questions SQ20 and SQ29 would automatically be considered

CSAs under the Clery Act. Additional descriptive comparisons will be presented to determine if any of the respondent who answered “no” to any of the three CSA-related questions are, according to the Clery Act, defined as CSAs. Table 17 presents the frequencies for student advisors and officials with and without significant responsibilities for students and campus activities.

Table 17

*Student Group Advisors and Responsibility for Students and College Activities*

Response	Student Group Advisor ( <i>n</i> )	Student Group Advisor (Percent)	Official with Significant Responsibility ( <i>n</i> )	Official with Significant Responsibility (Percent)
Yes	69	19.2%	109	30.4%
No	286	79.2%	227	63.2%
I don't know	0	0.0%	21	5.8%
No Response	4	1.1%	2	0.6%
Total	359	100.0%	359	100.0%

A closer examination of the CSA-related data showed that of the of the 210 participants who responded either “No, I don’t” or “I don’t know” when asked if they had responsibilities as CSAs (Table 16), 35.2% (*n* = 74) of those respondents provided one or more contradictory response(s) when asked if they serve as advisors and if they are officials with significant responsibility for student and campus activities. Of the 210 respondents who responded either “No, I don’t” or “I don’t know” when asked if they have responsibilities as CSAs (Table 16), 14.8% (*n* = 31) indicated that they are students advisors to one or more student groups or organizations, and 26.2% (*n* = 55) indicated that based on their primary employment roles, they do consider themselves as officials of the college who have significant responsibility for student

and campus activities. Based on the data presented above, some respondents may be either uninformed or misinformed as to their Clery Act reporting responsibilities.

When the total response rate for all 254 respondents who indicated some level of preliminary awareness for survey item SQ1 (Table 8) was taken into consideration, the rates for potentially being either uninformed or misinformed was lowered slightly to 12.2% ( $n = 31$ ) and 21.7% ( $n = 55$ ), respectively. This means that between 12.2-14.8% of the research sample may not be aware that they are CSA's based on their roles as advisors to student groups or organizations, and 21.7-26.2% may be unaware of their roles as CSAs based on their level of responsibility for student and campus activities. Table 18 shows the percentage of respondents who may not know that they are classified as Campus Security Authorities based on survey responses and according to the Clery Act reporting requirements related to the designations as Campus Security Authorities.

Table 18

*Respondents Who May Unknowingly be Classified as Campus Security Authorities*

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Response	Yes, I do ( $n$ )	% ( $N = 210$ )	% ( $N = 254$ )
Student Group Advisor	31	14.80%	12.20%
Official with Significant Responsibility	55	26.20%	21.70%
Total			

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*Note.* This table is displaying data based on the percentage of respondents who provided contradictory responses for CSA-related survey items SQ20 (serves as advisor) and or SQ29 (significant responsibility). That is, after responding either “No” or “I don’t know” to being a CSA (SQ6), respondents then indicated “Yes” to being student advisors (SQ20) and or “Yes” to having significant responsibilities over campus or student activities (SQ29).

## **Campus Police and Annual Security Report**

Respondents who reported some preliminary level of awareness related to the Clery Act for survey item SQ1 (Table 8) were asked additional awareness questions related to institutionally maintained police departments, maintenance of crime logs, and the Annual Security Report (ASR). Although some of the survey items discussed in this section were included in the Awareness Score calculation, the data presented here are intended as descriptive statistics for information related to Awareness of the Clery Act related topics included in this section.

**Campus Police or Security Departments.** When asked if their institutions maintain a campus police department or security department, 75.2% ( $n = 191$ ) of respondents indicated that their respective institutions do maintain police or security departments, while 20.5% ( $n = 52$ ) indicated that their institutions do not maintain a police or security department and 3.9% ( $n = 10$ ) and 0.4% ( $n = 1$ ) either did not know or did not respond to the question, respectively. Of the 191 respondents who indicated that their institutions do maintain police or security departments, 10.5% ( $n = 20$ ) were not aware of whether their institutions maintain crime logs to document reported campus crimes.

Under the Clery Act, it is mandatory for all institutions that maintain a campus police or security department to maintain a written daily crime log of reported criminal incidents (i.e., alleged or actual crimes or offenses reported to CSAs, police or security representatives, or other designated crime reporting authorities) that is available for public inspection during normal business hours (U.S. Department of Education, 2016; U.S. Department of Education OPE, 2017). For the purpose of reporting, all reported or alleged criminal offenses are recorded in the crime log by nature or category of the offense, date and time reported, general location of crime, and

disposition. Crime reports that are determined to be unfounded are listed as unfounded in the disposition, but are never deleted from the crime log (U.S. Department of Education, 2016; U.S. Department of Education OPE, 2017).

**Annual Security Report.** As part of Clery Act reporting requirements, each institution, by October 1 of each year, must publish and distribute an annual security report (ASR) that includes crime statistics recorded in the institution's daily crime log for the previous three calendar years (U.S. Department of Education Office of Postsecondary Education (OPE), 2011; U.S. Department of Education OPE, 2016; U.S. Department of Education OPE, 2017). The report must also include various policies, procedures, and program disclosures about security and safety on campus, and the ASR is required to be distributed annually to all currently enrolled students, all current employees, and to any prospective student or employee upon request (U.S. Department of Education, 2011; U.S. Department of Education, 2016). When survey respondents, which were made up of current community college employees, were asked whether they knew where to find their institution's Annual Security Report, more than one-half (53.1%;  $n = 135$ ) indicated that they did not know where their institution's ASR is located, while 115 or 45.3% of respondent indicated that they did know where their institution's ASR is located. As a follow-up question, respondents were asked, "Have you ever read your institution's annual security report?" For this question, responses aligned with the data from the ASR location question with 55.1% ( $n = 140$ ) of respondents indicating that they had not read their institution's ASR and 44.1% ( $n = 112$ ) of respondents indicating that they had read the report.

### Summary

This chapter presented the findings and statistical analyses for data collected for the current study. The purpose of the study was to evaluate employee awareness of current Clery Act

reporting requirements at varying employment strata within West Virginia's community colleges. Based on the data presented in this chapter, there appears to be a lack of awareness as it relates to the Clery Act and Clery Act reporting requirements among the employees of West Virginia's community colleges who participated in this study. The findings suggest that even after more than 25 years of implementation, 29.2% (Table 8) of the research sample included in awareness determinations for this study has never heard of the Clery Act and more than 91% (Table 6) of the sample had been employed in higher education at a community college for at least one year, with many being unaware and employed for more than five years. According to a researcher-designed awareness ranking system, the mean level of awareness for employees across all employment strata fell into the category of Very Low Awareness. Results also showed that a high percentage of respondents indicated that their respective institutions do not provide annual training related to the Clery Act and its reporting requirements, which could help to account for the very low level of awareness reported. The following chapter will provide additional discussion on the research findings, implications for professional practice, and recommendations for further study.

## **Chapter Five**

### **Summary, Implications, and Recommendations**

Even after more than 25 years of enactment and enforcement, colleges are still finding themselves failing to comply with Clery Act reporting mandates. With each amendment to the Clery Act and its associated policies, the trend has been to add to the list of reportable items, which only increases the difficulty of institutional compliance (National Association of College and University Business Officers, 2002). In 2012, institutions found in violation of the Clery Act as regulated by the Higher Education Act of 1965 (HEA) faced civil fines of up to \$35,000 per violation, the limitation or suspension of federal aid, or the loss of eligibility to participate in federal student aid programs (U.S. Department of Education, 2012). In April of 2017, the U.S. Department of Education increased the fine for Clery Act compliance violations to an all-time high of \$54,789 per violation (Carter, 2017; U.S. Department of Education, 2017). Understanding where potential breaches in compliance may be found should be a matter of primary concern for all higher education administrators whose colleges participate in Title IV funding programs. While many community and technical colleges, like their four-year counterparts, participate in Title IV funding programs, less is known about their compliance practices.

Since all community and technical colleges that participate in Title IV funding programs are held to the same standard of Clery Act compliance as universities and other four-year colleges, and taking into account the small number of studies in the extant literature related to the Clery Act's effect on community colleges, this study attempted to 1) expand the research literature by contributing to what is known about the Clery Act as it relates to community colleges; and 2) serve as a point of reference for West Virginia community college

administrators as they oversee crime reporting and policy developments as part of yearly Clery Act reporting requirements. Identifying potential reporting breaches could save institutions thousands of dollars' worth of fines during a period when state budgets are routinely slashed, resulting in reduced state appropriations to institutions of higher education (Maccaro, 2015).

### **Purpose of the Study**

This was a non-experimental, descriptive study that focused on the colleges included in the Community and Technical College System of West Virginia (see Appendix C). The purpose of this study was to evaluate employee awareness of current Clery Act reporting requirements at varying employment strata within West Virginia's nine community and technical colleges. This study attempted a broader research approach than those in previous studies by 1) examining community colleges using an institution-wide method in assessing reporting requirement awareness across multiple institutional strata, and 2) examining awareness using a statewide or system-wide approach as it relates to community and technical colleges. The findings of the study were used to address the following ten research questions:

1. To what extent, if any, are full-time faculty aware of Clery Act reporting requirements?
2. To what extent, if any, are adjunct faculty aware of Clery Act reporting requirements?
3. To what extent, if any, are student service administrators aware of Clery Act reporting requirements?
4. To what extent, if any, are non-administrator student service professionals aware of Clery Act reporting requirements?
5. To what extent, if any, are senior-level administrators aware of Clery Act reporting requirements?

6. To what extent, if any, are human resource officials aware of Clery Act reporting requirements?
7. To what extent, if any, are mid-level academic administrators (e.g., academic deans or their equivalent) aware of Clery Act reporting requirements?
8. To what extent, if any, are unit-level academic administrators (e.g., department chairperson, division chairperson, program coordinator, program director, etc.) aware of Clery Act reporting requirements?
9. To what extent, if any, are institutional support personnel aware of Clery Act reporting requirements?
10. To what extent, if any, are institutional safety officials aware of Clery Act reporting requirements?

### **Survey Response Rate**

Although the survey response rate for this study was lower than desired (estimated 17.6-21.7% achieved), the rate was deemed adequate by the researcher based on response rates obtained in previous Clery Act studies utilizing surveys as the primary data collection instruments. Previous Clery Act studies utilizing surveys sent to participants by postal mail resulted in response rates between 39.0% and 55.6% (Janosik, 2001; Janosik & Gehring, 2003; Janosik & Gregory, 2003), while more recent Clery Act studies utilizing web-based surveys delivered by email notification had lower response rates ranging from 12.17% to 40% (Gregory & Janosik, 2006; Janosik & Gregory 2009; Soden, 2006).

### **Discussion of Findings**

For this study, the overall research question asked, “To what extent, if any are [employees in defined institutional strata] aware of Clery Act reporting requirements.” Since the

focus of this study was to evaluate community college employees' awareness of the Clery Act and its reporting requirements, the first question (SQ1) on the Johnson Survey of Community College Clery Act Awareness asked respondents to determine the extent to which they were aware of the Clery Act. This question was asked to gauge respondents' initial, perceived levels of Clery Act awareness. Once the initial level of awareness was reported for survey item SQ1, respondents were asked additional questions pertaining to Clery Act reporting requirements. Survey items SQ4, SQ5, SQ7, and SQ9 through SQ17 (Appendix G) were then used to calculate a Clery Act Reporting Awareness Score based on specific Clery Act reporting requirements.

Based on respondents' initial, self-reported levels of awareness, survey results showed that 29.2% of the research sample indicated that they had never heard of the Clery Act or the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This number should be alarming to West Virginia community college administrators, considering that the original Student Right-To-Know and Campus Security Act (Public Law 101-542) was implemented more than 27 years ago in 1990 and was designated the Clery Act in 1998. In addition, such a high level of unawareness for the Act should also be concerning for administrators because the fine for Clery Act reporting violations has grown from \$27,500 to \$54,789 per violation since 2002 (Clery Act History, n.d.; U.S. Department of Education Office of Postsecondary Education (OPE), 2011; U.S. Department of Education OPE, 2016). Even though everyone within an academic institution may not need to know the intricacies associated with specific Clery Act reporting requirements, at least a minimum level of awareness should be expected since the Act is tied so closely to Title IX violations and Title IV federal funding. Even though 74.7% of respondents indicated that they had heard of the Act and had some level of preliminary awareness related to the Act and its reporting requirements, administrators should

still be concerned about the one-fourth of the research sample who had never heard of the Act. If the research sample was representative of the research population, that would mean that more than 500 of the approximate 2,049 community college employees in West Virginia, as of the fall of 2017, have never heard of the Clery Act. This is also concerning since according to survey results, 39% of respondents who answered that they have never heard of the Clery Act have worked at their current institutions for one to five years, with 44.7% having worked at their current institutions for six or more years, and 52.3% of the research sample who have never heard of the Act have worked in higher education at community colleges for six or more years.

Survey results also showed that almost two-thirds of the research sample indicated that either their institutions do not provide annual training or they did not know if their institutions provide employees annual training on the Clery Act and its reporting requirements. When asked if they had attended a workshop on Clery Act reporting at their current institutions, more than two-thirds of the respondents who indicated a preliminary level of Clery Act awareness also indicated that either they had not attended a Clery Act training workshop or they did not know if they had attended a Clery Act training workshop at their current institutions, which likely means that they learned about the Act somewhere else. Lack of training within individual institutions could account for the high level of unawareness reported by employees.

To address the research questions, respondents first had to be categorized into one of the defined employment strata based on primary institutional employment roles. Functional definitions for individual strata designations were presented in Chapter One. To determine in which strata respondents were categorized, respondents were asked to identify their primary employment classifications based on preliminary employment role designations. Survey results show that responses were submitted by individuals in each of the strata included in the study.

The highest percentages of survey responses were provided by respondents classified as institutional support, unit-level academic administrators, full-time faculty, and adjunct faculty.

The lowest percentage of responses were reported for employees classified in the institutional safety, senior level administrators, and human resources employees, which could be reflective of the overall number of these individuals employed within the West Virginia Community and Technical College System.

To determine respondents' levels of Awareness as it relates to Clery Act reporting requirements, survey items SQ4, SQ5, SQ7, and items SQ9 through SQ17 on the Johnson Survey of Community College Clery Act Awareness were used to calculate a Clery Act Reporting Awareness Score for each respondent based on defined institutional strata. For each Clery Act reporting requirement that was answered correctly, based on current Clery Act data reporting information inclusions and exclusions, respondents were assigned one Awareness point. A perfect Awareness Score was based on a total of 76 points possible. Respondents were assigned one Awareness point for each item they knew to include and one point for each item they knew to exclude for each Clery Act reporting survey item. Once individual scores were determined, an average Clery Act Reporting Awareness Score was calculated for each institutional employment stratum that was defined by the research questions. Levels of Awareness were then ranked using a researcher defined point scale ranging from zero to 76. Awareness Scores ranging from 69 to a perfect score of 76 were classified as High Awareness; from 61 to 68, Moderate Awareness; from 53 to 60, Limited Awareness; from 46 to 52, Low Awareness; from 1 to 45, Very Low Awareness; and a score of zero was defined as No Awareness.

Based on survey results, the total average Clery Act Reporting Awareness Score for all included respondents was calculated to be 24.5 out of 76 possible points, with the "I have never

heard of it” Awareness Scores of zero included in the calculation of the average. The average rose to 43.5 out of a possible 76 points when the “I have never heard of it” responses were removed from the calculation. Even with the removal of the zero scores for the respondents who answered “I have never heard of it,” however, the average score for both corresponded to the Very Low Awareness level based on the researcher defined point scale.

Findings related to the research questions showed that the extent of awareness as it relates to Clery Act reporting requirements was classified as Very Low Awareness for respondents in the full-time faculty, adjunct faculty, non-administrator student service professionals, human resource officials, mid-level academic administrators, unit-level administrators, and institutional support personnel strata. Respondents classified in the student services administrators, senior-level administrators, and safety officials strata had an average Awareness Score that fell into the score range categories of Low Awareness, Limited Awareness, and Moderate Awareness, respectively. To some degree it was expected that safety officials would have a higher level of Clery Act reporting requirement awareness than individuals within some of the other strata; however, it was still surprising that the average level of awareness for individuals identified as safety officials was in the Moderate Awareness and not the High Awareness score range. It was also unexpected to find that the average level of awareness for individuals classified as human resources officials had an average score that fell into the Very Low Awareness score range. This was especially surprising since the Clery Act is so closely tied to Title IX. So to answer the overarching research question “To what extent, if any, are [employees in defined institutional strata] aware of Clery Act reporting requirements,” the data suggest that the overall level of awareness for the research sample can be classified as Very Low Awareness.

Pearson correlation coefficient tests suggested that there were positive associations among preliminary awareness responses, calculated awareness scores, and years of cumulative employment in higher education at community colleges. These results suggest that survey participants who indicated a preliminary level of awareness had higher calculated awareness scores. This result was expected since the participants who responded “I have never heard of it” earned a zero for the Clery Act Reporting Awareness Score due to a lack of awareness. The results also suggest, to a lesser degree and based on a weak positive correlation, that individuals who indicated a preliminary level of awareness also had more cumulative years of employment in higher education at community colleges. One final correlation test showed that a weak association was also identified between cumulative years of employment and calculated awareness scores. This association was also expected, since the longer employees have been employed by a community college or within a community college system, the more likely they are to have been exposed to the Clery Act in one way or another.

One additional research finding that was concerning was the number of respondents who may be uninformed as to their responsibilities as Campus Security Authorities (CSA). More than 80% of the sample population indicated that either they do not have responsibilities as CSAs or they do not know if they have institutional responsibilities as CSAs. A closer examination of the CSA-related data showed that of the participants who responded either “No, I don’t” or “I don’t know” when asked if they had responsibilities as CSAs, 35.2% provided one or more contradictory response(s) when asked if they serve as advisors to one or more student groups and if they are officials with significant responsibility for student and campus activities. Based on the percentage of respondents who provided contradictory responses to CSA-related questions, (i.e., 12.2% indicated that they are a student advisors to one or more student groups and 21.7%

percent indicated that they are officials of the college with significant responsibilities for students and campus activities), individuals in both of these categories may be either uninformed or misinformed as to their Clery Act reporting responsibilities. Based on their responses to the student advisor and significant responsibilities questions, these individuals are, according to current Clery Act reporting requirements, considered Campus Security Authorities who are failing to meet their obligations. If institutions are not properly identifying individuals as CSAs, they could potentially be found to be non-compliant with the policy designation standards of the reporting requirements for their annual ASR submission.

### **Conclusion**

The findings of this study suggest that a large percentage of community college employees are, after more than 25 years of enactment, still unaware of the Clery Act and its reporting requirements. Employees may also be uninformed or misinformed about their specific responsibilities related to the reporting requirements of the Act, and many employees are not receiving adequate training related to the Act. Awareness score data suggest that the overall level of awareness for Clery Act reporting requirements across the included institutional employment strata fell within the Very Low Awareness score range. West Virginia community college administrators may have cause for concern. With Clery Act compliance violation fines set at an all-time high of \$54,789 per violation, understanding where potential breaches in compliance may be found should be a matter of primary concern for all higher education administrators whose colleges participate in Title IV funding programs. Identifying potential Clery Act reporting breaches could not only save institutions thousands of dollars' worth of fines, but could enhance the safety and security of its students, faculty and staff. To determine if college employees are aware of the Clery Act and its reporting requirements, administrators need to

evaluate employee awareness of reporting requirements across all institutional strata. As found with previous studies, this study indicates that much work is still needed to increase community college employee awareness of the Clery Act and its reporting requirements.

### **Limitations of the Study**

As stated previously, a primary limitation of this study is that the West Virginia Community and Technical College System is made up of only nine community colleges. A small research population and, in turn, small institutional sample sizes may affect the generalizability of the study. A second potential limitation pertains to the use of self-reported awareness data from college employees to report sensitive information related to Clery Act compliance.

The Clery Act serves as the primary campus crime reporting vehicle for both two-year and four-year colleges, and institutions found to be in noncompliance with reporting mandates risk possible fines or loss of participation in Title IV federal financial aid funding programs. Respondents who are aware of the Act and its potential penalties for noncompliance may be less likely to participate in the study or fully disclose honest opinions as part of survey responses due to perceived institutional implications.

A third potential limitation related to the structure of the survey came to light following the distribution of the survey and based on submitted survey responses. A relatively high number of respondents started but did not complete the survey in its entirety. It was suspected that either the length of the survey or the detailed nature of some of the survey items could have caused survey respondents to lose interest and exit the survey prior to completion. Since the current study was not sponsored by a professional organization and did not provide respondents any type of survey completion incentive or compensation, completion rates could have been affected by participant perceptions of personal salience.

One additional potential limitation of this study is that the author is employed by one of the institutions within the West Virginia Community and Technical College System, which may be viewed as a potential source of bias.

### **Implications for Professional Practice**

This study provided the first Clery Act focused research that looked at employee awareness of current Clery Act reporting requirements at varying employment strata within community colleges and across multiple colleges in a community and technical college system. Previous research has focused primarily on specific niches within the academic community in order to fill gaps within the Clery Act research base. Since all community and technical colleges that participate in Title IV funding programs are held to the same standard of Clery Act compliance as universities and other four-year colleges, and taking into account the small number of studies in the extant literature related to the Clery Act's effect on community colleges, this study 1) expands the research literature by contributing to what is known about the Clery Act as it relates to community colleges; and 2) serves as a point of reference for West Virginia community college administrators as they oversee crime reporting and policy developments as part of yearly Clery Act reporting requirements. In order to determine if employees are aware of the Clery Act and its reporting requirements, administrators need to evaluate employee awareness of reporting requirements across all institutional strata (e.g., administrators, faculty, adjunct faculty, student services, safety officials, institutional support personnel, etc.). Identifying potential reporting breaches could save institutions thousands of dollars' worth of fines and improve the campus security environment.

## **Recommendations for Further Study**

The purpose of this study was to evaluate employee awareness of current Clery Act reporting requirements at varying employment strata within West Virginia's nine community and technical colleges. This study attempted a broader research approach than those in previous studies by 1) examining community colleges using an institution-wide method in assessing reporting requirement awareness across multiple institutional strata, and 2) examining awareness using a statewide or system-wide approach as it relates to community and technical colleges. Findings from both the literature review and the data analysis for the current study revealed several possibilities for future research. As a result, the following recommendation are made to future researchers.

1. A potential limitation of this study was that the study was not sponsored by a professional organization and did not provide respondents any type of survey completion incentive or compensation, which could have affected completion rates. It is suggested that if multi-strata Clery Act awareness studies are performed in the future, researchers are encouraged to obtain the support of a sponsor or supporting agency, such as a chancellor or senior level system representative, before distributing the survey instrument. If the study is supported and participation is encouraged by a supporting agency, employees may be more likely to participate and complete the research survey in its entirety. It is also possible a professional association could be invited to sponsor the study.
2. To increase completion rates, reevaluate the structure of the survey instrument to ensure items related to specific reporting requirements do not contain as much detail and are less time consuming for research participants to answer.

3. This study could be used to assess employee awareness within community college systems in other states. Since West Virginia has only nine community colleges and approximately 2,000 employees in its community college system, the data analysis was manageable for one researcher. If, however, a larger college system is examined, the researcher of the current study suggests that more than one researcher be involved in managing the data collection and analysis for the study.
4. If a statewide approach is deemed unmanageable or unnecessary, future studies could also be narrowed to examine reporting awareness for specific institutional niches or strata, as previous research has done, or focus on an institution-wide evaluation of a single institution.
5. Even though the current study was intended to add to the research base as it relates to community colleges, future studies could also use a similar model to evaluate employee awareness of Clery Act reporting requirements either on an institution wide or within specific institutional niches or strata, at universities or other 4-year institutions.

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## Appendix A: Institutional Review Board Approval Letter



Office of Research Integrity  
Institutional Review Board  
One John Marshall Drive  
Huntington, WV 25755

FWA 00002704

IRB1 #00002205  
IRB2 #00003206

August 4, 2017

Barbara Nicholson, PhD  
Leadership Studies, MUGC

RE: IRBNet ID# 1084781-1

At: Marshall University Institutional Review Board #2 (Social/Behavioral)

Dear Dr. Nicholson:

**Protocol Title:** [1084781-1] Awareness of Clergy Act Reporting Requirements Across Institutional Strata Among West Virginia Community And Technical Colleges.

**Expiration Date:** August 4, 2018

**Site Location:** MUGC

**Submission Type:** New Project APPROVED

**Review Type:** Exempt Review

In accordance with 45CFR46.101(b)(2), the above study and informed consent were granted Exempted approval today by the Marshall University Institutional Review Board #2 (Social/Behavioral) Designee for the period of 12 months. The approval will expire August 4, 2018. A continuing review request for this study must be submitted no later than 30 days prior to the expiration date.

This study is for student Christina Johnson.

If you have any questions, please contact the Marshall University Institutional Review Board #2 (Social/Behavioral) Coordinator Bruce Day, ThD, CIP at 304-696-4303 or day50@marshall.edu. Please include your study title and reference number in all correspondence with this office.

## **Appendix B: Evolution of the Clery Act: A Legislative Timeline**

1986: Jeanne Ann Clery, a 19-year-old freshman, is brutally raped and murdered in her dormitory at Lehigh University in Pennsylvania.

1987: Joseph M. Henry is found guilty of murdering Jeanne Clery

1988: Pennsylvania Gov. Robert Casey signs the first state law on crime reporting for colleges and universities. The Pennsylvania College and University Security Information Act of 1988 (24 P. S. § § 2502-1—2502-5) mandates that all Pennsylvania colleges and universities publish three-year campus crime reports and have clear policies regarding alcohol and drug consumption on campus (Fine & Gross, 1990).

1990: Student Right-To-Know and Campus Security Act of 1990 was signed into law by President George H.W. Bush on November 8, 1990 (aka. Campus Security Act) (Public Law 101-542). Title II of the act is known as the Crime Awareness and Campus Security Act of 1990. The act requires institutions of higher education participating in Title IV federal student aid programs to disclose 3 years of campus crime statistics. Institutions are also required to disclose information, including campus safety policies and procedures.

1991: Higher Education Technical Amendments of 1991 (Section 10, Public Law: 102-26) amended section 485(f)(1) of the Higher Education Act of 1965. This amendment changes the initial collection date of crime statistic reporting from September 01, 1991 to August 01, 1991 and the reporting period from school year to calendar year (Clery Act History, n.d.; McCallion, 2014; Public Law: 102-26).

1992: Higher Education Amendments of 1992 (Public Law 102-325) amended section 485(f)(1)(F) of the Higher Education Act of 1965 and Clery Act (20 U.S.C. 1092(f)).

This amendment expands sexual assault reporting and requires institutions to develop and implement policies and procedures to specifically protect the rights of sexual assault survivors and prevention of sexual offenses. The amendment also specifies effective dates of initial collection and dissemination requirements for the reporting years of 1992, 1993, 1994, and 1995 (Clery Act History, n.d.; McCallion, 2014; Public Law 102-325).

1998: Higher Education Amendments of 1998 (Public Law 105-244) amended section 485(f) of 20 U.S.C 1092(f). This amendment renames the Crime Awareness and Campus Security Act the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistic Act (aka Clery Act). The 1998 amendments also add arson and manslaughter to the reporting requirements; expands geographic location to include residence halls, non-campus buildings, and public property immediately adjacent to a facility owned or operated by an institution; requires institutions with security or a police department to maintain a public crime log; requires institutions to report and disclose crime data to the U.S. Department of Education annually, and requires policy statements in Annual Security Reports to current students and employees and prospective students and employees upon request (Clery Act History, n.d.; McCallion, 2014; Public Law 105-244).

2000: Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386). This Act amends the Clery Act when section 485(f)(1) of the Higher Education Act of 1965 was amended to require institutions to provide information on the location of the state's public sex offender registry. It also amends section 444(b) of the Family Educational Rights and Privacy Act (FERPA) of 1974 to clarify that institutions may disclose registered sex offender information without violating privacy laws under FERPA (Clery Act History, n.d.; McCallion, 2014; Public Law 106-386).

2008: Higher Education Opportunity Act (Part L of Public Law 110-315). The Clery Act (20 U.S.C §1092(f)) is amended by the Higher Education Opportunity Act (HEOA), which adds a requirement that institutions develop and distribute campus emergency response and evacuation procedures and to report bias-related hate crimes in four additional categories: larceny-theft, simple assault, intimidation, and destruction, damage, or vandalism of property. Institutions are also required disclose the relationship of campus security with state and local law enforcement agencies (Clery Act History, n.d.; McCallion, 2014; Public Law 110-315).

2013: Violence Against Women Reauthorization Act (VAWA) of 2013 (Section 304 Public Law 113-4). The Clery Act is amended through VAWA of 2013 when the VAWA incorporates provisions from the Campus Sexual Violence Elimination Act (aka Campus SaVE Act) (S. 128/H.R. 812). Crime reporting requirements are expanded to include domestic violence, dating violence, and stalking incidence. In addition, crimes due to bias based on national origin, sexual orientation, and gender identity are now included in the hate crimes reporting requirements. The VAWA also requires that institutions include information about programs and policies pertaining to preventing sexual assaults, domestic violence, dating violence, and stalking in the Annual Security Report. The VAWA also requires that official's handling disciplinary proceedings receive annual training (Clery Act History, n.d.; McCallion, 2014; Public Law 113-4).

2014: U.S. Department of Education Office for Civil Right releases the names of higher education institutions under investigation for possible Title IX violations (U.S. Department of Education, 2014b).

## **Appendix C: Study Population: Colleges in the Community and Technical College System of West Virginia**

### 1. Blue Ridge Community and Technical College

#### **Main Campus**

13650 Apple Harvest Drive

Martinsburg, WV 25403

Phone: 304-260-4380

Website: <http://www.blueridgectc.edu/>

### 2. BridgeValley Community and Technical College

#### **Main Campus**

South Charleston Campus

2001 Union Carbide Drive

South Charleston, WV 25303

Phone: (304) 205-6600

Website: <http://www.bridgevalley.edu/>

### 3. Eastern Community and Technical College

#### **Main Campus**

316 Eastern Drive

Moorefield, West Virginia 26836

Phone: 304-434-8000; Toll Free: 877-982-2322

Website: <http://www.easternwv.edu/>

### 4. Mountwest Community and Technical College

#### **Main Campus**

One Mountwest Way

Huntington, West Virginia 25701

Phone: 866-676-5533

Website: <http://www.mctc.edu/>

5. New River Community and Technical College

**Main Campus**

280 University Drive

Beaver, WV 25813

Phone: 866-349-3739

Website: <http://www.newriver.edu/>

6. Pierpont Community and Technical College

**Main Campus**

1201 Locust Avenue Fairmont

West Virginia 26554

Phone: 304-333-3684

Website: <https://pierpont.edu/>

7. Southern West Virginia Community and Technical College

**Main Campus**

2900 Dempsey Branch Road

Mount Gay, WV 25637

Phone: 304.792.7098

Website: <http://www.southernwv.edu/>

8. West Virginia Northern Community College

**Main Campus**

Wheeling Campus

1704 Market Street

Wheeling, WV 26003

Phone: (304) 233-5900

Website: <http://www.wvncc.edu/>

9. West Virginia University at Parkersburg

**Main Campus**

300 Campus Drive

Parkersburg, WV 26104-8647

Phone: 304-424.8000; Toll-Free: 1-800-WVA-WVUP

Website: <http://www.wvup.edu/>

**Appendix D: List of Institutions under OCR Title IX Investigation as of December 27, 2017.**

List of sexual violence investigations open at the postsecondary level, including the dates the specific investigations were initiated. As of December 27, 2017, there are 339 sexual violence cases under investigation at 245 postsecondary institutions.

AL	ALABAMA A&M UNIVERSITY	8/24/2016
AL	MARION MILITARY INSTITUTE	4/16/2015
AL	UNIVERSITY OF ALABAMA AT BIRMINGHAM	Case 1: 5/23/2016 Case 2: 10/2/2017
AR	SOUTHERN ARKANSAS UNIVERSITY	7/25/2017
AR	UNIVERSITY OF ARKANSAS MAIN CAMPUS	Case 1: 4/21/2016 Case 2: 4/21/2016
AZ	ARIZONA STATE UNIVERSITY-MAIN CAMPUS	Case 1: 1/26/2012 Case 2: 9/29/2016 Case 3: 12/29/2016 Case 4: 12/7/2017
CA	CALIFORNIA INSTITUTE OF THE ARTS	11/14/2016
CA	CALIFORNIA POLYTECHNIC STATE UNIVERSITY-SAN LUIS OBISPO	12/9/2015
CA	CALIFORNIA STATE UNIVERSITY-SAN MARCOS	10/27/2016
CA	LA SIERRA UNIVERSITY	8/5/2016
CA	LOYOLA MARYMOUNT UNIVERSITY	Case 1: 6/8/2016 Case 2: 10/25/2016
CA	POMONA COLLEGE	10/2/2015
CA	SAINT MARY'S COLLEGE OF CALIFORNIA	5/19/2016
CA	SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT	11/12/2014
CA	SANTA CLARA UNIVERSITY	11/24/2015
CA	STANFORD UNIVERSITY	Case 1: 2/26/2015 Case 2: 4/18/2016
CA	UNIVERSITY OF CALIFORNIA-BERKELEY	Case 1: 3/25/2014 Case 2: 7/15/2015
CA	UNIVERSITY OF CALIFORNIA-DAVIS	Case 1: 3/24/2015 Case 2: 5/20/2015
CA	UNIVERSITY OF CALIFORNIA-LOS ANGELES	8/8/2014
CA	UNIVERSITY OF CALIFORNIA-SAN FRANCISCO	Case 1: 5/6/2015 Case 2: 1/12/2016
CA	UNIVERSITY OF CALIFORNIA-SANTA CRUZ	Case 1: 3/13/2015 Case 2: 6/22/2016
CA	UNIVERSITY OF SAN DIEGO	8/6/2015
CA	UNIVERSITY OF SOUTHERN CALIFORNIA	Case 1: 6/26/2013 Case 2: 3/8/2016
CA	WESTMONT COLLEGE	12/1/2016
CO	COLORADO STATE UNIVERSITY	Case 1: 6/24/2014 Case 2: 3/2/2016
CO	REGIS UNIVERSITY	4/30/2013
CO	UNIVERSITY OF DENVER	3/10/2015
DC	AMERICAN UNIVERSITY	Case 1: 3/11/2015 Case 2: 6/21/2016 Case 3: 3/28/2017
DC	GEORGE WASHINGTON UNIVERSITY	8/8/2017

DC	HOWARD UNIVERSITY	8/11/2017
DE	DELAWARE STATE UNIVERSITY	2/12/2016
DE	UNIVERSITY OF DELAWARE	5/8/2014
FL	EMBRY RIDDLE AERONAUTICAL UNIVERSITY	8/23/2017
FL	FLORIDA STATE UNIVERSITY	Case 1: 4/3/2014 Case 2: 9/15/2017
FL	FULL SAIL UNIVERSITY	7/20/2015
FL	STETSON UNIVERSITY	11/29/2016
FL	UNIVERSITY OF CENTRAL FLORIDA	Case 1: 5/4/2017 Case 2: 5/5/2017
FL	UNIVERSITY OF FLORIDA	Case 1: 1/20/2017 Case 2: 7/28/2017
FL	UNIVERSITY OF MIAMI	Case 1: 10/9/2015 Case 2: 3/11/2016
FL	UNIVERSITY OF SOUTH FLORIDA	Case 1: 9/3/2014 Case 2: 10/23/2017
GA	EMORY UNIVERSITY	12/13/2013
GA	MOREHOUSE COLLEGE	11/19/2015
GA	OGLETHORPE UNIVERSITY	6/23/2015
GA	SPELMAN COLLEGE	11/19/2015
HI	UNIVERSITY OF HAWAII AT MANOA	5/28/2013
IA	DRAKE UNIVERSITY	10/3/2014
IA	IOWA STATE UNIVERSITY	Case 1: 10/15/2014 Case 2: 11/3/2016
IA	UNIVERSITY OF IOWA	4/20/2015
ID	COLLEGE OF IDAHO	3/8/2016 4/20/2017
ID	UNIVERSITY OF IDAHO	5/27/2015
IL	COLUMBIA COLLEGE CHICAGO	12/15/2015
IL	JUDSON UNIVERSITY	10/20/2015
IL	KNOX COLLEGE	Case 1: 1/2/2014 Case 2: 6/26/2014 Case 3: 4/6/2016 Case 4: 9/16/2014
IL	SCHOOL OF THE ART INSTITUTE OF CHICAGO	8/30/2017
IL	SOUTHERN ILLINOIS UNIVERSITY-CARBONDALE	Case 1: 9/4/2015 Case 2: 12/14/2015
IL	UNIVERSITY OF CHICAGO	6/28/2013
IL	UNIVERSITY OF ILLINOIS AT CHICAGO	Case 1: 4/22/2016 Case 2: 3/24/2017
IL	UNIVERSITY OF ILLINOIS AT URBANA-CHAMPAIGN	3/13/2017
IN	BALL STATE UNIVERSITY	Case 1: 7/10/2017 Case 2: 12/8/2017
IN	GRACE COLLEGE AND THEOLOGICAL SEMINARY	4/18/2016
IN	HANOVER COLLEGE	8/5/2016

IN	INDIANA UNIVERSITY-BLOOMINGTON	Case 1: 3/12/2014 Case 2: 6/30/2015 Case 3: 5/17/2016 Case 4: 9/1/2016 Case 5: 10/31/2016
IN	INDIANA UNIVERSITY-PURDUE UNIVERSITY-FORT WAYNE	6/10/2016
IN	PURDUE UNIVERSITY-MAIN CAMPUS	12/12/2016
IN	UNIVERSITY OF NOTRE DAME	Case 1: 2/19/2016 Case 2: 12/23/2016
IN	VALPARAISO UNIVERSITY	10/3/2014
KS	KANSAS STATE UNIVERSITY	Case 1: 8/4/2014 Case 2: 4/20/2015 Case 3: 9/24/2015 Case 4: 11/24/2015 Case 5: 3/27/2017
KS	UNIVERSITY OF KANSAS	Case 1: 7/16/2014 Case 2: 7/20/2015
KS	WASHBURN UNIVERSITY	7/1/2014
KY	EASTERN KENTUCKY UNIVERSITY	2/16/2017
KY	UNIVERSITY OF KENTUCKY	4/14/2015
LA	LOUISIANA STATE UNIVERSITY-SYSTEM OFFICE	8/4/2015
LA	LOYOLA UNIVERSITY NEW ORLEANS	2/5/2016
LA	SOUTHERN UNIVERSITY AND A & M COLLEGE	Case 1: 4/25/2017 Case 2: 7/25/2017
MA	AMHERST COLLEGE	Case 1: 1/6/2014 Case 2: 4/14/2017
MA	BABSON COLLEGE	4/28/2016
MA	BOSTON COLLEGE	12/4/2015
MA	BOSTON UNIVERSITY	12/16/2013
MA	BRANDEIS UNIVERSITY	Case 1: 3/1/2016 Case 2: 3/1/2016
MA	CLARK UNIVERSITY	4/18/2016
MA	EMERSON COLLEGE	12/23/2013
MA	HAMPSHIRE COLLEGE	7/17/2014
MA	HARVARD COLLEGE	Case 1: 4/24/2014 Case 2: 3/3/2016
MA	HARVARD UNIVERSITY	4/17/2017
MA	LESLEY UNIVERSITY	4/13/2017
MA	MASSACHUSETTS COLLEGE OF PHARMACY AND HEALTH SCIENCE	10/11/2017
MA	MASSACHUSETTS INSTITUTE OF TECHNOLOGY	8/13/2015
MA	NORTHEASTERN UNIVERSITY	Case 1: 10/30/2014 Case 2: 7/5/2016
MA	REGIS COLLEGE	9/12/2016
MA	STONEHILL COLLEGE	Case 1: 3/3/2016 Case 2: 8/3/2017
MA	TUFTS UNIVERSITY	8/13/2015
MA	UNIVERSITY OF MASSACHUSETTS-AMHERST	6/30/2011
MA	UNIVERSITY OF MASSACHUSETTS-DARTMOUTH	7/16/2014
MA	WESTERN NEW ENGLAND COLLEGE	12/3/2015

MA	WORCESTER STATE UNIVERSITY	4/14/2017
MD	JOHNS HOPKINS UNIVERSITY	8/8/2014
MD	MORGAN STATE UNIVERSITY	Case 1: 6/26/2014 Case 2: 10/25/2016
MD	MOUNT SAINT MARYS UNIVERSITY	5/18/2016
MD	SAINT MARY'S COLLEGE OF MARYLAND	Case 1: 2/6/2015 Case 2: 2/6/2015 Case 3: 2/6/2015 Case 4: 3/10/2015
MD	UNIVERSITY OF MARYLAND-BALTIMORE COUNTY	Case 1: 7/19/2016 Case 2: 12/7/2016
MD	UNIVERSITY OF MARYLAND-COLLEGE PARK	Case 1: 1/11/2017 Case 2: 3/31/2017 Case 3: 12/6/2017
MI	ALMA COLLEGE	10/20/2015
MI	GRAND VALLEY STATE UNIVERSITY	10/6/2014
MI	MICHIGAN STATE UNIVERSITY	7/28/2017
MI	UNIVERSITY OF MICHIGAN-ANN ARBOR	2/21/2014
MN	COLLEGE OF ST. SCHOLASTICA	8/26/2016
MN	SAINT CLOUD STATE UNIVERSITY	11/5/2015
MN	SAINT OLAF COLLEGE	Case 1: 5/24/2016 Case 2: 10/30/2017
MO	BAPTIST BIBLE COLLEGE	7/10/2017
MO	MISSOURI UNIVERSITY OF SCIENCE AND TECHNOLOGY	5/21/2014
MO	WASHINGTON UNIVERSITY IN ST. LOUIS	Case 1: 7/10/2017 Case 2: 7/10/2017
MO	WILLIAM JEWELL COLLEGE	9/9/2015
MS	UNIVERSITY OF SOUTHERN MISSISSIPPI	7/5/2016
MT	DAWSON CC	5/19/2016
MT	UNIVERSITY OF MONTANA-MISSOULA	11/27/2017
NC	DUKE UNIVERSITY	11/20/2015
NC	GUILFORD COLLEGE	Case 1: 11/18/2013 Case 2: 7/21/2017
NC	METHODIST UNIVERSITY	2/1/2017
NC	UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL	3/1/2013
ND	WILLISTON STATE COLLEGE	10/31/2016
NE	CENTRAL COMMUNITY COLLEGE	11/20/2015
NE	CREIGHTON UNIVERSITY	10/16/2017
NE	UNIVERSITY OF NEBRASKA AT KEARNEY	8/20/2015
NE	UNIVERSITY OF NEBRASKA-LINCOLN	9/30/2014
NH	DARTMOUTH COLLEGE	Case 1: 5/31/2013 Case 2: 8/21/2015 Case 3: 2/22/2017
NJ	MONMOUTH UNIVERSITY	4/21/2016
NJ	PRINCETON UNIVERSITY	8/11/2016
NJ	RIDER UNIVERSITY	4/4/2016
NJ	SETON HALL UNIVERSITY	7/22/2015
NM	NEW MEXICO INSTITUTE OF MINING AND TECHNOLOGY	7/19/2016
NV	UNIVERSITY OF NV-LAS VEGAS	11/8/2017

NY	BARD COLLEGE	12/30/2015
NY	BARNARD COLLEGE	12/29/2014
NY	CANISIUS COLLEGE	12/11/2014
NY	COLUMBIA UNIVERSITY	Case 1: 1/8/2015 Case 2: 7/30/2015 Case 3: 6/23/2016
NY	CORNELL UNIVERSITY	Case 1: 5/26/2015 Case 2: 12/2/2015 Case 3: 9/28/2016
NY	CUNY HUNTER COLLEGE	5/4/2017
NY	HAMILTON COLLEGE	11/14/2014
NY	HOBART AND WILLIAM SMITH COLLEGES	Case 1: 4/24/2014 Case 2: 8/10/2015
NY	ITHACA COLLEGE	12/2/2016
NY	MONROE COMMUNITY COLLEGE	4/27/2016
NY	NEW YORK COLLEGE OF HEALTH PROFESSIONS	6/26/2017
NY	NEW YORK UNIVERSITY SCHOOL OF MEDICINE	Case 1: 7/16/2015 Case 2: 4/28/2017
NY	PACE UNIVERSITY - NEW YORK	7/22/2014
NY	POLYTECHNIC INSTITUTE OF NEW YORK UNIVERSITY	5/22/2015
NY	ROCKEFELLER UNIVERSITY	8/17/2016
NY	SAINT THOMAS AQUINAS COLLEGE	7/9/2014
NY	SARAH LAWRENCE COLLEGE	12/4/2013
NY	SKIDMORE COLLEGE	1/28/2016
NY	ST. JOHN'S UNIVERSITY	Case 1: 5/27/2015 Case 2: 10/1/2015 Case 3: 12/11/2017
NY	SUNY AT ALBANY UNIVERSITY	6/16/2015
NY	SUNY AT DELHI	7/17/2017
NY	SUNY AT STONY BROOK	7/23/2014
NY	SUNY COLLEGE AT BROCKPORT	2/12/2015
NY	SUNY COLLEGE AT PLATTSBURGH	1/4/2017
NY	SUNY COLLEGE AT POTSDAM	Case 1: 6/22/2016 Case 2: 6/30/2017
NY	SUNY UNIVERSITY AT BUFFALO	5/12/2016
NY	SYRACUSE UNIVERSITY	6/22/2016
NY	THE PRATT INSTITUTE	8/26/2015
NY	UNION COLLEGE	9/16/2015
NY	UNIVERSITY OF ROCHESTER	5/21/2015
OH	BOWLING GREEN STATE UNIVERSITY-MAIN CAMPUS	9/28/2017
OH	CLEVELAND STATE UNIVERSITY	8/31/2015
OH	COLLEGE OF WOOSTER	Case 1: 9/2/2016 Case 2: 9/29/2016 Case 3: 11/17/2017
OH	DENISON UNIVERSITY	4/18/2017
OH	JOHN CARROLL UNIVERSITY	6/6/2016
OH	KENYON COLLEGE	9/7/2016

OH	MIAMI UNIVERSITY-OXFORD	Case 1: 11/3/2016 Case 2: 6/9/2017 Case 3: 6/9/2017
OH	OBERLIN COLLEGE	Case 1: 11/24/2015 Case 2: 1/9/2017
OH	THE OHIO STATE UNIVERSITY	Case 1: 8/12/2015 Case 2: 7/31/2017
OH	UNIVERSITY OF AKRON	5/25/2017
OH	UNIVERSITY OF CINCINNATI-MAIN CAMPUS	Case 1: 2/9/2016 Case 2: 2/17/2017
OK	LANGSTON UNIVERSITY	11/26/2014
OK	OKLAHOMA STATE UNIVERSITY	4/10/2014
OK	SAINT GREGORY'S UNIVERSITY	3/23/2017
OK	THE UNIVERSITY OF TULSA	4/14/2016
OR	OREGON STATE UNIVERSITY	4/17/2017
PA	ALLEGHENY COLLEGE	12/5/2014
PA	CARNEGIE MELLON UNIVERSITY	1/13/2014
PA	DICKINSON COLLEGE	4/17/2017
PA	ELIZABETHTOWN COLLEGE	11/20/2014
PA	FRANKLIN AND MARSHALL COLLEGE	3/26/2014
PA	GANNON UNIVERSITY	Case 1: 6/1/2016 Case 2: 7/20/2016
PA	LINCOLN UNIVERSITY	12/2/2015
PA	MANOR COLLEGE	3/13/2017
PA	MILLERSVILLE UNIVERSITY OF PENNSYLVANIA	8/15/2017
PA	MUHLENBERG COLLEGE	12/13/2017
PA	PENNSYLVANIA STATE UNIVERSITY	1/23/2014
PA	POINT PARK UNIVERSITY	Case 1: 2/19/2015 Case 2: 2/27/2015
PA	SWARTHMORE COLLEGE	7/12/2013
PA	TEMPLE UNIVERSITY	Case 1: 8/9/2013 Case 2: 11/19/2014 Case 3: 11/20/2015 Case 4: 5/18/2017
PA	URSINUS COLLEGE	7/31/2017
PA	VALLEY FORGE MILITARY COLLEGE	4/23/2015
PR	UNIVERSIDAD DE PUERTO RICO	9/14/2015
RI	BROWN UNIVERSITY	Case 1: 7/10/2014 Case 2: 4/10/2015
SC	WOFFORD COLLEGE	3/7/2017
TN	BETHEL UNIVERSITY	8/11/2017
TN	LINCOLN MEMORIAL UNIVERSITY	9/15/2017
TN	RHODES COLLEGE	6/1/2016
TN	SOUTHWEST TENNESSEE COMMUNITY COLLEGE	2/12/2016
TN	UNIVERSITY OF TENNESSEE	Case 1: 6/29/2015 Case 2: 7/21/2015
TN	UNIVERSITY OF TENNESSEE @ CHATTANOOGA	Case 1: 12/5/2014 Case 2: 4/3/2015

TN	VANDERBILT UNIVERSITY	Case 1: 3/12/2014 Case 2: 1/13/2017
TX	BAYLOR UNIVERSITY	10/18/2016
TX	PAUL QUINN COLLEGE	3/23/2016
TX	PRAIRIE VIEW A&M UNIVERSITY	8/2/2017
TX	SOUTHWESTERN UNIVERSITY	Case 1: 2/18/2016 Case 2: 3/13/2017
TX	TEXAS A&M UNIVERSITY	Case 1: 3/18/2015 Case 2: 7/11/2017
TX	TEXAS TECH UNIVERSITY	9/12/2017
TX	THE UNIVERSITY OF TEXAS AT SAN ANTONIO	8/1/2017
TX	THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER	2/24/2016
TX	TRINITY UNIVERSITY	7/31/2015
TX	UNIVERSITY OF NORTH TEXAS-DENTON	9/6/2016
UT	BRIGHAM YOUNG UNIVERSITY	8/4/2016
UT	UNIVERSITY OF UTAH	6/23/2016
UT	UTAH VALLEY UNIVERSITY	8/10/2017
VA	COLLEGE OF WILLIAM AND MARY	Case 1: 4/18/2014 Case 2: 8/15/2017
VA	GEORGE MASON UNIVERSITY	9/12/2016
VA	HAMPTON UNIVERSITY	8/31/2017
VA	JAMES MADISON UNIVERSITY	6/4/2014
VA	LONGWOOD UNIVERSITY	9/21/2017
VA	UNIVERSITY OF MARY WASHINGTON	11/30/2016
VA	UNIVERSITY OF RICHMOND	Case 1: 6/12/2014 Case 2: 9/16/2016
VA	UNIVERSITY OF VIRGINIA -MAIN CAMPUS	7/22/2016
VA	VIRGINIA COMMONWEALTH UNIVERSITY	Case 1: 7/14/2015 Case 2: 12/8/2015 Case 3: 3/27/2017
VA	WASHINGTON AND LEE UNIVERSITY	2/18/2015
VT	BENNINGTON COLLEGE	9/19/2017
VT	MARLBORO COLLEGE	10/6/2014
VT	UNIVERSITY OF VERMONT AND STATE AGRICULTURAL COLLEGE	8/2/2017
WA	EASTERN WASHINGTON UNIVERSITY	12/1/2016
WA	EDMONDS CC	5/19/2016
WA	WASHINGTON STATE UNIVERSITY	Case 1: 1/15/2013 Case 2: 9/23/2015
WA	WESTERN WASHINGTON UNIVERSITY	Case 1: 4/17/2015 Case 2: 11/5/2015
WA	WHITMAN COLLEGE	11/7/2014
WA	WHITWORTH UNIVERSITY	5/10/2016
WI	MEDICAL COLLEGE OF WISCONSIN	Case 1: 9/1/2015 Case 2: 11/29/2016
WI	UNIVERSITY OF WISCONSIN-MADISON	Case 1: 2/24/2015 Case 2: 8/12/2015 Case 3: 11/18/2015 Case 4: 5/20/2016

WI	UNIVERSITY OF WISCONSIN-WHITEWATER	Case 1: 2/14/2014 Case 2: 9/10/2015
WV	BETHANY COLLEGE	4/28/2014
WV	JAMES RUMSEY TECHNICAL INSTITUTE	7/19/2016
WV	MARSHALL UNIVERSITY	1/27/2017
WV	WEST VIRGINIA SCHOOL OF OSTEOPATHIC MEDICINE	3/25/2013
WY	LARAMIE COUNTY COMMUNITY COLLEGE	2/4/2016
WY	NORTHWEST COMMUNITY COLLEGE	7/22/2016
WY	UNIVERSITY OF WYOMING	7/6/2017

## **Appendix E: Email Confirmations: Permission to Use or Adapt Survey Questions from Previous Clery Act Researchers**

Requests to use or adapt survey questions included as part of previous research studies were sent via email to

Dr. Steven Janosik (Various studies)  
Associate Professor  
Virginia Polytechnic Institute and State University (Virginia Tech).  
[sjanosik@vt.edu](mailto:sjanosik@vt.edu)

Dr. Dennis Gregory (Various studies)  
Associate Professor  
Old Dominion University  
[dgregory@odu.edu](mailto:dgregory@odu.edu)

Dr. Kevin Colaner (Colaner, 2006)  
Associate Vice President for Student Services  
Cal Poly Pomona  
[kcolaner@ccp.edu](mailto:kcolaner@ccp.edu)

Dr. Juli Soden (Soden, 2006)  
El Camino College  
[jsoden@elcamino.edu](mailto:jsoden@elcamino.edu)

**See next page for email confirmations**

## Appendix E: continued

Re: Permission Request - Graduate Student Resear... - Christina Caro... <https://outlook.office.com/owa/?viewmodel=ReadMessageItem&It...>

Re: Permission Request - Graduate Student Research - Marshall University

Janosik, Steven <[sjanosik@vt.edu](mailto:sjanosik@vt.edu)>

Mon 2/27/2017 8:58 AM

To: Christina Carole Johnson <[johnson243@live.marshall.edu](mailto:johnson243@live.marshall.edu)>;

Christina, you have my permission to adapt items from my questionnaires with appropriate attribution. Good luck with your research.

Thanks so much for contacting me.

Steven M. Janosik  
Associate Director of Faculty Affairs  
Associate Professor, Higher Education  
VT - School of Education  
CRC 1750 Kraft Drive, Suite 2001  
Blacksburg, Virginia 24060  
540-231-9702  
[sjanosik@vt.edu](mailto:sjanosik@vt.edu)

**From:** Christina Carole Johnson <[johnson243@live.marshall.edu](mailto:johnson243@live.marshall.edu)>  
**Sent:** Saturday, February 25, 2017 1:17 PM  
**To:** Janosik, Steven  
**Subject:** Permission Request - Graduate Student Research - Marshall University

Dear Dr. Janosik,

I am writing to ask your permission to incorporate information included as part of your research on the Clery Act into my dissertation.

My name is Christina Johnson, and I am a graduate student working on a Doctor of Education Degree in Educational Leadership at Marshall University in West Virginia. I am currently in the dissertation phase of the program and am working to design a survey instrument as part of my research design. The focus of my study is the Clery Act and awareness of the Act's reporting requirements. The working title for the study is *Awareness of Clery Act Reporting Requirements across Institutional Strata among West Virginia Community and Technical Colleges*. While performing a review of the literature on the Clery Act, I read and included many of your studies. If given permission, I plan to use or adapt questions included in your studies as part of the survey instrument I am designing.

If you have questions pertaining to my request, please feel free to contact me at [johnson243@marshall.edu](mailto:johnson243@marshall.edu).

Thank you in advance for considering my request.

*Christina C. Johnson*  
*Assistant Professor*  
*Department Chair of Sciences – BridgeValley Community and Technical College*  
*Department Chair of Collaborative Programs – BridgeValley Community and Technical College*  
*Graduate Student – Marshall University*

Included below is a list of studies I have cited as part of my review of the literature related to your work on the Clery Act.

#### Works Cited:

- Gregory, D., & Janosik, S. M. (2002). The Clery Act: How effective is it? Perceptions from the field, the current state of the research and recommendations for improvement. *The Stetson Law Review*, 32(1), 7-59.
- Gregory, D., & Janosik, S. M. (2003). The effect of the Clery Act on campus judicial practices. *Journal of College Student Development*, 44(6), 763-778.
- Gregory, D., & Janosik, S. M. (2006). The views of senior resident life and housing administrators on the Clery Act and campus safety. *Journal of College and University Student Housing*, 34(1), 50-57.

## Appendix E: continued

Re: Permission Request - Graduate Student Resear... - Christina Caro... <https://outlook.office.com/owa/?viewmodel=ReadMessageItem&It...>

Re: Permission Request - Graduate Student Research - Marshall University

Gregory, Dennis E. <dgregory@odu.edu>

Mon 2/27/2017 4:14 PM

To: Christina Carole Johnson <johnson243@live.marshall.edu>; Steve Janosik <sjanosik@vt.edu>; Johnson243@marshall.edu <johnson243@marshall.edu>;

1 attachments (321 KB)

Clery Article.pdf;

Hi Christina,

I am copying Dr. Janosik, my friend and co-author on many of the pieces you cite, to let him know of your request. We would be honored to allow you to use our materials and questions from our studies for your research. All we ask is to get a copy of your finished dissertation so we may reference it in the next edition of Campus Crime. I have also attached a copy of a new article you may find interesting.

Gregory, D. E., Giblin, J., Stafford, D. A., and DeBowes, M.M. (2016, March 7) Clery Compliance on American Campuses: Knowledge and Organization by Clery Compliance Officers. *Security Journal*. 07 March 2016 – online, 29(4), 710-729 (DOI 10.1057/sj.2016.1)

Best wishes in your research.

Dennis E. Gregory, Ed. D.

Associate Professor of Higher Education

Old Dominion University

**From:** Christina Carole Johnson <johnson243@live.marshall.edu>

**Sent:** Saturday, February 25, 2017 1:28:40 PM

**To:** Gregory, Dennis E.

**Subject:** Permission Request - Graduate Student Research - Marshall University

Dear Dr. Gregory,

I am writing to ask your permission to incorporate information included as part of your research on the Clery Act into my dissertation.

My name is Christina Johnson, and I am a graduate student working on a Doctor of Education Degree in Educational Leadership at Marshall University in West Virginia. I am currently in the dissertation phase of the program and am working to design a survey instrument as part of my research design. The focus of my study is the Clery Act and awareness of the Act's reporting requirements. The working title for the study is *Awareness of Clery Act Reporting Requirements across Institutional Strata among West Virginia Community and Technical Colleges*. While performing a review of the literature, I read and included several of your studies pertaining to the Clery Act. If given permission, I plan to use or adapt questions included in your studies as part of the survey instrument I am designing.

If you have question pertaining to my request, please feel free to contact me at [johnson243@marshall.edu](mailto:johnson243@marshall.edu).

Thank you in advance for considering my request.

*Christina C. Johnson*

*Assistant Professor*

*Department Chair of Sciences – BridgeValley Community and Technical College*

*Department Chair of Collaborative Programs – BridgeValley Community and Technical College*

*Graduate Student – Marshall University*

Included below is a list of studies I have cited as part of my review of the literature related to your research on the Clery Act.

Works Cited:

Gregory, D., & Janosik, S. M. (2002). The Clery Act: How effective is it? Perceptions from the field, the current state of the research and recommendations for improvement. *The Stetson Law Review*, 32(1), 7-59.

Gregory, D., & Janosik, S. M. (2003). The effect of the Clery Act on campus judicial practices. *Journal of College Student Development*, 44(6), 763-778.

Gregory, D., & Janosik, S. M. (2006). The views of senior resident life and housing administrators on the Clery Act and campus safety. *Journal of*

## Appendix E: continued

RE: Permission Request - Graduate Student Resear... - Christina Car... <https://outlook.office.com/owa/?viewmodel=ReadMessageItem&It...>

RE: Permission Request - Graduate Student Research - Marshall University

Kevin Colaner <[ktcolaner@cpp.edu](mailto:ktcolaner@cpp.edu)>

Mon 2/27/2017 11:05 AM

To: Christina Carole Johnson <[johnson243@live.marshall.edu](mailto:johnson243@live.marshall.edu)>;

cc: Soden, Juli <[jsoden@elcamino.edu](mailto:jsoden@elcamino.edu)>;

Christina,

Of course you can reference my study and adapt the questions as you see fit to further the study of this topic.

Please let me know if I can be of assistance and best wishes.

Kevin

Dr. Kevin T. Colaner

Associate Vice President for Student Services

California State Polytechnic University, Pomona

909/ 869-3365

[ktcolaner@cpp.edu](mailto:ktcolaner@cpp.edu)

± One Team ± One Goal ± Student Success

**From:** Christina Carole Johnson [<mailto:johnson243@live.marshall.edu>]

**Sent:** Saturday, February 25, 2017 11:00 AM

**To:** Kevin Colaner <[ktcolaner@cpp.edu](mailto:ktcolaner@cpp.edu)>

**Subject:** Permission Request - Graduate Student Research - Marshall University

Dear Dr. Colaner,

I am writing to ask your permission to incorporate information included as part of your research on the Clery Act into my dissertation.

My name is Christina Johnson, and I am a graduate student working on a Doctor of Education Degree in Educational Leadership at Marshall University in West Virginia. I am currently in the dissertation phase of the program and am working to design a survey instrument as part of my research design. The focus of my study is the Clery Act and awareness of the Act's reporting requirements. The working title for the study is *Awareness of Clery Act Reporting Requirements across Institutional Strata among West Virginia Community and Technical Colleges*. While reading the literature, I read and included your dissertation study pertaining to the Clery Act as part of my literature review. If given permission, I plan to use or adapt questions included in your study as part of the survey instrument I am designing.

If you have questions pertaining to my request, please feel free to contact me at [johnson243@marshall.edu](mailto:johnson243@marshall.edu).

Thank you in advance for considering my request.

*Christina C. Johnson*

*Assistant Professor*

*Department Chair of Sciences – Bridge Valley Community and Technical College*

*Department Chair of Collaborative Programs – Bridge Valley Community and Technical College*

*Graduate Student – Marshall University*

Below is the study included as part of my review of the literature.

Colaner, K. T. (2006). *Towards greater campus safety: An examination of student affairs administrators' knowledge of and compliance with the Clery Act* (Doctoral dissertation). Available from ProQuest Dissertations and Theses database. (UMI No. 3233789)

## Appendix E: continued

RE: Permission Request - Graduate Student Resear... - Christina Car... <https://outlook.office.com/owa/?viewmodel=ReadMessageItem&It...>

RE: Permission Request - Graduate Student Research - Marshall University

Soden, Juli <[jsoden@elcamino.edu](mailto:jsoden@elcamino.edu)>

Sat 2/25/2017 3:37 PM

To: Christina Carole Johnson <[johnson243@live.marshall.edu](mailto:johnson243@live.marshall.edu)>;

Cc: ktcolaner@cpp.edu <[ktcolaner@cpp.edu](mailto:ktcolaner@cpp.edu)>;

Importance: High

Hello,

First of all, congratulations on your doctoral pursuits. I remember those days and wish you the best for an interesting and rewarding study...and a speedy defense.

Your proposed study sounds interesting and beneficial to your educational community.

I appreciate your request and am happy to allow you to use or adapt questions from my study with appropriate citations, of course. However, at the time, I developed the study in collaboration with my fellow researcher, Kevin Colaner. I feel that his consent for use of the material is also necessary. I've copied him on this email. Dr. Colaner is an exceptional educator and university leader.

Please keep me apprised of the status of your study. I would enjoy reading your dissertation, even in draft form.

Best Regards,  
Juli

Dr. Juli Soden  
Professor, Human Development  
El Camino College

**From:** Christina Carole Johnson [[johnson243@live.marshall.edu](mailto:johnson243@live.marshall.edu)]

**Sent:** Saturday, February 25, 2017 11:18 AM

**To:** Soden, Juli

**Subject:** Permission Request - Graduate Student Research - Marshall University

Dear Dr. Soden,

I am writing to ask your permission to incorporate information included as part of your research on the Clery Act into my dissertation.

My name is Christina Johnson, and I am a graduate student working on a Doctor of Education Degree in Educational Leadership at Marshall University in West Virginia. I am currently in the dissertation phase of the program and am working to design a survey instrument as part of my research design. The focus of my study is the Clery Act and awareness of the Act's reporting requirements. The working title for the study is *Awareness of Clery Act Reporting Requirements across Institutional Strata among West Virginia Community and Technical Colleges*. While reading the literature, I read and included your dissertation study pertaining to the Clery Act as part of my literature review. If given permission, I plan to use or adapt questions included in your study as part of the survey instrument I am designing.

If you have questions pertaining to my request, please feel free to contact me at [johnson243@marshall.edu](mailto:johnson243@marshall.edu).

Thank you in advance for considering my request.

*Christina C. Johnson*  
*Assistant Professor*  
*Department Chair of Sciences – BridgeValley Community and Technical College*  
*Department Chair of Collaborative Programs – BridgeValley Community and Technical College*  
*Graduate Student – Marshall University*

Below is the study included as part of my review of the literature.

Soden, J. (2006). *A comparison of community college and university student affairs administrators' knowledge of the Clery Act* (Doctoral dissertation). Available from ProQuest Dissertations and Theses database. (UMI No. 3233823)

## Appendix F: Survey Invitation and Informed Consent

### Anonymous Online Survey Invitation and Informed Consent

Date: August 4, 2017

	Marshall University IRB	
	Approved on:	8/4/17
	Expires on:	8/4/18
	Study number:	1084781

Dear Colleague:

You are being invited to participate in a statewide research project entitled *Awareness of Clery Act Reporting Requirements Across Institutional Strata Among West Virginia Community and Technical Colleges*. This research project is being conducted to better understand institutional compliance with Clery Act reporting requirements and will provide West Virginia community and technical college administrators some insight into faculty and staff awareness as it relates to the Clery Act expectations. The study is being conducted by Christina C. Johnson, EdD candidate, and her faculty advisor Dr. Barbara Nicholson from the College of Education and Professional Development at Marshall University (University). The study is being conducted in partial fulfillment of the requirements for the degree of Doctor of Education in Leadership Studies at Marshall University.

Participation in this study is completely anonymous and voluntary. The survey is comprised of a series of yes/no, multiple choice, and Likert scale questions and should take approximately 10-15 minutes to complete. Do not enter your name or other identifying information anywhere on the survey. Your IP address will not be collected, and once you complete the survey, you can delete your browsing history for added security. Results will be reported only in aggregate form. There will be no reporting of individual responses.

There are no known risks involved in participating in this study. Participation is completely voluntary, and there will be no penalty or loss of benefits if you choose not to participate or to withdraw from the research study. If you choose not to participate, you may leave the survey site. You may also choose to not answer any question by simply leaving it blank. Once you begin the survey, you may end your participation at any time by simply closing your browser. Completion of the online survey indicates your consent to use your responses as part of this study. If you have questions about the study, you may contact Dr. Barbara Nicholson at 304-746-2094 or at [bnicholson@marshall.edu](mailto:bnicholson@marshall.edu), or Christina Johnson at [johnson243@marshall.edu](mailto:johnson243@marshall.edu).

If you have questions concerning your rights as a research participant you may contact the Marshall University Office of Research Integrity at 304-696-4303.

By completing this survey, you are confirming that you are 18 years of age or older.

Please print this page for your records.

If you choose to participate in this study, please access the survey at (insert web address).

**Appendix G: Survey Instrument: Johnson Survey of Community College Clery Act Awareness – 29 Survey Items.**

---

SQ1. To what extent are you aware of the Clery Act which is also known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act?

- I have never heard of it.
  - I have heard of the Act, but do not know the details of it.
  - I am somewhat familiar with the Act and its reporting requirements.
  - I am very familiar with the Act and its reporting requirements.
- 

SQ2. Does your institution provide employees annual training about Clery Act reporting requirements?

- Yes, it does.
  - No, it doesn't.
  - I don't know.
- 

SQ3. At your current institution, have you attended a workshop on Clery Act reporting?

- Yes, I have.
  - No, I haven't.
  - I don't know.
-

SQ4. The Clery Act applies to which of the following (Check all that apply)

- two-year / community colleges
- four-year colleges and universities
- public colleges
- private colleges
- colleges with on-campus housing
- colleges without on-campus housing
- public K-12 schools
- private K-12 schools
- I don't know

SQ5. Under the Clery Act, which of the following, if any, are designated as a Campus Security Authority (CSA)? (Check all that apply)

- Campus police
- Campus security
- Individuals with campus security responsibilities
- Individuals specified in a campus security policy
- Individuals with significant responsibility for student and campus activities
- Organizations specified in a campus security policy
- Faculty advisor to a student group
- Full-time faculty members who teach classes
- Adjunct faculty who teach classes
- Clerical staff
- Title IX Coordinator
- Athletic coaches
- An academic dean
- A dean of students
- I don't know.

SQ6. At your current institution, do you have responsibilities as a Campus Security Authority (CSA)?

- Yes, I do.
  - No, I don't.
  - I don't know.
- 

SQ7. Does the Clery Act require that institutions have a campus security policy detailing who is included as Campus Security Authorities?

- Yes, it does.
  - No, it doesn't.
  - I don't know.
- 

SQ8. Does your institution maintain a campus police department or security department?

- Yes, it does.
  - No, it doesn't.
  - I don't know.
-

SQ9. Does the Clery Act require institutions to maintain a crime log to document reported campus crimes?

- Yes, it does.
- No, it doesn't.
- I don't know.

SQ10. If a criminal offense occurs, which of the following geographic locations does the Clery Act require colleges to include as part of their annual crime reporting statistics?

	Included	Not Included	I don't know.
Buildings that are a part of the institution's campus	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Off campus buildings owned by the institution	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Off campus property owned by the institution	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
On campus residential facilities or dormitories	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Off campus private residential facilities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Private property accessible from the campus	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Property that is part of the institution's campus	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Public property accessible from the campus	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

SQ11. Under the Clery Act, statistics for which of the following categories are required to be included in a college's annual security report?

	Included	Not Included	I don't know.
Aggravated assault	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Arrests for drug abuse violations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Arrests for liquor law violations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Arrests for weapons law violations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Arson	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Burglary	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Dating Violence	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Disciplinary referrals for drug abuse violations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Disciplinary referrals for liquor law violations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Disciplinary referrals for weapon law violations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Disciplinary referrals for academic dishonesty	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Discrimination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Domestic Violence	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Rape	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Motor vehicle theft	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Murder	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

SQ12. Under the Clery Act, statistics for which of the following categories are required to be included in a college's annual security report?

	Included	Not Included	I don't know.
Non-negligent manslaughter	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Negligent manslaughter	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Incest	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Statutory rape	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Parking violations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Robbery	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sexual harassment	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Stalking	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Hate crime related larceny-theft	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Hate crime related simple assault or intimidation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Hate crime related destruction/damage/vandalism of property	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Non-hate crime related larceny-theft	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Non-hate crime related simple assault or intimidation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Non-hate crime related destruction/damage/vandalism of property	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

SQ13. How many years' worth of crime statistics does the Clery Act require college's include in their annual security report?

- 1
  - 2
  - 3
  - 4
  - 5
  - I don't know.
- 

SQ14. If a college has more than one campus, does the college need to include crime statistics for each campus separately in the annual security report?

- Yes, it does.
  - No, it doesn't.
  - I don't know.
- 

SQ15. Are colleges required to contact off-campus local or State law enforcement agencies to gather crime information under the Clery Act?

- Yes, they are.
- No, they aren't.
- I don't know.

SQ16. The annual security report must be made available by October 1 of each year. According to the Act, to which of the following groups should the annual security report be made available?

	Required to distribute	Not required to distribute	I don't know.
Current employees	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Currently enrolled students	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Former employees	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Former students	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Prospective employees	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Prospective students	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

SQ17. Of the methods below, which are acceptable ways a college can distribute the annual security report to both students and employees under the Clery Act?

	Acceptable	Not Acceptable	I don't know.
Direct mailing through the U.S. Postal Service	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Direct mailing through campus mail	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Direct mailing through electronic mail (aka email)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Publication provided to students and employees	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Posting on the institution's website	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

SQ18. Do you know where your institution's annual security report is located?

- Yes, I do.
  - No, I do not.
- 

SQ19. Have you ever read your institution's annual security report?

- Yes, I have.
  - No, I have not.
- 

SQ20. Do you serve as an advisor to one or more institutional student groups or organizations?

- Yes, I do.
  - No, I do not.
- 

SQ21. What is your highest level of degree obtained?

- High School Diploma
  - Associate's Degree
  - Bachelor's Degree
  - Master's Degree
  - Educational Specialist (i.e., EdS)
  - Doctoral Degree (i.e., EdD or PhD)
  - Professional Doctorate (e.g., JD, MD, DVM, DDS, etc.)
  - Other (please specify) \_\_\_\_\_
-

SQ22. What is your sex?

- Male
  - Female
  - Prefer not to answer
- 

SQ23. How long have you been employed by your current institution? (Please round to the nearest whole year or, if needed, list as less than one year.)

\_\_\_\_\_

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SQ24. How long have you worked in higher education at community colleges? (Please round to the nearest whole year or, if needed, list as less than one year.)

\_\_\_\_\_

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SQ25. Please select the group which most accurately reflects your current primary employment classification.

- Student services (e.g. non-administrator roles and administrators such as VP, dean, director, etc.)
  - Academics (e.g., full-time faculty, adjunct faculty, academic department chair, dean, CAO, Provost, Academic VP, President, etc.)
  - Institutional support (e.g., IT, administrative assistant, tutor, facilities, business office, records, HR, security, etc.)
  - Workforce development
  - Other (please specify) \_\_\_\_\_
-

SQ26. Based on your student services role, you are classified as a

- Student service administrator (e.g., director, dean, VP, etc.)
  - Non-administrator student service professional (e.g., classified or non-classified)
  - Other (please specify) \_\_\_\_\_
- 

SQ27. How is your role classified at the college?

- Full-time faculty (no administrator duties)
  - Adjunct or part-time faculty
  - Department- or Unit-level academic administrator with or without faculty rank (e.g., department chairperson, program coordinator, program director, etc.)
  - Mid-level or Division-level academic administrator with or without faculty rank (e.g., academic dean, division chair or equivalent)
  - Senior-level administrator with or without faculty rank (e.g., president, provost, senior vice-president, vice-president, CAO, etc.)
  - Other (please specify) \_\_\_\_\_
- 

SQ28. How is your role classified at the college?

- Institutional support (e.g., administrative assistant, facilities personnel, physical plant personnel, IT, tutor, business office personnel, records office personnel, registrar, CFO, COO, etc.)
- Institutional safety (e.g., campus police, campus security, public safety officers)
- Human resources (e.g., administrator and non-administrator)
- Other (please specify) \_\_\_\_\_

SQ29. Based on your primary role, do you consider yourself an official of the college who has significant responsibility for student and campus activities?

- Yes, I do.
- No, I do not.
- I don't know.

**Appendix H: Table H IPEDS Human Resources Data: All Staff Totals Fall 2015 and Fall 2016.**

Table H

*IPEDS Human Resources Data: All Staff Totals Fall 2015 and Fall 2016*

Institution	Human Resources	
	Fall 2015	Fall 2016
Blue Ridge CTC	260	273
BridgeValley CTC	281	254
Eastern WV CTC	100	86
Mountwest CTC	210	211
New River CTC	212	181
Pierpont CTC	204	210
Southern WV CTV	265	260
WV Northern CC	205	204
WVU at Parkersburg	358	315
<b>Totals</b>	<b>2095</b>	<b>1994</b>

*Note.* IPEDS Human Resources “All Staff” Totals include employment statistics for all instructional, non-instructional, full-time, and part-time staff. See <https://nces.ed.gov/ipeds/datacenter/login.aspx?gotoReportId=6> for individual occupational categories reported statistics.

## Appendix I: Criminal Offenses, Sex Offenses, and Geographic Location Definitions

### A. FBI Uniform Crime Reporting Criminal Offenses Definitions

The following definitions are found in the FBI's *Uniform Crime Reporting Handbook* and *Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual*. Academic institutions are required to use the definitions below to classify criminal offenses as part of their campus crime statistics report preparation and to comply with the Clery Act. (Retrieved from <https://www2.fbi.gov/ucr/handbook/ucrhandbook04.pdf> and <https://ucr.fbi.gov/hate-crime-data-collection-guidelines-and-training-manual.pdf>)

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

**Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

**Bias/Hate Crime:** A criminal offense committed against a person, property, or society that is motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation, or ethnicity/national origin; also known as a hate crime.

**Bias**—A preformed negative opinion or attitude toward a group of persons based on their race, religion, disability, sexual orientation, ethnicity, gender, or gender identity.

**Bias Crime**—A committed criminal offense that is motivated, in whole or in part, by the offender's bias(es) against a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity; also known as Hate Crime.

**Hate Crime**—Bias Crime.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes unlawful entry with intent to commit a larceny or felony, breaking and entering with intent to commit a larceny, housebreaking, safecracking, and all attempts to commit any of the aforementioned.

**Drug Abuse Violations:** The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations

of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

**Liquor Law Violations:** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Agencies must include in this classification: manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor, maintaining unlawful drinking places, bootlegging, operating still, furnishing liquor to a minor or intemperate person, underage possession, using a vehicle for illegal transportation of liquor, drinking on train or public conveyance, and attempts to commit any of the above.

**Manslaughter by Negligence:** The killing of another person through gross negligence.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.

**Murder and Nonnegligent Manslaughter:** The willful (nonnegligent) killing of one human being by another.

**Other Assault:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack. Some examples of local jurisdiction offense titles that must be included in Other Assaults are: simple assault, minor assault, assault and battery, injury by culpable negligence, resisting or obstructing an officer, stalking, intimidation, coercion, hazing, or attempts to commit any of the above

**Robbery:** The taking of or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Weapons Possession/Weapons Law Violations:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

## **B. NIBRS Sexual Offenses Definitions**

The following definitions are found in the National Incident-Based Reporting System (NIBRS) Edition of the Uniform Crime Reporting Program as *Sexual Offenses Definitions*. Academic institutions are required to use the definitions below to classify criminal offenses as part of their campus crime statistics report preparation and to comply with the Clery Act. (Retrieved from <https://ucr.fbi.gov/nibrs/2011/resources/nibrs-offense-definitions>)

**Sex Offenses, Forcible:** Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.

**Forcible Rape:** (Except Statutory Rape) The carnal knowledge of a person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.

**Forcible Sodomy:** Oral or anal sexual intercourse with another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

**Sexual Assault With An Object:** To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

**Forcible Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

**Sex Offenses, Nonforcible:** (Except Prostitution Offenses) Unlawful, nonforcible sexual intercourse.

**Incest:** Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape:** Nonforcible sexual intercourse with a person who is under the statutory age of consent.

### **C. Geographic Locations Definitions**

The following definitions are found in *The Handbook for Campus Safety and Security Reporting* manual that is published by the U.S. Department of Education Office of Postsecondary Education. Academic institutions are required to use the definitions below to classify geographic locations of campus crimes as part of their campus crime statistics report preparation and to comply with the Clery Act. (Retrieved from <http://www.ed.gov/admins/lead/safety/campus.html>)

**Noncampus Buildings or Property:** Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's

educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

**On-Campus:** Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

**Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

## Appendix J: Curriculum Vitae

### Curriculum Vitae CHRISTINA C. JOHNSON

#### EDUCATION

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- 2018 Doctor of Education, Leadership Studies, Marshall University  
Major: Community College Administration  
Emphasis: Adult Education  
Dissertation: Awareness of Clery Act Reporting Requirements Across Institutional Strata in West Virginia Community and Technical Colleges
- 2006 Master of Science, Biological Sciences, Marshall University  
Major: Biological Sciences  
Thesis: Survey of the Great Kanawha River, West Virginia, for Virulence Related Gene Markers stx1, stx2, and eaeA
- 2000 Bachelor of Science, Biology, West Virginia University Institute of Technology  
Major: Biology  
Minor: Sociology
- 2000 Associate of Science, Business Technology w/ Accounting Emphasis, West Virginia University Institute of Technology

#### WORK EXPERIENCE

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- 2015 – Present Department Chair of Science / Assistant Professor  
~ General and Transfer Education Division  
BridgeValley Community and Technical College  
Montgomery/South Charleston, WV
- 2014 – 2017 Department Chair of Collaborative Programs  
~ Health Division  
BridgeValley Community and Technical College  
Montgomery/South Charleston, WV
- 2014 – 2015 Lead Instructor of Science / Assistant Professor  
~ General and Transfer Education Division  
BridgeValley Community and Technical College  
Montgomery/South Charleston, WV
- 2014 – 2014 Co-Instructor LS 690 Leadership Capstone Course – Online course  
~ Co-Instructor Dr. Michael Cunningham  
Jan-May 2014  
Marshall University, South Charleston, WV

- 2009 – 2014      Assistant Professor – Life Sciences  
                          ~ General and Transfer Education Division  
                          Instructor 2009-2013; Assistant Professor 2013-2014  
                          Bridgemont Community and Technical College  
                          Montgomery, WV
- 2003 – 2005      Graduate Teaching Assistant /Graduate Assistant – Biological Sciences  
                          Marshall University, Huntington, WV
- 2002 – 2003      Adjunct Instructor – Human Anatomy and Physiology Laboratory  
                          West Virginia University Institute of Technology  
                          Montgomery, WV

## **PRESENTATIONS**

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- 2014              Get with the Program: Is the College Board’s Push for AP Expansion Right for Students?  
                          Presenters: **Johnson, Christina**, Barbara Nicholson and Feon Smith  
                          54th Annual Southern Regional Council on Educational Administration (SRCEA) Conference  
                          Oklahoma City, OK
- 2005              Testing Antibiotic Resistance and Fecal Coliform as Bioindicators of Water Quality for the Great Kanawha River, West Virginia.  
                          Presenters: **Johnson, Christina**, April Keenan and Charles Somerville – Marshall University  
                          Association of Southeastern Biologists Annual 66<sup>th</sup> Annual Meeting  
                          University of North Alabama, Florence, AL
- 2005              Multiple Antibiotic Resistance Patterns of Microbes from the Great Kanawha River.  
                          Presenters: Keenan, April, **Christina Johnson** and Charles Somerville - Marshall University  
                          Association of Southeastern Biologists Annual 66<sup>th</sup> Annual Meeting  
                          University of North Alabama, Florence, AL

## **OTHER ACTIVITIES**

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- 2014    Chairperson – Marshall University Doctoral Student/Faculty Seminar