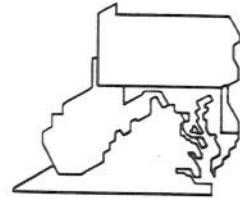




U.S. DEPARTMENT OF EDUCATION

3535 MARKET STREET
PHILADELPHIA, PENNSYLVANIA 19104



REGION III

STUDENT FINANCIAL
ASSISTANCE PROGRAMS

ROOM #16200

September 20, 1996

Dr. Paul E. Torgersen
President
Virginia Polytechnic Institute and State University
Burruss Hall
Blacksburg, VA 24061

Dear Dr. Torgersen:

The Department of Education's Philadelphia Regional Office received the attached letter from Security On Campus, Inc., dated August 14, 1996. As a result, I contacted your Financial Aid Office on September 17, 1996 and spoke with Ms. Zelma Harris, Associate Director of Financial Aid, regarding the matter referenced in the Security on Campus letter.

The letter alleges that Virginia Polytechnic Institute and State University's campus security report is not in compliance with the law and the regulations. When a complaint of this nature is filed against an institution, the Department of Education is required to assess the complaint and to take appropriate action. In accordance with 34 CFR 668.47, Virginia Polytechnic Institute and State University must provide to the Department the information listed below.

1. Provide responses to the questions below regarding the compilation of the institution's campus security report.
 - a.. Who (official title and office) is responsible for preparing the campus security report?
 - b. How is the report prepared? What campus or local police offices or officials are consulted when gathering data for the campus security report? What are the sources of the data?

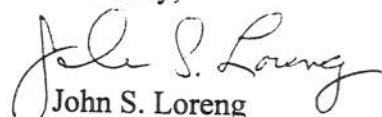
- c. Were there any incidents considered for inclusion in the statistics, and then excluded? What was the basis for excluding the incident?
 - d. How does the institution deal with student complaints regarding the statistics?
 - e. What method does the institution use to classify crimes committed on campus as defined by 34 CFR 668.47 (f)?
2. Provide the following documents:
- a. The institution's Campus Security Report due September 1, 1995;
 - b. The institution's Campus Security Report due September 1, 1996; and
 - c. All relevant back up documentation related to the referenced incident. Back up documentation is anything an institution used to construct its statistics and can include, but is not limited to, local police and campus security incident reports, data collected by officials with significant responsibility for student and campus activities.

Please submit this information to the following address by October 3, 1996.

Ms. Nancy P. Klingler
Acting Regional Director
Student Financial Assistance Programs
3535 Market Street, Room 16200
Philadelphia, PA 19104

Thank you in advance for your cooperation in this matter.

Sincerely,


John S. Loreng
Branch Chief, Region III

cc: Dr. Lannie Cross
Vice President for Student Affairs
Dr. Julie Sina
Director of Financial Aid

RECEIVED

AUG 19 1996



Security On Campus, Inc.
215 West Church Road, Suite 200
King of Prussia, Pa. 19406-3207

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August 14, 1996

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Please Reply to:

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Ms. Nancy Klingler, Acting Director
U.S. Dept. of Education-Region III Office
3535 Market Street, Room 16200
Philadelphia, PA 19104

Re: *Campus Security Act*

Dear Ms. Klingler:

As you are aware, allegations of non-compliance with the *Campus Security Act* are to be directed to the Department of Education's various regional offices and it is with that in mind that we are filing this inquiry. A possible case of non-compliance has been brought to our attention and we wanted to confirm with your office whether or not this set of circumstances would be considered non-compliance and if yes if it would warrant further investigation?

Former Virginia Tech student [redacted] recently offered testimony before a Congressional subcommittee which indicated that although she was raped three times on campus in one September 1994 night that only two sex offenses were reported by the school for that calendar year. We have corresponded with the campus police department to inquire about those two incidents and they have confirmed that those reports are not related to the [redacted] case.

As you may already be aware, the allegations were handled by an internal disciplinary committee and were never reported to the campus police. One of the suspects was found guilty and it is clear that officials with "significant responsibility for student and campus activities" were aware of the reported incidents. According to the May 1996 "Dear Colleague" letter regarding the Act, an "institution is not relieved of compliance with the reporting requirements of the campus security regulations when the institution refers a matter to a disciplinary committee, rather than to the institution's law enforcement unit or directly to the local authorities." That would seem to apply to this case.

The campus law enforcement unit argues that although they are aware of this case, they did not have sufficient information to use FBI Uniform Crime Reporting standards as is provided for by 34 CFR §668.47 (b)(3). However a lack of release of information to the campus police would not seem to exempt such incidents from being reported in annual statistics even if that means using UCR definitions to keep records in the disciplinary committee and tabulating them separately from those kept by the campus police which is apparently not being done.

Your assistance with this matter would be greatly appreciated.

Sincerely,

S. Daniel Carter

c.c.: David A. Longanecker
Eileen N. Wagner



VIRGINIA POLYTECHNIC INSTITUTE
AND STATE UNIVERSITY

Office of Equal Opportunity/Affirmative Action

336 Burruss Hall, Blacksburg, Virginia 24061-0216
(540) 231-7500 Fax: (540) 231-8510
TDD: (540) 231-9460 e-mail: holforde@vt.edu

October 10, 1996

Ms. Nancy P. Klingler
Acting Regional Director
Student Financial Assistance Programs
3535 Market Street, Room 16200
Philadelphia, PA 19104

re: Complaint Letter from Security on Campus, Inc.

Dear Ms. Klingler:

Please allow this letter and the enclosed materials to serve as the response from President Torgersen at Virginia Tech to a letter of inquiry which was dated September 20, 1996 and was authored by John S. Loreng, Branch Chief-Region III. In the response materials which follow, you will find:

1. a copy of Loreng's letter with our notation of a time extension (per telephonic communication);
2. the answer to paragraph 1 (a) of that letter;
3. the answer to paragraph 1 (b) of that letter;
4. the answer to paragraph 1 (c) of that letter;
5. the answer to paragraph 1 (d) of that letter;
6. the answer to paragraph 1 (e) of that letter with a five-page attachment;
7. a copy of Virginia Tech's Campus Security Report due September 1, 1995;
8. a copy of Virginia Tech's Campus Security Report due September 1, 1996;
9. a position statement and copies of relevant documentation related to the referenced incident; and
10. a position statement concerning our commitment to following the Campus Security Act and relevant documentation related to that commitment.

I hope these materials assist you in reviewing our efforts. If I can provide further information or be of any further assistance to you, please feel free to contact me.

Cordially,



Elyzabeth Holford
Director, EOAA