



UNITED STATES DEPARTMENT OF EDUCATION

REGION II
75 PARK PLACE
NEW YORK, NEW YORK 10007

OFFICE OF STUDENT FINANCIAL ASSISTANCE PROGRAMS

DEC 08 2000

Dr. R. Barbara Gitenstein
President
The College of New Jersey
PO Box 7718
Ewing, New Jersey 08628

Certified Mail
Return Receipt Requested

PRCN 200040217754

Dear Dr. Gitenstein:

From August 29 to 31, 2000, Institutional Review Specialists Betty Coughlin and Thomas Whiting conducted a focused program review of the Campus Security Act of 1990 administered by The College of New Jersey. The findings of that review are presented in the enclosed report.

This report contains findings regarding the school's implementation of the Title IV Student Financial Assistance regulations as they apply to the Campus Security Act of 1990. Findings of noncompliance are referenced to the applicable regulations. Please review and respond to the report, indicating the corrective actions taken by the institution. Your response should be sent directly to this office, to the attention of Mr. Whiting, within 30 days of your receipt of the report.

I would like to express my appreciation for the courtesy and cooperation extended during the review. If you have any questions concerning this report, please call Mr. Whiting at (212) 637-0519.

Sincerely,

Robert J. McKiernan, Area Case Director
Case Management Division-Northeast
New York Team

Cc: Kathy Leverton, Director of Environmental Services
The College of New Jersey

Enclosure

bcc: Reading file
Correspondence file
School file
Robert McKiernan
Tom Whiting

OUR MISSION IS TO ENSURE EQUAL ACCESS TO EDUCATION
AND TO PROMOTE EDUCATIONAL EXCELLENCE THROUGHOUT THE NATION

PROGRAM REVIEW REPORT

INSTITUTION:

The College of New Jersey

PRCN: 200040217754 OPEID: 002642
TIN: 222797398 DUNS: 030315980

DATES OF REVIEW:

August 29 through 31, 2000

FOCUSED REVIEW:

Campus Security Act of 1990

CALENDAR YEARS REVIEWED:

1996, 1997 and 1998

TYPE AND CONTROL:

Public Institution

ACCREDITATION:

Middle States Association of Colleges and Schools - Higher Education

SFA PROGRAM FUNDING:

Program	FY 99/00
Pell Grant	\$ 1,727,123
FSEOG	206,026
FWS	249,532
FFEL	14,831,248
Total	\$17,013,929

Source: GAPS and National Student Loan Data System

DEFAULT RATES:

1998 - 5.3% 1997 - 6.2% 1996 - 6.0%

Source: PEPS

REVIEWING ED OFFICIALS:

Betty Coughlin
Thomas Whiting

INSTITUTIONAL OFFICIALS CONTACTED:

Kathy Leverton, Director of Environmental Services
Sherry Tarantula, Assistant Director for Administrative Services, Campus Police
Julius Quinn, Assistant Director for Operations, Campus Police
Patrice Coleman-Boatwright, Executive Assistant Dean of Student Life and
College Disciplinary Officer
Magda Manetas, Director Office of Residence Life
Kathy Jackson, Director of Health Services
Larry Gage, Assistant Director Psychological Counseling Services

INTRODUCTION

BACKGROUND:

The College of New Jersey (formerly Trenton State College) is a public institution of higher education, operating as an autonomous college under New Jersey Public Law Chapter 42 since July 1, 1987. The college is accredited by the Middle States Association of Colleges and Schools and authorized by the New Jersey Commission on Higher Education. The college is located in Ewing, New Jersey and is composed of five schools (Arts and Science, Business, Education, Nursing and Engineering).

The institution participates in the Federal Pell Grant, Federal Supplemental Educational Opportunity Grant, Federal Work Study, Federal Perkins Loan, and Federal Family Education Loan programs. The college is also a participant in the Direct Loan program; however, the college did not draw down any Direct Loan funds in the 1999/00 fiscal year. The fall 1999 enrollment totaled 5,541 full time equivalent undergraduate students and 408 full time equivalent graduate students.

The College of New Jersey was selected for review as a result of a complaint regarding the institution's compliance with the Campus Security Act requirements. Essentially, the complaint alleged that the college did not report three (3) sexual assault cases that occurred on campus in the 1996/97 academic year in the annual Campus Security Report.

SCOPE OF REVIEW:

Members of the New York Case Management Team conducted a program review from August 29 to 31 on campus and contacted several counseling services and hospitals. The review examined the school's compliance with administration of the Campus Security Act of 1990. The review team interviewed school officials and reviewed relevant documents, including Campus Security Act brochures from 1996 to 1998, investigation reports prepared by the Campus Police Department, and incident reports prepared by the Office of Residence Life and the Office of Student Life's Disciplinary Officer. The review also included interviews with the Ewing Police Department's College liaison officer and the review of crime statistics maintained by the Ewing Police Department. Subsequent to our on campus review, we also contacted several counseling services and hospitals that serviced the College's population and were referred to by either the Campus Security Act brochures prepared by the College or during our interviews with College personnel.

During the review, some areas of noncompliance were noted. Findings of noncompliance are referenced to the applicable laws, regulations, and policies, and specify the actions to be taken by The College of New Jersey to bring the operation of the Institution into compliance with regulations and statutes.

Although the review was thorough, it was focused on the institution's compliance with the requirements of the Campus Security Act and, therefore, cannot be assumed to be all-inclusive. The absence of any statements in the report concerning The College of New Jersey's specific practices and procedures must not be construed as acceptance, approval, or endorsement of those specific practices and procedures. Furthermore, it does not relieve The College of New Jersey of its obligation to comply with all of the statutes or regulatory provisions governing Title IV programs.

The College of New Jersey's response is due within 30 days of receipt of this report. As discussed at the exit interview, the findings resulting from this program review could be referred to the Department's Administrative Action and Appeals Division for possible administrative action. Administrative action includes the imposition of fines, or limitation, suspension or termination of the institution's eligibility to participate in the Title IV programs.

FINDINGS

FINDING NO. 1 - Crime Statistics Not Accurately Disclosed in Annual Campus Security Reports

The Campus Security Reports prepared by The College of New Jersey for the years 1996, 1997 and 1998 were inaccurate. The reports failed to include all reportable incidents of forced sex offenses and contained other information that was not reconcilable to the investigation reports prepared by The College of New Jersey's Campus Police Department.

Missing Reportable Sex Offenses

As alleged in the complaint received by our office, The College of New Jersey's Campus Security Report for 1996 and 1997 failed to include three (3) forcible sex offenses reported to and investigated by the Campus Police Department. The College's Director of Environmental Services, who is responsible for the Campus Police Department, and the Campus Police's Assistant Director for Administration identified the pertinent investigation reports and acknowledged that the Campus Security Reports underreported forcible sex offenses for 1996 and 1997. The College officials indicated that the Campus Security Reports in question were prepared by the former Chief of the Campus Police Department, who retired in May 1999, and they could not explain why the investigation reports identifying the forcible sex offenses were not included in the Campus Security Reports. For the 1996 and 1997 calendar years the following discrepancies were identified:

1996 Calendar Year Report - The Campus Security Report only listed only two (2) forcible sexual offenses, while the campus police investigative reports included three (3) cases for the calendar year (Case Reports 96-1620, 96-1925 and 96-7271).

1997 Calendar Year Report - The Campus Security Report failed to list any forcible sexual offenses, while the campus police investigative reports included two (2) cases for the calendar year (Case Reports 97-001177 and 97-011758).

Reconciliation Problems with Reported Data

It appears that the Campus Police Department has the primary responsibility for preparing the Campus Security Report from information contained in its investigation reports. Additional information is provided through informal contacts between the Campus Police Department and various College officials in the College's Student Life Office, e.g., the College's Disciplinary Officer and the Director of the Office of Residence Life. However, there appear to be a number of problems with this process.

Inconsistency in Investigation Reports – classification of crimes on the investigation reports is left to the discretion of the reporting officer. A review of the investigation reports led to a number of inconsistencies in reporting, both on individual investigation reports and in the information reported on Campus Security and UCR reports.

Example 1 - break-ins into vehicles and subsequent removal of property were sometimes classified as theft (Case Report 98-9140) and sometimes classified as burglary (Case Report 97-013514). Since burglary is reportable on the Campus Security Report and theft is not, the distinction is important.

Example 2 – the Campus Police Department identified as a simple assault, a case of a student hitting a police officer in the head with a club (Case Report 98-3020) and classified a student's threat to use a knife to kill another student as 'terroristic threats' (Case Report 98-3438). Under the UCR Handbook definitions both of these cases should have been identified as aggravated assaults which are reportable offenses under the Campus Security Report.

Conflicts in Reported Data - The investigation reports are used as the source data for the Campus Security report and the FBI's Uniform Crime Reporting (UCR) system. However, there is no procedure in place to clearly identify which investigation reports are included under the various Campus Security Report and UCR Report categories. Therefore, any attempt to reconcile the differences between the source data (the investigation reports) and required reports is extremely difficult. We identified the following difference between the investigation reports, the Campus Security Reports and the UCR Reports, but were unable to determine the reasons for the discrepancies.

1996	Sex Offenses	Robbery	Aggravated Assault	Burglary	Vehicle Theft	Arson
Investigation Reports	3	1	0	5	4	0
Campus Security	2	1	0	14	8	0
UCR	1	1	0	14	7	0

1997	Sex Offenses	Robbery	Aggravated Assault	Burglary	Vehicle Theft	Arson
Investigation Reports	2	0	1	5	2	1
Campus Security	0	0	1	0	2	0
UCR	0	0	1	1	2	0

1998	Sex Offenses	Robbery	Aggravated Assault	Burglary	Vehicle Theft	Arson
Investigation Reports	2	0	2	7	4	0
Campus Security	2	0	1	1	4	0
UCR	0	0	1	1	4	0

Improvements Needed in Coordination – Based on our interviews with the College Disciplinary Officer and the Director of Residence Life, there does not appear to be any formal guidelines for providing information to the Campus Police’s Director of Administration for inclusion of reportable incidents in the Campus Security Report. Based on our interviews, it does not appear that other College officials responsible for disciplinary actions are aware of the exact reporting requirements of the Campus Security Report. It also appears that there is no formal reporting system between Student Life and the Campus Police Department. Under the current system, the Campus Police Assistant Director for Administration gathers the needed information through ad hoc meetings with other College officials.

Failure to accurately report all of the criminal occurrences required to be included in the Campus Security Report denies students and employees the opportunity to make informed decisions about the relative security of the campus environment and to make personal security decisions.

REFERENCE: Section 485(f) of the HEA, as amended
 34 CFR 668.14(c)(2) – Program Participation Agreement (1995)
 34 CFR 668.47 - Institutional Security Policies and Crime Statistics (1995)
 34 CFR 668 Appendix E - Crime Definitions (1995)

REQUIREMENT: The College should review the requirements of 34 CFR 668.46 (formerly 34 CFR 668.47) and develop a comprehensive system for collecting information from all pertinent sources to ensure the accuracy of data reported in the College’s Campus Security Report and otherwise complying with the requirements of 34 CFR 668.46. Any proposed system must include the following:

1. A review of all investigation reports prepared by the Campus Police Department officers by a person familiar with the definitions included in the UCR Reporting Handbook, the UCR Reporting Handbook, NIBRS Edition, the UCR Hate Crime Data Collection Guidelines, and UCR Training Guide for Hate Crimes Data Collection, to ensure that all crimes in the investigation reports are properly classified and reported.
2. Summary records should be maintained to trace crimes reported on the Campus Security Report to the appropriate investigation reports.

3. Reconciliations should be performed between the UCR Reports and the Campus Security Report to ensure consistency in reporting and to ensure that all required criminal activity is included in the Campus Security Report.
4. Pertinent campus officials should be made aware of the reporting requirements of the College's Campus Security Report by providing them with copies of the regulations, including definitions of all crimes and other disciplinary actions required to be included in the report.
5. Formal reporting systems should be established to ensure that the responsible College offices inform the Campus Police Department of all reportable campus disciplinary actions that should be included in the Campus Security Report.

Additionally, the College must ensure that the necessary corrections are made to any erroneous prior year's statistics that are included in the current campus Security Report.

Finding No. 2 – Additional Information Omitted From Campus Security Report

A review of the College's Campus Security Report for 1999-2000 indicated that several areas of the report require clarification or additional information.

Campus Security Information Programs – The College offers a number of programs meant to inform students and employees of crime awareness and prevention as well as personal security. However, these programs are not clearly identified in the Campus Security Report regarding identification of the specific programs offered or the frequency of the programs.

Timely Warning – The College has adopted a policy of issuing campus wide email alerts to all students and employees when a reportable crime occurs that represents a threat to the students and employees of the College. However, the early warning policy is not identified in the Campus Security Report.

REFERENCE: 34 CFR 668.74(a)(4) (1995)
 34 CFR 668.47(e) (1995)

REQUIREMENT: The College is required to review the Campus Security report to ensure that all policy statements required by regulation are included. The College must revise its Campus Security Report to include the information regarding the availability and frequency of campus security training programs and the College's policy regarding timely warning.