



November 09, 2011

Dr. Graham B. Spanier
President
Pennsylvania State University
201 Old Main
University Park, PA 16802-1589

Overnight Mail, Tracking #
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OPE ID: 00332900

Dear President Spanier:

This letter constitutes our written request to the officials of Pennsylvania State University for access, beginning November 28, 2011 to the appropriate records, staff and students of Pennsylvania State University (PSU; the University), State College, PA so that Mr. James Moore, Mr. Donald Tantum, Mr. Manual Loera, and Ms. Jannetta Washington can conduct a program review to evaluate your institution's compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). The regulatory authorities for this visit are cited below.

34 C.F.R. Section 668.24(d)(2) "An institution shall make its records readily available for review by the Secretary or the Secretary's authorized representative at an institutional location designated by the Secretary or the Secretary's authorized representatives."

34 C.F.R. Section 668.24(f)(1) "An institution that participates in any Title IV, HEA program and the institution's third party servicer, if any, shall cooperate with an independent auditor, the Secretary, the Department of Education's Inspector General, the Comptroller General of the United States, or their authorized representatives, a guaranty agency in whose program the institution participates, and the institution's accrediting agency, in the conduct of audits, investigations, program reviews, or other reviews authorized by law."

34 C.F.R. Section 668.24 (f)(2) "The institution and servicer must cooperate by - (ii) Providing reasonable access to personnel associated with the institution's or servicer's administration of the Title IV, HEA programs for the purpose of obtaining relevant information."

Failure to provide this access to the program review team will result in the U.S. Department of Education initiating an administrative action against the institution. An administrative action may include, but is not limited to: the imposition of a formal fine and/or the limitation, suspension or termination of the institution's Title IV program participation, pursuant to 34 C.F.R. Part 668, Subpart G.

School Participation Team NE--Philadelphia
The Wanamaker Building
100 Penn Square East Suite 511
Philadelphia, PA 19107-3323

The program review team will begin its work at approximately 9:00 A.M. on Monday, November 28, 2011.

The initial examination period will include the crime statistics for all calendar years covered by PSU's 2001-2011 Annual Security Reports; however, production of records and information pertaining to other calendar years may be required as the program review progresses. The University must make every effort to provide the review team with immediate access to all requested records and information sources.

The review team will require unrestricted access to unredacted originals of University records pertaining to all aspects of Clery Act compliance. Please be advised that we will endeavor to protect the confidentiality and privacy rights of all individuals identified in University records that are provided to U.S. Department of Education officials.

Please inform all personnel with responsibilities involving campus security, policing, judicial affairs, resident life, student affairs, athletics, Greek letter organizations as well as all other office with responsibilities relevant to the University's compliance with the Clery Act of this program review so that they or their designees are available during the site visit. Interviews will be conducted throughout the program review. All relevant offices should be advised to provide accurate, complete and timely responses to requests from the review team. Our access to employees and students for the purposes of conducting interviews is an essential part of the campus security program review process. As such, we request your assistance to help ensure that employees and students make themselves available in a timely manner upon our request. Furthermore, we ask that you take appropriate steps to ensure that no University official or agent encumbers or obstructs the program review process in any way.

Upon their arrival, the team will meet with you or your designee(s) and other institutional officials to explain the program review process.

At the conclusion of the review, the reviewers may meet with institutional officials to discuss any violations, recommendations, and next steps. You will receive an official written report at a later date.

Please have the following information available for examination upon our arrival on November 28th:

1. A list of all Campus Security Authorities for Clery Act purposes (positions and offices are sufficient);
2. A copy of the catalog and student handbook for the University and for each separate College, school, division, or location within PSU for the academic years 1998-2011; Indicate (flag/tab) the specific portion or location that relates to the Clery Act.
3. A list of all incidents of crime reported to the PSU Police Department or other campus security authority in calendar years 1998-2011;

4. A copy of the organizational chart for the policing and security-related functions for the University and for all Colleges, schools, etc. within PSU;
5. A complete set of the PSU Police Department's Standard Operation Procedures regarding the following functions (dispatch, response to calls, report writing, arrests including issuance of citations, and protocols for arson, sexual assault, and active shooter scenarios);
6. The relevant portion of any applications, brochures, disclosures, forms, and other publications related to the Clery Act that is normally distributed to 1) prospective students; 2) prospective employees; 3) first-time students; and, 4) new hires of the University and all Colleges, schools, etc. within PSU that address campus crime and campus security;
7. Copies of all agreements and/or contracts with any agencies or organizations that provide any protective service, security, counseling, or other service related to the University's policing, security and safety programs;
8. A detailed description of all dispatch/response and recordkeeping systems (hardcopy; software; etc.) utilized by any University office or contractor with security-related responsibilities (PSU Police, Judicial Affairs, Residence Life, Student Life; etc.);
9. Copies of all campus, patrol, and/or sector maps (with legends) utilized by the PSU Police, contract security agency, and/or the University's real estate office;
10. Comprehensive list of all buildings and land owned or controlled by the University including leased property (the list should include the address, the building code, and category of the property-on campus-resident, on-campus-other, off campus, public, etc);
11. A list of all buildings and land owned by any University-recognized student organizations including leased property (the list should include the address, the building code, category of the property-on campus, off-campus);
12. Copies of 2001-2011 Annual Security Reports prepared by PSU for purposes of complying with the Clery Act and evidence of when these reports were distributed to the PSU campus community;
13. A copy of the University's Drug and Alcohol Abuse Prevention program materials and a copy of the two most Biennial Review reports of the drug prevention program as required by § 120(a)(2) of the Higher Education Act;
14. A list of all timely warnings and emergency notifications issued by PSU during calendar years 1998-2011 and a description of the means or media used to disseminate the warning or notification; and,

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15. A copy of PSU daily crime log for calendar years 1998-2011 (hardcopy or electronic).

If you have any questions, please contact Mr. Moore on (215) 656-6495 or at james.moore@ed.gov or Mr. Tantum on (215) 656-6467 or at donald.tantum@ed.gov. Thank you for your anticipated cooperation and attention to this important matter.

Sincerely,



Nancy Paula Gifford
Area Case Director

cc: Mr. Tyrone Parham, Director/Chief of University Police, PSU
Ms. Anna Griswold, Ass. VP, Undergraduate Education & Exec. Dir. of Student Aid, PSU