He Said/She Said
The Legal Issues Surrounding Sexual Assault on Campus

Keith Edwards & Heather S. Gasser

ABSTRACT

Managing claims of sexual assault can be one of the most challenging issues, both intellectually and emotionally, for members of the student affairs staff. Recent legislation and legal precedent have noticeably altered the responsibilities and limitations facing employees of colleges and universities. How are issues such as due process rights, privacy rights, and liability implemented with genuine care and concern for alleged victims and with ethical and fair treatment of alleged perpetrators? The authors conclude with recommendations for reporting standards, victim assistance, and adjudication.

THE AUTHORS

Keith Edwards ('00) is currently a Complex Coordinator with the Office of Residence Life at the University of Delaware. Heather S. Gasser ('00) is currently an Assistant Director of Student Life Programs at Indiana State University.

INTRODUCTION

Some of the pleasures of working in higher education include the personal connections and opportunities to impact and empower students on campus. Through advising a student organization, supervising residence hall staff, or conducting a judicial hearing, many opportunities arise for staff to connect with and serve as mentors to students. As trusted individuals and mentors, student affairs professionals working directly with students often share in not only the students joys, successes, and triumphs, but also their pains, failures, and negative experiences.

While many professionals are working to create positive and healthy communities, sexual assaults negatively impact the safe college environment. Unfortunately incidents of sexual assault are not rare on college and university campuses. While the authors acknowledge that sexual assaults do occur between people of the same gender and that men are victims of sexual assaults perpetrated by women, this article will focus on sexual assaults in which the alleged perpetrator is male and the alleged victim is female. In 1985, Mary Koss (1988) studied sexual assault by interviewing approximately 3,000 female and 3,000 male students at thirty-two higher education institutions. According to the data Koss (1988) gathered, one in four women had been a victim of sexual assault and eighty-four percent of these victims knew her attacker. The possibility that twenty-five percent of the female population at colleges and universities has or will likely face a sexual assault before graduation is alarming, especially to student affairs administrators. In 1999, *The Chronicle of Higher Education* reported that in 1997 there were 1,053 forcible sex offenses reported on campuses in the United States (http://chronicle.com/free/v45/i38/stats/1year.htm, 1999). These statistics prompted an in-depth analysis of the legal issues that student affairs professionals face when confronting incidents of sexual assault.

HISTORY AND CONTEXT

The concept of sexual assault on college campuses has evolved over the past thirty years. Previously, "rape" was typically defined as a violent sexual assault by a stranger. In the 1970s, date or acquaintance rape began to be recognized in academic and feminist circles as a form of sexual assault. Unwanted sex after a consensual date or even previous sexual interaction was recognized by feminists and academics as "sexual assault," but not by society as a whole. Women, now more comfortable with asserting their rights against a stranger, were reluctant to be accused of giving mixed signals and facing a "he said - she said" argument, which often included blaming the victim. In the 1980s, while college administrators and students more readily accepted date rape as a crime comparable to sexual assault, feminists began to include other situations under the category of sexual assault. For example, sex

under the influence, even though it may have been consensual at the time, was introduced as a form of rape or sexual assault (Fossey and Smith, 1995).

Given recent legislation, philosophical changes, and increased levels of crime nationwide, higher education's response to sexual assault has evolved over the last several decades. The outcome of legal cases, as well as the introduction of new government statutes and laws, dictates the response required of higher education administrators, at both public and private institutions. Victims of violent crimes that occur on campus are treated with a very serious response because of the potential impact a legal case could have on the institution.

The beginning of institutional legal liability for crimes on campus lies in the philosophy of *in loco parentis*. A commonplace doctrine in American higher education through the 1970s, *in loco parentis* (loosely translated from Latin to mean in place of the parents) permitted colleges and universities to exert almost untrammeled authority over the students' lives. Beginning in the 1940s with the G.I. Bill, colleges and universities started to realize that an *in loco parentis* relationship with students was no longer relevant or needed. The emergence of the student veteran, the loosening of the educational pattern (going directly to college after high school), and the increase in the age of the average student all contributed to the breakdown of *in loco parentis* (Kaplin & Lee, 1995).

Recently, the courts have struggled to impose liability on institutions for negligence based on the duty of a special relationship, established by *in loco parentis*. The courts in *Bradshaw v. Rawlins* (1979) and *University of Denver v. Whitlock* (1987) decided that institutional liability cannot be based on the *in loco parentis* doctrine because universities today have no duty to shield their students from the dangerous activities of other students (Kaplin & Lee, 1995). However, as the cases described below will prove, the courts have imposed a duty of protection from and prevention of campus crime if it is reasonably foreseeable. This is evident in the courts' decision in *Nero v. Kansas State University* (1993), as well as in *Mullins v. Pine Manor* (1983). These cases show that *in loco parentis* is not completely obsolete. The opposite extreme of *in loco parentis*, or a completely hands off approach, is equally unsettling. Snow and Thro (1994) state "in the face of increasing violent crime on campuses in the past few years, students, parents, and lawmakers have been strong and vociferous advocates of expansion of institutional responsibility for harm to persons in the campus community, particularly in proprietary areas" (p. 543).

LEGAL PRECEDENTS OF INSTITUTIONAL LIABILITY FOR SEXUAL ASSAULT ON CAMPUS

The societal acceptance of rape and sexual assault as crimes has provided more opportunities for victims to confront their perpetrators in court. In addition to the case against the attacker, recent civil cases involving sexual assaults occurring on campus increasingly have found colleges and universities liable for the harm done to victims *(Peterson v. San Francisco Community College District*, 1984; *Mullins v. Pine Manor*, 1983; *Nero v. Kansas State University*, 1993). The courts have said that institutions owe students a duty to take reasonable precautions against foreseeable dangers, and to provide a reasonably safe environment for their students and employees (Bhirdo, 1989). A breach of that duty resulting in a sexual assault on campus could subject colleges and universities to incur liability, potentially resulting in monetary damages owed to the victim. The following brief case descriptions illustrate the legal precedent on which institutional liability claims could be based.

The 1984 California Supreme Court case of *Peterson v. San Francisco Community College District* found that the college breached its duty of reasonable care because the parking lot, in which the sexual assault occurred, was poorly lit and surrounded by thick foliage. In addition, the college was aware of previous assaults occurring in the lot yet had failed to warn students of the potential danger.

In *Mullins v. Pine Manor College* (1983), the court held that the college had a duty of care based on two theories: "residential colleges have a general legal duty to exercise due care in providing campus security," and that a "duty voluntarily assumed must be performed with due care" (Kaplin & Lee, 1995, p. 259). The *Mullins* court held that parents, students, faculty, and the general community, because of the steps taken by the university to protect the campus (hiring security guards, fencing in the campus), had an "enforceable expectation that reasonable care would be exercised to protect resident students from foreseeable harm" (Fossey & Smith, 1996, p. 33).

In *Nero v. Kansas State University* (1993), the court established the precedent that if a crime is reasonably foreseeable, the institution has a duty to protect its students from harm. At issue was whether Kansas State University had a duty to protect residents of university residence halls and if so, the nature and extent of that duty. The *Nero* court found that liability might be imposed upon a university, at least in part, based upon the unique university-student relationship. While not an insurer of safety, the University has a duty of reasonable care to protect a student against certain dangers, including criminal actions against a student by another student or third party if the criminal act is reasonably foreseeable.

A further issue in this case is the administrator response to Davenport's plea of not guilty of the other assault. The dissent in *Nero* (1993) states that Davenport's sexual advances against Nero were not reasonably foreseeable. As a result of the *Nero* decision, University administrators are confronted with a difficult situation in working with students who enter pleas of "not guilty" in a legal proceeding: is the prudent administrator to assume such students are guilty until proven innocent (Nero v. Kansas State University, 1993)?

In addition to lawsuits filed by victims of assault, there have also been some civil cases brought against colleges and universities by perpetrators of assault. Rulings by many lower courts have stated that students have a property and liberty interest in public education and a binding contract with private institutions (Picozzi, 1987). If a student can prove this interest, then there must be some form of due process before they can be deprived of their rights or breach of contract (Bohmer & Parrot, 1993). In general, the courts (such as in *Steadman v. University of New Hampshire*, 1991) have given state institutions great leeway in interpreting due process. "The problem is that there are no Supreme Court decisions that outline what is expected of universities, for this reason, one has to rely on lower court decisions" (Bohmer & Parrot, 1993, p. 83). Clearly, university administrators must be aware of the legal issues on both sides of sexual assaults.

Incidents of college and university liability to the victim have followed several themes. First, institutions have a responsibility to protect students within the community from foreseeable dangers. Second, colleges and universities have a duty to take extra precautions to warn students of known assaults that have taken place in certain locations. In general, institutions are held to the same standard of care required of landlords to warn tenants of potentially dangerous conditions. An institution's knowledge of a student's previous criminal record, or the institution's geographic location (i.e. an urban area) could impose a greater liability. Civil cases brought by perpetrators against a public college or university primarily involve the deprivation of property or liberty interest (in pursuing an education) or breach of contract without proper due process.

LAWS AND STATUTES AFFECTING CAMPUS POLICIES AND PRACTICES

The increase in court cases affecting institutional liability for sexual assaults occurring on campus has influenced federal legislation. In the last decade, The United States Congress has enacted several laws and statutes mandating the responsibility of colleges and universities to promote and maintain safe campus environments.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act, 1998), originally known as the "Campus Security Act," is applicable to all public and private institutions of higher education that receive federal student aid. The primary impetus for this legislation was the 1986 rape and murder of Lehigh University student Jeanne Ann Clery while she was asleep in her residence hall room. The Act requires colleges and universities to publicly disclose campus security information. At a minimum, this information must include statistics for seven crime categories (homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, and arson) for the three most recent calendar years and statements of security policies.

Congress amended the security provisions of the original version of the Clery Act, the Campus Security Act (1990), in 1992 with *The Campus Sexual Assault Victims' Bill of Rights* (the Ramstad Act). The law specifically requires institutions to adopt policies to prevent sex offenses and procedures to clarify the process of dealing with sexual assaults once they have occurred. In addition, it requires colleges and universities to take preventative measures by promoting campus awareness, prevention, and education of sexual assault through educational programs. The main tenets of the Amendment require schools to support both the alleged victim and the alleged perpetrator of sexual assault (The Clery Act, 1998).

Protection under Federal Educational Rights and Privacy Act (FERPA) would require institutions to keep all information involved in disciplinary cases confidential. While it does not specifically address incidents of sexual assault, FERPA, also known as the Buckley Amendment, is relevant in that it requires institutions to respect the privacy of an individual's official educational record. This affects the ability of victims to know the outcome of hearing proceedings. However, the *Ramstad Act* requires both parties to be informed of the outcome of any disciplinary proceedings brought alleging a sexual assault. *The Ramstad Act* specifically states that this is not a violation of FERPA (The Clery Act, 1998).

In summary, current legislation requires colleges and universities to keep accurate records of crime occurring on campus. These statistics must be made available to current and potential students, campus employees, and community members. The legislation also mandates educational programs addressing sexual assault awareness, prevention, and reporting (Bohmer & Parrot, 1993). Colleges and universities also may be required to revise or rewrite their policies and procedures in adjudicating sexual assault.

CURRENT CASES AND IMPLICATIONS FOR THE FUTURE

Through sexual assault awareness workshops on college campuses and increased acceptance of a broader definition of sexual assault, the rate of reporting by victims has increased greatly. However, the personal nature of the crime still makes sexual assault a drastically under-reported crime (Koss, 1988). For university hearing officers, one of the more difficult situations to confront is adjudication of sexual assault. Carefully balancing the rights of the accused and the obligations to the alleged victim present critical due process considerations.

The political climate has swung dramatically in favor of the alleged victim in recent years. Efforts to protect the victim have become the primary focus. As seen in *Nero,* even though the alleged perpetrator had not been convicted criminally, nor had any university disciplinary proceedings been initiated against him, the court claimed the college had a duty and responsibility to protect or warn the victim. This case, in 1993, is indicative of a political climate that is so frustrated with sexual assault on campus that it has swayed the legal expectations of universities to protect the alleged victim even at the expense of due process and assumption of innocence for the alleged perpetrator. This changing political climate has created a major problem for university officials attempting to respond fairly and objectively to a sexual assault involving students. Current court cases, still undecided at the time this article was written, illustrate the myriad of issues and the lack of clear solutions. The question that remains is, with the increasingly broad definitions of sexual assault, should there be different punishments in campus judicial sanctions or should all sexual misconduct or sexual offenses be dealt with in a similar manner?

Currently pending legal cases against colleges and universities demonstrate the litigious nature of American society (especially toward institutions with "deeper pockets") and the uncertain climate in which institutions of higher education must operate. Many questions as to the proper procedures and policies an institution of higher education should adopt in order to prevent sexual assault on campus remain unsolved. The legal implications of universities and colleges not protecting an alleged victim from foreseeable circumstances have been established. With the added challenge of alleged perpetrators suing institutions of higher education for violating their rights, adjudicating sexual assault allegations with fairness, and respect for due process and privacy continues to test the legal savvy of university officials.

RECOMMENDATIONS FOR HIGHER EDUCATION

The aforementioned laws, statutes, and court decisions require institutions of higher education to directly study the effectiveness of their policies and previous programs as well as the fairness of the reporting and adjudication procedures. Civil suits filed against institutions can stem from claims made by either the victim or the defendant. In Table 1, Bohmer & Parrot (1993) outline various civil allegations that could develop from poorly handled sexual assault situations on campus.

Table 1

Possible Lawsuits Resulting from Campus Sexual Assault

Plaintiff	Defendant	Grounds
Victim	College	Tort Law (i) Premises liability claims (a) Landowner - invitee (b) Landlord - tenant (c) Special relationship of college and student (ii) Other tort claims (a) Violation of alcohol policies (b) Responsibility to provide safe educational environment (iii) Intentional infliction of emotional distress
Victim	College	Contract law (breach of contract to provide safe educational environment)
Victim	College	Civil rights claims
Victim	Assailant	Intentional tort
Victim	Other third parties (e.g., fraternities)	Tort claims (similar to those above against college, depending on circumstances)
Defendant	College	Violation of due process in dealing with campus sexual assault
Defendant	Victim	Defamation, abuse of legal process, intentional infliction of emotional distress
Fraternity	College	Violation of due process in dealing with fraternity

The following recommendations focus specifically on the campus response to sexual assault required by the laws, statutes, and court decisions. Institutions of higher education must comply with the legal statutes and act in congruence with various court decisions in order to maintain their federal funding and to avoid civil suits that can negatively impact the financial resources and reputation of an institution.

Reporting Statistics to the Department of Justice

The Clery Act mandates that colleges and universities report any crimes of murder, robbery, aggravated assault, burglary, motor vehicle theft, and sexual offense, both forcible and non-forcible. The U.S. Department of Justice (1992) describes forcible sexual offenses as, "any sexual act directed against another person, forcibly and/or against that person's will: or not forcible or against the person's will where the victim is incapable of giving consent" (p. 21 - 22). Such crimes need to be reported if there is a degree of certainty that would lead police to conclude the crime did occur, an arrest or a conviction is not necessary. "A written report or complaint seems to be a minimal prerequisite" (Gehring, 1996, p. 23). These statistics only need to be reported once each year, so as to allow time to conduct investigations and determine whether or not it is likely that a crime has been committed (Gehring, 1996). Additionally, the number of murders, forcible rapes, and aggravated assaults that, "manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity" must also be reported (The Clery Act, 1998).

Reporting to Campus Community

The same crimes that must be reported as formal crime statistics to the Department of Justice also must be reported to the campus community if the "campus authorities consider the particular crime to represent a threat to students and employees" (Gehring, 1996, p. 24). Furthermore, notice must be timely, in order to prevent the reoccurrence of similar crimes. Campus administrators are allowed to use reasonable discretion in the timeliness or seriousness of the reports. For example, a robbery would not need to be reported if it was discovered that a student's friend had taken his or her books as a prank. However, the campus would be required to communicate an assault in a parking lot to the campus community, so that students and employees on campus could make informed decisions in an effort to prevent another assault (Gehring, 1996).

The university must report all crimes that are considered a threat and are "reported to campus security authorities as identified under the institution's current campus policies" (The Clery Act, 1998). Campus policies must carefully identify the person(s) to whom students and employees should report crimes. The regulation also includes campus law enforcement and "an official of an institution who has significant responsibility for student and campus activities, but does not have significant counseling responsibilities" as members of the "campus security authorities" (The Clery Act, 1998). Gehring (1996) recommends that institutions identify campus police as the department for all criminal reports and allow that organization to make the decision about what reports go out to the campus community. Beyond The Clery Act, colleges and universities have a duty as landowners to warn students, employees, and others on campus of foreseeable crimes (Nero v. Kansas State University, 1993).

Many institutions encounter a public relations dilemma in reporting data regarding crime on campus. A perception that crime is high on a certain campus could negatively impact that institution's public image and enrollment. However, any effort to mask crime statistics in an attempt to portray the campus in a favorable light violates the laws outlined previously. Potential and enrolled students, their parents, and other members of the campus community should realize that no aspect of society is crime-free. Even on the most secure campuses, unpreventable crime exists. Any attempts by an institution to represent its campus as free of crime will only undermine internal and external constituencies' trust in universities' crime prevention efforts. Regardless, failure to report the statistics or alert the campus community would be a violation of The Clery Act (Gehring, 1996).

Victim Assistance

Beyond the mandatory reporting requirements, institutions of higher education must also provide information to assist the victim after an assault has occurred. This information must include "both on-and off-campus counseling, mental health, and other victim services as well as a statement that victims have the option to notify law enforcement authorities and that institutional officials will assist victims in contacting local authorities if the victim elects to do so" (Gehring, 1996, p. 26).

Institutions with on-campus medical clinics need to insure that health care professionals are aware of the psychological consequences of sexual assault related trauma as well as the legal obligations outlined above. The health care staff also needs to understand the importance and method of collecting evidence in treating sexual assault cases (Fossey and Smith, 1996).

In the event of a sexual assault accusation, administrators must also accommodate changes in the academic and living arrangements of a student, if alternatives are reasonably available. The regulations are clear; only a request by the alleged victim of a sex offense and reasonable availability are needed to change living or academic situations (The Clery Act, 1998). In academic situations when there is no reasonable alternative, the university is encouraged to promote independent study as a reasonable alternative. Further, as landlords, institutions have a duty to protect the campus from a foreseeable future incident (Gehring, 1996). Given recent court decisions, alleged perpetrators may need to be suspended pending a hearing or at least transferred out of a coed hall to avoid institutional liability (Nero v. Kansas State University, 1993).

Adjudicating Sexual Assault

The Sexual Assault Victim's Bill of Rights Amendment to the The Clery Act outlines both the required policies in responding to a sexual assault, as well as required prevention programs. Universities must have specific procedures detailing "whom to contact, to whom the offense should be reported, and why it is important to preserve evidence" (Gehring, 1996, p. 25). This internal grievance information should also be coupled with information on criminal and civil options (Fossey and Smith, 1996). While the procedures only target students, Gehring (1996) also recommends including university employees in these procedures as well.

For incidents of sexual assault, the regulations require "a clear statement that the accuser and the accused are both entitled to have others present during the hearing" (Gehring, 1996, p. 25). If the current disciplinary hearing procedures do not allow for this, the authors recommend that such procedures be revised or rewritten. It should be made clear to those involved in an alleged sexual assault that having "others present" does not always indicate attorneys. Institutions are not required by law to allow the presence of an attorney in disciplinary proceedings (Gehring, 1996).

Disciplinary procedures need to be clearly outlined and articulated to all of the university staff members who participate in campus judicial proceedings. It is important that all staff members understand their roles, obligations, and limitations. Furthermore, the institution should have a clear policy detailing which sexual assault allegations will be handled internally and which should be referred to the criminal authorities (Fossey and Smith, 1996). Waiting for the outcome of a criminal proceeding, in lieu of conducting a university disciplinary hearing, could put the university in a position of greater limitations and liability (Snow & Thro, 1994).

Colleges and universities must also outline the possible sanctions that may be imposed upon those who commit sexual offenses. Sanctions for sexual assault must be individualized and severe enough to fit the crime. In 1994, the Department of Education issued a notice of probable violation of Title IX to the University of California at Santa Cruz for inadequately suspending a student found responsible of sexual assault. The Department of Education requires universities to place the sanction and a "coded notation indicating the basis of the sanction …on the student's official transcript" for rape, sexual assault, or serious sexual harassment (U.S. Department of Education, 1994, p. 4).

Finally, an institution must include a clear statement that both the accused and the accuser will be informed of the outcome of the hearing. The improper handling of this may result in FERPA violations. However, the legislation states that adherence to this policy is not in violation of FERPA, "only the institution's final determination with respect to the alleged sex offense and any sanction that is imposed against the accused" (The Clery Act, 1998). Gehring (1996) recommends that the institution provide this information in writing along with warning that redisclosure of the information to anyone else without the consent of the accused could result in privacy or civil rights violation claims.

Further Recommendations to Avoid Lawsuits

These recommendations will help institutions avoid possible lawsuits. The following recommendations are made based on Bohmer and Parrot (1993).

- Adhere to codes of conduct, policies, and procedures strictly, both as they are written and as they have been exercised in the past.
- Treat both alleged victims and perpetrators with respect.
- Do not be intimidated by threats of lawsuits by students, parents, or attorneys. Most legal threats do not materialize. Refer such threats to legal counsel.
- If served with papers or contacted by attorneys, refer all communications to legal counsel to avoid making damaging statements or admissions inadvertently.
- Closed hearings should be an option whenever possible.
- Accord both the alleged victim and perpetrator the same rights.

CONCLUSION

Sexual assault on campus can easily be the most emotionally charged situation dealt with by student affairs officers. It is easy to let emotion and bias cloud the adjudication process, especially when administrators know either the alleged victim or alleged assailant. Unfortunately, the mismanagement of sexual assault responses can lead to campus political disruptions and internal and external constituencies' lack of faith in the institution. In addition, the legal ramifications of liability for sexual assault or procedural due process violations can be tremendous. For these reasons, it is important to implement well thought out policies and procedures to refer to when incidents arise. It is especially critical to follow through with such policies and procedure in order to be fair to all involved. These actions will help administrators handle such situations fairly, ethically, and legally, despite the intense and complicated nature of sexual assault.

REFERENCES

Bhirdo, K.W. (1989). "Liability for victimization of students." Journal of College and University Law, 16, p. 119.

Bohmer, C. & Parrot, A. (1993). Sexual assault on campus: The problem and the solution. New York: Lexington Books.

Bradshaw v. Rawlins, 612 F. 2d 135 (3rd Cir. 1979).

Chronicle of Higher Education, May 28, 1999 "Crime on College Campuses" [On-line]. Available: http://chronicle.com/free/v45/i38/stats/1year.htm

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232, implemented by 34 C.F.R. § 99.7 (c).

Fossey, W.R., and Smith, M.C. (1995). Crime on campus: Legal issues and campus administration. Phoenix, AZ: Oryx Press.

Fossey, W.R., and Smith, M.C. (1996). "Responding to campus rape: A practical guide for college administrators." New Directions for Higher Education, 95, 29 - 42.

Gehring, D.D. (1996). "Campus crime, college policy, and federal laws and regulations." New Directions for Higher Education, 95, 17-28.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. 20 U.S.C. § 1092, 1998.

Kaplin, W. A. & Lee, B.A. (1995). The law of higher education: A comprehensive guide to legal implications of administrative decision making (3rd ed.). San Francisco: Jossey-Bass Publishers.

Koss, M. (1988). Hidden rape: Sexual aggression and victimization in a national sample of students in higher education. In A.W. Burgess (Ed.). Rape and sexual assault Vol. 2 (pp. 3 - 25). New York, NY: Garland Publishing.

Mullins v. Pine Manor, 449 N.E. 2d 331 (Mass. 1983).

Nero v. Kansas State University, 861 P. 2d 768 (Kan. 1993).

Peterson v. San Francisco Community College District, 685 P. 2d 1193 (Cal. 1984).

Picozzi, J. M. (1987). University disciplinary process: What's fair, what's due, what you don't get. Yale Law Journal, 96, 2132-2161.

Snow, B.A., and Thro, W.E. (1994) "Redefining the contours of university liability: The potential implications of *Nero v. Kansas State University*." In West Education Law Quarterly, 3, (4), 541-557.

Steadman v. University of New Hampshire, 90-E-229, Strafford County Superior Court, filed Feb 13, 1991.

University of Denver v. Whitlock, 744 P.2d 54 (Colo. 1987).

U.S. Department of Justice. (1992). Uniform crime reporting handbook. Washington, D.C.: U.S. Department of Justice.

U.S. Department of Education. (1994). Office for Civil Rights: Docket no. 09-93-2141: Voluntary resolution plan. Washington, D.C.: U.S. Department of Education.