

January 21, 2010

Charles W. Steger, Ph.D.
President
Virginia Polytechnic Institute & State University
222 Burruss Hall
Blacksburg, VA 24061

Certified Mail
Return Receipt Requested
7005 1160 0001 1518 7476

RE: Program Review Report
OPE ID: 00375400
PRCN: 200810326735

Dear President Steger:

On September 4, 2007, the U.S. Department of Education (the Department) announced that it was conducting a program review of Virginia Polytechnic Institute & State University's (Virginia Tech; the University) administration of the programs authorized pursuant to Title IV of the Higher Education Act of 1965, as amended, 20 U.S.C. §§ 1070 et seq. (Title IV, HEA programs). Specifically, the letter stated that the program review was focused on Virginia Tech's compliance with the "Timely Warning" provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). The findings of that review are presented in the enclosed report.

Findings of noncompliance are referenced to the applicable statutes and regulations and specify the action required to comply with the statutes and regulations. Please review the report and respond to each finding, indicating the corrective actions taken by Virginia Tech. The University's response must be submitted to the attention of Mr. James Moore in accordance with the instructions in the "Required Actions" section of this program review report.

Please be sure that your response conforms to the Department's standards for the protection of Personally Identifiable Information (PII) being submitted to the Department. PII is any information about an individual which can be used to distinguish or trace an individual's identity (some examples are name, social security number, and date and place of birth).

PII being submitted electronically or on media (e.g., CD-ROM, floppy disk, DVD) must be encrypted. The data must be submitted in a .zip file encrypted with Advanced Encryption Standard (AES) encryption (256-bit is preferred). The Department uses WinZip. However, files created with

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other encryption software are also acceptable, provided that they are compatible with WinZip and are encrypted with AES encryption.

The Department must receive an access password to view the encrypted information. The password must be e-mailed separately from the encrypted data. The password must be 12 characters in length and use three of the following: upper case letter, lower case letter, number, special character. A manifest must be included with the e-mail that lists the types of files being sent (a copy of the manifest must be retained by the sender).

Hard copy files and media containing PII must be:

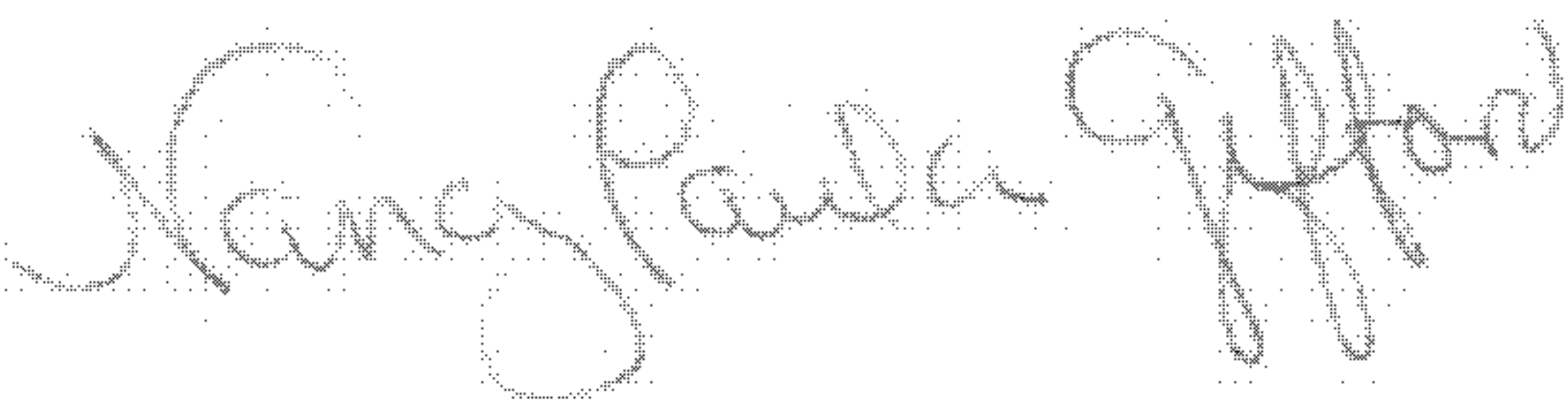
- sent via a shipping method that can be tracked with signature required upon delivery
- double packaged in packaging that is approved by the shipping agent (FedEx, DHL, UPS, USPS)
- labeled with both the "To" and "From" addresses on both the inner and outer packages
- identified by a manifest included in the inner package that lists the types of files in the shipment (a copy of the manifest must be retained by the sender).

PII data cannot be sent via fax.

Program records relating to the period covered by the program review must be retained until the later of: resolution of the violations, weakness, and other issues cited or questioned in the program review; or the end of the retention period otherwise applicable to the record under 34 C.F.R. § 668.24(e).

Thank you for your continued cooperation and patience throughout the program review process. Please refer to the above Program Review Control Number (PRCN) in all correspondence relating to this report. If you have any questions concerning this report, please contact Mr. James Moore on (215) 656-6495 or at james.moore@ed.gov.

Sincerely,



Nancy Paula Gifford
Area Case Director

cc: Col. Wendell R. Flinchum, Chief of Police, Virginia Tech
Barry W. Simmons, Ph.D., Director, University Scholarships & Financial Aid, Virginia Tech

Prepared for

**Virginia Polytechnic Institute
& State University**



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Prepared by:

U.S. Department of Education

Federal Student Aid

School Participation Team - Philadelphia

Program Review Report

January 21, 2010

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A. The University

Virginia Polytechnic Institute & State University
222 Burruss Hall
Blacksburg, VA 24061

Type: Public

Highest Level of Offering: Master/Doctorate Degrees

Accrediting Agency: Southern Association of Colleges and Schools

Student Enrollment: 30,000 (Approx. 2007/2008 Academic Year)

% of Students Receiving Title IV, HEA funds: 37% (Approx. 2007/2008 Award Year)

Title IV Participation, Per U.S. Department of Education Data Base (Postsecondary Education Participants System):

2007/2008 Award Year

Federal Direct Loan Program	\$ 86,120,333
Federal Pell Grant Program	\$ 7,632,535
Federal Perkins Loan Program	\$ 2,301,947
Federal Supplemental Education Opportunity Grant Program	\$ 860,965
Federal Work-Study Program	\$ 962,143

Default Rate – Direct Loan: 2006 – 0.9 %
2005 – 1.1 %
2004 – 1.2 %

Default Rate Perkins: As of: 6/30/07 – 8.3%
6/30/06 – 7.8%
6/30/05 – 3.7%

The Commonwealth of Virginia established Virginia Polytechnic Institute and State University as a public land-grant institution in 1872. Located in Blacksburg, VA, the main campus includes its own airport and more than 130 buildings situated on 2,600 acres. Currently, more than 30,000 students are enrolled at the University. The Virginia Tech Police Department (VTPD) employed approximately 40 sworn officers and 20 support staff during the review period. Virginia Tech owns property in every county in the state. The VTPD patrols buildings and property owned or controlled by the University throughout Blacksburg and Montgomery County.

B. Scope of Review

The U.S. Department of Education (the Department) conducted an off-site focused program review of Virginia Polytechnic Institute & State University's (Virginia Tech, the University) compliance with certain provisions of The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act.) The Clery Act requires all institutions that receive Title IV funding to disclose crime statistics and disseminate information about campus safety policies, procedures, and programs to members of the campus community. The Clery Act also requires institutions to notify students and employees of reported crimes and current threats on an ongoing basis by maintaining a crime log and issuing timely warnings.

Please note that this review was limited to an examination of Virginia Tech's compliance with the "Timely Warning" provisions of the Clery Act with special attention to the events of April 16, 2007. The operative statutes and regulations are as follows: §485(f)(3) of the Higher Education Act of 1965, as amended (HEA) and 34 C.F.R. § 668.46 (e) set out the standards that institutions must follow regarding the issuance of timely warnings and 34 C.F.R. § 668.46 (b)(2)(i) requires the inclusion of an accurate and complete statement of policy regarding the issuance of timely warnings in the campus security report.

On April 16, 2007, [REDACTED] a Virginia Tech student, murdered 32 members of the Virginia Tech campus community and seriously injured others in two separate attacks. On June 18, 2007, Virginia Governor Timothy Kaine appointed a review panel to investigate the events of that day and make recommendations for improvements to the relevant laws, policies, procedures, and systems. As the agency charged with enforcing the Clery Act, the U.S. Department of Education closely followed these events. The Governor's report, as amended, was also reviewed by the Department and is referenced in this report. On August 20, 2007, Security on Campus, Inc. (SOC), a non-profit organization concerned with campus safety, filed a complaint alleging that Virginia Tech violated the "Timely Warning" provisions of the Clery Act by not issuing specific campus-wide alerts once senior officials knew of the immediate threats to health and safety. The complaint also alleged that the University's timely warning policy, as published in its campus security reports (CSR) and distributed to students and employees, did not accurately explain Virginia Tech's actual procedures and protocols. On September 4, 2007, the Department issued a letter to Virginia Tech advising the University of the complaint and announcing the focused program review. Virginia Tech submitted its initial response to the Department's letter on October 7, 2007.

The review included a careful and thorough examination of all materials submitted by Virginia Tech, Security on Campus, Inc. and the affected families. Supplemental information was submitted throughout the program review process. The last set of materials submitted by the affected families was provided for our review on December 4, 2009. Examples of documents collected and examined during the review process include police reports, investigative reports, campus maps, photographs, timelines, e-mail exchanges, financial records, and other relevant materials. The team also reviewed the