



UNITED STATES DEPARTMENT OF EDUCATION

STUDENT FINANCIAL ASSISTANCE

REGION II  
75 PARK PLACE  
NEW YORK, NY 10007

October 14, 2003

Dr. Arnold Speert  
President  
William Paterson University  
300 Pompton Road  
Wayne, NJ 07470

Dear President Speert:

The purpose of this letter is to officially inform you that we have determined that William Paterson University has violated several provisions of the of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act as codified in Federal regulations at 34 CFR 668.46, and to advise you of the required corrective action. The violations relate to a complaint received in our office from Mr. David Rothman.

In a letter to you dated August 5, 2003 I asked you whether Mr. Rothman's allegation regarding the theft of funds intended for a scholarship fund in honor of his son had been reported to the campus police at William Paterson University. On August 14, 2003 I received a response to the August 5 letter from Cheryl R. Clarke, Deputy Attorney General of the State of New Jersey. In her letter, Ms. Clarke states, "Mr. Rothman's representation to your office that he had filed a report with campus police is inaccurate. Since no report was filed by Mr. Rothman, no action needed to be taken by campus police." However, information I have received subsequent to my letter to you and the response from the Office of the Attorney General is at odds with that response. We have received a copy of an electronic mail message dated September 6, 2001 from Mr. Rothman where he reported the alleged crime to several individuals at William Paterson University, including Neil Lomonico who was then and is now a member of the campus police.

Section 668.46(f) of the Student Assistance General Provisions regulations requires an institution that maintains a campus police or campus security department to make a crime log for the most recent 60-day period available for public inspection during normal business hours. This log must record any crime that was reported to the campus police or campus security department that occurred on campus, on noncampus property, on public property, or within the patrol jurisdiction of the campus police or campus security department. The regulations do not allow an institution to determine that it will not record the reported crime based upon the nature of the report (i.e. email, phone call, written report). It is our determination that William Paterson University violated the

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regulations by not recording in the crime log the alleged larceny reported by Mr. Rothman on September 6, 2001. The log should have been updated with the report within two business days of the notification of this alleged crime to the campus police by Mr. Rothman.

In addition, we have received allegations that William Paterson University further violated the regulations when it did not allow representatives of the student newspaper access to the crime log. It has been reported to us that one of the institution's employees has stated that William Paterson University ceased making the crime log available for inspection because of problems it created for the institution.

As noted earlier, one purpose of this letter is to advise you of the required corrective action that William Paterson University must take in order to be in compliance with the regulations in this area. First, the university must amend its crime log to record Mr. Rothman's report of the theft of funds from the scholarship fund. The entry must clearly be annotated to note that the recording in the crime log was made at a later date and was not contemporaneous with Mr. Rothman's September 6, 2001 message. Second, the university must provide this office with copies of its revised procedures that will implement the requirement that the crime log be available to those who request access as specified in the regulation. Failure to comply can result in a \$27,500 fine for each violation.

We would expect a response to this report within 30 days. Thank you for your attention to this matter.

Sincerely,



Robert J. McKiernan  
Area Case Director

CC: Cheryl R. Clarke  
Mr. Rothman