

According to the U.S. Department of Education (ED) Crime & Safety Surveys, the amount of reported hate crimes at U.S. colleges has reached its highest level since 2005. Alarming, over two-thirds of all hate crimes reported in 2021 by two- and four-year public and private colleges across all 50 U.S. States and the District of Columbia were motivated by race, religion, ethnicity, or national origin. And nearly all (95%) hate crimes motivated by race, religion, ethnicity, or national origin consisted of incidents of intimidation, destruction of property, and assault. It is clear that colleges and universities have much work to do to improve campus climates.

We use the term [campus racial climate](#) to describe the attitudes, behaviors, and practices of faculty, staff, and students at a higher education institution toward students based on their race/ethnicity. This becomes far more important in light of the Supreme Court’s limitation on race-conscious admissions and the [movement](#) by various states to ratify legislation prohibiting colleges from having diversity, equity, and inclusion (DEI) offices and policies.

Research shows that college students of color who feel safe and welcomed on campus and receive continuous, tailored support have positive social and academic outcomes, including increased participation and graduation rates. Given the limited federal data on campus climate experiences, we urge federal and state policymakers to ensure colleges and universities create positive campus racial climates for the benefit and success of all students. Here, we answer your frequently asked questions.

### **Q1: What reporting requirements exist at the federal level to monitor college campus racial climates?**

ED’s Office of Civil Rights (OCR) reports general data on [complaints](#) filed to OCR by individuals alleging discrimination on the basis of race, color or national origin in postsecondary educational programs or activities. Title VI of the Civil Rights Act of 1964 protections apply to all public elementary and secondary schools and to all colleges and universities — public or private — that receive federal financial assistance. While general data on annual complaints filed to OCR is available via OCR’s [annual report](#), there is no disaggregated data available on annual Title VI

complaints filed to OCR by college/university, student education level, student race/ethnicity, resolution status, and type of Title VI violation.

Based on [OCR’s Fiscal Year 2022 Report](#), there were 18,804 total complaints filed across all educational levels, with complaints of race, color, or national origin discrimination across all educational levels comprising 17% of all complaints.

Additionally, The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics (Clery Act), passed in 1990, requires all colleges and universities participating in financial programs under Title IV of the Higher Education Act (HEA) to report crime statistics for crimes that happen on or near campus, including hate crimes.

The law also requires colleges and universities to report crimes against women and crimes related to gender identity in its crime statistics and implement emergency response measures for crimes on campus.

Under this piece of federal legislation, all colleges [must](#):

- Collect, classify, and count crime reports and statistics, including, the following:
  - Hate crimes (Eight categories):
 

<b>1.</b> Race	<b>5.</b> Gender identity
<b>2.</b> Religion	<b>6.</b> Ethnicity
<b>3.</b> Sexual Orientation	<b>7.</b> National origin
<b>4.</b> Gender	<b>8.</b> Disability
  - Criminal offenses
  - Violence Against Women Act (VAWA) offenses
  - Arrests and referrals for disciplinary action
- Submit crime statistics by type, location, and year to ED each fall.



- Publish an annual security report containing safety- and security-related policy statements and crime statistics and distribute it to all current students and employees — and prospective students and employees must be informed about its availability.
- Issue campus alerts that represent an ongoing threat to the safety of students or employees and emergency notifications upon the confirmation of a significant emergency or dangerous situation.
- Provide educational awareness and prevention programs and campaigns about Clery Act crimes.
- Have procedures for institutional disciplinary action in cases of dating violence, domestic violence, sexual assault and stalking.

## **Q2: What steps can federal policymakers take to ensure positive campus racial climates?**

We recommend that OCR takes the following steps to improve college campus racial climates:

- Promote OCR's student complaint process to all incoming and current college students.
- Share disaggregated annual data on Title VI complaints filed to OCR by college/university name, student education level, student race/ethnicity, resolution status, and type of Title VI violation.
- ED's National Advisory Committee on Institutional Quality and Integrity (NACIQI) recognizes accreditation agencies for postsecondary institutions. Each accreditation agency that is federally recognized by NACIQI has a complaint process where students or other individuals can submit a complaint that violates the agency's criteria, standards, and policies. OCR should promote federally recognized accreditors' complaint processes to incoming and current college students.

We also recommend ED's Office of Inspector General — an independent entity that conducts independent audits, investigations, and identifies areas of improvement for ED operations — audit OCR's student complaint process to better understand how the process resolves Title VI complaints at colleges/universities and improve upon it.

We recommend that NACIQI:

- Encourages federally recognized accreditors to incorporate campus racial climate measures within their existing accreditation requirements.
- Provides guidance on best practices for improving campus reporting systems for students reporting incidents of discrimination due to race/ethnicity.
- Publicly shares annual data from federally recognized accreditors' complaint processes, including data on student incidents of discrimination.

Lastly, we encourage Congress to hold colleges accountable for creating positive college campus racial climates via HEA by doing the following:

- Require all colleges to inform incoming and current students about campus policies prohibiting discrimination due to race/ethnicity and audit any existing systems on campus for students to report incidents of discrimination.
- Require all colleges to inform incoming and current students about their college's annual data on student reports of discrimination from their own campus reporting system, OCR's data on Title VI complaints, and federally recognized accreditor complaints.
- Require all colleges to conduct annual campus racial climate assessments.
- Fund the implementations of annual campus racial climate assessments and auditing of campus reporting systems nationwide.
- Increase appropriations for OCR and the Inspector General's Office given their roles in enforcement, dissemination, and monitoring of Clery Act and Title VI requirements.