

W (AACL)

Date.: November 19th, 2025

Michael A. Ayele

P.O.Box 20438

Addis Ababa, Ethiopia

E-mail: waacl13@gmail.com ; waacl1313@gmail.com ; waacl42913@gmail.com

Freedom of Information Act (FOIA) Request

Hello,

This is Michael A. Ayele sending this message though I now go by W and I prefer to be referred to as such. I am writing this letter for the purpose of filing a Freedom of Information Act (FOIA) request with your office. ⁱ The basis for this records request is the very gross mishandling of the sexual misconduct complaints filed by Danielle Villareal and Grace Chen when they were both undergraduate students of Hillsdale College (Hillsdale, Michigan) in Calendar Year 2021. ⁱⁱ

I) Requested Records

What I am requesting for prompt disclosure are records in your possession detailing your discussions about [1] the Department of Education (DoED) as a federal agency of the United States government which had in the month of June 2002 published on its official website a portable document file (PDF) explaining that (i) the Family Educational Rights and Privacy Act (FERPA) enables the disclosure of students' academic and disciplinary records in various circumstances; (ii) the Jeanne Clery Act of 1990 enabled "*postsecondary institutions*" to be forthcoming with "*the final results of any disciplinary proceeding conducted by the institution against the alleged perpetrator of the crime, regardless of the outcome of the proceeding*" particularly to an alleged victim of any crime of violence (as defined in U.S Code Title 18, § 16); (iii) the 1998 Higher Education Amendments enabled "*postsecondary institutions*" to be forthcoming with "*the final results of any disciplinary proceeding for a crime of violence or nonforcible sex offense to anyone, including members of the general public, if the institution determines that the student committed a violation of its rules or policies with respect to the crime;*" ⁱⁱⁱ [2] the National Council on Disability (NCD) as a federal agency of the United States government which has on (or around) January 30th, 2018 published a report affirming that (i) 20% (twenty percent) of women were sexually assaulted in a college or university setting (of the U.S.A) by the time they reached their Senior Year in 2005; (ii) 32% (thirty-two percent) of women with a disability were sexually assaulted during Calendar Years 2014 and 2015 in a college or university setting (of the U.S.A); (iii) sexual assault is a "*deeply personal violation;*" (iv) sexual assault "*leaves physical and emotional impacts that change the lives of victims;*" (v) sexual assault causes "*long term physical, psychological, and emotional effects, including depression, post-traumatic stress, thoughts of suicide, flashbacks, and sleep disorders;*" (vi) they had explored the following question: "*Are the policies of American colleges and universities compliant with FERPA?*" [3] Danielle Villareal as a former undergraduate student of Hillsdale College (Hillsdale, Michigan) who (i) was named on the *Dean's List* of Hillsdale College in the first two semesters of her freshman year; (ii) was on (or around) August 29th, 2021 raped on campus when she was a full-time sophomore student; (iii) was retaliated upon following her decision to file a complaint against the sexual abuse she suffered on (or around) August 29th, 2021; (iv) has made the decision to transfer to Vanderbilt University after Hillsdale College violated the provisions of FERPA by refusing to provide to her "*the final results of the disciplinary proceeding*" the individual who raped her was not held to

account for; (v) has begun to experience depression, post-traumatic stress as well as sleep disorders following the sexual assault she was the victim of on (or around) August 29th, 2021; (vi) should brace herself for the long-term physical, psychological and emotional effects associated with sexual assault (given the statements made by the National Council on Disability in their January 30th, 2018 report); (vii) has experienced difficulty functioning at the optimal levels she used to prior to being raped on (or around) August 29th, 2021; (viii) may never again function at the optimal levels she used to as a direct consequence of the rape she was subjected on (or around) August 29th 2021; [4] Grace Chen as a former undergraduate student of Hillsdale College who (i) was on (or around) November 22nd, 2021 raped on the campus of Hillsdale College when she was a freshman; (ii) was retaliated upon following her decision to file a complaint against the sexual abuse she suffered on (or around) November 22nd, 2021; (iii) had on (or around) April 09th, 2022 sent an email to Rebekah Dell wherein she demanded to be provided with a “*formal written investigation report*” for what she went through on (or around) November 22nd, 2021 at Hillsdale College; (iv) has taken the decision to graduate from Hillsdale College with a Bachelor’s Degree even after Hillsdale College violated the provisions of FERPA by refusing to provide to her “*the final results of the disciplinary proceeding*” the individual who raped her was not held to account for; [5] the decision of internet search engines such as AOL, Bing/MSN, Google and Yahoo to filter and distort Michael A. Ayele (a.k.a) W key questions on Title IX of the Education Amendments Act of 1972; iv [6] the term “*bystander intervention*” being defined in federal regulations implementing the 2013 Violence Against Women Act (VAWA) as (i) “*safe and positive options that may be carried out by an individual to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking;*” (ii) the ability to “*understand institutional structures and cultural conditions that facilitate violence;*” [7] the obligations of American colleges and universities to “*support victims of violence*” similarly situated to Danielle Villareal and Grace Chen pursuant to the provisions of the Jeanne Clery Act as well as VAWA; [8] the policies and procedures implemented by your local/state government in the event a woman (similarly situated to Danielle Villareal and/or Grace Chen) is subjected to sexual abuse in an American college or university campus that publishes on a yearly basis a Jeanne Clery report; [9] the policies and procedures implemented by your local/state government in the event a woman (similarly situated to Danielle Villareal and/or Grace Chen) is subjected to sexual abuse in an American college or university campus that doesn’t publish on a yearly basis a Jeanne Clery report; [10] *Bob Jones University v. United States*; [11] *Haines v. Kerner*; [12] *Johnson v. City of Shelby*.

II) Request for a Fee Waiver and Expedited Processing

The requested records do/will demonstrate that [1] the Department of Education (DoED) is a federal agency of the United States government which had in the month of June 2002 published on its official website a portable document file (PDF) explaining that (i) the Family Educational Rights and Privacy Act (FERPA) enables the disclosure of students’ academic and disciplinary records in various circumstances; (ii) the Jeanne Clery Act of 1990 enabled “*postsecondary institutions*” to be forthcoming with “*the final results of any disciplinary proceeding conducted by the institution against the alleged perpetrator of the crime, regardless of the outcome of the proceeding*” particularly to an alleged victim of any crime of violence (as defined in U.S Code Title 18 § 16); (iii) the 1998 Higher Education Amendments enabled “*postsecondary institutions*” to be forthcoming with “*the final results of any disciplinary proceeding for a crime of violence or nonforcible sex offense to anyone, including members of the general public, if the institution determines that the student committed a violation of its rules or policies with respect to the crime;*” [2] the National Council on Disability (NCD) is a federal agency of the United States government which has on (or around) January 30th, 2018 published a report affirming that (i) 20% (twenty percent) of women were sexually assaulted in a college or university setting (of the U.S.A) by the time they reached their Senior Year in 2005; (ii) 32% (thirty-two percent) of women with a disability were sexually

assaulted during Calendar Years 2014 and 2015 in a college or university setting (of the U.S.A); (iii) sexual assault is a “*deeply personal violation*;” (iv) sexual assault “*leaves physical and emotional impacts that change the lives of victims*;” (v) sexual assault causes “*long term physical, psychological, and emotional effects, including depression, post-traumatic stress, thoughts of suicide, flashbacks, and sleep disorders*;” (vi) they had explored the following question: “*Are the policies of American colleges and universities compliant with FERPA?*” [3] Danielle Villareal is a former undergraduate student of Hillsdale College (Hillsdale, Michigan) who (i) was named on the *Dean's List* of Hillsdale College in the first two semesters of her freshman year; (ii) was on (or around) August 29th, 2021 raped on campus when she was a full-time sophomore student; (iii) was retaliated upon following her decision to file a complaint against the sexual abuse she suffered on (or around) August 29th, 2021; (iv) has made the decision to transfer to Vanderbilt University after Hillsdale College violated the provisions of the FERPA by refusing to provide to her “*the final results of the disciplinary proceeding*” the individual who raped her was not held to account for; (v) has begun to experience depression, post-traumatic stress as well as sleep disorders following the sexual assault she was the victim of on (or around) August 29th, 2021; (vi) should brace herself for the long-term physical, psychological and emotional effects associated with sexual assault (given the statements made by the National Council on Disability in their January 30th, 2018 report); (vii) has experienced difficulty functioning at the optimal levels she used to prior to being raped on (or around) August 29th, 2021; (viii) may never again function at the optimal levels she used to as a direct consequence of the rape she was subjected on (or around) August 29th, 2021; [4] Grace Chen is a former undergraduate student of Hillsdale College who (i) was on (or around) November 22nd, 2021 raped on the campus of Hillsdale College when she was a freshman; (ii) was retaliated upon following her decision to file a complaint against the sexual abuse she suffered on (or around) November 22nd, 2021; (iii) had on (or around) April 09th, 2022 sent an email to Rebekah Dell wherein she demanded to be provided with a “*formal written investigation report*” for what she went through on (or around) November 22nd, 2021 at Hillsdale College; (iv) has taken the decision to graduate from Hillsdale College with a Bachelor's Degree even after Hillsdale College violated the provisions of FERPA by refusing to provide to her “*the final results of the disciplinary proceeding*” the individual who raped her was not held to account for; [5] Michael A. Ayele (a.k.a) W is a Black Bachelor of Arts (B.A) Degree graduate of Westminster College (Fulton, Missouri) who (i) was in the month of January 2010 informed what constitutes affirmative and effective consent in healthy sexual relationships after being told about the April 05th, 1986 rape and murder of Jeanne Ann Clery; (ii) was in the month of January 2010 informed about FERPA after being told about the April 05th, 1986 rape and murder of Jeanne Ann Clery; (iii) is thoroughly convinced that the April 05th, 1986 rape and murder of Jeanne Ann Clery raises key questions on Title IX of the Education Amendments Act of 1972; (iv) has had his key questions on Title IX of the Education Amendments Act of 1972 very inappropriately filtered and distorted on internet search engines (ISE) such as AOL, Bing/MSN, Google and Yahoo;^v (v) condemns violence committed against women irrespective of their racial backgrounds, their sexual orientations, their national origins, their disability status and/or their age groups; (vi) deplors the very gross mishandling of the sexual misconduct complaints filed by Danielle Villareal and Grace Chen against Hillsdale College; [6] the term “*bystander intervention*” was defined in federal regulations implementing the 2013 Violence Against Women Act (VAWA) as (i) “*safe and positive options that may be carried out by an individual to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking*;” (ii) the ability to “*understand institutional structures and cultural conditions that facilitate violence*;” [7] Westminster College (Fulton, Missouri) is a postsecondary academic institution, which has in the past recognized that (i) they have “*comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns that are intended to end sexual misconduct, dating/domestic violence, sexual assault, and stalking*;” (ii) their “*programs to prevent sexual misconduct, dating/domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness programs directed at students and employees*;” (iii) the Jeanne Clery Act requires American colleges and universities that

“receive federal funding to (...) support victims of violence;” (iv) the “Violence Against Women Act (VAWA) amendments to the Clery Act expand the rights afforded to campus survivors of sexual assault, dating/domestic violence and stalking;” [8] the Supreme Court held in *Bob Jones University v. United States* that the Internal Revenue Service (IRS) may deny tax-exempt status under 26 U.S.C. § 501(c)(3) to private schools that practice racial discrimination, even if the discrimination is based on religious belief; [9] the Supreme Court held in *Haines v Kerner* that pro se pleadings must be liberally construed and should not be dismissed unless it is absolutely clear that the plaintiff can prove no set of facts supporting their claim; [10] *Johnson v City of Shelby* is case law that is cited for the principle that (i) technical pleading defects should not defeat otherwise valid civil rights claims; (ii) courts should focus on the substance of the complaint, not formalities.

In my judgment, the facts presented in my request for a fee waiver and expedited processing will not bolster public confidence in the activities, the engagements and the priorities of Hillsdale College (Hillsdale, Michigan) as well as the United States District Court for the Western District of Michigan because of their very gross mishandling of the sexual misconduct complaints filed by Danielle Villareal and Grace Chen.

Unfortunately, I regret to inform you that the United States District Court for the Western District of Michigan has made numerous procedural errors when processing the sexual misconduct complaint filed by Danielle Villareal and Grace Chen. Indeed, one of the most glaring procedural errors of the United States District Court for the Western District of Michigan was its failure to take into account the 501(c)(3) status of Hillsdale College.

The 501(c)(3) status of Hillsdale College should have been very pertinent to the United States District Court for the Western District of Michigan during the processing of the complaint that had been assigned Case No. 1 – 23 – cv – 1129 because Hillsdale College has previously submitted applications to the Department of the Treasury Internal Revenue Service (IRS) to be recognized by the federal government as a private postsecondary academic institution. When Hillsdale College submitted those applications, and the IRS later approved them, Hillsdale College **obtained a federal benefit in the form of “tax-exempt status.” This benefit that Hillsdale College enjoys has in turn created an obligation upon the college to comply with federal laws such as the Family Educational Rights and Privacy Act (FERPA).**

As previously mentioned, FERPA was enacted into law on (or around) August 21st, 1974 and took effect on (or around) November 19th, 1974. Since it was enacted into law on (or around) November 19th 1974, FERPA was amended on numerous occasions to strengthen transparency obligations. For instance, the 1990 Campus Security Act and the 1998 Higher Education Amendments Act have amended FERPA to decree that “*postsecondary institutions*” should be forthcoming with [1] “*the final results of any disciplinary proceeding conducted by the institution against the alleged perpetrator of the crime, regardless of the outcome of the proceeding*” particularly to an alleged victim of any crime of violence (as defined in U.S Code Title 18, § 16); [2] “*the final results of any disciplinary proceeding for a crime of violence or nonforcible sex offense to anyone, including members of the general public, if the institution determines that the student committed a violation of its rules or policies with respect to the crime.*” In other words, these provisions were enacted to guarantee that postsecondary academic institutions could not use FERPA to conceal the outcomes of sexual violence cases. These provisions of FERPA were also enacted to create a statutory duty for postsecondary academic institutions to be forthcoming with victims as well as members of the general public on the outcomes of sexual violence cases.

In practical terms, FERPA required (and continues to require) Hillsdale College to be forthcoming about the “*investigation*” that the college claims to have conducted following the rapes of Danielle Villareal and Grace Chen (in August and November 2021). When Hillsdale College refused to provide the final results

of the “*investigation*” they supposedly conducted into the sexual abuse of Danielle Villareal and Grace Chen, Hillsdale College knowingly and willfully violated federal law. Previously, in 1983, in the matter of *Regan v. Taxation with Representation of Washington*, the United States Supreme Court had recognized that tax exemption is a “*form of public financial assistance*.” That same year, in 1983, in the matter of *Bob Jones University v. United States*, the Supreme Court had also recognized that an educational institution which violates “*established public policy*” forfeits the privilege of tax exemption. FERPA forms part of that public policy framework: it reflects Congress’s judgment that transparency and student safety are indispensable to legitimate educational operations. Therefore, because Hillsdale College 501(c)(3) tax-exempt status is a federal benefit conditioned on compliance with laws reflecting public policy, its pattern of conduct justifies review and revocation of its tax-exempt status.

For me, the failure of the United States District Court for the Western District of Michigan to consider Hillsdale College legal obligations under FERPA was troubling because, under longstanding Supreme Court precedent, courts must interpret a complaint in light of the existing regulatory framework even when a statute is not cited by name. In *Haines v. Kerner* and *Johnson v. City of Shelby*, the Supreme Court made clear that plaintiffs need not invoke specific statutory provisions for those protections to apply. The Supreme Court had also made clear that factual allegations—not “*magic words*”—trigger the court’s obligation to consider relevant federal law. Here, in the complaint filed by Danielle Villareal and Grace Chen, these two women have asserted that they had previously filed formal sexual-misconduct complaints (with Hillsdale College) before afterwards requesting the disclosure of the disciplinary outcome which they were denied. Therefore, even without an explicit FERPA citation, the court had an obligation to consider whether Hillsdale College [a 501(c)(3) postsecondary academic institution] fulfilled its legal obligations under FERPA. When the United States District Court for the Western District of Michigan failed to consider whether Hillsdale College fulfilled its legal obligations under FERPA, it made a very shocking procedural error. Regrettably, the severity of this error was compounded when the court recommended that its opinion be published, thereby transforming an already flawed ruling into persuasive precedent. As you are likely aware, a published opinion indicates that the court believes its reasoning should guide future cases. Yet the reasoning (in the case of *Villareal & Chen v. Hillsdale College*) rests on an incomplete legal foundation that fails to acknowledge that Hillsdale College, as a 501(c)(3) post-secondary academic institution has legal obligations it needs to fulfill under FERPA. By omitting the statutory framework of FERPA, the United States District Court for the Western District of Michigan has produced an opinion that misstates the legal obligations governing colleges and universities in sexual-misconduct cases.

As a political scientist by training and education, I am thoroughly convinced that the decision of the United States District Court for the Western District of Michigan to “*recommend for publication*” the opinion they have issued in the matter of *Villareal & Chen v. Hillsdale College* poses a significant danger to future litigants because it elevates an analysis that neglects controlling federal statutory obligations into a precedent that other courts may rely upon. For instance, future defendants – including colleges with 501(c)(3) status – may cite the opinion in the matter of *Villareal & Chen v. Hillsdale College* to argue that courts need not consider FERPA’s disclosure requirements when evaluating institutional responses to sexual violence complaints. Likewise, future plaintiffs may find their complaints dismissed prematurely because the published opinion (in the matter of *Villareal & Chen v. Hillsdale College*) suggests, incorrectly, that failure to disclose disciplinary outcomes carries no federal legal significance.

On a personal level, I am very deeply concerned about the precedent set in the matter of *Villareal & Chen v. Hillsdale College* because the opinion suggests that 501(c)(3) postsecondary academic institutions similarly situated to Hillsdale College may violate federal laws such as FERPA without consequences. Such a suggestion is alarming because even though Hillsdale College does not accept federal appropriations or Title IX funds as a matter of institutional principle, it nonetheless relies on federal tax

law for its 501(c)(3) status. That status is a federal benefit administered by the IRS, and it enables Hillsdale College to receive tax-deductible donations—an indirect form of federal support that exists entirely because of federal law. If an institution can retain that federal benefit while disregarding federal statutory obligations, then the integrity of the federal government’s oversight of tax-exempt educational institutions is fundamentally undermined. Furthermore, this would indicate to other 501(c)(3) colleges that compliance with federal public-policy requirements is optional, thereby weakening enforcement, distorting public accountability, and eroding trust in the regulatory framework that governs educational institutions receiving federal tax privileges.

The core issues presented in this records request are as follows. 1) Have you had conversations about the Department of Education (DoED) as a federal agency of the United States government which had in the month of June 2002 published on its official website a portable document file (PDF) explaining that the Family Educational Rights and Privacy Act (FERPA) enables the disclosure of students academic and disciplinary records in various circumstances? If yes, will you promptly disclose those records? 2) Have you had conversations about the DoED as a federal agency of the United States government which had had in the month of June 2002 published on its official website a PDF explaining that the Jeanne Clery Act of 1990 enabled “*postsecondary institutions*” to be forthcoming with “*the final results of any disciplinary proceeding conducted by the institution against the alleged perpetrator of the crime, regardless of the outcome of the proceeding*” particularly to an alleged victim of any crime of violence (as defined in U.S Code Title 18, § 16)? If yes, will you promptly disclose those records? 3) Have you had conversations about the DoED as a federal agency of the United States government which had in had in the month of June 2002 published on its official website a PDF explaining that the 1998 Higher Education Amendments enabled “*postsecondary institutions*” to be forthcoming with “*the final results of any disciplinary proceeding for a crime of violence or nonforcible sex offense to anyone, including members of the general public, if the institution determines that the student committed a violation of its rules or policies with respect to the crime?*” If yes, will you promptly disclose those records? 4) Have you had conversations about the National Council on Disability (NCD) as a federal agency of the United States government which has on (or around) January 30th, 2018 published a report affirming that 20% (twenty percent) of women were sexually assaulted in a college or university setting (of the U.S.A) by the time they reached their Senior Year in 2005? If yes, will you promptly disclose those records? 5) Have you had conversations about the NCD as a federal agency of the United States government which has on (or around) January 30th, 2018 published a report affirming that 32% (thirty two percent) of women with a disability were sexually assaulted during Calendar Years 2014 and 2015 in a college or university setting (of the U.S.A)? If yes, will you promptly disclose those records? 6) Have you had conversations about the NCD as a federal agency of the United States government which has on (or around) January 30th 2018 published a report affirming that sexual assault is a “*deeply personal violation?*” If yes, will you promptly disclose those records? 7) Have you had conversations about the NCD as a federal agency of the United States government which has on (or around) January 30th, 2018 published a report affirming that sexual assault “*leaves physical and emotional impacts that change the lives of victims?*” If yes, will you promptly disclose those records? 8) Have you had conversations about the NCD as a federal agency of the United States government which has on (or around) January 30th, 2018 published a report affirming that sexual assault causes “*long term physical, psychological, and emotional effects, including depression, post-traumatic stress, thoughts of suicide, flashbacks, and sleep disorders?*” If yes, will you promptly disclose those records? 9) Have you had conversations about the NCD as a federal agency of the United States government which has on (or around) January 30th, 2018 published a report affirming that they had explored the following question: “*Are the policies of American colleges and universities compliant with FERPA?*” If yes, will you promptly disclose those records? 10) Have you had conversations about Danielle Villareal as a former undergraduate student of Hillsdale College (Hillsdale, Michigan) who was named on the *Dean’s List* of Hillsdale College in the first two semesters of her freshman year? If yes, will you promptly disclose those records? 11) Have you had conversations about Danielle Villareal as a

former undergraduate student of Hillsdale College (Hillsdale, Michigan) who was on (or around) August 29th, 2021 raped on campus when she was a full-time sophomore student? If yes, will you promptly disclose those records? 12) Have you had conversations about Danielle Villareal as a former undergraduate student of Hillsdale College (Hillsdale, Michigan) who was retaliated upon following her decision to file a complaint against the sexual abuse she suffered on (or around) August 29th, 2021? If yes, will you promptly disclose those records? 13) Have you had conversations about Danielle Villareal as a former undergraduate student of Hillsdale College (Hillsdale, Michigan) who has made the decision to transfer to Vanderbilt University after Hillsdale College violated the provisions of FERPA by refusing to provide to her *“the final results of the disciplinary proceeding”* the individual who raped her was not held to account for? If yes, will you promptly disclose those records? 14) Have you had conversations about Danielle Villareal as a former undergraduate student of Hillsdale College (Hillsdale, Michigan) who has begun to experience depression, post-traumatic stress as well as sleep disorders following the sexual assault she was the victim of on (or around) August 29th, 2021? If yes, will you promptly disclose those records? 15) Have you had conversations about Danielle Villareal as a former undergraduate student of Hillsdale College (Hillsdale, Michigan) who should brace herself for the long-term physical, psychological and emotional effects associated with sexual assault (given the statements made by the National Council on Disability in their January 30th, 2018 report)? If yes, will you promptly disclose those records? 16) Have you had conversations about Danielle Villareal as a former undergraduate student of Hillsdale College (Hillsdale, Michigan) who has experienced difficulty functioning at the optimal levels she used to prior to being raped on (or around) August 29th, 2021? If yes, will you promptly disclose those records? 17) Have you had conversations about Danielle Villareal as a former undergraduate student of Hillsdale College (Hillsdale, Michigan) who may never again function at the optimal levels she used to as a direct consequence of the rape she was subjected on (or around) August 29th, 2021? If yes, will you promptly disclose those records? 18) Have you had conversations about Grace Chen as a former undergraduate student of Hillsdale College who was on (or around) November 22nd, 2021 raped on the campus of Hillsdale College when she was a freshman? If yes, will you promptly disclose those records? 19) Have you had conversations about Grace Chen as a former undergraduate student of Hillsdale College who was retaliated upon following her decision to file a complaint against the sexual abuse she suffered on (or around) November 22nd, 2021? If yes, will you promptly disclose those records? 20) Have you had conversations about Grace Chen as a former undergraduate student of Hillsdale College who had on (or around) April 09th, 2022 sent an email to Rebekah Dell wherein she demanded to be provided with a *“formal written investigation report”* for what she went through on (or around) November 22nd, 2021 at Hillsdale College? If yes, will you promptly disclose those records? 21) Have you had conversations about Grace Chen as a former undergraduate student of Hillsdale College who has taken the decision to graduate from Hillsdale College with a Bachelor’s Degree even after Hillsdale College violated the provisions of FERPA by refusing to provide to her *“the final results of the disciplinary proceeding”* the individual who raped her was not held to account for? If yes, will you promptly disclose those records? 22) Have you had conversations about the decision of internet search engines (ISE) such as AOL, Bing/MSN, Google and Yahoo to filter and distort Michael A. Ayele (a.k.a) W written publications following his decision to recognize that he was in the month of January 2010 informed what constitutes affirmative and effective consent in healthy sexual relationships after being told about the April 05th, 1986 rape and murder of Jeanne Ann Clery? If yes, will you promptly disclose those records? 23) Have you had conversations about the decision of internet search engines (ISE) such as AOL, Bing/MSN, Google and Yahoo to filter and distort Michael A. Ayele (a.k.a) W written publications following his decision to recognize that he was in the month of January 2010 informed about FERPA after being told about the April 05th, 1986 rape and murder of Jeanne Ann Clery? If yes, will you promptly disclose those records? 24) Have you had conversations about the decision of internet search engines (ISE) such as AOL, Bing/MSN, Google and Yahoo to filter and distort Michael A. Ayele (a.k.a) W written publications following his decision to recognize that the that the April 05th, 1986 rape and murder of Jeanne Ann Clery raises key questions on Title IX of the Education Amendments Act of 1972? If yes, will you promptly

disclose those records? 25) Have you had conversations about the decision of internet search engines (ISE) such as AOL, Bing/MSN, Google and Yahoo to filter and distort Michael A. Ayele (a.k.a) W's content following his decision publish his key questions on Title IX of the Education Amendments Act of 1972? If yes, will you promptly disclose those records? 26) Have you had conversations about the decision of internet search engines (ISE) such as AOL, Bing/MSN, Google and Yahoo to filter and distort Michael A. Ayele (a.k.a) W content following his decision to condemn violence committed against women irrespective of their racial backgrounds, their sexual orientations, their national origins, their disability status and/or their age groups? If yes, will you promptly disclose those records? 27) Have you had conversations about Michael A. Ayele (a.k.a) W as a Black B.A Degree graduate of Westminster College (Fulton, Missouri) who deplores the very gross mishandling of the sexual misconduct complaints filed by Danielle Villareal and Grace Chen against Hillsdale College? If yes, will you promptly disclose those records? 28) Have you had conversations about the term "*bystander intervention*" being defined in federal regulations implementing the 2013 Violence Against Women Act (VAWA) as "*safe and positive options that may be carried out by an individual to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking?*" If yes, will you promptly disclose those records? 29) Have you had conversations about the term "*bystander intervention*" being defined in federal regulations implementing the 2013 VAWA as the ability to "*understand institutional structures and cultural conditions that facilitate violence?*" If yes, will you promptly disclose those records? 30) Have you had conversations about Westminster College (Fulton, Missouri) as a postsecondary academic institution, which has in the past recognized that they have "*comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns that are intended to end sexual misconduct, dating/domestic violence, sexual assault, and stalking?*" If yes, will you promptly disclose those records? 31) Have you had conversations about Westminster College (Fulton, Missouri) as a postsecondary academic institution, which has in the past recognized that their "*programs to prevent sexual misconduct, dating/domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness programs directed at students and employees?*" If yes, will you promptly disclose those records? 32) Have you had conversations about Westminster College (Fulton, Missouri) as a postsecondary academic institution, which has in the past recognized that the Jeanne Clery Act requires American colleges and universities that "*receive federal funding to (...) support victims of violence?*" If yes, will you promptly disclose those records? 33) Have you had conversations about Westminster College (Fulton, Missouri) as a post-secondary academic institution, which has in the past recognized that the "*Violence Against Women Act (VAWA) amendments to the Clery Act expand the rights afforded to campus survivors of sexual assault, dating/domestic violence and stalking?*" If yes, will you promptly disclose those records? 34) Have you had conversations about the obligations of American colleges and universities to "*support victims of violence*" similarly situated to Danielle Villareal and Grace Chen pursuant to the provisions of the Jeanne Clery Act as well as VAWA? If yes, will you promptly disclose those records? 35) Has your local / state government implemented policies and procedures in the event a woman (similarly situated to Danielle Villareal and/or Grace Chen) is subjected to sexual abuse in an American college or university campus that publishes on a yearly basis a Jeanne Clery report? If yes, will you promptly disclose those records? 36) Has your local / state government implemented policies and procedures in the event a woman (similarly situated to Danielle Villareal and/or Grace Chen) is subjected to sexual abuse in an American college or university campus that doesn't publish on a yearly basis a Jeanne Clery report? If yes, will you promptly disclose those records? 37) Have you had conversations about the decision of the Supreme Court to hold in *Bob Jones University v. United States* that the Internal Revenue Service (IRS) may deny tax-exempt status under 26 U.S.C. § 501(c)(3) to private schools that practice racial discrimination, even if the discrimination is based on religious belief? If yes, will you promptly disclose those records? 38) Have you had conversations about the decision of the Supreme Court to hold in *Haines v Kerner* that pro se pleadings must be liberally construed and should not be dismissed unless it is absolutely clear that the plaintiff can prove no set of facts supporting their claim? If yes, will you

promptly disclose those records? 39) Have you had conversation about *Johnson v City of Shelby* as case law that is cited for the principle that technical pleading defects should not defeat otherwise valid civil rights claims? If yes, will you promptly disclose those records? 40) Have you had conversation about *Johnson v City of Shelby* as case law that is cited for the principle that courts should focus on the substance of the complaint, not formalities? If yes, will you promptly disclose those records?

The public has a compelling and legitimate interest in this information because:

1. The requested records will illuminate how Hillsdale College, a 501(c)(3) postsecondary academic institution, knowingly disregarded statutory disclosure duties established under FERPA while continuing to claim federal tax benefits, raising questions about the integrity of federal government oversight.
2. The requested records will clarify whether Hillsdale College's conduct is part of a broader pattern among private postsecondary academic institution that use FERPA as a pretext to conceal the outcomes of sexual violence cases – thereby thwarting congressional intent and compromising public safety.
3. The request records will help the public evaluate the federal government's commitment to transparency and gender-based-violence prevention – core principles enshrined in FERPA, the Jeanne Clery Act and the Violence Against Women Act (VAWA).

For these reasons, expedited processing is warranted because:

1. The requested records concern an urgent matter affecting public confidence in the federal government's enforcement of laws designed to protect students from sexual violence. The longer the government withholds these records, the greater the risk that survivors will continue to face institutional secrecy and retaliation.
2. The requested records will clarify whether the federal government has permitted a 501(c)(3) institution to maintain tax-exempt privileges while openly violating FERPA - a situation that undermines public confidence in the United States District Court for the Western District of Michigan.
3. Prompt disclosure is essential to demonstrate that the federal government responds swiftly, transparently, and lawfully when federally privileged postsecondary academic institutions violate statutory disclosure requirements.
4. Expedited processing will enable timely public oversight and policy response before further harm occurs.
5. Delay in the disclosure of responsive records would only serve to perpetuate the appearance of selective enforcement.
6. Delay in the disclosure of responsive records would only serve to further damage the credibility of the government's commitment to student safety and public accountability.

Under penalty of perjury, I hereby declare all the statements I have made to be true and accurate to the best of my knowledge.

Be well. Stay well. Take care. Keep yourselves at arms distance.

Michael A. Ayele (a.k.a) W

Anti-Racist Human Rights Activist
Audio-Visual Media Analyst
Anti-Propaganda Journalist

Work Cited

ⁱ Please be advised that I have previously disseminated a vast number of documents obtained through records request using the means of various digital publishing platforms. As a representative of the media, I would like to take this opportunity to inform you that the records you disclose to me could be made available to the general public at no financial expense to them. This records request is being filed for non-commercial purposes to inform members of the general public / representatives of the media [who may be interested in the written content of Michael A. Ayele (a.k.a) W – Association for the Advancement of Civil Liberties (AACL)] about the activities, the engagements and the priorities of the U.S government at the local, state and federal level.

ⁱⁱ *Danielle Villareal is a citizen of Nebraska. She was a Hillsdale student from August 2020 to the spring of 2021. At Hillsdale, Plaintiff Villareal was a Grewcock Scholar who made the Dean's List every semester, played club soccer and was elected Director of Facilities (for club soccer), and was a member of Hillsdale College Democrats and Pi Beta Phi sorority. (...)*

On or around August 29th 2021, shortly after returning to Hillsdale for her sophomore year, Plaintiff Villareal was raped by a fellow student and a member of Hillsdale's baseball team at his apartment which is a five-minute drive away from campus. The assailant propositioned Plaintiff Villareal for sex, and after she declined, she was frightened by the sudden change in his demeanor. Plaintiff Villareal was paralyzed with fear and the assailant proceeded to penetrate her with his penis. The rape concluded only after Plaintiff Villareal told her assailant to stop.

After reeling from the assault, Plaintiff Villareal reported the rape a day or two later to the local police. Within days of filing a police report, Plaintiff Villareal then emailed Dean of Men Aaron Peterson that she had been sexually assaulted. Peterson responded, in turn, and instructed her to meet with Mechelle Zarou, an outside lawyer who would investigate the rape. Plaintiff Villareal first met with Zarou the day after she reported her assault to Hillsdale. Hillsdale did not tell Plaintiff Villareal that she could meet with her lawyer before meeting with Zarou. At the meeting, Plaintiff Villareal recounted her assault to Zarou as she nodded and signaled that she understood. Zarou then told Plaintiff Villareal that she was in town to give a presentation on campus about issues including sexual assault, and that Plaintiff Villareal's story was so similar to a hypothetical she had written that she would now have to change the presentation. When the meeting concluded, Zarou told Plaintiff Villareal that she would next meet with the assailant, and then follow up with Plaintiff Villareal again. Zarou did not interview Villareal's rapist until months after meeting with Villareal. Villareal's rapist had not initially been responsive to Zarou's messages because he had been meeting with several lawyers. Plaintiff Villareal met with Zarou a second time months later. This time, Zarou said the meeting was to go through discrepancies between Plaintiff Villareal's story and her rapist's account. Zarou asked Plaintiff Villareal questions about the assault that suggested that she was to blame, such as Villareal's initiation of romantic contact earlier in the evening. In the course of their conversations, Zarou indicated to Plaintiff Villareal that the rapist maintained that he never asked Plaintiff Villareal if she wanted to have sex, he just penetrated her. Plaintiff Villareal emphasized that she told him she did not want to have sex with him after he asked for consent.

On or around October 15th 2021, Plaintiff Villareal and her stepfather met with Zarou for a third time. In this meeting, in which Zarou was at times hostile, she delivered her "findings." Zarou initially told Plaintiff Villareal and her stepfather that her rapist violated the sexual misconduct policy because he tried to have sex with her after she revoked consent and because he stopped as soon as Plaintiff Villareal

withdrew consent, his punishment would not be expulsion. Plaintiff Villareal corrected Zarou that she never gave consent to begin with, Zarou then agreed and reiterated that Plaintiff Villareal's rapist acted without consent but because he stopped penetrating her when she told him to, he would not be expelled.

On or around October 26th 2021, Zarou informed Plaintiff Villareal that Hillsdale placed Plaintiff Villareal's rapist on social probation, required him to do community service, and suspended him indefinitely from baseball. This punishment was not enforced. On one occasion, Plaintiff Villareal saw her rapist at a party. On another occasion, she saw him walking on campus with his baseball shoes, suggesting he continued to play on the baseball team. When Plaintiff Villareal inquired about his punishment to the Dean of Women and was told that she was not privy to other students' disciplinary actions, even though Zarou had already told Plaintiff Villareal the punishment Hillsdale gave him. Plaintiff Villareal's rapist was allowed back onto the baseball team for the second semester, just in time for season to start. Hillsdale's general counsel, Bob Norton, threatened Plaintiff Villareal's parents that if she continued to inquire about the investigation and punishment, there would be consequences for her. Norton further suggested that Plaintiff Villareal reported her rape only after she came to regret a consensual encounter. Immediately upon leaving the meeting with Norton, Villareal's parents felt that Villareal should transfer schools to protect her safety and well-being. Plaintiff Villareal was forced to see her rapist around once a day in passing. Plaintiff Villareal stopped going to parties after she saw him at one. The rape and investigation took a big toll on Plaintiff Villareal. At first, schoolwork was a welcome distraction from the investigation but then Plaintiff Villareal began to suffer from depression and stopped caring about schoolwork. She withdrew from her social life and friendships suffered. She felt numb and had trouble sleeping at night. After Plaintiff left Hillsdale, she started seeing a therapist and was prescribed antidepressants. Grace Chen and Danielle Villareal Civil Action Complaint Against Hillsdale College. Pages 18 - 22. Retrieval here.: <https://titleixforall.com/wp-content/uploads/2024/02/Grace-Chen-v.-Hillsdale-College-Complaint.pdf>

Grace Chen is a citizen of California who began attending Hillsdale College (Hillsdale, Michigan) in the month of August 2021. (...) On or around November 22nd 2021, a few months into her freshman year at Hillsdale, Plaintiff Chen was raped by a fellow Hillsdale track athlete in a dormitory on campus. Despite Plaintiff Chen's repeated attempts to fend him off, the assailant took off her pants and penetrated her with his fingers. He forced Plaintiff Chen to masturbate his penis and then tried to penetrate Plaintiff Chen with his penis. Plaintiff Chen refused to have sex with the assailant and was terrified throughout the rape. The rape ended only after Plaintiff Chen repeatedly pleaded for the assailant to stop. Chen's assailant later apologized to her for his actions. Plaintiff Chen was traumatized by the rape. She initially struggled to understand what had happened to her, and after hearing another student on the track team speak about her experience of trying to report sexual assault, Plaintiff Chen realized that she had been raped.

On or around February 07th 2022, Plaintiff Chen met with Lindsay Peirce, a school counsellor at Hillsdale, to help her process the assault and understand what happened. During the meeting, Peirce confirmed that Plaintiff Chen was sexually assaulted but advised that the school's Deans would take no action on a report of sexual assault without concrete evidence. Plaintiff Chen felt discouraged by Peirce's comments, but she decided to report the incident to the Deans because she heard that her rapist might be going after other female students and she did not want someone else to go through what she had been through.

On or around March 03rd 2022, Plaintiff Chen met with Dean of Women Rebekah Dell and Associate Dean of Women Stephanie Gravel to discuss her sexual assault. At that meeting, Plaintiff Chen presented the Deans with a written report detailing her assault. In the meeting, Dean Dell indicated that she

believed Plaintiff Chen and would review Plaintiff Chen's report first to make sure that there was nothing in it that her assailant could use against her in a corner-suit, which Plaintiff Chen understood to mean a defamation action. Dean Dell arranged for Plaintiff Chen to meet with Kimberley Graham, an outside lawyer the school was using to investigate the assault.

On or around March 24th 2022, in her first meeting with Plaintiff Chen, Graham informed Plaintiff Chen that her assailant did not deny her account. Graham further indicated that the investigation was about guiding the Deans through what disciplinary steps should be taken because Plaintiff Chen's assailant did not refute her allegations. Graham, however, made inappropriate statements to downplay the severity of the assault, and told Plaintiff Chen that she was fortunate that her assailant did not rape her. Graham also refused to interview witnesses that Plaintiff Chen identified in her written report, in violation of Hillsdale's "sexual misconduct policy," purportedly because there were no discrepancies between Plaintiff Chen's story and her assailant's.

On or around April 05th 2022, Plaintiff Chen met with Graham again. Despite her earlier statements, Graham claimed that Plaintiff Chen was not sexually assaulted because there was no obvious force. Graham indicated that Plaintiff Chen's assailant would not be punished because he was already doing community service, AA meetings, and counseling for a prior drinking infraction. Graham suggested that Plaintiff Chen take time off during the summer break and put the sexual assault behind her so she could be friends with her assailant in the future. Graham also suggested that Plaintiff Chen's assailant would not be able to contact her, but referred her to the Deans for details. Although Plaintiff Chen followed up with Dean of Men Aaron Peterson about a no-contact order, and specifically raised scenarios in which she would see her rapist, Hillsdale never implemented a no-contact order. Because of Hillsdale's failure to implement a no-contact order, Plaintiff Chen continued to have to see her rapist at track events, in class, and while he was serving food at the only dining hall on campus as part of his community service.

On or around April 08th 2022, Dr. Amy Chen, Plaintiff Chen's mother, emailed the Deans requesting a meeting about the investigation. Receiving no response, on or around April 09th 2022, Plaintiff Chen emailed Dean Dell reiterating her request for a written investigation report. In response, the Deans referred Plaintiff Chen and her mother to Bob Norton, Hillsdale's legal counsel. However, Norton refused to provide a written investigation report or communicate by email with Dr. Chen; instead he called Dr. Chen and, in a hostile tone, suggested that if she had read Plaintiff Chen's report, she would know that Plaintiff Chen's account of the incident was not accurate.

On or around April 13th 2022, Dr. Chen followed up with Deans Dell, Gravel, and Peterson, reiterating her request for a written investigation report. On or around April 15th 2022, Dean Dell replied to Dr. Chen stating that due to the "adversarial tone" of her April 08th 2022 email, Norton would be her point of contact with Hillsdale. On or around April 15th 2022, after Hillsdale backtracked and told Plaintiff Chen she was not assaulted, she sought further guidance from Brock Lutz, Hillsdale's Director of Health and Wellness, who confirmed that her assailant attempted rape. Lutz further informed Chen that Dean Dell had told him that there were discrepancies between Plaintiff Chen and her rapist's story about consent; this was the first time Plaintiff Chen heard about purported discrepancies in her story. Dean Dell shared Plaintiff Chen's written report with Lutz and Norton without asking Plaintiff Chen's permission. Plaintiff Chen and her mother continued to press Hillsdale for a written investigation report explaining Hillsdale's findings.

On or around April 20th 2022, Dean Dell emailed that Plaintiff Chen could meet with Graham and Norton or consider her case concluded. At this point, Plaintiff Chen declined to meet alone with the school's counsel, and ceased communication with the school about her case. Plaintiff Chen continues to see her rapist at school and track events, at least three times per week. During the fall 2022 semester,

Plaintiff Chen was in a class with him and eight other students. Seeing him gives Plaintiff Chen panic attacks, makes her physically uncomfortable, hyperaware of her surroundings, and very anxious. The emotional toll of the assault and investigation have negatively impacted Plaintiff Chen's wellbeing – she was diagnosed with generalized anxiety disorder and post-traumatic stress disorder (“PTSD”) in July 2023 – as well as her academic and athletic performance. Grace Chen and Danielle Villareal Civil Action Complaint Against Hillsdale College. Pages 14 - 18. Retrievable here.: <https://titleixforall.com/wp-content/uploads/2024/02/Grace-Chen-v.-Hillsdale-College-Complaint.pdf>

iii The Family Educational Rights and Privacy Act of 1974 (...) was signed into law by President Ford on August 21st 1974, with an effective date of November 19th 1974, 90 days after enactment. (...) It was (...) commonly referred to as the “Buckley Amendment” after its principal sponsor, Senator James Buckley of New York. FERPA was offered as an amendment on the Senate floor and was not the subject of Committee consideration. Accordingly, traditional legislative history for FERPA as first enacted is unavailable.

Senators Buckley and Pell sponsored major FERPA amendments that were enacted on December 31st 1974, just four months later, and made retroactive to its effect date of November 19th 1974. These amendments were intended to address a number of ambiguities and concerns identified by the educational community, including parents, students and institutions. On December 13th 1974, these sponsors introduced the major source of legislative history for the amendment, which is known as the “Joint Statement in Explanation of Buckley/Pell Amendment” (“Joint Statement”). (...)

In 1990, Congress enacted the Campus Security Act, which added a new exception to the prior written consent rule: post-secondary institutions may disclose to an alleged victim of any crime of violence (as defined in U.S Code Title 18, Section 16) the results of any disciplinary proceeding conducted by the institution against the alleged perpetrator of the crime, regardless of the outcome of the proceeding. Congress amended this provision in the Higher Education Amendments (HEA) of 1998 by including “nonforcible sex offenses” and clarifying that only “final results” may be disclosed (i.e., name of student perpetrator, violation committed, and sanction imposed. Written consent is still required to disclose the name of any other student).

The following new exception was also added in the 1998 HEA amendments: post-secondary institutions may disclose the final results of any disciplinary proceeding for a crime of violence (as defined above) or nonforcible sex offense to anyone, including members of the general public, if the institution determines that the student committed a violation of its rules or policies with respect to the crime.

The 1998 HEA amendments also added a new exception that allows institutions of higher education to disclose to a parent or legal guardian information regarding a student's violation of any law or institutional rule or policy governing the use or possession of alcohol or a controlled substance if the student is under 21 and the institution determines that the student has committed a disciplinary violation with respect to the use or possession.

Since 1998 Congress has enacted two additional exceptions to the statutory prior consent rule:

- 1) The 2000 Campus Sex Crimes Prevention Act added a new subsection (b)(7) to the statute to ensure that an educational institution may disclose information concerning registered sex*

offenders provided to it under State sex offender registration and community notification programs.

- 2) *The USA Patriot Act of 2001 added a new subsection (j) that allows the U.S Attorney General to apply for an ex parte court order requiring an educational agency or institution and prosecutions of specified crimes or acts of terrorism (domestic or international). The Attorney General must certify that there are specific facts giving reason to believe that the records are likely to contain the required information. An educational agency or institution that in good faith produces records in accordance with the court's order is not liable to any person for that production.*

Department of Education (DoED) Legislative History of Major FERPA Provisions. Retrieval here.:

https://studentprivacy.ed.gov/sites/default/files/resource_document/file/ferpaleghistory.pdf

^{iv} Even though Michael A. Ayele (a.k.a) W has never sought nor ever solicited nor ever contacted anyone to have his written publications listed and featured prominently on the AOL, Bing/MSN, Google and Yahoo Internet Search Engines (ISE); Michael A. Ayele (a.k.a) W has uncovered many instances where his written content were filtered, distorted, misused and misattributed. At the time Michael A. Ayele (a.k.a) W started to publish some of his written content on how he was (in the month of January 2010 as an undergraduate student of Westminster College) informed about the April 05th 1986 rape and murder of Jeanne Ann Clery before being told what constitutes “*affirmative and effective consent*” in healthy sexual relationships; Michael A. Ayele (a.k.a) W had not signed any binding agreement that subjected his published works to evaluation, examination and unsolicited comments on the AOL, Bing/MSN, Google and Yahoo ISE. In other words, Michael A. Ayele (a.k.a) W has never agreed to take on the role of the “*Student*” for his published works while the AOL, Bing/MSN, Google and Yahoo ISE took on the role of “*Professor.*” Likewise, Michael A. Ayele (a.k.a) W has never agreed to take on the role of “*Plaintiff*” and/or “*Defendant*” for his published works while the AOL, Bing/MSN, Google and Yahoo ISE took on the role of “*Judge, Jury and Executioner.*” More importantly, Michael A. Ayele (a.k.a) W had started to publish some of his correspondence with agents of the U.S government on the circumstances that led up to the enactment of the Jeanne Clery Act on (or around) November 08th 1990 because of a commitment he had made that he would disseminate any and all responsive U.S government records within their possession to members of the general public and representatives of the media at no financial expense to them. To the best of his ability, Michael A. Ayele (a.k.a) W has fulfilled this commitment by disseminating (at no financial expense to representatives of the media and members of the general public) the most pertinent records on the circumstances that led up to the enactment of the Jeanne Clery Act including but not limited to his correspondence with the Department of Education (DoED) as well as the decision of the DoED to withhold many hundreds of pages of documents about Jeanne Clery’s time as an undergraduate student of Lehigh University during the processing of the Freedom of Information Act (FOIA) request, which was assigned Case Number 21 – 00103 - F. Michael A. Ayele (a.k.a) W would again like to take this opportunity to reiterate [1] that no binding written agreement exists between himself and ISE such as AOL, Bing/MSN, Google and Yahoo, which enables them to make comments upon it; [2] that he does not welcome the insertion and the intrusion of the AOL, Bing/MSN, Google and Yahoo ISE on his written content pertaining to American post-secondary academic education with regards to affirmative and effective consent.

When publishing their January 30th 2018 report, the National Council on Disability (NCD) had recognized that [1] “*affirmative and effective consent*” is being taught to (domestic and international) college and university students of the United States of America (U.S.A) during the course of their freshmen year; [2] college and university students in America (whether domestic or international) are informed about “*healthy sexual relationships*” during the course of their 1st year of post-secondary

academic education; [3] 20% of women were sexually assaulted in a college or university setting (of the U.S.A) by the time they reached their Senior Year in Calendar Year 2005; [4] 32% of women with a disability were sexually assaulted during Calendar Years 2014 and 2015 in a college or university setting (of the U.S.A); [5] sexual assault *“is a public health and public safety concern with far reaching implications;”* [6] sexual assault is a *“deeply personal violation,”* which *“leaves physical and emotional impacts that change the lives of victims;”* [7] sexual assault causes *“long term physical, psychological, and emotional effects, including depression, post-traumatic stress, thoughts of suicide, flashbacks, and sleep disorders.”* The NCD have also noted that their January 30th 2018 report sought to *“raise awareness of sexual assault (...) on college campuses by examining college policies and practices.”* Furthermore, they write that *“Title IX of the Education Amendments Act of 1972 is a federal civil rights law that prohibits discrimination on the basis of sex in any education program or activity that receives federal funding. Under Title IX, discrimination on the basis of sex can include sexual harassment, rape and sexual assault. A college or university that receives federal funds may be held legally responsible when it knows about and ignores sexual harassment or assault in its programs or activities. As of September 22nd 2017, colleges can adopt various standards of proof in sexual assault cases, from the lowest standard of proof (preponderance of evidence) to a higher standard of proof (clear and convincing evidence). Title IX, like the Clery Act, also requires college employers that address sexual assault to have proper training and to train the campus community in its policies and procedures regarding sexual assault.”*

Michael A. Ayele (a.k.a) W is a Bachelor of Arts (B.A) Degree graduate of Westminster College (located in Fulton, Missouri) who was in January 2010 informed about the April 05th 1986 rape and murder of Jeanne Ann Clery before being told what constitutes *“affirmative and effective consent”* in healthy sexual relationships. Via email dated March 07th 2022, the Department of Justice (DOJ) Federal Bureau of Investigation (FBI) have informed Michael A. Ayele (a.k.a) W that (his alma mater) Westminster College had extended an invitation to their then Director William Webster to *“deliver the 1987 Commencement Address on Sunday, May 17th 1987 at 2:30 P.M.”* The invitation extended by Westminster College on August 29th 1986 came approximately 5 months after the April 05th 1986 rape and murder of Jeanne Ann Clery on the campus of Lehigh University (located in the State of Pennsylvania). In other emails beginning November 12th 2020, the FBI had informed Michael A. Ayele (a.k.a) W that they had transferred the case of Jeanne Ann Clery rape and murder to the Central Intelligence Agency (CIA) on (or around) June 11th 1992. However, via postal mail correspondence that was addressed to Michael A. Ayele (a.k.a) W, the CIA have denied ever being *“assigned”* the case of Jeanne Ann Clery on (or around) June 11th 1992. It is the opinion of Michael A. Ayele (a.k.a) W that the letters sent to him by the FBI (beginning November 12th 2020) and the CIA (on or around May 21st 2021) were inconsistent with one another. For your information, William Webster was Director of the FBI from 1978 to 1987. He was also Director of the CIA from 1987 to 1991. His father Thomas Webster is an alumnus of Westminster College (Fulton, Missouri).

According to the 2019 – 2020 Student Handbook published by Westminster College (Fulton, Missouri), *“the college has comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns that are intended to end sexual misconduct, dating / domestic violence, sexual assault, and stalking. Programs to prevent sexual misconduct, dating/domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees. The ongoing educational programs are overseen by the Title IX Coordinator / Director of Human Resources and Vice-President / Dean of Student Life. All prevention programs are [1] culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and empirically based and assessed for value, effectiveness, or outcome; [2] in consideration of environmental risk and protective factors as they occur on the individual relationship, institutional community and societal levels; [3] accessible to students, faculty and staff and accommodated based upon one’s ability status,*

language, and/or learning style.”

The key questions asked by Michael A. Ayele (a.k.a) W about the rape and murder of Jeanne Ann Clery as well as Title IX of the Education Amendments Act of 1972 include but are not limited to the following. 1) What were American colleges and universities obligations pursuant to Title IX of the Education Amendments Act of 1972? Were American colleges and universities required by law to condemn violence committed against women irrespective of their racial backgrounds, their sexual orientations, their religious affiliations, their national origins and/or their disability status following the enactment of Title IX of the Education Amendments Act of 1972? If yes, were American colleges and universities required to inform their students (beginning Calendar Year 1973) what constitutes appropriate sexual boundaries pursuant to Title IX of the Education Amendments Act of 1972? 2) Did American colleges and universities begin informing their students what constitute “*affirmative and effective consent*” in the years following the enactment of Title IX of the Education Amendments Act of 1972? If not, when did American colleges and universities begin to inform their incoming freshmen and transfer students about the concepts of “*affirmative and effective consent*?” Did American colleges and universities begin teaching the concepts of “*affirmative and effective consent*” to their students following the rape and murder of Jeanne Ann Clery (on April 5th 1986)? If yes, why have American colleges and universities waited so long following the enactment of Title IX of the Education Amendments Act of 1972 to inform their students what constitutes “*affirmative and effective consent*?” 3) Are American colleges and universities discussions pertaining to what constitutes “*affirmative and effective consent*” consistent with Title IX of the Education Amendments Act of 1972 if they are first informing their incoming new students about the rape and murder of Jeanne Ann Clery? Are American colleges and universities discussions pertaining to what constitutes “*affirmative and effective consent*” consistent with their academic integrity policy if they are first informing their incoming new students about the rape and murder of Jeanne Ann Clery? 4) Were there forces out there in the 1970s and the 1980s looking for a case where a Black or an African American man rapes and murders a Caucasian woman for the purpose of enacting a law similar to the Jeanne Clery Act? Was the enactment of the Jeanne Clery Act the result of racist and sexist individuals coming together for the purpose of [a] preventing racial minorities from climbing the social ladder through academic education; [b] cracking down on interracial relationships particularly between a Caucasian woman and a Black or African American man (in American colleges and universities); [c] not applying the same standards in circumstances where a Caucasian man sexually assaults a woman from a racial minority (as in the case of Brock Turner and Chanel Miller following her rape on January 18th 2015 at the campus of Stanford University)?

As a matter of principle, Michael A. Ayele (a.k.a) W unequivocally condemns violence committed against girls and women irrespective of their racial backgrounds, their sexual orientations, their national origins, their religious affiliations, their disability status or their age groups. Still, Michael A. Ayele (a.k.a) W is exasperated by the very bizarre and persistent frenzy that has targeted him on the internet ever since he made the decision to publish on digital platforms [1] some of his recollections on how he was in the month of January 2010 (as an undergraduate student of Westminster College) informed about the April 05th 1986 rape and murder of Jeanne Ann Clery before being told what constitutes affirmative and effective consent in healthy sexual relationships; [2] his questions about Title IX of the Education Amendments Act of 1972; [3] his correspondence with agents of the U.S government on the circumstances that led up to the enactment of the Jeanne Clery Act on (or around) November 08th 1990; [4] his inquiry on the exact year American colleges and universities began teaching their undergraduate students what constitutes affirmative and effective consent in healthy sexual relationships. Michael A. Ayele (a.k.a) W takes full-responsibility for all the statements he has made at the time he decided to publish his review of events that led to the Jeanne Clery Act. Michael A. Ayele (a.k.a) W also takes full-responsibility for the questions he has asked about Title IX of the Education Amendments Act of 1972.

^ The Family Educational Rights and Privacy Act of 1974 (FERPA) governs the release of educational records maintained by an educational institution and access to the records in order for the student to be afforded certain rights to privacy. (...)

Westminster College (Fulton, Missouri) will disclose information from a student's education records only with the written consent of the student, except:

- 1) To school officials who have a legitimate educational interest in the records;*
- 2) To officials of another school, upon request, in which a student seeks or intends to enroll;*
- 3) To certain officials of the U.S Department of Education, the Comptroller General and state and local educational authorities, in connection with certain state or federally supported education programs;*
- 4) In connection with a student's request for or receipt of financial aid, as necessary to determine the eligibility, amount of conditions of the financial, or to enforce the terms and conditions of the aid;*
- 5) If required by a state law requiring disclosure that was adopted before November 19th 1974;*
- 6) To organizations conducting certain studies for or on behalf of the college;*
- 7) To accrediting organizations to carry out their functions;*
- 8) To parents of a student who provide evidence that the parents declared the student as a dependent on their most recent Federal Income Tax Form;*
- 9) To comply with a judicial order or a lawfully issued subpoena;*
- 10) To appropriate parties in a health or safety emergency;*
- 11) To an alleged victim of any crime of violence of the results of any institutional disciplinary proceeding against the alleged perpetrator of that crime with respect to that crime.*

Westminster College (Fulton, Missouri) Institutional Policy on the Family Educational Rights and Privacy Act (FERPA) of 1974. Retrievable here.: <https://www.westminster-mo.edu/studentlife/policies/Documents/2018-2019Handbook.pdf>