



DON'T
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RAPE ~~D~~

WHO ARE YOU
REALLY
PROTECTING
AND
SERVING
?

W (AACL) Date. : December 15th 2022
Michael A. Ayele
P.O.Box 20438
Addis Ababa, Ethiopia
E-mail : waac113@gmail.com ; waac11313@gmail.com ; waac142913@gmail.com

Freedom of Information Act (FOIA) Appeal Request Case No.: NCD – 2023 – 01

Hello,

Thank you for your email. I am in receipt of it. I am writing this letter in response to your correspondence from December 09th 2022 for the purpose of filing an appeal to the Freedom of Information Act (FOIA) request I had submitted on the subject of the National Council on Disability (NCD) January 30th 2018 report titled: *“Not on the Radar: Sexual Assault of College Students with Disabilities.”*

According to the report mentioned above, *“students with disabilities (...) may (...) be accused of sexual violence, as well as being victims of such violence, and may require accommodations during Title IX hearings, judicial procedures, suspensions, and other procedures and actions on campus. While this is an important topic for further study, people with disabilities are far more likely to be victims of violence than instigators of it, and they are more likely to suffer physical and mental illnesses because of violence. In addition, students may experience mental health disabilities after an incident of sexual assault.”* (See Page 21 of the NCD report hereby attached).

As a Black man with a U.S college degree, (who was in January 2010 informed what constitutes *“affirmative and effective consent,”*) I wholeheartedly agree with the statements made by the NCD about [1] students with disabilities being far more likely to be victims of violence than instigators of it; [2] students with disabilities being more likely to suffer physical and mental illness because of violence; [3] the experience of sexual assault leading people to experience (i) depression, (ii) sleep disorders, (iii) thoughts of suicide etc.

However, I have concerns with the adequacy of the search you have performed for my FOIA request, which you have assigned Case No.: 2023 – 01 because of the statements made by your federal agency about the real possibility of a future NCD report that will examine the issue of [1] students with disabilities being accused of sexual violence (on college/university campuses), [2] students with disabilities being victims of sexual violence (on college/university campuses), [3] students with disabilities requiring accommodations during Title IX hearings, judicial procedures, suspensions, and other procedures on campus.

Additionally, I have other concerns about a future NCD report that could be published dealing with the *“sexual assault of college students with disabilities.”* I (personally) cannot speak for the experiences of other U.S college/university students. However, I can tell you about my own. I was for the first time informed what constitutes *“affirmative and effective consent”* in the month of January 2010 when I was an undergraduate student of Westminster College (Fulton, MO). I was informed what constitutes *“affirmative and effective consent”* after having been told about

the April 05th 1986 rape and murder of Jeanne Ann Clery. I would again like to reiterate this point because I believe it's important. At the time I was informed about "*affirmative and effective consent*," (at Westminster College, Fulton, Missouri) I don't remember being told that such education was necessary because [1] twenty percent (20%) of female students had experienced some type of nonconsensual sexual relations by the time they had graduated with a Bachelor of Arts (B.A)/Bachelor of Science (B.S) Degree in Calendar Year 2005; [2] the United States of America (U.S.A) had a history of slavery and that Black/African American women were "*the property*" of white men with wealth (who often times did with them what they wanted).

I (personally) do not believe it's academically honest and socially responsible to tell people what constitutes "*affirmative and effective consent*" after having informed them about the April 05th 1986 rape and murder of Jeanne Ann Clery. In other words, I don't think it's academically honest and socially responsible to tell teenagers, most of whom begin their post-secondary academic education when they're 17 (seventeen), 18 (eighteen) and 19 (nineteen) years old about "*affirmative and effective consent*" after laying on their conscience the rape and murder of a Caucasian woman (i.e: Jeanne Ann Clery) by a Black/African American man (i.e: Josoph Henry).

Given the statements made by the NCD on page 21 (twenty-one) of their January 30th 2018 report, I (personally) was led to believe that your federal agency had begun discussions/research to examine the issue of [1] students with disabilities being accused of sexual violence, [2] students with disabilities being victims of sexual violence, [3] students with disabilities requiring accommodations during Title IX hearings, judicial procedures, suspensions, and other procedures on campus (for the purpose of a future report). For this reason in particular, I continue to have concerns with the adequacy of the search you have performed for my FOIA request.

As a representative of the media and a member of the general public, I hope you will perform a more thorough search for responsive records detailing [1] the discussions/research, which was performed by the NCD on the subject of students with disabilities being accused of sexual violence in college/university settings; [2] the discussions/research, which was performed by the NCD on the subject of students with disabilities being victims of sexual violence; [3] the discussions/research, which was performed by the NCD on the subject of students with disabilities requiring accommodations during Title IX hearings, judicial procedures, suspensions, and other procedures on campus; [4] the discussions/research, which was performed by the NCD on the subject of students with disabilities being told about "*affirmative and effective consent*" after being provided some very limited background information on the April 05th 1986 rape and murder of Jeanne Ann Clery; [5] the discussions/research, which was performed by the NCD on the subject of students with disabilities being told about "*affirmative and effective consent*" after being provided some very limited background information on the rape and murder of a Caucasian woman (i.e: Jeanne Ann Clery) by a Black/African American man (i.e: Josoph Henry); [6] the date and time (i) representatives of the media, (ii) members of the general public, (iii) current college students, (iv) current university students, (v) alumnae of U.S colleges/universities and (vi) alumni of U.S colleges/universities can expect from the NCD a follow up report on the subject of "*sexual assault of college students with disabilities.*"

I hope you reconsider your response. Be well. Take care. Keep yourselves at arms distance.

W (AACL)
Michael A. Ayele
Anti-Racist Human Rights Activist
Audio-Visual Media Analyst
Anti-Propaganda Journalist

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FOIA Appeal Request Case No.: NCD - 2023 - 01

Michael Ayele <waac13@gmail.com>
to Amy, Joan, Michael, me, Michael

Thu, Dec 15, 2022, 10:40 AM

W (AACL)
Michael A. Ayele
P.O.Box 20438
Addis Ababa, Ethiopia
E-mail : waac13@gmail.com

from: **Michael Ayele** <waac13@gmail.com>
to: Amy Nicholas <anicholas@ncd.gov>, Joan Durocher <JDurocher@ncd.gov>
cc: Michael Ayele <waac1313@gmail.com>, "Michael Ayele (W)" <waac13@gmail.com>, Michael Ayele <waac142913@gmail.com>
date: Dec 15, 2022, 10:40 AM
subject: FOIA Appeal Request Case No.: NCD - 2023 - 01
mailed-by: gmail.com

Freedom of Information Act (F

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FOIA Appeal Request Case No.: NCD - 2023 - 01 Inbox

Michael Ayele • waac13@gmail.com
to Amy, Joan, Michael, me, Michael

W (AACL) Date: December 15th 2022

Michael A. Ayele
P.O.Box 20438
Addis Ababa, Ethiopia
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W (AACL)
 Michael A. Ayele
 Anti-Racist Human Rights Activist
 Audio-Visual Media Analyst
 Anti-Propaganda Journalist



National Council on Disability

An independent federal agency making recommendations to the President and Congress to enhance the quality of life for all Americans with disabilities and their families.

December 9, 2022

Michael Ayele
P.O. Box 20438
Addis Ababa, Ethiopia

Re: FOIA Request NCD-2023-01

Dear W:

This letter is in response to your Freedom of Information Act (FOIA) request, dated November 5 2022, in which you requested:

“What I am requesting for prompt disclosure are records in your possession detailing [1] the formal/informal ties between your office, the National Council on Disability (NCD), the National Center on Safe and Supportive Learning Environments (NCSSLE) and the Center for Campus Public Safety (CCPS); [2] your discussions about the NCD as a federal agency, which recognizes that the concept of “*affirmative and effective consent*” is being taught to college/university students in the United States of America (U.S.A) during the course of their first (1st) year of post-secondary academic education; [3] your discussions about the NCD as a federal agency, which recognizes that the concept of “*healthy sexual relationships*” is being taught to college/university students in the U.S.A during the course of their Freshmen year; ⁱ [4] your discussions about the NCD as a federal agency, which recognizes that (approximately) 20% (twenty percent) of women in their 4th (fourth) year of college/university (after high-school) experienced some type of “*nonconsensual sexual contact involving force or incapacitation*” (on campus) in Calendar Year 2005; [5] your discussions about the NCD as a federal agency, which recognizes that 20% of women in their Senior year of college/university (after high-school) experienced some type of “*nonconsensual sexual contact involving force or incapacitation*” even though they had been told in their Freshmen year of college/university what constitutes “*affirmative and effective consent*,” [6] your discussions about the NCD as a federal agency, which recognizes that 20% of women in their Senior year of college/university (after high-school) experienced some type of “*nonconsensual sexual contact involving force or incapacitation*” even though they had been told in their Freshmen year of college/university what constitutes “*healthy sexual relationships*,”ⁱⁱ [7] your discussions about the NCD as a federal agency, which recognizes that (approximately) 32% (thirty two percent) of women with a disability experienced some type of “*nonconsensual sexual contact involving force or incapacitation*” (during Calendar Years 2014 and 2015) on a college/university campus; [8] your discussions about the NCD as a federal agency, which recognizes that one in three women with a disability experienced some type of “*nonconsensual sexual contact involving force or incapacitation*” (during Calendar Years 2014 and 2015) on a

college/university campus; [9] your discussions about the NCD as a federal agency, which recognizes that one in three women with a disability experienced some type of “*nonconsensual sexual contact involving force or incapacitation*” (during Calendar Years 2014 and 2015) even though they had been told what constitutes “*affirmative and effective consent*” in their Freshmen year of college/university; [10] your discussions about the NCD as a federal agency, which recognizes that one in three women with a disability experienced some type of “*nonconsensual sexual contact involving force or incapacitation*” (during Calendar Years 2014 and 2015) even though they had been told what constitutes “*healthy sexual relationships*,”ⁱⁱⁱ [11] your discussions about the NCD as a federal agency, which recognizes that “*sexual assault is a public health and public safety concern with far-reaching implications*,” [12] your discussions about the NCD as a federal agency, which recognizes that sexual assault is a “*deeply personal violation*,” which “*leaves physical and emotional impacts that change the lives of victims*,” [13] your discussions about the NCD as a federal agency, which recognizes that sexual assault causes “*long term physical, psychological, and emotional effects, including depression, post-traumatic stress, thoughts of suicide, flashbacks, and sleep disorders*,”^{iv} [14] your discussions about the NCD as a federal agency, which has recommended for Congress to amend the Jeanne Clery Act by “*requiring colleges to collect the number of all reported sexual assaults on students with disabilities (not just when the assaults are hate crimes) and include this information in their annual security report*,” [15] your discussions about the NCD as a federal agency, which has recommended for Congress to amend the Jeanne Clery Act by “*requiring colleges to include a statement regarding the disability-related accommodations that will be made available to students with disabilities during the reporting and disciplinary process, such as auxiliary communication aids or interpreters, and how to request these accommodations*,” [16] your discussions about the NCD as a federal agency, which has recommended for Congress to pass the Campus Accountability and Safety Act (S. 856) by requiring “*grant applications under proposed Section 8, part BB, to described how they will serve students with disabilities in their description of how underserved populations on campus will be served*,” [17] your discussions about the NCD as a federal agency, which has recommended for Congress to pass S. 856 by adding “*a survey question to proposed Section 19 on whether the victim had a disability at the time of the assault, and what type of disability*,” [18] your discussions about the NCD as a federal agency, which has recommended for Congress to “*require that research funded by the Office on Violence Against Women on campus sexual assault include students with disabilities to gather data on the problem as it pertains to students with disabilities, and to develop strategies for preventing and reducing the risk of sexual assault and effectively responding to victims with disabilities*,” [19] your discussions about the NCD as a federal agency, which has recommended for the Department of Education (DoED) to “*develop and publish a technical assistance document or training for colleges on the rights of students with disabilities to have necessary accommodations in the process of reporting assault, utilizing sexual assault support services, and in the institutional disciplinary process*,” [20] your discussions about the NCD as a federal agency, which has recommended for the Department of Education (DoED) Office of Civil Rights (OCR) to (i) inform colleges that they must provide required Title IX information in accessible formats to students with disabilities, (ii) encourage colleges to include information on how students can

request disability related accommodations on their Title IX web pages, (iii) encourage colleges to make outreach and educational materials regarding sexual assault services available in accessible formats, and through various outlets accessible to students; [21] your discussions about the NCD as a federal agency, which has recommended for the National Center on Safe and Supportive Learning Environments (NCSSLE) to “*include information on disability*” and to communicate “*with victims with disabilities who are Deaf or hard of hearing, in its trauma informed training programs;*” [22] your discussions about the NCD as a federal agency, which has recommended for the Center for Campus Public Safety (CCPS) to “*include information on disability*” and communicate “*with victims with disabilities who are Deaf or hard of hearing in their trauma-informed training programs for school officials and campus law enforcement;*” [23] your discussions about the NCD as a federal agency, which has recommended for the Department of Justice (DOJ) Bureau of Justice Services (BJS) to “*include students with disabilities as a demographic when conducting research on sexual assault on college campuses;*” [24] your discussions about the NCD as a federal agency, which has recommended for the Department of Justice (DOJ) Office on Violence Against Women (OVW) to (i) communicate with victims with disabilities who are Deaf or hard of hearing, in its trauma informed training programs for school officials and campus local law enforcement, (ii) require all colleges that submit proposals under the *Grants to Reduce Sexual Assault, Domestic Violence, Dating Violence, and Stalking on Campus Program* to “*provide outreach and educational materials regarding sexual assault services to students;*” (iii) require researchers to include students disabilities as a demographic when they fund research on sexual assault on college campuses, [25] your discussions about the NCD as a federal agency, which has recommended for colleges/universities to (i) include students with disabilities as a demographic in campus climate surveys on sexual assault, (ii) create crisis policies and procedures on how to provide sexual assault services to students with sensory disabilities especially Deaf or hard of hearing students, so that students receive services within 24 hours, (iii) guarantee that sexual assault first responders and support providers have access to emergency interpreter services or other communication methods so that students can communicate with staff immediately, (iv) create formal agreements with community-based providers with the expertise to support survivors with disabilities, (v) develop and implement sexual assault prevention and support service training with messaging campaigns that are inclusive and welcoming to students with disabilities on college campuses, (vi) provide disability related and trauma informed practice training to prevention and first responder staff and campus security so that they understand how to effectively prevent and support students with disabilities after an incident of sexual assault, (vii) establish and maintain active collaborative relationships between Title IX, sexual assault services, counseling and health services and disability services, (viii) require their Disability Service Center staff to be actively involved in college sexual assault prevention and support efforts, (ix) require their Disability Service Center staff to be actively trained on Title IX procedures; ^v [26] the academic backgrounds, the professional responsibilities and the annual salaries of Clyde E. Terry, Benro T. Ogunyipe, Billy W. Altom, Rabia Belt, James T. Brett, Bob Brown, Daniel M. Gade, Wendy S. Harbour, Amged Soliman, Stacey S. Brown, Keith Woods, Nitya Venkateswaran, Talia Shalev, Jay Feldman and Deborah Tull.”

For tracking purposes, your tracking number is **NCD-2023-01**.

All NCD public records are available on our website at NCD.gov. Any responsive documents to queries 1 through 25 can be found on our website. As to query 26, NCD previously provided you the professional responsibilities and the annual salary of NCD councilmembers and NCD staffer Stacey Brown. "Nitya Venkateswaran, Talia Shalev, Jay Feldman and Deborah Tull" are not NCD employees, therefore we have no responsive records to this portion of your request. The professional responsibilities of Keith Woods and Amged Soliman can be found on NCD's website. Keith Woods annual salary is \$138,856 and Amged Soliman is \$143,064.

If you need further assistance, you may contact Amy Nicholas, NCD's FOIA Public Liaison at 202-731-2313 or anicholas@ncd.gov. Please include your tracking number with any correspondence. If needed, it is your right to seek dispute resolution services from NCD's Public Liaison or the Office of Government Information Services (OGIS). OGIS may be reached at:

Office of Government Information Services (OGIS)
National Archives and Records Administration
8601 Adelphi Road
College Park, MD 20740-6001
OGIS@Nara.gov
202-741-5770
fax 202-741-5769

NCD's appeal process allows you to appeal withheld information or the adequacy of NCD's search by writing within 90 days of your receipt of this letter to:

Anne Sommers McIntosh
Executive Director
National Council on Disability
1331 F St. NW.
Suite 850
Washington DC 20004

Your appeal must be in writing and should contain a brief statement of the reasons why you believe the requested information should be released. Enclose a copy of your initial request, request number and a copy of this letter. Both the appeal letter and envelope should be prominently marked "Freedom of Information Act Appeal."

After processing, actual fees must be equal to or exceed \$25 for the Council to require payment of fees. See 5 CFR §10000.10k. The fulfillment of your request did not exceed \$25, therefore there is no billable fee for the processing of this request.

Respectfully,

Joan Durocher
Chief FOIA Officer

ⁱ *Colleges are implementing a variety of education and prevention programs on their campuses and making information related to sexual assault readily available to students. Educational programs help develop students understanding of consent and healthy sexual relationships and supports the prevention of alcohol abuse. Colleges use a range of online education prevention programs to reach all first-year students and other targeted populations, while complying with federal mandates for sexual assault prevention training. Colleges also organize in person educational events facilitated by experts and peer educators throughout the year. Not on the Radar: Sexual Assault of College Students with Disabilities. See Page 32 of the Report here.: https://ncd.gov/sites/default/files/NCD_Not_on_the_Radar_Accessible.pdf*

ⁱⁱ *The issue of sexual assault on college campuses has received increased attention since the 2007 publication of the federally funded College Sexual Assault study, which found that 19 percent of female undergraduates were victims of sexual assault during their time in college. Another recent federally funded study surveyed 23,000 students across nine colleges and universities and found that the prevalence of sexual assault averaged 21 percent for females across the schools. The federally funded (National Institute of Justice) College Sexual Assault Study (CSA) was a survey conducted with 6,800 undergraduate students attending two large public universities during 2005 that examined the prevalence, nature, and reporting of sexual assault experienced by students to inform the development of targeted intervention strategies. The often-quoted figure from this study represents the experience of females since entering college: 19.8 percent of female college senior (1 in 5) responded that they had experienced nonconsensual sexual contact involving force or incapacitation during their time in college. This study, however, did not include disability as a demographic and, as such did not yield data on the prevalence of sexual assault on student with disabilities. Not on the Radar: Sexual Assault of College Students with Disabilities. See Page 32 of the Report here.: https://ncd.gov/sites/default/files/NCD_Not_on_the_Radar_Accessible.pdf*

ⁱⁱⁱ *A recent large-scale study on campus sexual assault by the Association of American Universities revealed that college students with disabilities were victims of sexual violence at higher rates than students without disabilities —31.6 percent of undergraduate females with disabilities reported nonconsensual sexual contact involving physical force or incapacitation, compared to 18.4 percent of undergraduate females without a disability. This means one out of every three undergraduate students with a disability was a victim of sexual violence on campus. (...) The Association of American Universities (AAU) study is notable because it is one of the largest surveys on sexual assault and sexual misconduct in terms of both number of schools and number of students participating. Prior studies of campus sexual assault and misconduct have been implemented for a small number of colleges or for a national sample of students with relatively small samples for any particular college. Also, comparisons across surveys have been*

problematic because of different methodologies and different definitions. The AAU was one of the first to implement a uniform methodology across multiple colleges and to produce statistically reliable estimates for each college. Not on the Radar: Sexual Assault of College Students with Disabilities. See Page 32 of the Report here.: https://ncd.gov/sites/default/files/NCD_Not_on_the_Radar_Accessible.pdf

^{iv} *Sexual assault is a public health and public safety concern with far-reaching implications, and it is well documented that this deeply personal violation leaves physical and emotional impacts that change the lives of victims. (...) Sexual assault can be devastating to victims and cause long term physical, psychological, and emotional effects, including depression, post-traumatic stress, thoughts of suicide, flashbacks, and sleep disorders. Not on the Radar: Sexual Assault of College Students with Disabilities.*

^v January 30th 2018 Recommendations of the National Council on Disability (NCD)

- 1) *Congress should amend the Clery Act including to:*
 - a. *Require colleges to collect the number of all reported sexual assaults on students with disabilities (not just when the assaults are hate crimes) and include this information in their annual security report.*
 - b. *Require colleges to include a statement regarding the disability-related accommodations that will be made available to students with disabilities during the reporting and disciplinary process, such as auxiliary communication aids or interpreters, and how to request those accommodations.*
- 2) *Congress should pass the Campus Accountability and Safety Act (S. 856) with the following additions:*
 - a. *Require grant applications under proposed Section 8, part BB, to describe how they will serve students with disabilities in their description of how underserved populations on campus will be served.*
 - b. *Add a survey question to proposed Section 19 on whether the victim had a disability at the time of the assault, and what type of disability.*
- 3) *Congress should require that research funded by the Office on Violence Against Women on campus sexual assault include students with disabilities to gather data on the problem as it pertains to students with disabilities, and to develop strategies for preventing and reducing the risk of sexual assault and effectively responding to victims with disabilities.*

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- 4) *The Department of Education (ED) should develop and publish a technical assistance document or training for colleges on the rights of students with disabilities to have necessary accommodations in the process of reporting assault, utilizing sexual assault support services, and in the institutional disciplinary process.*
 - 5) *The Department of Education (ED) Office of Civil Rights should*
 - a. *Inform colleges that they must provide required Title IX information in accessible formats to students with disabilities.*
 - b. *Encourage colleges to include information on how students can request disability related accommodations on their Title IX web pages.*
 - c. *Encourage colleges to make outreach and educational materials regarding sexual assault services available in accessible formats, and through various outlets accessible to students.*
 - 6) *The National Center on Safe and Supportive Learning Environments (NCSSLE) should include information on disability, including communicating with victims with disabilities who are Deaf or hard of hearing, in its trauma informed training programs.*
 - 7) *The Bureau of Justice Statistics (BJS) should include students with disabilities as a demographic when conducting research on sexual assault on college campuses.*
 - 8) *The Center for Campus Public Safety (CCPS) should include information on disability, including communicating with victims with disabilities who are Deaf or hard of hearing, in their trauma-informed training programs for school officials and campus local law enforcement.*
 - 9) *The Office on Violence Against Women (OVW) should*
 - a. *Include information on disability, including communicating with victims with disabilities who are Deaf or hard of hearing, in its trauma-informed training programs for school officials and campus local law enforcement.*
 - 10) *The Office on Violence Against Women (OVW) should require all colleges that submit proposals under the Grants to Reduce Sexual Assault, Domestic Violence, Dating Violence, and Stalking on Campus Program to*
 - a. *Require grantees that provide outreach and educational materials regarding sexual assault services to students to provide them in accessible formats and inform the college community that these are available.*
 - 11) *When OVW funds research on sexual assault on college campuses, require researchers to include students with disabilities as a demographic. For example, allow students to identify if they have a disability in surveys/questionnaires, etc.*
 - 12) *Colleges should*
 - a. *Include students with disabilities as a demographic in campus climate surveys on sexual assault.*

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- b. Create crisis policies and procedures on how to provide sexual assault services to students with sensory disabilities especially Deaf or hard of hearing students, so that students receive services within 24 hours.*
 - c. Guarantee that sexual assault first responders and support providers have access to emergency interpreter services or other communications methods (i.e., Communication Access Real Time Translation) so that students can communicate with staff immediately.*
 - d. Create formal agreements with community-based providers with the expertise to support survivors with disabilities.*
 - e. Develop and implement sexual assault prevention and support service training with messaging campaigns that are inclusive and welcoming to students with disabilities on college campuses.*
 - f. Provide disability related and trauma informed practice training to prevention and first responder staff and campus security so that they understand how to effectively prevent and support students with disabilities after an incident of sexual assault.*
 - g. Establish and maintain active collaborative relationships between Title IX, sexual assault services, counseling and health services, and disability services.*
 - h. Require their Disability Service Center staff to be actively involved in college sexual assault prevention and support efforts and trained on Title IX procedures.*

Not on the Radar: Sexual Assault of College Students with Disabilities.

https://ncd.gov/sites/default/files/NCD_Not_on_the_Radar_Accessible.pdf

**THE ASSOCIATION FOR THE ADVANCEMENT
OF CIVIL LIBERTIES (AACL) HAS FILED A
REQUEST FOR RECORDS ABOUT THE
JANUARY 30TH 2018 REPORT PUBLISHED BY
THE NATIONAL COUNCIL ON DISABILITY
TITLED “*NOT ON THE RADAR: SEXUAL
ASSAULT OF COLLEGE STUDENTS WITH
DISABILITIES.*”**

BE WELL. TAKE CARE. KEEP YOURSELVES AT ARMS DISTANCE.

W (AACL)

MICHAEL A. AYELE

ANTI-RACIST HUMAN RIGHTS ACTIVIST

AUDIO-VISUAL MEDIA ANALYST

ANTI-PROPAGANDA JOURNALIST

W (AACL) Updated.: December 02nd 2022
Michael A. Ayele
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Request for Records

Hello,

This is Michael A. Ayele sending this message though I now go by W. You may call me W. I am writing this letter to file a request for records with your offices.ⁱ The basis for this records request is the January 30th 2018 report published by the National Council on Disability (NCD) titled “*Not on the Radar: Sexual Assault of College Students with Disabilities.*”ⁱⁱ

D) Records Requested

What I am requesting for prompt disclosure are records in your possession detailing [1] the formal/informal ties between your office, the National Council on Disability (NCD), the National Center on Safe and Supportive Learning Environments (NCSSLE) and the Center for Campus Public Safety (CCPS); [2] your discussions about the NCD as a federal agency, which recognizes that the concept of “*affirmative and effective consent*” is being taught to college/university students in the United States of America (U.S.A) during the course of their first (1st) year of post-secondary academic education; [3] your discussions about the NCD as a federal agency, which recognizes that the concept of “*healthy sexual relationships*” is being taught to college/university students in the U.S.A during the course of their Freshmen year; ⁱⁱⁱ [4] your discussions about the NCD as a federal agency, which recognizes that (approximately) 20% (twenty percent) of women experienced some type of “*nonconsensual sexual contact involving force or incapacitation*” (on campus) when they reached their 4th (fourth) year of college/university (after high-school) in Calendar Year 2005; [5] your discussions about the NCD as a federal agency, which recognizes that 20% of women experienced some type of “*nonconsensual sexual contact involving force or incapacitation*” when they reached their Senior year of college/university (after high-school) even though they had been told in their Freshmen year of college/university what constitutes “*affirmative and effective consent*,” [6] your discussions about the NCD as a federal agency, which recognizes that 20% of women experienced some type of “*nonconsensual sexual contact involving force or incapacitation*” when they reached their Senior year of college/university (after high-school) even though they had been told in their Freshmen year of college/university what constitutes “*healthy sexual relationships*,”^{iv} [7] your discussions about the NCD as a federal agency, which recognizes that (approximately) 32% (thirty two percent) of women with a disability experienced some type of “*nonconsensual sexual contact involving*

force or incapacitation” (during Calendar Years 2014 and 2015) on a college/university campus; [8] your discussions about the NCD as a federal agency, which recognizes that one in three women with a disability experienced some type of “nonconsensual sexual contact involving force or incapacitation” (during Calendar Years 2014 and 2015) on a college/university campus; [9] your discussions about the NCD as a federal agency, which recognizes that one in three women with a disability experienced some type of “nonconsensual sexual contact involving force or incapacitation” (during Calendar Years 2014 and 2015) even though they had been told what constitutes “affirmative and effective consent” in their Freshmen year of college/university; [10] your discussions about the NCD as a federal agency, which recognizes that one in three women with a disability experienced some type of “nonconsensual sexual contact involving force or incapacitation” (during Calendar Years 2014 and 2015) even though they had been told what constitutes “healthy sexual relationships;”^v [11] your discussions about the NCD as a federal agency, which recognizes that “sexual assault is a public health and public safety concern with far-reaching implications;” [12] your discussions about the NCD as a federal agency, which recognizes that sexual assault is a “deeply personal violation,” which “leaves physical and emotional impacts that change the lives of victims;” [13] your discussions about the NCD as a federal agency, which recognizes that sexual assault causes “long term physical, psychological, and emotional effects, including depression, post-traumatic stress, thoughts of suicide, flashbacks, and sleep disorders;”^{vi} [14] your discussions about the NCD as a federal agency, which has recommended for Congress to amend the Jeanne Clery Act by “requiring colleges to collect the number of all reported sexual assaults on students with disabilities (not just when the assaults are hate crimes) and include this information in their annual security report;” [15] your discussions about the NCD as a federal agency, which has recommended for Congress to amend the Jeanne Clery Act by “requiring colleges to include a statement regarding the disability-related accommodations that will be made available to students with disabilities during the reporting and disciplinary process, such as auxiliary communication aids or interpreters, and how to request these accommodations;” [16] your discussions about the NCD as a federal agency, which has recommended for Congress to pass the Campus Accountability and Safety Act (S. 856) by requiring “grant applications under proposed Section 8, part BB, to describe how they will serve students with disabilities in their description of how underserved populations on campus will be served;” [17] your discussions about the NCD as a federal agency, which has recommended for Congress to pass S. 856 by adding “a survey question to proposed Section 19 on whether the victim had a disability at the time of the assault, and what type of disability;” [18] your discussions about the NCD as a federal agency, which has recommended for Congress to “require that research funded by the Office on Violence Against Women on campus sexual assault include students with disabilities to gather data on the problem as it pertains to students with disabilities, and to develop strategies for preventing and reducing the risk of sexual assault and effectively responding to victims with disabilities;” [19] your discussions about the NCD as a federal agency, which has recommended for the Department of Education (DoED) to “develop and publish a technical assistance document or training for colleges on the rights of students with disabilities to have necessary accommodations in the process of reporting assault, utilizing sexual assault support services, and in the institutional

disciplinary process;” [20] your discussions about the NCD as a federal agency, which has recommended for the Department of Education (DoED) Office of Civil Rights (OCR) to (i) inform colleges that they must provide required Title IX information in accessible formats to students with disabilities, (ii) encourage colleges to include information on how students can request disability related accommodations on their Title IX web pages, (iii) encourage colleges to make outreach and educational materials regarding sexual assault services available in accessible formats, and through various outlets accessible to students; [21] your discussions about the NCD as a federal agency, which has recommended for the National Center on Safe and Supportive Learning Environments (NCSSLE) to “*include information on disability*” and to communicate “*with victims with disabilities who are Deaf or hard of hearing, in its trauma informed training programs;*” [22] your discussions about the NCD as a federal agency, which has recommended for the Center for Campus Public Safety (CCPS) to “*include information on disability*” and communicate “*with victims with disabilities who are Deaf or hard of hearing in their trauma-informed training programs for school officials and campus law enforcement;*” [23] your discussions about the NCD as a federal agency, which has recommended for the Department of Justice (DOJ) Bureau of Justice Services (BJS) to “*include students with disabilities as a demographic when conducting research on sexual assault on college campuses;*” [24] your discussions about the NCD as a federal agency, which has recommended for the Department of Justice (DOJ) Office on Violence Against Women (OVW) to (i) communicate with victims with disabilities who are Deaf or hard of hearing, in its trauma informed training programs for school officials and campus local law enforcement, (ii) require all colleges that submit proposals under the *Grants to Reduce Sexual Assault, Domestic Violence, Dating Violence, and Stalking on Campus Program* to “*provide outreach and educational materials regarding sexual assault services to students,*” (iii) require researchers to include students disabilities as a demographic when they fund research on sexual assault on college campuses, [25] your discussions about the NCD as a federal agency, which has recommended for colleges/universities to (i) include students with disabilities as a demographic in campus climate surveys on sexual assault, (ii) create crisis policies and procedures on how to provide sexual assault services to students with sensory disabilities especially Deaf or hard of hearing students, so that students receive services within 24 hours, (iii) guarantee that sexual assault first responders and support providers have access to emergency interpreter services or other communication methods so that students can communicate with staff immediately, (iv) create formal agreements with community-based providers with the expertise to support survivors with disabilities, (v) develop and implement sexual assault prevention and support service training with messaging campaigns that are inclusive and welcoming to students with disabilities on college campuses, (vi) provide disability related and trauma informed practice training to prevention and first responder staff and campus security so that they understand how to effectively prevent and support students with disabilities after an incident of sexual assault, (vii) establish and maintain active collaborative relationships between Title IX, sexual assault services, counseling and health services and disability services, (viii) require their Disability Service Center staff to be actively involved in college sexual assault prevention and support efforts, (ix) require their Disability Service Center staff to be actively trained on Title IX procedures; ^{vii} [26] the academic backgrounds, the professional

responsibilities and the annual salaries of Clyde E. Terry, Benro T. Ogunyipe, Billy W. Altom, Rabia Belt, James T. Brett, Bob Brown, Daniel M. Gade, Wendy S. Harbour, Amged Soliman, Stacey S. Brown, Keith Woods, Nitya Venkateswaran, Talia Shalev, Jay Feldman and Deborah Tull.

II) Request for a Fee Waiver and Expedited Processing

The requested records do/will demonstrate that [1] the National Council on Disability (NCD) is a federal agency, which recognizes that college/university students (in the USA) are educated about “*affirmative and effective consent*” during the course of their Freshmen year; [2] the NCD is a federal agency, which recognizes that college/university students (in the USA) are educated about “*healthy sexual relationship*” during the course of their Freshmen year; [3] the NCD is a federal agency, which recognizes that 20% of women were sexually assaulted by the time they reached their Senior year of college/university in Calendar Year 2005; [4] the NCD is a federal agency, which recognizes that 32% of women with a disability were sexually assaulted during Calendar Year 2014 and 2015 in a college/university setting; [5] the NCD is a federal agency, which recognizes the existence of a college rape culture even though students in the U.S.A are told what constitutes “*affirmative and effective consent*” in their 1st year of post-secondary academic education, [6] the NCD is a federal agency, which recognizes the existence of a college rape culture even though students in the U.S.A are told what constitutes “*healthy sexual relationships*” in their 1st year of post-secondary academic education, [7] Michael A. Ayele (a.k.a) W is a Black man, who came to the United States of America (U.S.A) on an F-1 Visa granted to him by the Department of State (DOS) in 2009; [8] Michael A. Ayele (a.k.a) W is a Black man, who came to the U.S.A for the purpose of obtaining a Bachelor of Arts (B.A) Degree from Westminster College (located in Fulton, Missouri); [9] Michael A. Ayele (a.k.a) W is a Black man, who has earned a B.A Degree from Westminster College (Fulton, Missouri) on December 31st 2016; [10] Michael A. Ayele (a.k.a) W is a Black man, who has been in on and off contact with the National Council on Disability (NCD),^{viii} the Department of Justice (DOJ) Federal Bureau of Investigation (FBI), and the Department of Education (DoED) about the rape and murder of Jeanne Ann Clery; [11] Michael A. Ayele (a.k.a) W is a Black man, who had informed the DOJ (FBI) that he was told what constitute “*affirmative and effective consent*” at Westminster College (Fulton, Missouri) in January 2010 (shortly after his arrival on U.S territory in the month of December 2009); [12] Michael A. Ayele (a.k.a) W is a Black man, who had informed the DOJ (FBI) that he was told what constitute “*affirmative and effective consent*” after he was told about the rape and murder of Jeanne Ann Clery (in January 2010); [13] Michael A. Ayele (a.k.a) W is a Black man, who had informed the DOJ (FBI) that he was told what constitute “*affirmative and effective*” after he was told about the rape and murder of a Caucasian woman by a Black/African American man (in January 2010); [14] Michael A. Ayele (a.k.a) W is a Black man, who had previously asked for the Department of Justice (DOJ) Federal Bureau of Investigation (FBI) to disclose (to him) responsive information they had on the rape and murder

of Jeanne Ann Clery; [15] the DOJ (FBI) is a federal agency, which has informed Michael A. Ayele (a.k.a) W that they have had contact with the Central Intelligence Agency (CIA) about the rape and murder of Jeanne Ann Clery; [16] the DOJ (FBI) is a federal agency, which has informed Michael A. Ayele (a.k.a) W that they had transferred the case of Jeanne Ann Clery to the Central Intelligence Agency (CIA) on June 11th 1992; [17] the DOJ (FBI) is a federal agency, which has informed Michael A. Ayele (a.k.a) W that they were contacted by his alma mater Westminster College (Fulton, Missouri) on August 29th 1986 (approximately five months following the rape and murder of Jeanne Ann Clery); [18] the DOJ (FBI) is a federal agency, which has informed Michael A. Ayele (a.k.a) W that they were contacted by his alma mater (Westminster College on August 29th 1986) because they 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.*”^{xix} [19] William Webster is a Caucasian man, who has previously worked as Director of the FBI (from 1978 to 1987) and Director of the CIA (from 1987 to 1991); [20] the CIA have informed Michael A. Ayele (a.k.a) W that they were never transferred the case of Jeanne Ann Clery rape and murder by the FBI on June 11th 1992; [21] the CIA have informed Michael A. Ayele (a.k.a) W that they have no information about the rape and murder of Jeanne Ann Clery and that he should contact the FBI and the Department of Education (DoED); [22] Michael A. Ayele (a.k.a) W is a Black man, who’s very much unhappy with the way that the DoED, the DOJ and the CIA processed his Freedom of Information Act (FOIA) request on the subject of Jeanne Ann Clery rape and murder;^x [23] Michael A. Ayele (a.k.a) W is a Black man, who has on October 18th 2022 filed an appeal with the DoED for the FOIA request, which they have assigned Case Number.: 21 – 02190 – F;^{xi} [24] Michael A. Ayele (a.k.a) W is a Black man, who believes that the traumatizing experience of sexual assault could lead a woman to (i) have nightmares, (ii) be depressed and (iii) commit suicide; [25] Michael A. Ayele (a.k.a) W is a Black man, who (i) was in 2013 employed for the Missouri Department of Mental Health (MODMH) and (ii) is gravely concerned about several aspects of Catherine Daisy Coleman August 04th 2020 suicide.^{xii}

In my judgment, the facts presented in my request for a fee waiver and expedited processing are not the sort to bolster public confidence in the activities of the U.S government. As a Black man with a U.S college degree (who has in the past corresponded with the NCD, the DOJ and the DoED about the rape and murder of Jeanne Ann Clery), I would like to take this opportunity to [1] denounce violence committed against women irrespective of their racial backgrounds, their sexual orientations, their national origins, their religious affiliations and/or their disability status; [2] recognize that the traumatic experience of sexual assault could lead a woman to (i) have nightmares, (ii) be depressed, (iii) contemplate suicide, (iv) commit suicide; [3] denounce malicious efforts, which consist of punishing women who reported an incident of sexual assault to the authorities; [4] denounce malicious efforts, which consist of putting women in circumstances encouraging the commission of suicide for reporting an incident of sexual assault; [5] denounce the retaliation suffered by Catherine Daisy Coleman (some of which were documented by the FBI) after she was sexually assaulted in January 2012 in the State of Missouri;^{xiii} [6] denounce any and all malicious efforts, which have consisted of placing

Catherine Daisy Coleman in circumstances encouraging the commission of suicide; [7] call upon the Missouri Department of Mental Health (my previous employers) to recognize that sexual assault could lead a woman to (i) have nightmares, (ii) be depressed, (iii) contemplate suicide, (iv) commit suicide; [8] call upon the Missouri Department of Mental Health (and their contractual partners such as Missouri Girls Town or other ones) to write medical reports that accurately reflect the risk of suicide (in circumstances, where a woman has been sexually assaulted) particularly given the publicized nature of Catherine Daisy Coleman August 04th 2020 suicide; [9] denounce discrimination in the service of healthcare pursuant to the Health Insurance Portability and Accountability Act (HIPAA).

The core issues presented in this records request are as follows. 1) What formal/informal ties exist between your office, the NCD, the National Center on Safe and Supportive Learning Environments (NCSSLE) and the Center for Campus Public Safety (CCPS)? 2) Have you had conversations about the 2007 publication of the federally funded College Sexual Assault study, which found that 20% of women in their 4th year of college/university experienced some type of “*nonconsensual sexual contact involving force or incapacitation?*” Have you had conversations about the reasons why one in five women experienced sexual assault while attending a college/university between 2001 and 2005? If yes, will you promptly disclose those records? 3) Have you had conversations about the 2017 study of the Association of American Universities, which revealed that college students with disabilities were victims of sexual violence at higher rates than students with disabilities? Have you had conversations about the reasons why one in three women with a disability experienced sexual assault while attending a college/university in Calendar Years 2014 and 2015? If yes, will you promptly disclose those records? 4) Have you had conversations about sexual assault as a public health and public safety concern with far reaching implication? Have you had conversations about the long-term physical, psychological, and emotional effects caused by sexual assault? Have you had conversations about sexual assault as a factor, which could lead a woman to experience depression, post-traumatic stress, thoughts of suicide, flashbacks, and sleep disorders? 5) Have you had conversations about college rape culture in the U.S.A? Have you had conversations about the best way to significantly decrease and eliminate sexual assault on college campuses? Would educating students about the way the Jeanne Clery Act came to be enacted into law significantly decrease and eliminate sexual assault on college campuses? Would educating students about the exact year colleges/universities began teaching about “*affirmative and effective consent*” decrease and eliminate sexual assault on college campuses?

This records request should be expedited because it puts into question the government’s integrity about the way that people are treated in the U.S.A on account of their gender, their racial backgrounds, their national origins and their disability status. My request for a fee waiver should be granted because [1] I have identified operations and activities of the federal government in concert with U.S local/state government as well as non-profit and for-profit organizations; [2] the issues presented are meaningfully informative about government operations or activities in order to be ‘*likely to contribute*’ to and increase public understanding of those operations or activities.

Under penalty of perjury, I hereby declare all the statements I have made to be true and accurate. Be well. Take care. Keep yourselves at arms distance.

W (AACL)
Michael A. Ayele
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 via Archive.org, Scribd.com, Medium.com and YouTube.com. These documents have been made available to the public at no financial expense to them. As a member 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 through the means I have mentioned above or other ones. On December 10th 2021, I have launched a website on Wordpress.com for the purpose of making the records previously disclosed to me by the U.S government further accessible to members of the general public interested in the activities of their elected and non-elected representatives. You can find out more about the recent publications of the Association for the Advancement of Civil Liberties (AACL) here.: <https://michaelayeleacl.wordpress.com/>

ⁱⁱ *Sexual assault is a public health and public safety concern with far-reaching implications, and it is well documented that this deeply personal violation leaves physical and emotional impacts that change the lives of victims. This report is the first to examine how the needs of sexual assault victims with disabilities are included in college policies and procedures and to make recommendations to Congress, federal agencies, and colleges for improvement. (...)*

The purpose of this study is to explore and raise awareness of how students with disabilities fare under existing college practices and services related to sexual assault. After examining the current landscape, potential policy solutions and action steps are proposed, which Congress, the Federal Government, and colleges can take to support survivors with disabilities and reduce their trauma.

The purpose of this report is to raise awareness of sexual assault against students with disabilities on college campuses by examining college policies and practices that should protect students with disabilities who have experienced sexual assault, college policies and practices aimed at educating students on sexual assault prevention, and the availability of survivor services on campus that are physically and programmatically accessible to students with disabilities who are victims of sexual assault. This report also provides recommendations for reform. Not on the Radar: Sexual Assault of College Students with Disabilities. National Council on Disability (NCD). https://ncd.gov/sites/default/files/NCD_Not_on_the_Radar_Accessible.pdf

ⁱⁱⁱ *Colleges are implementing a variety of education and prevention programs on their campuses and making information related to sexual assault readily available to students. Educational programs help develop students understanding of consent and healthy sexual relationships and supports the prevention of alcohol abuse. Colleges use a range of online education prevention programs to reach all first-year students and other targeted populations, while complying with federal mandates for sexual assault prevention training. Colleges also organize in person educational events facilitated by experts and peer educators throughout the year. Not on the*

Radar: Sexual Assault of College Students with Disabilities. See Page 32 of the Report here.: https://ncd.gov/sites/default/files/NCD_Not_on_the_Radar_Accessible.pdf

^{iv} *The issue of sexual assault on college campuses has received increased attention since the 2007 publication of the federally funded College Sexual Assault study, which found that 19 percent of female undergraduates were victims of sexual assault during their time in college. Another recent federally funded study surveyed 23,000 students across nine colleges and universities and found that the prevalence of sexual assault averaged 21 percent for females across the schools. The federally funded (National Institute of Justice) College Sexual Assault Study (CSA) was a survey conducted with 6,800 undergraduate students attending two large public universities during 2005 that examined the prevalence, nature, and reporting of sexual assault experienced by students to inform the development of targeted intervention strategies. The often-quoted figure from this study represents the experience of females since entering college: 19.8 percent of female college senior (1 in 5) responded that they had experienced nonconsensual sexual contact involving force or incapacitation during their time in college. This study, however, did not include disability as a demographic and, as such did not yield data on the prevalence of sexual assault on student with disabilities. Not on the Radar: Sexual Assault of College Students with Disabilities. See Page 32 of the Report here.: https://ncd.gov/sites/default/files/NCD_Not_on_the_Radar_Accessible.pdf*

^v *A recent large-scale study on campus sexual assault by the Association of American Universities revealed that college students with disabilities were victims of sexual violence at higher rates than students without disabilities —31.6 percent of undergraduate females with disabilities reported nonconsensual sexual contact involving physical force or incapacitation, compared to 18.4 percent of undergraduate females without a disability. This means one out of every three undergraduate students with a disability was a victim of sexual violence on campus. (...) The Association of American Universities (AAU) study is notable because it is one of the largest surveys on sexual assault and sexual misconduct in terms of both number of schools and number of students participating. Prior studies of campus sexual assault and misconduct have been implemented for a small number of colleges or for a national sample of students with relatively small samples for any particular college. Also, comparisons across surveys have been problematic because of different methodologies and different definitions. The AAU was one of the first to implement a uniform methodology across multiple colleges and to produce statistically reliable estimates for each college. Not on the Radar: Sexual Assault of College Students with Disabilities. See Page 32 of the Report here.: https://ncd.gov/sites/default/files/NCD_Not_on_the_Radar_Accessible.pdf*

^{vi} *Sexual assault is a public health and public safety concern with far-reaching implications, and it is well documented that this deeply personal violation leaves physical and emotional impacts that change the lives of victims. (...) Sexual assault can be devastating to victims and cause long term physical, psychological, and emotional effects, including depression, post-traumatic stress, thoughts of suicide, flashbacks, and sleep disorders.* Not on the Radar: Sexual Assault of College Students with Disabilities.

^{vii} January 30th 2018 Recommendations of the National Council on Disability (NCD)

- 1) *Congress should amend the Clery Act including to:*
 - a. *Require colleges to collect the number of all reported sexual assaults on students with disabilities (not just when the assaults are hate crimes) and include this information in their annual security report.*
 - b. *Require colleges to include a statement regarding the disability-related accommodations that will be made available to students with disabilities during the reporting and disciplinary process, such as auxiliary communication aids or interpreters, and how to request those accommodations.*
- 2) *Congress should pass the Campus Accountability and Safety Act (S. 856) with the following additions:*
 - a. *Require grant applications under proposed Section 8, part BB, to describe how they will serve students with disabilities in their description of how underserved populations on campus will be served.*
 - b. *Add a survey question to proposed Section 19 on whether the victim had a disability at the time of the assault, and what type of disability.*
- 3) *Congress should require that research funded by the Office on Violence Against Women on campus sexual assault include students with disabilities to gather data on the problem as it pertains to students with disabilities, and to develop strategies for preventing and reducing the risk of sexual assault and effectively responding to victims with disabilities.*
- 4) *The Department of Education (ED) should develop and publish a technical assistance document or training for colleges on the rights of students with disabilities to have necessary accommodations in the process of reporting assault, utilizing sexual assault support services, and in the institutional disciplinary process.*
- 5) *The Department of Education (ED) Office of Civil Rights should*
 - a. *Inform colleges that they must provide required Title IX information in accessible formats to students with disabilities.*
 - b. *Encourage colleges to include information on how students can request disability related accommodations on their Title IX web pages.*

-
- c. Encourage colleges to make outreach and educational materials regarding sexual assault services available in accessible formats, and through various outlets accessible to students.*
- 6) The National Center on Safe and Supportive Learning Environments (NCSSLE) should include information on disability, including communicating with victims with disabilities who are Deaf or hard of hearing, in its trauma informed training programs.*
- 7) The Bureau of Justice Statistics (BJS) should include students with disabilities as a demographic when conducting research on sexual assault on college campuses.*
- 8) The Center for Campus Public Safety (CCPS) should include information on disability, including communicating with victims with disabilities who are Deaf or hard of hearing, in their trauma-informed training programs for school officials and campus local law enforcement.*
- 9) The Office on Violence Against Women (OVW) should*
- a. Include information on disability, including communicating with victims with disabilities who are Deaf or hard of hearing, in its trauma-informed training programs for school officials and campus local law enforcement.*
- 10) The Office on Violence Against Women (OVW) should require all colleges that submit proposals under the Grants to Reduce Sexual Assault, Domestic Violence, Dating Violence, and Stalking on Campus Program to*
- a. Require grantees that provide outreach and educational materials regarding sexual assault services to students to provide them in accessible formats and inform the college community that these are available.*
- 11) When OVW funds research on sexual assault on college campuses, require researchers to include students with disabilities as a demographic. For example, allow students to identify if they have a disability in surveys/questionnaires, etc.*
- 12) Colleges should*
- a. Include students with disabilities as a demographic in campus climate surveys on sexual assault.*
- b. Create crisis policies and procedures on how to provide sexual assault services to students with sensory disabilities especially Deaf or hard of hearing students, so that students receive services within 24 hours.*
- c. Guarantee that sexual assault first responders and support providers have access to emergency interpreter services or other communications methods (i.e., Communication Access Real Time Translation) so that students can communicate with staff immediately.*
- d. Create formal agreements with community-based providers with the expertise to support survivors with disabilities.*

- e. *Develop and implement sexual assault prevention and support service training with messaging campaigns that are inclusive and welcoming to students with disabilities on college campuses.*
- f. *Provide disability related and trauma informed practice training to prevention and first responder staff and campus security so that they understand how to effectively prevent and support students with disabilities after an incident of sexual assault.*
- g. *Establish and maintain active collaborative relationships between Title IX, sexual assault services, counseling and health services, and disability services.*
- h. *Require their Disability Service Center staff to be actively involved in college sexual assault prevention and support efforts and trained on Title IX procedures.*

Not on the Radar: Sexual Assault of College Students with Disabilities.

https://ncd.gov/sites/default/files/NCD_Not_on_the_Radar_Accessible.pdf

^{viii} *The rape and murder of Jeanne Ann Clery continues to leave several key questions about Title IX of the Education Amendments Act of 1972 unaddressed. These questions include but are not limited to the following. 1) What are/were colleges/universities in the U.S.A obligations pursuant to Title IX of the Education Amendments Act of 1972? Were colleges/universities throughout the U.S.A required by law to denounce violence committed against women irrespective of their racial backgrounds, their sexual orientations, their religious affiliations and their national origins following the enactment of Title IX of the Education Amendments Act of 1972? If yes, were colleges/universities required to inform their students about what constitute appropriate sexual boundaries pursuant to Title IX of the Education Amendments Act of 1972? 2) Did colleges/universities throughout the U.S.A begin informing their students about what constitute “affirmative and effective consent” following the enactment of Title IX of the Education Amendments Act of 1972? If not, when did colleges/universities begin to inform their incoming freshmen/transfer students about the concepts of “affirmative and effective consent?” Did colleges/universities throughout the U.S.A begin teaching the concepts of “affirmative and effective consent” to their incoming freshmen/transfer students following the rape and murder of Jeanne Ann Clery (dated April 05th 1986)? If yes, why have colleges/universities throughout the U.S.A fixated on the rape and murder of this Caucasian woman by a Black/African American man to inform their incoming freshmen/transfer students about what constitutes “affirmative and effective consent?” 3) Are colleges/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/freshmen students about the rape and murder of Jeanne Ann Clery? Are colleges/universities discussions pertaining to what constitutes “affirmative and effective consent” consistent with their academic integrity policy if they are first informing their incoming freshmen/transfer students about the rape and murder of Jeanne Ann Clery? The National Council on Disability (NCD) Have Denied Being in Possession of Certain Specific Documents Concerning the Requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. W (AACL), Michael A. Ayele on Archive.: <https://archive.org/details/foia-response-letter-ayele-2021-05-signed>*

** The Department of Justice (DOJ) Federal Bureau of Investigation (FBI) have disclosed limited records of Westminster College (Fulton, Missouri) August 29th 1986 invitation to then-Director William Webster. These records were disclosed by the FBI following a Freedom of Information Act (FOIA) request submitted by the Association for the Advancement of Civil Liberties (AACL) on or around October 12th 2021. It's the 2nd (second) time the Department of Justice (DOJ) have referred the AACL to the National Archives Records Administration (NARA) on issues not unrelated to the rape and murder of Jeanne Ann Clery.*

The recent FBI disclosure show that Westminster College had extended an invitation to William Webster to “deliver the 1987 Commencement Address on Sunday, May 17, 1987 at 2:30 P.M.” The August 29th 1986 letter was signed by Westminster College former President J. Harvey Saunders. On October 31st 1986, William Webster accepted the invitation of Westminster College, acknowledging his formal and informal ties to Westminster College as well as Callaway County. The Department of Justice (DOJ) Federal Bureau of Investigation (FBI) Disclose Limited Records of Westminster College (Fulton, MO) August 29th 1986 Invitation of Former Director William Webster. W (AACL), Michael A. Ayele Official Website.: <https://michaelayeleaac1.wordpress.com/2021/12/10/jeanne-clery-april-1986-and-michael-aye-leaac1-january-2010-in-review-affirtmative-and-effective-consent-in-question-title-ix-doj-fbi-cia-dhs-westminster-college-fulton-missouri-index/>

** Are you a student of a U.S college/university? Are you an alumnus/alumna of a college/university in the U.S.A? Have you previously faced uncorroborated and racially motivated allegations of academic cheating as an undergraduate student? Has the uncorroborated and racially motivated allegation of academic cheating reached the person who's serving as the Dean of Student in your college/university? Have you read the Annual Security Report (ASR) published by the college/university you are/were attending, which is published pursuant to the Jeanne Ann Clery Disclosure of Campus Security Policy and Crime Statistics Act? How were you informed about “affirmative and effective consent?” Were you informed about “affirmative and effective consent” after having been told about the rape and murder of Jeanne Ann Clery on the campus of Lehigh University? Were you informed about “affirmative and effective consent” after having been told about the rape and murder of a Caucasian woman by a Black/African American? Is the way you have been informed about “affirmative and effective consent” academically, historically and socially responsible given the U.S.A well-documented history of slavery as well as systemic chauvinism, discrimination, misogyny, racism and sexism? Were there forces out there in the 1970s and the 1980s looking for a case where a Black 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/African American man; [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 16th 2015 at the campus of Stanford University)? The Central Intelligence Agency (CIA) Denied Being in Possession of Records Pertaining to the*

Rape & Murder of Jeanne Ann Clery Contradicting Previous Federal Bureau of Investigation (FBI) Disclosure Made to the Association for the Advancement of Civil Liberties (AACL). Michael A. Ayele (a.k.a) W on Archive.: <https://archive.org/details/the-cia-deny-being-in-possession-of-records-pertaining-to-jeanne-ann-clery-contr>

^{xi} Excerpt of E-mail Sent by Michael A. Ayele (a.k.a) W to the Department of Education (DoED) on October 18th 2022

Hello,

This is Michael A. Ayele sending this message though I now go by W. You may call me W. I am writing this letter in response to your correspondence from September 12th 2022 for the purpose of filing an appeal to the Freedom of Information Act (FOIA) request, which you had assigned Case No.: 21 – 02190 – F. Please be advised that I have several concerns with the adequacy of the search you have performed for my FOIA request. For instance, you have failed to acknowledge that the Department of Education (DoED) had sent me a letter on February 16th 2021 stating that the “*San Francisco Office for Civil Rights (OCR) received the complaint*” I had filed on that same day. Additionally, you have failed to acknowledge that the DoED “*was evaluating [my] complaint to determine whether OCR will accept*” the issues that formed the basis for my complaint “*for investigation*” on February 16th 2021. Furthermore, you have also failed to acknowledge that I had provided the DoED a signed Privacy Act Consent Form on (or around) February 18th 2021.

As a Black man with a U.S college degree (who was in January 2010 informed what constitutes “*affirmative and effective consent*”), I was deeply vexed by your correspondence from September 12th 2022 for [1] pretending as if I haven’t filed a complaint on February 16th 2021 with the Department of Education (DoED); [2] engaging in a pattern that looked to me very much like a cover-up; [3] failing to make clear how the DoED “*evaluates*” complaints filed with them pursuant to the Jeanne Clery Act as well as Title IX of the Education Amendments Act of the 1972; [4] giving me the strong impression that the pain and suffering endured by Chanel Miller is worth less than that of Jeanne Ann Clery because she was not raped by a Black/African American man; [5] giving me the strong impression that the pain and suffering endured by Chanel Miller is worth less than that of Jeanne Ann Clery because she was not murdered after she had been raped on the campus of Stanford University (on or around January 17th 2015).

As a representative of the media and a member of the general public, I hope you will perform a more thorough search for responsive records detailing [1] whether the DoED initiated contact with the San Francisco Office for Civil Rights (OCR) for the purpose of FOIA Request Case No.: 21 – 02190 – F; [2] the discussions between the DoED and the San Francisco Office for Civil Rights (OCR) about FOIA request Case No.: 21 – 02190 – F; [3] how the DoED “*evaluates*” complaints filed with them pursuant to the Jeanne Clery Act as well as Title IX of the Education Amendments Act of 1972; [4] your discussions about the pain and suffering endured by Chanel Miller being worth less than that of Jeanne Ann Clery because was not raped

by a Black/African American man; [5] your discussions about the pain and suffering of Chanel Miller being worth less than that of Jeanne Ann Clery because she was not murdered after she had been raped on the campus of Stanford University (on or around January 17th 2015); [6] the standard definition in use by the DoED for what constitutes a "cover-up."

I hope you reconsider your response. Be well. Take care. Keep yourselves at arms distance.

W (AACL)
Michael A. Ayele
Anti-Racist Human Rights Activist
Audio-Visual Media Analyst
Anti-Propaganda Journalist

^{xii} *Despite operating facilities like the Sexual Offender Rehabilitation & Treatment Services (SORTS) and having concluded contracts with Missouri Girls Town, the Missouri Department of Mental Health (MODMH) have failed to make clear whether they consider sexual violence as a factor that has the potential to increase the risk of suicide. They have also failed to make clear whether the personal health information (PHI) of an individual similarly situated to Catherine Daisy Coleman would reflect that risk. As of this writing, it remains unclear for the AACL what the obligations of the MODMH pursuant to the Americans with Disabilities Act (ADA) and the Health Insurance Portability & Accountability Act (HIPAA) actually are. The MODMH were extremely vague to requests submitted by the AACL on the subject of [1] whether they have in the past disclosed the PHI of an individual in circumstances, where discrimination was at play (for the purpose of remedying the discrimination); [2] whether they were in the past required to disclose the PHI of an individual either to the Equal Employment Opportunity Commission (EEOC) and/or the courts (for the purpose of remedying the discrimination).*

According to the MODMH, "when someone you know is in emotional pain, ask them directly: 'are you thinking about killing yourself?' Research suggests acknowledging suicide may reduce rather than increase suicidal ideation. Asking the question in a direct, unbiased manner communicates that you are open to speaking about suicide in a non-judgmental and supportive way. Other questions you can ask include, 'How can I help?' and 'what can we do about this?'. Asking these questions can open the door to honest communications to learn what next steps need to be taken. Often, we don't know the challenges others face on a day-to-day basis."
Michael Ayele (a.k.a) W was a previous employee of the MODMH. He has in 2013 worked for the Fulton State Hospital (FSH): a component of the MODMH. FSH is located approximately two miles away from Westminster College (Fulton, Missouri). The FSH and Westminster College have concluded an affiliation agreement. Michael Ayele (a.k.a) W is an alumnus of Westminster College.

As you may be aware, World Suicide Prevention Day (WSPD) is an event that was established in 2003 by the International Association for Suicide Prevention (IASP). Suicide accounts for 1% (one percent) of deaths globally. An estimated 703,000 (seven hundred and three thousand) people a year take their life around the world. For every suicide, there are likely 20 (twenty) other people making a suicide attempt and many more have serious thoughts of suicide. On the

occasion of World Suicide Prevention Day/Month, the AACL very much encourages productive and constructive conversations on the subject of mental health and suicide. The Missouri Department of Mental Health (MODMH) Disclose Limited Records in Response to Request Submitted About World Suicide Prevention Day (WSPD). Michael A. Ayele (a.k.a) W. Association for the Advancement of Civil Liberties (AACL) Official Website.: <https://michaelayeleacl.wordpress.com/2022/09/24/the-missouri-department-of-mental-health-modmh-disclose-limited-records-in-response-to-a-sunshine-request-submitted-about-world-suicide-prevention-day-wspd-w-aacl-michael-a-ayele-catherine-coleman-che/>

^{xiii} *The Association for the Advancement of Civil Liberties (AACL) has obtained limited responsive documents concerning the suicide of Catherine Daisy Coleman, which took place on August 04th 2020. Among documents that were disclosed to the AACL are contracts concluded between the Missouri Department of Mental Health (MODMH) and Missouri Girls Town: a facility, where Catherine Daisy Coleman is reported to have stayed in for a period of 90 (ninety) days before her permanent departure to the State of Colorado from the State of Missouri. According to the MODMH, Missouri Girls Town is a “time-limited placement resource for children requiring active coordinated and professional intervention in a highly structured environment by virtue of a demonstrated inability to function in any less restrictive setting. Children requiring residential treatment services exhibit a severe mental illness and/or persistent mental disorder as diagnosed according to the DSM-IV. These children may be unable to function consistently in an open, public school setting, may present a chronic runaway risk, and may present a history of showing rage, including physical aggression toward self and others.”*

The AACL unequivocally denounces violence committed against women irrespective of their racial backgrounds, their sexual orientations, their national origins, their religious affiliations and/or their disability status. The AACL has recently expressed grave concerns about women being placed in circumstances encouraging the commission of suicide after having reported an incident of sexual harassment/sexual assault/rape to the authorities. The AACL unequivocally denounces malicious efforts to put women in circumstances encouraging the commission of suicide as a form of retaliation for having reported an incident of sexual harassment/sexual assault/rape. The Federal Bureau of Investigation (FBI) Disclosed Records They Had Compiled Documenting the Retaliation Suffered by Catherine Daisy Coleman Following the Sexual Assault She Experienced in January 2012. Michael A. Ayele (a.k.a) W. Association for the Advancement of Civil Liberties (AACL) Official Website.: <https://michaelayeleacl.wordpress.com/2021/12/10/catherine-daisy-coleman-january-2012-and-august-2020-in-review-affirmative-and-effective-consent-audrie-taylor-pott-michael-ayele-aacl-w-index/>

EXHIBIT 1.



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

FOIA Service Center

September 12, 2022

Mr. Michael Ayele
P.O. Box 20438
Addis Ababa
Ethiopia

RE: FOIA Request No. 21-02190-F

Dear Michael Ayele:

This letter is a final response to your request for information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, dated July 13, 2021, and received in the FOIA Service Center (FSC) on July 13, 2021. Your request was forwarded to the Office for Civil Rights (OCR) and the Office of Federal Student Aid (FSA) to search for documents that may be responsive to your request.

You requested the following:

(1) formal and informal ties existing between your offices, the Department of Education (DoED), the Department of Justice (DOJ); (2) Your communications in the form of e-mails and postal correspondence about the complaint I had filed with the DoED against California State University (Fullerton), which had been assigned Case No.: 09 – 21 – 2124; (2) your communications in the form of e-mails and postal correspondence about the DoED and the DOJ obligations pursuant to Title IX of the Education Amendments Act of 1972 and Title VI of the Civil Rights Act of 1964; (3) your communications in the form of e-mails and postal correspondence about the bad-faith of California State University (Fullerton) for having published false, libelous, slanderous and misleading information on their websites about my records request submitted pursuant to the requirements of the Jeanne Ann Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act; (4) your communications in the form of e-mails and postal correspondence about California State University (Fullerton) having published false, libelous, slanderous and misleading information on their website without having contacted the DoED and the DOJ to inquire about their obligations to records request (submitted via e-mail) pursuant to the requirements of the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act if they were sincerely convinced it contained malware; (5) your communications in the form of e-mails and postal correspondence about California State University having engaged in fraud and racketeering by failing to contact the DoED and the DOJ of my records request submitted pursuant to the requirements of the Jeanne Ann Clery Disclosure of Campus Security and Campus Crime Statistics Act; (6) your communications in the form of e-mails and postal correspondence about the rape of Chanel Miller (dated January 17th 2015) on the campus of Stanford University; (7) your communications in the form of e-mails and postal correspondence about the judicial branch of the California government having found Brock Tuner guilty of (i) assaulting with the intent to rape an intoxicated or unconscious

person, (ii) sexually penetrating an intoxicated person and (iii) sexually penetrating an unconscious person; (8) your communications in the form of e-mails and postal correspondence Stanford University having discouraged female students attending the school not to file complaints of sexual harassment (against Brock Turner) pursuant to Title IX of the Education Amendments Act of 1972 and/or Title VII of the 1964 and 1991 Civil Rights Act; (9) your communications in the form of e-mails and postal correspondence about Brock Turner having been sentenced to six months in county jail for the rape of Chanel Miller on June 02nd 2016.

OCR attempted to clarify your request by email on December 14, 2021, December 28, 2021, February 2, 2022, and April 20, 2022.

Staff from OCR and FSA informed the FSC that after a search of their files, they were unable to locate any documents that were responsive to your request.

You have the right to seek assistance and/or dispute resolution services from the Department's FOIA Public Liaison or the Office of Government Information Services (OGIS). The FOIA Public Liaison is responsible, among other duties, for assisting in the resolution of FOIA disputes. OGIS, which is outside the Department of Education, offers mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Contact information follows:

Mail	FOIA Public Liaison Office of the Secretary U.S. Department of Education 400 Maryland Ave., SW, LBJ 7C132 Washington, DC 20202-4500	Office of Government Information Services National Archives and Records Administration 8601 Adelphi Road, Room 2510 College Park, MD 20740-6001
E-mail	robert.wehausen@ed.gov	OGIS@nara.gov
Phone	202-205-0733	202-741-5770; toll free at 1-877-684-6448
Fax	202-401-0920	202-741-5769

Lastly, you have the right to appeal this determination. You must submit any appeal within 90 calendar days after the date of this letter. Using the services described above does not affect your right, or the deadline, to pursue an appeal. An appeal must be in writing and must include a detailed statement of all legal and factual bases for the appeal; it should be accompanied by a copy of this letter, the initial letter of request, and any documentation that serves as evidence or supports the argument you wish the Department to consider in resolving your appeal.

Appeals may be submitted using the on-line form available at www.ed.gov/policy/gen/leg/foia/foia-appeal-form.pdf.

Appeals can also be submitted by:

E-mail: EDFOIAappeals@ed.gov

Fax: 202-401-0920

Mail: Appeals Office
Office of the Secretary
U.S. Department of Education

Page 3 - Michael Ayele
21-02190-F

400 Maryland Avenue, SW, LBJ 7W106A
Washington, DC 20202-4500

If you have any questions, please contact the FSC at (202) 401-8365 or via email at EDFOIAMANAGER@ed.gov.

Sincerely,

DeShawn Middleton

DeShawn Middleton
Government Information Specialist
Office of the Secretary

Gmail

Compose

Inbox 8,075

- Starred
- Snoozed
- Sent
- More

Labels

- (imap)/Drafts
- More

Search mail

6 of many

FOIA Appeal Request Case No.: 21-02190-F Inbox

Michael Ayele <waacl13@gmail.com>
to Deshawn, INFO, FREEDOM, INSPECTOR, me, ogis, ED, ED, Michael, Michael

W (AACL) Date: October
Michael A. Ayele
PO Box 20438
Addis Ababa, Ethiopia
E-mail: waacl13@gmail.com; waacl1313@gmail.com; waacl429@gmail.com

Freedom of Information Act (FOIA) Appeal Request Case No.: 21-02190-F

Hello,

This is Michael A. Ayele sending this message though I now go by request, which you had assigned Case No.: 21 – 02190 – F. Please Education (DoED) had sent me a letter on February 16th 2021 stating *[my] complaint to determine whether OCR will accept* the issues Consent Form on (or around) February 18th 2021.

As a Black man with a U.S college degree (who was in January 2015) I have been vexed by your correspondence from September 12th 2022 for the purpose of filing an appeal to the Freedom of Information Act (FOIA) I have performed for my FOIA request. For instance, you have failed to acknowledge that the Department of *Int* I had filed on that same day. Additionally, you have failed to acknowledge that the DoED *was evaluating* 021. Furthermore, you have also failed to acknowledge that I had provided the DoED a signed Privacy Act

As a representative of the media and a member of the general public, I hope you will perform a more thorough search for responsive records detailing [1] whether the DoED initiated contact with the San Francisco Office for Civil Rights (OCR) for the purpose of FOIA Request Case No.: 21 – 02190 – F; [2] the discussions between the DoED and the San Francisco Office for Civil Rights (OCR) about FOIA request Case No.: 21 – 02190 – F; [3] how the DoED *evaluates* complaints filed with them pursuant to the Jeanne Clery Act as well as Title IX of the Education Amendments Act of 1972; [4] your discussions about the pain and suffering endured by Chanel Miller being worth less than that of Jeanne Ann Clery because she was not raped by a Black/African American man; [5] your discussions about the pain and suffering of Chanel Miller being worth less than that of Jeanne Ann Clery because she was not murdered after she had been raped on the campus of Stanford University (on or around January 17th 2015); [6] the standard definition in use by the DoED for what constitutes a *cover-up*."

I hope you reconsider your response. Be well. Take care. Keep yourselves at arms distance.

W (AACL)
Michael A. Ayele
Anti-Racist Human Rights Activist
Audio-Visual Media Analyst
Anti-Propaganda Journalist

Deuteronomy 27:15 states as follows: "Cursed is anyone who withholds justice from the foreigner."

from: Michael Ayele <waacl13@gmail.com>
to: "Middleton, Deshawn" <Deshawn.Middleton@ed.gov>, INFO <info@eeoc.gov>, FREEDOM OF INFORMATION ACT <FOIA@eeoc.gov>, INSPECTOR GENERAL <inspector.general@eeoc.gov>, "Michael Ayele (W)" <waacl13@gmail.com>, ogis@nara.gov
cc: ED FOIA Appeals <EDFOIAAppeals@ed.gov>, ED FOIA Manager <EDFOIAManager@ed.gov>, Michael Ayele <waacl1313@gmail.com>, Michael Ayele <waacl42913@gmail.com>
date: Oct 18, 2022, 11:22 AM
subject: FOIA Appeal Request Case No.: 21-02190-F
mailed-by: gmail.com
Important mainly because it was sent directly to you.



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF SECRETARY

FOIA Service Center

October 18, 2022

Mr. Michael Ayele
P.O.Box 20438
Addis Ababa, N/A
Ethiopia

RE: Appeal – FOIA Request No. 21-02190-F/ Appeal – 23-00005-A

Dear Michael Ayele:

This is to acknowledge receipt of your October 18, 2022 letter appealing the Department's September 12, 2022 decision to your request for records under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, which was received by this office on July 13, 2021.

An administrative review of our response is underway, and the Department's Chief FOIA Officer will issue a determination on the appeal once it is completed.

Please refer to the appeal tracking number to check the status of your appeal at the link provided below:

<https://foiexpress.pal.ed.gov/app/CheckStatus.aspx>

If you have a question or concern, please contact the FOIA Office at (202) 401-8365 or EDFOIAManager@ed.gov.

Sincerely,

Art Caliguiran

Art Caliguiran
FOIA Appeals Coordinator
Office of the Secretary

EXHIBIT 2.



National Council on Disability

An independent federal agency making recommendations to the President and Congress to enhance the quality of life for all Americans with disabilities and their families.

December 8, 2020

W (AACL)
Michael A. Ayele
PO Box 20438
Addis Ababa, Ethiopia

Re: FOIA Request NCD-2021-05

Dear W:

This letter is in response to your Freedom of Information Act (FOIA) request, dated December 7, 2020, in which you requested:

“My request for records are the following. 1) What formal and informal ties exist between the Department of Education (DoED), the Department of Justice (DOJ), the National Council on Disability (NCD) and Lehigh University? 2) Will you join me in moving to call upon all communications in the form of e-mails and postal correspondence which were exchanged between employees and legal representatives of Lehigh University, the DoED, the DOJ and the NCD pertaining to Jeanne Clery’s time as a student of Lehigh University to be promptly disclosed either to my e-mail or in the alternative my mailing address? Will you join me in moving to call upon all communications in the form of e-mails and postal correspondence exchanged between the DoED, the DOJ, the NCD and the legislative branch of government in the State of Pennsylvania about Jeanne Clery since April 07th 1986 to be promptly disclosed either to my e-mail or in the alternative my mailing address? 3) Were you ever in receipt of concerns and/or complaints about Donald Trump having been invited to speak at Lehigh University in 1988 two years after the brutal rape and murder of Jeanne Clery by Joseph Henry? Were you ever in receipt of concerns and/or complaints about Donald Trump being awarded an honorary degree 15 years after the Department of Justice (DOJ) charged his real estate business of maliciously excluding blacks and African Americans as customers? If yes, will you join me in moving to call upon all concerns and complaints which were filed with your offices since April 01st 1988 to be promptly disclosed either to my e-mail or in the alternative my mailing address? 4) Were you ever in receipt of concerns and/or complaints that were filed with your offices about Donald Trump advocating in the State of New York in 1989/1990 for the reinstatement of the death penalty following the much-publicized incident at Central Park mentioned above? If yes, will you join me in moving to call upon all concerns and complaints that were filed by residents of the State of Pennsylvania, New York and elsewhere about Donald Trump advocating for the return of the death penalty since August 1989 to be promptly disclosed either to my e-mail or in the alternative my mailing address? 5) Have you ever had communications in the form of e-mails and postal correspondence with students,

faculty and staff of Lehigh University about Donald Trump having advocated for the reinstatement of the death penalty in 1989 following the much-publicized incident at Central Park in the State of New York? Have you ever had communications in the form of e-mails and postal correspondence with employees and legal representatives of Lehigh University about Donald Trump having failed to be respectful of affirmative and effective consent in his sexual relationships with females? If yes, will you join me in moving to call upon the prompt disclosure of all your communications in the form of e-mails and postal correspondence with students, faculty and staff of Lehigh University dealing with (a) Donald Trump having called for the reinstatement of the death penalty in the State of New York following the much-publicized incident at Central Park in the Spring of 1989 and (b) Donald Trump's failure to be respectful of affirmative and effective consent in his sexual relationships with females to my e-mail or in the alternative my mailing address? 6) Have you ever had communications in the form of e-mails and postal correspondence with students, faculty, staff and Board of Trustees members of Lehigh University about Kelly McCoy petition on Change.org calling for the honorary degree awarded to Donald Trump to be rescinded? Have you ever had communications in the form of e-mails and postal correspondence with students, faculty and staff of Lehigh University about the faculty of Lehigh University having put forward a motion to rescind Donald Trump's honorary degree awarded to him in 1988? If yes, will you join me in moving to call upon the prompt disclosure of all your communications in the form of e-mails and postal correspondence with students, faculty staff and Board of Trustee members of Lehigh University dealing with (a) Kelly McCoy petition on Change.org calling for the honorary degree awarded to Donald Trump at Lehigh University to be rescinded and (b) the motion put forward by faculty members of Lehigh University calling upon the honorary degree awarded to Donald Trump to be rescinded either to my e-mail or in the alternative my mailing address? What I am requesting for prompt disclosure are all documents detailing (1) formal and informal ties existing between the DoED, the DOJ, the NCD and Lehigh University; (2) all communications in the form of e-mails and postal correspondence exchanged between employees and legal representatives of the DoED, the DOJ, and the NCD with Lehigh University about Jeanne Clery's time as a student of Lehigh University; (3) all communications in the form of e-mails and postal correspondence between the DoED, the DOJ, the NCD and the legislative branch of government in the State of Pennsylvania about Jeanne Clery since April 07th 1986; (4) receipt of all concerns and complaints that were filed with your offices pertaining to Donald Trump having been invited to speak at the graduation ceremony of Lehigh University Class of 1988 two years after the brutal rape and murder of Jeanne Clery; (5) receipt of all concerns and complaints that were filed with the DoED, the DOJ and the NCD about Donald Trump having been invited to speak at the graduation ceremony of Lehigh University Class of 1988 fifteen years after the DOJ charged his real estate company of maliciously excluding blacks and African Americans as customers; (6) receipt of all concerns and complaints that were filed by people of the United States of America with the DoED, the DOJ and the NCD about Donald Trump having advocated for the reinstatement of the death penalty in the state of New York following the much-publicized incident at Central Park in the Spring of 1989; (7) all communications in the form of e-mails and postal correspondence exchanged between the DoED, the DOJ, the NCD and students, faculty, staff, Board of Trustees members at

Lehigh University about Donald Trump having endorsed the reinstatement of the death penalty in the State of New York following the much publicized incident at Central Park in the Spring of 1989; (8) all communications in the form of e-mails and postal correspondence exchanged between the DoED, the DOJ, the NCD, and students, faculty, staff and Board of Trustees members of Lehigh University about Donald Trump failure to be respectful of affirmative and effective consent in his sexual relationships with females; (9) all communications in the form of e-mails and postal correspondence exchanged between employees and legal representatives of the DoED, the DOJ, the NCD, and students, faculty, staff and Board of Trustee members at Lehigh University about Kelly McCoy petition on Change.org calling for Donald Trump honorary degree to be rescinded and (10) all communications in the form of e-mails and postal correspondence between employees and legal representatives of the DoED, the DOJ, the State of New York and students, faculty, staff and Board of Trustee members at Lehigh University about the motion put forward by faculty members of Lehigh University calling upon the honorary degree awarded to Donald Trump to be rescinded.”

NCD does not have any records responsive to your request.

For tracking purposes, your tracking number is **NCD-2021-05**.

If you need further assistance you may contact Amy Nicholas, NCD's FOIA Public Liaison at 202-272-2008 or anicholas@ncd.gov. Please include your tracking number with any correspondence. If needed, it is your right to seek dispute resolution services from NCD's Public Liaison or the Office of Government Information Services (OGIS). OGIS may be reached at:

Office of Government Information Services (OGIS)
National Archives and Records Administration
8601 Adelphi Road
College Park, MD 20740-6001
OGIS@Nara.gov
202-741-5770
fax 202-741-5769

NCD's appeal process allows you to appeal withheld information or the adequacy of NCD's search by writing within 90 days of your receipt of this letter to:


Lisa Grubb, Executive Director
National Council on Disability
1331 F St. NW.
Suite 850
Washington DC 20004

Your appeal must be in writing and should contain a brief statement of the reasons why you believe the requested information should be released. Enclose a copy of your

initial request, request number and a copy of this letter. Both the appeal letter and envelope should be prominently marked "Freedom of Information Act Appeal."

After processing, actual fees must be equal to or exceed \$25 for the Council to require payment of fees. See 5 CFR §10,00010k. The fulfillment of your request did not exceed \$25, therefore there is no billable fee for the processing of this request.

Respectfully,

A handwritten signature in black ink, appearing to read "Amy Nicholas". The signature is fluid and cursive, with the first name "Amy" and the last name "Nicholas" clearly distinguishable.

Amy Nicholas
FOIA Officer

cc: Joan Durocher