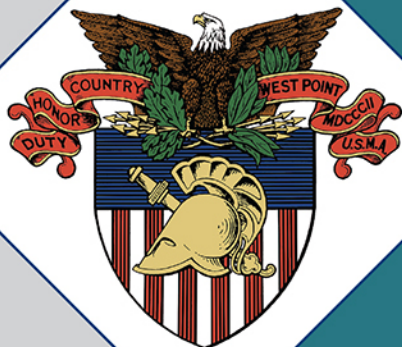


# Appendix A: United States Military Academy



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# Appendix A: U.S. Military Academy



## Summary

The Department of Defense (DoD) assessed the United States Military Academy's (USMA) policies, training, procedures, and initiatives for the Sexual Harassment/Assault Response and Prevention (SHARP) program during Academic Program Year (APY) 2014-2015. The Department uses the structure of the *2013 DoD Sexual Assault Prevention and Response (SAPR) Strategic Plan* to organize its assessment of the SHARP program into five lines of effort (LOE). Compliance in each LOE was determined by comparing USMA's SHARP program to the requirements outlined in the following policies that were applicable during APY 14-15.

- DoD Directive (DoDD) 6495.01, "SAPR Program," Incorporating Change 2, January 20, 2015;
- DoD Instruction (DoDI) 6495.02, "SAPR Program Procedures," February 12, 2014;
- DoDD 1350.2 "DoD Military Equal Opportunity (MEO) Program," November 21, 2003; and

- DoDD 1020.02 "Diversity Management and Equal Opportunity (EO) in the DoD," February 5, 2009.

Additionally, the Department referenced the following Service and Academy sexual harassment and assault policies:

- Army Regulation (AR) 600-20, "Army Command Policy," November 6, 2014;
- USMA Policy Memorandum 127-10, "SAPR Program," July 20, 2012;
- United States Corps of Cadets (USCC) Circular 351-2, "New Cadet Handbook," November 15, 2012;
- USCC Policy Memorandum 11-09, "EO Policy," July 20, 2012;
- USCC Policy Memorandum 36-09, "Policy on Sexual Harassment," July 20, 2012; and
- USCC Policy Memorandum 46-09, "EO Complaint Procedures," July 9, 2012.

Overall, USMA is in compliance with the Department's policies regarding sexual harassment and assault. USMA's programs reflect leadership's oversight and investment. The Superintendent made the prevention and elimination of sexual assault his number one priority. The Superintendent expects cadets to promote command climates of dignity and respect, not only at USMA but also in the active force.

### Overall Status of Compliance:

● **In Compliance**

The Department found sufficient evidence of progress to close four out of seven previous Secretary of Defense initiatives and action items from prior assessment periods. The following pages capture observations on USMA's SHARP program by LOE. The following observations supplement the Department's overarching observations and action items made for all three Military

### DoD SAPRO Strategic Plan Lines of Effort (LOEs)

LOE	Objectives
<b>LOE 1:</b> Prevention	Deliver consistent and effective prevention methods and programs.
<b>LOE 2:</b> Investigation	Achieve high competence in the investigation of sexual assault.
<b>LOE3:</b> Accountability	Achieve high competence in holding offenders appropriately accountable.
<b>LOE 4:</b> Advocacy/ Victim Assistance	Deliver consistent and effective victim support, response, and reporting options.
<b>LOE 5:</b> Assessment	Effectively standardize, measure, analyze, assess, and report program progress.

Service Academies (MSA) in the body of this report.

# Line of Effort 1: Prevention

USMA is in compliance with DoD and Army regulation requirements for the Prevention LOE.

This year USMA developed the *Gold Book*, a cadet character development program, to supplement its *Green Book* military development program. The *Gold Book* explains how USMA develops moral, civic, social, and leadership character. The *Gold Book* describes how the Cadet Character Development Program (CCDP), Cadet Honor

## Status of Compliance Line of Effort 1:

● **In Compliance**

Code, Cadets Against Sexual Harassment and Assault (CASHA), and the Cadet Respect Program work together to develop leaders of good character. In addition, the *Gold Book* establishes that the Brigade Tactical Department (BTD) and the Simon Center for the Professional Military Ethic (SCPME) hold responsibility for planning and executing character development activities. The Superintendent noted that the *Gold Book* completes the full range of USMA programming to develop officers. He expects Academy leadership, faculty, and staff to apply *Gold Book* guidance and act as proper role models.

The CASHA program is a cadet-led, cadet-designed organization, with oversight from the USCC sexual assault response coordinator (SARC) and the Director of the SCPME. CASHA seeks to influence and inspire cadets to take an active role in eliminating sexual harassment and assault through service, education, and dedication to a culture of bystander intervention. CASHA uses small group, peer-led discussions in many of its training and education efforts in accordance with Department policy.

The Department notes the many positive steps USMA has taken to institutionalize

sexual assault and sexual harassment prevention in its character development program, as well as its employment of CASHA as an important part of this strategy. The Department looks forward to seeing USMA's efforts mature into robust and iterative programs that further apply *Gold Book* guidance.

The BTD is directly responsible for the day-to-day command and discipline of the Corps of Cadets.

The William E. Simon Center for the Professional Military Ethic educates, trains and inspires leaders of character in the Corps of Cadets through the development, coordination and integration of the Professional Military Ethic into curriculum and activities at USMA.

## Commendations

### Athletic Department's use of an external organization to identify inappropriate social media footprints

USMA's Athletic Department brought in an external organization to conduct a demonstration-based awareness brief with staff, coaches, and cadet athletes. The agency performed a social media scan of the Internet for some of the athletes' social media presence. Some of the cadets' posts presented opportunities for them to learn how to better conform their online behavior to the USMA Code of Conduct. The demonstration also emphasized how others outside the Academy might interpret and use the information cadets put online. The Department considers this to be a best practice and encourages the other two MSAs to consider this or a similar approach.

### 21<sup>st</sup> Birthday training to promote responsible alcohol use

USMA's Tactical Officers (TACs) and Tactical Non-Commissioned Officers (TAC NCOs) host a 21<sup>st</sup> birthday dinner training for cadets who are 21, or turning 21 within 60 days.

This training opportunity promotes safe drinking habits, helps cadets know their personal alcohol limits, and identifies the risks associated with intoxication. Cadets receive a 21<sup>st</sup> Birthday Card signed by the Company TAC upon completion of the training. Cadets must show the 21<sup>st</sup> Birthday Card along with proof of age in order to consume alcohol at any on-installation establishment.

### **Growth and application of CASHA**

CASHA has grown from a small peer organization into a permanent part of USMA's formal sexual harassment and assault education program. The CASHA program is well known amongst cadets and faculty. The program also benefits from support and oversight involvement from the SCPME and the USCC SARC. The Department observed vigorous support of the program by TACs and TAC NCOs.

### **Incorporation of sexual assault and harassment principles into Gold Book**

DoD commends the development of USMA's *Gold Book*. This programmatic roadmap includes the integration of important sexual harassment and sexual assault prevention tenets into USMA's character development efforts.

### **Suggested Enhancement**

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#### **Include CID in an appropriate block of SHARP training**

USMA Criminal Investigation Command (CID) indicated the desire to brief their program to cadets during SHARP training sessions. Allowing CID to present will better acquaint cadets with the investigative process. The Department encourages USMA to consider identifying where and how CID can best support the SHARP training program and integrate them accordingly.

# Line of Effort 2: Investigation

This assessment addresses how well the Academy SHARP program supports and integrates with the criminal investigative process. USMA is in compliance with the Investigation LOE.

The CID office at USMA holds responsibility for investigations occurring in garrison, as well as throughout large parts of New England. Interviews with CID agents indicated they make an effort to accommodate the needs of sexual assault

**Status of Compliance**  
**Line of Effort 2:**

● **In Compliance**

victims. CID agents said they thoroughly explain the investigative process, help victims understand the justice process, and answer any questions. The agents understand that sexual assault impacts victims in different ways. Agents investigating sexual assault cases have completed the Army's special victims course and conduct victim interviews using the Forensic Experiential Trauma Interview method.

CID agents said they advise victims at the outset of the investigation of the option to have a Special Victims Counsel (SVC) present. CID agents will postpone the interview and connect the victim with the SVC if so requested.

CID coordinates with the staff judge advocate (SJA) throughout the investigation. The CID office also employs an internal review process that concentrates on timely reporting, timely investigative efforts, and thoroughness. CID provides investigative updates to Academy leadership and participates in the monthly Sexual Assault Review Board (SARB) meeting as required by policy.

The Superintendent chairs the Sexual Assault Review Board or SARB; USMA's version of the case management group.

Formal complaints of sexual harassment are not investigated by CID. Academy leadership appoints an investigative officer for the complaint in accordance with Army Regulation 15-6 and Army EO policy. The USCC SARC assists the investigative process by reviewing the complaint and helping the appointed officers craft investigative leads.

## Commendation

### USMA CID interview room

USMA CID and the USCC SARC effectively collaborated to update CID's interview room, making it more inviting and comforting for victims.

## Line of Effort 3: Accountability

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This assessment addresses how well the Academy SHARP program supports and integrates with the military criminal justice process. USMA is in compliance with the Accountability LOE.

All USMA SJAs received sexual assault legal training at the Army Judge Advocate General School.

**Status of Compliance**  
**Line of Effort 3:**

● ***In Compliance***

USMA also invites subject matter experts to address its SJAs. Qualified experts provide training on the sexual assault forensic exam (SAFE), counseling sessions for sexual assault victims, and perpetrator counseling sessions. The strength of USMA's program is the cooperation occurring among SJA and

its first responders, which include leadership, CID, SARC, counselors, and chaplains. This team routinely works together to ensure completion of all required actions.

The Office of the SJA, CID, and the SARC discuss the status of active cases at monthly SARB meetings and track them until final disposition of the case. Final dispositions of USMA cases are discussed during training, small group instruction, and other venues to improve familiarity with the experience of sexual assault victims in the military justice system to encourage victims to report.

The Department has no suggested enhancements or action items for USMA in LOE 3.



# Line of Effort 4: Advocacy/Victim Assistance

USMA is in compliance with DoD and Army requirements for the Advocacy/ Victim Assistance LOE.

The SARCs at West Point are assigned to four units: the Garrison Command<sup>i</sup> (USMA), USCC, Keller Army Community Hospital (KACH)<sup>ii</sup>, and the U.S. Military Academy Preparatory School (USMAPS). The USMA SARC serves as the SHARP program manager, who guides and directs the program on

## Status of Compliance Line of Effort 4:

● **In Compliance**

behalf of the Superintendent. The USMA SARC oversees the SARCs and victim advocates (VA) as the program manager. VAs are assigned at three units: KACH, USMA, and USMAPS. The USMA SARC/program manager position was vacant and the USMA VA was performing the SARC duties at the time of the Department's on-site assessment.<sup>1</sup> The Academy has displayed a collaborative SHARP community in which all SARCs and VAs play an important role in victim care. This includes their response redundancy efforts for the USMA 24-7 SHARP Hotline.

USMA provides cadets with the SHARP Smart Card during Cadet Summer Training (CST). The card includes the definition of sexual assault and sexual harassment, reporting options for both and phone numbers for each of the SARCs and the USMA 24-7 SHARP Hotline. Cadets are required to keep the SHARP Smart Card with their identification tags throughout CST. The Department requests that USMA add the DoD Safe Helpline number to the card to

<sup>1</sup> The USMA SARC/program manager position has since been filled.

provide cadets with access to this additional resource.

The West Point SHARP first responders perform quarterly Sexual Assault Response Team training together, attend the monthly SARB meetings, and collaborate to provide quality victim care. The Department observed that military officers in the chain of command overseeing cadets and midshipmen attending the SARB are not receiving the necessary case information to provide victims with updates.

## Commendations

### SHARP Hotline Redundancy

The SHARP community works together to provide support to victims as needed. Each of the SARCs from the three major commands take turns carrying the two phones for the USMA 24-7 SHARP Hotline. If the on-call SARC is unable to answer the phone, the call will be automatically forwarded to the next SARC to pick up and provide assistance. The Department considers this to be a best practice in ensuring responsive care and that the other two MSAs should adopt this practice.

### KACH SARC and VA development of innovative programs

The KACH SARC employs a comprehensive victim assistance program. The Department observed the early developments of the SHARPii (interceptor intervention) and Be HEARD (Healthy Empowerment and Assertiveness Response Development) programs. Both intend to be direct face-to-face skill-based training programs that assist participants in developing intervention and empowerment skills and strategies. The KACH SARC is also adapting the Wellness, Advocacy, and Support Program (WASP) to

promote self-care, facilitate wellness, and help victims understand their symptoms following a sexual assault.

## Action Items

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### Ensure cadets know where to file a sexual harassment complaint

The Department of Army is unique among the Services in that it has combined its sexual assault and sexual harassment programs into the SHARP program. Headquarters, Department of the Army Execution Order 221-2012 requires that Army SARCs and VAs handle sexual harassment complaints.

All seven sexual harassment complaints that were reported at USMA during APY 14-15 originated in the EO Office. These reporters were then referred to the SARC for assistance. While those seeking assistance eventually arrived at the correct resource, this illustrates that cadets do not fully understand the responsibilities of the SARC and EO Advisor. USMA needs to clarify its training and messaging to identify the SARC as the

point of contact for complaints of sexual harassment.

### Update MOU with Westchester Hospital to address procedures for SAFEs

Enclosure 8 of DoDI 6495.02 requires a Memorandum of Understanding (MOU) with civilian facilities conducting sexual assault forensic examinations for DoD.<sup>iii</sup> The MOU with the civilian facility must address the processes for notifying the SARC and for contacting the appropriate DoD agency to take custody of evidence collected during the SAFE.

The Department found that the MOU with Westchester Hospital needed to be updated with more specific information for sexual assault nurse examiners conducting a SAFE for a military member. The procedures for obtaining and storing evidence collected during a SAFE in Restricted Report cases also need to be reflected in the MOU.

# Line of Effort 5: Assessment

USMA is in compliance with DoD and Army regulation requirements for the Assessment LOE.

USMA's Leader Development Branch (LDB) created the Periodic Development Review (PDR) as a mechanism to obtain quantifiable and candid feedback to help

**Status of Compliance**  
**Line of Effort 5:**

● **In Compliance**

prepare cadets for Army leadership. The PDR consists of an online portal where cadets are assessed on leadership traits,

including character, demeanor, intellect, ability to lead, work ethic, and ability to achieve set objectives. TACs, instructors, and cadets provide feedback, which informs a self-improvement plan that can be reviewed throughout the cadet's tenure at USMA. USMA leaders believed the PDR to be a helpful, relevant tool for SHARP, even though the PDR does not capture information about sexual assault or sexual harassment. The PDR is intended to inform and supplement other measures of climate at USMA.

The Department has been conducting scientific surveys, assessments, and focus groups at the MSAs for over 10 years. This information is available at [www.sapr.mil](http://www.sapr.mil) to inform MSA prevention and response initiatives. Many SHARP stakeholders were

unaware of these resources.<sup>iv,v</sup> USMA should take advantage of DoD resources.

## Commendations

### Used formalized cadet sensing sessions to capture feedback

The Superintendent holds monthly sensing sessions to obtain feedback and provide cadets with his strategic views and other matters. The Department considers the use of mobile technology in these face-to-face sessions to be a best practice and the other two MSAs should consider this approach. More information about cadet sensing sessions can also be found in the body of this report.

### Created APY 14-15 Case Reports Template to track the locations of sexual assault reports, sexual harassment complaints, and high-risk areas

USMA plotted sexual assault incidents, areas it considers to be "high risk," and other information on a map of the Academy and the surrounding community. This kind of analysis is often used in the civilian sector to predict and prevent crime. The other two MSAs should consider employing this form of analysis as well.

# Implementation Progress: Secretary of Defense Initiatives Common for All MSAs

The following section provides the actions that USMA has taken to implement Secretary of Defense initiatives. The initiatives listed below were either issued by the Secretary of Defense in February 2015 or considered “in progress” by the Department in its APY 13-14 Report. USMA has completed all but one of its remaining four initiatives.

Secretary of Defense Initiatives USMA Progress at a Glance	
	Status
Targeted Interventions	● Complete
Improving Sexual Assault Reporting	→ In Progress
Advance and Sustain Appropriate Culture	● Complete
Expand Alcohol Policies	● Complete
● Complete    → In Progress    ✖ No Progress	

## Targeted Interventions

**Requirement:** In 2014, the Service Academy Gender Relations Survey found that sophomore women at all three MSAs experienced higher rates of past-year sexual assault than the other three class years. Consequently, the Secretary of Defense directed the Academies to develop and conduct specific prevention programs and initiatives for cadets and midshipmen at the conclusion of their first academic year. These programs were to address professional relationship expectations and the factors believed to be behind the higher rates of sexual assault experienced by cadets and midshipmen in their “Third Class” (sophomore) year.

**USMA Action:** USMA identified multiple factors that might explain why Third Class (sophomore) female cadets experienced higher rates of past-year sexual assault than the other three class years. These factors include increased social contact, increased

cadet privileges, social immaturity, social acceptance seeking, degradation of company support structures, and transition from a formalized peer-mentorship program to an informal peer-mentorship. USMA identified new methods to address the identified factors, including updated training to occur during CST and Reorganization Week that addresses the risk factors for the Yearling Class. Another new program is the Yearling Company Sponsorship Program, which notifies rising sophomores of their new company assignment and assigns a rising junior as a sponsor. USMA expects the enhanced sense of belonging and teamwork to play a key role in reducing vulnerability to sexual assault and harassment.

**Status:** Complete.

## Improving Sexual Assault Reporting

**Requirement:** Academies were to assess their individual Academy climates and develop a plan to promote greater reporting of sexual assault by cadets and midshipmen.

**USMA Action:** USMA provided a memorandum that outlined specific actions that the Academy has taken or plans to take to encourage greater victim reporting. The Superintendent’s policy prohibiting retaliation against those reporting sexual harassment or assault provides a clear process and support system for victims concerned about retaliation. Other initiatives include CASHA use of XY Cases in company training, featuring positive role models who exemplify “upstanders;” providing all cadets with card-size smart cards before departure for summer training and overseas experiences that contain definitions, reporting options and SARC contact information; and the Cadet

Counseling Unit program for Cadet Basic Training and Cadet Candidate Basic Training.

**Status: In Progress.** The Department considers this to be in progress as not all planned actions have been implemented.

## Advance and Sustain Appropriate Culture

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**Requirement:** Academies were to:

- Implement solutions that address concerns of social retaliation among peers;
- Employ purposeful and direct engagement with leaders and supervisors of teams, clubs, and other cadet/midshipman organizations; and
- Provide cadet and midshipman influencers with the skills and knowledge to strengthen their ongoing mentorship programs.

**USMA Action:** The Department indicated in its APY 13-14 report that USMA only addressed two of the three requirements of this initiative. USMA had to further demonstrate that the Academy was responding appropriately to address concerns about social retaliation among peers. Lieutenant General Robert Caslen signed and distributed a memo prohibiting retaliation against personnel who report an allegation of sexual assault at USMA. The policy explicitly defined retaliation and bullying, and states that soldiers who violate the retaliation policy may be subjected to punishment under Article 93, Uniform Code of Military Justice. The policy emphasized that victims of sexual assault can only report and recover from an incident in an environment that is free from retaliation. The Superintendent's explicit statement of policy regarding retaliation at USMA is a positive step to curb retaliatory actions against those who report an allegation of sexual assault.

Retaliation and bystander intervention have been key components of CASHA training and

leadership discussions. The mission of the CASHA program is to inspire the Corps of Cadets to take a proactive role in eliminating sexual harassment and assault from the military profession through service, education, and dedication to a culture of bystander intervention. The CASHA peer educators seek to influence and inspire individuals to take an active role in creating a positive culture where sexual harassment and assault are not tolerated and where victims are comfortable reporting.

USMA developed the Character Development Strategy (CDS), which codifies the process by which the Academy develops leaders of character during APY 14-15. A prime component of the CDS is the CCDP that will be implemented in APY 15-16. The CCDP will promote ethical behavior by addressing moral character development via peer-led, small-group, open discussions on topics such as SHARP and gender relations. The intent of CCDP is to shift from a structured, top-down curriculum to a more adaptive, intimate, interactive learning approach.

**Status: Complete.**

## Expand Alcohol Policies to Address Factors other than Individual Consumption

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**Requirement:** Academies were to review and systematically expand institutional alcohol policies to address risk factors beyond the individual use of alcohol, to include such matters as training of alcohol providers, alcohol availability, and community outreach.

**USMA Action:** USMA personnel who serve alcohol at business establishments are required to take training to help prevent alcohol abuse and misconduct. The Directorate of Cadet Activities, which manages the Cadet Restaurant and the Firstie Club, brings in an outside agency to give training to all bartenders and also conducts face-to-face quarterly training on

customer care to restaurant personnel. The USMA Garrison also requires annual training for all alcohol servers.

**Status: Complete.**

# Assessment of Action Items from Previous Reports

The Department assessed the three open action items USMA had from prior assessments and found sufficient evidence to close one action item, with two remaining open.

Previous Action Items USMA Progress at a Glance	
	Status
Submit Sexual Harassment Training for Approval	→ In Progress
Develop Mechanism to Quickly Inform USMA of Crime Incidents	● Complete
Develop, Implement, and Track Metrics	→ In Progress
● Complete    → In Progress    ✖ No Progress	

## Submit Sexual Harassment Training for Approval

**Requirement:** The Academies were directed to comply with DoD policy by submitting their sexual harassment training programs to the Defense Equal Opportunity Management Institute (DEOMI) for approval.

**USMA Action:** USMA submitted its sexual harassment training slides to DEOMI for approval on 1 June 2015.

**Status: In Progress.** DoDD 1350.2 (6.2.14.) requires that all military personnel receive adequate training in EO, human relations, and prevention of sexual harassment on a recurring basis, and at all levels of professional military education.<sup>vi</sup> Service-wide training programs, when not conducted by DEOMI personnel, must be submitted to DEOMI for prompt review and comment. USMA submitted its training to DEOMI outside the scope of this APY (June 1, 2014 to May 31, 2015) and therefore the action item will remain open until USMA provides

evidence of compliance in its APY 15-16 self-assessment.

## Develop Mechanism to Quickly Inform USMA of Crime Incidents

**Requirement:** Develop a mechanism that quickly informs the Corps of Cadets and West Point community of crime incidents, while respecting victims' need for confidentiality.

**USMA Action:** USMA explored the idea to use social media to inform cadets and the West Point community of crime, but given the small size of the US Corps of Cadets, USMA could not find a way to effectively notify the cadets of crime incidents while preserving victim confidentiality.

**Status: Complete.**

## Develop, Implement, and Track Metrics

**Requirement:** Appoint an office of primary responsibility at USMA to develop, implement, and track metrics.

**USMA Action:** The USMA Office of Institutional Research administered the Cadet Climate Survey of Clubs as a means to assess and track metrics that can be incorporated into strategic planning in December 2014. USMA's LDB also developed dashboard metrics to analyze character assessment ratings in the cadet PDR. The intent of the PDR is to provide a structure and a systematic means for the leader development of individual Cadets within the Corps. It captures information received from various sources and at various times to develop a self-improvement plan to maintain noted strengths and to improve those areas of deficiency.

**Status: In Progress.** The PDR has been developed and implemented. However, a suite of metrics to track sexual assault and

harassment prevention and response has yet to be developed.

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<sup>i</sup> Subordinate of the U.S. Army Installation Management Command (IMCOM)

<sup>ii</sup> Subordinate of the U.S. Army Medical Command (MEDCOM)

<sup>iii</sup> Department of Defense Instruction 6495.02, Enclosure 8.e, "SAFE Kit Collection and Preservation," Incorporating Change 2, July 7, 2015. Retrieved from <http://www.sapr.mil/index.php/dod-policy/dod-and-service-policy#DoD-policy-mod>

<sup>iv</sup> Past reports on the Military Service Academies can be found here: <http://sapr.mil/index.php/annual-reports>

<sup>v</sup> Research and Reports conducted by organizations outside of DoD SAPRO can be found here: <http://sapr.mil/index.php/research>

<sup>vi</sup> Department of Defense Directive 1350.2, 6.2.14, "Department of Defense Military Equal Opportunity Program," November 21, 2003. Retrieved from <http://dtic.mil/whs/directives/corres/pdf/135002p.pdf>