



# Session #1: The Clery Act Implications of the 2024 Title IX Regulations

11<sup>th</sup> Annual NACCOP Conference

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# Overarching Requirements of Clery Compliance



# Title IX and Clery Compliance



- We are all friends, and we work for the same team
  - Collaboration and partnership is necessary for success
- We are in this together
  - A program review does not distinguish between the CCO, Title IX Coordinator or any other official
- We all want the same thing - campus and student safety!
- Title IX and the Clery Act really are connected
  - Not just as it relates to gender-based crime and intimate partner violence or VAWA, but all crimes and ongoing disclosures
- Collectively ensure institutional administrative capability
  - An institutional obligation - not just a CCO or Campus Police/Public Safety obligation
- Title IX Coordinators need to have a working understanding of Clery and CCO's need to have a working understanding of Title IX

Office/Position	Preferred Receiver of Reports/Super CSA	Responsible for Disclosing all Clery Reportable Crimes	Responsible for Providing Information for TW and EN Consideration	Responsible for Providing Information for the Crime Log	Responsible for Policy Development/ Approval
Campus Police/Public Safety	X	X	X	X	X
Clery Compliance Officers	X	X	X	X	X
Title IX Coordinator	X	X	X	X	X
Conduct Officers	X	X	X	X	X

# Cley Act Compliance Responsibilities

# ED Electronic Announcement – June 26, 2024



*“The Clery Act is first and foremost a campus safety, crime prevention, and consumer protection law designed to ensure that students, employees, parents, and other stakeholders can access accurate, complete, and timely safety information. This information empowers campus community members and their families to make informed decisions about where to study and work and allows them to play an active role in their safety and assist others. At the center of the Clery Act is a commitment to transparency and accessibility.”*

*“The Department explained the timing of the announcement coincided with their awareness of “media reports about incidents of arson, aggravated assaults, and other crimes reportable under the Clery Act occurring adjacent to recent campus protests and demonstrations.”*

<https://fsapartners.ed.gov/knowledge-center/library/electronic-announcements/2024-06-26/reminder-institution-responsibilities-under-clery-act>

# Standards of Administrative Capability



- Use an adequate number of qualified persons
- Have written procedures for or written information indicating the responsibilities for the various offices with respect to...the preparation and submission of reports to ED
- Administer programs with adequate checks and balances in its system of internal controls
- Establish and maintain records
- Show no evidence of significant problems that affect the institution's ability to administer the Title IV, HEA program
- Do not otherwise appear to lack the ability to administer the Title IX, HEA programs competently

668.16 Standards of Administrative Capability

# Liberty University (2024)



*“...the University’s offices did not have the necessary expertise or resources to intake complaints, produce clear incident reports, or manage data in a manner that would make it possible to compile and disclose accurate and complete crime statistics.”*

*“For example, the Office of Equity and Compliance (OEC), which includes the Title IX Office, was riddled by flawed processes, personnel, and resource deficiencies, and policy conflicts that limited its ability to meet its mission...”*

*“These choices contributed to the OEC’s inability to conduct competent investigations and to ensure that the needs of victims/survivors were met in accordance with the requirements of the VAWA provisions of the Clery Act.”*

FPRD, p. 10

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Was the crime reported to a Campus Security Authority?

Is the crime a Clery Act crime?

Did the crime occur on or within the institution's reportable Clery geography?

## Three Part Test



# Institutional Obligation for a Reported Crime



# Campus Security Authorities (CSA) Functions



Campus  
police/security

Security  
responsibility

Individual or  
organization  
where crimes  
should be reported

An official with  
responsibility for  
student and  
campus activities

# Unique CSA Considerations



## Third-Party Contractors

- External Title IX investigators
- Contracted Security/Law Enforcement

## MOU Agreements with Third-Parties

- Local Law enforcement
- Victim Advocates
- Rape Crisis Center

# Who is Exempt as a CSA?



Professional Counselors



Pastoral Counselors

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# REPORT

A CSA'S FUNCTION IS TO REPORT ALLEGATIONS OF CLERY ACT CRIMES TO THE REPORTING STRUCTURE OF THE INSTITUTION.



# Preferred Receivers of Reports



Campus  
Police/Public  
Safety

Title IX  
Coordinator

Student  
Conduct  
Officer

Human  
Resources

Residence  
Life

Student  
Affairs/Dean  
of Students

# Mechanisms for CSA/Crime Reporting



- Report crimes immediately to the reporting structure of the institution
- Utilize whatever means have been established by the institution for reporting
  - Online reporting, direct calls for urgent/emergency issues, access to RMS systems
- Preferred receivers of reports or intake offices should have a process in place to immediately report and then to provide follow-up information as necessary
- Assess all institutional reporting mechanisms and who has access to the information
  - Anonymous reporting, student/employee concern reporting, bias incident reporting, etc.

# Clery Crime Categories



Primary Crimes



Hate Crimes



Arrests and Referrals for Drug, Liquor, and Weapon Violations



Dating Violence, Domestic Violence, and Stalking Incidents (VAWA Offenses)



# Clery Reportable Crime Categories



- Murder/Non-negligent Manslaughter\*
- Manslaughter by Negligence\*
- Sex Assault\*
  - Rape
  - Fondling
  - Incest
  - Statutory Rape
- Robbery\*
- Aggravated Assault\*
- Burglary\*
- Motor Vehicle Theft\*
- Arson\*
- Arrests and Disciplinary Referrals for:
  - Liquor
  - Drugs
  - Weapons
- Domestic Violence
- Dating Violence
- Stalking
- Hate Crimes for \*, plus
  - Larceny-Theft
  - Simple Assault
  - Intimidation
  - Destruction/Damage/Vandalism of Property

# Sexual Assault

- *Sexual assault for Clery Reporting Purposes:*
  - ❖ Rape
  - ❖ Fondling
  - ❖ Incest,
  - ❖ Statutory Rape
  
- Sexual assault, a.k.a. Sex Offenses, involves “any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.”

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# Rape

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*Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator.*

**Count:** One offense per victim.

# Response from ED-OCR



“The 2024 Title IX regulations define sexual assault as “an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation” 34 C.F.R. § 106.2.

The preamble to the 2024 Title IX regulations notes that the *definition of sexual assault in the 2024 Title IX regulations mirrors the Clery Act’s statutory definition of sexual assault.* 89 FR 33519.

Nothing in the 2024 Title IX regulations prohibits a recipient, including a postsecondary institution, from using the definitions of rape, fondling, incest, and statutory rape from Appendix A of the Department’s Clery Act regulations to define sexual assault under Title IX and recipients may find it useful to consult these definitions.”

# Counting Clergy Crimes



If a crime is reported (and otherwise meets the three-part test) it is counted.

- Includes attempts
- Includes cases a DA would reject
- Includes cases of “not responsible”
- Does NOT include every conduct code violation

It is not the word used but the facts of the case that determine how it gets counted

# CLERY GEOGRAPHY



On Campus (& On-Campus Residential)

Public Property

Non-campus building or property

# Final Summary of TW vs. EN



	Timely Warning (TW)	Emergency Notification (EN)
<b>Legal Standard:</b>	Potential ongoing or serious threat	Immediate threat to health and safety
<b>Circumstances:</b>	Clergy-reportable crimes that have been reported (occurred in past)	Clergy-reportable crimes as well as other types of emergencies (happening right now or about to happen)
<b>Audience:</b>	Community-wide	Can send to a segment of the community, if appropriate
<b>When Issued:</b>	As soon as pertinent information is available	Upon confirmation of emergency (when possible)
<b>Follow-Up:</b>	Not Required	Required

# Liberty University (2024) – Emergency Notifications



*“The current Executive Director of Student Health and Wellness, referred to hereafter as Employee A, had committed sex offenses involving subordinates when he served as the Dean of Students. The information developed and examined by the Department, thus far, indicates that a reasonable person would have concluded that Employee A’s continued presence on campus created a dangerous condition that could have posed an immediate threat to some campus community members.”*

*“Despite Employee A’s history of inappropriate sexual behavior, there is no evidence that University officials ever considered alerting the campus about the threat that he posed to Liberty students and employees.”*

FPRD, p.54



# Liberty University (2024) – Emergency Notifications



“Similarly, the risk posed by Employee A’s continued presence on the campus was not mitigated by the eventual “investigation and resolution” of numerous complaints and statements of concern by victims. In essence, the University argues that any danger posed by the employee’s continued presence on campus was adequately addressed by the imposition of “disciplinary consequences” that resulted only in what appears to be a demotion by the University. Liberty argued that the conduct processes, which take time and were largely focused on holding violators accountable in a manner that would not be known to others, were enough to ameliorate the risk of permitting Employee A to remain on campus without the need to warn affected parties.”

FPRD, pp. 60-61

# ED-OCR Dear Colleague Letter (May 2024)



Reminder about “federal civil rights obligations of schools and other recipients of federal financial assistance from the U.S. Department of Education (Department) to ensure nondiscrimination based on race, color, or national origin, including shared ancestry or ethnic characteristics, under Title VI of the Civil Rights Act of 1964 and its implementing regulations (Title VI).”

- Guidance issued in response to increased complaints to OCR alleging discrimination on the bases of their shared ancestry or ethnic characteristics.

## ED OCR DCL – Example #1



A college student files a complaint with OCR alleging that she was subjected to a hostile environment because she is Jewish. In support of her complaint, she alleges that the dry-erase board on her dorm room door was defaced with swastikas. Additionally, she alleges that epithets referencing poor hygiene and racial impurity of Jewish people and white supremacist slogans stating conspiracy theories about Jewish people, were scrawled on the door and posted by fellow students as comments to her social media feed. The student informs her school counselor of these incidents and that she no longer feels comfortable going to her dorm. The counselor has a meeting with the student to discuss her concerns but fails to take any further action.

## ED OCR DCL – Example #6



A college student files a complaint with OCR alleging that he was subjected to a hostile environment because he is Israeli. The student alleged that a professor stated during office hours that “Israelis don’t even deserve to live.” The professor and other students make similar comments in subsequent classes. The student’s complaint stated that several Israeli students in the professor’s class, including the complainant, reported the professor’s and classmates’ comments to the college and noted that they felt threatened. The student alleged that although the college had investigated complaints of comments by college staff and students targeting other individuals based on other protected characteristics as required under its nondiscrimination policy, the college declined to speak to any students who indicated they felt threatened by their professor’s or classmates’ conduct. Israeli students in the class stopped attending.

# Title IX



## **Title IX of the Education Amendment of 1972**

*“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance.”*

# 2024 Title IX Regulations Major Changes



Jurisdiction expanded

Definitions

“Responsible employees?”

Duty to remedy effects and stop recurrence

Report vs Complaint

Advisor of choice not always required

Supportive measures

Single Investigator model permitted in some instances

Live hearings-not required

Notice requirements-in some cases oral notice is sufficient



# Sex Discrimination

## Sex-Based Harassment

- Sexual Assault
- Dating/Domestic Violence
- Stalking
- Hostile Environment
- Quid Pro Quo

## Sex Discrimination

- Sex stereotypes
- Sex characteristics
- Pregnancy or related conditions
- Sexual orientation
- Gender identity

Applies in . . .

Admission, Employment, Educational Programs and Activities

## § 106.10 – Scope

*“Discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.”*

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Permissible different  
treatment Can't cause more  
than "de minimis harm"



## Title IX-Two Grievance Procedures

### Procedure A (106.45)

- Sex discrimination
- Employee on employee sex-based harassment
- K-12 complaints
- Retaliation



### Procedure B (106.46)

- Sex-based harassment involving student complainants or student respondents at postsecondary institutions

PROCESS PIECE  
INTERSECTIONS  
AND  
IMPLICATIONS

# 1. Geography (Clery) versus Jurisdiction (Title IX)



**Geography** is the defined physical area in which the Clery Act attaches. A crime **MUST** occur within the institution's physical Clery geography to be captured.

**Jurisdiction** generally describes authority to apply law to a certain area and/or to certain persons. For example, under Title IX, an act may not physically occur on campus, but if it occurs within certain programs between certain people, Title IX attaches.

## 2. Reporting Considerations



### Title IX -Old Responsible Employees

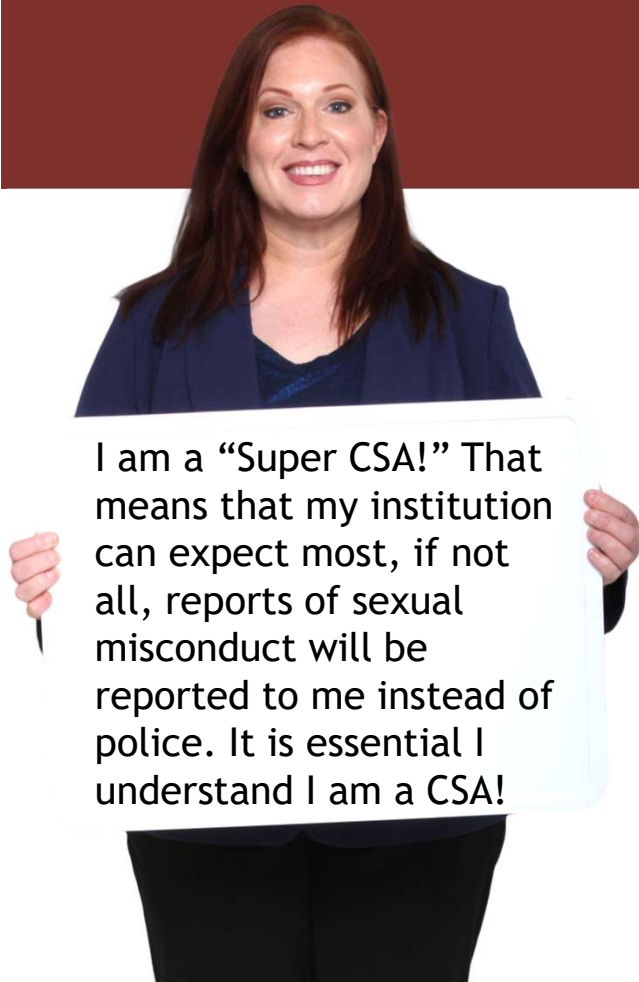
- Title IX Coordinator
- Employees with authority to take corrective action or responsibility for administrative leadership, teaching, or advising.
- Any other person who is designated by the institution as a person who shall report

### Clery Act - CSAs

- Campus police department
- Responsible for security
- Individuals to whom crimes should be reported
- “Officials with significant responsibility for student and campus activities”
- Local law enforcement



## Title IX Coordinator as a Super CSA



- \*When they are reported to EEO/Equity/Conduct/HR/Title IX, how are those reports reported to the institution's CCO?**
- \*Are they reported in a timely way?**
- \*Did your institution have the opportunity to fulfill it's federal Clery Act reporting requirement?**

# 3. Response to a Report



## 2024 Title IX Regulations

- Contact the complainant
- Offer and/or implement supportive measures
- Explain the informal resolution may be possible for some cases and if so, may proceed without a complaint
- Explain the process for filing a complaint, which initiates a formal grievance process.

## Clery Act

- Written explanation of victim's rights and options including:
  - procedures to follow (preserve evidence, where report)
  - information about confidentiality
  - existing counseling, mental health, assistance, etc.
  - access to law enforcement and no contacts, etc.
  - changes to academic, living, transportation, and working situations, institutional procedures
  - process for institutional disciplinary process
- Assess for Timely Warning Notice OR Emergency Notification

# Liberty University: Failure to Comply with the VAWA Requirements



Failed to produce accurate and complete written resources and options of a student or employee

Failed to notify victims in writing that the institution is required to assist with notifying LE

Failed to provide written notice about available options for accommodation

Failed to produce written notification regarding the availability of support services

Failed to provide annual training to officials investigating and adjudicating case of sexual violence



# Supportive Measures vs Written Explanation of Rights and Options



## Title IX-Supportive Measures

- Counseling
- Extensions of deadlines and other course-related adjustments
- Campus escort services
- Increased security and monitoring of certain areas of the campus
- Restrictions on contact applied to one or more parties
- Leaves of absence
- Changes in class, work, housing, extracurricular or other
- Training and education

## Clery-VAWA-Written Explanation of Student or Employee's Rights

- (b)(11)(vii) “When a student or employee reports to the institution that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the institution will provide the student or employee a written explanation of the student’s or employee’s rights and options, as described in paragraphs (b)(11)(ii) through (vi) of this section. . .”

# Written Explanation of Rights and Options



1. **The importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order**
  - Not required but recommended: Where to obtain forensic exams, contact info, does not require police report and can have exam now, decide later
2. **How and to whom the alleged offense should be reported**
  - List any person or organization that can assist the victim
  - Recommended: Also include community organizations

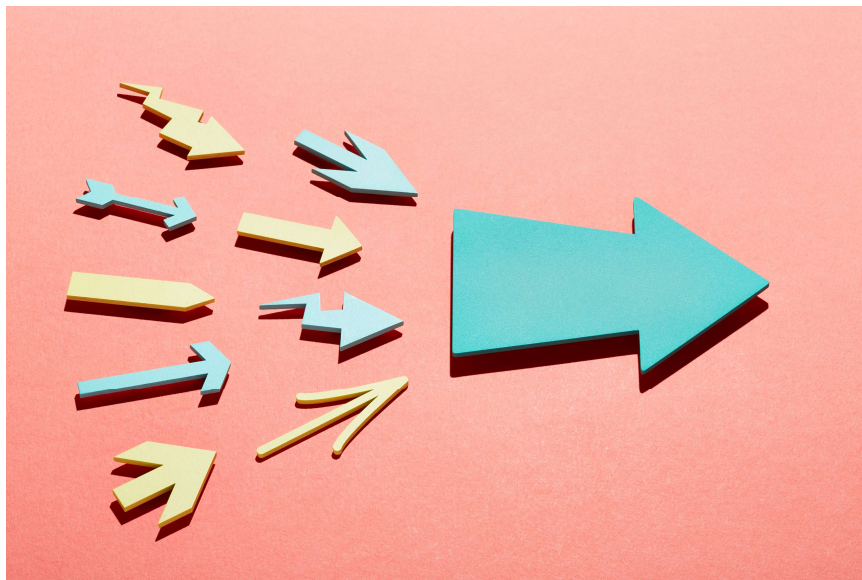
# Written Explanation of Rights and Options



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3. **Notification of the victim's option to**
  - Notify proper law enforcement authorities, including on-campus and local police
  - Be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses
  - Decline to notify such authorities
4. **The rights of victims and the institution's responsibilities for**
  - Orders of protection
  - "No contact" orders
  - Restraining orders
  - Similar lawful orders issued by a criminal, civil, tribal, or institutional

# Written Explanation of Rights and Options



5. To students AND employees about existing:
  - Counseling, health, mental health services
  - Victim Advocacy
  - Legal Assistance
  - Visa and Immigration Assistance
  - Student Financial Aid
  - Other services available for victims
6. Options for, available assistance in, and how to request changes to (if requested and reasonably available)
  - Academic, living, transportation, working

# Written Explanation of Rights and Options



## 7. Confidentiality

- Publicly available recordkeeping has no personally identifying information about the victim (not required for respondent but best practice in most cases)
- Accommodations and protective measures are confidential (to the extent they can be without impairing the ability to provide them)

## 8. Disciplinary Procedures

- An explanation of the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, as required



## 4. Advisors of Choice



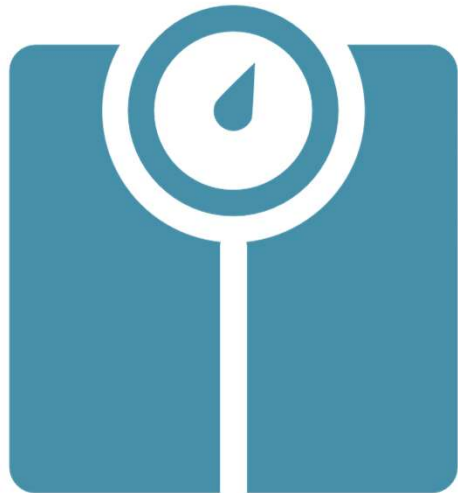
### Title IX

Only required under Title IX in 106.46, which are complaints of sex-based harassment involving students as the Complainant or Respondent

### Clery Act

- Provide the accuser and the accused with the same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice
- Not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding; however, the institution may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties

## 5. STANDARD OF EVIDENCE



- **2024 Title IX Regulations**
  - Either the preponderance of the evidence standard or the clear and convincing standard IF that standard used elsewhere
- **Clery Act**
  - Any standard of evidence ... must include in policy
  - Would not prohibit using different standards for different groups

## 6. Overall Requirements in Disciplinary Proceedings



### 2024 Title IX Regulations

- Treat equitably with goal to restore/preserve access to education; due process for respondent
  - Include presumption of not responsible
  - Include any discipline for false statements, if applicable
- Reasonably prompt time-frames
- If harassment,
  - Describe the list of sanctions
  - Describe range of supportive measures

### Clery Act

- Prompt, fair and impartial investigation and resolution
  - Anticipated timeframes
  - List all possible sanctions for each offense (employees and students)
  - Consistent with policy and transparent
  - Not required to list all protective measures



## 7. Informal Resolutions



### 2024 Title IX Regulations

- Can offer, but may not require
- Can be offered without a complaint
- Party may withdraw up to a point

### Clery Act

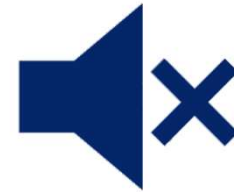
- Written information about procedures the institution will follow for VAWA offenses (does not differentiate between formal vs informal)

## 8. Formal Resolution



### 2024 Title IX Regulations

2024 -Live hearing made available but not required (if cross with advisors in live hearing is option chosen by school, then school must provide if party doesn't have one)



### Clergy Act

Clergy is silent regarding live hearing

## 9. 2024 Written Determination



### Title IX; If Harassment, then written

- (i) *A description of the alleged sex-based harassment;*
- (ii) *Information about the policies and procedures that the postsecondary institution used to evaluate the allegations;*
- (iii) *The decisionmaker's evaluation of the relevant and not otherwise impermissible evidence and determination whether sex-based harassment occurred;*
- (iv) *When the decisionmaker finds that sex-based harassment occurred, any disciplinary sanctions the postsecondary institution will impose on the respondent, whether remedies other than the imposition of disciplinary sanctions will be provided by the postsecondary institution to the complainant, and, to the extent appropriate, other students identified by the postsecondary institution to be experiencing the effects of the sex-based harassment; and*
- (v) *The postsecondary institution's procedures for the complainant and respondent to appeal.*

*The determination regarding responsibility becomes final either on the date that the postsecondary institution provides the parties with the written determination of the result of any appeal, or, if no party appeals, the date on which an appeal would no longer be considered timely.*

### Clergy Act

- **Result (include any sanctions and rationale for results and sanction)**
- **Appeals procedures**
- **Any change to the result**
- **When such results become final**

# 10. Appeals



## 2024 Title IX Regulations

- Appeals only required under student-on-student sex-based harassment claims and any dismissal.
- Based on specific grounds
- But must have a “challenge” process for emergency removal and modification or termination of supportive measures

## Clery Act

- Not required (but must provide notice if allowed along with appeal procedures)
- Simultaneous written decision describing result, sanction, any changes to the result, when it becomes final

# 11. Recordkeeping



## 2024 Title IX Regulations

- 7 years

## Clery Act

- Retain all records used in compiling ASR for three years from the latest publication of the report to which they apply (in effect 7 years)



## 12. DEFINITIONS

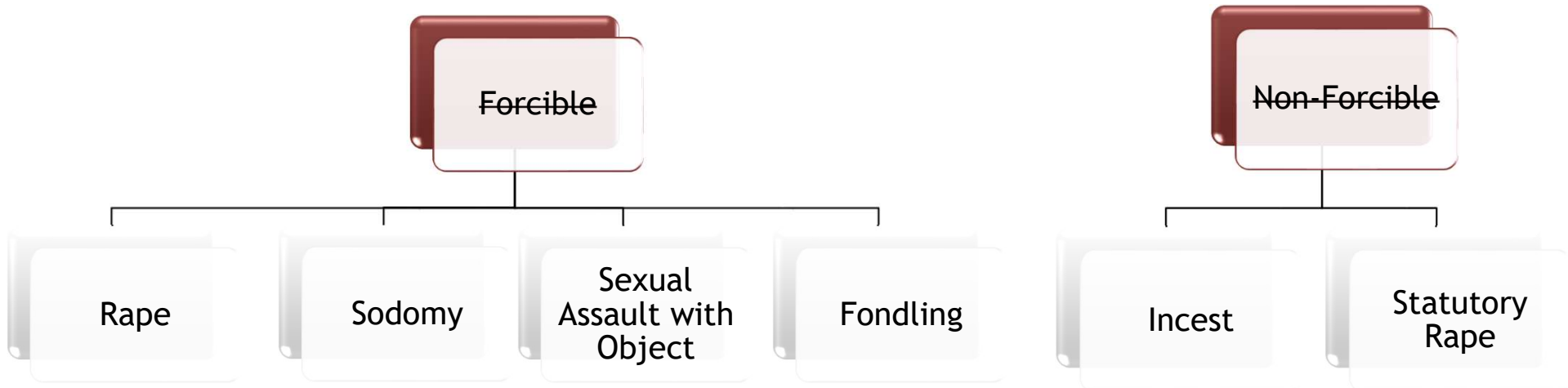
## Sexual Assault

*“Sexual assault meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation”*

§ 106.2

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# Sexual Assault





## Non-Consensual Sexual Penetration

**Rape** - (Except Statutory Rape) The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

**Sodomy** - Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

**Sexual Assault With An Object** - To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

FBI, Uniform Crime Reporting Program: National Incident-Based Reporting System (2018)

## Non-Consensual Sexual Touching

**Fondling** - The touching of the private body parts of another person for the purpose of sexual gratification without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

FBI, Uniform Crime Reporting Program: National Incident-Based Reporting System (2018)

## Incest and Statutory rape

**Incest** - Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law

**Statutory Rape** - Nonforcible sexual intercourse with a person who is under the statutory age of consent

FBI, Uniform Crime Reporting Program: National Incident-Based Reporting System (2018)

## Domestic Violence

**Domestic violence** meaning felony or misdemeanor crimes committed by a person who:

- (A) Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the recipient, or a person similarly situated to a spouse of the victim;
- (B) Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
- (C) Shares a child in common with the victim; or
- (D) Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction

§ 106.2

## Stalking

**Stalking** meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- (A) Fear for the person’s safety or the safety of others; or
- (B) Suffer substantial emotional distress.

§ 106.2

# 13. Reporting



## Draft Title IX Regs

Two categories of employee reporting.

Group A: Must notify the Title IX Coordinator when the employee has information about conduct that may constitute sex discrimination under Title IX.

Group B: School can select where they report OR provide the complainant with info on how to contact Title IX Coordinator.

Notice to any employee required to report constitutes notice to the recipient.

## Clery Act Implication

- Since a school can elect for all employees less confidential employees (in their capacity as confidential) to report sexual discrimination to the Title IX Coordinator, we can expect an increase in CSA reports from Title IX to the reporting structure of the institution.
- This includes allegations of conduct that did not occur in the institution's Clery reportable geography and not within the institution's educational programs or associated activities as the jurisdiction for Title IX applicability is expected to greatly increase.
- Many schools came to rely on Title IX reports as clearly "in" as current threshold for Title IX does strongly rely on an incident occurring "on campus."

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## 14: Training and Education

Title IX:  
All Employee Training Requirements

*“promptly upon hiring or change of position that alters duties under Title IX and annually thereafter”*

2024 NACCOP 11TH ANNUAL CONFERENCE



# ALL EMPLOYEE TRAINING

**Prohibit Sex  
Discrimination**

**Prohibited  
Conduct**

**Duty to provide  
contact info to  
pregnant  
students**

**Duty to report  
or provide  
contact info**



## Prevention Programs for Students

- Not required under Title IX
- Is required under Clery/VAWA
- May be required by
  - State law
  - NCAA (if athletics)

**The Clery Act (VAWA Amendments)**  
34 CFR § 668.46(j) “*primary prevention and awareness programs for all incoming students and new employees*”

## CLERY-VAWA-BIAS FREE AND TRAINING FOR “OFFICIALS” (INCLUDING CAMPUS POLICE, T9, HR, ETC...)

- Annual training on the issues related to dating violence, domestic violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of the victims and promotes accountability



## **CLERY REQUIREMENTS FOR OFFICIALS**

- Training must be described in ASR
- Annual
- Should include (at a minimum):
  - Relevant evidence and how it should be used
  - Proper interview techniques
  - Basic procedural rules for conducting a proceeding
  - Avoiding actual/perceived conflicts
- Can be in person or electronic (webinar or video)



## What should I be thinking about



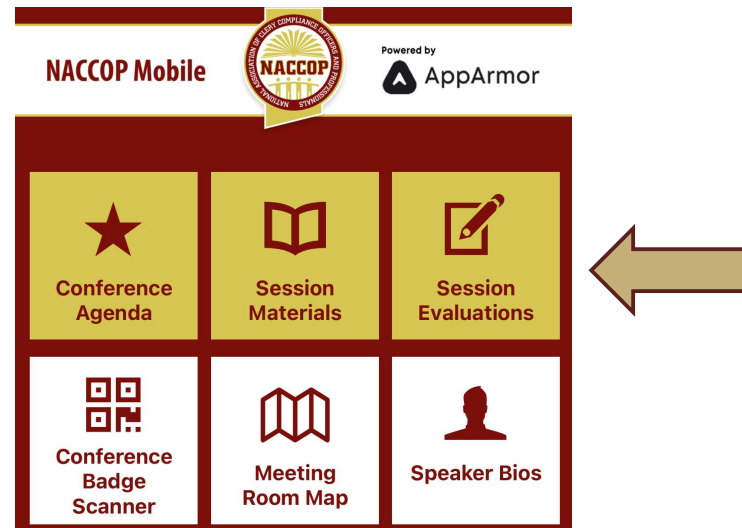
1. Need to add 2020 AND 2024 policy statement requirements into this fall's ASR
2. Need to ensure that Title IX Coordinator and CCO are both aware of the change in definitions and what, if any, implications that has for the reporting and counting of stats.
3. CCOs need to be familiar with the differences between 106.45 and 106.46 for purposes of communication with Title IX and articulating Clery Act requirements.
4. Likely an uptick in reports with the expansion of jurisdiction, lowering of threshold for incidents to come in, and increase in employees who have to report. Be careful not to overcount!
5. Coordinators may not think “informal resolution” is IN for Clery—remind them not based on “formal complaint” but on “report” to a CSA (which is the Title IX Coordinator)!
6. Training, training, training...what professional development are you/your CCO/your Title IX Coordinator receiving?





# Session Evaluation

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