

Response to Sexual Violence on Campus

Title IX, Clery Act, Campus SaVE Act

SB 967

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Presenters:

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What We'll Cover

- ▶ Violence Against Women Reauthorization of 2013
- ▶ Title IX
- ▶ Clery Act
- ▶ SaVE Act
- ▶ Questions and Answers

Regulatory Interplay

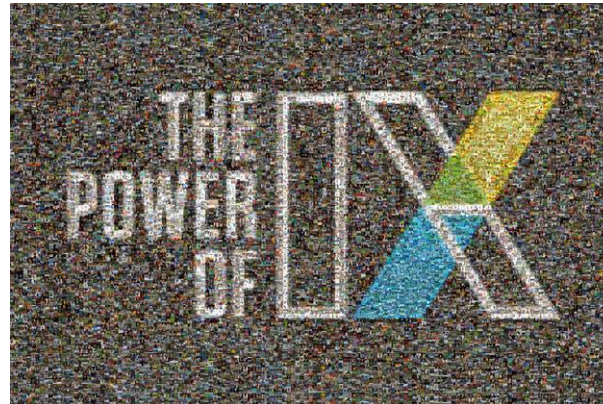


- ▶ Title IX of the Education Amendments Act of 1972
- ▶ The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics (Clery Act)
- ▶ 2013 Violence Against Women Act Reauthorization Section 304- Campus Sexual Violence Elimination (SaVE) Act
- ▶ SB 967- Affirmative Consent Law

Title IX of the Education Amendments Act 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 education program or activity receiving Federal financial assistance.”

“Title IX protects everyone from being mistreated based on sex (gender) or gender identity”



The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Jeanne Ann Clery



Photo obtained from: www.clerycenter.org/

Overview

- ▶ Annual Security Report
 - ▶ Policy Statements
 - ▶ Campus Crime Statistics
 - ▶ Campus Sexual Assault Victim's Bill of Rights
- ▶ Ongoing Disclosures
 - ▶ Emergency Notification
 - ▶ Timely Warning
 - ▶ Public Crime Log

Campus Sexual Violence Elimination (SaVE) Act



- ▶ Violence Against Women Act Reauthorization 2013
- ▶ Became effective March 7, 2014. Final regulatory language released on October 20, 2014
- ▶ Rules went into effect July 1, 2015
- ▶ Sexual Violence will not be tolerated at Mt SAC

SaVE Act

- ▶ Sexual Violence awareness education to all incoming students
- ▶ New Employees awareness and training
- ▶ Ongoing prevention and education
- ▶ Includes definitions of Sexual Assault, Rape, Domestic Violence, Stalking and Dating Violence.
- ▶ What to do if you are assaulted?
- ▶ Policies and procedures in place
- ▶ Consent, yes means yes

SaVE Act

- ▶ Teach Bystander prevention
- ▶ Changes in procedures for the institutional disciplinary action cases, to include:

Prompt, fair, and impartial investigation and resolution

Conducted by officials who receive annual training

How the institution will protect the confidentiality of victims and protect the victim with accommodations

SB 967-Affirmative Consent Law

- ▶ Policies must include an “affirmative consent” standard for determining whether consent was given by both parties to sexual activity.
- ▶ Mirrors Title IX mandate for preponderance of evidence standard for complaints of sexual assault.
- ▶ Requires the adoption of “detailed and victim-centered policies and protocols” regarding sexual assault, dating and domestic violence and stalking involving students.
- ▶ In addition to mirroring Federal training requirements for incoming students, SB 967 mandates the implementation of “comprehensive prevention and outreach programs...”
- ▶ Mandates MOUs between institutions and local law enforcement and community based organizations.



Mt. SAC Successes

- ▶ Multidisciplinary Approach
- ▶ Title IX Investigations
- ▶ Sexual Assault Response Team (SART) Title IX Training and Certification
 - ▶ Lorraine Y. Jones
 - ▶ Carolyn Keys
 - ▶ Marti Whitford
 - ▶ Dave Wilson
- ▶ Collaborative partnerships and MOUs with Walnut Sheriff's Station, Project Sister and Employee Assistance for Education
- ▶ New Employee and New Student Training
- ▶ Draft revisions to BPs and APs



The Road Ahead

- ▶ Compliance Review - December 2015
- ▶ Revisions to BPs and Aps
 - ▶ 3410 Non Discrimination
 - ▶ 3540 Sexual and Other Assaults on Campus
 - ▶ 5500 Standards of Conduct
 - ▶ 5520 Student Discipline Procedures
 - ▶ 5530 Student Rights and Grievances
- ▶ Ongoing training for existing staff and students
- ▶ Comprehensive education and prevention programming
- ▶ Peer Support Program

Creating Change Through Collaboration

- ▶ Title IX Coordinator
- ▶ Human Resources
- ▶ Campus Public Safety
- ▶ Student Services
- ▶ Students, Faculty, Staff, Administration
- ▶ Student Conduct Authority
- ▶ Conduct Hearing Board Members
- ▶ Student Health
- ▶ Academic Leadership
- ▶ Behavioral Intervention Team
- ▶ Legal Counsel
- ▶ Board of Trustees

Student Discipline

- ▶ Sexual Misconduct Reports
- ▶ Interim Measures
- ▶ Confidential process (Mental Health counselors)
- ▶ Adjudication Process
 - ▶ Preponderance of Evidence Standard
 - ▶ Training for hearing Board

Questions & Answers

