



Outline for Training Program

Required General Training Program for Students and Employees to comply with Clery, Title IX and the VAWA Amendment to Clery Requirements.

CLERY

- Security Awareness Programs, which must:
 - Provide information that educates the campus community about campus security procedures; and
 - Encourages the campus community to be responsible for their own security and the security of others.
- Crime Prevention Programs, which must inform students and employees about crime prevention.

VAWA AMENDMENT TO CLERY (Applicable definitions are in red)

- Education programs to prevent dating violence, domestic violence, sexual assault, and stalking, which shall include –
 - A description of the institution's primary prevention and awareness programs for all incoming students and new employees, which must include –

Primary prevention programs means programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

Awareness programs means community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

1. A statement that the institution prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as those terms are defined by the Clery Act;

Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.



Domestic violence means a felony or misdemeanor crime of violence committed—

- (A) By a current or former spouse or intimate partner of the victim;
- (B) By a person with whom the victim shares a child in common;
- (C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- (D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
- (E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking means 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.

For the purposes of this definition—

- (A) *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- (B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
- (C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Sexual Assault means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.



Rape means the 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.

Fondling means 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 incapacity.

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

Statutory Rape means sexual intercourse with a person who is under the statutory age of consent.

2. The definition of “dating violence,” “domestic violence,” “sexual assault,” and “stalking” in the applicable jurisdiction;
3. The definition of “consent,” in reference to sexual activity, in the applicable jurisdiction;
4. A description of safe and positive options for bystander intervention;

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

5. Information on risk reduction;

Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

6. A description of the institution's ongoing prevention and awareness campaigns for students and employees, including all of the information contained in 1-5 of this section;

Ongoing prevention and awareness campaigns means programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault,



and stalking, using a range of strategies with audiences throughout the institution and including information described in sections 1-5 of this section.

7. Information regarding the institution's procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which must include a statement that the proceedings will:
 - A. Include a prompt, fair, and impartial process from the initial investigation to the final result;

A prompt, fair, and impartial proceeding includes a proceeding that is—

 - Completed within reasonably prompt timeframes designated by an institution's policy, including a process that allows for the extension of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay;
 - Conducted in a manner that—
 - Is consistent with the institution's policies and transparent to the accuser and accused;
 - Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
 - Provides timely and equal access to the accuser, the accused, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings; and
 - Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.
 - B. Be conducted by officials who, at a minimum, receive 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 victims and promotes accountability;
 - C. 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;



Proceeding means all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact finding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.

Advisor means any individual who provides the accuser or accused support, guidance, or advice.

- D. 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; and
- E. Require simultaneous notification, in writing, to both the accuser and the accused, of—
 - The result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking;
 - The institution's procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding, if such procedures are available;
 - Any change to the result; and
 - when such results become final.

Result means any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution.

- 8. A statement of policy regarding the institution's programs to prevent dating violence, domestic violence, sexual assault, and stalking, as defined by the Clery Act, and of procedures that the institution will follow when one of these crimes is reported, which must include:
 - A. A description of the institution's educational programs and campaigns to promote the awareness of dating violence, domestic violence, sexual assault, and stalking



(NOTE: This content should already be addressed by covering items 1-7 in the training programs).

- B. Procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred, including written information about—
- 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;
 - How and to whom the alleged offense should be reported;
 - Options about the involvement of law enforcement and campus authorities, including 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; and
 - Decline to notify such authorities; and
 - Where applicable, the rights of victims and the institution's responsibilities for orders of protection, “no contact” orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court or by the institution
- C. Information about how the institution will protect the confidentiality of victims and other necessary parties, including how the institution will—
- Complete publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim; and
 - Maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures;
- D. A statement that the institution will provide written notification to students and employees about existing:



- counseling,
 - health,
 - mental health,
 - victim advocacy,
 - legal assistance,
 - visa and immigration assistance,
 - student financial aid, and
 - other services available for victims, both within the institution and in the community;
- E. A statement that the institution will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. The institution must make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement;
- F. An explanation of the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which:
- Describes each type of disciplinary proceeding used by the institution, including;
 - the steps, anticipated timelines, and decision-making process for each type of disciplinary proceeding;
 - how to file a disciplinary complaint; and
 - how the institution determines which type of proceeding to use based on the circumstances of an allegation of dating violence, domestic violence, sexual assault, or stalking;
 - Describes the standard of evidence that will be used during any institutional disciplinary proceeding arising from an allegation of dating violence, domestic violence, sexual assault, or stalking;
 - Lists all of the possible sanctions that the institution may impose following the results of any institutional disciplinary proceeding for an allegation of dating violence, domestic violence, sexual assault, or stalking; and



- Describes the range of protective measures that the institution may offer to the victim following an allegation of dating violence, domestic violence, sexual assault, or stalking;
- G. A statement that, 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 8B through 8F of this section.

TITLE IX

- Who can Sexual Violence (Rape, Sexual Assault, Battery and Coercion), Sexual Harassment or Harassment be reported to at your institution (minimally, Campus LE/PS and Title IX Coordinator).

Required General Training Program for Employees to comply with HEOA Requirements.

- Fire Safety—who to report an active fire to and who to report evidence of a fire to (singed paper on bulletin board, fire in trash can, etc.) if the employee is not sure if Campus Police or Public Safety has responded.
- Missing Persons—who to report a missing person to at the campus.