

# Title IX & Jeanne Clery Act Overview



# Title IX & Clery Act Presentation Objective

Upon completion of this presentation you will **understand the basic requirements** under Title IX, VAWA and the Clery Act.

# Clery Act CSA Training Outline

**This training is presented in four sections:**

**Section 1:** History and Overview of Title IX and how it relates to the Jeanne Clery Act.

**Section 2:** History and Overview of the Jeanne Clery Security on Campus Act: Also known as the 'Clery Act'

**Section 3:** Whatcom Community College's reporting process and resources.

**Section 4:** Student Conduct

## **SECTION 1:**

**History and Overview of Title IX and How It Relates to the Jeanne Clery Act.**

<https://www.youtube.com/watch?v=ZmWBrN7QV6Y>

# Title IX

Originally enacted as an “equality in athletics” initiative, it greatly evolved over the years. **Title IX** state that 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.

Sex discrimination prohibited by Title IX includes sexual harassment, sexual assault, sexual violence and sexual misconduct. Title IX also prohibits retaliation against an individual who, in good faith, asserts his or her rights under Title IX or other applicable federal and state laws prohibiting illegal discrimination.

## **Whatcom Community College’s Title IX compliance efforts include, but are not limited to:**

1. Notification and Education
2. Consultation, Investigation, and Disposition
3. Institutional Monitoring and Compliance Assurance
4. Advising President and College Leadership on matters of compliance

**WCC’s Title IX Coordinator** is charged with the responsibility to oversee and monitor Title IX related policies and developments; the implementation and oversight of grievance procedures, including notification, investigation and disposition of complaints; and training for the campus community.

# VAWA & Campus SaVE Act

Increasing reports of sexual violence on college campuses across the nation have brought the often hidden subject into the light. The concern brought legislators together to develop actions to eradicate sexual violence on campus.

Federal laws empower educational institutions to take action against sexual violence on campus. **The Violence Against Women Act (VAWA)** was enacted in 1994. In 2013 the **Campus Sexual Violence Elimination (Campus SaVE) Act** was added. In 2014, the Department of Education published its final regulations for the VAWA amendments, which expand the categories of violence covered in the Act to include:

- Stalking
- Domestic violence
- Dating violence
- New definitions for acts of sexual aggression
- Mandated expanded prevention and awareness programs on college campuses
- Increased notifications to campus community about the institutions' responsibility to assist victims; how victims can obtain help; and victims' and alleged perpetrators' rights under the law.

These amendments took effect March 2015.

## **SECTION 2:**

### **The History and Overview of the Jeanne Clery Act**



**Jeanne Clery**  
November 1966 – April 1986







Jeanne Clery was a 19 year old freshman at Lehigh University in Bethlehem, Pennsylvania in 1986. Asleep in her dorm room, a fellow student entered her room to rob her. She awoke during the robbery - resulting in being beat, cut, raped, sodomized, and then strangled to death.

Following her death, her parents learned that prior to this horrific incident, there were 181 security situations that had occurred within Jeanne's dorm.

Her parents grew convinced that their daughter had died because of "slipshod" security on campus and alleged that Lehigh University failed to convey to incoming students the level of crime activity and security concerns on campus. Her parents felt that if Jeanne knew of the risks, she would have locked her dorm room door and would not have been killed.

With her parents untiring efforts, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or 'Clery Act' became a federal statute implementing regulations in the US Code of Federal Regulations in 1990.

# What is the Jeanne Clery Act?

The **Jeanne Clery Act requires all colleges and universities** who receive federal funding to:

1. **Share information** about crime activity on campus publicly.
  - Timely warning and emergency notifications (Whatcom Alert)
  - Annual Security Report published by October 1 each year
    - The report is accessible online via Whatcom.edu and in print
    - This report identifies Campus Security Authorities (CSA)*
2. **Help survivors** of sexual assault, domestic violence, dating violence and stalking with:
  - Changes to academic, transportation, or living or working situations.
  - Assistance in notifying local law enforcement if the student or employee chooses to do so.
3. **Provide both parties** in a campus disciplinary process **certain rights**.
3. **Implement educational programming** for staff, faculty and students in preventative actions.

# Clery Act: “**Campus Security Authority**”

## Also included:

**A Responsible Employee (under Title IX)** – *all employees, except those whose roles require confidentiality; such as Professional Counselors*

- has the **authority** to take action to redress harassment;
- has the **duty** to report sexual harassment or other misconduct; OR
- is someone an individual **could reasonably believe** has the authority or responsibility

This is why essentially all employees are Responsible Employees.

Basically,



# What must CSAs do?

## 1. Report Incidents

- **For emergencies, always call 9-1-1**
- **Report** incidents that occur in their presence **and any** incidents that they become aware of that involve alleged criminal activity or misconduct to Campus Safety and Security and to the Title IX Coordinator (HR).

## 2. Provide crime victims/complainants with **resources available to them** as soon as possible

## 3. Be Familiar with the WCC Annual Security Report

- Clery geography, crimes and **definitions**

## 4. Document in a Timely Manner

- Provide as much **information** as possible, including **personally identifying** information (name/description of perpetrator, time/date/location of incident) if available.
- If a victim does not want to press charges or report to local law enforcement, that is ok. However, explain to them that **you are required to submit incident** for statistical purposes but **can do so without identifying victim** (*Share benefit of reporting to WCC to the victim/complainant, but don't force or intimidate them*)

## 5. Understand WCC's Structure

- **Resources** available to students
- **Training** requirements under Clery and Title IX
- To whom one **reports**

# Clery Act Crimes

## **MUST REPORT crimes**

### **Primary Crimes**

- Murder/Non-Negligent Manslaughter
- Negligent Manslaughter
- Sex Offenses\* (rape, fondling, incest, statutory rape)
- Robbery
- Aggravated Assault\*
- Burglary
- Motor Vehicle Theft
- Arson
- Domestic Violence / Dating Violence
- Stalking

### **Arrests & Referrals for Disciplinary Action**

- Drug Law Violations
- Liquor Law Violations
- Weapons Law Violations

**Hate Crimes:** Any of the above offenses and incidents of Larceny, Simple Assault, Intimidation or Destruction / Damage / Vandalism of Property which were motivated by the offender's bias.

# VAWA, Title IX & The Clery Act

VAWA, Title IX and the Clery Act  
apply to everyone on a college campus,  
including faculty, staff and students.

## **SECTION 4:**

**Whatcom Community College's Student Conduct, Reporting Process, and Resources**



# Whatcom Community Standards & Student Conduct

## **WHY**

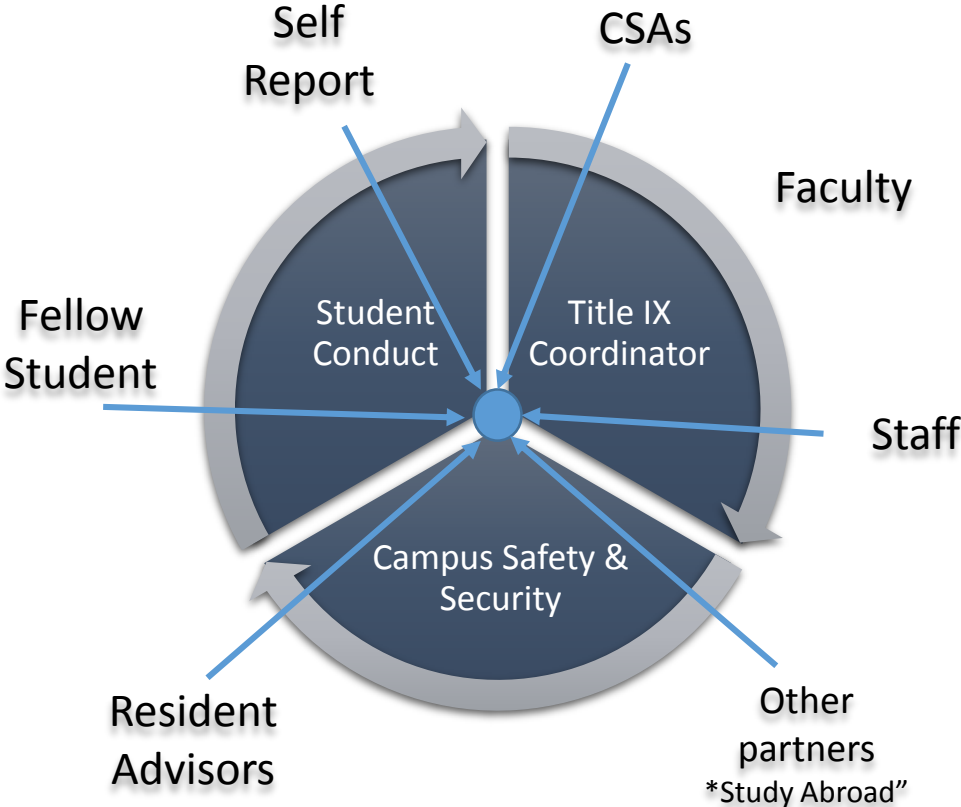
- Responsibility/accountability
- Educational and student development focus
- Community development

## **HOW**

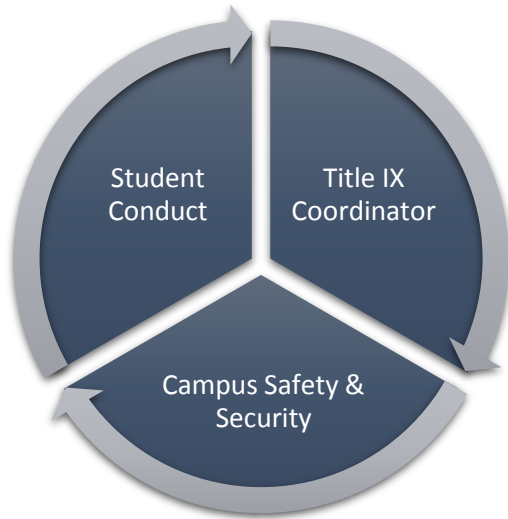
- Student Rights and Responsibilities Policies
- Hearing process with strong due process and outcomes for students
- Clear language in addressing behaviors and expectations

# WCC's Reported Incident Process:

Where does the information come from?



# WCC's Reported Incident Process:



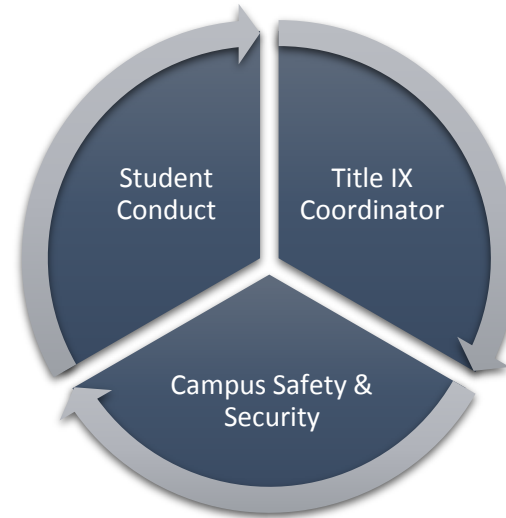
## Title IX Clery / Campus SaVE Considerations (checklist)

- Immediate Safety & Well Being
- Basic Facts
- Notify right to contact law enforcement & seek medical treatment
- Notify importance of preservation of evidence
- Ascertain complainant's wishes
- Assess for timely warning
- Evaluate individual vs. campus safety
- Discuss barriers to proceeding
- Assess for pattern
- Provide process options
- Offer accommodations
- Identify advocate support person
- Enter incident in daily crime log

# WCC's Resolutions:

## Remedies Based

❖  
Non-Judicial /  
Non-Conduct  
↓  
Individual and  
Community  
Remedies



## Remedies-Based Resolution

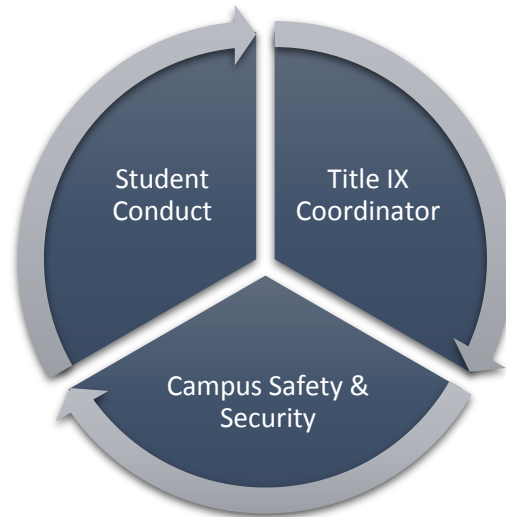
A voluntary approach designed to eliminate a hostile environment without taking disciplinary action against a Responding Party (Respondent).

Where a remedies-based resolution may be appropriate, the College will take immediate and corrective action through the imposition of individual and community remedies designed to maximize the Complainant's access to educational, extracurricular and employment activities at the College and to eliminate a hostile environment.

### Examples:

- Sexual Harassment Classes
- Anger Management Classes
- Other

# WCC's Resolutions:



## Discipline Based

❖  
Judicial / Conduct

❖  
**Investigation**  
On campus  
Off campus investigation  
Will be conducted by local  
law enforcement.

❖  
**Hearing/Sanction**  
This is in addition to any  
criminal charges.

❖  
**Right to Appeal**  
Students have a right to  
appeal any College  
sanction based on Student  
Rights and Responsibilities.

Student conduct concerns and our adjudication is based on  
preponderance of the evidence.\*\*\*\*\*

Criminal is beyond reasonable doubt.

During a criminal investigation, our concern is how we as an organization  
handle the situation and how do we support the complainant etc.

Criminal proceedings are managed through the Bellingham PD.

# Scenarios

- Please read the scenario and discuss the questions with your group.
- Select someone to report out about your discussion



# Resources

## Student, Faculty & Staff

### Whatcom Community College Counseling Office offers:

- Career planning
- Academic success strategies
- Stress management (test anxiety)
- College transition
- Problem solving and decision making
- Communication skills
- Crisis management
- Chemical dependency issues
- Additional community services

To schedule an appointment, contact:

Margaret Mahon, Counselor  
or Paul Cure, Counselor

at the  
Entry & Advising Center  
Lafayette Center, Room 116  
360.383.3060



**Notice of Non-Discrimination**

Whatcom Community College does not discriminate on the basis of race, color, national origin, religion, sex, disability, ancestry, marital status, parental status, sexual orientation, gender identity or expression, or genetic information. Whatcom Community College does not discriminate in admission, recruitment, or retention. The following persons have been designated to handle inquiries regarding the college's non-discrimination policies: Director for Human Resources, 237 W. Kolberg Road, Bellingham, WA 98226. (360) 383-3000. For Title IX coordination, contact the Title IX Coordinator, 237 W. Kolberg Road, Bellingham, WA 98226. (360) 383-3000. This publication is available in alternative formats upon request by contacting the Disability Support Services at 360.383.3060.

A complete list of Whatcom Community Resources can be found at:

**Whatcom Information Network**  
www.whatcomcounts.org  
A one-stop site for community resource information in Whatcom County.

**Community Resource List**  
www.crl.org  
800.223.8145 • TTY 425.339.3301  
Free and confidential information and referral. Help with food, housing, employment, health care, counseling, and more.

ADDITIONAL NUMBERS

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**Whatcom Community College**  
237 West Kolberg Road, Bellingham, WA 98226  
360.383.3000  
VP: 360.255.7187  
Fax: 360.383.4000  
www.whatcom.edu  
For campus maps, see: www.whatcom.edu/campusmap



## Whatcom Community Resources



1-800-584-3578  
**CRISIS CARE LINE**  
Emergency Counseling

**Whatcom Community College**

**Local group meetings**  
Narcotics Anonymous  
www.na.org 360.647.3226 • 24-hour helpline

**Local group meetings**  
Substance Abuse & Mental Health Services Administration  
www.samhsa.gov/nahelp 800.662.4327

**CAREER AND JOB INFORMATION**  
Whatcom Community College Career Center  
360.383.3055  
WorkSource - Whatcom Career Center  
www2.worksource.ca.com 360.675.1521  
Goodwill  
www.gswill.org 113 E. 5th Street Drive 360.738.0165



**MENTAL CARE**

Bellingham Technical College Dental Clinic  
www.btc.edu 360.732.8349  
• Low-cost dental care for the public

Interfaith Family Health Center  
www.interfaithbc.org 360.526.8177  
• Dental care for low income  
• Sliding scale fee

Sea Mar Community Health Center  
www.seamar.org 360.728.2016  
• Dental care for low income  
• Sliding scale fee

**FAMILY AND YOUTH SERVICES**

Catholic Community Services  
www.ccsbc.org 360.676.2164  
• Mental health services for children and families

Northwest Youth Service  
www.nwys.org 360.714.6642  
• Crisis intervention for youth and family  
• Long-term services for youth and family  
• Free after-school care

**FINANCIAL**

Department of Social and Health Services  
www.dshs.wa.gov 360.714.4600 or 877.501.2223  
• Food stamps, financial counseling, medical coupons  
• More information: dshs.wa.gov

**FOOD ASSISTANCE**

Bellingham Food Bank  
www.bellinghamfoodbank.org 360.676.6992  
• Monthly emergency food for those in need  
• Be eligible to enter our Food Bank

Opportunity Council  
www.opccouncil.org 360.738.7328  
• Food bank  
• Job training programs

**HOUSING**

Opportunity Council • Community Resource Center  
www.opccouncil.org 360.734.3121 ext. 347  
• Emergency shelter and rental assistance  
• Help with other resources

**LEGAL**

Law Advocate  
www.lawadvocate.org 360.671.6079  
• Free legal assistance to eligible residents of Whatcom County

Northwest Justice Project  
www.nwjustice.org 360.261.3014 or 360.734.8686  
• Free civil legal services for low income

**MEDICAL COUNSELING**

Interfaith Family Health Center  
www.interfaithbc.org 360.675.8177  
• Primary medical care for low income  
• Mental health care for low income  
• Sliding scale fee

Sea Mar Community Health Center  
www.seamar.org 360.671.3019  
• Medical care for low income  
• Mental health care for low income  
• Sliding scale fee

St. Joseph's Medical Center  
www.peacemh.org 360.734.5420  
• Geriatric medical care  
• Emergency mental health care

Western Washington University  
Psychology Department 360.552.9184  
• Free counseling for the public January through June

**Whatcom Alliance for Health Advancement**  
Behavioral Health Access Program  
www.whatcomalliance.org 360.738.5594

**Compass Health**  
www.compasshealth.org 360.676.2220  
• Geriatric medical care  
• Counseling and psychiatric outpatient services

**TRANSPORTATION**

Whatcom Transportation Authority  
www.wta.wa.gov 360.675.1217 ext. 3433  
• County bus service

Seabro Rover  
360.734.5111  
• Seabro Rover takes you and your car home

### WHATCOM COMMUNITY RESOURCES

# Resources

## Student, Faculty & Staff



**24 Hour Helpline**  
**360.715.1563**

**Toll Free**  
**877.715.1563**

**24-hour helpline:** Advocacy counselors provide support and information through helpline, 24 hours a day, 365 days a year

**In-person advocacy counseling sessions:** Advocacy counseling is available to clients who want to meet one-on-one.

**Safety planning:** When a client feels that they or their children are in danger, advocacy counselors can help to assess the situation and create a safety plan.

**Shelter, medical, and emergency referrals:** Because domestic violence and sexual assault can impact many areas of a victim's life, advocacy counselors make referrals to other service providers when necessary.

**Assistance accessing public benefits:** An off-site advocacy counselor is housed at the Department of Social and Health Services (DSHS) to help women affected by domestic violence access public benefits.

**Support during medical exams:** When an individual undergoes a sexual assault forensic exam at St. Joseph's Hospital, advocacy counselors are dispatched to support the victim and family/friends through the process.



# Resources

## Student, Faculty & Staff



**Dial "0"**  
**Campus Phone**

**After Hours**  
**360.715.2418**

**Direct Line**  
**360.383.3394**

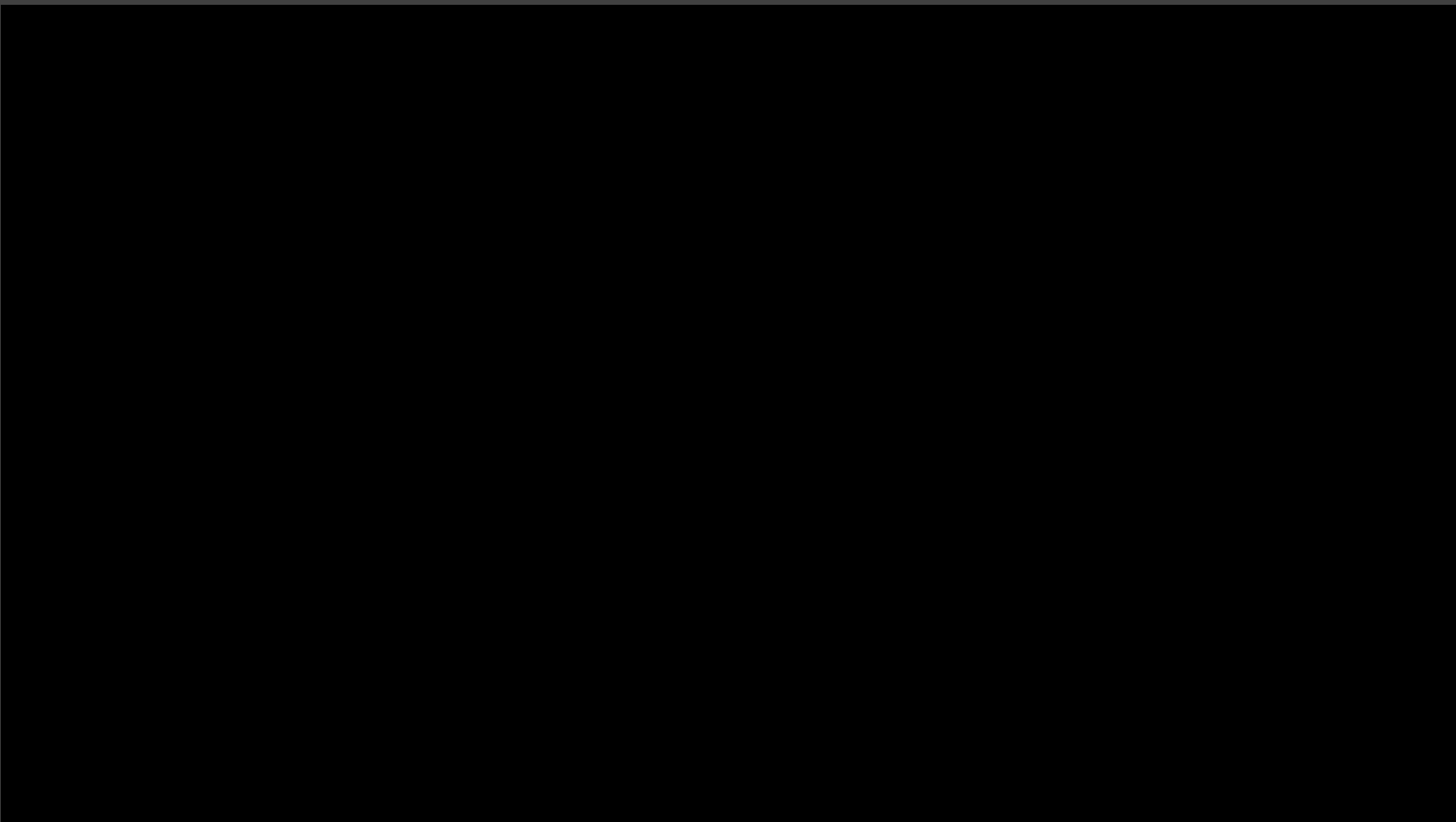
Campus Safety and Security provides security services for students, faculty, staff and visitors at Whatcom Community College. Safety is our top priority. Services provided include:

**Safe Escort:** In the event that a student, faculty or staff feel uncertain about walking to and from campus to their vehicle, Campus Safety and Security personnel will be available to accompany them.

**On Campus Safety planning:** Campus Safety and Security works closely with Human Resources and Student Conduct to assess student and staff safety situations, and works together to develop a campus safety plan.

**Vehicle Aid:** When a student or staff have concern with their personal vehicle while on campus, staff will assist as able with battery jumpstarts, door unlocks, and tire inflation.

**Additional Services:** Patrol of campus parking lots, buildings and properties; Enforcement of campus traffic and parking regulations; Enforcement of campus safety and security regulations and general campus policies; Responds to safety and security incidents; and provide campus information and support to students, faculty, staff and visitors.



**Behavioral Intervention Team**

**Comments, Questions, Concerns**



**For Any Questions Related to:**

**Campus Safety and Security or CSA responsibilities**

Contact:

**Raquel (Rocky) Vernola**, Director for Safety and Security

360.383.3394 / [rvernola@Whatcom.edu](mailto:rvernola@Whatcom.edu)

**Title IX / Sexual Misconduct or Support Services**

Contact:

**Becky Rawlings**, Executive Director for Human Resources

360.383.3400 / [brawlings@Whatcom.edu](mailto:brawlings@Whatcom.edu)

**Student Conduct or Adjudication Procedures**

Contact:

**Rebecca Butler**, Director for Community Standards and

Residence Life 360.383.3073 / [rbutler@Whatcom.edu](mailto:rbutler@Whatcom.edu)

**Campus Safety and Security or CSA responsibilities**

Contact:

**Al Jensen**, Emergency Preparedness and Safety Manager

360.752.8571 / [ajensen@btc.edu](mailto:ajensen@btc.edu)

