



The Clery Act & Title IX Implications of Atypical Reports

2nd Annual Mid-Year Conference

Ann Todd, J.D.

*Consultant, Equity Compliance and
Investigations*

D. Stafford & Associates

Lindi Swope

Director of Clery Compliance Activities

D. Stafford & Associates



Session Agenda



Reporting Pathways



- BIT/CARE
- Bias Response Teams
- Facility Work Orders
- Human Resources

Clery Act Considerations



- Annual Crime Statistics Disclosures
 - ASR/CSSDACT
- Ongoing Disclosure Requirements
 - Timely Warnings, Emergency Notifications, Daily Crime Log
- VAWA Implications
 - Notice of Rights and Options, Accommodations & Protective Orders, Disciplinary Proceedings

Clery Act Fine Proposed Univ. of Montana Fine Action 2017



22 Crime Statistics Omitted in 2015 ASR

- 6 Forcible Sex Offenses/Rape - $\$35,000 \times 6 = \$210,000$
- 4 Fondling - $\$35,000 \times 4 = \$140,000$
- 6 Burglaries - $\$5,500 \times 6 = \$33,000$
- 1 Motor Vehicle Theft - $\$5,500 \times 1 = \$5,500$
- 1 Domestic Violence - $\$35,000 \times 1 = \$35,000$
- 4 Stalking - $\$35,000 \times 4 = \$140,000$

TOTAL = \$563,500

3 Crime Statistics Omitted in 2016 ASR

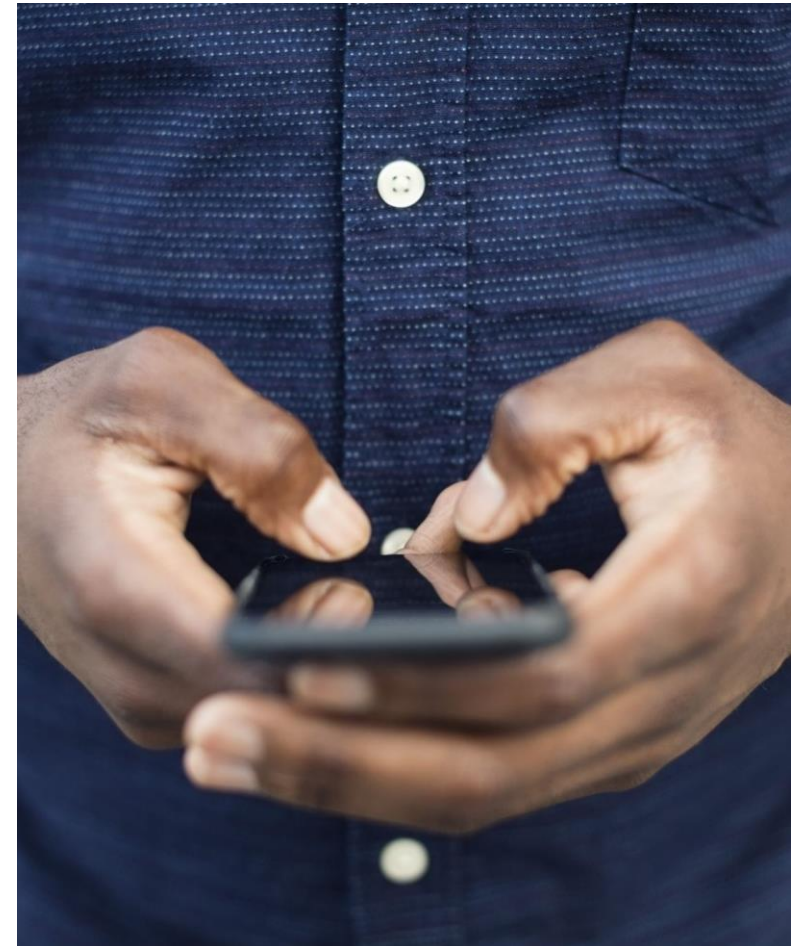
- 1 Burglary - $\$8,500 \times 1 = \$8,500$
- 2 Stalking - $\$55,907 \times 2 = \$111,814$

TOTAL = \$120,314

Title IX Considerations: Actual Knowledge



- Actual Knowledge: Report to “Official with Authority”
- If Actual Knowledge: Outreach to Complainant
 - Explain reporting options (law enforcement, Title IX formal complaint)
 - Offer Supportive Measures
 - Determine if Title IX Coordinator should sign formal complaint
 - Document process



Clery Act & Title IX Intersections

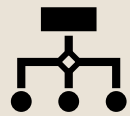


- VAWA Offenses
 - Sexual Assaults (Rape, Fondling, Incest & Statutory Rape)
 - Domestic Violence
 - Dating Violence
 - Stalking

TRAINING RECEIVERS OF REPORTS



Provide formal ongoing training for preferred receivers of reports.



Track staffing changes to ensure new hires are trained.



Require record keepers/intake specialists be proficient in Clery and Title IX.



Establish reporting structures and processes for submitting reports.



Document institutional training and include annual refreshers.



Session Evaluation

1. Select the “Click Here to Evaluate” button in “My Schedule”



We appreciate your feedback. Please take some time to evaluate the sessions.

Click Here to Evaluate



2. Or, visit <https://www.surveymonkey.com/r/NACCOPMidYear2023> to evaluate this session.