

Title IX
VAWA

Non-Title IX
(but still VAWA)

Title IX Duties

Contact the complainant

Offer and/or implement
supportive measures

Explain the process for filing a
formal complaint

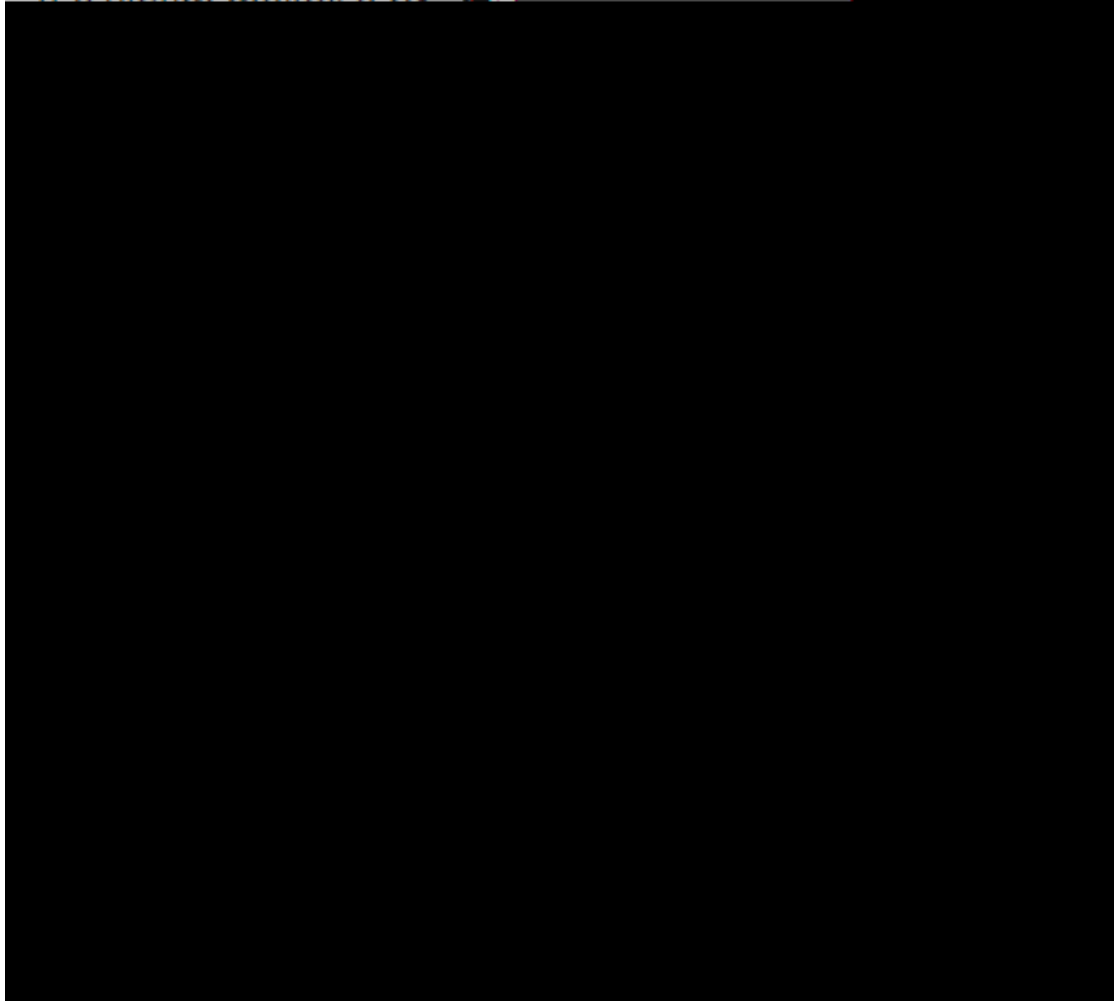
Clery Act-VAWA Duties

Provide victim with written explanation of
victim's rights and options

Report CSA report to Clery Authority on
Campus (most often campus police/public
safety)

Campus official responsible must assess
for Timely Warning OR Emergency
Notification

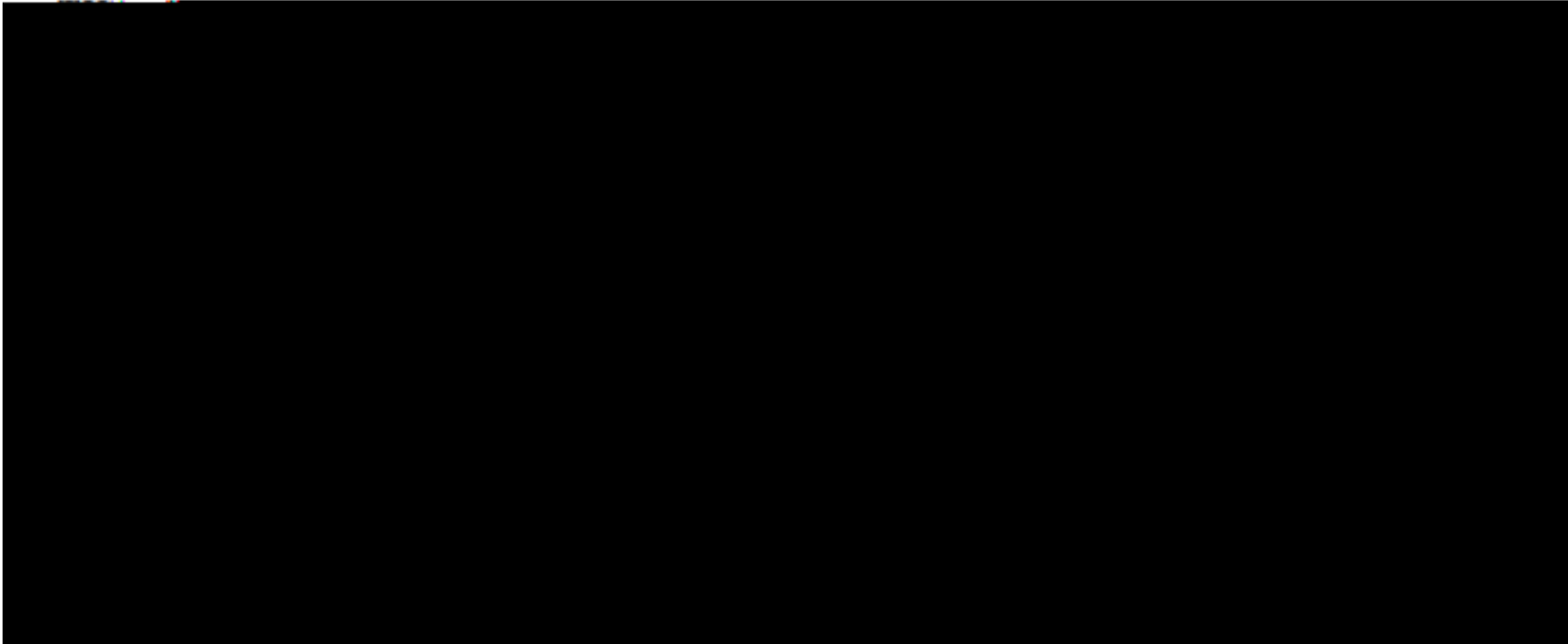
If a victim makes a report of a sex offense, a



Procedures
victims of VAWA
Offenses should
follow

Procedures an
institution will
follow when
offense reported

and make sure it
is all in
WRITING.



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

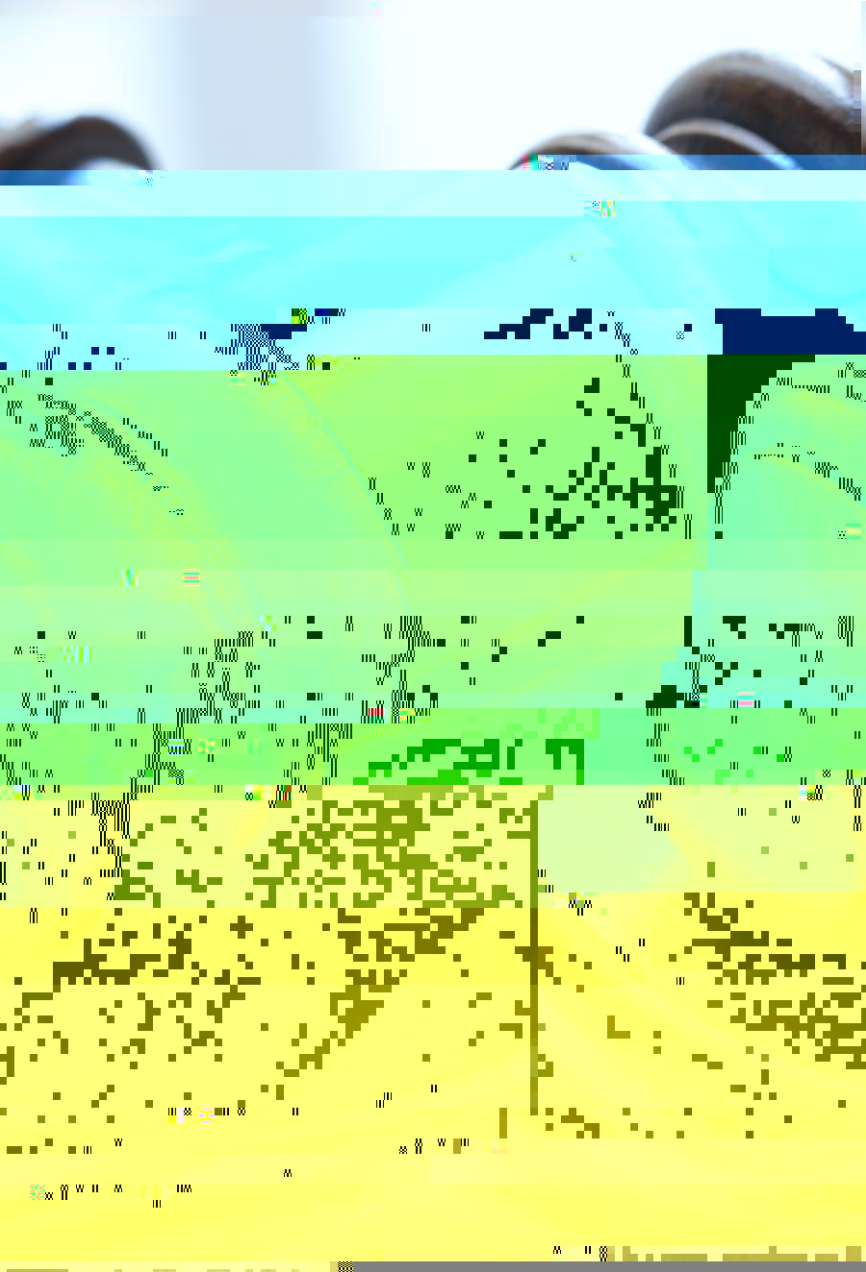
Decline to notify such authorities

Orders of protection

" No contact" orders

Restraining orders

Similar lawful orders issued by a criminal, civil,
or tribal court, or the institution



You must disclose all rights that a victim may have to obtain an order of protection, a “no contact” order, a restraining order or a similar lawful order issued by a criminal, civil or tribal court, or by the institution. You must let students know what legal options are available to them and under what circumstances. You must tell students how to request information about the available options and provide specific contact information. You must also provide instructions for how to file a request for each of the options. Again, include specific contact information. Your statement must also disclose the institution’s responsibilities for honoring such requests and complying with these orders. You must also provide clear information about what the victim should do to enforce an order of protection. If your institution does not issue orders of protection, state that the institution does not issue orders of protection. However, your statement should provide information on other available options in your jurisdiction, such as orders of protection issued by a criminal, civil or tribal court, as well as your institution’s responsibilities for complying with and enforcing those orders.

Counseling, health, mental health services


Victim Advocacy

Legal Assistance

Visa and Immigration Assistance

Student Financial Aid

Other services available for victims

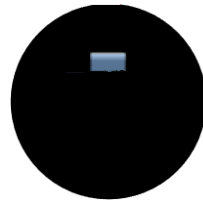


State that your institution is obligated to comply with a student's reasonable request for a living and/or academic situation change following an alleged sex offense.

Your statement should identify all of the available options. Your statement should also identify how you will determine what measures to take and who will be responsible for making that decision. Note that this



Anticipated timelines ("reasonably prompt")



Decision-making process



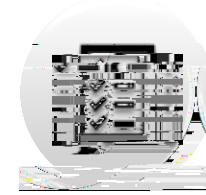
How to and options for filing a school complaint (with contact info)



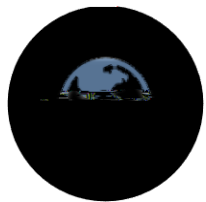
How school determines which process to use



Who makes decisions



Include employee procedures



Use procedures regardless of Clery geography

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

Title IX

Can offer, but may not require

Not allowed for "employee on student" sexual harassment

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)

Title IX

Treat equitably with goal to restore/preserve access to education; due process for respondent

Reasonably prompt time-frames

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



Title IX

Identification of the allegations

Procedural steps taken from receipt through determination

Findings of fact supporting the determination

Conclusions regarding the application of code of conduct to the facts

Result (responsibility, rationale, sanctions,

Title IX

Must offer both parties an appeal

Based on specific grounds

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

