

“Building a Movement toward Campus Peer Programs”

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CVSP, CSHE

Iowa Campus Safety and Security
Summit-October 2015

Strategies

Overview-laying the foundation

- Most violence prevention relies on developing effective sets of behavior modifications that work on lowering risk factors and increasing protective factors of individuals and communities
- hard to conduct primary prevention on college campus due to age, conditions of social influence, and preexisting victimization/perpetration rates

Develop programs that:

- recognizes that interpersonal violence is a learned behavior-goal to change attitudes/beliefs
- teaches bystander intervention techniques
- encourages the involvement of everyone (inclusive audiences)
- addresses at risk behaviors but emphasizes/builds on self-efficacy/empowerment
- provides concepts that encourage healthy relationships
- addresses and dispels traditional gender beliefs
- impact multiple levels of the socio-ecological model (individual to societal levels)

(CDC.gov)

Peer Model Philosophy

- The idea behind peer support is to match those with similar life experiences and knowledge to best assist other similar grouped individuals or cohorts in support, learning and growing
- Individuals who participate in this process feel more likely to open up to those that are similar or like-minded to them
- Can help to eliminate and help bridge the unintentional power dynamic that occurs with interactions with professional personnel; Peers can reach people that may be unwilling to engage with and trust professionals

(Shapiro, 1993)

Peer Support as a Trauma-Informed Lens

- A goal to utilize peer support in crisis care is to maximize the empowerment and independence/self-efficacy of survivors through similar experiences; Peers serve as role models and facilitators who work to help others lead meaningful lives and achieve desired levels of independence
- Peer support contributes considerably to the successful functioning and mission of crisis care work
- Services are usually improved through allowing peer groups to take on more meaningful roles within agencies/institutions
- Peer support provides a sense of safety in the context of an open, mutually responsible, non-judgmental and trusting relationship; peer support provides an almost immediate level of shared understanding
- Peer support teams are often utilized “after hours”
- Peer groups may be involved in advocating for systems change

Research and Need for Peer Advocacy

- Institutions of higher education lack peer-based resources for victims of violence, and the vast majority of the schools that do, do not offer programs that are state-certified to train crisis counselors/advocates to be confidential
- Iowa has a handful of current confidential peer advocacy campus teams in place; this is a new model across the country
- Some college peer programs only allow peers to provide referrals to student victims but they must make a Clery report and/or be Title IX delegates
 - Without properly trained advocates who hold confidentiality and who are able to provide both acute counseling and information sharing of victim rights, such a program on a campus cannot be considered part of a truly victim-centered response
 - Research shows that student victims are more likely to follow up with institutional and/or system supports upon initial compassionate, confidential forms of interventions (Campbell 2001)

Peer Teams-Prevention and Intervention

MVP Peer Ambassadors (Bystander Interventionists)

- Started with only two staff trained to conduct training sessions with students-2012 year; only reached about 50 students in the training
- Moved to a more sustainable model 2014 year to conduct train the trainers to student ambassadors to be able to conduct mini MVP sessions across campus to other student groups
- Currently have 25 trained MVP ambassadors
- Conduct an average of 5 mini sessions per semester; largest session participants at Welcome Week for first years (850 reached each fall for last 2 years)

MVP Ambassadors

- Working toward co-curricular and academic strategic development to the team to provide students with coursework options and service learning growth by outreach to K-12 communities
- Helping team have more agency of efforts and outreach; created and delegated responsibilities to students (ex: Gmail account for communicating and setting up sessions with groups)

VIP Program Goals-

Advocacy Field and Curricular Ties

- The primary goal of Violence Intervention Partner (VIP) is to assist Drake University students with confidential compassionate, informed sexual assault, dating and stalking response support
- The VIP program is aligned with the mission and strategic priorities of Drake University by providing students an opportunity to develop meaningful personal lives, collaborative learning, and community engagement

Partnership (MOU)

- The Violence Intervention Partner program represents a partnership between Drake University's Student Life Division and Crisis Intervention Services (CIS) out of Oskaloosa, IA and Domestic Violence Services (DVS) of CFI out of Des Moines, IA
- CIS/DVS conducts the mandated 30 hour Victim Advocacy training for the student advocates as the local community victim service agency under the Iowa Coalition Against Sexual Assault and ICADV membership guidance as a crime victim center under *Iowa Code 915.20A Victim Counselor Privilege*
- CIS/DVS will serve as the direct supervisors for the VIP members for case management and compliancy of upholding *Victim-Counselor Privilege* under the law to the Drake University VIP Advocacy Team

Peer Support Advocate Role- Upon 30 Hour State Certification:

Services in which peer advocates will be able to assist survivors:

- 24 hour phone support, including text option (deleting protocol in place for maintaining confidentiality)
- providing of information and resources
- immediate crisis response
- accompanying the survivor to an exam site
- assisting the survivor with the development of a “safe plan”
- advocates will need to serve on an on-call rotation at minimum of one to two weeks each semester in which they will need to carry the on-call cell phone crisis line and be available to respond in an immediate, private setting
- VIP members are obligated and expected to maintain the confidentiality as per advocate code of ethics, of the students utilizing VIP services at all times, including written and verbal forms of communication
- advocates are not required to comply with federal reporting guidelines through the Clery Act as a result of their supervisor and training relationship through CIS; VIP membership will also supersede the expectation of reporting under Title IX any known incidences

Limitations:

- student advocates will not serve in the capacity of being a ‘personal representative’ at judicial hearings and/or criminal hearings
- advocates cannot provide transportation to the student victim
- if a student victim desires medical intervention, a full-time advocate will be deployed to meet that victim at the hospital and the VIP advocate will not be the sole provider for this intervention
- VIP advocates main role will be in an acute stage of the intervention and will be limited to what follow up they conduct in an individual case

VIP Background and Functions

- VIP was launched spring semester 2014, with 8 trained and certified student advocates; this service expanded to a team of 15 members for the 2015-16 academic year and log about 160 volunteer hours each semester
- Training expanded this year, along with new community partner DVS, to certify our members to respond to domestic/dating violence and stalking (30 hr training)
- The advocacy team members provide professional training and outreach to Residence Life staff, Campus Public Safety, and other first response departments on basic crisis intervention techniques and resources/referrals to their service on campus
- Team members engage the student campus population in events and education on advocacy and crisis intervention
- Team is an integral part of our campus coordinated response; protocol to call a VIP advocate out in a first response
- Started a support group this semester that VIP members help market/provide referrals for, attend and create/co-facilitate

Sexual Health/Healthy Relationship Advisory Group

- Using the Can I Kiss You? Program (CIKY), training students in healthy relationship and consent dynamics as a sustainable approach to prevention
- We intend to use the CIKY program to spark dialogue surrounding healthy relationships on campus and to create ambassadors to this cause
- Selected student leaders within many organizations will help to actively change conversations regarding healthy relationships by committing to become 'healthy relationship advisors' with the intention to conduct forums and internally led student organization meetings/check ins throughout the academic semesters

New Co-curricular Approach

Integrating course credit for applicable student majors to use for capstone experiences

Examples of Disciplines:

- Psychology
- Sociology
- Political Science/Law
- Health Sciences/Pharmacy
- Education

Challenges

- Difficult to maintain because of:
 - Insufficient funding
 - Length of training and student time to commit
 - Institutional/agency support
 - Lack of staff with skills/time to coordinate peer groups
 - Lack of qualified students
 - Burnout/turnover among peer students
 - Confidentiality and privacy issues
 - Campus size
 - Incentives (payment, course credit offered)
 - Assessing effectiveness of programs
 - Campus trust in peer approaches (other students, administration, etc)

For More Information:

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UNIVERSITY OF IOWA THREAT ASSESSMENT PROGRAM



HISTORY

Established in 2008

Mandated by the Board of Regents

Partnership with Human Resources and Law
Enforcement

Work with Students, Faculty, Staff and Visitors

MISSION STATEMENT

The Threat Assessment Team is dedicated to the early identification, assessment, and management of incidents and behaviors that threaten the safety and well-being of The University of Iowa Community.

OUR GOAL

To provide an integrated and coordinated process for identifying and responding to students, faculty, staff and others who may be a risk of harming themselves and/or others.

THREAT ASSESSMENT TEAM

Jane Caton LISW, IADC, UI Human Resources - OE, Manager TAT

Eli Hotchkin, Detective - UI Police Department, Manager TAT

Corey Gibney, Detective - UI Police Department

Teresa Kulper, Director, UI HR Organizational Effectiveness

Loren Noska, Captain, UI Department of Public Safety

David Visin, Interim Asst. Vice President, UI Public Safety

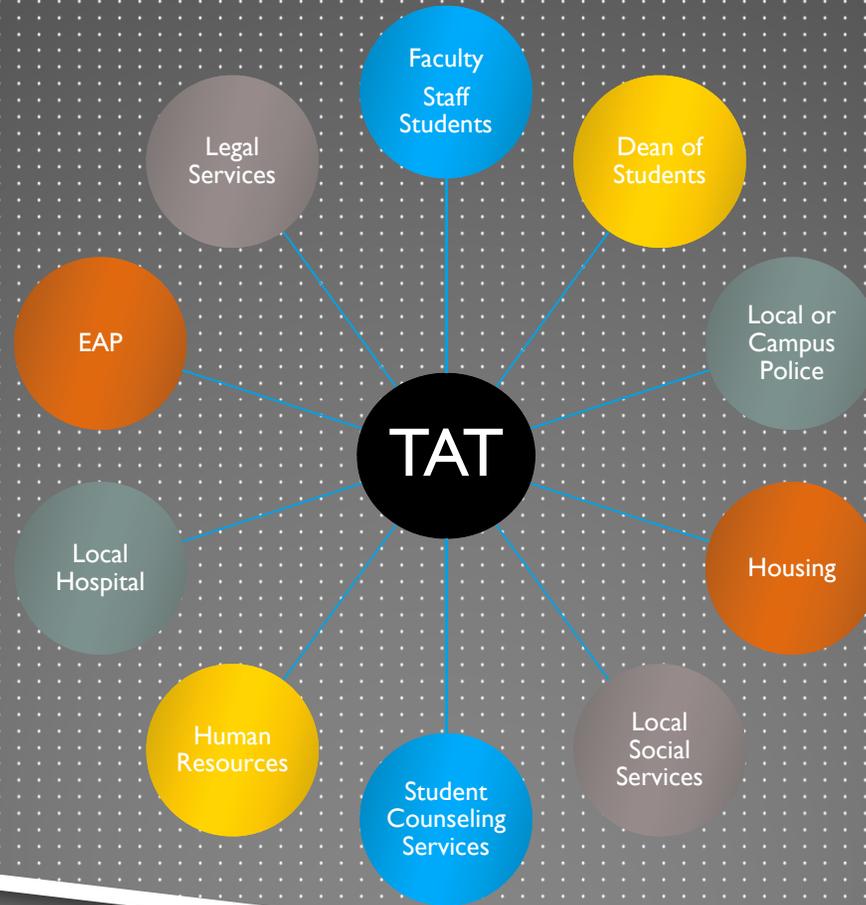
Angie Reams, Dean of Students Office, UI Student Services

Barry Schreier, Director, UI Counseling Services

Maggie Moore, Clinical Manager, EAP, Faculty and Staff Services

Jamie Jorgensen, Associate Counsel, General Counsel

PARTNERSHIPS



TYPES OF CASES

Disturbing/Threatening emails, text messaging and voice mails

Domestic /Dating Violence

Disruption in the classroom

Disruption in the workplace

Substance Abuse

Stalking/Harassment

Suicidal/Homicidal Ideation

Behavioral/Mental Health Issues

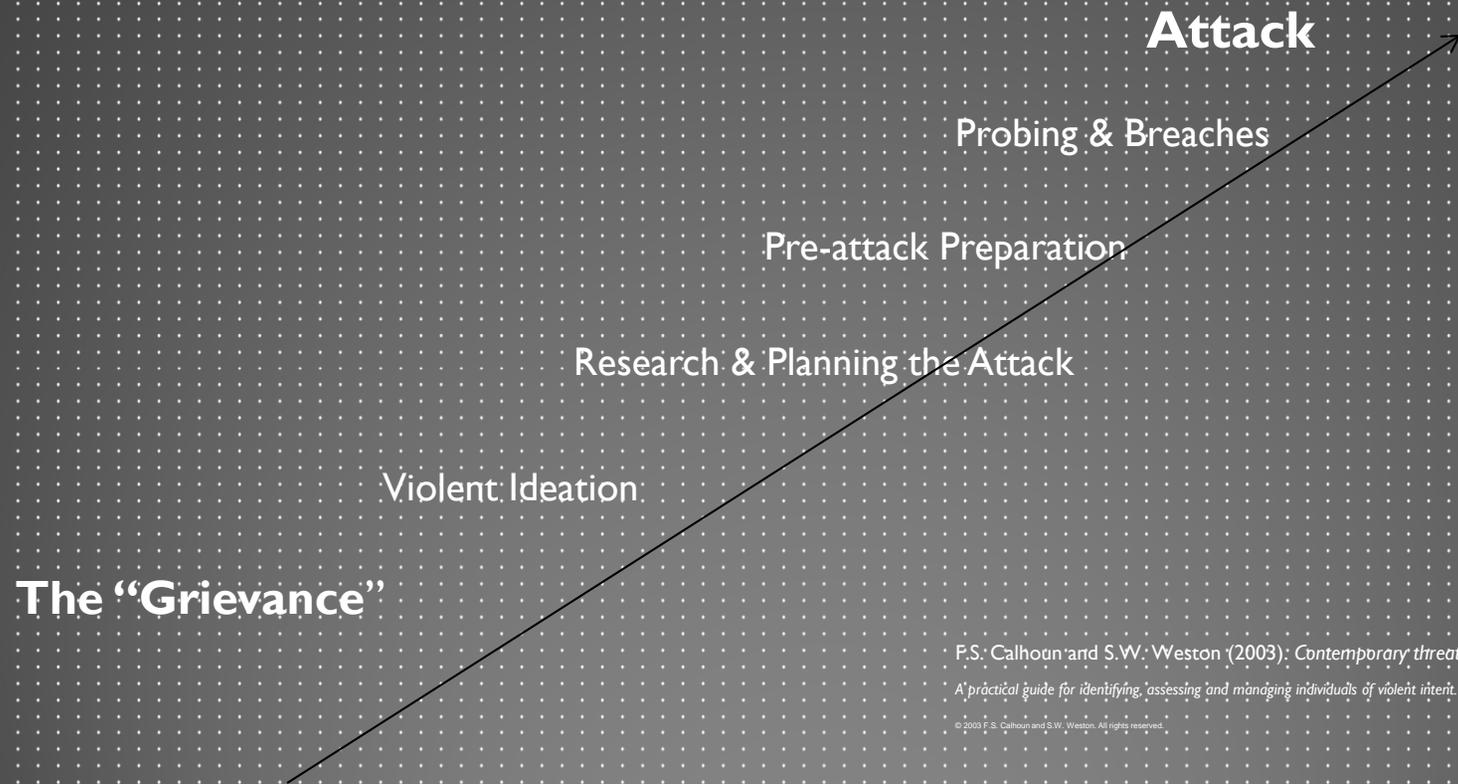
Weapon Issues

Terminations and Expulsions

WE CANNOT PREDICT VIOLENCE

Our aim is to assess dangerousness and respond reasonably and appropriately to diffuse the conflict and reduce the likelihood of a violent outcome

PATHWAY TO WORKPLACE TARGETED OR INTENDED VIOLENCE



F.S. Calhoun and S.W. Weston (2003): *Contemporary threat management: A practical guide for identifying, assessing and managing individuals of violent intent.*

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THREAT ASSESSMENT PROCESS

Identify situations of concern

Gather information

Investigate persons and situations

Assess risk for potential violence

Intervene reasonably and effectively

Manage appropriately

INTERVENTION STRATEGIES

In-Direct Intervention



Direct Intervention

Background Check

Consult

Coach Reporting Party

Third Party Monitoring

Fear Management

Casemanage

Meet with subject/assess risk

Refer appropriate resources

Escort to ER/Voluntary or Involuntary

Arrest

Fear Management

Casemanage

FROM THE RESEARCH...

Most subjects have a history of troubling behaviors and are on multiple radar screens.

Most are suicidal or at a point of desperation prior to their attacks.

Prior to violent acts perpetrators generally “leak” information about their planned attacks.

FROM THE RESEARCH...

Many attackers felt bullied, persecuted, singled out, disrespected and humiliated or injured by others prior to the attack.

Most attackers had access to and had used weapons prior to the attack.

BE AWARE OF THE SIGNS

- **Quick to anger**
- **Signs of depression**
- **Hopelessness**
- **Narcissism**
- **Alienation and withdrawal**
- **Dehumanizing others**
- **Exaggerated sense of entitlement**
- **Blames others for most failures**
- **Inappropriate humor**

- Obsessed with a perceived wrong
- Felt extremely humiliated and disrespected
- Expressed extreme hatred, even disgust
- Cannot see options
- Perceived rejection and abandonment
- Dramatic change of behavior
- Rigid and opinionated
- Lack of empathy

- Inappropriate fascination with violence and weapons
- Writings/drawings with intense violent themes
- Stalking-like behavior
- Direct and indirect threats
- Verbalizing a violent plan

THE GIFT



AWARENESS IS KEY

changes in mood
changes in behavior
use of coping skills
substance abuse
missing classes/work
poor academic/job performance
decrease in productivity
isolation

“SEE SOMETHING, SAY SOMETHING”

Encourage reporting

Identify an entity to get those reports

Assess each report appropriately

Follow up with the reporter

Build campus relationships

RESOURCES

The Handbook for Campus Threat Assessment & Management Teams

by: Gene Deisinger, PhD; Marisa Randazzo, Ph.D.; Daniel O'Neill & Jenna Savage

The Gift of Fear by: Gavin De Becker

Contemporary Threat Management by: Frederick S Calhoun & Stephen Weston

Risk Assessment Guideline Elements for Violence (RAGE V):

Considerations for Assessing the Risk of Future Violent Behavior

<http://downloads.workplaceviolencenews.com/rage-v.pdf>

Association of Threat Assessment Professionals (ATAP)

www.atap.org

CONTACT INFORMATION

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Eli Hotchkin (319)335-5011 elisha-hotchkin@uiowa.edu

24/7 UI Police Dispatch
319-335-5022



Outreach and Inclusion of Lesbian, Gay, Bisexual, Transgender, Queer/Questioning, Intersex and Asexual Students (LGBTQIA)

AVINDER DEOL, LMSW, MA
EXECUTIVE DIRECTOR
TRANSFORMATIVE HEALING



Setting the Stage



- Rates of sexual violence disproportionately affect LGBTQIA students (CDC, 2010)
 - **Bisexual Women: 46.1%**
 - **Bisexual Men: 47.4%**
 - **Lesbians: (1 out of 8) 13.1%**
 - **Gay Men: 40.2%**
 - **Transgender Folks: (1 out of 2) 50+%**
- Campus LGBTQIA Resource Centers
 - Not all have these—some are only staffed by students
- College is when many students Come Out
- Institutional/Systemic Barriers
- Intersectionality
 - Race, ethnicity, class, ability, etc .



Successes & Challenges



Successes

- Engaging Student Leaders
 - Reach out & follow through
- Using Inclusive Material
 - Need to see themselves represented
 - Presentations, Language, Brochure, Web, Office, Forms
- Be Familiar with Unique Aspects
 - SA/DV tactics
 - Homophobia/Transphobia
- Student Interns, Peer Leaders, Train the Trainer

Successes & Challenges



Challenges

- Turn over of student positions
 - Student schedules (nights/weekends)
- Finding Inclusive Resources
 - State & National Resources
 - Focus Groups with Students
- Constant Evolution
 - Language and Identities are constantly changing
 - Intentional Work to enhance competency
- Don't forget the T!
 - Gender Identity is not Sexual Orientation
 - Language is POWERFUL
 - Safe Spaces--intersectional



Building Partnerships

- Engage Leaders on Campus
 - May not be formal
 - Activists
- Students, students, students!
 - LGBTQIA organizations, Fraternity & Sorority Life, Student Government
 - Sexual Assault Prevention Teams on campus
 - Create collaborations
 - Focus Groups
- Increase Visibility
 - Outreach + Follow Through=Strong partnerships

Next Steps...



- **Diversify and Integrate Materials**
- Tailor Prevention, Outreach & Advocacy Materials
 - LGBTQIA language
 - Scenarios that include these identities
- **Build Community Partnerships with Leaders**
 - Leaders → positional leadership, culture influencers
- Do your own work
 - Go beyond Safe Zone Stickers
 - Seek resources to expand knowledge

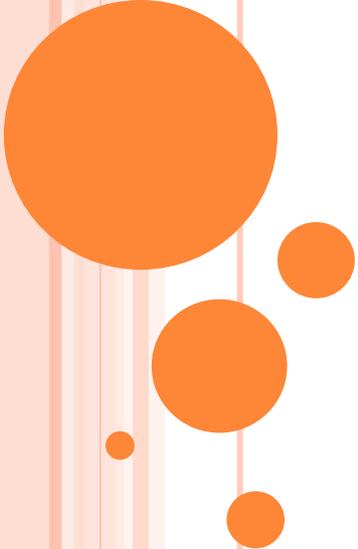


CONTACT US!

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**TRANSFORMATIVE HEALING SERVES
LGBTQIA SURVIVORS OF SEXUAL
ASSAULT
&
PROVIDES TECHNICAL ASSISTANCE TO
AGENCIES**



SEXUAL ASSAULT RESPONSE ADVOCATES

Peer Advocacy

Simpson College

Ellie Olson, PhD

WHAT IS SARA?

- Student to Student advocacy group
 - 30 hours of training
 - Community agency supervision by Crisis Intervention Services
- Purpose
 - 24 phone/text line
 - Confidential support
 - Prevention and Education



HISTORY OF SARA

- Idea developed during time of review of policy and procedures
- Response to dissatisfaction with how assault was handled on our campus
- Created partnership with Polk County Crisis and Advocacy Services
- Began 2008 with first group of students, faculty and staff
- Structure has evolved over the years—guided by students



PRESENCE ON CAMPUS

○ Advocacy

- Rates of usage over the years
- Formal vs. informal advocacy

○ Prevention/Education

- In Her Shoes
- Campus wide survey
- Speakers
- Integration into orientation/first-year program
- Toilet Talks
- Community connections
- Film screenings
- Small scale connections with other campus groups



CHALLENGES

- Group dynamics
- Messaging/consistency
- Overwhelm
- Alleged perpetrators as applicants
- Small campus dynamics
- Faculty/staff involvement



SUCSESSES

- SARA is fully integrated into campus culture
- Sexual violence a regular part of the conversation
- Increase in awareness and understanding
- Recognition by students and administrators
- Community assistance
- Students now working in the field
- Ahead of the curve in dealing with federal mandates





Judicial Process and Investigation:
Best practices and practical tips on
conducting fair and impartial
investigations and adjudications.

Drew Bracken

Ahlers & Cooney, P.C.

100 Court Avenue, Suite 600

Des Moines, Iowa 50309

www.ahlerslaw.com



Sexual Misconduct or Harassment Policies and Procedures

- In Compliance with mandates
- Accessible to all constituents
- Understandable to those involved
- Consistent across the campus
- Followed by school officials
- Monitored by the administration



Compliance

- USDE Dear Colleague letters,
- USDE “Q and A on Title IX and Sexual Violence”
- USDE “Checklist for Campus and Sexual Misconduct Policies”
- The Whitehouse Taskforce publications
- VAWA and its regulations

- 
- A good website was unveiled recently by the Department of Justice
<http://www.changingourcampus.org/>
 - It has all kinds of materials, including a video on conducting investigations.



Policy Checklist

- <https://www.notalone.gov/assets/checklist-for-campus-sexual-misconduct-policies.pdf>
- 1. Clear statement of school's prohibition against sex discrimination, which includes sexual misconduct.
- 2. Scope of the Policy
- 3. Options for Assistance Following an Incident of Sexual Misconduct

- 
- **4. Title IX Coordinator**
 - **5. Definitions**
 - **6. Reporting Policies and Protocols**
 - **7. Investigation Procedures and Protocols**
 - **8. Grievance/Adjudication Procedures and Possible Sanctions**
 - **9. Prevention and Education**
 - **10. Training**



Training, Training, Training

- **Students**
- **Faculty and employees**
- **Title IX Coordinator**
- **Investigators**
- **Adjudicators**
- **Appeal Panel Members**



Training for the Title IX Coordinators and Investigators

- Information on working with and interviewing persons subjected to sexual harassment/misconduct;
- Information on particular types of conduct that would constitute sexual harassment and misconduct, including same-sex sexual harassment/misconduct;
- the proper standard of review for sexual harassment/misconduct complaints (preponderance of the evidence);

- 
- Information on consent and the role drugs or alcohol can play in the ability to consent;
 - the importance of accountability for individuals found to have committed sexual harassment/misconduct;
 - the need for remedial actions for the perpetrator, complainant, and school community;
 - how to determine credibility;

- 
- how to evaluate evidence and weigh it in an impartial manner;
 - how to conduct investigations;
 - confidentiality;
 - the effects of trauma, including neurobiological change; and
 - cultural awareness training regarding how sexual harassment/misconduct may impact students differently depending on their cultural backgrounds.



Investigations

- Any investigation should adhere to the institution's policies and procedures, including applicable definitions.
- General Investigation Procedures
 - A. Intake Interview of the Complainant
 - Account of alleged misconduct and its impact
 - Detailed factual information
 - Active listening
 - B. Collection of available documentation and physical evidence
 - Evidence integrity (Chain of Custody)

- 
- **C. Interviews of Witnesses**
Same detailed factual information
Routines for opening and closing
the interview
 - **D. Interview of the Respondent**
Same detailed factual information
 - **E. Repeat as often as necessary.**



The Investigative Report

- A. Description of the matters investigated
- B. Finding of the Facts
- C. Statement of policy or work rules
- D. Conclusions as to whether facts support allegations of misconduct
 - 1. Allegation by allegation
 - 2. Preponderance of the evidence
- E. Summary
 - 1. Make an overall determination as to whether the allegations are founded or unfounded
 - 2. Recommended action? Authority



Disciplinary Process

- **Public Institutions**
 - - The Due Process Hearing
- **Private Institutions**
 - - Contractual Right to Procedures described in School Policy



New Title IX Mandate

- **Complainants in sexual misconduct cases must be afforded an equal right to participate in the disciplinary process including any available appeals**



Title IX of the Educational Amendments Act of 1972 (amending the Higher Education Act of 1965)

- **“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.”**

- 
- The Office for Civil Rights ("OCR") in the Department of Education is responsible for enforcing Title IX.
 - The principle enforcement activity is the investigation and resolution of complaints filed by those alleging sex discrimination.
 - In addition, through a compliance review program of selected recipients, OCR is able to identify and remedy sex discrimination which may not be addressed through complaint investigation.

- 
- OCR requires each recipient to issue notices of nondiscrimination. It recommends using one statement to comply with the requirements of Title VI, Title IX and Section 504 regulations.
 - This combined notice must contain two elements: a statement of nondiscrimination on the basis of which OCR enforces civil rights statutes; and the identity by name or title, address and telephone number of the employee(s) responsible for coordinating the agency's compliance efforts.



Courts have interpreted Title IX to prohibit institutions from, on the basis of sex:

- **(1) denying any person aid, benefits or services in all areas, including course offerings, extracurricular activities such as student organizations and competitive athletics, financial aid, facilities and housing;**
- **(2) providing different aid, benefits, or services or provide them in a different manner;**

- 
- (3) subjecting any person to separate or different rules of behavior, sanctions, or treatment, including rules pertaining to appearance;
 - (4) providing significant assistance such as facilities or act as a sponsor to any organization or person which discriminates on the basis of sex in providing any aid or benefits to students or employees; and
 - (5) limiting any person in the enjoyment of any right, privilege, advantage or opportunity.

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- **Canon v. University of Chicago, 710 F. 2d 351 (7th Cir. 1977)**
 - **In 1977, the U.S. Seventh Circuit Court of Appeals held that Title IX provides an individual student the right to bring suit against an educational institution for discrimination based on sex.**



Clery Act (1990)

- Originally known as the Campus Security Act, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) is the federal law that requires colleges and universities across the United States to disclose information about crime on and around their campuses.



Clery Act Requirements

The Clery Act requires colleges and universities to:

- **Publish an Annual Security Report (ASR) by October 1, documenting three calendar years of select campus crime statistics including security policies and procedures and information on the basic rights guaranteed victims of sexual assault.**

- 
- **To have a public crime log.**
Institutions with a police or security department are required to maintain a public crime log documenting the "nature, date, time, and general location of each crime" and its disposition, if known.

- 
- **Disclose crime statistics for incidents that occur on campus, in unobstructed public areas immediately adjacent to or running through the campus and at certain non-campus facilities including Greek housing and remote classrooms.**



Crimes in Seven Major Categories

- **1. Criminal Homicide**
- **2. Sex Offenses**
- **3. Robbery**
- **4. Aggravated Assault**
- **5. Burglary**
- **6. Motor Vehicle Theft**
- **7. Arson**

- 
- **Schools are also required to report statistics for the following categories of arrests or referrals for campus disciplinary action (if an arrest was not made):**
 - **1. Liquor Law Violations**
 - **2. Drug Law Violations**
 - **3. Illegal Weapons Possession**

- 
- Hate crimes must be reported by category, including race, gender, religion, sexual orientation, ethnicity, and disability. Statistics are also required for four additional crime categories if the crime committed is classified as a hate crime:
 - 1. Larceny/Theft
 - 2. Simple Assault
 - 3. Intimidation
 - 4. Destruction/Damage/Vandalism of Property

- 
- Issue timely warnings about Clery Act crimes which pose a serious or ongoing threat to students and employees.
 - Institutions must provide timely warnings in a manner likely to reach all members of the campus community.

- 
- Devise an emergency response, notification and testing policy.
 - Institutions are required to inform the campus community about a “significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.”
 - An emergency response expands the definition of timely warning as it includes both Clery Act crimes and other types of emergencies (i.e., a fire or infectious disease outbreak).

- 
- **Compile and report fire data to the federal government and publish an annual fire safety report.**
 - **Enact policies and procedures to handle reports of missing students.**



2013 Amendments

- **Violence Against Women Act (VAWA)**
- **The Campus Sexual Violence Elimination Act (SaVE Act)**



VAWA Amendments

- Signed by President Obama on March 7, 2013
- Effective March 7, 2014
- Department of Education states,
“We expect institutions to make a good faith effort to comply with the statutory requirements” prior to “effective date”.



Requirements

Annual Clergy Reports must now include incidents of:

- Domestic abuse;
- Dating violence; and
- Stalking.

Additionally, Hate Crimes must now include crimes based on:

- National origin; and
- gender identity



Definitions

Domestic Violence under Federal law *(for purposes of counting crimes):*

Asserted violent misdemeanor and felony offenses committed by the victim's:

- Current or former spouse;
- Current or former cohabitant;
- Person similarly situated under domestic or family violence law; or
- Anyone else protected under domestic or family violence law.



Definitions

Domestic Violence under Iowa Code *(requiring student notification)* is:

Harmful touching or doing something that puts another in immediate physical fear, such as pointing a weapon at that person. *See Iowa Code § 708.2A*



Definitions

Under Iowa Code, the people involved in “domestic violence” must meet at least 1 of the following criteria:

- Family or household members living together at the time of the assault;
- Married persons, *including juveniles who are married*;
- Separated spouses or persons divorced from each other, *including juveniles who are married*;
- Juveniles and adult biological parents of the same minor child regardless of whether they have ever lived together;
- Unmarried persons who are cohabitating; or
- Persons who have lived together within the past year but were not living together at the time of the assault.



Definitions

Dating Violence under **Federal** law:

Violence by a person who has been in a romantic or intimate relationship with the victim. The existence of a relationship will be gauged by its:

- Length;
- Type; and
- Frequency of interaction.



Definitions

Dating Violence –

Iowa's criminal domestic abuse law does not include persons involved in a “dating” relationship.

Violence occurring between such individuals would fall under general assault/battery or possibly stalking or harassment statutes.



Definitions

Stalking under **Federal** law:

A course of conduct directed at a specific person that would cause a reasonable person to fear for her, his or others' safety or to suffer substantial emotional distress



Definitions

Stalking under Iowa Code:

A pattern of conduct that is designed to create fear of bodily injury or death in another person.

There is no specific relationship requirement between the stalker and the victim with regard to this crime.



New Requirements to Educate Students and Employees on Sexual Violence

New students/employees must be offered “primary prevention and awareness programs” promoting the awareness of:

- Rape;
- Acquaintance rape;
- Domestic violence;
- Dating violence;
- Sexual assault; and
- Stalking



Primary Prevention & Awareness Programs must include:

- A statement that these offenses are prohibited;
- The definition of the offenses in the applicable jurisdiction;
- The definition of consent (regarding sexual offenses) in the applicable jurisdiction;
- “Safe & positive” options for bystander intervention to “prevent harm or intervene” in risky situations;
- Recognition of signs of abusive behavior & how to avoid potential attacks; and
- Ongoing prevention & awareness campaigns on all of the above.



Additional Requirements

Institutional policy must also include information on:

- **Victims' option to, **or not to**, notify and seek assistance from law enforcement and campus authorities.**
- **Victims' rights and institutional responsibilities regarding judicial no-contact, restraining, and protective orders.**



New Student Discipline Requirements

- Policy must include “statement of the standard of evidence” used;
- Officials conducting proceedings must be trained on how to investigate & conduct hearings in a manner that “protects the safety of victims” & “promotes accountability”;
- Policy must identify “sanctions or protective measures” that may be imposed after final determination of rape, acquaintance rape, domestic violence, dating violence, sexual assault or stalking;



New Student Discipline Requirements

- **Accuser and Accused are both entitled to:**
 - Have others present during disciplinary proceeding;
 - Be accompanied to any meeting or proceeding by an advisor of their choice.
- **Accuser and Accused must be notified “simultaneously” & in writing of:**
 - The outcome of the proceeding;
 - Appeal procedures;
 - Any change to the result before it becomes final;
 - When the result becomes final.
- **Policy must address how victims’ confidentiality will be protected** (*including record-keeping that excludes personally-identifiable information on victims*).



TITLE IX AND SEXUAL VIOLENCE:

- April 29, 2014, the Office for Civil Rights published its “Questions and Answers on Title IX and Sexual Violence”
- What OCR expects all institutions to do in cases of sexual violence and other types of sexual harassment so as to be in compliance with Title IX.



II. College's Obligation to Respond to Sexual Violence.

- **A. Definition of Sexual Violence.**
- **Physical sexual acts perpetrated against a person's will or where a person is unable to give consent because of the person's age, intellectual disability, or due to the use of drugs or alcohol.**

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- **“Hostile Sexual Environment.”**
 - **When the: “conduct of a sexual nature is sufficiently severe, persistent, or pervasive to limit a student’s ability to participate in or benefit from the education program, or to create a hostile or abusive educational environment.”**



Title IX Violation

- (1) the alleged misconduct is sufficiently serious to limit or deny a student's ability to participate in or benefit from the educational program and;
- (2) once put on notice of the alleged misconduct, the college fails to take prompt, effective steps reasonably calculated to end the sexual violence, eliminate the hostile environment, prevent its recurrence and, when required, remedy its effect upon the victim and other students.



Notice to the College

- **If a responsible employee knew, or in the exercise of reasonable care, should have known about the sexual violence.**
- **Impute knowledge: if the College could have learned about the sexual violence upon making a “proper” inquiry.**

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- **“Responsible employees” are the persons who have authority to take actions to redress sexual violence, or who have the duty of reporting incidents of sexual violence or any misconduct of students to the Title IX Coordinator or other school employee, or whom a student could reasonably believe has the authority to report incidents of sexual violence.**

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- **Delay in responding to an allegation of sexual violence or failure to respond to an allegation of sexual violence, will be considered as creating an illegal hostile environment.**



Title IX Procedural Requirements.

- 1. Publish a notice of nondiscrimination that states:
 - a. The College does not discriminate on the basis of sex in its education programs and activities as required by Title IX;
 - b. Questions regarding Title IX may be referred to the College's Title IX coordinator or to OCR;
 - c. The designated Title IX Coordinator's name, or title, email and office addresses and phone number.

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- **2. Designate at least one employee to coordinate the school's efforts to comply with and carry out its responsibilities under Title IX. This person will be known as the school's Title IX Coordinator;**

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- **3. Adopt and publish Title IX grievance procedures that provide for the prompt and equitable resolution of student and employee sex discrimination complaints, including but not limited to, allegations of sexual violence.**

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- **4. Provide sexual violence reporting forms, information and training so they are accessible to all students and employees, including English language learners and the disabled, keeping in mind that Title IX protects all students regardless of national origin, immigration or citizenship status.**

Student Safety Checklist

- I know the layout of the buildings I have classes in and use differing paths to these buildings each day
- I am aware of the building and room number for each class and have it written down and with me at all times
- I remain alert and limit my distractions inside and outside of the classroom
- I have identified the primary exit of my classroom and building
- I have identified secondary exits of my classroom and building
- I have identified items in the classroom that could be used to distract an attacker
- I am aware of multiple lines of communication with the police
- I am aware of people inside, outside, and around my classroom at all times
- I can lock my door from the inside or I have items I can use to barricade the door
- I have a right and desire to survive



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Dial 911 or 515-294-4428

Staff Safety Checklist

- I have identified the primary exit of my office/workspace
- I have identified secondary exit points of my office/workspace
- I have identified items in my office/workspace that could be used to distract an attacker
- I am aware of multiple lines of communication to the police
- I am aware of multiple lines of communication with coworkers
- I can lock my workspace/office from the inside; I have items I can use to barricade a door
- If I am designated an open workspace, I know where I can go during a violent incident where there are doors
- I have a right and desire to survive



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Faculty Safety Checklist

- I have identified my primary teaching location within the classroom
- I have identified the primary exit of my classroom/building
- I have identified secondary exit points of my classroom/building
- I have identified items in the classroom that could be used to distract an attacker
- I am aware of multiple lines of communication with the police
- I am aware of methods to communicate with other classrooms
- I can secure my door by locking it or barricading it
- I have a plan to monitor/manage foot traffic into and out of my classroom when the door is unlocked
- I have briefed my students at least once on all of the above information that applies
- I have a right and desire to survive



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