



Title IX and Community Colleges

ADRIENNE MURRAY
BETH DEVONSHIRE
D. STAFFORD & ASSOCIATES

1



Today's webinar is being
conducted by the National
Association of Clery
Compliance Officers and
Professionals (NACCOP).

© 2021 NACCOP

2

Sponsored by



**D. STAFFORD
& ASSOCIATES**

NACCOP Partners



ASCA
Association for Student Conduct Administration

2

Copyright



Limited permission is granted to each attendee of this class to make training materials available per the requirements outlined in the Title IX Regulations published on May 19, 2020.
These materials are copyright of NACCOP. (© 2021 NACCOP. All rights reserved.)

Any distribution or reproduction of part or all of the contents in any form is prohibited other than the following:

- As required by 34 C.F.R. § 106.45(b)(1)(iii) and § 106.45(B)(10)(i)(D), this material in its entirety may be posted to the website of the institution in which you were associated with at the time in which you were enrolled in this training. NACCOP gives permission for clients to convert the provided documents as necessary to be ADA-compliant.
- Public inspection upon request.
- You may not, except with our express written permission, distribute or commercially exploit the content. Nor may you transmit it or store it in any other website or other form of electronic retrieval system.

© 2021 NACCOP

3

3

Community Colleges are Special and Unique Places

- Diverse student populations
- Non-traditional student population
- Multiple campuses
- Smaller staff (same people doing major tasks)
- Same compliance requirements as more resourced institutions
- Trades programs
- Lots of off-campus internships
- Children on campus for various reasons
 - Dual enrollment
 - K-12 institutions as part of college
 - Lots of non-credit programs with kids



This Photo by Unknown Author is licensed under CC BY-SA 4.0



© 2021 NACCOP

4

4

Topics for Today's Webinar

- Managing multiple policies
- K-12 school on campus
- Minors on campus as complainants or respondents
- FERPA
- Parental notification and student consent
- Managing Title IX with satellite campuses
- Non-credit programs and internships
- Pregnancy and parenting accommodations

© 2021 NACCOP

5

5

Managing Multiple Policies

- Title IX Students
- Non-Title IX Student Conduct
- Title IX Employee (Faculty? Staff?)
- Non-Title IX but Title VII Employee
- Other?

© 2021 NACCOP

6

6

Group Discussion #1: Managing Multiple Policies

- How many institutional policies and resolution procedures are in place at your institution to respond to sexual harassment, sexual assault, dating violence, domestic violence, and stalking?
- Does Title IX do intake on all referrals and then pass to appropriate office if allegation is non-Title IX?

© 2021 NACCCOP

7

Group Discussion #2: K-12 On Campus Q&A

- Do you have an elementary, middle or high school on your campus?
- Is the school under the control of the college? Is it under the jurisdiction of your local jurisdiction?
- Does your CC Title IX Coordinator also have oversight for responding to complaints of sexual misconduct at K-12 in addition to the CC?

© 2021 NACCCOP

8

Group Discussion #3: Minors as Complainants or Respondents and FERPA

9

Group Discussion #4:
“Student” and Student Consent



When is a person considered a “student” at your community college?

Does a student have to give consent for me to tell the respondent of the allegation?

If the complainant is a dually enrolled student, and the CC is leading the investigation, do I need their consent to share information with the K-12?

Must a student give consent for accommodations, supportive measures or interim protective measures?

© 2021 NACCOP
10

10

Group Discussion #5:
Managing Title IX with Satellite Campuses




Campus A


Campus C


Campus E


Campus B


Campus D

© 2021 NACCOP
11

11

Group Discussion #6:
Non-Credit Programs and Internships



- My Community College offers a literacy program to community members on Thursday evenings on campus. It is free, but registration is required. Does Title IX apply?
- We offer a non-credit fitness program at the local YWCA (yoga, Pilates, strength training). Does Title IX apply if one of our participants is alleged to have sexually harassed another person at the Y? What about another person who is also our participant in the non-credit program?
- We offer a non-credit language skills program in an area church where our students teach English to non-native English speakers. There is a \$5 fee for each learner that is paid by the Church to our community college. Does Title IX apply?
- Our nursing students go to a local hospital as part of their program where they attend skills labs and learn patient care. Recently, while engaging in a patient care activity, one of our nursing students alleged that he was sexually assaulted by a patient. Does Title IX apply?
- Our diesel mechanic students are required to log 20 hours in a placement (area diesel shop) before they can receive their certification. We provide a list of names of places they can request to get their hours but have no role in scheduling them. Recently, one learner complained of sexually explicit jokes, graphics, and sexual harassment against them by employees of the shop they were working in. Does Title IX apply?

© 2021 NACCOP
12

12

Group Discussion #7: Pregnant and Parenting Students



- Can the school restrict students from participating in labs?
- What are examples of reasonable adjustments?
- Does an institution need to provide a lactation room?
- Can the school require a doctor's note to return?
- Can students submit work they missed because of pregnancy or childbirth?
- Do you have any policies or procedures regarding pregnant or parenting students?

© 2021 NACCOP

13

13

Other Topics of Concern?



© 2021 NACCOP

14

14

Thanks to our
sponsor!



For more information:
dstaffordandassociates.com

© 2021 NACCOP

Upcoming D. Stafford Virtual Classes

- Title IX Coordinator (11:00 AM - 5:00 PM Eastern)
 - February 22 - 26, 2021
 - May 3 - 7, 2021
 - October 4 - 8, 2021
- Combined Sexual Misconduct and Domestic/Dating Violence and Stalking Investigation (11:00 AM - 5:00 PM Eastern)
 - April 12 - 16, 2021
 - August 23 - 27, 2021
- Advanced Investigations (9:00 AM - 5:00 PM Eastern Time)
 - March 8 - 12, 2021
 - June 7 - 11, 2021
 - November 8 - 12, 2021

15

15



8TH ANNUAL NACCOP CONFERENCE:

A Live, Virtual Event

Conference – July 21-23, 2021
Pre-Conferences – July 20, 2021

- Pre-Con #1 (for CCOs) - Addressing VAWA Policy Statements for Non-Title IX Procedures in the Annual Security Report
- Pre-Con #2 (for CCOs) - Developing Internal Memorandums of Understanding (MOUs) with Key Departments to Facilitate a Higher Level of Institutional Cooperation with Clery Act Compliance
- 2021 ADVANCED TRACK OPTION - Case Reviews: These sessions include a Case Review where attendees will participate in reviewing a sample incident report narrative to determine the correct classification and count for each report and to practice adding entries to the Daily Crime Log. This session will provide practitioners with an opportunity to apply their knowledge to real-world scenarios.
- The finalized agenda will be released in the late Spring of 2021.

Register at www.naccop.org

© 2021 NACCOP

16
