

**VAWA Language: be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.**

### **Training Components:**

1. Identifying and Reporting domestic violence, dating violence, sexual assault and stalking
2. Explaining the victims' rights in all processes and procedures
  - a. Confidentiality vs. Privacy
  - b. Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about—
    - i. The importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;
    - ii. To whom the alleged offense should be reported;
    - iii. Campus and community resources
  - c. Options regarding law enforcement and campus authorities, including notification of the victim's option to—
    - i. notify proper law enforcement authorities, including on-campus and local police;
    - ii. be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and
    - iii. to decline to notify such authorities;
  - d. victims' options for, and available assistance in getting various accommodations, if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.
    - i. the institution's responsibilities regarding orders of protection,
    - ii. no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.
    - iii. changing academic, living, transportation, and working situations
  - e. Procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking, which shall include a clear statement of—
    - the accuser and the accused rights
    - recordkeeping procedures
    - existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community.
3. Investigating, Responding to and Rendering Findings on Complaints
  - a. Developing and using equitable investigation and other processes
  - b. Consent, Substance Abuse and Bystanders
  - c. Understanding the effects of trauma on victims
  - d. Understanding the profiles and reactions of perpetrators and accused perpetrators
  - e. Remedies
    - i. Possible sanctions or protective measures that such institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.

4. Integrating community resources in the training
5. Identifying and becoming skilled in the OVW core competencies
6. Oversight, the regulatory framework and Assessment
  - Title IX
  - 1997 Sexual Harassment Guidance
  - 2001 Revised Sexual Harassment Guidance
  - October 26, 2010 Dear Colleague Letter (DCL) on bullying and hazing
  - April 4, 2011 DCL addressing student on student sexual harassment
  - April 24, 2013 DCL addressing retaliation
  - Voluntary Resolution Agreements
  - The Clery Act
  - The Campus SaVE Act
  - FERPA
  - Federal/State criminal, child protection and sex offender statutes

## **Training Resources:**

### **Campus Community Members:**

Title IX Coordinator

Deputy Title IX Coordinator

Student Affairs

Faculty

Athletics (Coaches, Assistants, Graduate Assistants, Trainers)

International Students Programs

Diversity Office, Equity or Equal Opportunity Office

Women's Center

LGBTQ Center

Health Center

Campus Law Enforcement or Public Safety

Students

Campus Victims' Services/Advocates

Counseling Center

### **Outside Community Members:**

Victim Advocacy (Rape Crisis Centers, State Sexual Assault & Domestic Violence Coalitions, & Anti-Domestic Violence and Stalking Organizations)

Community Law Enforcement

Prosecutorial agencies

Community specific organizations (LGBT, Ethnic Community Orgs, Disability Orgs, other)

## **Training Structure:**

Training on Issues related to domestic violence, dating violence, sexual assault and stalking- use of community, state and national resources on domestic violence, dating violence, sexual assault and

stalking should be encouraged for this portion of the training, especially if a school does not have staff with expertise on these topics.

Training on how to conduct an investigation and hearing process-This must be training done by the university/institution.

Some portions may be done via online resources, but it is critical that the training is not entirely online. The group did not discuss which portions should be online and which should be in person.

Interim measures are necessary for this annual training as those who investigate or fact-find for individual cases may change prior to the annual training. Training provided by community, state and national domestic violence, dating violence, sexual assault and stalking organizations are a good option for this interim training.

Schools may also consider sending personnel to “train the trainers” programs offered by domestic violence, dating violence, sexual assault and stalking organizations.