

# Addressing Sexual Misconduct and Other Crimes on Campus: TITLE IX, Clery and VAWA



**Oscar Cobian**  
Title IX Coordinator

**Jonas Crawford**  
Title IX Co-Coordinator

**Cesar Romero**  
Oxnard College Police Department

**Deanna McFadden**  
Oxnard College Student Health Center

# Federal and State Mandates Regarding Campus Crime

Intersecting legislation aimed at addressing sexual misconduct and other crimes on college and university campuses include:

- Title IX
- Clery Act
- Violence Against Women Act (VAWA)
- State Law

# **Sexual Misconduct & Sexual Discrimination are Defined as:**

**Any sex-based circumstances/events that deny or limit an individual's ability to participate in or receive benefits, services, or opportunities in the university's programs: academic programs, internships, sports, housing, admissions, health services, etc.**

# What Is Title IX

- 1972 Landmark civil rights protection
- Provides protection from all forms of sexual misconduct including: sex-based discrimination, harassment, or gender violence at any educational institution receiving federal funding
- Students are the primary focus of Title IX, although it is applicable to all campus constituencies
- Applies to males and females, including gender non-conforming individuals

# Title IX Focus: Sexual Misconduct

- **Sexual Misconduct:**

All forms of harassment and violence that are sexual in nature

- **Sex-Based Harassment:**

Stalking, voyeurism, exhibitionism, verbal or physical abuse or threats thereof

- **Sex-Based Violence:**

Intimate partner or domestic partner violence, dating violence, attempted or completed rape, and other forms of sexual assault

# What is the Clery Act?

**“Jeanne Clery Disclosure of Campus Security Police and Campus Crime Statistics Act”** (formerly the Campus Security Act):

**A federal law that requires U.S. institutions of higher education to disclose campus security information including crime statistics for the campus and surrounding areas**

# College Responsibilities Under Clery Act

## \* Notification:

- Immediate notification to the campus community is required for crimes that pose a serious and ongoing threat
- Immediate notification is sent out through text message alert, siren system activation or through notification on the college homepage
- The campus must be notified in a timely manner (usually within 24 hours of a threatening incident)
- ‘Timely Warning’ notification may be given by voicemail, email, information bulletins, newspaper announcements, etc.
- These notifications are important as they make the campus aware of incidents and may prevent someone else from being harmed
- Training
- Dedicated campus website (easily accessible)

# What is Violence Against Women Act (VAWA), signed in 1994

- \* Coordinated community and legal response to domestic violence, sex dating violence, sexual assault, and stalking;
- \* Emphasis on Law enforcement, prosecutors, victim services;
- \* VAWA provides specific support for work of organizations that serve economically and socially disadvantaged women

# VAWA College Responsibilities

Under VAWA, colleges and universities are required to:

- \* Report domestic violence, dating violence, and stalking, beyond crime categories the Clery Act already mandates;
- \* Adopt certain student discipline procedures, such as for notifying purported victims of their rights; and
- \* Adopt certain institutional policies to address and prevent campus sexual violence, such as to train in particular respects pertinent institutional personnel.
- \* Conduct campus awareness campaigns

# State Law

- \* Yes Means Yes –requires "an affirmative, unambiguous and conscious decision" by each party to engage in sexual activity.

Colleges must develop:

- \* Victim-centered policies
- \* Prevention education during new student orientations and awareness campaigns
- \* Comprehensive training for campus officials
- \* Comply

# Critical Definitions

- **Responsible Employee per the OCR**

Any person who has the authority to take action to redress sexual harassment/misconduct; who has been given the duty of reporting incidents of sexual harassment/misconduct by student to the Title IX coordinator, or who a student reasonably believes has this authority or duty

- **CSA (Campus Security Authority)**

Any official with significant responsibility for student and campus activities (i.e. Program Director, Dean, Vice President, President)

## Just Get the Facts

---

- Title IX Coordinators will categorize the report; your job is to get the information the person is willing to tell you.  
Remember:
  - *You are not a detective.*
  - *You don't have to prove what happened or who was at fault.*
  - *You are not supposed to find the perpetrator.*
- Clery: Use the BIT form. The identity of a victim is confidential, not required, and should not be included in your BIT report.
- Title IX: The victim must be identified, however, the victim can request anonymity from the Title IX Coordinator.

## **Report All Crimes Even if They Did Not Occur at Oxnard College**

**Any crime involving an OC student while attending a college sponsored event, function or in conjunction with the educational process must be reported, no matter the location of the incident.**

### **Example 1:**

**A student is assaulted while attending a college sponsored conference in another city. For example, ASG student attending a student leadership conference in Sacramento.**

### **Example 2:**

**A student is being sexually harassed during an academic internship at a local business.**

# What is next?

- \* At the district level, policies are being revised and updated to reflect the most current state and federal mandates.
- \* On-line Training for CSA, staff and faculty available/  
*Each* campus is responsible for compliance
- \* Denim Day in April
- \* New student orientation

# Questions

