



## ***Statement of Compliance for Think About It***

CampusClarity developed *Think About It* to help colleges and universities (schools) comply with student education requirements relating to sexual misconduct under Title IX of the Education Amendments Act of 1974 and Section 308(a)(8) of the Violence Against Women Reauthorization Act of 2013 (known as the "Campus SaVE Act").

### **Title IX and the April 2011 DCL**

In its April 4, 2011 Dear Colleague Letter (DCL), the U.S. Department of Education's Office for Civil Rights stated that new student orientation programs covering sexual misconduct are necessary to ensure full compliance with Title IX, and *Think About It* was developed to assist schools in reaching this goal.

As required by the DCL, *Think About It* includes an extensive discussion about what constitutes sexual assault. It also covers sexual harassment, and includes information aimed at encouraging students to report incidents of sexual violence to the appropriate school and law enforcement authorities.

Additionally, *Think About It* provides students with a copy of their school's sexual misconduct policies, as the DCL requires. Students must review and acknowledge those policies before completing the course.

The 2013 version of *Think About It* also covers prevention, as well as disciplinary procedures and consequences of policy violations.

### **Campus SaVE Act**

The Campus SaVE Act requires colleges and universities that participate in federal student aid programs to adopt "primary prevention and awareness programs for all incoming students" to "promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking."

As a student orientation program that deals with sexual misconduct, *Think About It* serves as the foundation for new student education programs mandated by the Campus SaVE Act, and the latest 2013 version specifically covers the topics mandated by the Campus SaVE Act. Once the Department of Education (ED) provides regulatory guidance on this new law, CampusClarity will make any necessary revisions to *Think About It* to ensure full compliance with ED requirements. In the meantime, based on

available statutory language, CampusClarity has already taken significant steps to help schools comply with the Campus SaVE Act for the 2013-2014 academic year.

### **Statement of Prohibition**

As required by the Campus SaVE Act, *Think About It* contains a statement that unequivocally communicates that these offenses are prohibited:

- domestic violence,
- dating violence,
- sexual assault, and
- stalking.

In addition, each school is invited to provide a President's Letter that is an introduction to the course and allows an opportunity to send a personal message to all students, emphasizing the importance of campus safety.

### **State Specific Definitions – Critical Requirement**

The Campus SaVE Act requires new student education programs to include legal definitions of several key terms, including:

- consent,
- domestic violence,
- dating violence,
- sexual assault,
- stalking, and
- victim protection orders.

These definitions must be specific to the school's location – which means they must be state specific. CampusClarity's team of legal editors have extensive experience developing and customizing courses to explain in understandable terms the laws of different jurisdictions throughout North America. CampusClarity will customize every version of *Think About It* to contain the state-specific legal definitions of these terms and relevant laws that apply in the jurisdiction where the school is located.

### **Coverage of Bystander Intervention Options**

The Campus SaVE Act requires new student education programs to provide safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against another.

From the beginning, *Think About It* was developed using a harm reduction model designed to encourage bystander intervention. The course uses rich media to educate students about options for bystander intervention, and it includes real-world interactive exercises for students to practice these techniques.

### **Risk Reduction Information**

The Campus SaVE Act requires new student education programs to include information on risk reduction, how to recognize warning signs of abusive behavior, and how to avoid potential assaults or abusive relationships. *Think About It* contains detailed information about the stages of acquaintance assault, and provides animated situations to illustrate the problem.

### **Possible Sanctions and Protective Measures**

The Campus SaVE Act requires new student education programs to cover possible sanctions or protective measures that the institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.

*Think About It* provides a list of generic sanctions that may apply, including verbal warning, probation, suspension, and expulsion. Additionally, schools will use the course to provide students with a copy of their sexual misconduct policy, which should include specific details about sanctions for violations. *Think About It* also makes students aware of the measures schools may take to protect victims of sexual misconduct.

### **Procedures Victims Should Follow**

To satisfy the Campus SaVE Act requirement that new student education programs explain the procedures victims should follow to make a report:

- *Think About It* contains information about the importance of preserving of evidence following a sexual assault.
- CampusClarity will customize *Think About It* to include information about the person or office at each school to whom students should report offenses.
- *Think About It* includes information about options regarding law enforcement and campus authorities. Specifically, *Think About It* advises students of their options to notify proper law enforcement authorities, and to be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses. It also informs students that a police report is not required.

*Think About It* also includes information about victim protection options such as restraining orders or protection orders, tailored to each school's jurisdiction.

## Disciplinary Procedures

The Campus SaVE Act requires new student education programs to include information about procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking. *Think About It* contains generic information about model disciplinary procedures under Title IX.

Additionally, as required by the Campus SaVE Act, *Think About It* contains a clear statement that:

- disciplinary proceedings shall provide a prompt, fair, and impartial investigation and resolution
- the accuser and the accused are entitled to have others present during the hearing and related meetings, and to access, review, and present witnesses and other evidence
- both parties will be informed in writing at the same time about the decision, changes to the decision, when the decision becomes final, and how to appeal

## Victim Confidentiality

*Think About It* also advises students that the institution will protect the confidentiality of victims to the extent permissible by law, as required by the Campus SaVE Act.

## On-and Off-Campus Resources

CampusClarity will customize each version of *Think About It* to include counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community, as provided by schools.

## Victim Support Options

*Think About It* also lists interim protective measures that can be taken to change academic, living, transportation, and working situations for victims.

## General Resources

Finally, *Think About It* will also include information provided by a school about general on-campus resources that can help students recover after a traumatic event.