Sample Conduct Resolution Training Plan: A Resource for OVW Campus Grantees

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HOW TO USE THIS SAMPLE PLAN:

This sample training curriculum plan is intended to help your institution generate ideas about potential training topics throughout the OVW Campus Grant Program and beyond. Some grantees have not had ongoing training or have had significant turnover among the stakeholders involved in the conduct resolution process. Other grantees have an ongoing, well-established curriculum and may use this sample plan to fill in gaps. Trainings may be combined and customized to meet the needs of different audiences. Grantees are not required to complete every single training listed below. For information on minimum training requirements, consult VRLC's Conduct Resolution Training Requirements Chart and the requirements listed in the Notice of Funding Opportunity (NOFO) for your award year.

We recommend that every grantee ensure all stakeholders involved in the conduct resolution process receive at least the foundational level trainings listed below. Grantees should consider repeating foundational trainings as needed - such as for stakeholders who only occasionally serve a conduct resolution role (like appeals officers). Once foundational training is established and ongoing, build on that foundation with intermediate and advanced training topics based on the stakeholders' needs.

TRAINERS:

For some trainings, your institution may have an expert on campus. It may be your Title IX coordinator, a civil rights investigator, project director, advocate, or campus law enforcement officer. For other trainings, you may choose to use a community partner, local consultant or attorney with expertise in the field. You may also choose to send the stakeholders on your campus to a conference. In that case, this sample plan can be used to assess whether the conference agenda will help the institution meet its training goals. Lastly, the Training and Technical Assistance Institutes (TTIs) will provide train-the-trainer content in the Conduct Track, which you can bring back to your team and tailor to your needs.

TARGET AUDIENCE:

The OVW Campus Grant Program requires at least one training per year for all individuals involved in the conduct resolution process. For many schools, this involves people from different offices who participate in the adjudication process; from intake, to investigation, to decision-makers, to appeals officers, those who facilitate informal resolutions, and those who impose sanctions. At other schools, external consultants are contracted for some of these roles. Regardless of title or employee/contractor status, everyone involved in the conduct resolution process must receive ongoing training.

TOPICS:

The OVW Campus Grant Program requires training that includes, but is not limited to: information about the causes and effects of domestic violence, dating violence, sexual assault, and stalking; a review of the student conduct code; an appropriate range of sanctions; definitions of domestic violence, dating violence, sexual assault, and stalking; the ways victims respond to trauma; tactics of offenders; information on the issue of consent in sexual assault cases; how to judge credibility; and alcohol and drug facilitated sexual assault. Also, OVW requires training to reflect best practices in the field. As mentioned above, for more information about the OVW Campus Grant minimum training requirements, consult VRLC's Conduct Resolution Training Requirements Chart and the requirements listed in the NOFO for your award year. Grantees should consider using data collected from climate survey results to assess specific impact of harm on your institution and tailor your training plan to the needs of your campus community. Grantees should review available data to determine vulnerable populations, gaps in populations seeking resources, and speak with advocacy services (on and off campus) to consider other insular communities who may need greater assistance.

SAMPLE TRAINING CURRICULUM PLAN:

**Many of the training topics listed below are useful for anyone involved in the conduct resolution process. Training for appeals officers may be more limited. Those topics are marked with an asterisk (*).*

DATING AND DOMESTIC VIOLENCE (DDV)	
Training Level	**Content**
Foundational	***Topic:** DDV 101 **What to cover:** • Statutory and policy definitions of DDV • Terms survivors might use to describe DDV • Stages/cycle of DDV • Who DDV impacts • Data on DDV prevalence, both at large and on your campus • Dynamics of power and control *continued on next page*

DATING AND DOMESTIC VIOLENCE (DDV)

Training Level	Content
Foundational	***Topic:** DDV 101, continued **What to cover:** • Tactics used to exert power and control • Types of abuse (e.g. physical, emotional, technological, sexual) • Ways to identify/recognize abusive situations
Intermediate	**Topic:** DDV Risk Assessment **What to cover:** • Risk factors for DDV, including high lethality (i.e. access to weapons, strangulation, suicidality, specificity of threats) and threats to campus community • What to do when DDV is suspected but not disclosed • Strategies for risk reduction and crisis intervention • When and how to contact personnel with specialized lethality training (on and off campus)
Advanced	***Topic:** Determining Primary Aggressor in DDV Cases **What to cover:** • Traits and behaviors that are characteristic of a primary aggressor • Traits and behaviors that are not characteristic of a primary aggressor • Ways abusers may try to conflict survivors from services • Sanctioning considerations for the primary aggressor

SEXUAL ASSAULT (SA)

Training level	Content
Foundational	***Topic:** SA 101 **What to cover:** • Statutory and policy definitions of SA • Risk factors for SA • Neurobiology of trauma and how it impacts a person's memory, presentation, and goals • Impact of culture and identity on a SA survivor's experience • Data on SA reporting, both at large and on your campus • Reasons SA survivors might not report
Foundational	**Topic:** SA Forensic Exams **What to cover:** • How the Sexual Assault Nurse Exam (SANE) is performed • Locations where SANEs are performed in the local community • What information the patient/survivor has access to • What information the patient/survivor does not have access to
Foundational	**Topic:** Reporting SA to Law Enforcement **What to cover:** • How law enforcement SA reports are taken • Differences between the criminal justice process and the campus conduct resolution process

SEXUAL ASSAULT (SA)

Training level	Content
Foundational	**Topic:** Safety Planning with SA Survivors **What to cover:** • Goals and limitations of safety planning • Strategies to help survivors identify their individual safety risks and priorities • Interventions that can increase a survivor's safety • Available on and off campus resources and referrals
Intermediate	***Topic:** Issues of Consent in SA Cases **What to cover:** • Definition of consent according to your institution's policy • Definitions of and types of force, incapacitation, and coercion • Impact of alcohol, drugs, and disability on capacity to consent • Stealthing
Intermediate	**Topic:** Alcohol and Drug Facilitated SA **What to cover:** • Data on prevalence of alcohol and drug facilitated SA, both at large and on your campus • Standard/common types of alcohol and drugs used on your campus • How alcohol and drugs get into and leave the system • Rate of absorption • Blood Alcohol Content (BAC)/Blood Alcohol Level (BAL) (e.g. influences on BAC/BAL, differences between males and females) • Observed behavior that may indicate presence of alcohol and/or drugs (e.g. speech, movement, actions, consciousness, memory loss) *continued on next page*

SEXUAL ASSAULT (SA)	
Training Level	**Content**
Intermediate	**Topic:** Alcohol and Drug Facilitated SA, continued **What to cover:** • Impact of alcohol and drugs on capacity to consent • Impact of alcohol and drugs on credibility (e.g. ability to observe and recall information) • Recognizing and addressing potential bias against parties who consumed alcohol and/or drugs

STALKING

Training level	Content
Foundational	***Topic:** Recognizing and Responding to Stalking **What to cover:** • Statutory and policy definitions of stalking • Terms survivors might use to describe stalking • Data on prevalence of stalking, both at large and on your campus • Risk factors for stalking • Dynamics and behaviors associated with stalking (i.e. surveillance, life invasion, intimidation, and interference through sabotage or attack) • Stages of stalking • Common survivor responses to stalking (i.e. moving towards rather than away from stalker) • Ways survivors can document stalking incidents and behaviors
Intermediate	**Topic:** Digital Abuse in Stalking and DDV **What to cover:** • Correlation between technology and DDV • Types of digital abuse (i.e. sexting, revenge porn, harassment, tracking) • How to distinguish digital abuse from appropriate use of technology • Best practices for evidence collection • Strategies for safety planning and protecting privacy
Advanced	**Topic:** Intersection of Stalking with SA and DDV **What to cover:** • Behaviors that occur in both sexual violence and stalking (i.e. threats of sexual violence to friends, distributing intimate photos, voyeurism) • Behaviors that occur in both DDV and stalking

CONDUCT RESOLUTION/GRIEVANCE PROCESS

Training Level	Content
Foundational	***Topic:** Institutional Policies and Grievance Process **What to cover:** • Types of conduct prohibited by your institution's policies, including definitions of prohibited conduct • Elements of the grievance process • Leniency and amnesty allowed by your institution's policies • Confidentiality vs. privacy • Clery Act timely warning requirements
Foundational	***Topic:** Questioning and Interviewing Techniques **What to cover:** • Trauma-informed ways to set up the physical or virtual interview space • Word choice - ways to word questions that are trauma-informed and avoid victim-blaming • Choosing questions - whether and when to ask open-ended vs. close-ended questions; types of questions to avoid (i.e. accusatory, compound, leading) • Types of questions that are not relevant (i.e. questions about the survivor's sexual predisposition or prior sexual behavior are not relevant unless asked to prove consent or that someone other than the accused committed the alleged conduct) • Definition of relevance • How to assess whether a question is relevant
Foundational	***Topic:** Appeals Processes and Procedures **What to cover:** • Grounds for appeal • Time frame for filing and resolving appeals *continued on next page*

CONDUCT RESOLUTION/GRIEVANCE PROCESS

Training Level	Content
Foundational	***Topic:** Appeals Processes and Procedures, continued **What to cover:** • Scope of appeal review (i.e. new investigation or review of existing record) • Appeal procedures required for Title IX proceedings (notice, equal opportunity to respond, written appeal decision describing result and rationale) • Results-based procedures (i.e. what to do/order if appeal decision finds an error that affected the original outcome)
Intermediate	***Topic:** Assessing Credibility of Witnesses **What to cover:** • Factors that may impact a witness's credibility • Factors that should not impact a witness's credibility • How to weigh evidence (i.e. witness with relationship to a party vs. stranger/bystander) • How to objectively review evidence against other known facts and timeline
Intermediate	***Topic:** Avoiding Bias and Serving with Impartiality **What to cover:** • Definitions of implicit bias and confirmation bias • Techniques to avoid implicit bias and confirmation bias • Misconceptions about how victims respond to trauma • Misconceptions about false reporting • Techniques to avoid prejudgment of the facts • How to assess conflicts of interest • Process for addressing concerns of bias in resolution process

CONDUCT RESOLUTION/GRIEVANCE PROCESS

Training Level	Content
Intermediate	**Topic:** Incorporating Informal Resolution into Title IX Proceedings **What to cover:** • Types and features of informal resolution including shuttle negotiation, restorative practices, and mediation • Ways restorative practices can be used in informal resolution processes for DDVSAS • Building informal resolution into your policy • Skills and resources needed to facilitate various types of informal resolution • How to create an informal resolution agreement
Intermediate	**Topic:** Ensuring Accessibility in Reporting and Grievance Processes **What to cover:** • How to assess the accessibility of the reporting, investigation, and hearing processes at your institution from the lens of populations specific to your campus • Types of available accommodations at your institution • Formal and informal ways to publicize availability of accommodations • How to assess the reasonableness of an accommodation request
Advanced	***Topic:** Assigning Sanctions **What to cover:** • Review of institutional sanctioning philosophy • Range of available sanctions at your institution • How to weigh the survivor's wishes against the values and safety of the campus community • How to promote respondent accountability through sanctioning • Factors that impact equity and consistency of sanctioning • How to ensure equity and consistency of sanctioning

MISCELLANEOUS CONTENT AREAS

Training Level	Content
Foundational	**Topic:** Population-Specific Risk Factors, Harm, and Barriers **What to cover:** • Factors and identities specific to your campus that increase a student's vulnerability to DDV, SA, and stalking • Data on prevalence of DDV, SA, and stalking experienced by survivors from vulnerable populations, both at large and on your campus • Institutional harm experienced by survivors from vulnerable populations on your campus • Barriers to seeking and receiving resources experienced by survivors from vulnerable populations on your campus
Advanced	**Topic:** Working with Respondents and Responsible Parties **What to cover:** • Factors that increase risk of engaging in harm • Interventions for responsible parties • How to work with respondents who are defensive to the conduct resolution process • Services offered to accused students and respondents • Review and discuss VRLC's Safety Planning with Responsible Parties document
Advanced	**Topic:** Facilitating Restorative Practices **What to cover:** • How to talk to parties and the campus community about restorative practices • How to assess whether a restorative approach is appropriate in particular cases • Review of sample informal resolution agreement templates • Skills needed to facilitate restorative justice options for informal resolutions in DDVSAS cases