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NEWS RELEASE: NACCOP Engages the Department of Education on Behalf of its Members

November 13, 2017

On September 8, 2017 members from the National Association of Clery Compliance Officers and Professionals (NACCOP) met with Candice Jackson, the acting Deputy Assistant Secretary for Strategic Operations and Outreach in OCR and a member of her general counsel. The original purpose of NACCOP's meeting with OCR was to create an awareness of the association's work on behalf of actual practitioners, and extend interest in offering assistance in helping share information that might help shape future guidance. Following this private meeting, Secretary Jackson invited NACCOP to identify several practitioners throughout the United States to represent their respective professional fields as part of an in-person "Listening Session" with OCR in Washington, DC.

OCR Listening Session with NACCOP:

As a follow-up to NACCOP's September 8th meeting with Secretary Jackson, the NACCOP leadership team along with several practitioners from across the country performing Clery Act and Title IX compliance at their respective institutions met with OCR's Title IX policy team and General Counsel on October 20, 2017. Those participating in this event are identified by name and position below.

This session provided NACCOP with an opportunity to educate OCR representatives on the hard work that the NACCOP association members do on a daily basis at their institutions in support of enhancing campus safety and the quality of life of their students. OCR continues to be concerned about issues related to due process and the current evidentiary standard. It seemed also clear that OCR wants to reconcile as much as possible between Title IX and the Clery Act through the Violence Against Women's Act reauthorization of 2013 (VAWA).

Some of the topics discussed with OCR included:

- The intake and resolution of complaints of sex-based harassment and discrimination
- The need for greater collaboration between campus Title IX officers and Clery Compliance Officers and/or campus law enforcement or security agencies
- The requirement to provide a clear assessment before implementation of interim measures
- Timely Warning Notices (TWN) and how they relate to acquaintance rape cases and their impact on involved students
- Due process – cross-examination versus the ability to question facts and statements in an adjudication process
- Appellate procedures and processes for Title IX cases
- Concerns related to the conflation of the criminal process with civil rights administrative process
- Evidentiary standard – why should sex based harassment and discrimination cases be examined using a higher evidentiary standard than other civil rights discrimination cases
- The intersection of the Clery Act with Title IX – VAWA requirements of prompt, fair and impartial



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OCR Listening Session Participants:

NACCOP Member Representatives

Lynda O'Malley - Hofstra University
Chris Romano - Ramapo College
Susan McAllister - Auburn University
Jewell Worley – The University of Virginia’s College at Wise
Mike Parkinson – St. Louis University
Kathy Quinn - Maryville University
Deb Casey - Green River Community College
Kristine Elderkin - Austin Community College
Claudia Madrigal - Lonestar College
John Ojeisekhoba - Biola University
Valerie Mendelsohn – West Coast University/American Career College
Jennifer McCary - Gettysburg College

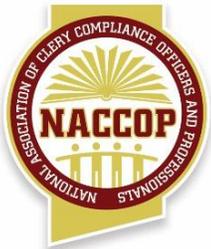
NACCOP Leadership Team

Dolores Stafford – Executive Director of NACCOP
Lindi Swope – Director of NACCOP
Michael DeBowes - Director of Research and Strategic Initiatives for NACCOP
Adrienne Murray – Director of Training and Compliance Activities for NACCOP
Bill Lafferty – Director of Federal Relations for NACCOP

OCR Representatives

Mia Karvonides—acting Deputy Assistant Secretary for Policy (OCR)
Brandon Sherman & Brittany Bull—Attorney Advisors (OCR)
Shiwali Patel, Joe Wheeler, Rachel Gettler—Title IX team (OCR)
Steven Menashi—acting General Counsel (OGC)
Phil Rosenfelt—deputy General Counsel (OGC)
Representatives from the OGC Title IX team





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About NACCOP

The National Association of Clery Compliance Officers and Professionals (NACCOP) provides a professional association for Clery Compliance Officers and Professionals to collaborate with each other, share resources and best practices. Members are also offered opportunities to participate in professional development engagements which support colleges and universities in their efforts to comply with the Clery Act. NACCOP delivers members with resources to enhance their knowledge of the Clery Act by offering education and training opportunities for the employees who are acting as Clery Compliance Officers on college and university campuses as well as information about Clery related news and legislative updates. For more information, or to join NACCOP, visit www.naccop.org.

Contact

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