



## A SUMMARY OF NCHERM GROUP LEADERSHIP AND INNOVATION SINCE 1997

### SEXUAL MISCONDUCT

- Advising the White House Task Force about campus sexual violence
- Providing consultation to the Futures Against Violence organization
- Providing consultation to the Department of Justice, Violence Against Women Agency
- Championing the application of Title IX to campus sexual violence
- Appeals rights for victims of campus sexual misconduct and other equitable procedural protections
- Insisting on suspension and expulsion as minimum sanctions for campus sexual misconduct
- Promoting and empowering the role of campus victim advocates
- Encouraging meaningful timely warnings for sexual violence under the Clery Act
- Act
- Fostering Clery Act compliance for hundreds, if not thousands, of campuses
- Helping higher education to understand the potentially predatory nature of campus sexual violence, and to recognize patterns of abuse
- Innovating the civil rights investigation model for campus sexual violence, now in use on a majority of campuses
- Helping campuses to understand the role and responsibilities of the campus Title IX Coordinator
- Training and certifying more than 3,000 campus Title IX coordinators and more than 8,000 campus civil rights investigators
- Working to defeat the Accuracy in Campus Crime Reporting Act's open campus hearings provision
- Advocating for formalized amnesty policies to excuse minor policy violations by campus victims of sexual violence
- Popularizing the term sexual misconduct, not as an alternative to "rape," but as a more expansive willingness by colleges to police abusive sexual acts beyond what is defined as criminal
- Pioneering best practices for campus sexual assault response

- Advocating best-in-field model for providing remedies to survivors
- Advocacy for confidential campus resources to provide statistical reports of campus crimes anonymously
- Creating a tiered approach to defining campus sexual misconduct
- Popularizing the climate survey
- Insisting on “rape shield” protections in campus conduct proceedings
- Helping to move higher education away from adversarial hearing models to address campus sexual violence
- Advocating to reduce the role of students and faculty in hearing campus sexual misconduct complaints
- Helping to popularize model policies that embrace both the pure consent and affirmative consent constructs
- Popularizing the incapacitation standard for alcohol-involved campus sexual violence
- Creating industry standards for civil rights investigations
- Leading the application of Title IX to campus employees, not just students
- Training more than 1,000 campus hearing and conduct boards
- Calling for balance between the rights of the responding party and the reporting party in campus resolutions of sexual misconduct allegations
- Leading the push for campuses to implement the preponderance of evidence standard for all allegations governed by Title IX
- Guiding administrators on many hundreds of campus sexual misconduct case decisions
- Leading the debate on viewing sexual assault as a hate crime
- Helping the field to evolve the lexicon of terms used in sexual misconduct policies, procedures, and resolution proceedings
- Working to secure passage of the Campus Sexual Assault Victim’s Bill of Rights
- Providing professional external investigation and resolution of countless campus sexual misconduct and other discrimination allegations
- Asserting and applying the victim’s rights paradigm for campus case resolutions
- Authoring dozens of leading publications on campus sexual misconduct, including seven peer-reviewed journal articles
- Offering continuing education and professional development for Title IX administrators through the first and only Title IX administrator membership association, ATIXA
- Helping campuses to manage risk by increasing compliance, strong victim services, and equitable procedural protections
- Advocating for victims to have the full right of participation in campus hearings
- Leading the call for campuses to provide victims of sexual misconduct with alternative testimony options to avoid face-to-face re-traumatization
- Innovating trauma-informed resolution processes for college campuses
- Helping to bring understanding of rape trauma and post-traumatic stress responses to campus sexual misconduct resolutions
- Encouraging campuses to establish survivor-centered offices and resources

- Serving as independent experts in more than 50 federal lawsuits impacting sexual misconduct at the college and K-12 levels
- Helping to popularize anonymous reporting
- Innovated model policy making all (non-confidential) university employees mandated reporters
- Innovating the One Policy, One Process model in use by hundreds of campuses
- Fostering an emphasis on due process protections for those accused of sexual misconduct
- Provided training for Office for Civil Rights regional offices
- Served as trainers for Violence Against Women Act grantee schools
- Served on United States Olympics Committee Task Force, resulting in the creation of the Center for SafeSport
- Trained thousands of coaches and athletes in Title IX program equity and sexual misconduct

### BEHAVIORAL INTERVENTION AND THREAT ASSESSMENT

- Creating the most commonly used model for campus behavioral intervention and threat assessment
- Promulgating the most commonly used and accepted threat assessment tool in higher education
- Commissioning and publishing the most commonly used and accepted violence risk assessment instrument in higher education
- Developed national standards to assess Behavioral Intervention Team (BIT) effectiveness, published as the *CORE-Q10 Checklist: Assessment of a Behavioral Intervention Team*
- Created and published annual academic journal: *The Journal of Campus Behavioral Intervention Teams (J-BIT)*
- Creating the only national membership association for college and university threat assessment and behavioral intervention teams, NaBITA
- Publishing some of the leading guides, books and articles on campus behavioral intervention and threat assessment, including *The Book on BIT*.
- Training and certifying thousands of campus behavioral intervention and threat assessment teams
- Training hundreds of faculty groups on early recognition and intervention techniques to support student mental health needs and avert crises
- Serving as forensic experts in some of the leading campus shooting and suicide cases
- Helping the field to overcome misperceptions about FERPA that created dangerous silos of information
- Training hundreds of colleges and universities on violence risk factors developed through the *SIVRA-35* expert system
- Developed Violence Risk Assessment of the Written Word tool and training to assess written threats
- Created Radicalization Risk Rubric tool and training to identify extremist social media threats

- Wrote the book *A Faculty Guide to Addressing Dangerous and Disruptive Behavior* to aid faculty in classroom management
- Trained thousands of faculty on classroom management and higher education legal issues
- Developed *Checkmate* gatekeeper violence prevention training to make faculty, staff and community members aware of violence risk factors
- Created training videos, such as *Window into BIT* and the *New Orleans Interviews*, to demonstrate best practice techniques

### CAMPUS CONDUCT

- Pioneered professional external training for conduct boards and panels, having now trained thousands of conduct board members
- Trained hundreds of appeals officers across the country
- Developed the NCHERM Three Question Rubric for Campus Sexual Misconduct Allegations
- Published the Premier Developmental Model Code of Student Conduct
- Pushing higher education away from legalistic language and functions within campus conduct processes
- Innovated the NCHERM Outcome Letter of Rationale in campus conduct hearings
- Helping to push the field toward use of conduct recordkeeping databases
- Advanced the value of transcript notations as a common practice for suspended/expelled students
- Providing online trainings on topics of student conduct, developmental consequences and restorative justice
- Served as faculty for the ASCA Gehring Academy (1999-present)
- Provide annual Legal Update Case Law Review for the Association for Student Conduct Administration annual conferences (2005-present)

### CLERY ACT

- Wrote the first-ever Clery Act Compliance Manual in 1999
- Assisted higher education to embrace and manage anonymous reporting of crimes
- Helped higher education to understand the Campus Security Authority construct
- Pioneered the NCHERM triangulation approach to crime statistic auditing
- Led higher education toward effective compliance with the Act

### STUDENT ACTIVITIES AND ORGANIZATIONS

- Pioneered the implementation of a leading student organizations risk management model and framework
- Training on suicide and mental health awareness with a focus on prevention and crisis intervention skills
- Published *Mental Health Crisis: 15 Scenarios* for student affairs and faculty to better address

- mental health challenges faced on campus by student leaders and organizations

#### ADMISSIONS

- Developed and implemented a widely-used model for felony admissions screening

#### RISK MANAGEMENT

- Trained over 1,000 academic administrators, trustees, presidents, and senior cabinet members on legal and risk management

#### FIRST AMENDMENT

- Created one-day and two-day First Amendment training programs
- Provide nation-wide consultation to public institutions and entities regarding free speech, expression, public protests, and understanding the concept of forum and expression limitations

#### LITIGATION

- Serve as litigation strategists in some of the most significant federal Title IX litigation
- Helped to establish the legal basis for the negligent structuring and implementation of campus conduct proceedings
- Widely cited in CA Supreme Court decision extending “special relationships” to the college/student relationship
- Assisting courts in understanding and applying erroneous outcome and selective enforcement claims under Title IX
- Served as litigation strategists on the application of Section 1983 liability to the actions of private college administrators
- Defend colleges and schools that have properly complied with Title IX and industry standards
- Worked to create accountability for schools and colleges that have failed to comply with Title IX and industry standards
- Model policies and procedures upheld in federal court and OCR compliance challenges

#### DISABILITY/504 & THE AMERICANS WITH DISABILITIES ACT

- Created one-day and two-day certification training for 504 Coordinators
- Developed model Pregnant and Parenting Students Policy
- Provide ongoing consultation with campuses nationwide on disability related issues