



The School Law and Policy Institute

Special Focus for 2013-2014:

Prevention Strategies & Legal Updates on Sexual Misconduct: Online & In-Person

Best Practices & Risk Management Essentials

Portable Policies, Procedures, Protocols, and Prevention



Team tuition with luncheon: \$375 | Program materials: \$300 | Total (3 attendees): \$675
Individual Tuition with luncheon: \$150 | Program materials: \$300 | Total (3 attendees): \$450

With Instagrams taken from inside school bathrooms, athletic program leaders held publically accountable for mishandling reports of sexual assault, and first graders caught kissing on the playground, today's educational institutions must adopt best practices to address and prevent sexual misconduct cases. From PK to higher education, private and public, religiously affiliated or nondenominational, each institution should understand current legal standards, response requirements, and prevention strategies.

Obtain best practices and learn how to implement them.

Thorough. Current. Practical. Portable.

Send a team. Train three administrators on policies, procedures, protocols, and prevention education. Critical updates on legal mandates, research, standards, and best practices. We address federal and state laws, confidentiality, men's role in prevention, bystander intervention, faculty sexual misconduct, athletic programs, international students, male victims, same sex sexual assault, responding to the accused, and more.

Spend one intensive day on getting caught up and then staying ahead.

Institute Learning Outcomes

1. Learn how laws and definitions have changed over the last decade.
2. Understand "actual notice," "fundamental fairness," "providing notice," and "deliberate indifference".
3. Know how to craft a comprehensive sexual misconduct policy, including technology-related sexual misconduct.
4. Understand technology-related sexual misconduct, consent, incapacity and sexual exploitation.
5. Learn how to properly process complaints parallel with criminal and civil proceedings.
6. Understand the rights of an accused student and an alleged victim.
7. Obtain strategies to best educate faculty and staff on sexual misconduct and response protocol.
8. Understand research supported methods to educate students, including integration into existing curricula, survey instruments, learning outcomes and developmentally appropriate content for students of all ages, genders, religious affiliations, socio-economic backgrounds, and sexual orientations.

Take-Away Resources and Materials

1. Model handbook policy
2. Model response protocol
3. Training curricula for employees and students
4. Disciplinary training manual
5. Year-long use of online training program

Institute Agenda

9:30am - 9:45am: Check-in with Coffee and Snacks

9:45am – 10:30am: Welcome and Interactive Mock Trial: He Said-She Said

Are you prepared to respond appropriately to allegations of sexual assault? Listen as two students describe a night of partying, drinking, and sexual interaction. Then, become the adjudicator and ask questions of the students as if you were hearing the case at your institution. What information is relevant to decide your course of action? This mock trial serves as the day's foundation. Attendees should reference the story of Jake and Erika throughout the day.

10:30am-11:30am: Policy Fundamentals for Handbooks

What must handbooks include about sexual misconduct? How is the term defined? Understand coercion vs. consent and intoxication vs. incapacitation. What rights, if any, should be stated in the handbook?

Topics:

- Criminal vs. civil vs. school definitions
- Sexual exploitation
- Sexual assault vs. rape
- Same-sex sexual assault
- Technology-related sexual misconduct (sexting)

11:30am-12:30pm: Procedures for Discipline

What are best practices for addressing our students' policy violations to successfully balance punishment, education, contract compliance, risk management, legal compliance, and most importantly institutional mission? Learn when to involve parents, legal counsel, and criminal authorities. Understand threat assessment, public relations strategies, and documentation practices. Opportunity provided to submit sections of your handbook for expert review and feedback.

Topics:

- Philosophical approach: Education vs. Discipline
- Investigation process
- Burden and standard of proof
- Jurisdiction

12:30pm-1:30pm: Lunch with Case Studies to practice policy and procedures

Attendees will be divided into groups for lunch. Each will be assigned two sexual misconduct case studies and a set of discussion questions. Over lunch, groups discuss each case and propose an appropriate outcome using the sexual misconduct definition and consent construct provided in the morning's sessions.

1:30pm-2:30pm: Protocols for Responding to Incidents

We evolve the concept of using response protocol in order to provide consistent, thorough, and quality-controlled institutional response to sexual misconduct. The COS Customizable Sexual Misconduct Response Protocol serves as the basis for the discussion. The goal is to create a staff of confident, properly-equipped responders able to provide the correct set of options and support.

Topics:

- Reporting obligations
- Responding to the accused
- Rape-Related Post Traumatic Stress Disorder
- 3rd party reports
- Interactions with media and parents

2:30pm-3:30pm: Prevention Education

If your school prohibits sexual activity, how do you best educate on sexual misconduct? Do you address sexual harassment, sexual misconduct, sexual exploitation, sexting, rape, dating violence? What should a student who is in 5th grade know about sexual assault, if anything? What skills should 18 year-olds have to "expect respect" in relationships? Understand the ways to impart school policies during training for all members of your community to increase adoption and ensure compliance with state and federal guidelines that, in turn, can reduce liability.

Topics Addressed:

- Educating males vs. females
- Cultural sensitivity and international student issues
- Developmental models for all ages
- Peer leadership and bystander intervention
- Education for adults

3:30pm-4:00pm: Synthesis: Application of Training to the Case of Jake and Erika

Analyze the morning's case study again applying the skills and knowledge from the day. This session will recap essentials and examine the impact of their use at your institution. How can an unambiguous sexual misconduct policy affect the outcome of the case study and the fate of Jake, Erika, and the entire school community?

Lead Presenter: Katie Koestner is a national expert on sexual misconduct, student safety and technology issues. She has appeared on the cover of TIME Magazine, The Oprah Winfrey Show, NBC Nightly News, CNBC Talk Live, CNN, Larry King Live, Good Morning America, Later Today, MSNBC, Entertainment Tonight, and over 50 other programs. HBO and Lifetime made movies about Katie's life. She has lectured at over 2500 schools in North America, including the incoming classes at MIT, Brown University, West Point, the US Naval Academy, Amherst College, Williams College, the top 200 officers of the Department of Defense, and the American Association of School Administrators. The US Ambassador to India asked Katie to lead a 19-day campaign to raise awareness about sexual violence. She helped the US Department of Education develop programs for women in high-risk communities. Her testimony on Capitol Hill was instrumental in the passage of federal student safety legislation. Katie's energy and enthusiasm spur audiences from ages 8 to 80 to positive action around the globe.

Recommended Attendees:

Associate Head of School, Communications Director, Dean of Students, Division Directors, Counselors, Dean of Residence Life, Student Affairs Officers, School Attorney, Risk Manager, Health Center Director, HR Directors, Campus Security, Advisors