

SCI Required Training Topics: 2021-2022

June 15, 2021

The Student Conduct Institute tracks completed training for all learners to support their compliance with the requirements of Title IX of the Education Amendments of 1972, the Violence Against Women Act (VAWA) Amendments to the Clery Act, and related state laws.

To assist learners in monitoring their own progress, the SCI Online Learning Platform clearly lists each required training topic from regulation and statute under Title IX, VAWA, and state law on each learner's dashboard, with a check box to show the topics completed.

These training topics have been updated for the 2021-2022 year! We reviewed our training topics and have streamlined them to better serve our members and track training completion.

Curious about where each of these training topics comes from? Read on:

Title IX Training Topics

(at least one time; annually as best practice):

- TIX Conflicts & Bias
- TIX Investigative Reports
- TIX Relevant Evidence
- TIX Technology
- TIX Investigation & Grievance Procedures
- TIX Jurisdiction
- TIX Sexual Harassment

Every learner who has been identified by their Campus Super User as a Title IX Coordinator, investigator, decision-maker for hearings and appeals, and/or a person who facilitates an informal resolution process must complete these seven basic Title IX topics at least one time. Title IX officials are encouraged to pursue advanced trainings once they have completed these seven basic topics and to review existing Title IX modules if they are updated. The regulatory requirement for training on these topics is found in the 2020 Title IX Regulations, at [34 C.F.R. 106.45\(b\)\(1\)\(iii\)](#).

VAWA/Clery Training Topics

(annual):

- Understanding Sexual & Interpersonal Violence
- Investigation Process
- Adjudication Process
- Consent
- Cultural Awareness
- Understanding the Conduct Participant Experience*
- Federal Legal Requirements

These training topics, which are required to be completed annually by *any* individual who is involved in conducting a sexual misconduct grievance or conduct process, may be found in the 2014 VAWA regulations, at [34 CFR 668.46\(k\)\(2\)\(ii\)](#) as well as at [34 CFR 668.46 paragraphs \(b\) and \(j\)](#). Some of these requirements are discussed in the regulations as required for an institution's *prevention & awareness training* for all students and employees, rather than specific training for officials involved in *response*. However, to serve as officials in cases of sexual, interpersonal, and related violence, individuals need to understand the related topics that their institution is training its full community on, including those areas focused on prevention and awareness.

Below, we describe what each of these training topics covers under VAWA. In addition, some states have passed state laws that require training on these same topics (and indeed, [Tennessee requires](#) public institution's investigators to complete training in that generally "satisfies the requirements of" Title IX and VAWA). Where that is the case for a specific topic, we note it as well:

- **Understanding Sexual and Interpersonal Violence**

VAWA requires training on issues involving dating violence, domestic violence, sexual assault and stalking. In addition, VAWA's requirements for general prevention and awareness programs for students and employees include a statement that the institution prohibits these types of conduct and discussion of the definition of each of these types of conduct. Thus, SCI trainings that cover this topic touch on definitions and examples of these types of conduct, dynamics involved in this conduct, including same-sex conduct, as well as how this conduct is regulated and should be addressed.

Several states, including Illinois, New York, Minnesota, Massachusetts, and Oregon, also require training in Understanding Sexual and Interpersonal Violence.

- **Investigation Process**

VAWA requires annual training on how to conduct an investigatory process that protects safety and promotes accountability. Several states also require discussion of related topics, including Illinois, New York, Massachusetts, New Hampshire, and Oregon. SCI trainings that cover this topic cover issues involving evidence and working with reporting individuals, respondents and witnesses.

- **Adjudication Process**

VAWA also requires annual training on how to conduct a hearing and/or adjudicatory process that protects safety and promotes accountability. Several states also require discussion of related topics, including Illinois, New York, Massachusetts, and New Hampshire. SCI trainings that cover this topic cover issues involving use of evidence in decision-making, the importance of accountability, the standard of review, and fundamental due process and fair process principles.

- **Consent**

SCI trainings that cover this topic cover content consistent with the VAWA requirement that training cover the definition of “consent,” in reference to sexual activity, as well as the role drugs and alcohol use can have on the ability to consent. This topic is also separately required by New York, Illinois, Massachusetts, Minnesota, and Connecticut law.

- **Cultural Awareness**

VAWA requires that institutions must design programming that is culturally relevant, inclusive of diverse communities and identities, sustainable, and responsive to community needs.

Discussion of this topic is also separately required by states including Illinois, Massachusetts, New Hampshire, and Oregon. SCI trainings that cover this topic will explore how to consider and build processes and practices that meet these criteria.

- **Understanding the Conduct Participant Experience**

VAWA requires that institutions design prevention programming that considers environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels. It also requires that such programming include information on safe and positive options for bystander intervention as well as on risk reduction, defined as “options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.”

Separately, New York, Massachusetts, Minnesota, Oregon and other states require prevention trainings that discuss issues including bystander intervention, campus resources, and risk assessment, as well as how issues of sexual and interpersonal violence affect students based on gender identity and sexual orientation.

To ensure that SCI learners understand these important topics within their roles, SCI trainings that cover “understanding the conduct participant experience” will reflect on these topics from the perspective of *response*. Trainings will include discussion of research on risk factors, on considerations regarding appropriate remedial actions, on trauma, and on how to work with all participants in the conduct process in responding to sexual violence, including reporting individuals, witnesses, and respondents.

- **Federal Law Requirements for Sexual Misconduct Processes**

VAWA requires that institutional programming cover the adjudicatory procedural requirements and rights it guarantees. SCI interprets this requirement broadly to mean that officials need to understand all relevant federal legal requirements for campus sexual misconduct grievance processes, including the requirements of VAWA, Title IX, and Constitutional Due Process.

State Specific Topics

(annual):

The following topics are required training topics for officials in one or more states under state law. This list will describe the topic and list the states that require this topic. The required topics will appear *only* on the user dashboards of learners in a state that requires learners to complete a topic.

- State Legal Requirements
- Reporting & Confidentiality
- Working with Reporting Individuals
- Working with Accused Individuals
- Trauma-Informed Practice
- Conflict of Interest & Bias
- Remedial Actions
- Disability

- **State Legal Requirements for Sexual Misconduct Processes**

SCI has included this as a required training topic for every state, as it important for all learners to learn about the specific requirements in their jurisdiction. Discussion of this topic is also specifically required by IL, MA and MN law.

SCI trainings that cover this topic cover relevant civil rights laws and state legal requirements concerning incidents of sexual and interpersonal violence in higher education, and specifically for institutional sexual misconduct policies and disciplinary procedures.

- **Reporting & Confidentiality**

SCI trainings that cover this topic discuss intake and receiving reports of sexual and interpersonal violence, confidentiality, privacy, and the differences between the two, and who can serve a confidential resource and offer confidentiality. Discussion of this topic is required in NY, IL and MA.

- **Working with Reporting Individuals**

SCI trainings that cover this topic discuss requirements and best practices for working with reporting individuals (also referred to as complainants), including practices for interviewing them. This topic is required by NY, MA, IL, NH, MN and OR.

- **Working with Respondents**

SCI trainings that cover this topic discuss the rights of respondents and the importance of a presumption of non-responsibility until a finding of responsibility is made, as well as ways to communicate sensitively with a respondent. This topic is required by NY and NH.

- **Trauma-Informed Practice**

SCI trainings that cover this topic discuss the neurobiology of trauma, the effects of trauma on a victim of sexual or interpersonal violence, and best practices for trauma-informed investigations and responses. Discussion of this topic is required by NY, IL, MA, NH, CT and MN.

- **Conflict of Interest & Bias**

SCI trainings that cover this topic discuss the importance of impartiality, and issues related to conflicts of interest and bias more broadly than under the Title IX rules alone. This topic is specifically required in NY and MA.

- **Remedial Actions**

SCI trainings that cover this topic discuss the importance of impartiality related to parties in the process as well as best practices and rules for addressing preventing bias more broadly. Discussion of topic is specifically required in NY, MA and OR.

- **Disability**

SCI trainings that cover this topic cover impacts of sexual violence on individuals with disabilities, as well as important considerations regarding disability and accessibility in the conduct process. This topic is required in MA and NH.

For Further Reference on State Legal Requirements:

- Connecticut: [CT Gen. Stat. 10a-55P](#)
- Illinois: [110 ILCS 155.30\(c\)](#)
- Massachusetts: [MGL 168D\(m\)](#)
- Minnesota: [MN 135A.15](#)
- New York: NY Educ. L [Art. 129-B](#)
 - o [NY State Education Department Guidance](#)
- New Hampshire: [NH Rev. Stat. 188H:10](#)
- Oregon: [OR Stat. 350.253](#)
- Texas: [TX Statutes 51.288](#)