



# The Clery Act & Title IX Implications of Atypical Reports

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## Case Study: Care Team Report

The director of the local community center submitted a report to the care team about two students that are volunteers. Mary and Mark are both juniors and have been in a relationship for six months and both students live on campus. Mark has told the director that Mary has started accusing him of things (cheating on her, substance abuse) that he says are not true. She has started having outbursts with him—screaming at him and hitting him in the dorm lounge. She was flailing at him recently and he had to put her in a hold he learned in self defense class. Recently she broke a picture of them and left glass in his bed under the sheets. He believes she may be bi-polar as her mother is institutionalized for mental illness. He wants to break up with her but she has threatened self-harm if he is to do so. He does not know what to do because he loves her but does not feel equipped to help her. He is also afraid of what she might say about him and he does not feel he has done anything wrong.

*\*Dating partners are not protected under family violence laws in this jurisdiction.*

# Case Study Implications



- What are the Clery implications?
- What are the Title IX implications?
- Additional considerations/institutional response?



## Case Study: Bias Report

A student in the theatre department submits a report through the online bias reporting form. The form alleges sexual orientation, gender, and gender identity bias. The student, a cisgender woman, was reporting on behalf of her non-binary classmates. She alleged the faculty in the theatre department are biased against non-binary students in refusing to cast them, in regularly mis-gendering them, and in assigning readings that are “misogynistic and heteronormative.” The director of community standards reached out to the reporting student. During the interview the student reported that in a recent rehearsal for a play that had an intimate scene, the director and choreographer (both faculty members) failed to choreograph a touching scene that resulted in the actor being touched non-consensually on the buttocks by another student actor. The theatre building is on campus. She stated that the same actor, also regularly ignored the stage direction not to be near her, and backstage came up behind her and hugged her once. She reported this to the director who told her theatre is a physical and intimate field and she needed to “relax.”

# Case Study Implications



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## Case Study: HR Report

A junior (non-tenured) professor contacted the Director of Employee Relations in HR to report that a full professor from a different department made her uncomfortable. She stated that the professor was initially very supportive of her career, and they developed a friendship. Over time it became “flirty,” and he made “uncomfortable comments” about her appearance. He repeatedly asked her to meet for coffee or lunch after she said no. He showed up at her on campus office multiple times, and while the conversation often started about work, it quickly turned to personal matters. He follows her on social media and comments on all of her posts and leaves direct messages as well. She reported that she feels “paranoid and anxious” when she receives messages from him which sometimes come in late at night. She has started parking in a different lot on campus away from his building but noticed recently that he has started parking there as well. She explained that she is concerned about reporting this because he is friends with the faculty on her promotion committee. She wants the interactions to stop but does not want him to know she complained.

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## Case Study: Facilities Report

A student submits a work order for a repair to the sink in her dorm room. A few days after the repair she contacted her RA to lodge a complaint. She reported that while the maintenance person worked, they were just talking about her major and what she wants to do when she graduates. He then told her he thought she would be ‘good’ at the job because she was so nice and “pretty.” He told her he wanted to stay in touch after she graduated and gave her his card and told her to call him sometime. After he left he texted her although she did not remember giving him her number. The next day a book was sitting outside her door from him. She stated that he frightened her that he could get into her dorm any time and feared future contact. She requested the maintenance person not be allowed to return to her building and wants a no contact order.



# Case Study Implications



- What are the Clery implications?
- What are the Title IX implications?
- Additional considerations/institutional response?