

Kansas City University

2020 Board of Trustees
Compliance Training



Kansas City University : FERPA
Family Educational Rights and Privacy Act





FERPA

Family Educational Rights and Privacy Act

- *A Federal law that protects student privacy*
- *Applies to any school receiving federal funds*

- *Legal and ethical obligation to safeguard confidential student information*
- *Legitimate educational interest (a need to know)*
- *Applies to all current and previously enrolled students*
- *Be mindful with the care of student information*

- *Reporting Requirements*

Kansas City University : Title IX Training



TITLE IX “ No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. ”



Prohibited Conduct under Title IX

Sex Discrimination

Adverse treatment based on sex

- Sexual Harassment: unwelcome conduct of a sexual nature
 - *Sexual Violence is the most severe form*
- Gender Based Harassment: based on actual or perceived sex
- Pregnancy Discrimination
- Intimate Partner Violence

Retaliation

About the Office of Civil Rights Process

OCR is the investigating body within the Department of Education

- *Enforces Title IX laws as well as Title VI, Section 504, and other civil rights laws*
- *Does not set out to determine if an incident occurred but, rather, if university policies and federal regulation were followed*
- *Thousands of schools currently listed on DOE website with active OCR investigations, some dating back 7 years*
- *Investigations may expand beyond initial Title IX complaint*

Separate court actions are permissible outside of OCR investigation

KCU Investigations

30

Days

Resolution



Equitable

Due Process for
both Parties

12

**Trained
Investigators**



Annually

Trauma Informed
Training



KCU

Specific Content

Employee Compliance Training

Topics Covered

- Information Security / Phishing Awareness
- FERPA
- University Policy Library
- Title IX:
 - Workplace Sexual Harassment Awareness
 - Obligations and Awareness
 - Intervention and Reporting
 - Trauma Informed
 - Scenarios



Student Title IX Training

Topics Covered

- Policy and Reporting
- Consent
- Bystander intervention
- Resources

Intervals

- In person training for 1st year student orientation
- Electronic for 2nd and 4th year
- In person for rising 3rd year COM students

Small group options are available to students concerned about triggering content



Regulatory Notice and Comment Process

- Open from November 29, 2018 through January 30, 2019.
 - *Over 100,000 submissions to the Department of Education*
- Association of Governing Boards submitted public comment
 - *Certain aspects of the proposed regulations would be effective*
 - *Urge DOE to eliminate several elements of the proposed rule*
 - Judicial-style system of adjudication (mandates cross examinations and live hearings)
 - Permitting legal representation in process
 - Eliminates investigator model
 - Creates new risks, costs, and liability
 - Allows for cross examinations and live hearings
 - Usurps fiduciary authority of governing boards with campus policies from DC
 - Preponderance standard













