



THE NATIONAL CENTER FOR HIGHER EDUCATION RISK MANAGEMENT
NCHERM NEWSLETTER -- WINTER 2011

**NCHERM
NEWSLETTER
WINTER 2011**

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ABOUT**

Hello friends and colleagues. Welcome to the WINTER 2011 NCHERM Newsletter.

The sections in this newsletter include:

- NEWS FROM NCHERM
- NCHERM 2011 CAMPUS VISITS
- BEHAVIORAL INTERVENTION IN THE NEWS
- NCHERM EXPERT WITNESS SERVICES
- OCR DECISION LETTERS DATABASE
- FREE WHITEPAPER -- *DELIBERATELY INDIFFERENT*

1. NEWS FROM NCHERM

- NCHERM Director of Client Relationships Kate Halligan and her husband Jim welcomed (sweet) baby James Halligan (their first) in early January. Congrats to the Halligan family! Kate will be on maternity leave until April.
- NCHERM consultants visited 172 college and university campuses in 2010 (up from 154 in 2009). Thank you for continuing to value our expertise and services.
- FREE. FREE. FREE. Just a reminder that NCHERM gives away its models and intellectual property for free. If you want to engage us to consult with you on implementation or training, we're happy to do it, but you don't need to pay to access our work product. To help you in this time of tight budgets, we've added content and made our free models easier to find on our website. To access the Free Models and Protocols page, click [here](#).
- In 2011, NCHERM initiated new long-term retainer relationships (in addition to our current thirteen) with Bridgepoint Education, Salisbury University, Ocean County College, Vassar College, Franklin & Marshall College and the University



NCHERM empowers culture change for optimal student health and safety

**NaBITA,
THE NATIONAL
BEHAVIORAL
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WHAT'S HOT?

[NCHERM BLOGS](#)

[RED FLAGS
COMPLIANCE](#)

[2011 WHITEPAPER](#)

[PAVELA REPORT](#)

[EXPERT WITNESSES](#)

of Maryland, University College. Welcome aboard! Find more details on the special counsel program [here](#).

- The reprieve on Red Flags Rule implementation bought us some time, but we need to be ready now that the December 21st, 2010 enforcement deadline has passed. Still need to get up to speed? NCHERM Partner Saunie Schuster is a Red Flags expert, and is available to guide or advise your campus compliance efforts. Click [here](#) for more details.
- Campus conduct codes are still being struck down as speech codes by the courts, with the [3rd Circuit decision](#) against the University of the Virgin Islands being the most recent example. Call on NCHERM Partner Saunie to help you ensure that your policies strike the right balance of setting boundaries without overstepping rights. Are you wondering about the effects of the Supreme Court decision in Martinez on discrimination by your student organizations? Saunie's got that. NCHERM currently has six conduct code revision projects in the works for our clients. Perhaps we can help with yours? Click [here](#) for details.
- NCHERM was a sponsor at the 2011 [Community College Legal Issues Conference](#) in January in Orlando. This is a great event for those NCHERM clients who are community colleges. NCHERM Managing Partner Brett Sokolow presented a pre-con and three concurrent sessions.
- NCHERM Partner W. Scott Lewis, J.D. has almost completed his year as President of ASCA, the Association for Student Conduct Administrators. Congrats Scott! One of his top priorities as president is to grow the [ASCA](#) membership. We encourage NCHERM clients who are not involved in [ASCA](#) to become members this year! NCHERM is a sponsor at the upcoming ASCA conference, and NCHERM consultants Scott Lewis, Saunie Schuster, Brett Sokolow, Brian Van Brunt, Carolyn Reinach Wolf and John Wesley Lowery will all be presenting. We hope to see you at (at least) one of our sessions.
- What is Scott Lewis up to lately? His workshop *Preventing and Responding to Disruptive Students* is a huge hit with faculty. Scott has established himself as one of the premier classroom management trainers in the country and his seminar can be presented for faculty, staff or both in two hour, half-day, full-day and two-day versions. [More details are posted here.](#)
- While Brett Sokolow's *Drunk Sex or Date Rape: Can You Tell the Difference?* is ever-popular (1,800 campuses and counting), we are pleased by increasing interest in the bystander empowerment version of that presentation, and by how popular his program *What if the Plane Blew Up?* is becoming. This

presentation is a great way to help your students overcome the bystander effect and become more engaged stakeholders in the health and safety of their campuses. For more details, click [here](#).

- NCHERM is pleased to announce its continued commitment as a Titanium Sponsor of IACLEA, the International Association of Campus Law Enforcement Administrators. Additionally, NCHERM consultants will be attending the NASPA, ACPA and South Carolina Safety conferences this spring, and NCHERM consultants will be presenting multiple conference sessions at each.
- The Arizona shootings have prompted a spike in interest in NCHERM consultation on Behavioral Intervention Team formation and training. [Training is available in 1-4 day formats](#). We offer training that focuses on basic team formation as follows:
 - Team Formation and Operation
 - Team Protocol Development
 - Intervention Best Practices
 - Team Communication and Privacy Issues

We also offer training that focuses on advanced skills, such as:

- Mental Health Law and Suicidality
- Threat Assessment
- Table Top Exercises
- Advanced Risk Mitigation and Integration Topics

For questions about any of the services or events listed in this newsletter, please feel free to call on the NCHERM Client Relations staff:

- NCHERM Executive Director Cori Sokolow: Cori@ncherem.org
- NCHERM Director of Client Relationships Kate Halligan: Kate@ncherem.org (on maternity leave until April)
- NCHERM Client Relations Coordinator/NaBITA Associate Executive Director Samantha Dutill: Samantha@ncherem.org

You may call NCHERM HQ anytime at (610) 993-0229 or email any NCHERM consultant or staff member by sending email to their firstname@ncherem.org.

- Do you read the Pavela Report? We do here at NCHERM, and we encourage our clients to do so as well. Mention NCHERM for a special subscription deal. Click [here](#) for more information.

2. NCHERM 2011 CAMPUS VISITS

NCHERM consultants are already scheduled to visit 80 campuses this spring. Perhaps we might visit your campus if we'll be nearby?

The schedule of campus visits may be accessed by clicking [here](#).

To schedule a visit, please contact Cori Sokolow, NCHERM Executive Director at (610) 993-0229 or Cori@ncherem.org.

3. BEHAVIORAL INTERVENTION IN THE NEWS

The January 2011 shootings in Arizona led to non-stop media coverage. NCHERM consultants were called upon by local and national media outlets for thoughts, interviews and a national perspective. Our voice was strong and provided effective advocacy for higher education and campus behavioral intervention efforts. Here is a sampling of the various interviews, stories and articles:

- [USA Today](#)
 - [Anderson Cooper 360 °](#)
 - [CBS \(AP\)](#)
 - [Clear Channel Radio](#)
 - [Newsweek.com](#)
 - [CNN Newsroom with Kyra Phillips](#)
 - [KTVB](#)
 - [The Wall Street Journal](#)
 - [Star News Online](#)
 - [USA Today](#)
 - [USA Today](#)
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4. NCHERM SERVING AS EXPERT WITNESS IN NINE CASES

Unfortunately for higher education, this past year has seen more lawsuits than ever. NCHERM is here to help. As our clients have called on us, we have expanded our litigation support and expert witness services, and are now active in nine cases in state and federal courts. Click [here](#) for more details on our recent case activities and

available services.

5. OCR DECISION-LETTER DATABASE

A Dean of Students and NCHERM client asked us last year how she is supposed to be aware of OCR Title IX rulings in campus sexual assault and sexual harassment cases if OCR does not publish its investigation findings. We felt that was a legitimate question, and found that the Department of Education would provide them if a FOIA request was made. Subsequently, we found out that Kristen Lombardi had made such a request as she prepared her campus sexual misconduct article series for the Center for Public Integrity last February. Kristen agreed to give NCHERM copies of the letters, and we received more than 200. Our staff and a team of volunteer interns have been working diligently to create an indexed database of each of the case decision letters, and that database is now available as a free resource on the NCHERM website. It is still being updated, and will be kept current as new decisions are made by OCR. Please click [here](#) to access this amazing resource, and thanks to Kristen Lombardi, Samantha Dutill and all our interns. Many of the cases are discussed in the 2011 NCHERM Whitepaper, available below.

6. FREE 2011 WHITEPAPER

As with every issue of the NCHERM Newsletter, we provide you with what we hope is a thought-provoking article. Please use this link to access the 2011 NCHERM Whitepaper entitled [Deliberately Indifferent](#) by NCHERM Partners Brett A. Sokolow, J. D., Sandra K. Schuster, J.D., and W. Scott Lewis, J.D.

Thanks for reading! We hope you have a great spring. Please do not hesitate to call on NCHERM if you need us.

If you would prefer not to receive our quarterly newsletter, please e-mail us at NCHERM@ncherm.org and ask to be removed from the subscription list, or use the remove feature within this email.

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