

2023 TITLE IX TEAM REFRESHER & UPDATE



WELCOME TO

LESSON 1

Introduction & Overview



Your Role

The Title IX Coordinator is the leader of a team & coordinates all Title IX compliance efforts.



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Welcome Message

WELCOME TO THE COURSE!

COURTNEY BULLARD
CEO/Founder

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NEW HERE?

*Go back and take
the core course for
your role.*

TITLE IX
COORDINATOR

INVESTIGATORS

DECISION
MAKER(S)

ADVISORS

APPELLATE
DECISION-
MAKER(S)

INFORMAL
RESOLUTION
FACILITATORS

SEE YOU IN LESSON 2!

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WELCOME TO

LESSON 2

*Important
Reminders
About the Title
IX Process*



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OVERVIEW & REMINDERS

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Do not forget

Title IX Encompasses

Sexual Harassment
Pregnancy Discrimination
Gender Equity in Athletics
Discrimination based on "sex"

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TITLE IX TEAM



Title IX Coordinator

Decision-Maker

Investigator

Appellate Decision Maker

Informal Resolution Facilitator



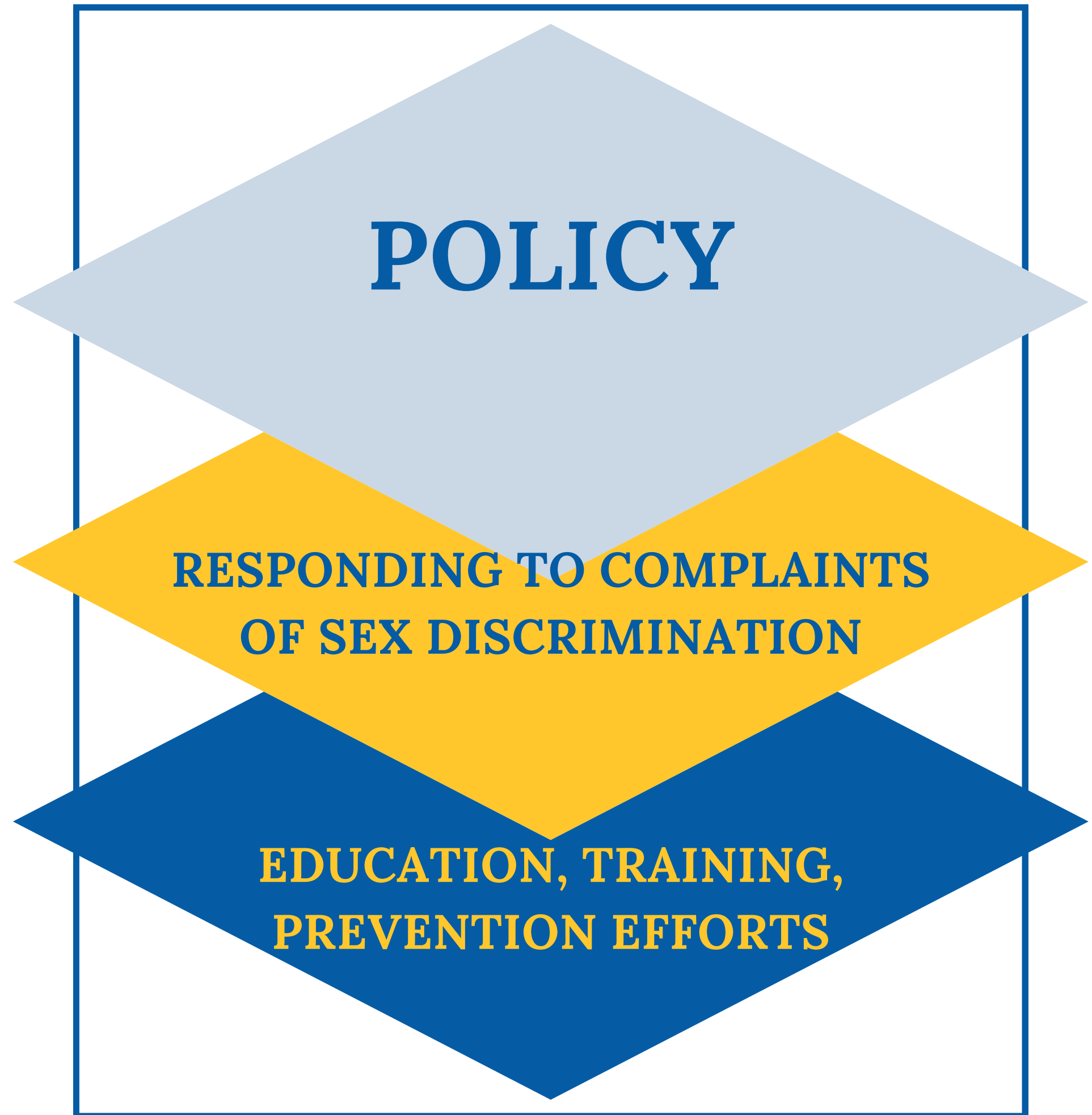
POLICIES and PROCEDURES



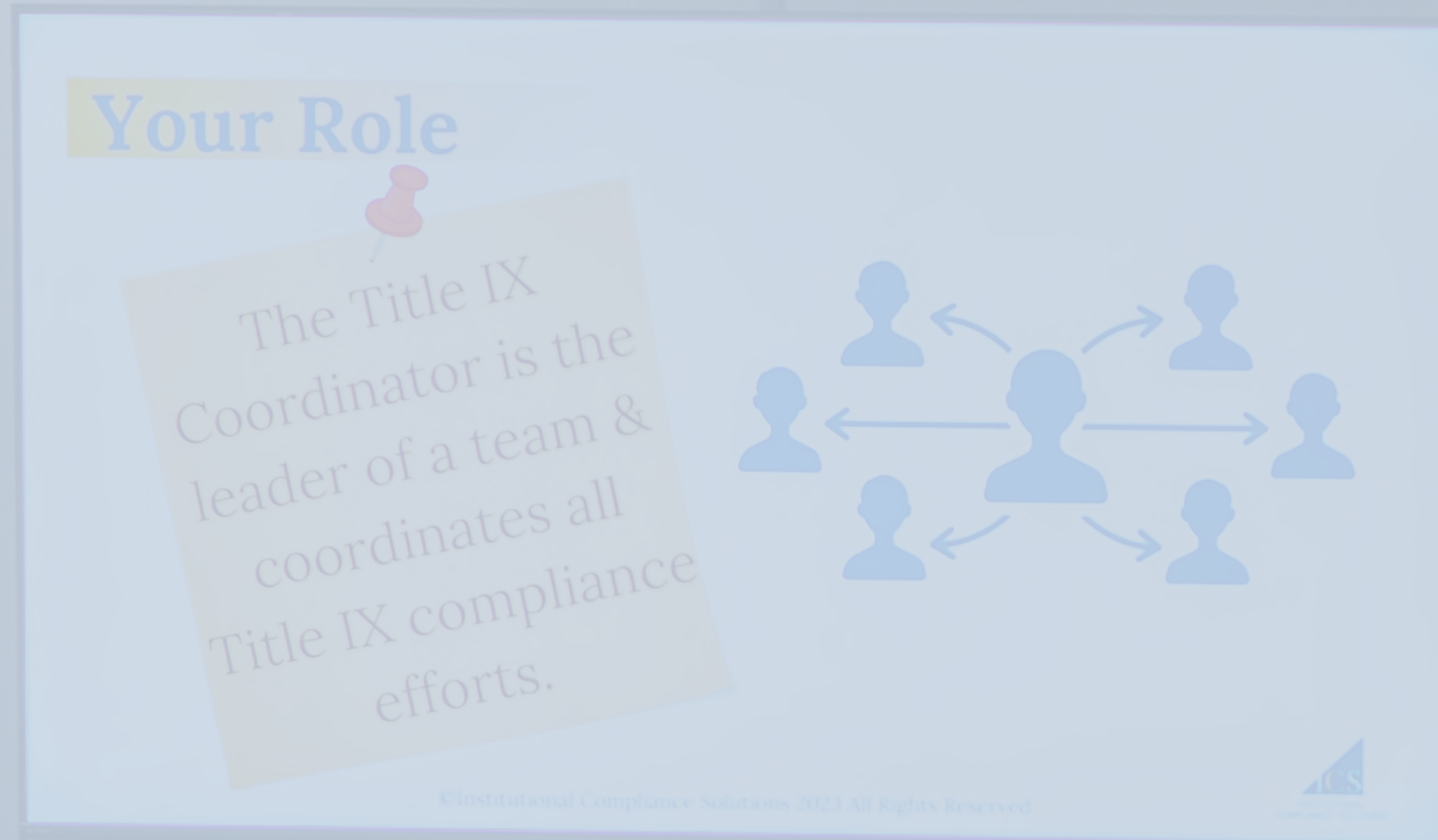
ARE YOUR GUIDE

POLICIES
AND
PROCEDURES

TITLE IX COMPLIANCE LAYERS



SEE YOU IN LESSON 3!



WELCOME TO

LESSON 3

Life Cycle of a Report



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LIFECYCLE OF A REPORT

REPORT REMINDERS



SUPPORT
THROUGHOUT



IMPORTANCE OF
NOTICES



TIMELINES



Title IX Coordinator receives a report and evaluates whether it falls under Title IX or not.



YES

NO



Conduct on the basis of sex that satisfies one or more of the following:

An employee of the recipient conditioning the provision of aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct, or...

Unwelcome conduct determined by a reasonable person to be so severe, pervasive, AND objectively offensive that it effectively denies a person equal access to the recipient's education program or activity, or...

"Sexual Assault," "Dating Violence," "Domestic Violence," or "Stalking" as defined in the Clery Act.



SEXUAL HARASSMENT

Conduct + Education Program or Activity



It's more than the behavior...
Must evaluate location/
Jurisdiction as well



Next step, meet with Complainant (if possible), offer supportive measures and explain options.



If report falls under Title IX, Complainant must decide whether or not to sign a Formal Complaint.

YES



NO



If the Complainant does not want to sign a Formal Complaint, then the Title IX Coordinator must decide whether to sign one.



X Jane Coordinator



X

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**You must have a Formal
Complaint to start the Title
IX Grievance Process.**



Title IX Coordinator assigns matter to a Title IX Investigator.



Title IX Coordinator or designee issues a Notice of Allegations to both parties.



Complainant



Respondent



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REMEMBER...

Notice of Allegations

...needs to be specific. Common mistakes – not updated, not issued to both parties, does not contain necessary information.

Supportive Measures

...supportive measures should be offered to the Complainant and Respondent throughout the process.



INVESTIGATOR TIP...

....these serve as your guide.



Policy

NOA

**Formal
Complaint**

INVESTIGATOR...

①...interviews parties and witnesses

②...manages 10-day review periods

③...writes report fairly summarizing relevant evidence



Title IX Coordinator designates a Decision-Maker(s).



Decision-Maker(s) makes a determination of responsibility.

(this looks different for K12 and Higher Ed)



REMEMBER...

...Parties can appeal dismissal of Formal Complaint or a determination of responsibility.



BASIC TITLE IX PROCESS

1
SEXUAL
HARASSMENT
REPORTED

2
FORMAL
COMPLAINT
BY
COMPLAINANT/
TITLE IX
COORDINATOR

3
NOTICE OF
ALLEGATIONS

4
INVESTIGATION

5
Q & A
AND
RESOLUTION

6
APPEAL

REMEMBER... INFORMAL RESOLUTION

...can take place
any time from
Formal Complaint
to determination.



SEE YOU IN LESSON 4!

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WELCOME TO

LESSON 4

*Mitigating the
Layers of
Impact*



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Title IX Matters Impact **MANY** People



NOT JUST THE PARTIES



Title IX Team



Parents



Friends



Witnesses



Advisors



Community

HOW CAN YOU, IN YOUR ROLE, MITIGATE THE LAYERS OF IMPACT?

Clear on your role in
the process - what it
is and what it is not?

Being in tune with
need for additional
supportive measures

Trauma Informed

Updates on the
process - From who,
when, how often?

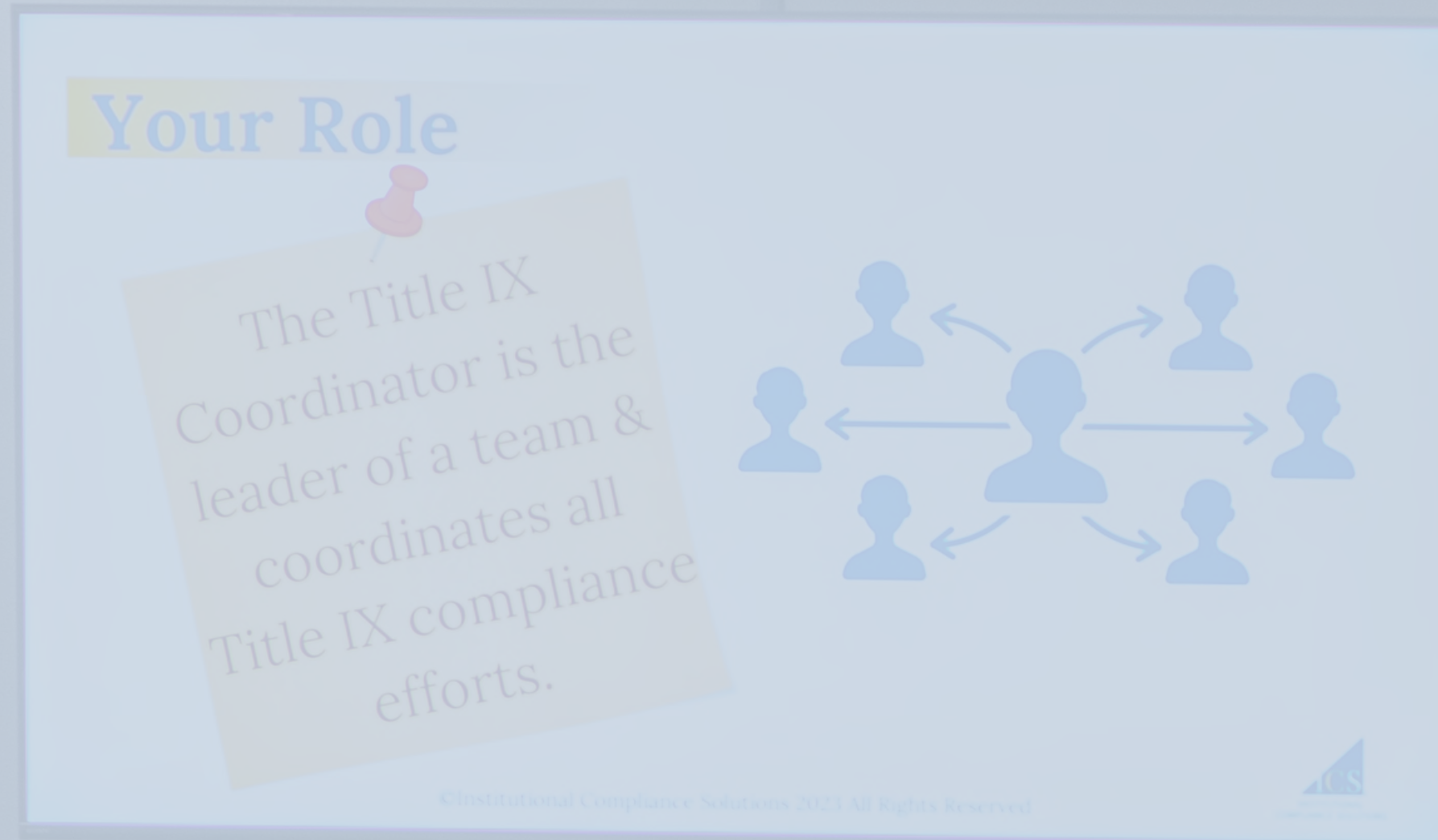


REMEMBER... TRANSPARENCY IS KINDNESS

...own mistakes and fix them in real time if necessary; explain any deviations in process and/or additional time outside of what the policy prescribes.



SEE YOU IN LESSON 5!



WELCOME TO

LESSON 5

*Matters That
Fall Outside of
the 2020 Title
IX Regulations*



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Matters that fall outside the 2020 Title IX Regulations



**What happens if the
matter does not fall
under Title IX at all?**



Matters that fall outside the 2020 Title IX Regulations



**What happens
if the matter
falls under Title
IX, but not 2020
Title IX
regulations?**



**Examples:
Discrimination
based on SOGI,
Pregnancy
Discrimination,
Gender-Equity in
Athletics,
Retaliation.**

REMEMBER...

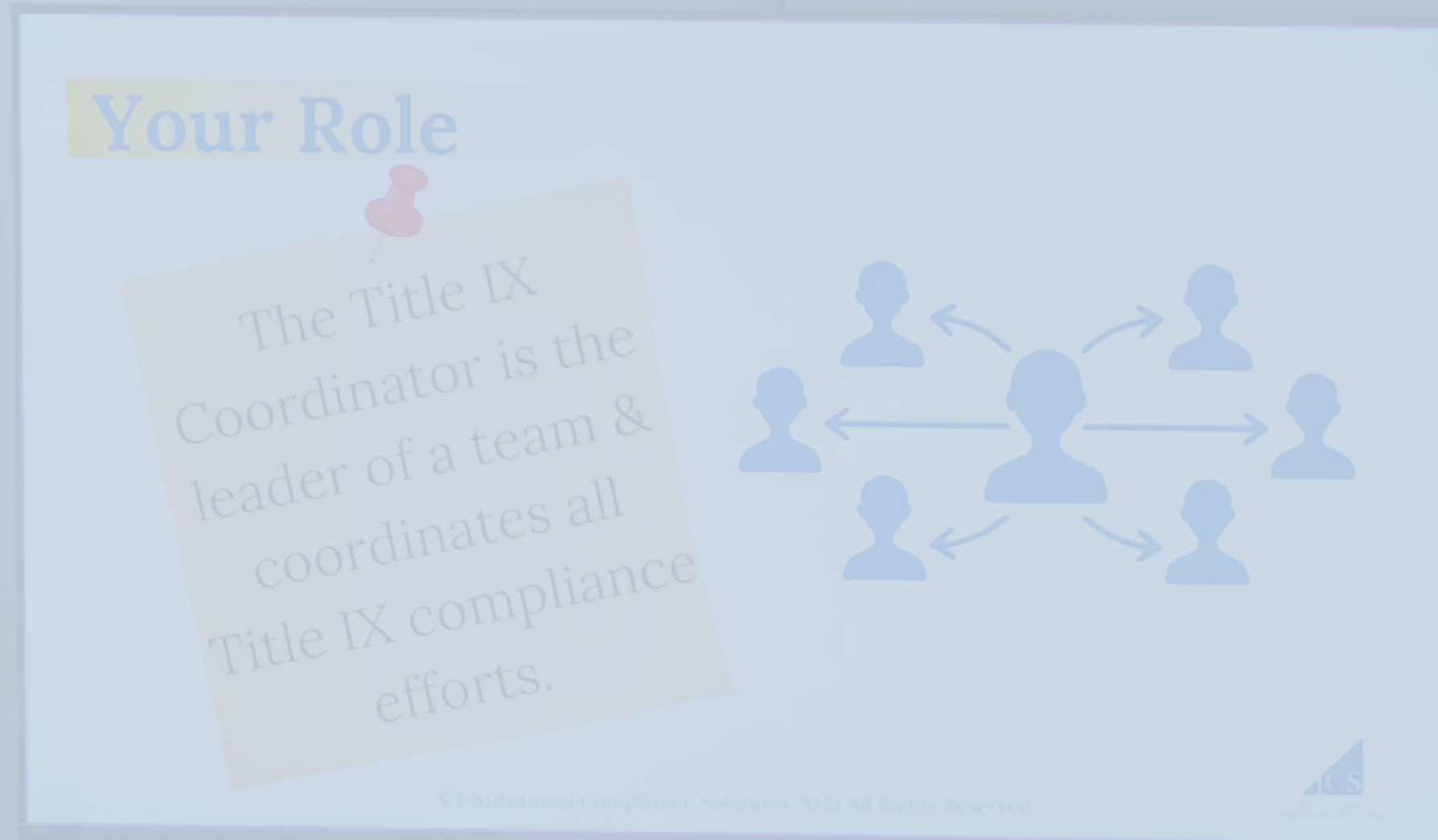
...Establish clear pathways in your policies and procedures.

...Respond to all reports.



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SEE YOU IN LESSON 6!



WELCOME TO

LESSON 6

*Mitigating
Conflicts of
Interest and Bias
in the Process*



Your Role

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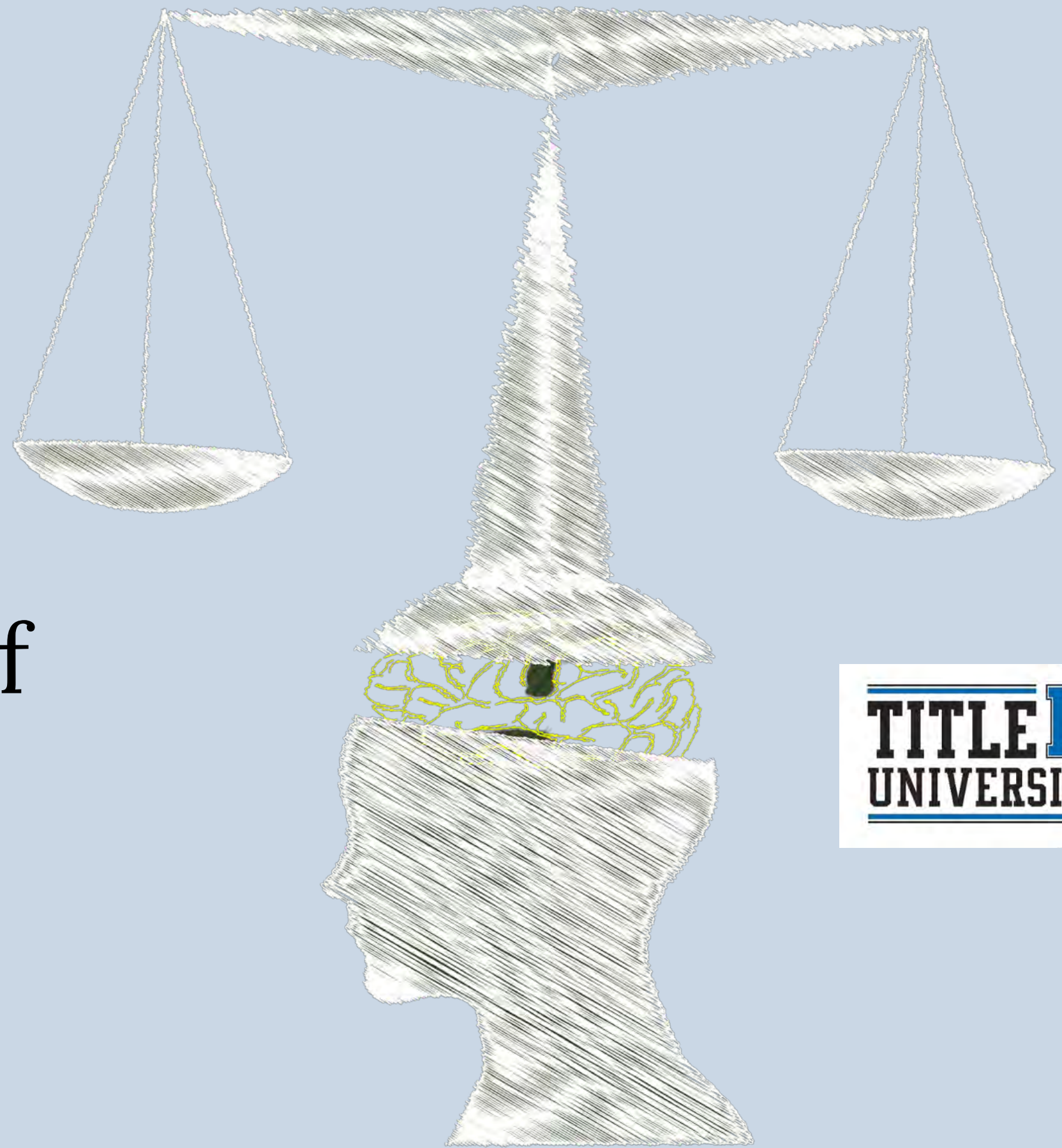


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Serving Impartially

- Avoiding Conflicts of Interest and Bias
- Reserving Judgment



Experiences



Media

Beliefs

Education

Biases



Automatic Thoughts

Feelings

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Actions

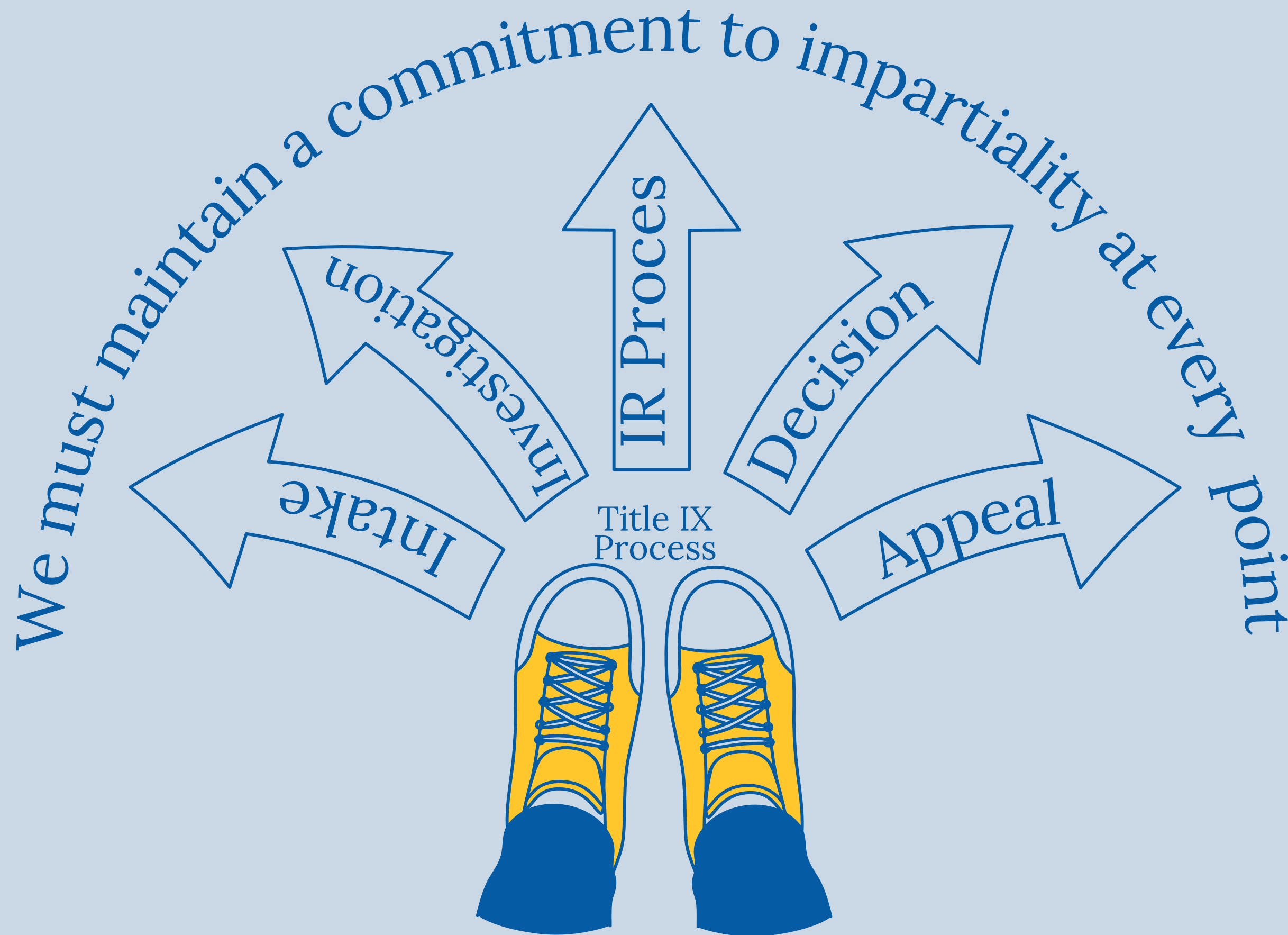


Discriminatory

Non-Discriminatory

Overt

Covert



Avoid Conflict of Interest / Bias



Generally toward Complainants / Respondents



Occurs when personal or private interests possibly can compromise one's judgment, decisions, or actions



Three types of COI:

- Actual
- Perceived
- Potential



Suspend Your Mind Withhold/Reserve Judgment



SEE YOU IN LESSON 7!



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WELCOME TO

LESSON 7

*What's Next
in Title IX?*



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WHAT'S NEXT?



NPRM for athletics participation and amending 2020 Title IX regulations set to release in October. Do not know implementation date.

WHAT'S NEXT?



Under 2020 Title IX regulations, therefore it is important to continue to train on them and follow them.

WHAT'S NEXT?



OCR is overwhelmed, but also special interest in pregnancy discrimination and discrimination based on SOGI.

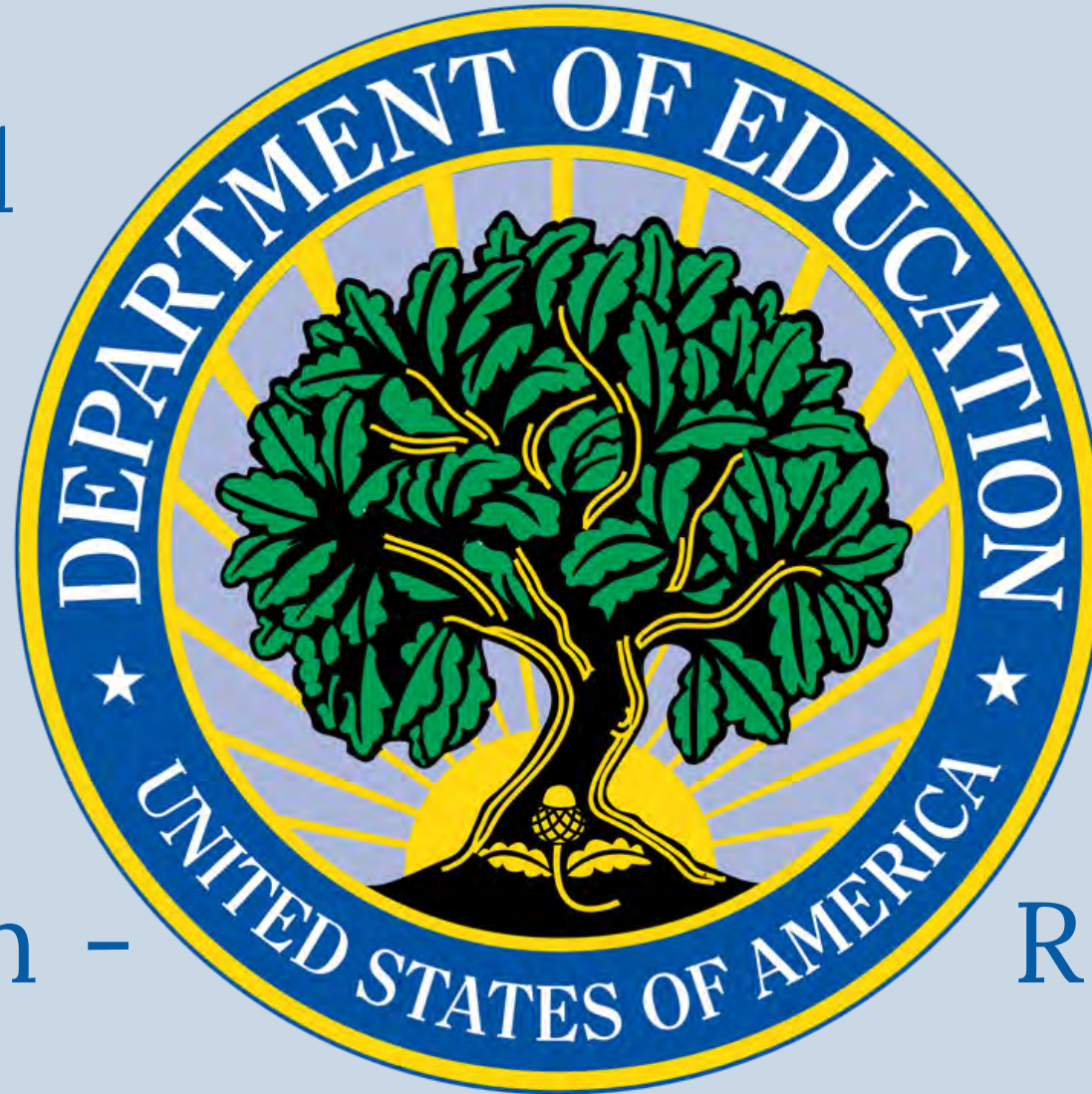
SPECIAL NOTE FOR COORDINATORS:



Ensure your policies and procedures have a process for requesting pregnancy accommodations and making a report of discrimination that is clear.

TRENDS FROM DOE:

Prevent and end
"gender-based
violence" - GBV



Technology
facilitated GBV

Discrimination -
Pregnancy

Retaliation

ASSESS BARRIERS TO REPORTING



SEE YOU IN LESSON 8!



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WELCOME TO

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*Reminders,
Success Path
and Wrap Up*



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REMEMBER...

...Title IX is about ensuring access to your programs and activities free from discrimination based on sex.



...DOE interested in a process that is effective, fair and equitable to all parties involved.

...Landscape continues to change, but core mission is the same.



TITLE IX COORDINATOR SUCCESS PATH



TITLE IX INVESTIGATOR SUCCESS PATH





GREAT WORK!

