

#aiTIXCoordinator



Foundations for New Title IX Coordinators

VIRTUAL TRAINING | Wednesday, August 18, 2021



1



LEARNING OUTCOME

After participating...

you will be better equipped to navigate the demands of your complex new role on campus.



2

AGENDA

Welcome and Introductions
12:00 - 12:30 p.m. ET

Title IX Key Concepts: Scope, Jurisdiction, and Institutional Obligations
12:30 - 1:15 p.m. ET

Break

Federal Regulations, Navigating Your Policy, Procedures, and Case Management
1:30 - 2:30 p.m. ET

Break

Strategies to Lead Training & Campus-Wide Programming Efforts
3:00 - 4:00 p.m. ET

Break

Making Your Action Plan
4:15 - 4:45 p.m. ET

Final Q&A and Wrap Up
4:45 - 5:00 p.m. ET



3

#aiTIXCoordinator

Foundations for New Title IX Coordinators

Jeanine Bias, MPA, CDP, CDT

Director of Institutional Diversity and Inclusion & Title IX
Coordinator | Sam Houston State University



4



ACTIVITY

Introductions

- Name
- Institution
- If you could only take away one thing from this training, what would it be?

5

#aiTIXCoordinator

TITLE IX KEY CONCEPTS

6

TITLE IX STATES:

“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.”

*Title IX of the Education Amendments of 1972
Implementing Regulations at:
20 U.S.C. § 1681 & 34 C.F.R. Part 106*



7

SCOPE

The **Title IX Coordinator** is responsible for coordinating the recipient's responses to all complaints involving possible sex discrimination. This responsibility includes monitoring outcomes, identifying and addressing any patterns, and assessing effects on the campus climate.

[April 24, 2015 Dear Colleague Letter issued by the Office for Civil Rights](#)

TITLE IX

8

THE MANY “HATS” OF A TITLE IX COORDINATOR

1. Oversight of Title IX compliance and grievance process
2. Campus & Community Liaison
3. Training and Education
4. Policy Development and Implementation
5. Assess Campus Climate



9

SPECIFIC APPLICATIONS WITHIN “NEW RULE”



- Promptly respond to all reports of sexual harassment
- Gatekeeping responsibility for formal complaints
- Serve as facilitator through Grievance Process
- Ensure all university personnel with specific duties related to Title IX are appropriately trained, document completion, and publish record of training on designed website (including training materials)

10

SPECIFIC APPLICATIONS WITHIN “NEW RULE”



- Notification of Title IX Policy & Procedures to both current and potential members of the campus community
- Responsible for maintaining a record of all complaints, files, evidence, and other documents for a period of seven years

11

JURISDICTION



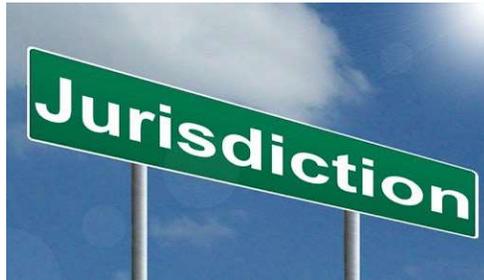
“Title IX Applies” When...

- A formal complaint has been filed by an affected individual/student (or parent on behalf of a student under 18) indicating they have experienced one or more forms of Title IX Sexual Harassment and requesting that the institution investigate the incident. The Title IX Coordinator may also file a formal complaint if warranted. (Actual Knowledge)
- At the time of filing the formal complaint, the complainant must have been participating in or attempting to participate in an institution’s education program or activity.

12

JURISDICTION

- “Title IX Applies” When...
 - Institution must have had substantial control over the respondent and the context where the sexual harassment occurred.
 - The sexual harassment must have occurred towards a person in the United States.



13

TITLE IX SEXUAL HARASSMENT DEFINED

- **Title IX Sexual Harassment** refers to Sexual Misconduct that meets one or more of these three types of behavior:
 - (i) A Component's Employee conditioning provision of an aid, benefit or service of the Component on an individual's participation in unwelcome sexual conduct ("quid pro quo" harassment which may be express or implied and need not be "severe" or "pervasive" as a single incident is inherently "offensive" and jeopardizes equal educational access;
 - (ii) 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 Component's Education Program or Activity, or
 - (iii) "Sexual Assault," "Dating Violence," "Domestic Violence" or "Stalking" as defined in referenced statutes.

14

JURISDICTION



What happens if a report does not meet the Jurisdiction Requirements?



Compliance vs. Campus Climate

15

IN LIFE AND IN TITLE IX...



16

FOCUS ON THE BIGGER PICTURE



17

FUNDAMENTALS OF TITLE IX



Equity



Impartiality



Fairness



Transparency

18

BASIC PRINCIPLES OF TITLE IX

INVESTIGATION =	Thorough	Reliable	Impartial
PROCESS =	Prompt	Effective	Equitable
REMEDIES =	End Discrimination	Prevent Recurrence	Remedy effects upon victim & community

ai ACADEMIC IMPRESSIONS 19

19

INSTITUTIONAL OBLIGATIONS

```

graph TD
    A[Publish] --> B[Designate]
    B --> C[Disseminate]
    C --> D[Address/Investigate]
    D --> E[Adopt and publish]
  
```

Publish	Publish Notice of Non Discrimination
Designate	Designate Title IX Coordinator
Disseminate	Disseminate Policies on Sexual Discrimination/ Misconduct
Address/Investigate	Address/Investigate Complaints
Adopt and publish	Adopt and publish fair & equitable grievance procedures

ai ACADEMIC IMPRESSIONS 20

20

■ INSTITUTIONAL OBLIGATIONS

Once a school knows or reasonably should know of possible sexual violence, it must take immediate and appropriate action to investigate.

If sexual violence has occurred, prompt and immediate steps to end the sexual violence, prevent its recurrence, and address its effects **MUST** be taken.

21

■ INSTITUTIONAL OBLIGATIONS

Must take steps to protect the Complainant **AND** RESPONDENT as necessary, including supportive measures steps taken prior to the final outcome of the investigation.

Provide a grievance procedure for filing reports/complaints of sex discrimination, including complaints of sexual violence.

Equal opportunity for both parties to present witnesses and other evidence.

22

INSTITUTIONAL OBLIGATIONS

Institution must determine standard of evidence to resolve complaints

Notify both parties of initial notice and outcome of the complaint as well as appeal rights.

Equal opportunity for both parties to present witnesses and other evidence.

23

INSTITUTIONAL OBLIGATIONS



Train individuals with heightened responsibilities



Train students and employees



Provide ongoing awareness campaign and programming

24

TAKE A DEEP BREATH ADVICE FROM A SEASONED TIX COORDINATOR



- You are not alone
- Ask for help
- Ask for resources
- Know the regs
- Know your policy
- Know your campus
- Establish a consistent process
- Proactive vs. Reactive

25



RESOURCE

Office for Civil Rights

<https://www2.ed.gov/about/offices/list/ocr/newsroom.html>

- [Title IX Regulations Addressing Sexual Harassment](#) (unofficial copy)
- [Title IX Regulations Addressing Sexual Harassment](#) (Federal Register)
- [Title IX: Fact Sheet: Final Title IX Regulations](#)
- [Title IX: U.S. Department of Education Title IX Final Rule Overview](#)
- [Title IX: Summary of Major Provisions of the Department of Education's Title IX Final Rule](#)
- [OCR Blog](#)

26

 **QUESTIONS**



27

#aiTIXCoordinator

BREAK



28

#aiTIXCoordinator

NAVIGATING YOUR POLICY/PROCEDURES



29

POLICY FOUNDATION LEGAL REQUIREMENTS

Title IX

- Regulations
- DCLs

Clery

- Timely Warning
- Policy Definitions

VAWA

- Rights
- Procedural Requirements
- Training/ Programming

Other

- State Law
- FERPA



30

■ YOUR INSTITUTIONAL POLICY AND PROCEDURES

- Comprehensive Institutional Policy
- Other related university policies
- Flowcharts
- Checklists
- Document templates



31

■ POLICY CONSIDERATIONS

1. Where can you access the policy?
2. Is the policy reader-friendly for multiple audiences?
3. How often do you review the policy?
Opportunity for feedback?

32

POLICY CHECKLIST

- ✓ Non-Discrimination Statement
- ✓ Statement of Jurisdiction
- ✓ Confidentiality
- ✓ Definition Section
- ✓ Mandatory Reporting Obligations
- ✓ How to Report Instructions
- ✓ Title IX Coordinator Information
- ✓ Grievance Procedures
- ✓ Timeframes for process
- ✓ Resources
- ✓ Training & Prevention

33



QUESTIONS

34

#aiTIXCoordinator

CASE MANAGEMENT

35

■ WHY IS CASE MANAGEMENT CRITICAL FOR TITLE IX COORDINATORS?

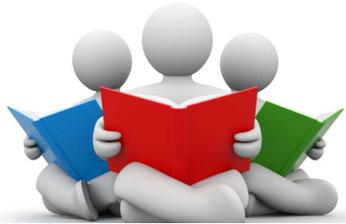


- Compliance
- Institutional Memory
- Clery Reporting
- State Law

36

AGENDA

- I. Best practices for tracking cases
- II. Model checklist & timeline for case consistency and efficiency
- III. Sample Notice Letters for parties during cases
- IV. Developing your own case management log



ai ACADEMIC IMPRESSIONS 37

37

 **POLL**

Do you currently have a strategy for managing cases?

ai ACADEMIC IMPRESSIONS 38

38



ACTIVITY



39



ACTIVITY

From: Smith, Taylor
Subject: Fw: Makeup Request

Good morning Title IX Coordinator,

I just received this email from a student. I am not sure what to do. Please advise.

Dr. Smith

Forwarded Message -----

From: Johnson, Jayden
Subject: Makeup Assignment

Hey Dr. Smith,

I apologize for emailing you and not being in class lately, but is it possible to make up the exam from last week? I was assaulted in my dorm room the other day, had to go to emergency room, and then I was at the police station multiple times. I haven't been able to go back to my dorm, so my parents are picking me up today, and I don't know when I will feel comfortable coming back on campus.

Thanks for understanding!
Jayden

40

ELEMENTS FOR TRACKING A CASE

- Receipt of Report
- Report Assessment
- Communicating with Parties
- Investigation/Resolution
- Case Oversight
- Case Completion/Compliance



41



RESOURCE

Case Management Log

42

REPORT ASSESSMENT

- Safety Concerns**
 - Threat to campus
 - Individual safety
- Reporting Obligations**
 - Clery
 - State Law
 - University Officials
- Report Review**
 - Reporter Information
 - Pattern
- Additional Information**
 - Follow Up
 - Other reporters?



43



RESOURCE

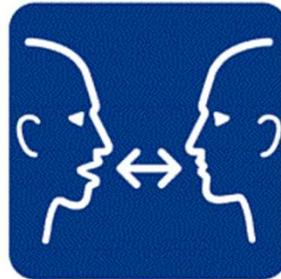
Checklist Template



44

COMMUNICATING WITH THE PARTIES

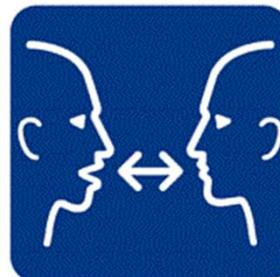
- Initial Contact with Complainant
 - Methods of Outreach
- What should the communication include
 - Purpose of communication
 - Rights
 - Resources
 - Policy
 - Request to meet
- Complainant response
 - Positive response
 - Negative response
 - No response



45

COMMUNICATING WITH THE PARTIES

- Initial Contact with Respondent
 - Methods of Outreach
- What should the communication include
 - Purpose of communication
 - Rights
 - Resources
 - Policy
 - Request to meet
- Respondent response



46



RESOURCE

Initial Communication Template

47

COMMUNICATING WITH THE PARTIES

- Pre-Meeting
 - Location and set up
 - Technology
- Initial Meeting
 - Introduction
 - Rapport Building
 - Address Immediate Needs
 - Safety
 - Support/ Referrals
 - Academics
 - Intake Checklist
 - Gather additional information (if appropriate)
- Post-Meeting



48



RESOURCE

Intake Checklist Template

49

INVESTIGATION/RESOLUTION



- Support Services
- Informal Resolution
- Formal Investigation

50



RESOURCE

Sample Notice Letters & Sample Communication Log

51

CASE OVERSIGHT

- Timeline
- Advisors
- Investigative Report
Review
- Process Facilitator
 - Hearing
 - Appellate Process



52

■ CASE COMPLETION/COMPLIANCE

- Remedies
- Final Outcomes
- File Preservation



53

■ BEST PRACTICES IN CASE MANAGEMENT

- Be organized
- Develop a process
- Seek assistance
- Utilize a case management system



54



CHAT

What obstacles have faced or do you anticipate in case management?

55



QUESTIONS

56

#aiTIXCoordinator

BREAK



57

#aiTIXCoordinator

**STRATEGIES TO LEAD TRAINING &
CAMPUS-WIDE PROGRAMMING EFFORTS**



58

AGENDA



- Compliance requirements
- Training plan
- Program plan
- Ongoing awareness campaign
- Marketing efforts

59

WHAT DO WE HAVE TO DO?

Each institution must develop and implement a comprehensive prevention and outreach program on sexual misconduct including but not limited, to sexual harassment, sexual assault, dating violence, and stalking. The comprehensive prevention and outreach program must address a range of strategies to prevent sexual misconduct, including sexual harassment, sexual assault, dating violence, and stalking. The program should include a public awareness campaign, primary prevention, bystander intervention, and risk reduction strategies.

-Violence Against Women's Act

60

WHAT DO WE HAVE TO DO?

- Training for Title IX Coordinators, Deputy Coordinators, Investigators, Decision Makers, and Appellate Authority
- Training for Responsible Employees
- NCAA Compliance Training for Athletics
- Primary Prevention Training
- Ongoing prevention programming
- State Law requirements?
- Other considerations?



ai ACADEMIC
IMPRESSIONS 61

61

TRAINING YOUR TITLE IX TEAM

- Auditing your team's knowledge and skill level
- Identifying training gaps
- Internal training resources
- External training resources
- Cross training your team
- Your role as facilitator
- Self guided resources and training



62

■ TRAINING FOR TITLE IX TEAM

- Critical Content
 - Definition
 - Bias
 - Stereotypes
 - Conflicts of Interest
 - Relevance
 - Credibility
 - Technology



ai ACADEMIC
IMPRESSIONS 63

63

■ TRAINING FOR RESPONSIBLE EMPLOYEES/CAMPUS AUTHORITIES

Delivery	Content
<ul style="list-style-type: none"> • Who? • When? • How? • Frequency? 	<ul style="list-style-type: none"> • Definitions • Reporting Responsibilities • Failure to Report • Policy

ai ACADEMIC
IMPRESSIONS 64

64

NCAA COMPLIANCE

- Partnership with Athletics
- Timeframe
- Content



65

PRIMARY PREVENTION TRAINING

Delivery

- Online
- In-person
- Alternatives

Audience

- Incoming students
- Freshmen
 - Transfer
 - Graduate students

Content

- Length
- Definitions
- Policy
- Resources

Completion Requirement

- Deadline
- Penalty

66



QUESTIONS

67



CHAT

**Who are your campus
collaborators when it comes
to Title IX programming
efforts?**

68

ONGOING PREVENTION PROGRAMMING REQUIREMENTS

VAWA Amendments to Clery

6. **Programs to prevent dating violence, domestic violence, sexual assault, and stalking:** Comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:
 - Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and
 - Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels
 Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees.
7. **Awareness programs:** Community-wide or audience specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.
8. **Bystander intervention:** Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking;

Bystander intervention includes:

 - Recognizing situations of potential harm
 - Understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking actions to intervene
9. **Ongoing prevention and awareness campaigns:** Programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution.
10. **Primary prevention programs:** Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

69

ONGOING PREVENTION PROGRAM CONSIDERATIONS

Delivery

Who?
When?
How?
Frequency?

Collaborations

Victim Advocacy Centers
Health Center
Counseling Center
Academic Departments

Special Populations

Greek Life
Residence Life
Athletics
Others?

Topics

Consent
Bystander Intervention
Victim Empowerment
Risk Reduction Measures
Others?

70

PROGRAM PLANNING ACTION PLAN

- 1) Create Comprehensive Program Goals
- 2) Content Development
- 3) Delivery
- 4) Campus-Wide Programming Vs Custom Programming
- 5) Budget



71

BEST PRACTICES IN ONGOING PREVENTION PROGRAMMING

- Passive Marketing Campaign
- Training Peer Educators
- Calendar of Significant Events
 - Domestic Violence Awareness Month
 - Sexual Assault Awareness Month



72

ONGOING PREVENTION PROGRAMMING



73

ONGOING PREVENTION PROGRAMMING

Annual Calendar of Events:

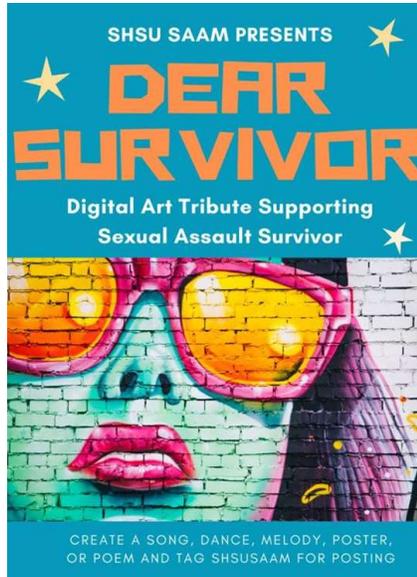
- NOMC Take the Pledge Shirt Give-A-Way - August
- Consent Week - September
- NOMC Interest Meeting 1 - September
- NOMC New Member Orientation - September
- NOMC Interest Meeting 2 - October
- Domestic Violence Awareness Month Essay Contest September 30th - October 20th
- Domestic Violence Awareness Self Defense Training Class - October
- Bystander Intervention Training - November
- Healthy Relationships Workshop January
- Love is Love Week - February
- Alcohol & Spring Break Preparedness Training March
- Sexual Assault Awareness Month Events - (All Month Long in April)



ai ACADEMIC IMPRESSIONS 74

74

ONGOING PREVENTION PROGRAMMING



APR 7
12:00PM-1:00PM



promote consent culture

Sexual Assault Awareness Month 2020

SAAM LIVE

"WAIT, I CAN GET FIRED?" VIRTUAL WORKSHOP

Join Us for a Sexual Assault Awareness Month Virtual Brown Bag Workshop to Learn about Title IX Legislative Changes Impacting SHSU Faculty and Staff Employees. This Workshop will be Facilitated by Jeanine Bias, SHSU Title IX Coordinator.

???

Title IX Changes Mandatory Reporting

TUES., APRIL 7th 12PM-1PM

ZOOM MEETING ID: **581844960**

For more info on SAAM events contact Nu Epps at nepps@shsu.edu or 936.294.2880.

@SHSUSAAM

Sponsored by the SHSU SAAM Committees | Online: SHSU.EDU/SHSUSAAM

75

CHAT

What are your most successful programs to date?

What are your programming challenges or limitations?

76

#aiTIXCoordinator

BREAK



77

#aiTIXCoordinator

Making Your
YOUR ACTION PLAN



78



ACTIVITY

Creating Your Action Plan

79



QUESTIONS

80



EVALUATION

Thank you!

Please remember to complete the event evaluation.
Your comments will help us continually improve the
quality of our programs.

© Copyright 2018 Academic Impressions

Follow us:



81