



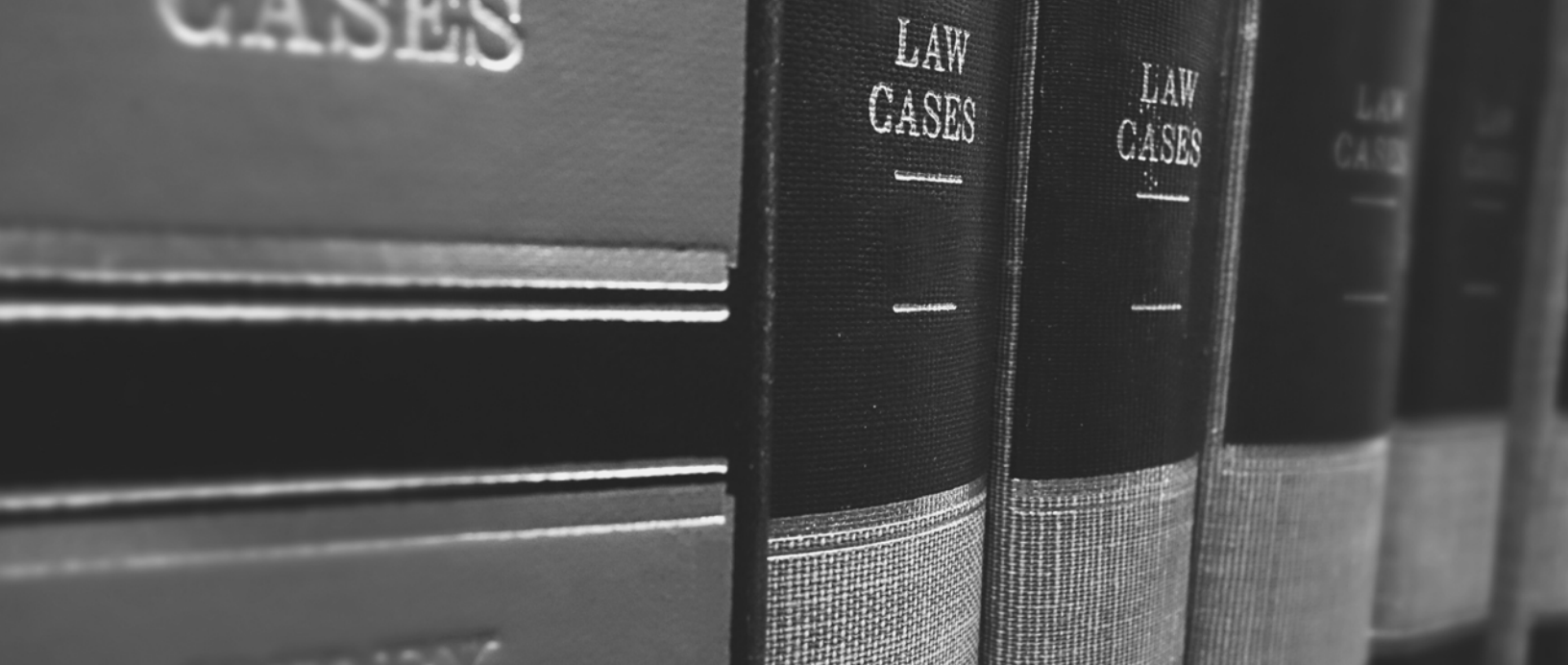
TIX Education Specialists

"Bridging compliance and best practice."

Title IX Hearing Officer Training Online

Overview of Title IX & the Law





STATUTORY REQUIREMENTS

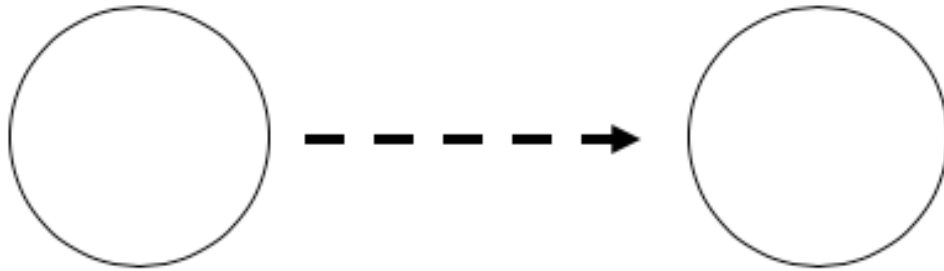
A review of basic federal requirements including notice of non-discrimination, grievance procedure and scope of Title IX Coordinator's role. Integration of relevant state law.

Learning Objectives:

- clear understanding of requirements of Title IX
- identifying roles of Title IX coordinator in relation to written procedure

INTRO TO TITLE IX

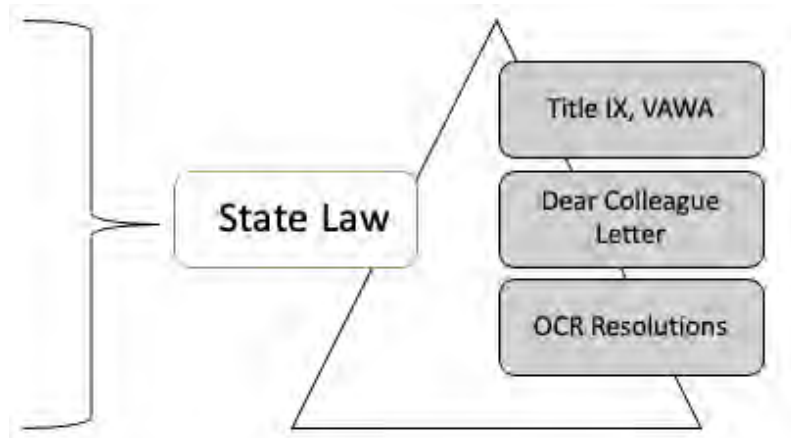
WHAT COMES TO MIND WHEN PEOPLE HEAR "TITLE IX"?



MAIN AREAS OF TITLE IX:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

GUIDANCE THAT GOVERN RESPONSE PROCESSES:



LANGUAGE OF TITLE IX:

reporting party/complainant

adjudicatory process

investigation

finding

victim

investigation

COMPLAINANT:

"[I]ndividual who is alleged to be the victim of conduct that could constitute sexual harassment."

Title IX:

"A recipient with actual knowledge of sexual harassment in an education program or activity of the recipient against a person in the United States to respond promptly in a manner that is not deliberately indifferent, meaning not clearly unreasonable in light of the known circumstances."

Students/staff have a right to:

TITLE IX IN THE COURTS:

MAIN RESPONSIBILITIES UNDER TITLE IX:

Sex based
discrimination



Sexual
Harassment

-
- 1.
 - 2.
 - 3.
 - 4.
 - 5.

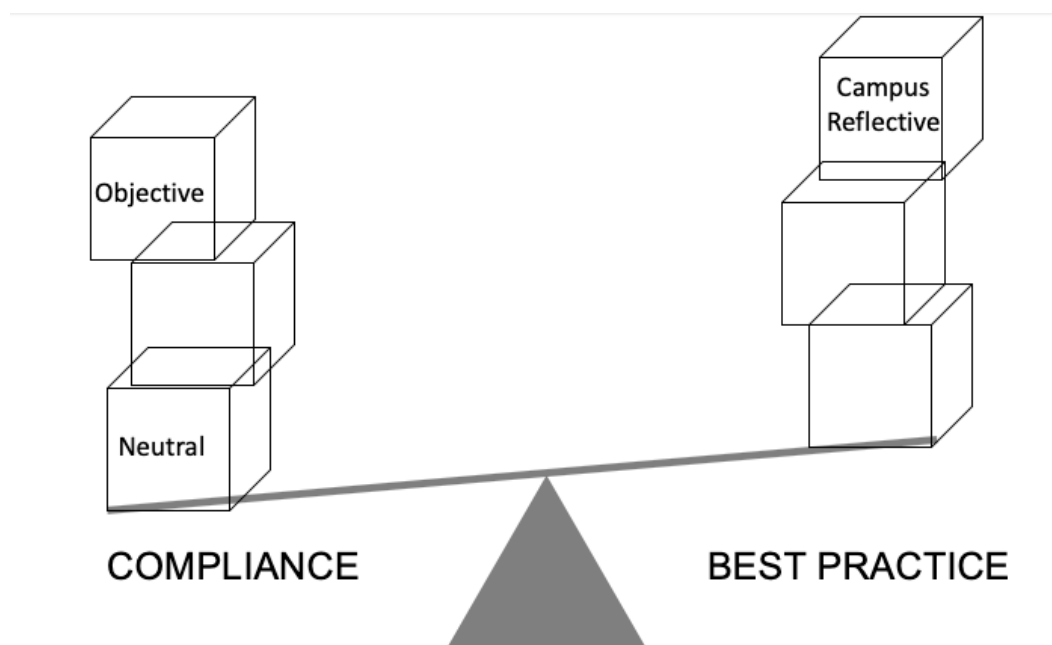
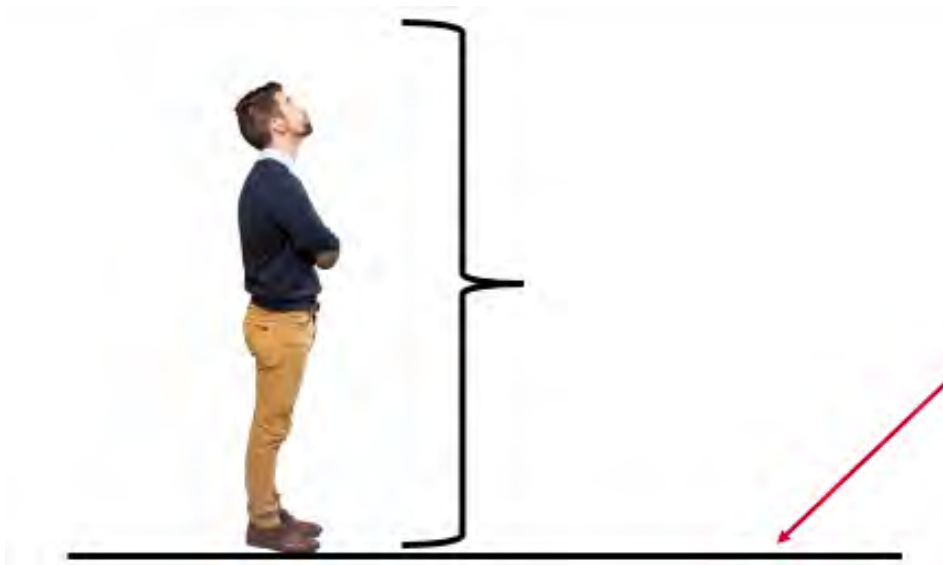
EXEMPTIONS TO TITLE IX:

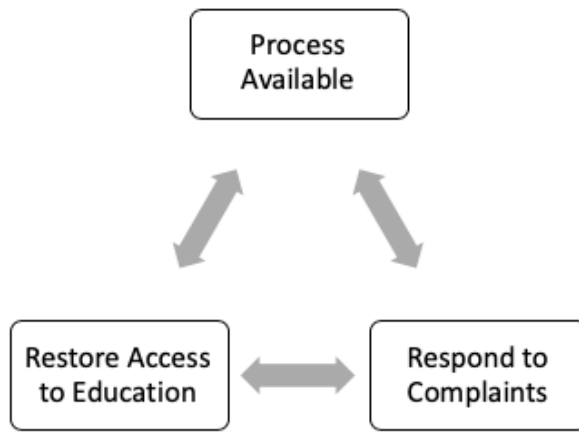
ENFORCEMENT OF TITLE IX:

OCR COMPLAINTS:

New Regs:

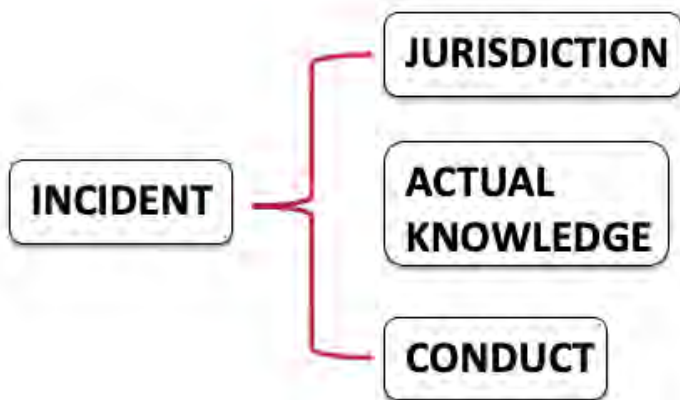
- p.1-104 – The Department's interpretation of Due Process, institutional liability and defining sexual harassment.
- p. 96-99 – Institutional response
- 2008-2033 – Regulatory language





SEXUAL HARASSMENT:

"Unwelcome conduct that a reasonable person would determine is so severe, pervasive and objectively offensive that it effectively denies person's equal access to education.

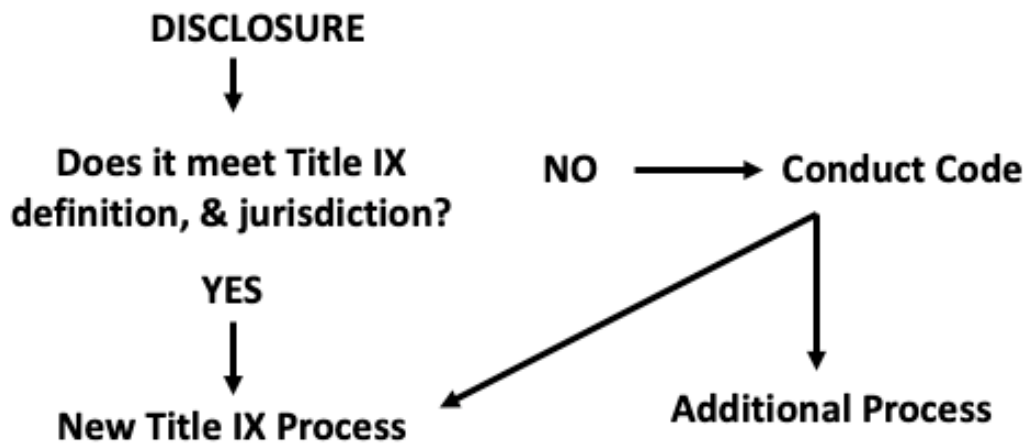


QUESTION 1:

Does your institution want to create a policy to respond to the "other" types of sexual harassment and sex discrimination?

QUESTION 2:

If you capture "other" types of conduct, do you use one process provided by the federal regulations or do you use two?



SCOTUS FRAMEWORK:

1. actionable definition of sexual harassment
2. actual knowledge
3. deliberate indifference -

DELIBERATE INDIFFERENCE + RESPONSE:

- support measures offered
- contact complainant and process counsel
- follow grievance procedures
- investigate formal complaints
- respect complainant wishes (with exception)
- dismiss complaints that don't fall under Title IX

TITLE IX COORDINATOR:

TRAINING:

NOTICE OF NON-DISCRIMINATION:

“[Institution] does not discriminate on the basis of sex in education programs or activities it operates including admissions and employment. Inquiries about the application of title IX and this part to such recipient may be referred to the recipient’s Title IX Coordinator, to the Assistant Secretary, or both.”

DISSEMINATION:

GRIEVANCE PROCEDURE:

