

Title IX Coordinator Training Online Course



Class Overview

- Audiences To Be Trained
- Elements of a Good Training Program
- Benefits and Perils of Trauma-

Who Do You Train?



The Regulations (Title IX Personnel)

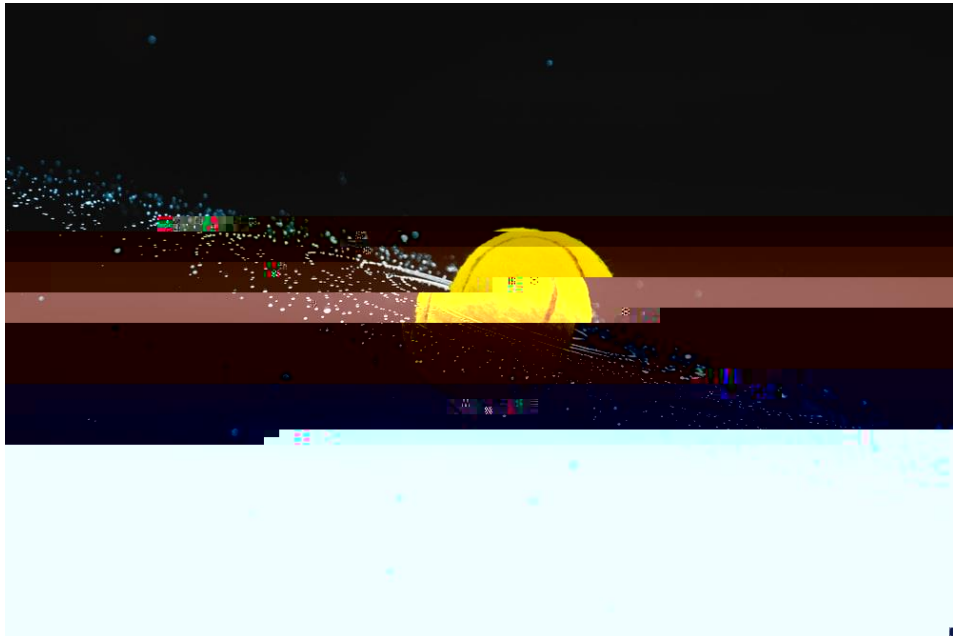
- Title IX Coordinators
- Investigators
- Decision-makers
- Anyone who facilitates an informal resolution process



Consider Training Others, even though not Required by the Regulations

- Title IX staff who are not identified by the regulations
- Officials With Authority to take corrective measures
-

And Athletics!



NCAA Board of Governor's Policy:

https://ncaaorg.s3.amazonaws.com/ssi/violence/NCAA_CampusSexualViolencePolicy.pdf

[NCAA Board of Governors Campus Sexual Violence Policy Implementation Task Force](#)

[NCAA Sexual Violence Prevention Tool Kit](#)

[Task Force Recommended Timeline](#) (PDF)

[Task Force Recommended Checklist](#) (PDF)

[Administrator FAQ](#)

[Student-Athlete FAQ](#)

Access Sample Policies and Procedures:

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affiliated credentials. *Note: If you do not have access to MyApps please contact your NCAA Applications Administrator at your school or conference to gain access.*

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Review the legal disclaimer and view the current sample policies and procedures documents that are available.

Annual Attestation Process Resources

In the fourth year of the policy, the [following schools](#) attested that they have followed the policy requirements.

[Attestation Process FAQ](#)

NCAA Policy:

addressing sexual violence is integral to responsible intercollegiate athletics programs. Specifically, the resolution states that addressing sexual violence:

- (1) Is consistent with the values and principles articulated in the NCAA Constitution;
- (2) Is mandated by state and federal laws; and
- (3) Must be part of a collaborative effort with campus policies.

In 2016, the Board of Governors appointed a Commission to Combat Campus Sexual Violence. The Commission drafted the following aspirational culture statement for colleges and universities as:

A positive and thriving athletics team culture that revolves around respect and empathy for all, fostering a climate in which all feel that they are respected, valued and contributing members of their teams, athletics programs and institutions; and creating an environment in which students (athletes and non athletes alike) feel safe and secure, both emotionally and physically, and are free of fears of retaliation or reprisal. The positive culture exuded by a member institution's NCAA teams is the catalyst for a positive culture across an entire campus.

The Commission recommended the Board of Governors adopt an Association-wide policy to reinforce previous efforts of the

The NCAA also produced a Toolkit in 2016, updated in 2019, that has not been updated since the publication of the 2020 Regs.

1.

Required Annual Attestation: University Chancellor/President, AD and campus Title IX Coordinator

1. The athletics department is informed on, integrated in, and compliant with institutional policies and processes regarding sexual violence prevention and proper adjudication and resolution of acts of sexual and interpersonal violence.
2. The institutional policies and processes regarding sexual violence prevention and adjudication, and the name and contact information for the campus Title IX coordinator*, are readily available within the department of athletics, and are provided to student- athletes.
3. All student-athletes, coaches and staff have been educated each year on sexual violence prevention, intervention and response, to the extent allowable by state law and collective bargaining agreements.
- 4.

Elements of a Good Training Program

Planning & Preparation

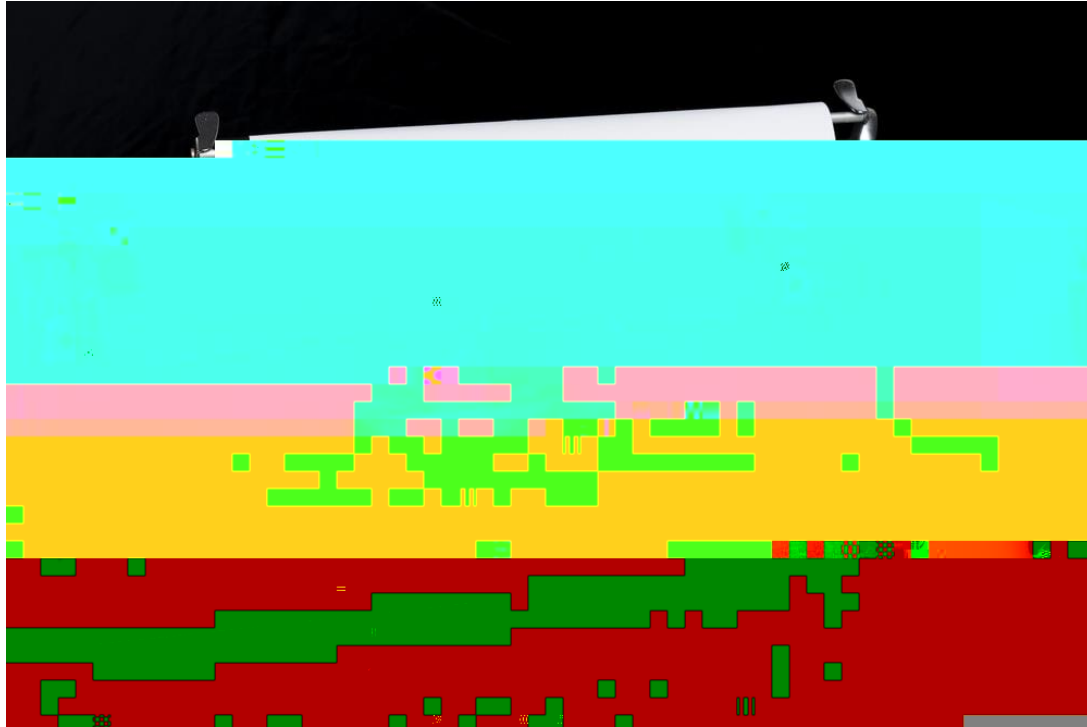


Required Training

Title IX Personnel Continued:

- Avoiding prejudgment of the facts at issue

Required for Investigators



- Conducting a fair and thorough investigation.
- Determining relevance in order to prepare an investigative report that fairly summarizes relevant evidence.

Required for Informal Resolution Facilitators



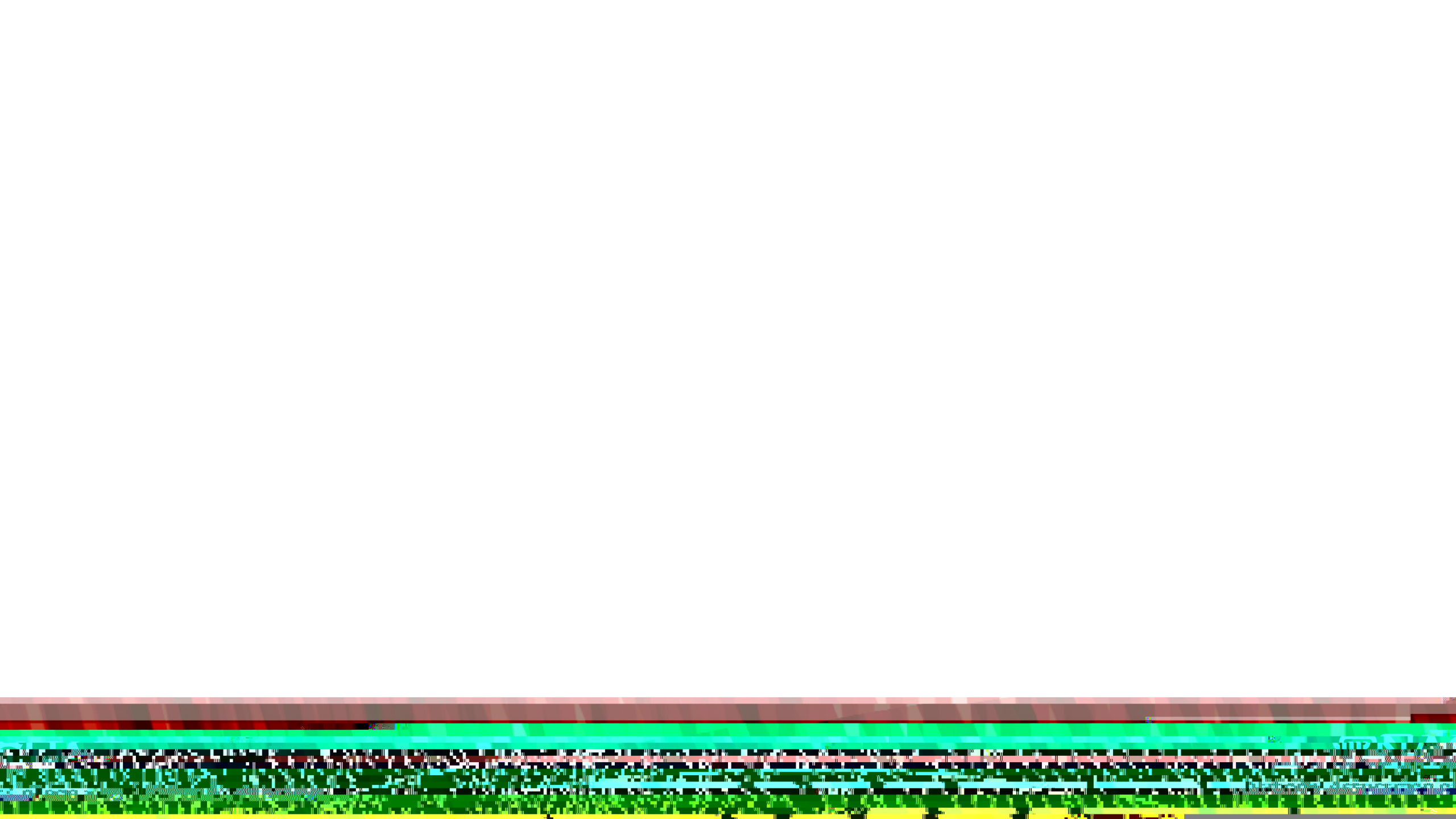
Required for Decision-makers:

- Training on any technology to be used at a live hearing.
- Training on issues of relevance, including how to rule on evidence during a hearing and how to apply the rape shield protections provided only for complainants.
- Include training around the presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

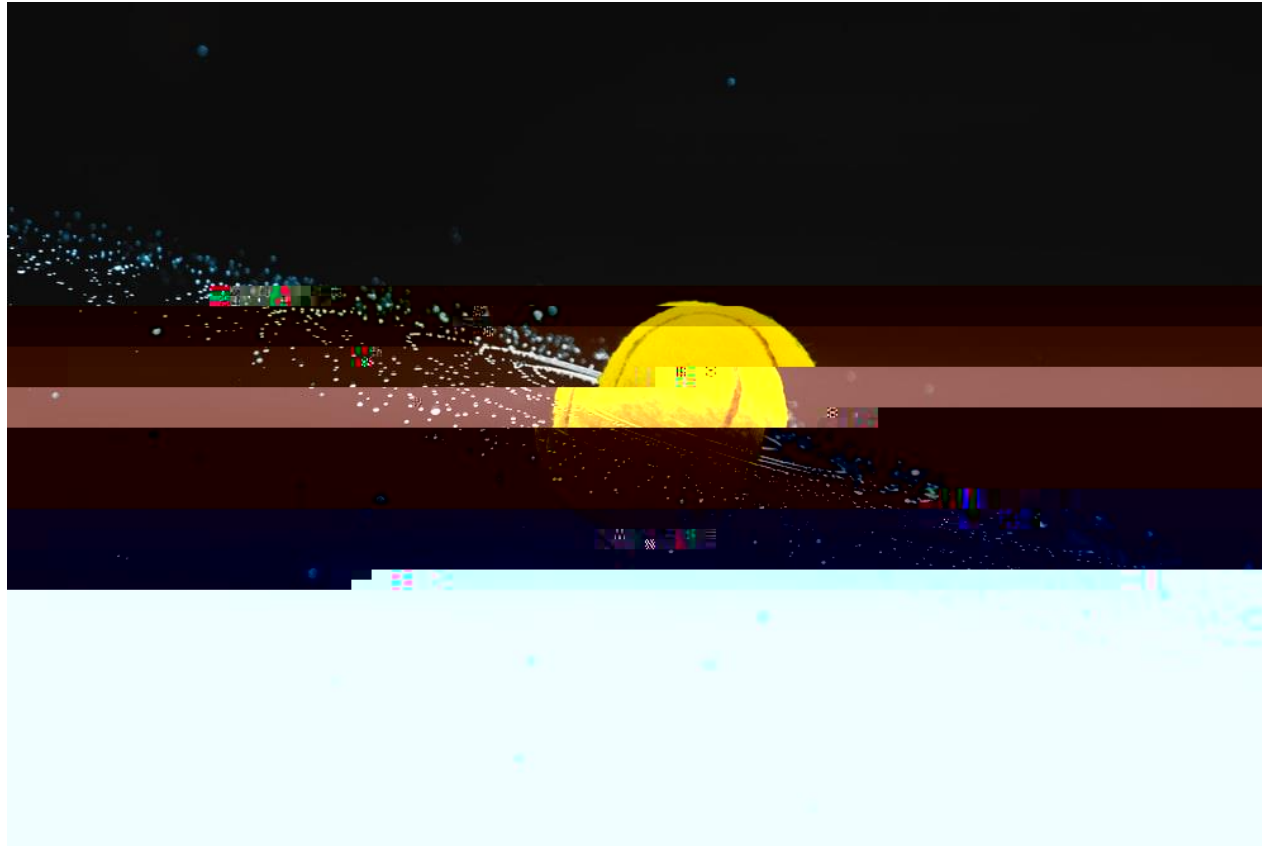


Other Training Topics

Investigator	Decision-maker
<ul style="list-style-type: none">• Questioning• Institutional policies• Responsibility for proposed findings and conclusions• Redacting privileged information• Coordinating investigation with supportive measures	<ul style="list-style-type: none">• Managing the process• Hearing protocol• Institutional policies• Questioning• Preparing findings and conclusions



And Athletics!



Benefits and Perils of Trauma- Informed Training

How to Be Fair to All

Benefits	Perils
<ul style="list-style-type: none">• May help those interviewed retrieve memories• May help those interviewed stick with the process.• May prevent re-traumatizing witnesses	<ul style="list-style-type: none">• May be perceived to favor Complainants• May be perceived as less intense questioning or cross-examination of witnesses• May be misused by untrained questioners

Auditing Training Materials



When & What to Audit

- Who was trained
- Was training effective
 - Measured outcomes
 - Observed outcomes
- How often to monitor
-

Policies: Management, Notice, and Some Reminders

Managing the Policies

Developing policies

- Existing institutional policies
-

Notification and Dissemination

- Title IX Coordinator contact info must be distributed and prominently displayed on the institution website, and in each handbook or catalog made available to applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees, and all unions or professional organizations with CBAs.
- Nondiscrimination Policy stating:
 - that the institution does not discriminate on the basis of sex in education programs or activities it operates.

Adopt & Publish

- Adopt and publish:
 - grievance procedures that provide for the prompt and equitable resolution of student *and* employee complaints alleging *any* action prohibited under Title IX.
 - a grievance process that complies with 106.45 for formal complaints as defined in 106.30.

WHAT: Notice of the school's grievance procedures and grievance process, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the school will respond.

Policy Decision Point: Framework

All-in-One Policy

1. Treat all the Same; or
2. Decision Trees

Two Policies: If not TIX, then ...

1. Title IX Regulation+
2. Everything Else

Three plus:

1. TIX Regulation Conduct
2. Other Sexual Misconduct
3. Other Prohibited Conduct



Policy Definitions:

- Actual Knowledge
- Complainant/Respondent
- Supportive Measures
- Formal Complaint
- Prohibited Conduct
 - Sexual Harassment
 - Sexual Assault
 - Dating Violence
 - Domestic Violence
 - Stalking
- Consent

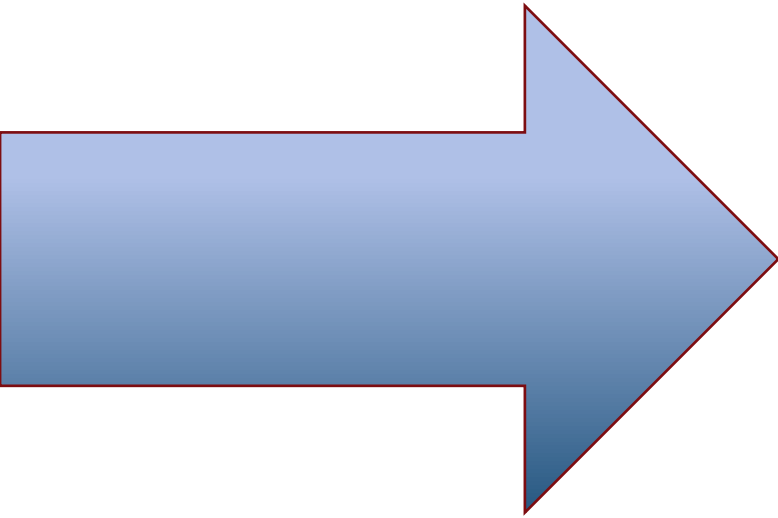


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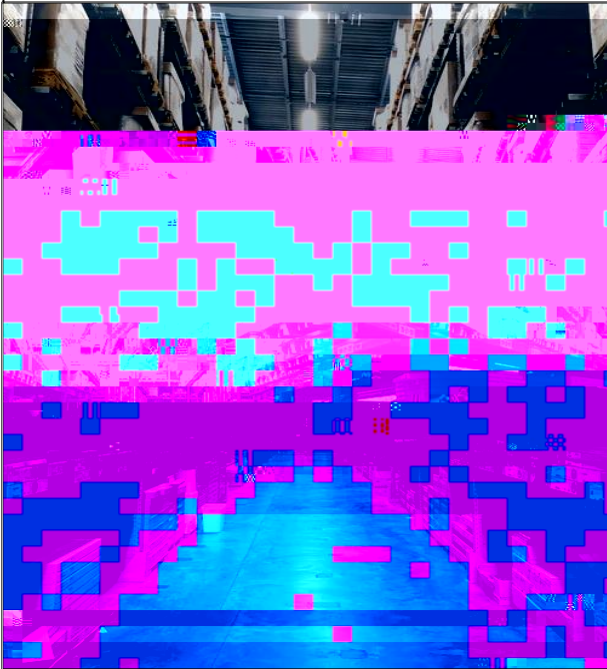
Where there is a conflict between State or local law and Title IX regulations, Title IX regulations win.

Don't Forget Clergy ... Annual Security Report Policies

- Description of proceedings and processes for filing and handling complaints of sexual assault, dating violence, domestic violence and stalking.
- The standard of evidence used in disciplinary actions for covered offenses.
- List of possible sanctions for covered offenses.
- Range of protective measures available to victims.
- Assurances that proceedings will be prompt, fair, impartial & conducted by trained officials.
- Equal opportunity for parties to have an advisor chosen by the party.
- Simultaneous notification of result, process for appeal and when final.
- Description of primary prevention and awareness programs.
- Procedures for victims to follow if a covered crime occurs.
- Notification of services and accommodations for victims.

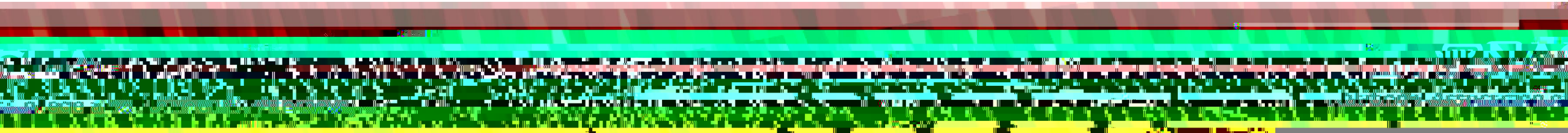
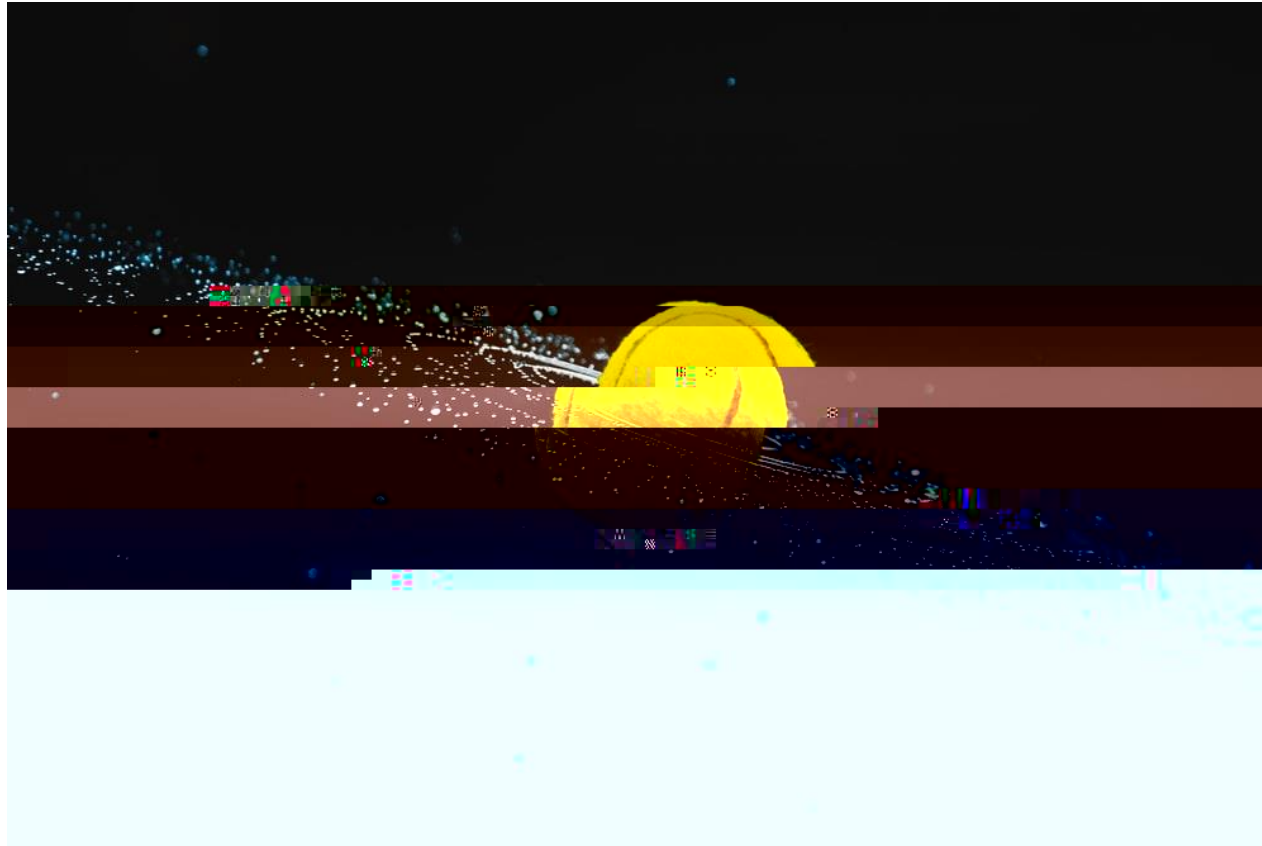


Record Retention 7 Years



- For formal complaints:
 - Investigation
 - Determination of responsibility
 - Transcripts or recordings of hearings
 - Sanctions, if any
 - Remedies to Complainant, if any
 - Appeal, if any, and result
 - Informal resolution and result, if any
- For all reports, regardless of whether there is a formal complaint:
 - Actions taken and supportive measures, if any, provided in response to a formal complaint.
 - Basis for a determination that the institution was not deliberately indifferent.
 - Measures to restore or preserve equal access or reasons why not providing support was not clearly unreasonable under the circumstances.
- All training materials for Title IX personnel

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Questions?

Note

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