

#aiTIXCoordinator

## TITLE IX COORDINATORS AS COMPLIANCE OFFICERS



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CHAT

**What was one area of new regulations that you were able to implement with ease?**

**What's one area that is/was much harder to implement?**



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## HIGHLIGHTS OF 2020 TITLE IX REGULATIONS - FINAL RULE

-  Notice Requirements Impact on Mandated Reporters/Responsible Employees
-  Covered Prohibited Conduct: Definitions, Scope, and Jurisdiction
-  Burden of Proof
-  Move from Single Investigator to Live Hearing Model Cross Examination Requirement
-  Impact on Employees



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**Activity #1: *Select a category and share a best practice you have implemented, or one you are prepared to implement, that fits that category.***

-  **Category 1: Structure and Staffing**
-  **Category 2: Reporting and Response**
-  **Category 3: Investigations**
-  **Category 4: Hearings and Appeals**
-  **Category 5: Prevention and Awareness**



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# Applying the Seven Elements of Compliance to Implementation of the New Title IX Regulations



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## 7 (Really 8) Elements of Compliance

-  Standards of Conduct/Policies and Procedure
-  Compliance Officer/Committee Oversight
-  Education and Training
-  Monitoring and Auditing
-  Reporting and Investigating
-  Enforcement, Discipline, and Incentives
-  Response and Prevention
-  Risk Assessment




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## Title IX Compliance Plan


- 1) Standards, Policies, and Procedures
  - Must have published grievance procedures and specific notification and posting requirements
- 2) Governance and Administration
  - Must designate a Title IX Coordinator
  - Supporting staff (Investigators, hearing administrators, etc.)
- 3) Education and Training
  - New training requirements for administrators
- 4) Monitoring and Auditing
- 5) Reporting and Investigation
  - New guidelines about what constitutes a report
  - Specific requirements for investigations and process
- 6) Enforcement, Discipline, and Incentives
  - New requirements for live hearings
  - Restrictions in interim measures and actions taken before final decision
- 7) Response and Prevention
  - VAWA Education and Prevention Requirements Still Apply
- 8) Risk Assessments
  - August 14<sup>th</sup> Compliance Deadline Forces Prioritized Response

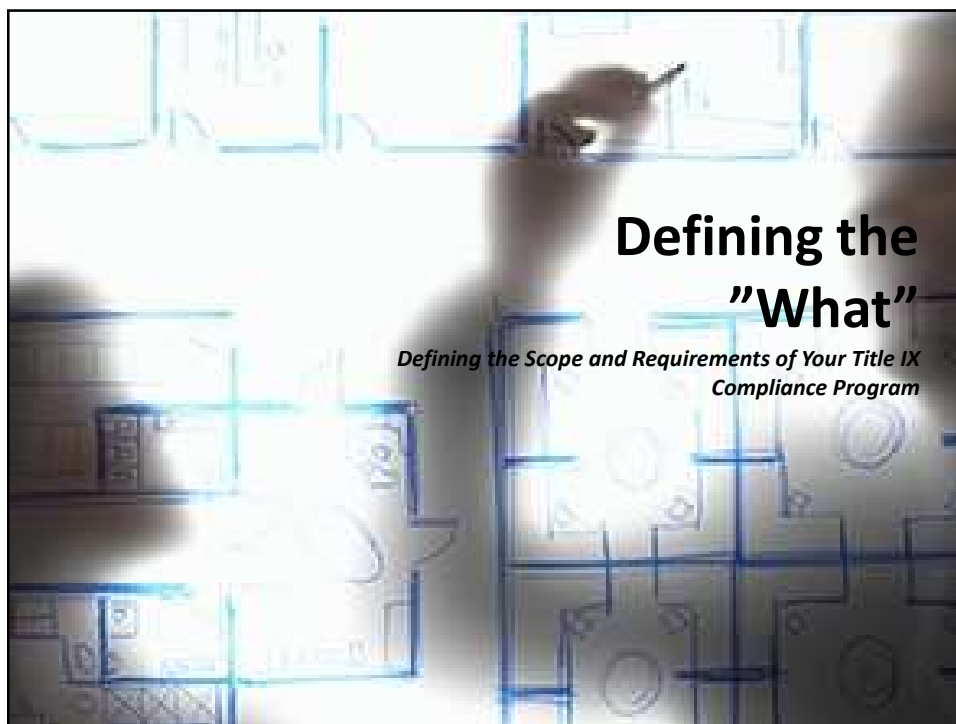

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## STEPS TO COMPLIANCE


Step 1	<b>Understanding Scope</b>
↓	
Step 2	<b>Lay the Foundation</b>
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Step 3	<b>Assess and Prioritize</b>
↓	
Step 4	<b>Document, Document, Document</b>
↓	
Step 5	<b>Spread the Knowledge and the Resources</b>
↓	
Step 6	<b>Enforce, Respond, and Reinforce</b>
↓	
Step 7	<b>Test and Monitor for Effectiveness</b>
↓	
Step 8	<b>See the Change</b>



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 **RESOURCE**

## Free Resources to Define Scope and Requirements

[DOE Summary of Major Provisions](#)  
[ATIXA Regulation Resource Center](#)  
[SUNY Student Conduct Institute Joint Guidance](#)  
[CUPA HR Sexual Harassment Resources](#)

**GUIDING QUESTIONS:**  
What does our current Title IX Compliance Program look like?  
What, if anything, is contrary to the new regulations?  
What can we maintain?  
What must we change?


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IMPRESSIONS <sup>10</sup>

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### GUIDING QUESTIONS



- How do the new Title IX Regulations fit or challenge your:
  - Ethical Code of Conduct
  - Student Code of Conduct
  - Employee and Faculty Conduct Policies
  - Mission and Values
  - Strategic Plan
  - Campus Culture
- Who do the new Title IX Regulations:
  - Protect?
  - Harm?
  - Challenge?
  - Support?
  - Impact?


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## GUIDING QUESTIONS



- What positions are required for compliance?
  - Title IX Coordinator/Deputy Coordinators
  - Investigators
  - Hearing Staff/Panel Members
  - Appeals Staff
  - Advisors
  - Confidential Offices
- What departments are impacted by compliance?
  - General Counsel
  - Human Resources
  - Student Affairs
  - Athletics
  - Student Conduct
- What overlooked departments or staff could assist with compliance?
  - Athletics?
  - Faculty?
  - Counseling/Health?
  - Campus Safety/Law Enforcement?

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 **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](#)

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 **QUESTIONS**

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