

Leading and Strategizing as a New Title IX Coordinator Bootcamp

Building the Capacity of Your Campus Stakeholders
Session Five – Wednesday, March 9, 2022

Disclaimer

The information provided in this training does not, and is not intended to, constitute legal advice; instead, all information, content, and materials available during this training are for training and general informational purposes only.



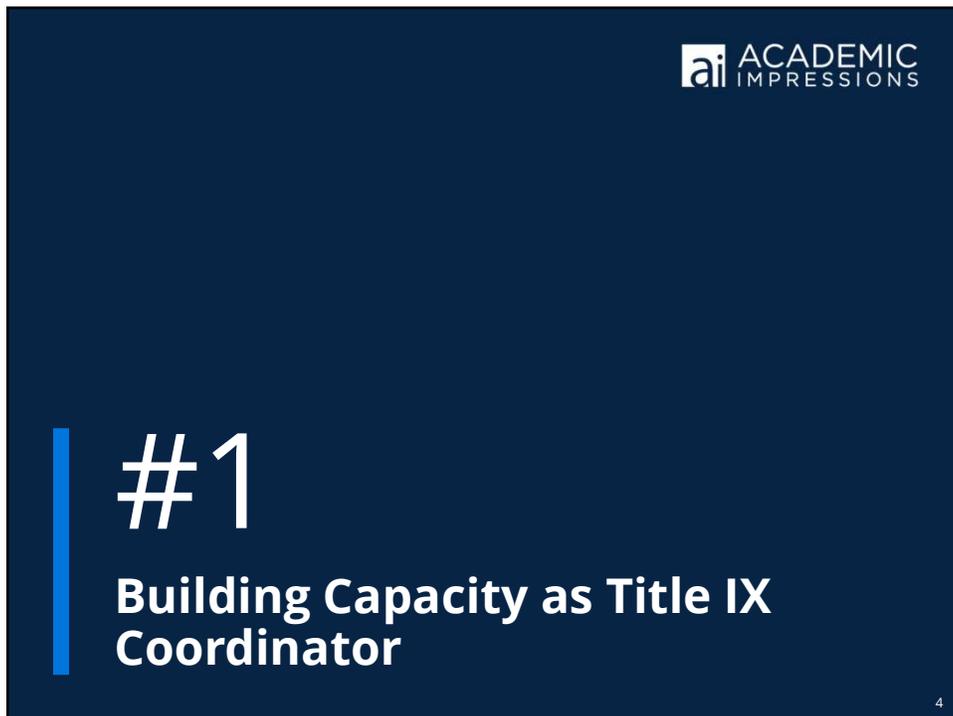
CHAT

Refresh & Reset

What is one valuable lesson that most resonated with you from our last session or one thing you're hoping to learn today?

Which of your questions went unanswered in Session 4?

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ai ACADEMIC IMPRESSIONS

#1

Building Capacity as Title IX Coordinator

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CHAT

Refer to your homework:

Who are your **current** and **desired** campus stakeholders when it comes to you leading Title IX efforts for your entire community?

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■ Building your Brand

Establishing yourself as Title IX Coordinator

- Notice
- Proactive Engagement
- Buy-in
- Trust

Title IX Coordinator as a Resource

Critical Relationship Building

Proactive Strategies

- Marketing
- Partnerships

 **ACADEMIC IMPRESSIONS**

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■ Building your “Team”

- Who are the stakeholders you **must** engage with to operate a successful Title IX Office?
- Who are the stakeholders you **should** engage with to operate a successful Title IX Office?

■ Maintaining and cultivating relationships

- Consistency
- Receiving Feedback
- Self Awareness
- Leadership Development
- Creditability
- Validating Others
- Open to Change
- Humility
- Accessibility
- Life-Long Learner



■ Relationship Considerations

President

- Reporting Structure
- Meeting Frequency
- Information to share

General Counsel

- Obligations and Alignment
- Information to share

Human Resources

- Title VII Considerations
- Partnerships/ Collaboration Opportunities

Student Affairs/ Dean of Students

- Potential Title IX Team Assistance
- Programming Collaborations
- Training Considerations
 - Residence Life
 - Greek Life

Counseling/ Health Center

- Confidential Employees
- Advocacy

Police Department (on-campus & off campus)



Compliance Office

- Clery/VAWA Reporting Liaison

Athletics

- Part of Title IX Team?
- NCAA Compliance
 - Attestation Form

Faculty/ Staff

- Primary
- Ongoing Training Suggestions
- Frequency



Students

- Student Organizations Leadership
- Social Media
- Passive Programming
- "Cancel Culture"

Other

- Outside Community
- Legislators
- Parents/ Family

Other Considerations to maintain capacity building

- Campus Climate
- Managing Change
 - Staffing
 - Legal landscape (federal, state, and competing laws)
- Proactive vs. Reactive
- Negative PR
- Your personality/demeanor



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What challenges have you faced when attempting to build relationships/capacity?

■ Facing Challenges



CHAT

Refer to your homework:

What kind of training topics and formats do you facilitate for your **current** campus stakeholders (e.g., investigators, hearing officers, appellate officers, students, officials with authority, mandatory reporters, etc.) ?

How often do they get trained?

How do you assess their learning?

#2

Required Training

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Required Training for your Title IX Team Members

- §106.45(b)(1)(iii) imposes extensive and ongoing training requirements for Title IX Coordinators, investigators, decision-makers and facilitators of informal resolutions.
- §106.45(b)(1)(iii) requires that all materials used to train Title IX personnel:
 - Must not rely on sex stereotypes.
 - Must promote impartial investigations and adjudications of sexual harassment formal complaints.

■ Training Topics §106.45(b)(1)(iii)

- “Sexual harassment” definition in §106.30.
- The scope of the school’s education program or activity.
- How to conduct sexual harassment investigations, hearings, appeals, and informal resolutions.
- How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest and bias.
- Rape Shield (§106.45(b)(6)(i)) and other privacy protections.
- “Relevance.”
- Process-related technology.

■ Recommended Training Topics for Title IX Team Members

- Trauma-informed approaches and practices
- Building and establishing rapport
- Evidence collection and evaluation, including how to weigh types of relevant evidence
- Evaluating credibility
- Individualized safety and risk analysis
- QPR training
- Accommodating individuals with disabilities

■ What About Training For Advisors?

The Final Regulations do not require training for advisors...

“The Department declines to require training for assigned advisors because the goal of this provision is not to make parties ‘feel adequately represented’ but rather to ensure that the parties have the opportunity for their own view of the case to be probed in front of the decision-maker [through cross-examination].” Preamble, p. 1186 (Federal Register version)

■ Training for Appointed Advisors

Training topics should include:

- How to effectively serve in the advisor role.
- Institution’s Hearing Rules and Procedures, including any limitations on advisor role and rules of decorum.
- “Relevance.”
- How to perform cross-examination in an effective, yet respectful and non-abusive manner.
- How to utilize cross-examination as a “truth-seeking” tool.
- How to identify and probe prior inconsistent statements.
- Rape Shield (§106.45(b)(6)(i)) and other legal protections.



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What is your greatest challenge in coordinating training efforts for your Title IX Team?

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QUESTIONS?

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#3

Other Training Considerations

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■ How much training is required and how often?

- The Final Regulations do not impose an annual or other frequency condition on the mandatory training required in § 106.45(b)(1)(iii).
- OCR estimates 8 hours of training for each team member with additional training each subsequent year. See *Preamble*, p. 2010 (Federal Register version).

■ Who should conduct the training?

- OCR does not weigh-in on the individuals or entities that provide Title IX-related training to institutions.
- OCR recommends using training sources who rely on qualified, experienced professionals likely to result in best practices for effective and impartial grievance procedures and processes.
- Whether or not an institution has complied with §106.45(b)(1)(iii) is not determined by the source of the trainers or training materials utilized.

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Refer to your homework:

What approach or strategy are you thinking about implementing to secure relationships with your **desired** stakeholders (e.g., department chairs, President's Cabinet, students, staff, etc.)?

What training needs do they have and how do you plan on delivering topics to them?



QUESTIONS?

ACADEMIC IMPRESSIONS

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TAKEAWAYS



Next Bootcamp Meeting:
Wednesday, March 16th at
12:00 - 2:00p.m. EST

Remember to visit the
course site to review the
syllabus and upcoming
assignments.

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