

**Title IX Coordinator Training**

Module 1: The Title IX Coordinator

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**Course Overview**

- The Title IX Coordinator
- Title IX and Clery
- Sexual Harassment and Sexual Violence and the Legal Responsibilities of the Institution
- Sexual Harassment and Sexual Assault Investigations
- Review of Institutional Policies: Part 1 & 2
- Notice and Training Obligations
- Title IX and Athletics

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**The Title IX Coordinator**

- 34 C.F.R. § 106.8(a)
- Dear Colleague Letter: Title IX Coordinators (April 24, 2015), available at <http://www.ed.gov/ocr/letters/colleague-201504-title-ix-coordinators.pdf>; and
- Letter to Title IX Coordinators (April 24, 2015), available at <http://www.ed.gov/ocr/docs/dcl-title-ix-coordinators-letter-201504.pdf>.

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## Title IX: 20 U.S.C. § 1681(b)

- 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.



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## Resource Guide:

TITLE IX RESOURCE GUIDE



U.S. Department of Education  
Office for Civil Rights  
April 2015

### Application

- Recruitment, Admissions and Counseling
- Financial Assistance
- Athletics
- Sex-Based Harassment
- Pregnant and Parenting Students
- Discipline
- Single-Sex Education
- Employment
- Retaliation

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## The Title IX Coordinator: The Regs

- A school “shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities” under the law, including the investigation of complaints.
- A school “shall notify all its students and employees of the name, office address and telephone number of the employee or employees appointed . . . .”

34 CFR Section 106.8(a) (By July 21, 1976)

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**Question:**

Can a school have more than one Title IX coordinator?

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**OCR DCL:  
Title IX Coordinators (4/24/15)**

- Designation
  - Independent
  - Reporting Line(s)
  - Full versus Part-Time
  - Single versus Multiple Coordinators



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**OCR DCL:  
Title IX Coordinators (4/24/15)**

"Your Title IX coordinator plays an essential role in helping you ensure that every person affected by the operations of your educational institution – including students, their parents or guardians, employees, and applicants for admission and employment – is aware of the legal rights Title IX affords and that your institution and its officials comply with their legal obligations under Title IX."

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## OCR Dear Colleague Letter: Title IX Coordinators (4/24/15)

"To be effective, a Title IX coordinator must have the full support of your institution. It is therefore critical that all institutions provide their Title IX coordinators with the appropriate authority and support necessary for them to carry out their duties and use their expertise to help their institutions comply with Title IX."

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## Title IX Coordinator:

- Responsibility
  - Coordinate Compliance
  - Central repository
  - Coordination of Response
    - Monitoring Outcomes
    - Identifying and Responding to Patterns
    - Campus Climate
- Knowledge
  - Relevant Laws
  - Guidance Documents
  - Policies and Procedures
  - Athletics, Discipline, Harassment
- Authority
  - Ability to identify and address sex discrimination
  - Free from retaliation
- Support
  - Institutional Support
  - Visibility
  - Training

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## Who Should be the Title IX Coordinator?

### Someone who:

- Understands how to conduct a fair and impartial investigation, even if they are not actually conducting investigations.
- Is able to act promptly, who is detail oriented, and who has a direct line to senior administration.
- Has knowledge of other areas of discrimination law and compliant school policies, including Clery Act and Campus SaVE, for those cases that may also contain facts implicating those policies as well.
- Has great interpersonal skills, conflict management capabilities, and the ability to speak effectively in front of faculty, staff and students.

The position must be free of real or perceived conflict of interest.  
Potential conflicts:

- General Counsel
- Director of Athletics
- Dean of Students
- Campus Police Officer
- Judicial or Hearing Board Member
- Any Employee hearing Appeals

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## Title IX Coordinator Responsibilities

(taken from rescinded Q and A, but included as appropriate)

- Develop accessible support materials setting forth relevant resources.
- Oversee all Title IX complaints, including:
  - ✦ Intake and Assessment
  - ✦ Response, including the provision of interim and/or protective measures
  - ✦ Weighing Requests for Confidentiality
  - ✦ Documentation and notice
  - ✦ Investigation/Resolution/Appeals
  - ✦ Non-retaliation
- Coordination with on and off campus law enforcement
- Ongoing review and identification patterns of discrimination using climate surveys, for example, and/or systemic problems and development of measures to address
- Case Management Tracking
- Preparation of reports
- Ability to demonstrate institutional commitment to compliance

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## Title IX Coordinator and Athletics

- NCAA Mandated Training
- Title IX Discrimination Generally
- Title IX Coordinator and Athletics
  - Sexual Harassment and Sexual Violence
  - Programmatic Application
    - Additional Policy Considerations
    - Unique Application to Athletics

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## Note

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The transmission of information in this presentation does not establish an attorney-client relationship with the recipient. The recipient should not act on the information contained in this presentation without first consulting retained legal counsel.

If you desire legal advice for a particular situation, you should consult an attorney.

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