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ATTORNEYS & COUNSELORS

Training for Title IX Coordinators

Guest Speaker:

Julie Heuberger Yura
Title IX Coordinator
Lake Forest College
yura@lakeforest.edu
847.735.6009

Amy Dickerson
akd@franczek.com
312.786.6108

Patrick DePoy
pmd@franczek.com
312.786.6547

Erin Fowler
ef@franczek.com
312.786.6535

Darcy Kriha
dlk@franczek.com
312.786.6569

Franczek Radelet School Law Conference
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Agenda

- Overview of School's responsibilities under Title IX
- Role of Title IX Coordinator
- Serving Transgender Students
- Anatomy of Sexual Violence or Harassment Complaint
- Overview of reporting, complaint investigation and response requirements
- Next steps for policies and trainings
- ANSWER YOUR QUESTIONS

Headlines: Title IX & Education

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Mattress-Carrying Rape Protesters Take Columbia by Storm



Headlines: Title IX & Education

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- “Sexual violence is more than just a crime against individuals. It threatens our families, it threatens our communities; ultimately, it threatens the entire country. It tears apart the fabric of our communities. And that’s why we’re here today -- because we have the power to do something about it as a government, as a nation. We have the capacity to stop sexual assault, support those who have survived it, and bring perpetrators to justice.”



**President Barack Obama
(January 22, 2014)**

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EDUCATION WEEK

N.Y.C. Public Schools in Violation of Title IX, Feds Find



In handling rape, high schools are worse than colleges

When a girl reported a rape on a school trip, administrators didn't seem to know the law; experts say that's common

“My School Punished Me”[✓]

A high school student accused a classmate of sexual assault. Her school suspended her.

By Nora Caplan-Bricker



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In The News...

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Tulsa Public Schools making big changes to accommodate transgender students

Legal battles likely as schools put transgender policies into practice

Bathroom access for transgender teen divides Missouri town

Report from the Office for Civil Rights: Trans Students Must Be Given Locker Room Access

Transgender student rights: Education Department, courts not on same page

Suit: Transgender student not allowed in boys' restroom at North Riverside elementary

Overview of Title IX

- Title IX: Prohibits all types of sex discrimination, *including sexual/relationship violence*, in education programs and activities receiving federal financial assistance

Scope of Title IX

Protects . . .

- Students
- Employees
- Applicants for Admission & Employment
- And other persons . . .

From all forms of sex discrimination

Scope of Title IX

- Prohibits all forms of sex discrimination including
 - Discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity;
 - Sexual harassment
 - Sexual assault
 - Sexual violence

Scope of Title IX

- All aspects of a school district's educational programs and activities. . .

Scope of Title IX

- Recruitment, admissions & counseling
- Financial assistance
- Athletics
- Sex-based harassment
- Pregnant & Parenting students
- Discipline
- Single sex education
- Employment
- Retaliation

Recruitment, Admissions & Counseling

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- District may not use different materials for students based on sex or use materials that permit or require different treatment of students based on sex
- Must provide equal access to all programs and fields of study

Financial Assistance

- District may not
 - Provide different amounts or types of financial assistance
 - Limit eligibility for such assistance
 - Apply different criteria or otherwise discriminate on the basis of sex in administering assistance
 - Assist any agency, organization or person which offers sex-restricted aid

Athletics

- Student interest and abilities
- Athletic benefits and opportunities
- Athletic financial assistance

Athletics – Student Interest and Ability

- Three-part test
 - Substantially proportionate
 - Practice of program expansion
 - Full and effective accommodation

Athletics – Benefits and opportunities

- Is District providing equal opportunities in athletics?
- “Laundry List” of factors
 - Provision of equipment and supplies
 - Scheduling of games and practices
 - Travel and per diem allowances
 - Coaching and tutoring opportunities
 - Coaching and tutoring assignment and compensation
 - Locker rooms and facilities
 - Medical and training facilities and services
 - Housing and dining services
 - Publicity
 - Recruitment
 - Support services

Sex-based harassment

- Title IX coordinator must
 - Coordinate efforts to accept and appropriately respond to all complaints of sex discrimination
 - Should work to prevent sexual and gender-based harassment

Sex-based harassment

- Title IX Coordinator . .
 - Should assist with training
 - Should help develop method to survey campus climate
 - Must have knowledge of all Title IX reports and complaints
 - Should coordinate recordkeeping and monitor incidents
 - Should make recommendations regarding increase in safety measures
 - Should regularly review effectiveness of District's efforts

Pregnant and parenting students

- District prohibited from applying any rule concerning parental, family or marital status that treats people differently on basis of sex; or
- Discriminating against or excluding any student on basis of pregnancy, childbirth, false pregnancy termination of pregnancy or recovery therefrom

Discipline

- Prohibition against separate or different rules of behavior, sanctions or other treatment based on sex
- Title IX Coordinator should
 - Review discipline policies
 - Help maintain accurate and complete records
 - Help ensure students are not disciplined based on gender identity or non-conformance

Single sex education

- Schools
- Classes and extracurricular activities

- Title IX Coordinator should . . .
 - Help make sure school employees are aware that Title IX Coordinator is available to help employees as well as students
 - Should be familiar with employment policies and procedures
 - Be able to train appropriate HR employees on Title IX obligations

Retaliation

- District cannot retaliate against any individual for purpose of interfering with any right or privilege secured by Title IX

Retaliation

- If an individual brings concerns about possible civil rights problems to a school's attention, including publicly opposing sexual violence or filing a sexual violence complaint with the school or any State or Federal agency, it is unlawful for the school to retaliate against that individual for doing so.
- It is also unlawful to retaliate against an individual because he or she testified, or participated in any manner, in an OCR or school's investigation or proceeding.

Serving Transgender Students

- 7th grade student
 - “Sarah”
 - School records lists as female
- Friends identify student as male, “Sam”
- Asks school social worker to use “Sam”
- Student reports to school social worker that parents do not know about male identity
- Reports to school social workers that students have been teasing him for being different

Key Definitions

“Transgender” describes an individual whose gender identity is different from the individual’s assigned sex.

“Transgender student” is a student who consistently and uniformly asserts a gender identity different from the student’s assigned sex, or for which there is documented legal or medical evidence that the gender identity is sincerely held as part of the student’s core identity.

Potential Legal Issues

- Confidentiality
- Harassment Prevention
- Extracurricular Activities
- Facilities

- May 13, 2016 guidance from the U.S. Department of Education:
 - *“The Departments treat a student’s gender identity as the student’s sex...”*
 - *“A school may provide separate facilities on the basis of sex, but must allow transgender students access to such facilities consistent with their gender identity.”*

Supporting Transgender Students

IMPACTS on Illinois Schools:

- Locker rooms
- Bathrooms
- Overnight accommodations

DOES NOT IMPACT:

- Name changes
- Bullying/harassment obligations
- Dress code accommodations

Title IX Requirements

What Does Title IX Require?

- Appointment and training of Title IX coordinator(s)
- Dissemination of:
 - notice of non-discrimination that prohibits sex discrimination
 - grievance and investigation procedures that treat all parties equitably
- Prompt and equitable investigation and resolution of all complaints/suspected violations (even if complainant does not want to come forward)
 - “Knew or should have known”

What Does Title IX Require?

- Immediate action to eliminate any discrimination or harassment, prevent its recurrence, and address its effects
 - Address off-campus sexual harassment if it may impact educational setting
 - Interaction with law enforcement in sexual assault/sexual violence cases
- Remedies and other corrective actions
- Training of students and other employees who may receive complaints or otherwise become aware of discrimination or harassment

Title IX Coordinator

- Presence
 - Should be made known to school community
- Availability
 - To students and parents as needed
- Knowledge
 - Of School's policies and grievance procedures
- Training
 - On Title IX and the School's obligations to respond to allegations of sexual harassment or violence

Title IX Coordinator's Responsibilities

- Implement and monitor Title IX compliance
- Coordinate training, education, and communications regarding School's policies and procedures
- Field inquiries on Title IX and School's policies and procedures
- Ensure reports/complaints are handled through consistent practices and standards
- Review reports/complaints received to identify and address any patterns or systemic problems
- Keep confidential log of complaints to identify students or employees with multiple complaints against them

Title IX Coordinator's Responsibilities

- Be available to meet with or talk to students, parents and employees who believe sexual harassment or assault has occurred
- Notify such students and employees regarding option of filing criminal complaint and facilitate contact with law enforcement authorities
- Notify students regarding counseling or other available resources on or off school grounds
- Personally investigate or oversee investigation of alleged policy violations

Title IX Coordinator's Responsibilities

- Implement training that includes information about:
 - Conduct that constitutes a violation of School's policy
 - Investigation and grievance procedures used to resolve alleged policy violations
 - Potential consequences associated with violating the policy
 - How to report incidents of gender-based and sexual misconduct
 - How to contact local law enforcement for purposes of making a report
 - Available on- and off-campus counseling and other support services

Other Title IX Coordinator Responsibilities

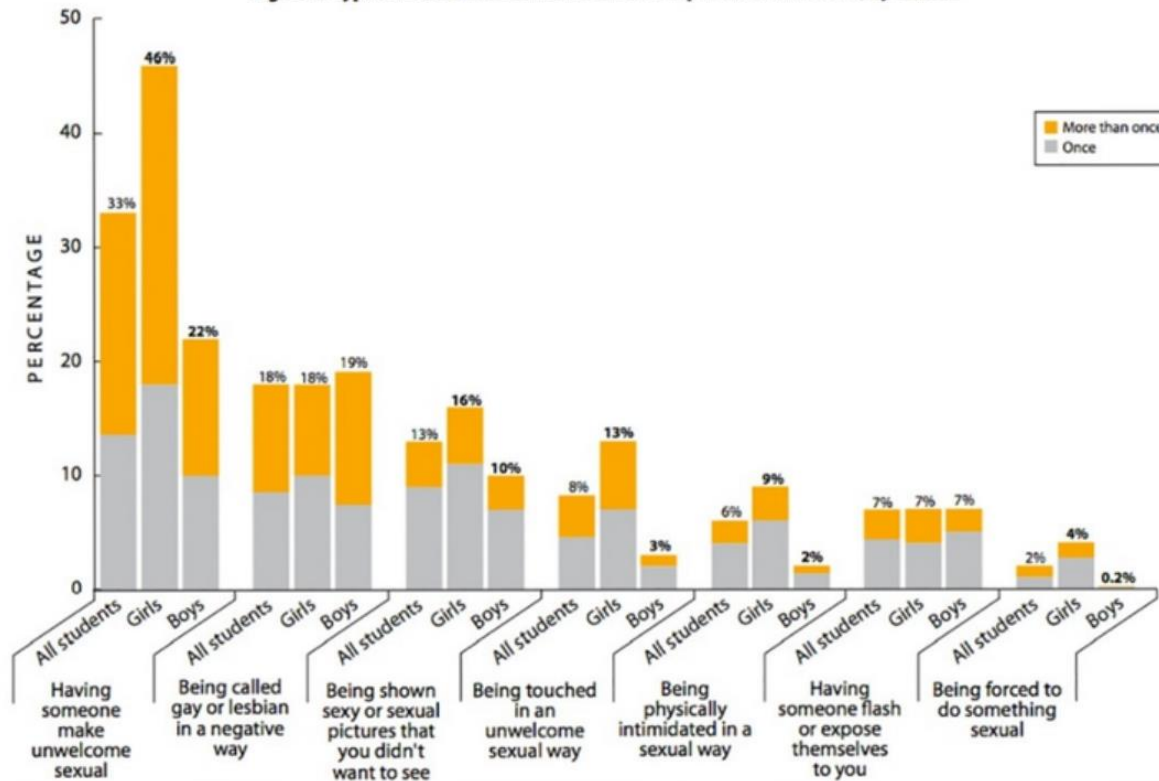
- April 23, 2015 DCL & Resource Guide
- Developing climate survey and evaluating results
- Review recruitment, admissions, and financial aid, policies and practices
- Monitor participation in athletics
- Review disciplinary policies and procedures
- A resource for employees as well

Sexual Harassment & Sexual Violence

Sexual Harassment in K-12 Schools

In a given school year, 58 percent of 7th-12th graders experience sexual harassment

Figure 2. Types of Sexual Harassment Students Experienced in Person, by Gender



The American Association of University Women

Quiz Time

It's Monday morning and the students have just returned from a long weekend. A teacher comes to you and tells you that one of her Junior, female high school students asked to talk. The student reports that she was sexually assaulted over the weekend by a male classmate at a friend's party. The student asked the teacher not to tell anyone. What do you tell the teacher:

- a. Comply with her wishes & never discuss the incident again
- b. Comply with her wishes & continue to be a resource for her
- c. Comply with her wishes, but conduct your own investigation to see if there is anything to the allegations
- d. Report the allegation

The Correct Answer Is...

- ✓ D. All allegations of sexual harassment must be reported
- Why not A? The duty to report is always applicable.
- How about B? Be a resource, but also report.
- Can you ever do C? NO: Faculty & staff members cannot independently investigate these allegations.

Key Definitions Under Title IX

What is Sexual Violence?

Physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to age, use of drugs, or an intellectual or other disability that prevents the student from having the capacity to give consent)

- **2001 Sexual Harassment Guidance**
- **October 2010 Dear Colleague Letter**
 - Student-on-student harassment
- **April 2011 Dear Colleague Letter**
 - Sexual harassment and sexual violence
- **April 2014 Questions and Answers about Title IX and Sexual Violence**
- **April 2014 White House Task Force Report**
- **April 24, 2015 Dear Colleague Letter**
 - Title IX Coordinators

A School Violates a Student's Right under Title IX When...

- The alleged conduct is sufficiently serious to limit or deny a student's ability to participate in or benefit from the school's educational program (creates hostile environment) AND
- The school, upon notice fails to take prompt and effective steps reasonably calculated to end the sexual violence, eliminate the hostile environment, prevent its recurrence, and, as appropriate, remedy its effects

A School is 'On Notice' When...

A school responsible employee
knew or reasonably should
have known about the sexual
violence or harassment.

Identifying a Hostile Environment

- For harassment purposes, the usual case will involve repetitive conduct or actions on the part of the harasser, but the more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the harassment is physical.
- Example: A single instance of rape is sufficiently severe to create a hostile environment

April 2014 OCR FAQ Guidance

- School's obligation to respond to sexual violence
- Title IX Policy
- Title IX Coordinators
- Title IX Procedural Requirements
- Responsible employees and reporting
- Confidentiality
- Investigation, Hearings and Interim Measures

Title IX & K-12 Schools

- OCR Guidance applies to elementary and secondary schools
- Responding to Sexual Violence:
 - Sexual assault on school grounds
 - Sexual assault off school grounds
 - Related or retaliatory harassment

OCR Title IX Enforcement

- May 2014 – List of Colleges & Universities Open Title IX Sexual Violence Investigations
- Title IX complaint investigation protocol
- Resolution Agreements

Significant Risk Areas

- OCR investigation
 - Interviews
 - Focus Groups
 - Surveys
 - Resolution agreement
 - Monitoring
 - “On the list” ?
 - Risk of Revocation of federal funding

Will OCR investigation protocols for sexual violence remain?

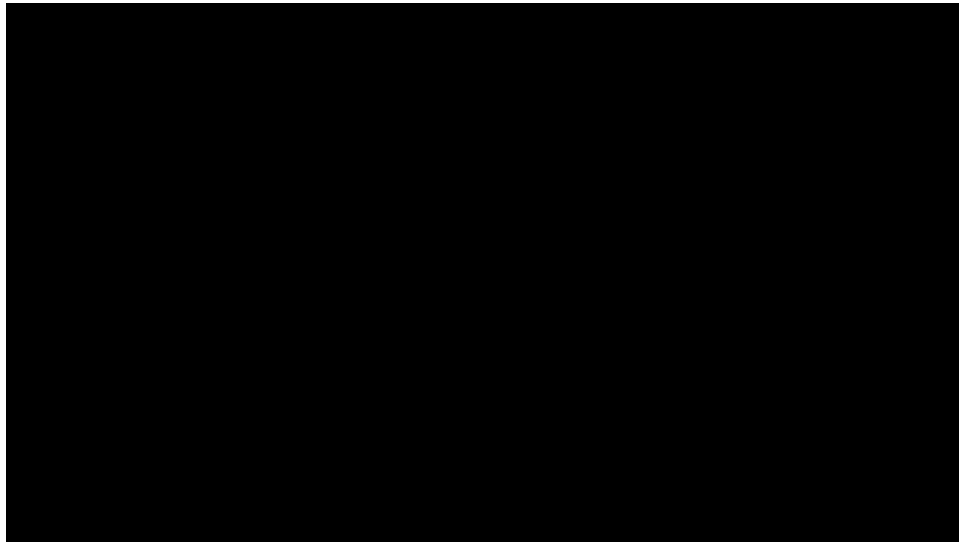
Other Applicable Laws

- Erin's Law
- Title VII: discrimination in employment based on race, color, religion, sex and national origin
- Illinois Human Rights Act
 - discrimination in employment, public accommodations
 - Sexual harassment in schools
- Other anti-discrimination laws (e.g., Title VI, ADA, ADEA, etc.)

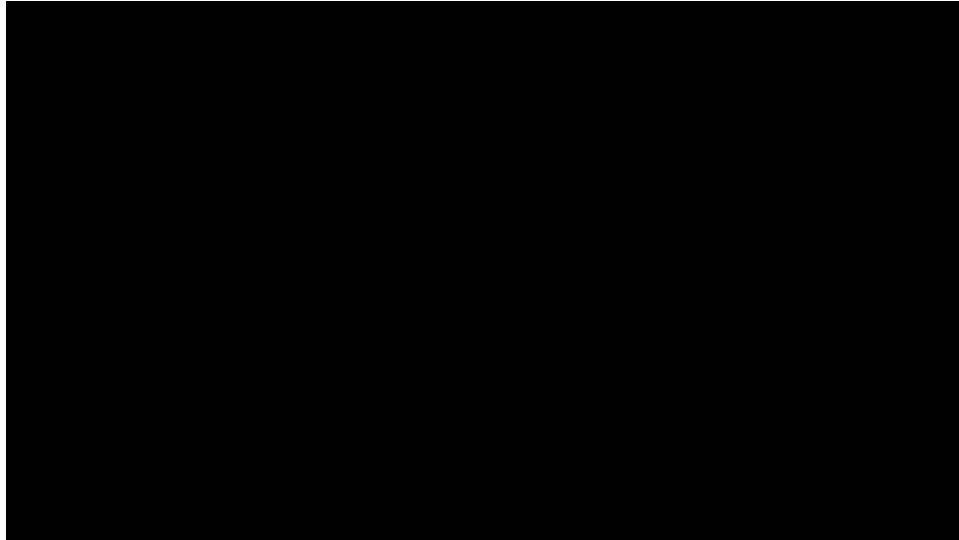
Erin's Law

- Requires all public elementary and secondary schools to implement age-appropriate, prevention-oriented sexual abuse and assault awareness and prevention for grades Pre-K through 12.

Teaching Consent



Teaching Consent



ISBE Task Force Requirements for Erin's Law

- Training must include a professional training component for administrators, teachers, and other school personnel concerning:
 - Talking to students
 - Effects of child sexual abuse
 - Handling disclosures
 - Mandated reporting
- Encourage parental involvement

ISBE Task Force Recommendations

- Overview of dynamics of child sexual abuse
- How to handle a disclosure of child sexual abuse
- Questions to ask and not to ask a child who discloses sexual abuse
- The mandated reporter law
- DCFS

- Public relations risk
 - Inherent in EVERY case of sexual violence
 - Encourage people to report
 - Take every complaint extremely seriously, and make that obvious in documents
 - Try to fix these problems

Responding to Reports Alleging Sex Discrimination

Possible Reports Arising Under Title IX

- Sex Discrimination
- Sexual Harassment
- Sexual Assault
- Sexual Violence

On School Grounds

- 4th grade male student tells the janitor that an older male student inappropriately touched him in the bathroom.
- 6th grade female student tells the Dean that two male students raped her in the bathroom



What should the Dean and Janitor do?

- A. Report to the Title IX Coordinator
- B. Contact the student's parent(s)
- C. Let the student decide what they want to do

A is Correct

They MUST report the allegation to the Title IX Coordinator.

Remember OCR's 2014 Dear Colleague Letter?

- The Title IX Coordinator is to be made aware of all Title IX Complaints
- Must also contact parents

- Sophomore tries out for and makes the football team. After the first few practices, the varsity team members pull the new team members' pants down and make them perform sexually explicit dance moves.

Reporting Channels

- Title IX Coordinator
- Responsible Employees – any employee:
 - who has the authority to take action to redress sexual violence;
 - who has been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX coordinator or other appropriate school designee; or
 - whom a student could reasonably believe has this authority or duty.
 - **In the elementary and middle school setting, likely all employees**

Step-by-Step Guide for Responsible Employees

- Disclose your role
- Care for the individual
- Report

What to Do if Employee Learns of a Possible Violation

- **REPORT!**
 - MUST report incidents of harassment, discrimination, and sexual misconduct to Title IX Coordinator
 - Report names, dates, and all relevant details if have them
 - But do not conduct own investigation – that is role of Title IX Coordinator and designated investigators
- May also need to report to:
 - Parent
 - DCFS
 - Police

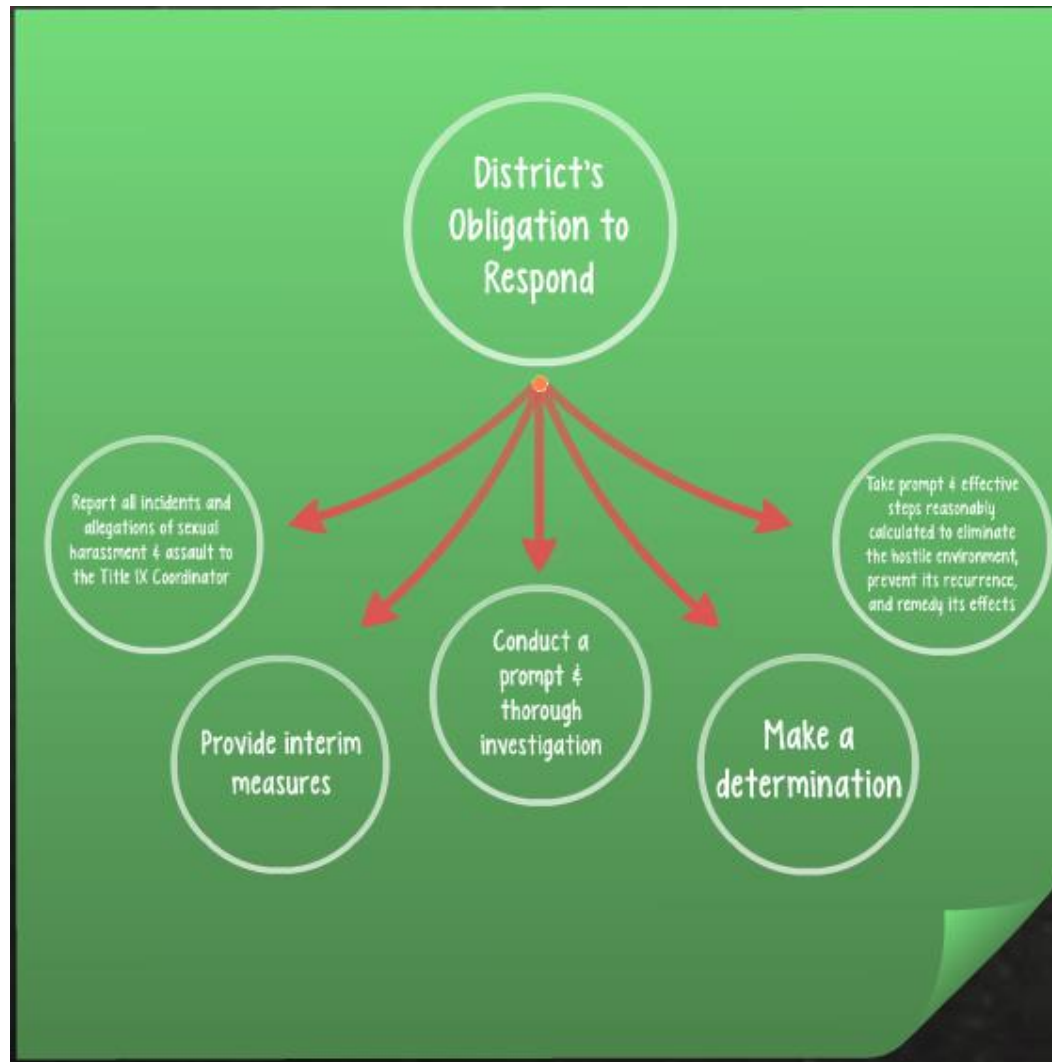
When responsible employee knows. . .

- . . . the School knows.
 - When a responsible employee knows or reasonably should know of possible sexual violence, OCR deems a school to have notice of the sexual violence.
 - The school must take immediate and appropriate steps to investigate or otherwise determine what occurred subject to certain circumstances regarding confidentiality, and, if the school determines that sexual violence created a hostile environment, the school must then take appropriate steps to address the situation.

Exception: Confidential Reporting Sources

- OCR does not require campus mental-health counselors, pastoral counselors, social workers, psychologists, health center employees, or any other person with a professional license requiring confidentiality to report incidents of sexual violence to the school in a way that identifies the student

The District's Obligation to Respond



Interim Measures

- Title IX “requires” school to take interim measures
- Suggested interim measures (“should”) :
 - Provide periodic updates on the status of the investigation
 - Notify complainant of options to avoid contact with the alleged perpetrator
 - Allow complainant to change academic, extracurricular, or work activities
 - Inform complainant of his/her Title IX rights
 - Inform complainant of available resources such as survivor advocacy, housing assistance, academic support, counseling, disability services, health/mental health services, legal assistance, and the right to report a crime to law enforcement
 - If such services not offered by institution, “should” enter into an MOU with victim services provider
 - If counseling is provided it must be free of charge

Interim Measures

- Requiring Accused to change schedules or locations
 - “minimize the burden on the complainant” and “should not, as a matter of course, remove the complainant from the class or housing while allowing the alleged perpetrator to remain without carefully considering the facts of the case” (Q&A)
 - Not limited to class or housing (athletics, other extracurricular activities, etc.)

What Type of Response Is Required?

Is an Investigation Required?

Confidentiality

- General confidentiality Applies to all parties involved:
 - Complainant and accused
 - Protected except where “need to know”

- Complainant of sexual violence = in control
 - Discretion to remain anonymous
 - Dictates School’s next step

- Exceptions:
 - Interfere with ability to conduct an investigation and take appropriate corrective action where necessary
 - Must weigh complainant's request for "absolute" confidentiality or anonymity against obligation to address and remedy alleged discrimination or harassment

Is Investigation Required?

- Sexual/relationship violence = always investigate, subject to confidentiality considerations above
- Other types of alleged discrimination and harassment = almost always investigate even if complainant requests confidentiality

Overview of Investigation and Resolution Process

Basic Procedural Elements

- Investigate and document results
- Notify parties of outcome
- Resolve any appeals (if applicable)
- **IMPORTANT:** These steps must be followed in every case, unless investigation is truncated for confidentiality reasons

■ Investigations

- Prompt, thorough, and equitable
- Do not wait for outcome of pending criminal investigation
- Communicate about process, interim measures, and how to report recurrences or retaliation
- Thoroughly interview alleged victim, perpetrator, and witnesses



■ Investigations

– Gather facts

- Victim and alleged perpetrator should be interviewed
- Other witnesses should be considered and interviewed as appropriate
- Victim and alleged perpetrator should not be required to “work it out”



Recap - Title IX Violation

- When the alleged conduct creates a hostile environment AND
- The school, upon notice, fails to take prompt and effective steps reasonably calculated to
 - end the sexual violence,
 - eliminate the hostile environment,
 - prevent its recurrence and,
 - as appropriate, remedy its effects

Best Practices

- Document, document, document!
- Make credibility determinations where necessary
- Make findings:
 - Policy violation
 - Consent

Credibility Assessments

- Adapted from the *Equal Employment Opportunity Commission's Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors* (1999).
- Examine:
 - Detail and Consistency: The accuracy of each person's account should be compared in an attempt to evaluate honesty and consistency.
 - Demeanor: While emotional responses vary widely, each party's reactions and behavior after the alleged incident could be evaluated as part of a decision.
 - Action Taken: The timing of a report may be considered, although either an immediate or delayed report could be reasonably explained.
 - Other Contemporaneous Evidence: Verbal or electronic communication with friends or family (and their reactions), any other form of written details, and the timing of such communications may be factors in a decision.

- **Response:**
 - Make a determination
 - Respond appropriately and effectively:
 - Discipline
 - Avoid contact
 - Increased supervision
 - Counseling
 - Additional support and resources
 - School-wide interventions
 - Notification to parties of outcome
 - Follow-up

What Would You Do?

- Band & choir perform at a community event outside of school and off premises
- Next day at school, a student alleges she was subject to sexual assault
- Title IX Coordinator is notified and parents involve law enforcement
- What's next?

Do you...

- A. Continue with your investigation & make sure the victim doesn't have contact with the alleged perpetrator
- B. Postpone your investigation until the police completed their investigation

Remedies/Corrective Actions

- Disciplinary action against “perpetrator” – but disciplinary action alone “likely will not be sufficient” to satisfy Title IX
- Counseling for perpetrator
- Changes to services or policies
- Remedies for complainant and others
 - Offer even if refused as interim remedial action
 - When school unable to conduct full investigation (e.g. anonymous report), “should” consider remedies for broader campus population

Suggested Remedies for Complainant

- Providing effective supervision or escort to ensure complainant can move safely between classes and activities
- Ensuring complainant and perpetrator do not share classes/activities or work locations
- Moving the student to another class or location(or moving complainant if he/she requests it)
- Providing comprehensive, holistic survivor services (e.g. medical, counseling, tutoring)
- Arranging for complainant to have extra time to complete/re-take/withdraw from classes, etc., with no penalty
- Offering job-related accommodations to complainant
- Reviewing any disciplinary actions taken against complainant to see if there is a causal connection between the sexual violence and the misconduct (e.g. skipping or being late for class)

Resolve any appeals

- Follow procedures applicable to students, staff, and faculty depending upon identity of parties
- Notify both parties simultaneously and in writing of the outcome

Special Considerations

- Related or Retaliatory Harassment
 - Especially with online or off-campus misconduct
- Trauma

Related or Retaliatory Harassment

Watch for:

Online or in-person . . .

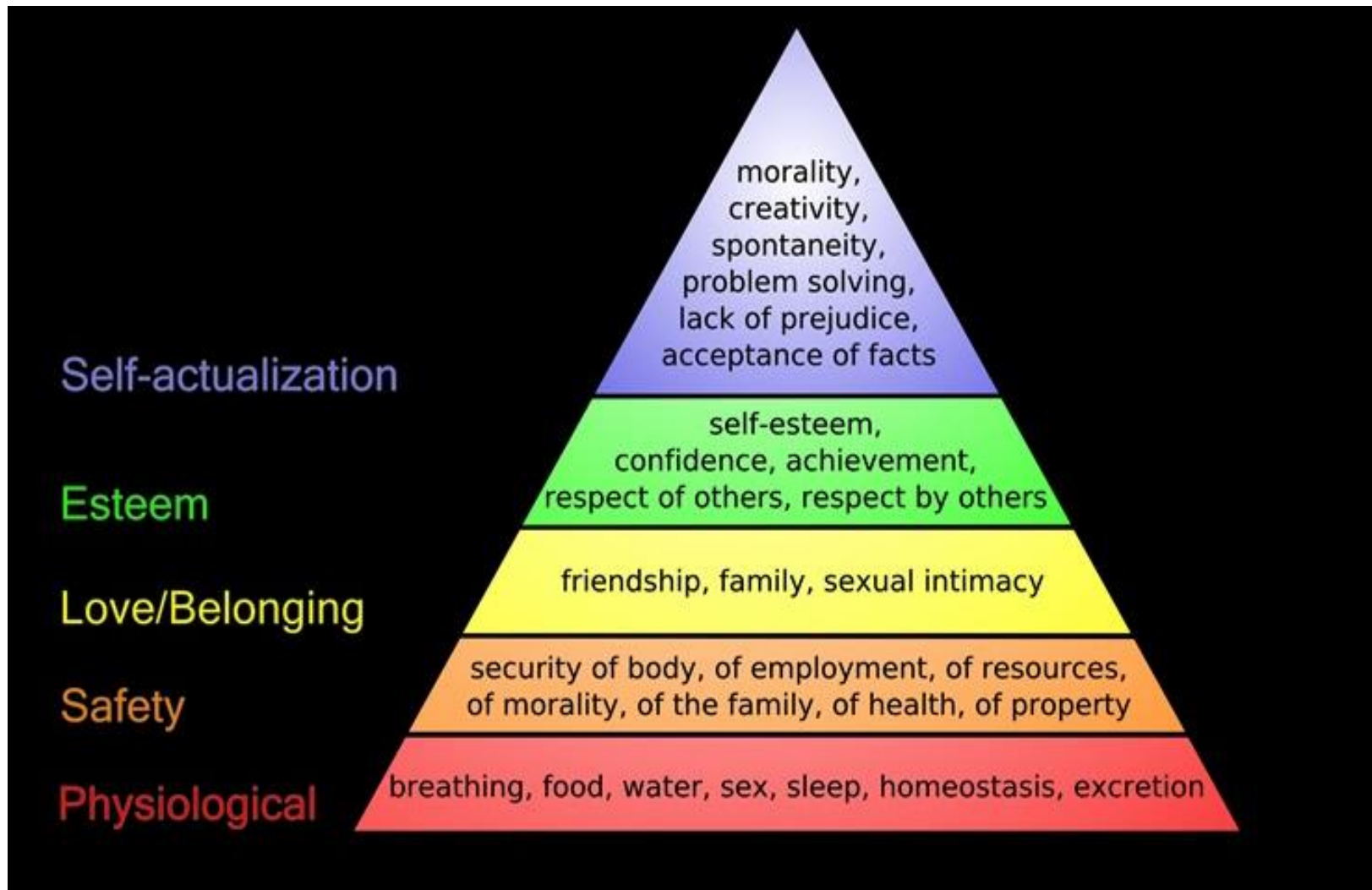
- Harassment by accused
- Retaliatory harassment by accused or accused's friends



Trauma

- Culture shift: understand “trauma” issues
 - Trauma = threat or actual loss of physical integrity
 - Understanding impact
 - Counter-intuitive survivor behaviors
 - Stages of recovery
 - Personal bias?
- Institutional Level

Trauma . . .

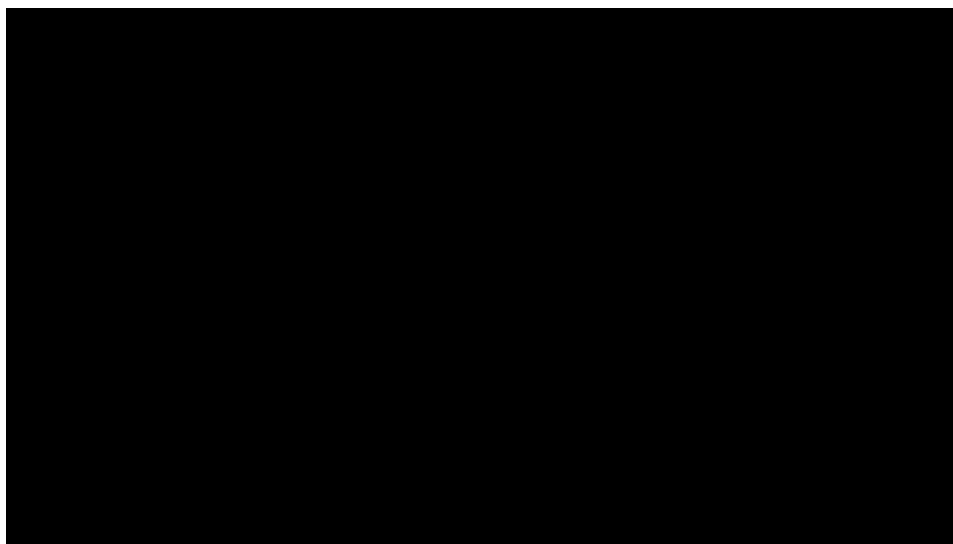


Complainant

- Trauma – Understanding impact
 - Disorganized recall/processing
 - Difficulty making decisions; may change mind about wanting to make a complaint or go to police

- Trauma – Counter-intuitive “victim” behavior
 - Demeanor (crying, rage, calm, unresponsive)
 - Limited effort to resist during event
 - Questioning self (“why didn’t I,” “maybe my fault”)
 - Delayed reporting . . . recantation

- Trauma – Stages of recovery
 - Initial shock
 - Denial
 - Integration
 - Reactivation
 - Anger (Responding Party, self, others)
- Trauma – Your own personal bias?
 - Deciding who/what to believe – want ANSWER
 - False reports? (maybe 2%)
 - Over-identify with Reporting Party/Responding Party



Practical Tips for Trauma Interview

- Acknowledge pain/difficult situation
- Ask open ended questions such as:
 - “What are you able to tell me about what happened?”
 - “Tell me more about. . .?”
 - “Help me understand your thoughts when. . .?”
 - “What are you able to remember about [5 senses]?”
 - “What was your reaction?”
 - “What was the most difficult part of your experience?”
 - “What, if anything, can’t you forget about this experience?”

Next Steps

- Review Policy & Procedures
- Training

Policy Requirements

■ Policies – Must Have's

- Non-discrimination notice
- Identify Title IX Coordinator
- Clearly establish grievance procedures
 - That provide for prompt and equitable resolution of student and employee sex discrimination complaints
- Distribute to parents and students

BEST
PRACTiCE



- **Grievance Procedures**
 - Compliance in written procedures and application of procedures
 - OCR's 2014 Q&A Guidance Identifies key components of procedures (C-5)



Training Requirements

- Title IX Coordinator(s)
- Employees responsible for implementing grievance procedures
 - e.g.. Title IX Coordinators, investigators, other designated administrators
- Responsible employees
- Employees
- Students

Training Requirements – Title IX Coordinators & Designated Administrators

- Title IX Coordinators and those responsible for implementing grievance procedures
 - **Must be trained on:**
 - how to respond appropriately to reports of sexual violence
 - Handling sexual violence complaints
 - School's grievance procedures
 - **To meet this goal, OCR recommends training on the following . . .**

OCR Recommended Training

- The training for Title IX Coordinators and other responsible for implementing the grievance procedures should include information on:
 - working with and interviewing persons subjected to sexual violence;
 - information on particular types of conduct that would constitute sexual violence, including same-sex sexual violence;
 - the proper standard of review for sexual violence complaints (preponderance of the evidence);
 - information on consent and the role drugs or alcohol can play in the ability to consent;
 - the importance of accountability for individuals found to have committed sexual violence;
 - the need for remedial actions for the perpetrator, complainant, and school community;
 - how to determine credibility;
 - how to evaluate evidence and weigh it in an impartial manner;
 - how to conduct investigations;
 - confidentiality;
 - the effects of trauma, including neurobiological change; and
 - cultural awareness training regarding how sexual violence may impact students differently depending on their cultural backgrounds.

Training Requirements – Responsible Employees

- The School Must ensure that
 - **Responsible employees with the authority to address sexual violence** know how to respond appropriately to reports of sexual violence
 - **Other responsible employees** know that they are obligated to report sexual violence to appropriate school officials, and
 - **All other employees** understand how to respond to reports of sexual violence
 - Informing employees of reporting responsibilities and the importance of informing complainants of: the reporting obligations of responsible employees; complainants' option to request confidentiality and available confidential advocacy, counseling, or other support services; and complainants' right to file a Title IX complaint with the school and to report a crime to campus or local law enforcement
 - **To meet this goal, . . .**

OCR Recommended Training

- Practical information about
 - how to identify and prevent sexual violence and sexual harassment, including same-sex sexual violence and harassment;
 - the behaviors that may lead to and result in sexual violence;
 - the attitudes of bystanders that may allow conduct to continue;
 - the potential for revictimization by responders and its effect on students;
 - appropriate methods for responding to a student who may have experienced sexual violence, including the use of nonjudgmental language;
 - the impact of trauma on victims; and, as applicable, the person(s) to whom such misconduct must be reported.
 - **responsible employees' reporting obligation**, including
 - what should be included in a report and any consequences for the failure to report,
 - the procedure for responding to students' requests for confidentiality, as well as provide the contact information for the school's Title IX coordinator, and
 - **What to inform students of - the reporting obligations of responsible employees; students' option to request confidentiality and available confidential advocacy, counseling, or other support services; and their right to file a Title IX complaint with the school and to report a crime to campus or local law enforcement.**

Final Tips for Title IX Coordinators

- Be Present
- Be Available
- Be Trained
- Be Adequately Staffed
- Be Neutral

Questions?

