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*Interim Director, SCI*

*March 2022*

SCI

LIVE@ DISTANCE BASIC COMPLIANCE  
TRAINING, PART 1

# WELCOME TO DAY ONE



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# CREDIT AND ATTENDANCE

## Training Goals

- ✓ Complete **ALL** of your annual compliance requirements through **full attendance** over the course of four sessions.
- ✓ **Earn 8 hours** and fulfill all required SCI training topics upon completion of this training.
- ✓ Receive credit on your online **transcript** and download your annual compliance certificate directly from your SCI **dashboard**.

**Slides will be posted at  
[system.suny.edu/sci/postedtraining](https://system.suny.edu/sci/postedtraining)**



# WHAT ARE THE TRAINING TOPICS?

## Title IX Training Topics

*(at least one time; annually as best practice):*

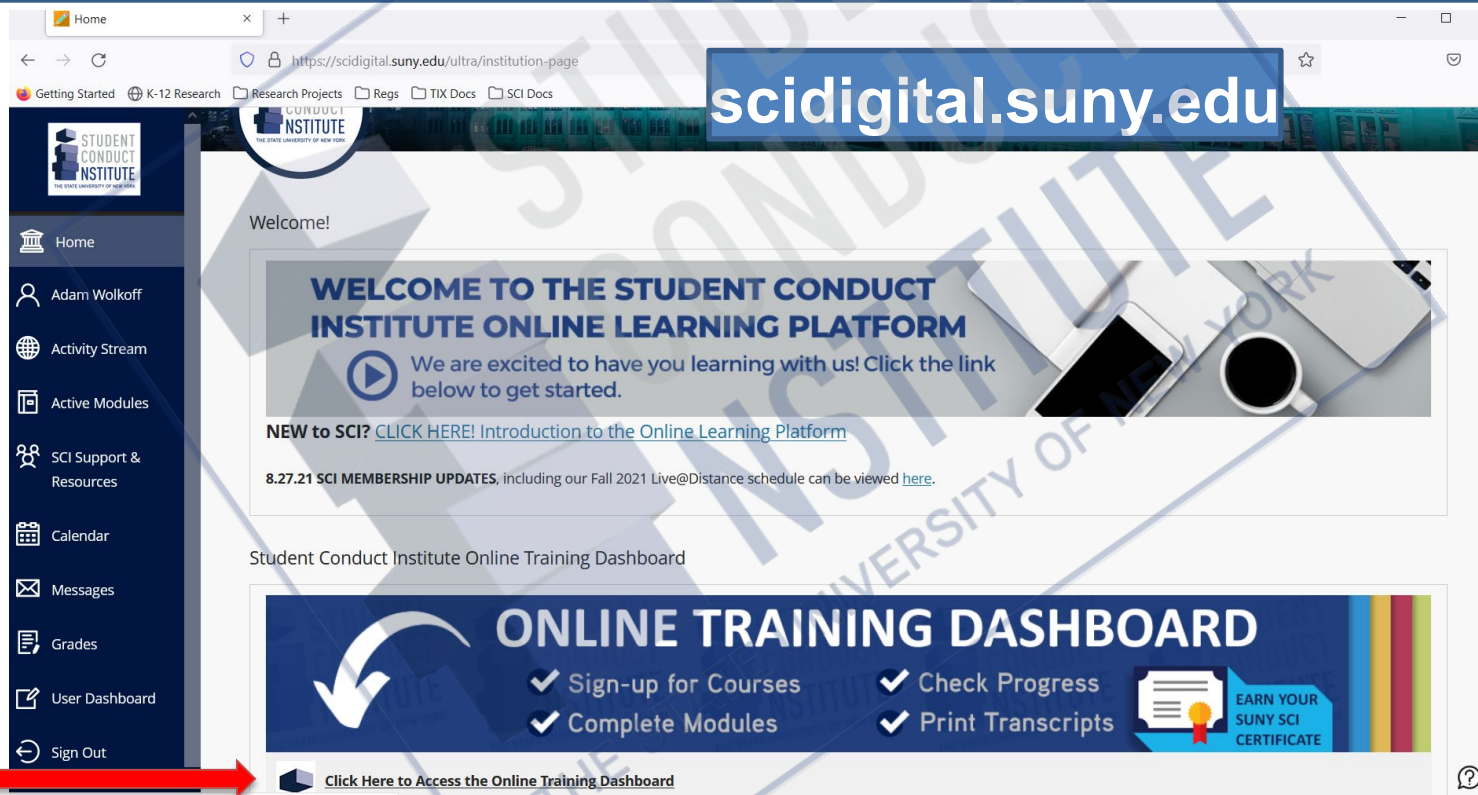
- TIX Conflicts & Bias
- TIX Investigative Reports
- TIX Relevant Evidence
- TIX Technology
- TIX Investigation & Grievance Procedures
- TIX Jurisdiction
- TIX Sexual Harassment

## VAWA/Clery Training Topics

*(annual):*

- Understanding Sexual & Interpersonal Violence
- Investigation Process
- Adjudication Process
- Consent
- Cultural Awareness
- Understanding the Conduct Participant Experience\*
- Federal Legal Requirements

# ONLINE TRAINING



The screenshot shows a web browser window with the URL <https://scidigital.suny.edu/ultra/institution-page>. The page features a navigation sidebar on the left with the following items: Home, Adam Wolkoff, Activity Stream, Active Modules, SCI Support & Resources, Calendar, Messages, Grades, User Dashboard, and Sign Out. A red arrow points to the 'Sign Out' link. The main content area includes a 'Welcome!' message, a large banner with the text 'WELCOME TO THE STUDENT CONDUCT INSTITUTE ONLINE LEARNING PLATFORM' and a play button icon, and a link to 'NEW to SCI? CLICK HERE! Introduction to the Online Learning Platform'. Below this is a link for '8.27.21 SCI MEMBERSHIP UPDATES'. The 'Student Conduct Institute Online Training Dashboard' section contains a large blue banner with the text 'ONLINE TRAINING DASHBOARD' and a list of actions: 'Sign-up for Courses', 'Check Progress', 'Complete Modules', and 'Print Transcripts'. A 'Click Here to Access the Online Training Dashboard' link is located at the bottom of the dashboard banner. A 'EARN YOUR SUNY SCI CERTIFICATE' badge is also visible.

# ONLINE TRAINING: TOPICS AND HOURS

**Adam Wolkoff**  
Logged in as Learner

- Dashboard
- Sign-Up for Course
- Print Transcript

**Competency Legend**

- Law
- Foundations of Practice
- Conduct Theory
- Content Area Expertise

Search for Courses... **Find Course** **Proceed to Enrolled Courses >>>**

Advanced Filters

Title IX: Conflicts of Interest and Bias | All Content Creators | All Delivery Methods | All locations

- All Training Topics
- Title IX: Conflicts of Interest and Bias
  - Title IX: Investigation & Grievance Procedures
  - Title IX: Investigative Reports
  - Title IX: Jurisdiction
  - Title IX: Relevant Evidence
  - Title IX: Sexual Harassment
  - Title IX: Technology
  - Adjudication Process\*
  - Conflict of Interest & Bias (NY, MA)\*
  - Consent\*
  - Cultural Awareness\*
  - Disability (MA, NH)\*
  - Federal Legal Requirements\*
  - Investigation Process\*
  - Remedial Actions (NY, MA, OR)\*
  - Reporting & Confidentiality (NY, IL, MA)\*
  - State Legal Requirements\*
  - Trauma-Informed Practice (NY, IL, MA, NH, CT, MN)\*
  - Understanding Sexual & Interpersonal Violence\*

Learning Path

Compliance Learning

**2021-2022: Law & The Hearing Panel**  
Online | Jul 1, 2021  
99601 seats available  
Hours: 0.5

Info Sign-up

**2021-2022: Legal Framework for Understanding Conflicts of Interest and Bias**  
Online | Jul 1, 2021  
99234 seats available  
Hours: 0.5




Info Sign-up

**2021-2022: Title IX Final Rule Basics**  
Online | Jul 1, 2021  
99138 seats available  
Hours: 0.75

Info Sign-up

# CODE WORDS

## Do This

Verification #1 - Live@Distance Basic Compliance #1(Day 2-4)   

Questions Responses

### Verification #1 - Day 2 - Open to all

Thank you for joining us for our Live@Distance Basic Compliance Training series. To obtain SCI credit for attending this training, please fill in the code word and submit this form when prompted during the presentation. You have 15 minutes to submit your response.


**Email \***  
Valid email



This form is collecting emails. [Change settings](#)

**First Name** \*  
Exactly as listed on your training registration

Short answer text

## Not That

 Chat

To: **Everyone**  

Type message here...

# TRAINING SCHEDULE

## Day One (TODAY)

- Hour 1: Due Process Basics
- Hour 2: Title IX Laws & Regulations

## Day Two

- Incident Reported
- Conduct Process Initiated

## Day Three

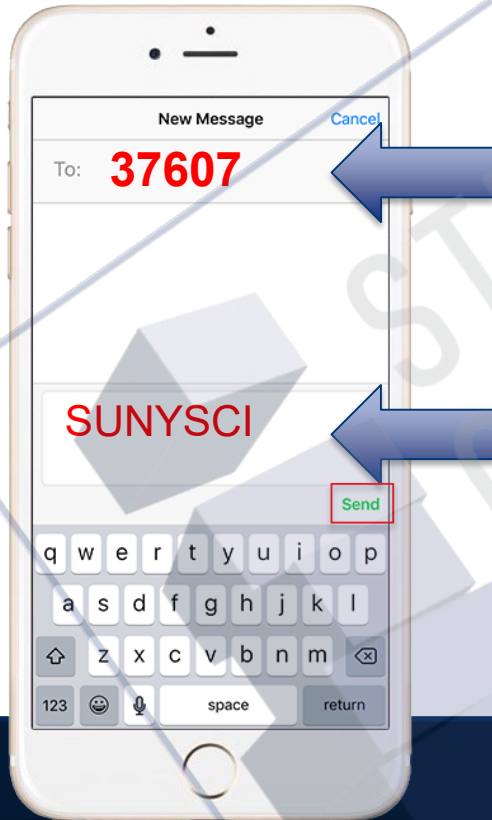
- Investigations
- Pre-Hearing Preparations
- Hearings

## Day Four

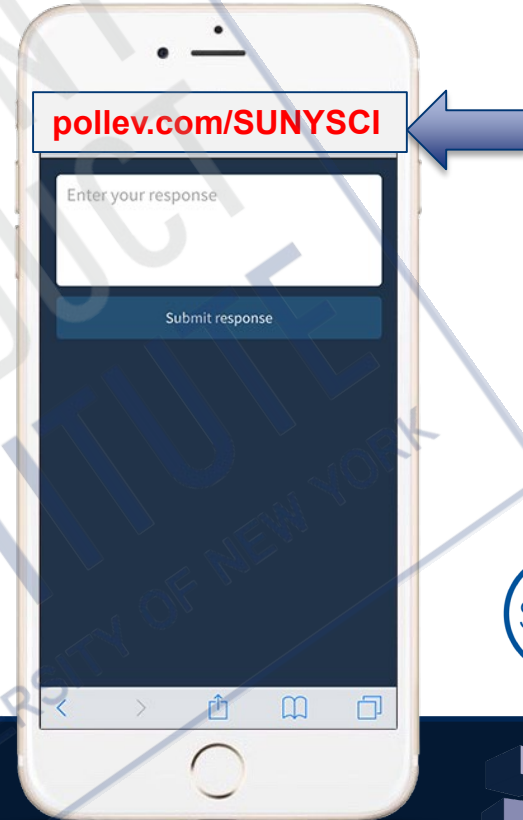
- Decisions
- Appeals
- Implementation & Wrapping Up



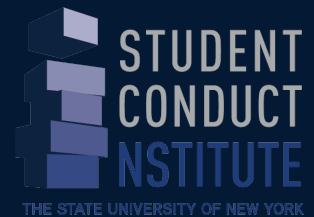
## Option #1: Text Voting



## Option #2: Web Voting



RESPONDING WITH POLL EVERYWHERE



# Would you consider yourself

New professional

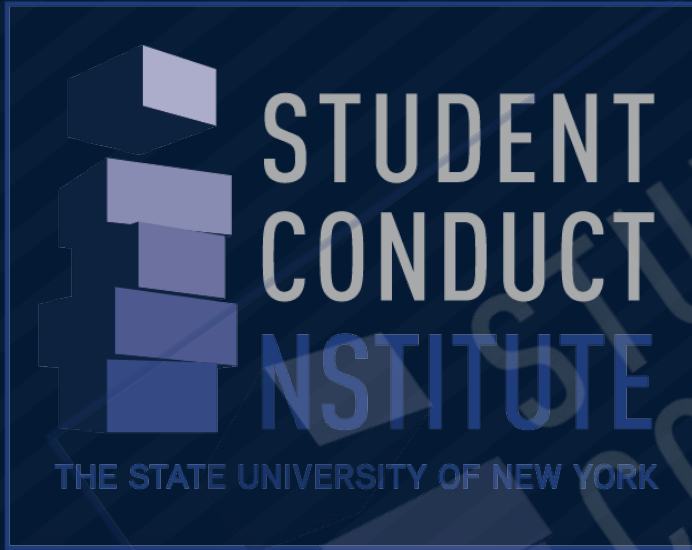
Mid-level  
professional

Senior-level  
professional

# Which of these functions best matches your role in the student conduct process?

- Title IX staff **A**
- Residence Life **B**
- Student Affairs Admin. **C**
- Hearing Board Member **D**
- Student Justice **E**
- Appeals Board Member **F**
- Human Resources Manager **G**
- Chief Diversity Officer **H**
- Police Officer **I**
- Student Advisor/Advocate **J**
- Other campus professional **K**





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LEGAL COMPLIANCE BASICS:  
**DUE PROCESS BASICS**

# THE JOURNEY TO COMPLIANCE



Compliance is an Ongoing Journey



You Play A Vital Role

# SOURCES OF DUE PROCESS

## Constitution

- 14<sup>th</sup> Amendment, Section 1

## Case law

- *Cannon v. University of Chicago*, 441 U.S. 677 (1979)

## Statute => Regulation => Guidance

- State law (e.g., N.Y. Education Law 129-B)
- Clery Act/ VAWA (*federal*)
- Title IX (*federal*)

**ALWAYS: Start with your Code**



# CONSTITUTIONAL STANDARD



**No state shall “deprive any person of life, liberty, or property, without due process of law.”**

*14<sup>th</sup> Amendment, Sec. 1,  
U.S. Constitution*



# TITLE IX OF THE EDUCATION AMENDMENTS OF 1972

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.





# TITLE IX: FINAL RULE KEY REQUIREMENTS

- Sexual harassment = Sex discrimination in educational programs or activities
- Prompt & supportive responses to alleged victims
- Prompt resolutions to allegations
- Predictable & fair grievance processes
- **Due process protections** for alleged victims & alleged perpetrators.
- Effective implementation of remedies for victims

# DUE PROCESS: KEY CASE LAW

## *Goldberg v. Kelly, 397 U.S. 254 (1970)*

- Timely and adequate notice
- Hearing before an impartial decision-maker
- Right to present evidence
- Right to cross-examine witnesses
- Right to a written decision
- NO right to a formal trial
- NO right to an attorney

## *Wisconsin v. Constantineau, 400 U. S. 433 (1971)*

- More process owed the greater the deprivation or threat to reputation
- Less process owed the lesser or more trivial the deprivation

*“Where a person's good name, reputation, honor, or integrity is at stake because of what the government is doing to him, notice and an opportunity to be heard are essential.”*

## ***Mathews v. Eldridge, 424 U.S. 319 (1976)***

### **Mathews' 3-Part Balancing Test**

What is the interest of the property right?



What happens if the government takes it away?

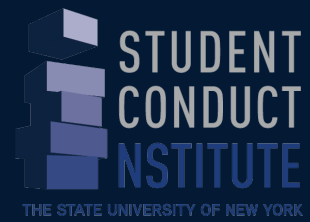
Will the government's procedure lead to errors?

Would an alternative procedure lead to fewer errors?

If additional protections are added...

will they be so expensive and burdensome that the government cannot operate efficiently?

# DUE PROCESS: FACT OR FICTION?



**Folding chairs** are not allowed. **Selfie sticks, flags, and banners** are prohibited.

**Clothing with multiple layers** is subject to search. No clothing may drag on the ground.

Engaging with other guests or impeding operations **while posing a character in costume** is prohibited.

We can enter any room for safety, maintenance, or other purpose even with **"Room Occupied"** sign up.

We can require a person already admitted to **leave without refund** in our **sole and absolute discretion**.

# DUE PROCESS: PREREQUISITES FOR REMOVAL

## Dixon v. Alabama, 293 F.2d 150 (5th Cir. 1961)



- Known as “the leading case on due process for students in public higher education.”
- **LANDMARK** decision outlining due process requirements before removal from a public institution
- Must include notice and opportunity to be heard
- Goodbye (for now) ***in loco parentis*** to discipline and expel students.

# DUE PROCESS: DISCIPLINARY SUSPENSIONS

## “TEN (10) DAY” ANALYSIS

### Goss v. Lopez, 419 U.S. 565 (1975)

#### 10+ DAY SUSPENSION

- Compulsory public schools must conduct a hearing
- Before suspending students more than ten (10) days

#### FEWER THAN 10 DAYS

- Must provide notice and a “hearing”
- Before suspending students less than ten (10) days

# DUE PROCESS: HOW MUCH PROCESS?

Greater  
Process  
Owed

General Conduct Charge

Academic disciplinary  
charge

Less  
Process  
Owed

Lack of academic progress  
dismissal



# DUE PROCESS: ACADEMIC PERFORMANCE

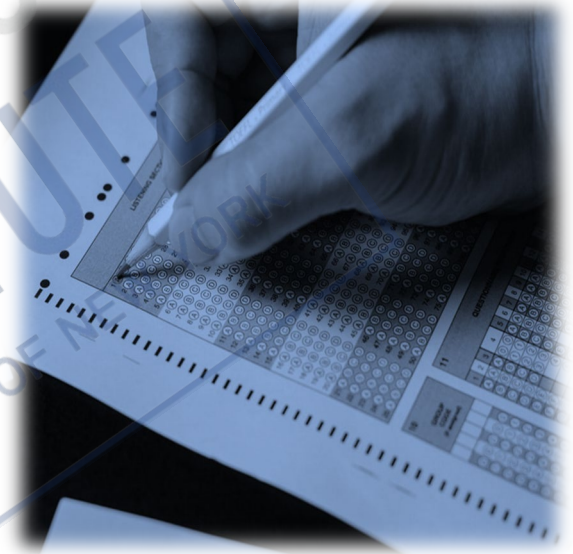
- Low procedural requirements
- Notice to the student
- No right to a hearing (unless in your policy)
- Decisions must be supported by substantial evidence and cannot be discriminatory based on a protected class.





# DUE PROCESS: ACADEMIC DISHONESTY

- Somewhat higher minimum process required
- Notice of the charges against the student
- Some type of opportunity to be heard
- A written explanation of the decision reached



# DUE PROCESS: GENERAL CONDUCT DISCIPLINE

- Highly specific notice of charges and witnesses
- Strict adherence to deadlines and published procedures (with possibility of good cause delays)
- Impartial decision-maker
- Access to advisor
- Hearing under college's control
- Written decisions that clearly weigh evidence and describe the reasons for the determination and sanction



# DUE PROCESS: DISABILITY RIGHTS CONSIDERATIONS

- Disability does not excuse misconduct, but cannot be basis for discipline
- Students posing “direct threat” not entitled to accommodation.
- Advise students about accommodations at intake or charge
- College does not need to “fundamentally” alter program to accommodate student with disability (i.e. not enforcing its own policies)

# DUE PROCESS: LITIGATION CONSIDERATIONS

- In litigation, we will be held to the “most,” all others will hold themselves to the “least.”
- So, we do not want multiple, inconsistent policies and codes that could potentially apply.
- Review for inconsistencies among campus departments. Review old websites.

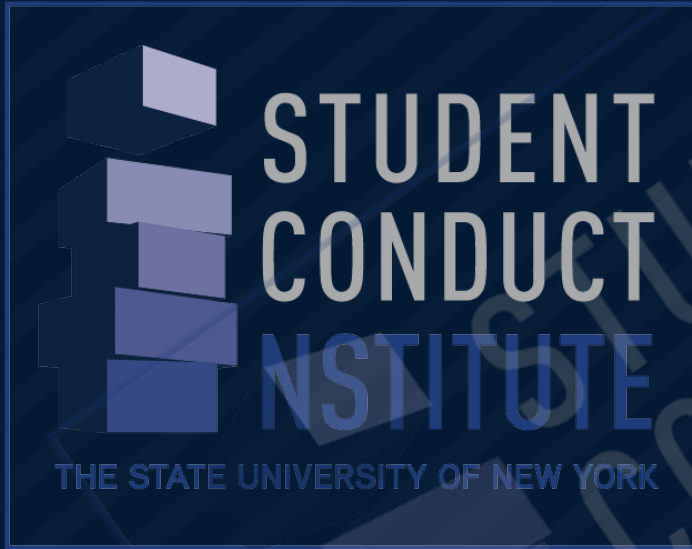
# “RIPPED FROM THE HEADLINES”

“Appeals Court: Title IX Liability Extends to Nonstudent Guests”

“[University] Fires [President]”

Two [University] Lacrosse Players Accused of Sexual Assault Are  
Suing the University.

[State] universities now have to follow strict guidelines with  
cases of sexual misconduct



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FEDERAL LAWS & REGULATIONS  
GOVERNING  
TITLE IX INVESTIGATIONS

# How prepared do you feel your institution is to handle a TIX case right now?

Very prepared

Somewhat prepared

Not prepared

# How prepared do you feel to handle a TIX case right now?

Very prepared

Somewhat prepared

Not prepared

Contemplating other career choices



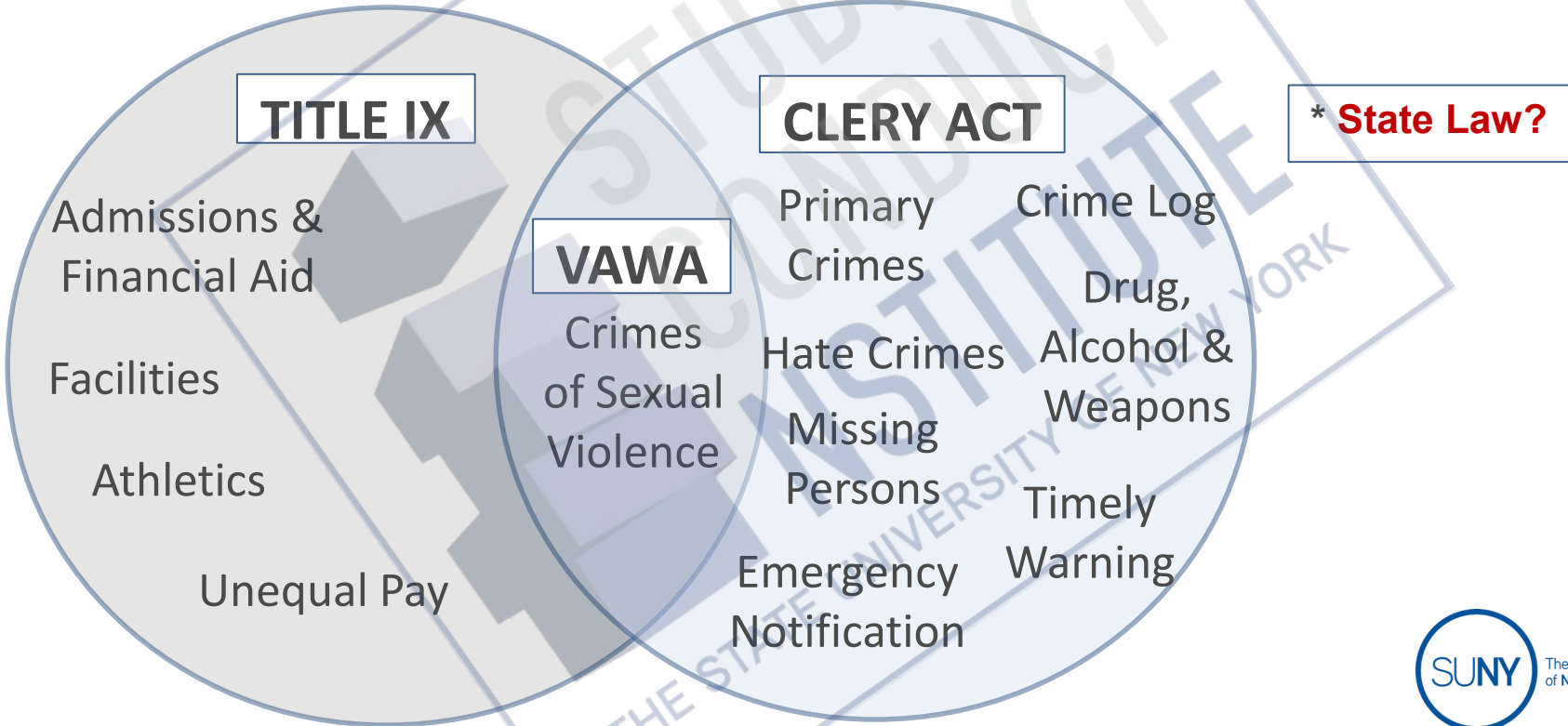
# Have you ever seen a full student conduct hearing from beginning to end?

Yes

I have only seen a part of a hearing

I have never seen a student conduct hearing

# TITLE IX & THE CLERY ACT



# VIOLENCE AGAINST WOMEN ACT (VAWA) KEY REQUIREMENTS

- Disciplinary procedures must include a fair, prompt, and impartial investigation and resolution and be conducted by “officials” who receive “annual training”
- Must publish all available sanctions for Clery crimes
- Mandatory written notifications
- Access to an advisor, who may be an attorney
- Publish a statement of the standard of evidence

# CLERY ACT / VAWA ANNUAL TRAINING MANDATE

## Campus Investigators must be trained annually in:

- Conducting investigations of sexual violence
- Issues involved with domestic violence, dating violence, stalking or sexual assault
- Promoting victim safety and accountability
- Impartiality and avoiding “actual” and “perceived” conflicts of interest

# TITLE IX OF THE EDUCATION AMENDMENTS OF 1972

No person in the United States shall. . .

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# SEXUAL HARASSMENT UNDER TITLE IX THE HISTORY

~~1997/2001 Sexual Harassment Guidance~~

~~April 2011 Dear Colleague Letter and April 2014 Q&A~~

~~September 2017 Dear Colleague Letter~~

November 2018 Notice of Proposed Rulemaking (“NPRM”)

**May 19, 2020: Title IX Final Rules (effective August 14, 2020)**

**April 6, 2021: Dear Stakeholders Letter**

**July 2021 Q&A + August 24, 2021 Letter to Stakeholders**



# DUE PROCESS: PRIVATE VS. PUBLIC PROCESS RIGHTS

## TITLE IX

**Private College**

**Fair Process**

Less Process Owed  
(contractual)



**Public College**

**Due Process**

Greater Process Owed  
(constitutional)

# TITLE IX: FINAL RULE KEY REQUIREMENTS REVISITED

- Sexual harassment = Sex discrimination in educational programs or activities
- Prompt & supportive responses to alleged victims
- Prompt resolutions to allegations
- Predictable & fair grievance processes
- Due process protections for alleged victims & alleged perpetrators.
- Effective implementation of remedies for victims



# TITLE IX: SEXUAL HARASSMENT SCOPE

- A school employee conditioning education benefits on participation in unwelcome sexual conduct (**Quid Pro Quo**); or
- **Unwelcome conduct** that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the educational institution's education program or activity; or
- **Sexual assault** (as defined in the Clery Act), or
- **Dating violence, domestic violence, or stalking** (as defined in the Clery Act as amended by the Violence Against Women Act (VAWA))

# SEXUAL HARASSMENT:SEXUAL ASSAULT

A forcible or nonforcible sex offense under the uniform crime reporting system of the FBI.

20 U.S.C. 1092(f)(6)(A)(v).



# SEXUAL HARASSMENT: DATING VIOLENCE

Violence by committed by a person who is or has been in:

- a social relationship of a romantic or intimate nature with the victim and
- where the existence of such a relationship shall be determined based on a consideration of specified factors:

## Factors for determining the existence of a relationship:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

# SEXUAL HARASSMENT: DOMESTIC VIOLENCE

A **felony** or **misdemeanor crime of violence** committed by:

- A current or former spouse or intimate partner of the victim
- A person with whom the victim shares child in common.
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner.
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- Any other person against an adult or youth victim who is protected from the person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

# SEXUAL HARASSMENT: STALKING

Engaging in a course of conduct directed at a specific person that would cause a *reasonable person* to:

- fear for their safety or the safety of others; or
- suffer ***substantial*** emotional distress.



CAUTION

# SEXUAL HARASSMENT: SEX OFFENSES

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

1. Rape
2. Sodomy
3. Sexual assault with an object
4. Fondling
5. Incest
6. Statutory Rape



# RAPE

The “carnal knowledge of a person” without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

# SODOMY

Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.



# SEXUAL ASSAULT W/ AN OBJECT

Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

# FONDLING

The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity

# INCEST

Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

# STATUTORY RAPE

Nonforcible sexual intercourse with a person  
who is under the statutory age of consent

# TITLE IX: FINAL RULE KEY REQUIREMENTS REVISITED

- Sexual harassment = Sex discrimination in educational programs or activities
- Prompt & supportive responses to alleged victims
- Prompt resolutions to allegations
- Predictable & fair grievance processes
- Due process protections for alleged victims & alleged perpetrators.
- Effective implementation of remedies for victims

# JURISDICTION

- **Only** within the United States
- Educational programs & activities: (on-campus/ off-campus)
  - Locations,
  - Events, or
  - Circumstances
- Over which the school exercised substantial control over both:
  - the respondent and
  - the context in which the sexual harassment occurs.

**NOTE:** Includes any building owned or controlled by institution and used by officially-recognized campus organization

# NOTICE TO COLLEGES & UNIVERSITIES “SCHOOLS”

“Actual **knowledge**” is defined as:

Notice of sexual harassment or allegations of sexual harassment to:

- A school’s Title IX Coordinator or
- Any official of the school who has authority to institute corrective measures on behalf of the school

**NOTE:** “Notice” includes, but is not limited to, a report of sexual harassment to a Title IX Coordinator as described in the final rule

# FORMAL COMPLAINTS

## Who can file a formal complaint?

- A person who is currently participating in the education programs or activities of the institution
- A person who is attempting to participate in those programs or activities
- The Title IX Coordinator

Institutions **must** investigate all “formal complaints” filed with the Title IX Coordinator



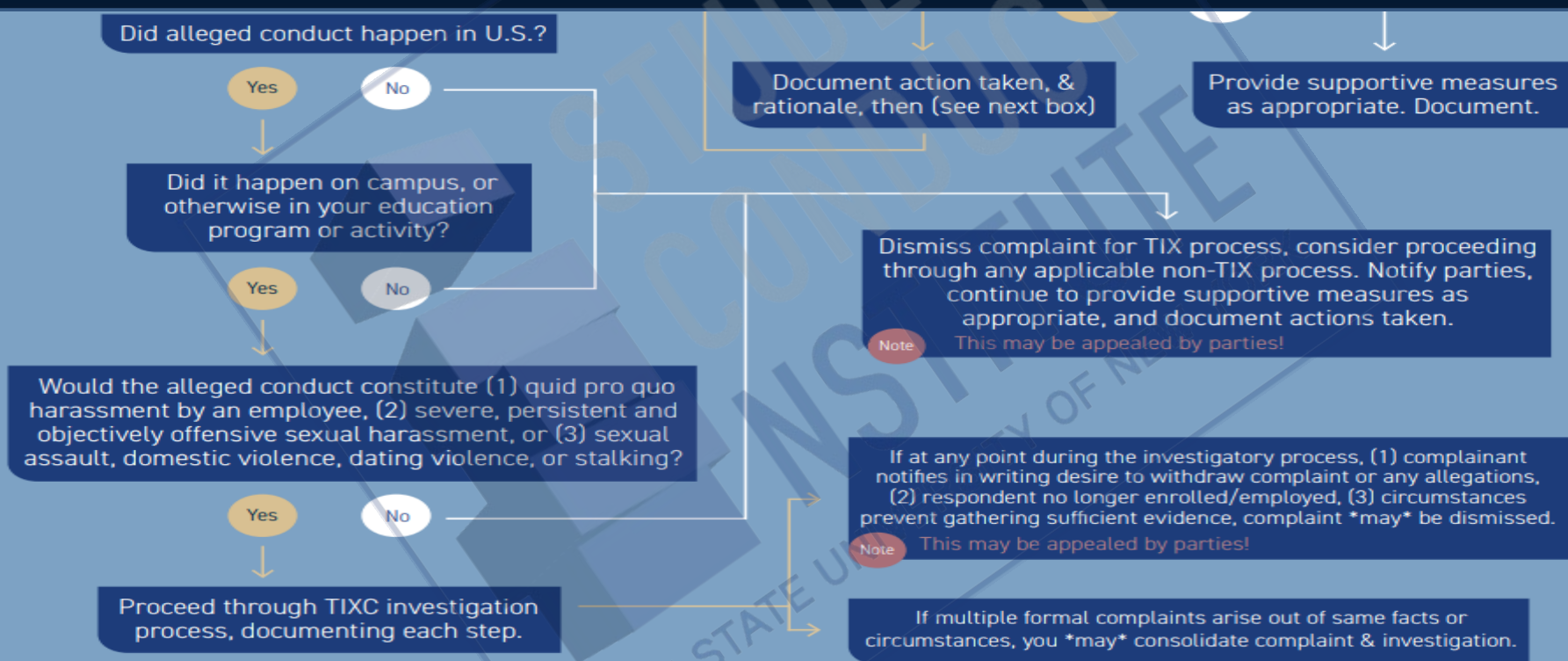
# INTAKE PROCESS AND SUPPORTIVE MEASURES

Title IX Coordinator is responsible for “coordinating the effective implementation of supportive measures,” even where no formal complaint is filed. 34 C.F.R. § 106.30(a).

Examples of supportive measures (See, 85 Fed. Reg. 30026, 30401)

- counseling
- extensions of deadlines or other course-related adjustments
- modifications of work or class schedules and locations
- Campus escort services
- changes in housing locations
- **Mutual restrictions on contact between parties**
- increased security & monitoring of areas of the campus

# DECISION TREE: IS IT TITLE IX?



*\*This Decision Tree is intended to capture the most foreseeable routes that a matter may take, but it cannot cover every circumstance that may arise. Please consult with your campus counsel for specific circumstances and questions.*

# MANDATORY AND DISCRETIONARY DISMISSAL

- Institutions ***must*** dismiss formal complaints that don't fall within the statutory criteria for the Title IX grievance process.
- Institutions ***may*** dismiss complaints that do meet the criteria if:
  - A complainant notifies the TIXC in writing that they would like to withdraw the formal complaint or any allegations in it;
  - The respondent is not enrolled/ employed by the institution; or,
  - If specific circumstances prevent the institution from gathering evidence sufficient to reach a determination

**Note:** Institution may still investigate through a non-Title IX process

# EMERGENCY REMOVALS/ INTERIM SUSPENSIONS

- Emergency Removal may be used where:
  - Person poses threat of **immediate physical harm**
  - Threat arises from allegations of sexual harassment
  - Depends on individualized safety and risk assessment
- Must provide opportunity for “immediate” opportunity to challenge the removal (need not be a formal hearing)

**NOTE: Interim suspensions are prohibited for Title IX student-respondents**

# TITLE IX INVESTIGATION: PROMPT AND IMPARTIAL PROCESS

## Prompt

- All time frames must be published based on a specific number of days with room for “good cause” delay
- Rules (and case law) balance prompt resolution and adequate time to prepare and respond to charges



## Impartial

- Must collect *exculpatory* and *inculpatory* evidence
- Must follow code
- Cannot have bias or conflict of interest

# INVESTIGATIVE PROCESS

## Evidence Collection

Interviews of parties & witnesses  
after Notice of Allegations

Both inculpatory & exculpatory  
evidence must be collected

Evidence will be directly related to  
the allegations

May include evidence that institution  
does not intend to rely on

## Evidence Sharing

Parties may review evidence with  
advisors present

May set reasonable rules (e.g.  
confidentiality agreement)

Redaction of “irrelevant” evidence

- Mandatory inspection process with  
10-day min. review period

## Investigative Report

- Summarizes relevant evidence  
directly related to allegations

Cannot make determination regarding  
responsibility

Parties have opportunity to review at  
least 10 days before hearing

# NOTICE REQUIREMENTS

## Timing

- Send to parties as soon as practicable after filing of formal complaint
- No investigative interviews until parties have sufficient time to review allegations

## Contents

- Allegations of sexual harassment
- Identities of parties, if known, including the complainant's name
- Date, time, and location of the incident, if known
- Parties' basic procedural rights
- Presumption of non-responsibility

## Advisor

- Notice must inform parties of right to advisor, who may be attorney
- School does not need to pay for attorney
- Reasonable restrictions ok...
- Unless they conflict with cross-examination role

# LIVE HEARING PROCESS FUNDAMENTALS

- All parties, advisors, witnesses, and decision-makers must be present at the same time either physically or remotely via secure technology.
- Decision-makers
  - Must be able to see and hear parties and witnesses (either physically or via secure technology).
  - Ask questions of the parties and witnesses.
  - Decide whether or not question is relevant.
- Advisors ask relevant cross-examination questions.

**The opportunity for advisor to cross-examine parties and witnesses is a Title IX mandate**



# LIVE HEARING PROCESS EXCLUSIONS

Specific exclusions governing Title IX hearings:

- **“Rape Shield”** (with two exceptions). 34 C.F.R. § 106.45(6)(i).
  - Offered to prove someone else committed alleged conduct
  - Offered to prove consent
- **Privileged information**. 34 C.F.R. § 106.45(1)(x).
- **Undisclosed medical records**. *See*, 85 Fed. Reg. 30026, 30294
- **Duplicative questions**. *See*, 85 Fed. Reg. at 30331.



# RESPONSIBILITY DETERMINATION PROCESS

- Identify the **allegations** potentially constituting sexual harassment
- Describe the **procedural steps** taken.
- Identify **findings of fact** supporting the determination.
- Identify which **section of the Code of Conduct** respondent has/has not violated.
- **For each allegation**, provide statement of and rationale.
  - Responsibility determination
  - Disciplinary sanctions
  - Remedies
- Describe the recipient's **appeal** procedures

# TITLE IX: CONFLICTS & BIAS

## **Prohibited Conflicts of Interest and Bias**

- For or against complainants and respondents generally
- For or against the specific parties
- Overlapping investigator, decision-maker, and appeals roles

## **Not a *per se* conflict or bias**

- Gender, research interests, work history
- Advocacy background
- Title IX Coordinator serving as Title IX Investigator
- Title IX Coordinator serving as facilitator in informal resolution process

“In the intimate setting of a college or university, prior contact between the participants is likely and does not per se indicate bias or partiality.” Gorman v. Univ. of Rhode Island, 837 F.2d 7, 15 (1st Cir. 1988).

# ACTUAL VS. PERCEPTION OF BIAS

Actual bias is a high legal standard, but *perception* of bias is in the eyes of the parties to the process and should be avoided.

• *Liability* arises from:

- truly lop-sided investigations and adjudications, or
- statements of investigator or panelist showing presumption of responsibility based on sex stereotypes, or
- misapplying trauma-informed practice to explain away all inconsistencies in complainant's statements

# APPEALS PROCESS

## Three (3) mandated grounds for appeal:

- 1) Procedural irregularity that affected the outcome of the matter (i.e. a failure to follow the institution's own procedures);
- 2) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- 3) The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter.

# RETALIATION PROHIBITION

Title IX prohibits retaliation against people who seek to assert their Title IX rights. (Section 106.71):

- Where the individual has made a report or complaint
- Where the individual testified, assisted, or participated in the Title IX Grievance Process
- Where the individual refused to participate in any manner in the Title IX Grievance Process

## ZERO TOLERANCE!

- X Intimidation
- X Threats
- X Coercion
- X Discrimination
- X Charges for a code of conduct violation for the purpose of interfering with any right or privilege secured by Title IX

# DISCUSSION ROUNDUP

**Neutrality**: Always keep fairness, equity, and ethics at the forefront of all policy and decision making.

**Competence**: Know Your Policies and Codes- especially as related to student rights.

**Consistency**: Ensure policies and codes are maintained and routinely updated across facilities, departments, and programs.

**Balance**: Strategic balance of student rights vs. administrative efficiency is key to long-term success.

# WHAT'S NEXT?

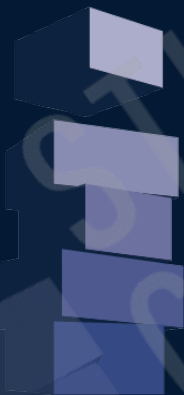






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