

TITLE IX TRAINING - REQUIRED AND RECOMMENDED

Megan C. Farrell
Title IX Consult, LLC
March 11, 2021



Overview for Today's Discussion

- Title IX New Regulations - effective 8/14/20
- Required training
 - Who?
 - Which topics?
- Recommended training



Education Positions that REQUIRE Training

- Title IX Coordinators
- Title IX Investigators
- Decision-Makers
- Informal Resolution Facilitators
- Advisors



Other Education Positions to Consider

- Supervisors/managers
- Employees with responsibility to report
- All employees?
 - Colleges
 - K-12



Required Training Topics

- Title IX's definition of "sexual harassment"
- The scope of the school's education program or activity
- How to conduct an investigation and grievance process
- How to serve impartially, including by avoiding prejudgment of the facts at issue
- How to avoid conflicts of interest and bias
- Decision-makers must receive training on any technology to be used at a live hearing, and on issues of relevance of questions and evidence, including when questions and evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant
- Investigators must receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence



Prohibitions on Training

- Must not rely on sex stereotypes
- Must promote impartial investigations and adjudications of formal complaints of sexual harassment



Title IX Training - Posting Requirements

- Under the Title IX Rule, students, employees, the Department of Education, and the public will be able to examine a school's training materials, providing a necessary safeguard to improve the impartiality, reliability, and legitimacy of Title IX proceedings. This requirement will improve the overall transparency and integrity of a school's Title IX policies and procedures.
- Schools must publish training materials that are up to date and reflect the latest training provided to Title IX personnel.
- Does not permit a school to *choose* whether to post the training materials or offer a public inspection option; if a school has a website, the school must post the training materials on its website.
- Must be maintained by the school for at least 7 years.



Title IX Training Ladder



Upcoming Trainings

- **Title IX Thursdays - Calling all New Title IX Coordinators - 4/1/21 12:30PM-1:00PM**

<http://events.constantcontact.com/register/event?llr=e4pj6dbbb&oeidk=a07ehmgqf1g0bdbc2c0>

- **Title IX Coordinator Training**

- K-12 Schools - 4/22/21 8:30AM-12:00PM PST

<http://events.constantcontact.com/register/event?llr=e4pj6dbbb&oeidk=a07ehnckvwx1a2caf1f>

- Colleges and Universities - 4/23/21 - 8:30AM-12:00PM PST

<http://events.constantcontact.com/register/event?llr=e4pj6dbbb&oeidk=a07ehnh6nrc504c68e6>

- Title IX Investigator Training - dates in May
- Training coming soon:
 - Decision-Maker
 - Hearing Panel
- Customized training solutions for your institution
- Visit www.titleixconsult.com and sign-up for our newsletter



Questions?

Megan Farrell, JD
Title IX Consult, LLC

megan@titleixconsult.com

karen@titleixconsult.com

