

Title IX Administration Training





CASSANDRE BECCAI, PHR, SHRM-CP
CassandraBeccai@gmail.com

This training is meant to provide accurate, reliable information to support your work, but it is not legal advice.

You are responsible for ensuring your practices align with the laws, regulations, and policies that apply to your state, your campus, or your organization.

If legal or expert guidance is needed, please consult your institution's legal counsel.

Learning Objectives

- Define sexual harassment under federal Title IX regulations and identify the scope of covered programs and activities.
- Conduct trauma-informed, policy-aligned investigations, including the assessment of relevance and effective use of technology.
- Demonstrate impartiality and care in interviews, hearings, and report writing, while recognizing and interrupting bias.

Ground Rules

Engage as if this matters, because it does.

Ask real questions.

Expect emotional complexity.

Check your interpretations.

Take what you need, leave what you don't.

Move with respect.

This training includes discussion of sexual harassment and other sensitive topics. Please take care of yourself in whatever ways you need throughout the day.

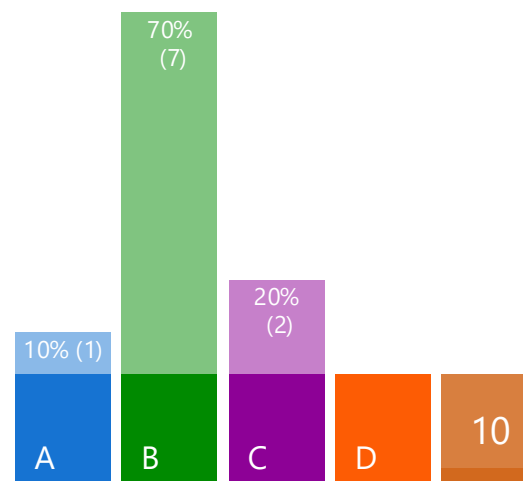


<https://EquityinPractice.participoll.com>



How would you describe your current experience level with Title IX work?

- A. Just starting out/ new to Title IX
- B. I've handled a few cases
- C. I'm very experienced
- D. Not sure



changes
decision maker
change
complex
informal resolution
students feel heard
everything
title ix
combative participants
all of it

What part of the Title IX
process feels least clear or
most challenging to you right
now?

Grounding Context

Title IX

“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 educational program or activity receiving federal financial assistance.”

20 U.S.C. § 1681 & 34 C.F.R. Part 106 (1972)



Bellevue College Women's Basketball, 2025



Iowa v. LSU Women's Basketball, 2023



Stanford University Women's Soccer, 2019





The Hunting Ground



Watch later



Share



THE HUNTING GROUND

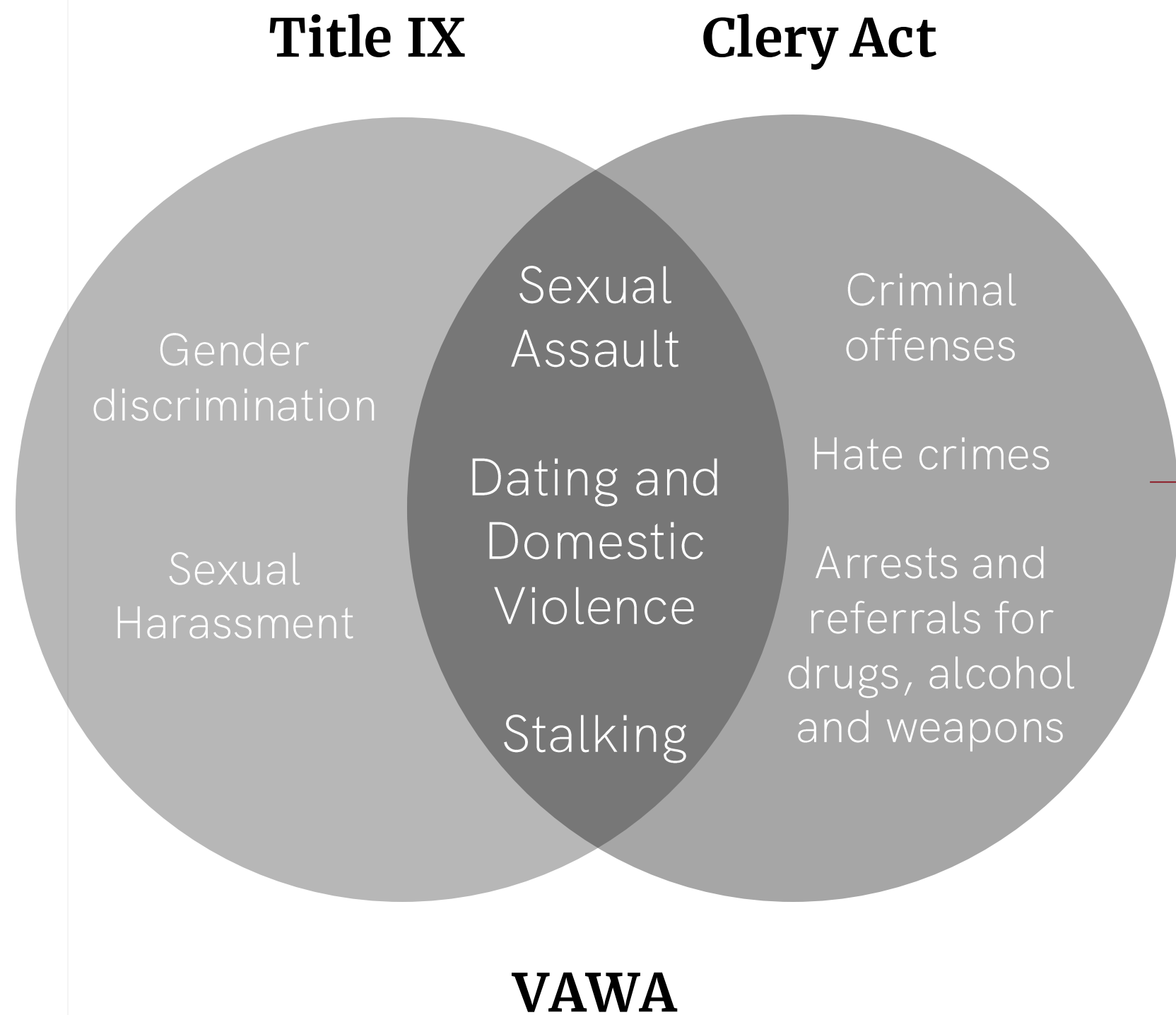
Watch on  YouTube

STOP. PREVENT. REMEDY.

Core Purpose of Title IX

- Covers not only equity in athletic programming, but all forms of discrimination based on sex
- Protects students and employees
- Applies to all institutions that receive federal financial assistance.
- Enforced by the Office for Civil Rights (OCR)
- At its core: about equity, dignity, and access for all





Intersection of Title IX, Clery Act & VAWA Section 304

Where Title IX Gets Its Power

- The Department of Education gives it teeth by issuing *implementing regulations*, most notably at 34 C.F.R. Part 106.
- These regulations tell schools what compliance should actually look like in practice.
- These are what OCR uses when assessing institutional compliance.

What the Regulations Require



- Disseminate a policy including a non-discrimination statement
- Designate a Title IX Coordinator
- Adopt and publish grievance procedures
- Procedures must be: prompt, equitable, adequate, reliable, impartial

To do this well, we first need clarity on what Title IX covers and when it applies.

Understanding Misconduct: Definitions & Scope

Why Definitions and Scope Matter

- Clear definitions protect everyone involved.
- Scope tells us when Title IX must be used and when other tools may be more appropriate.
- Missteps in this area can lead to inconsistent responses, retraumatization, or legal exposure.
- When we know what Title IX does and doesn't cover, we can act with integrity, neutrality, and care.

Foundational Terms: Complainant. Respondent.

- Complainant: Person who may have experienced sexual harassment
- Respondent: Person alleged to have engaged in harassment

What Is Sex-Based Discrimination?

- Title IX does not explicitly define “sex-based discrimination”
- Federal guidance interprets it to include:
 - Conduct of a sexual nature
 - Conduct directed at or referencing a particular sex
 - Sexual harassment and sexual violence

Interpretation aligns with reasoning in *Bostock v. Clayton County* (2020), a Supreme Court case interpreting “because of sex” under Title VII.



3 Buckets

What Counts as Sexual Harassment Under Title IX?

Under current federal regulations, sexual harassment under Title IX includes three distinct types of conduct:

1. Quid Pro Quo Harassment – By an employee of the institution
2. Unwelcome Conduct – That is severe, pervasive, and objectively offensive
3. Clery/VAWA-defined Sexual Offenses – Including sexual assault, dating violence, domestic violence, and stalking

All three are considered sexual harassment on the basis of sex under Title IX and require a response when reported.

Bucket 1: Quid Pro Quo Harassment

1. Quid Pro Quo

When an employee of the institution conditions the provision of any educational aid, benefit, or service on a student's participation in unwelcome sexual conduct.

- "If you sleep with me, you'll pass the class."
- "Come to dinner with me or I'll hold up your funding."

No requirement of severity, pervasiveness, or impact.

One incident is enough to trigger Title IX response.

Bucket 2: Hostile Environment Harassment

2. Unwelcome conduct that is:

- Severe
- Pervasive
- And objectively offensive
...such that it effectively denies a person equal access to the college's education program or activity.
- Must meet all three criteria
- Measured by a reasonable person standard
- Often assessed in the context of power, frequency, and impact

Bucket 3: Clery/VAWA Offenses

3. Sexual Assault and Related Offenses

Content:

The third bucket includes any instance of:

- Sexual Assault
- Dating Violence
- Domestic Violence
- Stalking

These are defined under the Clery Act and VAWA and are always considered sexual harassment under Title IX regardless of severity or pervasiveness.

Sexual Assault (Clery Definition)

Sexual Assault includes any of the following:

- Rape – Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ, without consent.
- Fondling – Touching of private body parts for sexual gratification, without consent.
- Incest – Sexual intercourse between persons related to each other within degrees where marriage is prohibited by law.
- Statutory Rape – Sexual intercourse with a person who is under the statutory age of consent.

Dating Violence (VAWA Definition)

Dating Violence means:

Violence committed by a person who is or has been in a romantic or intimate relationship with the complainant.

Consider:

- Length and type of relationship
- Frequency of interaction

It includes physical, sexual, emotional, or psychological abuse or threats of such abuse.

Domestic Violence (VAWA Definition)

Domestic Violence means:

Violence committed by:

- A current or former spouse or intimate partner
- A person with whom the complainant shares a child
- A cohabitant or former cohabitant
- Any person protected under domestic/family violence laws of the jurisdiction

It may include patterns of controlling behavior, intimidation, or coercion.

Stalking (VAWA Definition)

Stalking is:

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

1. Fear for their safety or the safety of others, or
2. Suffer substantial emotional distress

Examples include:

- Repeated unwanted contact
- Following, surveillance, or monitoring
- Online harassment or tracking

Beyond The Buckets

Retaliation Prohibited

Retaliation is explicitly prohibited under the regs

No one may:

- Intimidate
- Threaten
- Coerce
- Discriminate

...against anyone for:

- Reporting
- Participating
- Choosing not to participate in the process

Sexual Exploitation (Outside Title IX)

Sexual exploitation means someone takes sexual advantage of another—without consent—for their own benefit (or someone else's).

- Watching someone in a sexual act without their knowledge
- Sharing intimate photos or videos without consent
- Causing someone to black out to make them more vulnerable
- Using threats to make someone do something sexual
- Engaging in sex trafficking
- Creating or sharing child pornography

Name That Violation

1. Professor Smith tells a student, "If you go on a date with me this weekend, I'll give you an A on your midterm."
2. During a dorm party, a student touches another student's private body parts over their clothing without consent while the student is trying to walk away.
3. Alex and Jordan have been dating for six months. After a disagreement, Alex grabs Jordan by the arm, yells insults, and threatens to spread rumors about them.
4. Taylor notices that an ex-partner has been following them around campus, leaving notes on their car, and tracking their social media activity daily, causing Taylor to feel unsafe.
5. After Jordan reports unwelcome sexual comments from a teammate, several members of the team start ignoring them, leaving them out of group activities, and spreading rumors that Jordan is "too sensitive" and "trying to get people kicked out."

Jurisdiction: Where Title IX Applies

Education Program or Activity

- Includes locations, events, or situations where the school has control:
- Over the respondent
- Over the context of the behavior
- Also includes student organization buildings

Covered Programs

All programs operated by a federal funding recipient are covered even if:

- The individual program doesn't directly receive funds
- Facilities are used by outside groups (e.g., youth camps, athletic leagues)

Also includes:

- Hospitals and medical residency programs
- Branch or satellite campuses
- Virtual learning and employment spaces

Not all misconduct is Title IX sexual harassment. The definitions are specific and that matters.

Davis Standard for Title IX Jurisdiction

Federal regulations rely heavily on the Davis standard:

- Title IX applies when the recipient has BOTH:
 - Control over the Respondent
 - Control over the context in which the harassment occurred
- Without both, jurisdiction under Title IX does not apply, but that doesn't mean institutions are off the hook under other policies.

What All Must Be True for Title IX to Apply

- Personal jurisdiction: Complainant must be participating or attempting to participate in the school's program or activity
- Geographic jurisdiction: Alleged conduct must have occurred in a program or activity controlled by the institution in the United States
- Subject matter: Allegation must meet the federal definition of sexual harassment or sex/gender-based discrimination

Notes on Jurisdiction

- Attempting to participate = interpreted broadly (dual enrollment, alumni, employees, prospective students)
- If respondent is not affiliated, school may lack disciplinary authority but may still offer support
- Some conduct may fall outside Title IX but be addressed through other policies

Important Limits to Keep in Mind

- Title IX does not apply to:
 - Conduct that occurred entirely outside the U.S.
 - Speech or expression protected by the First Amendment or academic freedom
 - Behavior that is merely offensive but not severe, pervasive, and objectively offensive

Quid Pro Quo & Clery/VAWA
Offenses Don't Need to Be
“Severe, Pervasive, and
Objectively Offensive”

Does Title IX Apply?

1. A student from another college attends a party at your school. During the event, they report being groped by a student enrolled at your institution. The incident occurred in an off-campus apartment rented by several students.
2. A faculty member offers a student a better grade if they go on a date with them. The message was sent via school email and occurred during the semester while the student was enrolled in the course.
3. Two students are in a relationship. While both are on a study-abroad trip run by the college, one reports that the other engaged in sexual activity without consent. The report is made after they return to the U.S.
4. A student reports receiving sexually explicit and threatening DMs from another student in a class group chat. The messages occurred during the semester, outside of class hours, on a private messaging app.
5. An alumni who graduated a year ago emails the Title IX office to report being harassed by their former professor during their senior year. The conduct was never reported at the time.

no
responses

What word captures what
you'll look for differently
after today's Title IX
definitions and scope
discussion?

Consent & Incapacitation



What Is Consent? (WA State Definition)

Consent means that at the time of the act of sexual intercourse or sexual contact, there are actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact.

Consent must be clear and voluntary and it must be given for each act, every time.

Important Notes: Silence or lack of resistance does not mean consent

- A person cannot consent if they are:
- Asleep or unconscious
- Incapacitated by drugs or alcohol
- Being threatened or coerced
- Under the age of legal consent

ATIXA Consent Construct

Informed, knowing, and voluntary (freely given)

Active (not passive)

Creates mutually understandable permission regarding the conditions of sexual activity

No means no, but nothing also means no. Silence and passivity do not equal consent.

To be valid, consent must be given immediately prior to or contemporaneously with the sexual or intimate activity

Consent can be withdrawn at any time, so long as it is clearly communicated verbally or non-verbally

When Consent Is (and Isn't) Present

Consent must be:

- Given immediately before or during the sexual activity
- Clearly communicated (verbal or non-verbal)
- Freely withdrawn at any time

Consent cannot be obtained through:

- Force
- Threats or coercion
- Intimidation
- And it cannot be given by someone who is:
- Asleep
- Unconscious
- Mentally or physically incapacitated

Activity: Is This Consent?

Scenario 1:

After a party, Taylor walks Sam back to their dorm. Sam has been drinking and stumbles a bit on the stairs. Taylor asks if Sam wants to hang out. Sam says, "Sure," and sits on the bed. They begin kissing. Taylor initiates more, and Sam doesn't respond much but also doesn't say no.

Scenario 2:

Alex and Skylar are in a new relationship. One night, while watching a movie at Alex's place, they begin kissing. As things escalate, Skylar pauses and says, "I'm not sure I'm ready to go further tonight." Alex responds with, "It's fine, you've already gotten me worked up, don't back out now," and continues touching Skylar. Skylar eventually stops resisting and goes quiet, lying still during the rest of the encounter.

Applying a Practical Lens

3-Question Framework for Consent Analysis

To help clarify the presence (or absence) of consent, use this practical lens:

1. Was any force used by the Respondent to obtain access?
2. Was the Complainant incapacitated at the time?
 - If so, did the Respondent know?
 - Or should they have known?
3. What clear words or actions indicated the Complainant's permission for each specific act?

Unpacking Force and Power Dynamics

Understanding how force may interfere with valid consent:

- Force = physical violence, threats, intimidation, or coercion
- Coercion often hides in plain sight. Look for isolation, repeated pressure, or power differentials
- Consider the broader dynamics: age, authority, or social pressure may play a role

This is where your awareness of bias and assumptions becomes essential, don't overlook subtler signs of coercion.

Assessing Incapacity Thoughtfully

Incapacity means the person was unable to give meaningful, knowing consent due to alcohol, drugs, sleep, or another condition affecting awareness.

When considering whether someone was incapacitated:

- Look for signs like slurred speech, loss of consciousness, stumbling, or lack of memory
- Context matters: consider the timeline, substance use, and proximity to the event
- Your role is to evaluate whether a reasonable person would've noticed the signs

These cases often feel complex or emotionally loaded. Lean on facts and documented observations, not gut instincts.

A row of seven light-colored wooden blocks, each with a black letter and a small number in the bottom right corner, spelling out the word 'CONSENT'. The blocks are arranged horizontally on a smooth, light-colored wooden surface. The background is a soft-focus image of green foliage. The letters are C (3), O (1), N (1), S (1), E (1), N (1), and T (1).

Consent Analysis #1

Jordan walked Taylor to their room after a party. Taylor swayed slightly and laughed a lot but spoke in full sentences. They kissed, and Jordan asked, "You sure?" Taylor nodded.

- Was force used?
- Was the complainant incapacitated (should respondent have known)?
- Clear words or actions indicating permission?



Consent Analysis #2

Sam initiated sex after Casey said, "I guess," and pulled away briefly. Sam continued anyway, saying, "You'll like it."

- Was force used?
- Was the complainant incapacitated (should respondent have known)?
- Clear words or actions indicating permission?

Applying the Lens: Consent & Incapacitation

During a campus-sponsored off-site retreat, a student tells you they “hooked up” with another student after several hours of drinking. They say they don’t remember parts of the night and aren’t sure if they agreed to everything that happened.

The other student later states the encounter was “completely mutual.”

Based on what you know about consent and incapacitation, which factor would you analyze first?

- A. Determine whether the complainant may have been incapacitated at the time.
- B. Assess whether any force or pressure was used during the encounter.
- C. Identify any clear words or actions indicating consent for each specific act.
- D. Evaluate whether this conduct falls within the college’s education program or activity.

Applying the Lens: Consent & Incapacitation

Based on what you know about consent and incapacitation, which factor would you analyze first?

A. Determine whether the complainant may have been incapacitated at the time.

B. Assess whether any force or pressure was used during the encounter.

C. Identify any clear words or actions indicating consent for each specific act.

D. Evaluate whether this conduct falls within the college's education program or activity.



Institutional Responsibilities

no
responses

When someone shares a concern with you, formally or informally, what's your first instinct?

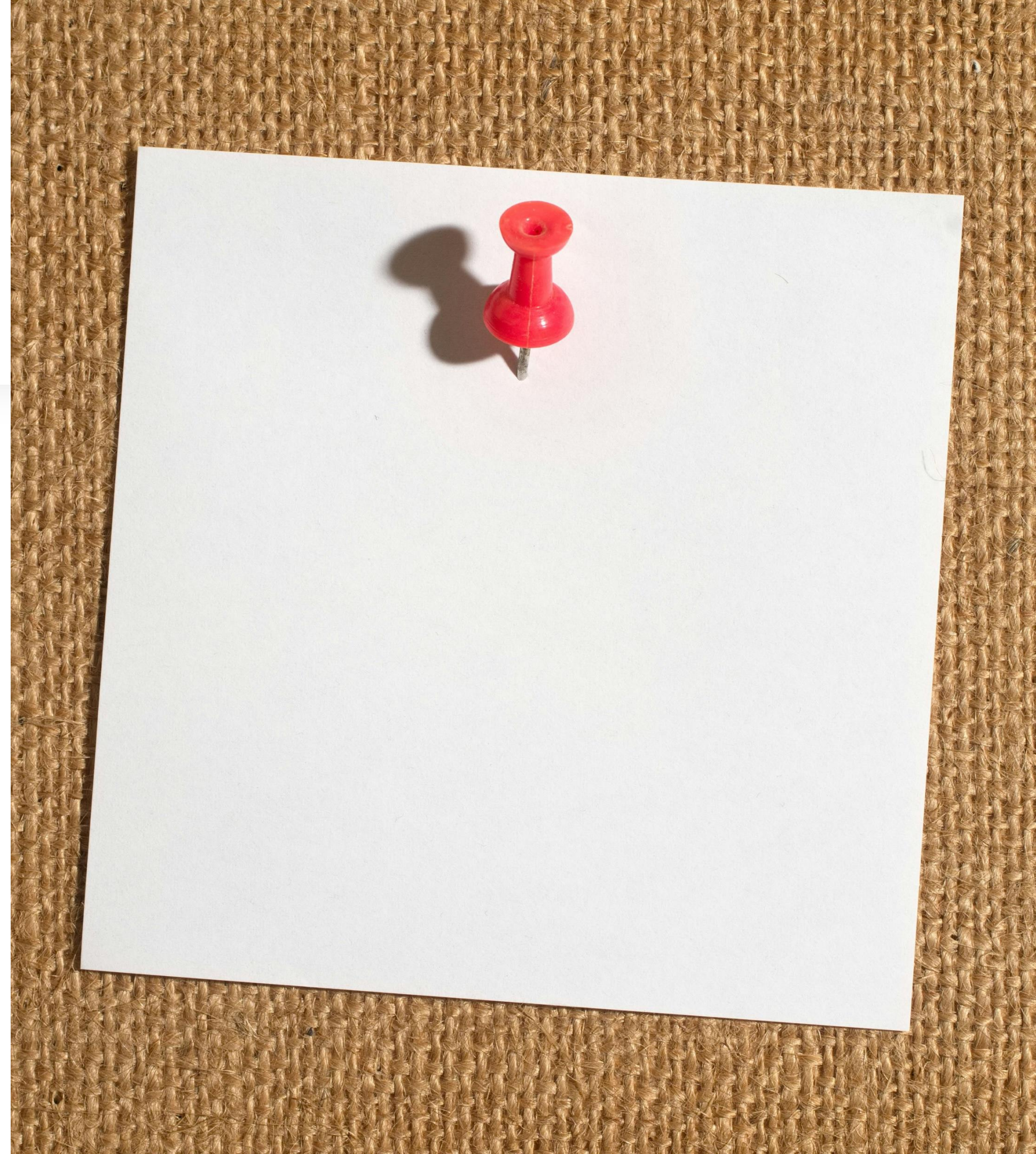
Your Obligation to Respond

- When a college has **actual knowledge** of Title IX sexual harassment, it must respond
- Applies to any education program or activity
- The response must not be deliberately indifferent (i.e., no inaction or minimal effort)



Notice to the Institution

- “Actual knowledge” is defined as notice to:
 - The Title IX Coordinator, or
 - Any Official With Authority (OWA) to take corrective action
- This is the minimum threshold for when OCR requires an institution to investigate.



Who Counts as an "Official With Authority"?

- Supervisors, deans, or other roles may qualify.
- Institutions can and should create a clear list of these individuals.

Professionalism and Institutional Responsibility

Even when Title IX doesn't apply:

- Institutions should still offer support and resources to those impacted.
- Consider whether there are ongoing impacts (downstream effects).
- Investigate any patterns or contributing factors.
- Consider safety measures (like issuing a no contact directive).

Employee Reporting Obligations

- Aside from the Title IX Coordinator or Officials with Authority, schools can decide which employees must report.
- Institutions have broad discretion to craft their own employee reporting policy.
- Important to balance institutional values, compliance, and trust-building.

Mandatory Reporters Under Title IX

Institutions should:

- Train all employees on mandatory reporting duties
- Clearly identify any exceptions (e.g., confidential employees)

Designated exceptions must be:

- Trained
- Clearly listed in policy
- Communicated publicly

Clery Act: Campus Security Authorities (CSAs)

CSAs must report:

- Any allegations of Clery-defined crimes
- That occur in their role as a CSA

Must report to campus police or chief CSA

Do not include overheard comments, classroom conversations, or public speeches (e.g., Take Back the Night)

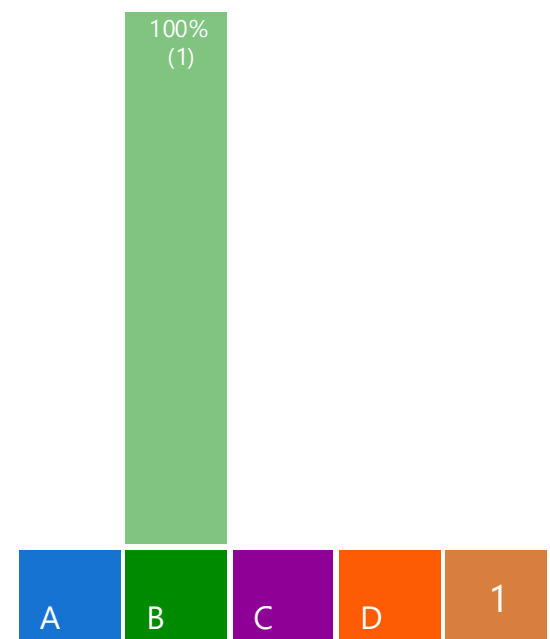
*All CSAs are mandatory reporters, but not all mandatory reporters are CSAs

What Counts as a Sufficient Response?

- The institution must respond promptly and in a way that is not deliberately indifferent.
- “Deliberate indifference” = clearly unreasonable under the known circumstances.

Which statement best captures the primary purpose of supportive measures under Title IX?

- a. To protect one party and limit the other's freedom of movement
- b. To restore or preserve equal access to education
- c. To serve as an informal disciplinary step
- d. To gather evidence before a formal complaint is filed



Responding With Care: Supportive Measures

- They're non-disciplinary, non-punitive, and tailored to the person's needs
- Offered at no cost, and available with or without a formal complaint
- The goal? To restore or preserve someone's access to education—without unfairly impacting the other person
- Think: academic flexibility, housing adjustments, no-contact orders, counseling referrals, and more
- These are grounded in equity and care, not punishment

Supportive Measures

- Referrals to service providers
- Safety planning
- Providing campus safety escorts
- Implementing no contact orders between the parties
- Course/program-related adjustments
- Timely warnings
- Class schedule modifications, withdrawals, or leaves of absence
- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Title IX Coordinator



What Is a Formal Complaint?

- A document filed by the complainant or signed by the Title IX Coordinator
 - Alleging sexual harassment
 - And requesting an investigation
- Can be submitted:
 - In person, by mail, by email
- Or through any other method the school designates

Requirements to File a Formal Complaint

At the time of filing, the complainant must be:

- Participating in or
- Attempting to participate in
the school's education program or activity

Example:

A recent graduate may not qualify unless they are attempting to re-enroll or still engaging with school resources.

What must the Title IX Coordinator do once notice is received?

- Reach out to the complainant to:
- Offer supportive measures
- Explain the availability of these measures with or without a formal complaint
- Clarify how to file a formal complaint
- Failure to take these steps = potential deliberate indifference

Case Study 1 – “The Interview Comment”

A campus employee receives an email from a visiting speaker finalist who was recently interviewed for a full-time position.

During the interview, one panelist said, “I hope you know charm counts for something too.” The finalist says the remark made her uncomfortable and she’s unsure whether to report it.

- Does this situation create actual knowledge under Title IX, or does it fall under another policy (e.g., discrimination or professionalism)?
- Should this be referred to the Title IX Coordinator, or is there another appropriate reporting channel?
- What supportive or follow-up steps could you take while the concern is being reviewed?

Case Study 2 – “Crossing Lines”

A faculty member notices that a staff colleague and a student employee seem unusually close. They often spend time together after events, and another student mentions the staff member “always finds excuses to text me too. It’s kind of weird.”

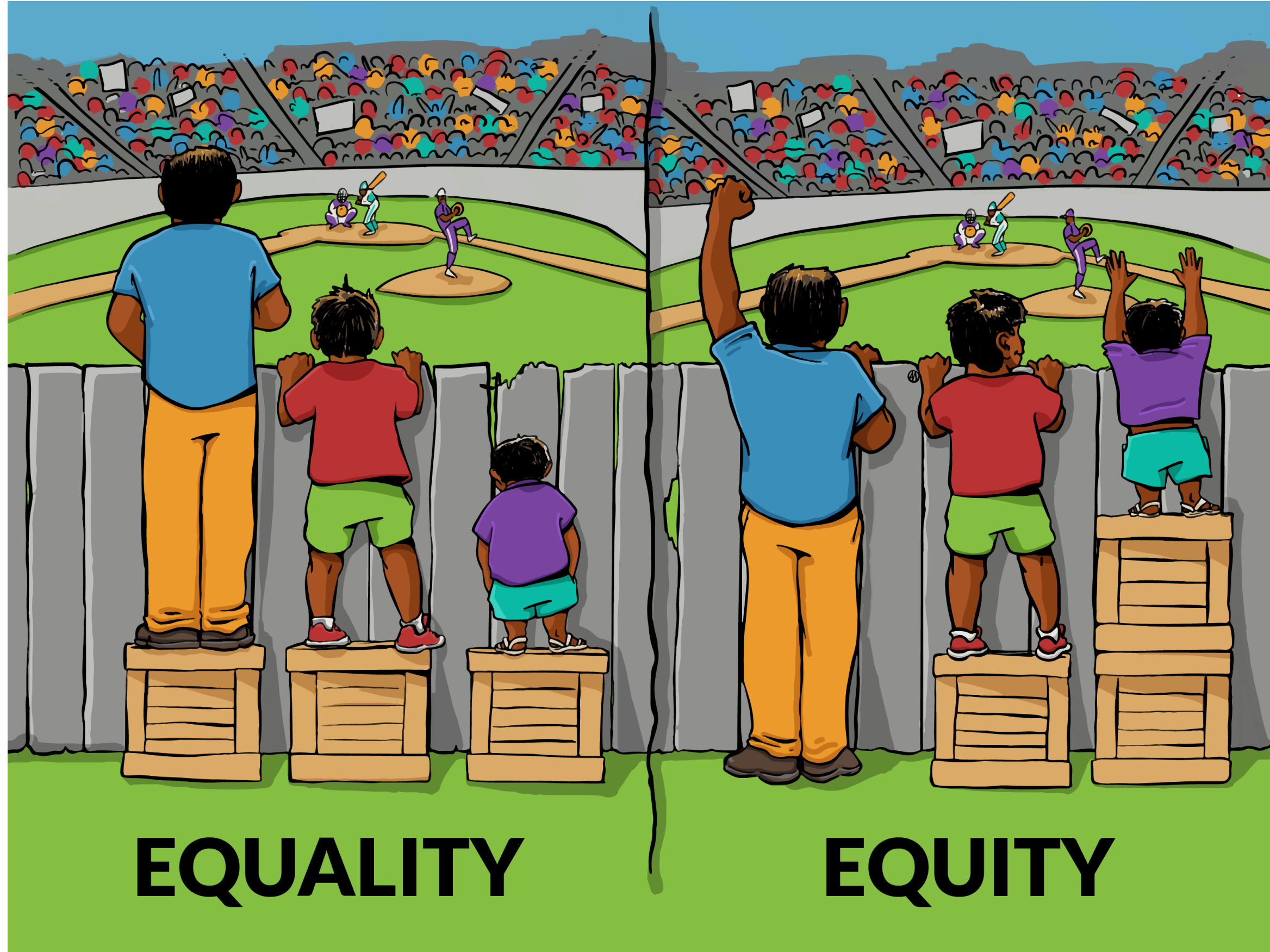
- What steps should the faculty member take after hearing this?
- How can they document or elevate the concern appropriately?
- What questions would help determine whether the concern should be referred to the Title IX Office or addressed through another process?
- What interim or supportive actions might help protect students while facts are clarified?

The Relational Side of Title IX

Title IX isn't just legal, it's relational.

- How we show up matters as much as what we do.
- The way someone is treated in the first five minutes can shape how they experience the next five months.

Equity: The Guiding Principle



EQUALITY

EQUITY

Common Pitfalls

Equality $\neq$ Equity — Know the difference

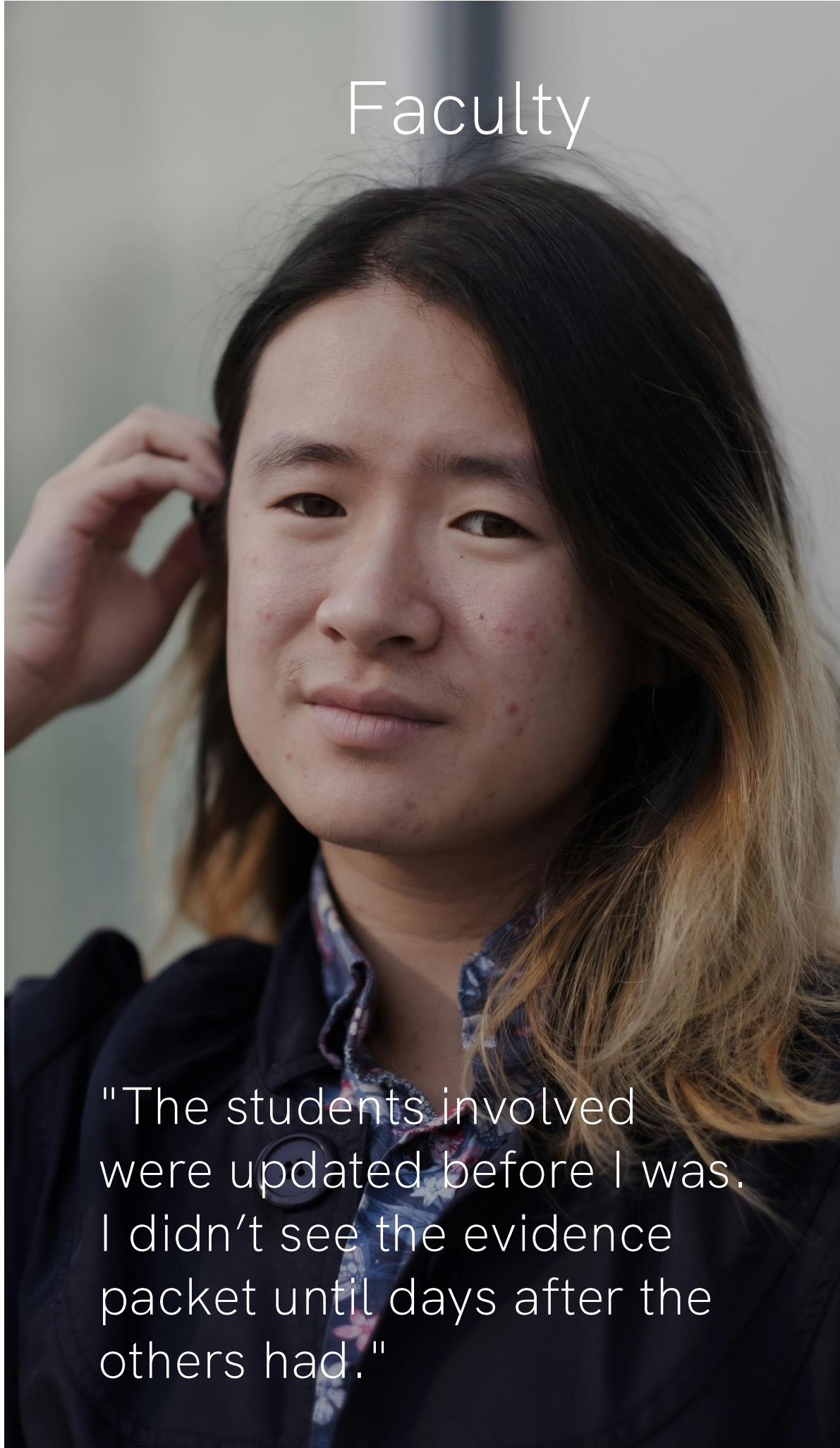
Watch for:

- Procedures that disproportionately favor students, staff, or faculty
- Inconsistent treatment of different discrimination complaints (race vs. gender, etc.)
- Remedies that are punitive or overly broad (e.g., contact restrictions)

A Black woman with dark braids is shown in profile, looking towards the left. She is holding a white mug with a pattern of small dots. The background is a blurred indoor setting with a framed picture on the wall.

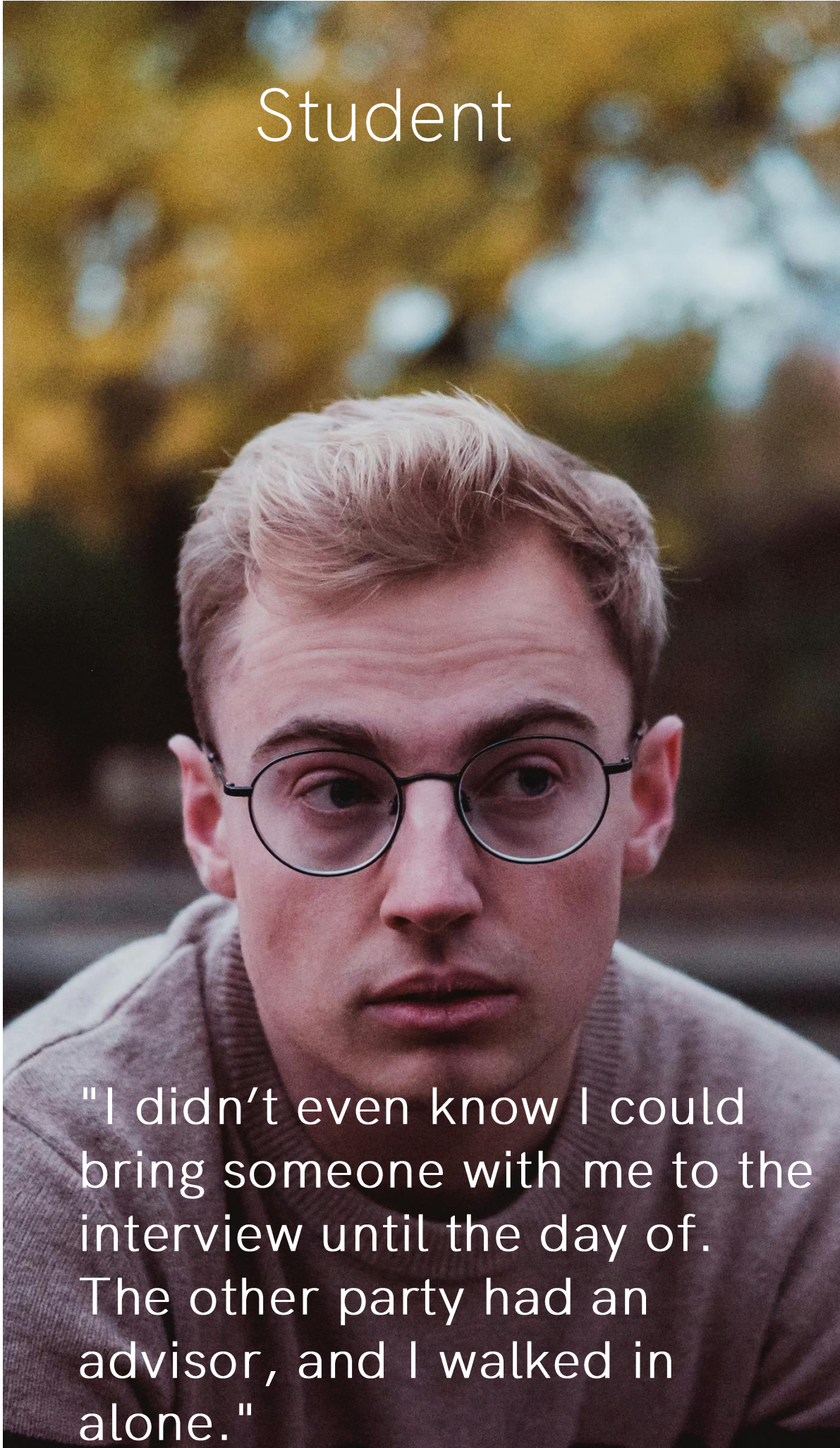
Staff

"I only got updates when I asked. Weeks would go by, and I had no idea what was happening with my complaint."

A young man with long, dark hair that has some blonde highlights is looking off to the side with a slight smile. He is wearing a dark jacket over a patterned shirt. His hand is visible near his head.

Faculty

"The students involved were updated before I was. I didn't see the evidence packet until days after the others had."

A young man with light-colored hair and round glasses is looking directly at the camera with a serious expression. He is wearing a grey sweater. The background is a blurred outdoor scene with trees.

Student

"I didn't even know I could bring someone with me to the interview until the day of. The other party had an advisor, and I walked in alone."

Walk in Their Shoes: Preserving Access for All Parties

Complainant Scenario

You've just reported that a colleague or classmate made repeated unwanted comments about your appearance.

You're worried others might find out and that your supervisor/professor will treat you differently.

What would help you feel supported and able to continue your work or studies?

Respondent Scenario

You've just been informed that someone filed a complaint against you under the sexual harassment policy.

You're unsure what you can say, whether you'll lose your position, or how to access support.

What would help you feel treated fairly and able to continue your work or studies while this is being reviewed?

When I hear the word
bias, the first word
that comes to mind is...

no
responses

Where Do I Tend to Assume Good or Bad Intent?

1. A student reports a violation two months after the incident,
2. A respondent becomes defensive and raises their voice in an interview.
3. A faculty member says, "I've never had a complaint in 20 years."

What's your first thought or feeling in each scenario? What might that reveal about your assumptions?

Conflicts of Interest & Bias Checks

Before you take a case, ask:

- Am I personally affected by the topic?
- Do I have a past relationship with anyone involved?
- Have I formed an opinion about this incident already?
- If the answer's yes, you may need to recuse yourself.

Bias isn't always loud. Sometimes it whispers. Listen anyway.

Navigating Conflict of Interest

Disclose early and in writing if:

- You supervise or collaborate with a party.
- If you've previously received detailed or substantive information about the case
- If others might reasonably question your objectivity because of relationships, prior interactions, or decision-making proximity
- Recusal is not failure; it's professionalism.

Which situations could create a perception of conflict?

- A. You co-chaired a committee with one of the parties last year.
- B. You attended the same faculty social event
- C. Your VP has expressed opinions about the outcome
- D. You taught the course where both students are enrolled

Equity as Daily Practice

- Slow down before deciding
- Check your lens
- Name what feels uncomfortable
- Choose transparency
- Protect the dignity of all parties, including yourself

Title IX Team & Roles



The Title IX Team

- A well-functioning Title IX process requires a multi-role team. Depending on the structure of your campus, your team may include:
 - Title IX Coordinator
 - Deputy Coordinator(s)
 - Investigator(s)
 - Decision-Maker(s) (individual or panel)
 - Informal Resolution Facilitator(s)
 - Institution-Appointed Advisors
 - Appeal Decision-Maker(s)

Title IX Coordinator: The Professional Role

Institutions are required to designate at least one employee as the Title IX Coordinator.

This individual:

- Has broad, cross-departmental authority
- Must be accessible and visible on campus
- Often acts as the point person for government compliance and community trust
- May serve part-time or full-time, depending on the institution

Coordinator's Oversight Duties

- Managing reports and formal complaints
- Ensuring prompt and equitable grievance procedures
- Coordinating supportive and emergency measures
- Leading training efforts across campus
- Responding to government inquiries
- Supervising investigations and informal resolution processes
- Ensuring sanctions and remedies are followed through

Some institutions appoint Co-Coordiators or Deputies, especially in multi-campus or online environments.

Coordinator's Obligations – First Steps

- Contact the complainant;
- Discuss available supportive measures;
- Explain the process for filing a formal complaint.

Note: Complainant must be physically located in the United States for Title IX to apply.

Investigator Role

The Investigator plays a central role in gathering the facts in a reliable, prompt, fair, and impartial manner. Key responsibilities include:

- Working with the Title IX Coordinator to develop an investigation strategy
- Identifying and interviewing parties and witnesses
- Identifying, organizing, and compiling relevant information
- Maintaining accurate and thorough records and notes
- Sharing evidence with parties and their Advisors

Decision-Maker Role

Decision-makers determine whether policy has been violated, based on the applicable standard of evidence (e.g., preponderance or clear and convincing).

They must:

- Rely only on the evidence gathered during the investigation or hearing
- Assess credibility of all parties and witnesses
- Apply the specific institutional policy in question
- Remain free from substantive bias and conflicts of interest

Their role is not investigative, but evaluative and judgment-based.

Decision-Maker Role

Once a policy violation is found, Decision-makers:

- Determine appropriate sanctions or remedies
- Draft a written determination outlining the rationale for the finding(s) and any consequences

The written determination becomes part of the official case record.

Appeal Decision-Maker Role

The written determination becomes part of the official case record.

The Appeal Decision-Maker must:

- Make a determination on any properly submitted appeal
- Review the parties' written submissions
- May consult the investigative record, hearing transcript, or staff involved
- Must draft a written rationale for their outcome

Not a re-investigation: Their review is limited to specific appeal grounds as defined in policy.

Advisor Role

Both parties have the right to bring an advisor of their choosing — that means anyone: a friend, family member, attorney, faculty member, etc.

- College is not required to appoint an Advisor at the outset
- Must appoint one at no cost if the party lacks one for a live hearing
- Must ensure Advisors conduct cross-examination at the hearing

Advisors play a procedural, not advocacy role.

Neurobiology of Trauma



(Banks, 2002; Southwick et al., 2005)

How the Brain Stores Experience

- Hippocampus = Memory Center
 - Helps process and store information as memories
 - Especially active during learning, repetition, and rest
- Encoding
 - Organizes what we take in through our senses
- Consolidation
 - Groups and stores that information as memory
 - Happens over time, especially during sleep and recovery



Emotion + Memory

- Amygdala = Emotional Processor
 - Handles emotional memory
 - Works closely with the hippocampus
 - Heightened during stress or emotionally charged experiences
- Both the hippocampus and amygdala are deeply affected by hormonal shifts (e.g., stress, trauma, fatigue)

Trauma changes the brain so we adjust our lens.

When someone experiences trauma, their brain is working hard to protect them, not to give us a clean timeline.

Think:

- The hippocampus (memory storage) can get foggy
- The amygdala (emotional alert system) can be overactivated
- Memory may be fragmented, out of order, or vague in spots
- That doesn't mean someone is lying.

It means their brain is doing its job.

We must slow down, ground the person, and ask with care.

通明銀行

Open 7 Days



麥當勞

LAFAYETTE ST

ONE WAY



Trauma-Informed ≠ Biased

Being trauma-informed means we approach people with care not conclusions.

It means we:

- Ask questions in a way that respects dignity
- Create space for fragmented or delayed recall
- Understand how trauma affects behavior and memory
- Stay curious without jumping ahead
- We can hold space for someone's experience while still assessing the evidence.

Empathy sharpens our judgment, it doesn't cloud it.

*It's not just the parties whose nervous systems are activated.
Administrators, too, carry the emotional weight of this work*

What signals tell me I'm
dysregulated at work?

fatigue
hands shaking

Grounding for the Administrator

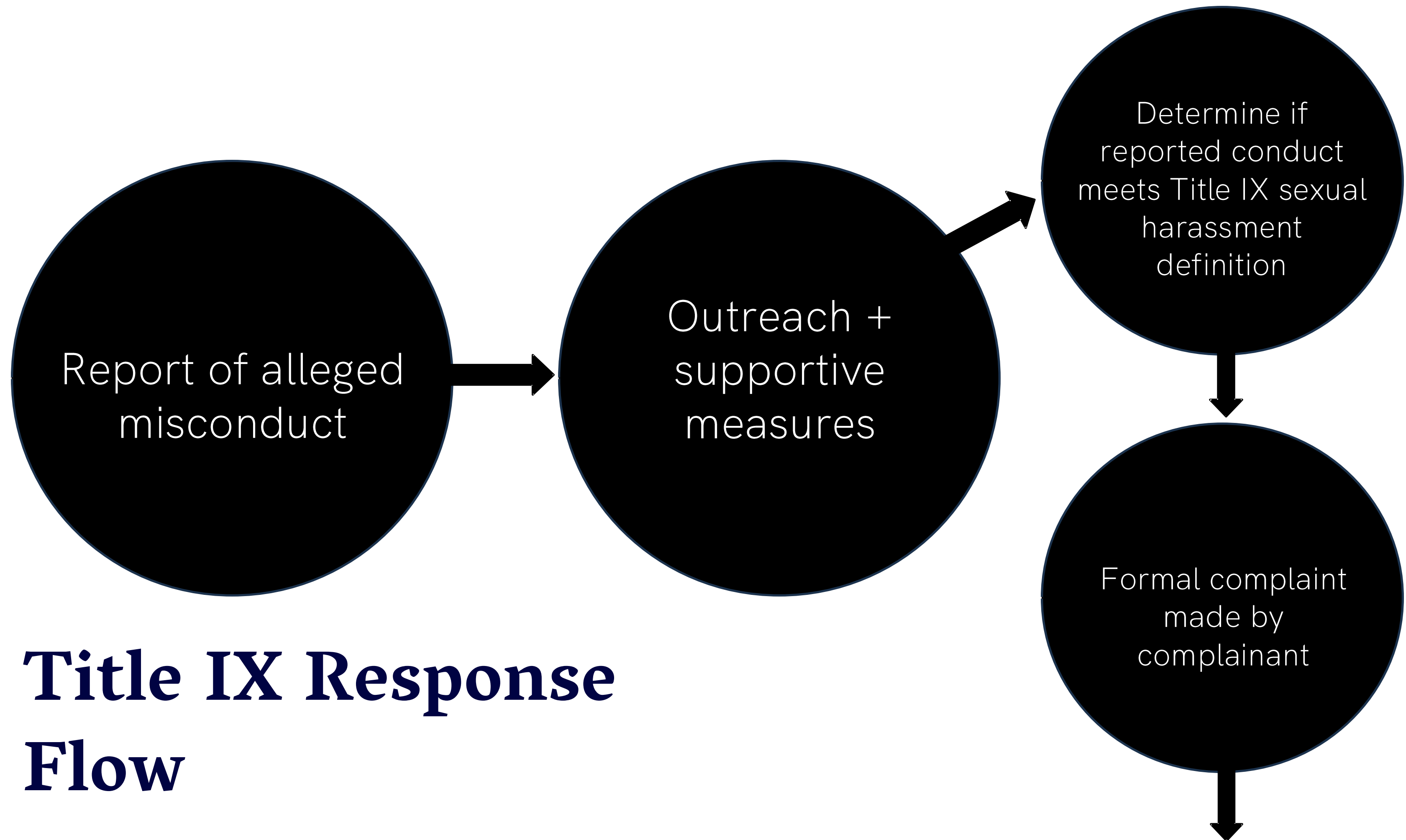
- Even witnessing others' trauma by listening to their recollections can activate a stress response.
- Regulation is part of professionalism. Calm leaders, calm the room.
- A 60-second reset can shift you from reactive to responsive.

Breathe

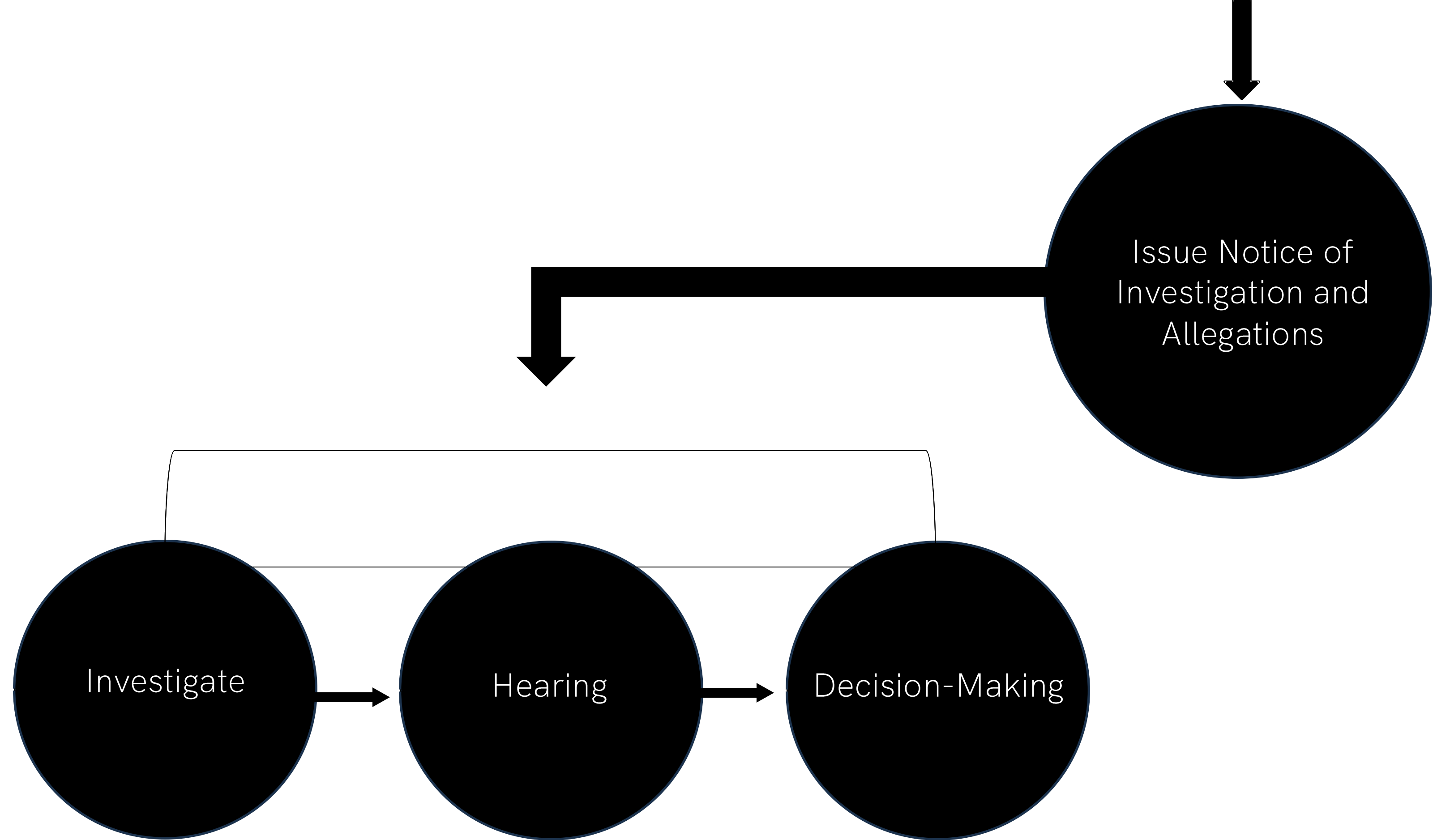
What are some of your favorite
strategies to ground yourself?

short walk

Title IX Response Flow



Title IX Response Flow



From Listening to Action