

Title IX Hearing Advisors Training & Certification Course Updated for the 2020 Regulations

- Understanding who plays what roles
 - Complainant
 - Respondent
 - Witnesses
 - Expert witnesses
 - Complainant advisor
 - Respondent advisor
 - Investigator
 - Hearing facilitator/case manager
 - Decision-maker/chair/panel
 - Appeal officer(s)
 - Title IX Coordinator
- Decorum
 - Behavioral expectations for advisors
 - Advisor ethics
 - What will happen if an advisor is disruptive or acts inappropriately?
- Intake role for advisor
- Advisors in the investigation
 - Should a party answer?
 - Should a party participate?
 - Effect of non-participation
 - What questions to suggest
- Advisor role post-investigation
 - First ten-day period
 - Second ten-day pre-hearing period
 - Navigating the three buckets of evidence
 - Advisor access to materials
 - Confidentiality of process/NDAs
- Pre-hearing communications
 - Preparing for meeting with chair
 - Prehearing meetings
 - Prehearing rulings
 - How will the chair handle changes to the investigation report?
 - What to expect of chair interactions with investigator/panel?
- The hearing
 - Understand hearing flow
 - Following the hearing script
 - Opening and closing statements
 - Investigator testimony and boundary issues
 - Questioning the investigator
 - Expectations for chair ruling on questions/interaction with advisors
 - Cross-examination, direct questions, panel-posed questions
 - Relevant

- Irrelevant
- Unduly repetitious
- Abusive
- Instructions to disregard evidence, testimony, sections of report
- Understanding what statements cannot be admitted if a party or witness does not testify
- Late introduction of evidence
- Expert witnesses testimony
 - Testimony v. questioning of expert witnesses
- Closing statements
- Impact statement submission
- Post-hearing role
- Appeals
- Remedies