



ATIXA Title IX Hearing Officer and Decision-Maker Training & Certification Course Sample Agenda

Description:

Title IX Hearing Officer and Decision-Maker is a two-day course focused on the skills needed to serve as an effective hearing decision-maker by ensuring the parties' rights are upheld and the hearing process is equitable. Training is necessary to help decision-makers recognize and overcome bias, to understand the scope of their role, to apply policy with analytical precision, and to be sure that their determination is reliably based on the evidence. Both VAWA Section 304 and the 2020 Title IX Regulations require training for decision-makers, and this course meets the training requirements under both laws and is appropriate for individuals who will serve as hearing chairs, panelists, single decision-makers, administrative hearing facilitators, and party advisors, as well as appeal decision-makers.

Learning Outcomes:

Participants will be able to...

- Identify the steps of a Title IX grievance process that occur leading up to and prior to a hearing
- Understand the role of due process in Title IX hearings, including the role of neutral and impartial decision-makers
- Distinguish between relevant and directly related evidence
- Develop questions for parties and witnesses that seek relevant evidence
- Assess the credibility of presented evidence
- Analyze relevant evidence regarding issues of consent in sexual misconduct cases

Day 1

11:00 AM – 6:00 PM

What is Your Mission as a Decision-Maker?

- Decision-Maker Responsibilities
- Decision-Maker Competencies

Due Process

- Substantive Due Process
- Procedural Due Process
- Evidentiary Standards

The “Title IX Process”: What Happened Before it Got to A Hearing?

- The General Phases of a Title IX Process
- Ten Steps of an Investigation
- Key Elements from the 2020 Title IX Regulations

Bias, Conflicts of Interest, and Recusal

Preparing for the Hearing

- Must Do Hearing Prep
- Pre-Hearing Meetings
- Day of the Hearing

Quick Tips on Hearing Logistics

Decision-Making Skills, Part One

- Understanding Evidence
- Relevance
- Relevance Exercises

Day 2
11:00 AM – 6:00 PM

Decision-Making Skills, Part Two

- Reliability/Credibility
- Cross-Examination
- Analyzing the Information

Policy Definitions

ATIXA Consent Construct

- Force
- Incapacity
- Consent

Questioning Skills and Guidelines

Making a Decision

- Deliberations
- Sanctioning
- Written Determinations

Appeals

- Elements Under the 2020 Regulations
- Grounds for Appeal
- Process Flowchart
- Other ATIXA Recommendations

Recordkeeping and Documentation

Note: Each training day will include one morning and one afternoon break (approximately 15 minutes each) and a one-hour lunch break. Training start and end times for in-person events are determined by the host site. All virtual training sessions take place from 11 AM – 6 PM ET unless otherwise specified.