Gender Equity Foundations for Higher Education
Training & Certification Course Agenda

Description:
This two-day course focuses on sex discrimination compliance responsibilities including the assessment of overall program equity and introductions to athletics equity, pregnancy and related conditions requirements, and LGBTQIA+ protections.

ATIXA’s expert faculty members will guide participants through ATIXA’s recommended formal grievance process from a sex/gender discrimination complaint lens, while sharing practical knowledge and tips to prepare participants to lead institutions through complex complaint resolutions. Discussions will help institutions to center resolutions that involve disparate treatment and impact, including targeted culture/climate assessments and investigations.

Participants will also be introduced to the intersections between disability law and gender equity and what to expect when the U.S. Department of Education’s Office for Civil Rights reviews an institution’s program equity compliance.

Participants are expected to complete the included Title IX Fundamentals online pre-learning experience or have pre-existing requisite knowledge of those concepts prior to the start of the Higher Education Gender Equity Foundations course. If you have completed Title IX Fundamentals for another ATIXA course, you are not expected to complete it again.

Learning Outcomes:
After completing this course, participants will be able to…
- Explain Title IX sex discrimination compliance responsibilities
- Identify areas and situations where program equity complaints often originate, including athletics, pregnancy and related conditions, LGBTQIA+ protections, and single-sex programs
- Apply ATIXA’s recommended Formal Grievance Process to gender equity complaints
- Understand the intersection of gender equity and disability law
- Develop a plan to complete gender equity audits on a regular basis
Course Topics

Defining Equity and Discrimination
- TIX Prongs (?) “Scope Tree”
- Discomfort vs. Discrimination
- Disparate Impact vs. Disparate Treatment
- Assessing Intent: The Role of the Similarly Situated Comparator
- Is All Disparate Impact Discriminatory? The Substantial Legitimate Justification Lens
- Policy & Law Overlap (Title VI, Title VII, etc.)

Creating a Culture of Gender Equity
- Managing Gender-based “Reverse Discrimination” Complaints

Single-Sex Programs and Facilities
- Permissible Exceptions
- Is “Separate, But Equal” Viable?

Pregnancy and Related Conditions
- 2023 Title IX Regulations
- Addressing Termination of Pregnancy
- Addressing Privacy Concerns of Pregnant People
- Non-Birthing Parents
- Ongoing Child Health Issues and Title IX Rights
- Other Laws and Sources of Protection

Title IX and Athletics
- Overview of Oversight Responsibilities
- Athletics Risk Management
- NIL Rights and Title IX Equity

Sexual Orientation, Gender Identity, and Gender Expression
- Terminology
- 2023 Regulations
- Common Concerns and Current Challenges
- Pronouns and Chosen Names
- Activities and Facilities
- State v. Federal Areas of Inconsistency/Conflict
ATIXA’s Recommended Formal Grievance Process

- Receiving Notice or a Complaint
- Outreach & Intake
- Preliminary Inquiry & Jurisdiction Determination
- Establish Basis for Investigation
- The Culture/Climate Investigation
- Notice of Investigation & Allegations
- Establish Investigation Strategy
- Formal Comprehensive Investigation
- Draft Report
- Review Draft Report & Evidence
- Complete Final Report
- Decision-making/Hearings
- Appeals
- Sanctions and Remedies
- Recordkeeping

Gender Equity Audits

- Hiring, Compensation, Evaluation, and Promotion Practices
- Single-sex Facilities
- Single-sex Programs
- Scholarships and Financial Aid
- Athletics

ADA and Section 504

- Section 504
- Similarities between the Title IX Coordinator and the 504 Coordinator
- Connecting Title IX and Disability

OCR Review of Program Equity

Note: Training 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.