



Title IX Decision-Making for Higher Education Training & Certification Course Agenda

Description:

Title IX Decision-Making for Higher Education is a one-day course focused on the skills needed to successfully serve in a hearing officer/decision-making role for Title IX complaints; however, the skills are broadly applicable to decision-making outside of Title IX. Training is necessary, under both Title IX and VAWA Section 304, 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. In addition to focusing on decision-making effectiveness, this course also bolsters decision-makers' ability to ensure that the decision-making process is equitable for all parties.

This training is designed to shore up decision-making skills so that decisions are sound, supportable, and less susceptible to future challenges, such as in litigation. This course meets the training requirements under all applicable federal laws and is appropriate for individuals who will serve as hearing chairs, panelists, single decision-makers, administrative hearing facilitators, and party advisors.

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 this course. If you have completed Title IX Fundamentals for another ATIXA course, you are not expected to complete it again.

For institutions offering a live hearing as part of their formal grievance process, decision-makers should also enroll in the ATIXA Live Hearings training course, which focuses on the facilitation of a formal hearing in accordance with Title IX and ATIXA's recommended best practices.

Learning Outcomes:

After completing this training, participants will be able to...

- Identify the steps of a Title IX grievance process that precede the decision-making phase
- Understand the role of due process in Title IX decision-making, including the role of neutral and impartial decision-makers
- Distinguish between evidence that is relevant and permissible from evidence that is not
- Understand and apply policy offense definitions consistent with the law
- Assess the credibility of parties, witnesses, and presented evidence
- Analyze relevant evidence regarding issues of consent in sexual assault complaints

- Understand the appeal process

Course Topics

Title IX Compliance Overview

- Title IX Scope
- Title IX Offense Definitions
- Title IX Grievance Process Overview
- Decision-Making Under the 2020 Regulations

Decision-Maker Role and Responsibilities

- Decision-Maker's Role in Ensuring Due Process
- Identifying and Preventing Conflicts of Interest or Bias

Decision-making Phase: Skills and Practical Application

- Materials Review
- Understanding Evidence
- Credibility Assessment
- Weighing and Analyzing Evidence
- Analyzing Consent Evidence Using the Consent Construct
- Analyzing Evidence for Fondling Allegations
- Making Findings, the Final Determination, and Sanctioning

Appeals

Recordkeeping and Documentation

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 10 AM – 5 PM ET unless otherwise specified.