



Title IX Coordinator Foundations Level Two: Sex Discrimination for Higher Education Training and Certification Course Agenda

Description:

This two-day course focuses on sex discrimination compliance responsibilities including overall program assessment. This course will help practitioners address disparate treatment, disparate impact, and retaliation complaints, including targeted culture/climate assessments and investigations. The course explores common program and service areas where sex discrimination complaints originate, including athletics, and best practices for support of pregnancy and related conditions.

ATIXA's expert faculty members will provide participants and overview of ATIXA's recommended grievance process for sex discrimination and retaliation complaints, while sharing practical knowledge and tips to prepare participants to lead institutions through complex complaint resolutions. Participants will also learn what to expect when the U.S. Department of Education's Office for Civil Rights (OCR) reviews an institution's program compliance.

This course is ideal for Title IX Coordinators, Deputy Coordinators, legal counsel, or those with supervision of Title IX compliance areas and personnel.

All participants should complete the included Title IX Fundamentals for Higher Education online pre-learning experience or have pre-existing requisite knowledge of introductory Title IX concepts prior to the start of this course. If you have completed Title IX Fundamentals for Higher Education for another ATIXA course, you are not expected to complete it again, though it is available to you as a refresher, as needed.

Learning Outcomes:

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

- Explain Title IX sex discrimination compliance responsibilities
- Identify areas and situations where sex discrimination complaints often originate, including athletics and pregnancy and related conditions
- Understand Disparate Treatment, Disparate Impact, and Retaliation allegations and how to address them
- Apply ATIXA's recommended grievance process to sex discrimination and retaliation complaints
- Develop a plan to complete sex discrimination audits on a regular basis

Course Topics

Review: Introduction to Title IX Compliance

- Title IX Statute and Scope
- Title IX Scope
- Essential Compliance Elements

- Title IX Compliance Oversight
- OCR Compliance Oversight
- Title IX Coordinator and OCR

Discrimination

- Discrimination Defined
- Types of Discrimination
- Discrimination-Related Concepts
- Types of Complaints

Disparate Treatment

- Disparate Treatment Defined
- Adverse Action Examples
- ATIXA's Model Policy Definition
- Disparate Treatment Analysis
- Gathering Evidence
- Case Studies

Disparate Impact

- Disparate Impact Defined
- ATIXA's Model Policy Definition
- Disparate Impact Analysis
- Case Studies

Retaliation

- ATIXA's Model Policy Definition
- Retaliation Analysis
- Timing and Retaliation Complaints
- Case Studies

Formal Grievance Process

- Grievance Process for Sex Discrimination
- ATIXA's "Process B" Overview
- Due Process Best Practices

Initial Assessment

- Jurisdiction
- Intake
- Informal Resolution

Investigation

- Who Should Investigate
- Investigation and Decision-Making Models
- Investigation Steps
- Determining a Basis for Investigation
- Formal Investigation Process
- Investigation Strategy
- Questioning Guidelines

- Understanding Evidence
- Credibility
- Drafting, Reviewing, and Finalizing the Investigation Report

Decision-Making

- Decision-Making Process Options
- Sanctions and Remedies

Best Practices for Supporting Pregnancy and Related Conditions

- 1975 Title IX Regulations
- Best Practices for Title IX Coordinator Oversight
- Outreach and Intake
- Reasonable Modifications
- Best Practices: Lactation Time & Space
- Common Challenges

Title IX and Athletics

- Overview
- Accommodating Interests and Abilities: Three-Part Test
- Fair Treatment
- Common Areas of Concern

Single Sex Programs

- Defining Terms
- Sex-Preferred Programs
- Regulatory Exceptions to the Rule
- Single-Sex Scholarships

Assessing the Title IX Program

- Program Audits and Assessments
- Monitoring and Barrier Analysis
- Tips, Strategies, and Tools
- Climate Surveys
- Leveraging Data

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.