



**ATIXA Tip of the Week  
Newsletter  
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**Public Employee Due Process**

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**Does a public higher education employee who is at will (i.e. with no property right in his/her position) have due process rights in a Title IX investigation? Would fundamental fairness concepts apply? I'm looking for what the employee would be legally entitled to, rather than what would be considered prudent or a best practice. For the purposes of this question, please assume a bare bones policy/procedure, and the alleged conduct doesn't fall under VAWA.**

While state laws or administrative procedures acts may mandate a different answer, the answer generally is that at-will employees are not entitled to procedural protections.

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