

ROLES OF THE NEW TITLE IX TEAM

Who's on the New Title IX Team?

1. Title IX Coordinator, per §106.8(a)
 2. Investigator(s)
 3. Decision Maker(s)
 4. Appeal Officer(s)
 5. Informal Resolution Process Facilitator(s)
- *All team members must be impartial, unbiased, and free from conflicts.*
 - *All team members must be trained in the new Title IX Regulations.*

Title IX Team: Title IX Coordinator

Title IX Coordinator Duties:



- Coordinates Title IX compliance and training
- Conducts intake meeting with Complainant
- Offers supportive measures to Complainant & Respondent
- Explains grievance process, accepts formal complaint & determines mandatory dismissal
- Evaluates emergency removal
- Evaluates use of informal resolution process
- Assigns unbiased investigator free from conflicts
- Sends notices (e.g., Notice of Allegations)
- Considers permissive dismissal of complaint

Title IX Team: Title IX Coordinator

Title IX Coordinator duties, continued:

- Reviews investigative reports, written decision, & appeal decision, but **does not make decision** about responsibility
- Drafts letter of outcome after written decision issued
- *Likely does not* determine sanctions
- If applicable, ensures effective implementation of remedies for Complainant, sanctions for Respondent, and overall corrective plan
- *May* investigate when needed
- *May* act as facilitator of an informal resolution process

Title IX Team: Investigator(s)



Investigator Role:

- Trained and Knowledgeable
- Impartial, unbiased, & free from general or specific conflicts of interest
- Investigates formal complaint
 - Reviews complaint
 - Gathers, reviews, weighs, and synthesizes evidence
 - Interviews parties and witnesses
 - Assesses relevance and credibility
- Coordinates two review processes and assesses responses
- Prepares a written investigative report and compiles evidence
- Investigator does **not** make decision about whether Respondent is “responsible” for violation of sexual harassment policy

Title IX Team: Decision Maker

Decision Maker Role:



- Reviews Final Investigative Report with “fresh eyes” to see if information is missing or incomplete
- Facilitates relevant written questions & “cross-examination” from parties for parties and witnesses
- Makes conclusions about whether alleged conduct occurred and determines responsibility
- Prepares written determination with findings of fact, policy conclusions, and rationale for the result as to each allegation
- If applicable, recommends sanctions for Respondent and remedies for Complainant
- Provides written determination and appeal rights to the parties and advisors simultaneously

Title IX Team: Appeals Officer


Appeal Officer Role:



- Provides written notice of right to appeal to both parties based on three grounds for appeal
- If an appeal is filed, the Appeal Officer evaluates the appeal request(s) to determine if within the scope of appeal
- Provides a written Notice of Appeal to both parties
- Reviews both written statements and arguments from the parties
- Renders written decision on appeal and explains rationale for the result
- Provides the written decision to parties at same time

Title IX Team: Informal Resolution Process Facilitator

Informal Resolution Process Facilitator Role:



- Cannot require the parties to participate in informal process or to waive the right to an investigation
- Obtains voluntary, written consent of the parties to resolve the matter anytime before a determination of responsibility is made
- Process does not involve full investigation or adjudication, but includes a written notice to the parties disclosing the allegations, the requirements of the process, and notice that the parties can withdraw and resume the grievance process
- May consider the use of a trained mediator or trained restorative justice facilitator, if requested and appropriate
- Process cannot be used where an employee is alleged to have sexually harassed a student