

SGBM Investigator Training

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Acknowledgement

This training was adapted from the training provided by Julia Green from Harter Secrest & Emery in September 2017.

OverviewOom

Process Overview



Process Overview

Title IX Coordinator (TIXC) meets w/ Reporting Individual (Formal Complaint filed)

TIXC meets w/ Responding Student (Formal Complaint provided)

Fact-Finding Investigation

Initial Investigation Report created & sent to RI/RS (5 days business to review/comment)

TIXC starts organizing Adjudication Panel

Process Overview (continued)

Investigators address comments/questions from RI/RS review & create Appendix.

Investigators send Final Report & Appendix to TIXC

TIXC sends Final Report/Appendix to RI, RS, and Adjudication Panel

Adjudication Panel reviews Final Report/Appendix, refers questions to TIXC

Process Overview (continued)

TIXC/Investigators address questions and create a second Appendix if necessary.

Adjudication Panel convenes for Commenting Session w/ RI & RS.

Adjudication Panel makes a finding and, if necessary, applies/recommends sanction(s).

TIXC notifies RI & RS of outcome.

Appeals Process



Investigation Plan

Determine what information you need

Determine order of interviews

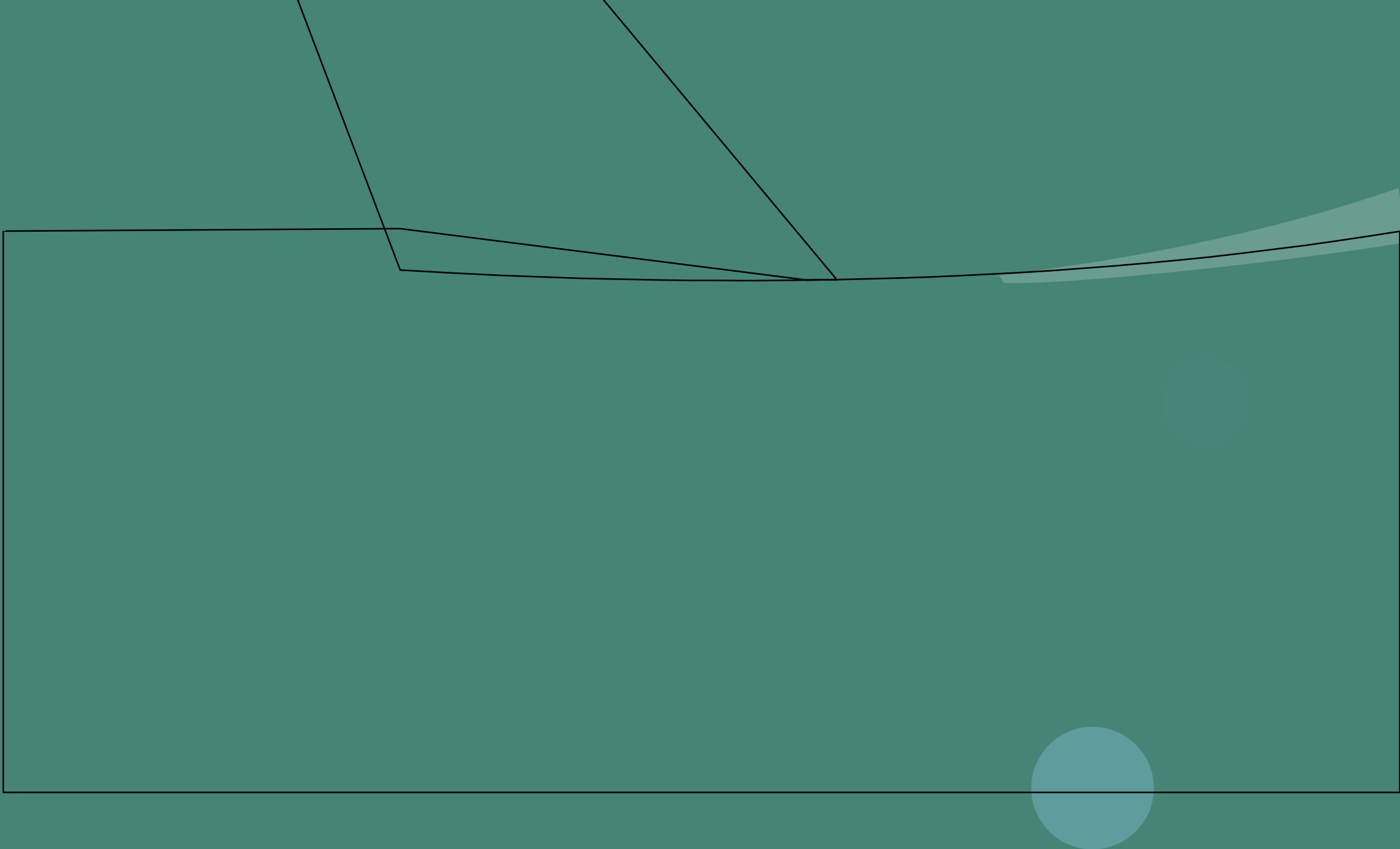
Determine when interviews and meetings can be scheduled

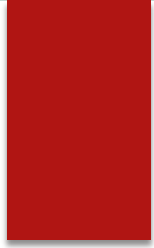
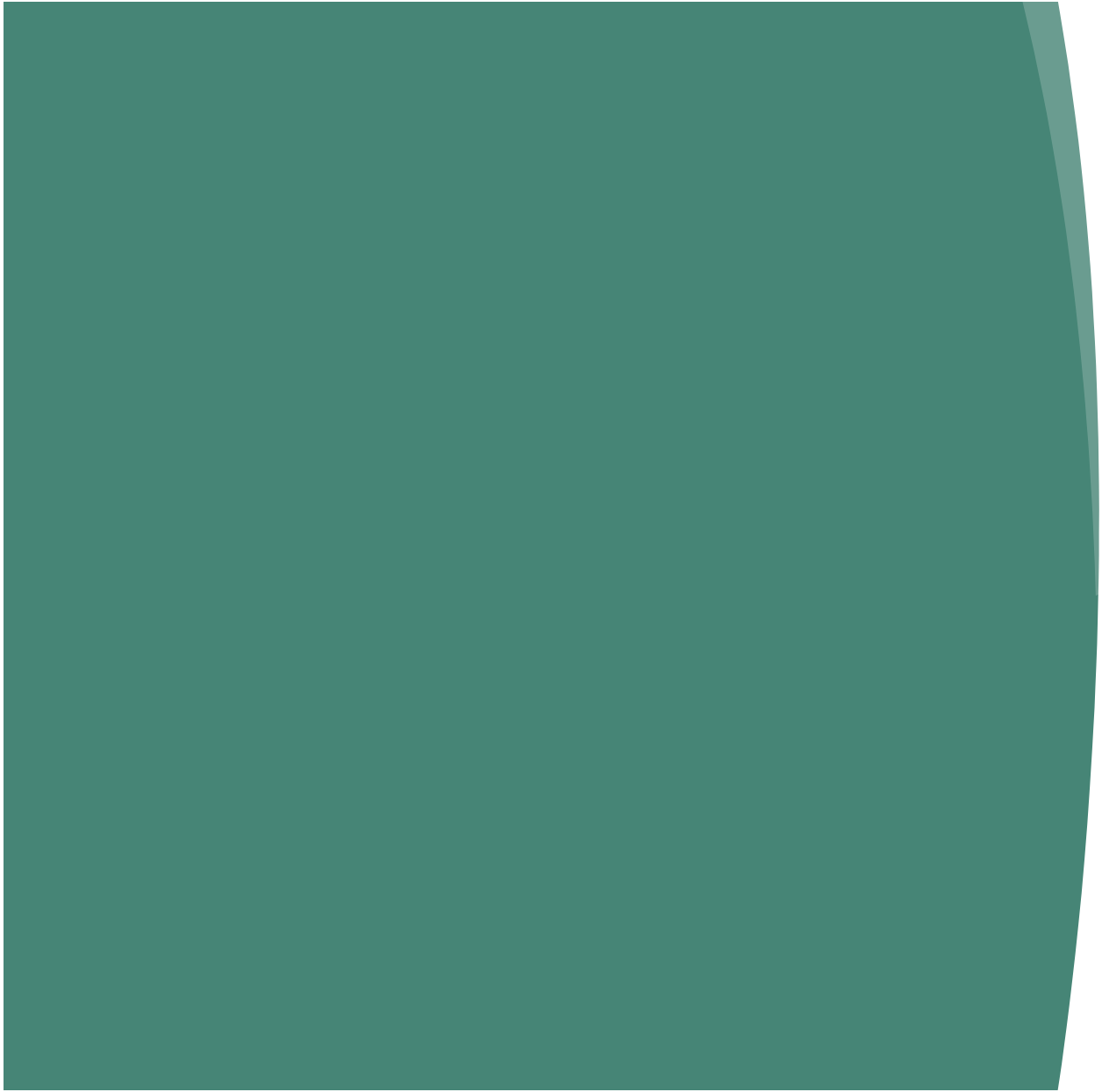
Set deadline to be complete (recommended max. 30 days or fewer)



Outreach and Communication

Confirm s





Sources

Title IX

Title IX of the Education Amendments of 1972, 20 U.S.C. §1681, et seq.

<http://www.justice.gov/crt/title-ix-education-amendments-1972>

Title IX Regulations, 34 C.F.R. Part 106

<http://www2.ed.gov/policy/rights/reg/ocr/edlite-34cfr106.html>

U.S. Department of Education's Office for Civil Rights: Significant Guidance

1997 Guidance: Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students or Third Parties

<http://www2.ed.gov/about/ofces/list/ocr/docs/sexhar01.html>

2001 Guidance: Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students or Third Parties

<http://www2.ed.gov/about/ofces/list/ocr/docs/shguide.pdf>

Title IX Resource Guide (April 2015)

<https://www2.ed.gov/about/ofces/list/ocr/docs/dcl-title-ix-coordinators-guide-201504.pdf>

2017 Dear Colleague Letter

<https://www2.ed.gov/about/offices/list/ocr/letters/colleague-title-ix-201709.pdf>

Sources

U.S. Department of Education's Office for Civil Rights: Dear Colleague Letters

October 26, 2010 DCL (Harassment and Bullying)

<http://www2.ed.gov/about/ofces/list/ocr/letters/colleague-201010.pdf>

April 4, 2012 DCL (Sexual Harassment) <http://www2.ed.gov/about/ofces/list/ocr/letters/colleague-20120404.pdf>

Sources

U.S. Department of Education's Office for Civil Rights: Recent Resolutions

<http://www2.ed.gov/about/ofces/list/ocr/frontpage/faq/readingroom.html>

U.S. Department of Education Office of Postsecondary Education

Handbook for Campus Safety and Security Reporting. (June 2016)

<http://www2.ed.gov/admins/lead/safety/handbook.pdf>

The White House

Not Alone: The First Report of the White House Task Force to Protect Students From Sexual Assault (April 2014)

http://www.whitehouse.gov/sites/default/files/docs/report_0.pdf

<https://www.notalone.gov/> (main website)

New York State

Enough is Enough New York State Education Law Article 129-B

New York State Education Department and New York State Office of Campus Safety Joint Guidance Regarding Compliance with Education Law Article 129-B

<http://www.highered.nysed.gov/ocue/documents/Article129-BGuidance.pdf>



