



POLICY, TRAINING, AND REPORTING REQUIREMENTS

LIN-CHI WANG



106.8 – Designation of Coordinator



DEFINITION

“Each recipient must designate and authorize at least one employee, referred to herein as a Title IX Coordinator, to coordinate its efforts to comply with its responsibilities under Title IX and this part. If a recipient has **more than one Title IX Coordinator, it must designate one of its Title IX Coordinators to retain ultimate oversight over those responsibilities** and ensure the recipient’s consistent compliance with its responsibilities under Title IX and this part.”



POLICY POINT

If a school has more than one Coordinator (e.g. multiple campuses), one of the Title IX Coordinators have to be designated as the overseer of Title IX compliance for all campuses. Make sure this information is included in your Notice of Nondiscrimination.

106.8(b) – Nondiscrimination Policy



DEFINITION

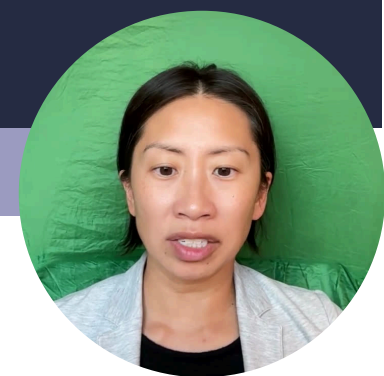
Each recipient must adopt, publish, and implement a policy stating that the recipient does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX and this part, including in admission (unless subpart C of this part does not apply) and employment.

A recipient must adopt, publish, and implement grievance procedures consistent with the requirements of § 106.45, and if applicable § 106.46.



POLICY POINT

Title IX Coordinators should work with internal folks to understand what resources (i.e. staffing, funding) are needed for implementation of the institution's Nondiscrimination Policy.



106.8(d) - TRAINING

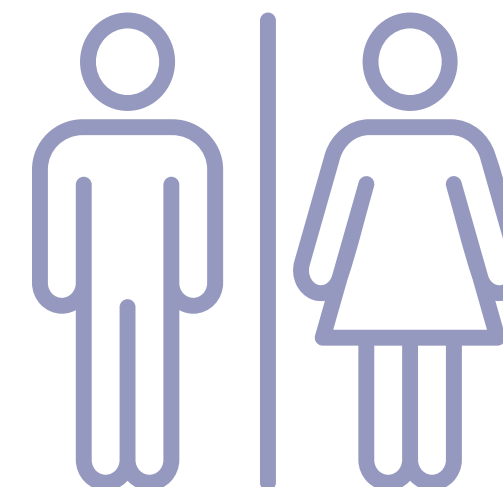
GENERAL TAKEAWAYS



Training must be provided promptly upon hiring or change of position

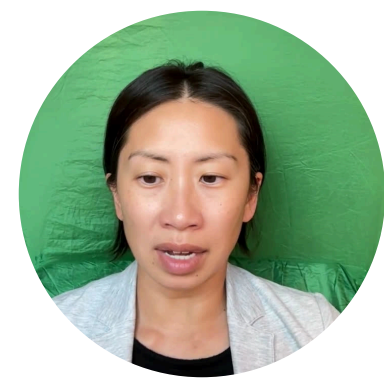


Annual training is required



Training must not rely on sex stereotypes

106.8(d) - TRAINING



ALL EMPLOYEES

- School's obligation to address sex discrimination
- Scope of conduct that constitutes sex discrimination, including the definition of sex-based harassment
- All applicable notification and information requirements

106.8(d) - TRAINING



ALL EMPLOYEES

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- Scope of conduct that constitutes sex discrimination, including the definition of sex-based harassment
- All applicable notification and information requirements

INVESTIGATORS & DECISION-MAKERS

- Other persons who “are responsible for implementing the recipient’s grievance procedures or have the authority to modify or terminate supportive measures” are included in this group.
- “All employee” training requirements, plus:
 - School’s obligations under 106.44
 - Grievance procedures under 106.45 and 106.46 (if applicable)
 - How to serve impartially
 - Meaning and application of “relevant” evidence

106.8(d) - TRAINING



INFORMAL RESOLUTION FACILITATORS

- “All employee” training requirements, plus:
 - Informal resolution rules and practices
 - How to serve impartially

106.8(d) - TRAINING

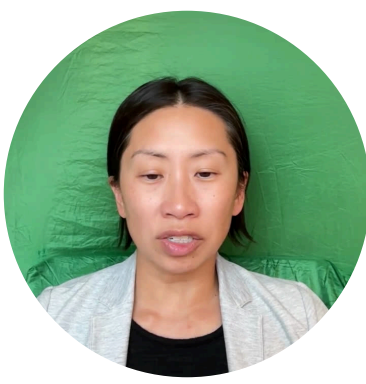


INFORMAL RESOLUTION FACILITATORS

- “All employee” training requirements, plus:
 - Informal resolution rules and practices
 - How to serve impartially

TITLE IX COORDINATORS & DESIGNEES

- All previously referenced training requirements, plus:
 - Specific responsibilities associated with the role
 - School’s recordkeeping system
 - Additional training as necessary to coordinate school’s compliance with Title IX



106.8(d) - TRAINING

NOTED CHANGES FROM 2020



Publication of training on website is no longer required



Addition of training requirement for employees



Addition of training for officials who conduct disciplinary proceedings



Annual training now a requirement



TAKEAWAYS

Training is required “promptly” upon hiring and change of duties and thereafter annually.

Incorporate into your institution’s annual training. Partner with your Human Resources to include in onboarding of new employees or incorporate into a professional development day.

106.8(f) – Recordkeeping



DEFINITION

“A recipient must maintain for a period of at least seven years:

(1) For each complaint of sex discrimination, records documenting the informal resolution process under §106.44(k) or the grievance procedures under §106.45, and if applicable §106.46, and the resulting outcome.

(2) For each notification the Title IX Coordinator receives of information about conduct that reasonably may constitute sex discrimination under Title IX or this part, including notifications under §106.44(c)(1) or (2), records documenting the actions the recipient took to meet its obligations under §106.44.

(3) All materials used to provide training under paragraph (d) of this section. A recipient must make these training materials available upon request for inspection by members of the public.”