

Association of
Title IX Administrators

Structuring, Training, and Supervising the Title IX Team

An ATIXA Best Practices Seminar

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Introduction



The primary focus of this seminar is to explore the elements of building and supervising a district/institution's Title IX team.



Title IX Coordinators must recruit, organize, train, and effectively supervise members of the Title IX team to ensure the district/institution's Title IX compliance obligations are met.



Our goal is to equip participants with the knowledge they need to effectively lead the Title IX team in the context of their unique educational environments.

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Content Advisory

The content and discussion in this course will necessarily engage with sex- and gender-based harassment, discrimination, violence, and associated sensitive topics that can evoke strong emotional responses.

ATIXA faculty members may offer examples that emulate the language and vocabulary that Title IX practitioners may encounter in their roles including slang, profanity, and other graphic or offensive language. It is not used gratuitously, and no offense is intended.

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Team Overview

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Title IX Coordinator

- Recipients must designate a Title IX Coordinator (TIXC) and provide them with the oversight and authority necessary to achieve compliance
  - May designate more than one TIXC, but one must be the ultimate authority
  - Must be impartial, trained, and fair
  - Must have positional authority to fulfill the role
    - ATIXA recommends TIXC reports to superintendent/president
    - If that is not possible, then a cabinet-level administrator, but a dotted line to the superintendent/president should exist at minimum
- Oversees all Title IX compliance
- Ensures Title IX policies and procedures are compliant and followed
- For K-12, TIXC is typically a district-level employee but could be school-based person who serves the entire district (or will be school-based when the school is not part of a district)

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Meeting Community Needs

- Recipients must stop, prevent, and remedy sex discrimination and sex-based harassment and ensure equitable access to programs
- TIXC cannot accomplish this alone
- Recipients must adequately staff their Title IX teams to ensure compliance and could consider:
  - Adding permanent position(s)
  - Reassigning tasks
  - Creating new role(s)
  - Identifying paid employees to fulfill roles
  - Third-party outsourcing
  - Regional consortia or sharing arrangements



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District/Institution Title IX Responsibilities

Title IX Regulations outline the following responsibilities:

- Monitor and ensure sex and gender equity in all education programs and activities
- Draft and implement policy and procedures
- Provide notice to school/district or institutional community
- Respond to/resolve sex discrimination and sex-based harassment reports and complaints
- Train all employees and all involved in administering the Title IX Resolution Process
- Maintain Title IX training, complaint, and supportive measures records
- Monitor and mitigate barriers to reporting

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Related Responsibilities

Title IX team members may assume additional responsibilities including:

- Clery Act/VAWA compliance
- Other federal and state mandates
- District/Institutional policy



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Required Roles Overview

The Title IX regulations suggest the need for the following roles/functions:

- Title IX Coordinator
  - Supportive Measures
  - Emergency Removal
  - Dismissal
- Supportive Measures Challenge Decision-maker
- Emergency Removal Challenge Decision-maker
- Dismissal Appeal Decision-maker
- Investigator
- Decision-maker
- Informal Resolution Facilitator
- Appeal Decision-maker
- Advisor
  **mandatory for higher education if offering Advisor-led cross-examination, discretionary for K-12*

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Structural Discretion

Districts and institutions have discretion in structuring their Title IX team, including:

- Whether to have more than one TIXC
- Whether to have Deputy Coordinator(s) and determine what their roles are
- Who should be on the team
- How to account for different locations, schools within a system or district, types of employees, etc.
- **Distinction and separation of roles** throughout Title IX Resolution process
  - School or district-/institution-based administrators
  - Paid or volunteer positions
  - Trained third-party contractor(s)

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Core and Extended Teams

- **Core Team**
  - Primary compliance oversight
  - Report and complaint receipt/response
  - Policy and process development
  - Monitoring and data analysis
  - Strategic planning
- **Extended Team**
  - Prevention education and awareness events
  - Policy and process training
  - Supportive Measures and remedies
  - Advocacy



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Equity Audits/Assessments

- Most divisions/departments have some equity concerns, need for monitoring, or assessment
- A robust team can create a rotating schedule of assessment
  - Team members can conduct or collaborate with departments on self-assessment to identify:
    - Equity concerns
    - Barriers
    - Compliance gaps
- The team can collaborate to:
  - Create assessment instruments
  - Oversee the assessment
  - Work with departments/divisions to implement remediation plans based on the findings
  - Determine the effectiveness of the remediation efforts

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Optional Core and Extended Team Members

Core Team

- Athletics
- Deputy Coordinators
- Human Resources
- Legal counsel
- Student discipline/conduct
- Faculty affairs

Extended Team

- Mental health/school counselors
- Faculty/teachers/academic affairs
- Prevention services/health educators
- Public safety/SRO/campus police
- Residence life
- Student health/school nurse
- Student organizations
- Victim Advocates
- BIT/CARE Team liaison

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Discussion:
Current Staffing Structure

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Building and Structuring the Title IX Team

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Deputy TIXC(s)

- Not required, but an effective practice that can reduce risk if TIXC resigns, becomes ill, takes a leave of absence, etc.
  - Designation by location
  - Designation by population/constituency
  - Designation by responsibilities
- Consider broad Title IX compliance needs
- Ensure Title IX responsibilities are included in job descriptions
- Can step in for TIXC when there is a conflict or the TIXC is otherwise unavailable
- May be a direct report or dotted line report, but ensure TIXC can effectively supervise work
- May share core TIXC responsibilities, or be delegated specific tasks/functions

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Building the Title IX Team

When building the Title IX team, TIXC(s) should consider:

- Individuals' workloads and availability
- Conflicts of interest and bias
- Primary role within district/institution
- Previous education, professional experience, or research
- Social media activity
- Social group memberships
- Volunteer affiliations



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Structuring the Title IX Team

- The Title IX team must be large enough to fulfill required separation of roles, though the below numbers recognize that some individuals fill more than one role
- To reduce conflicts of interest and bias, and manage attrition/turnover/ burnout, TIXCs should overrecruit and train all possible backups

ATIXA Recommends (Moderate Staffing Size):

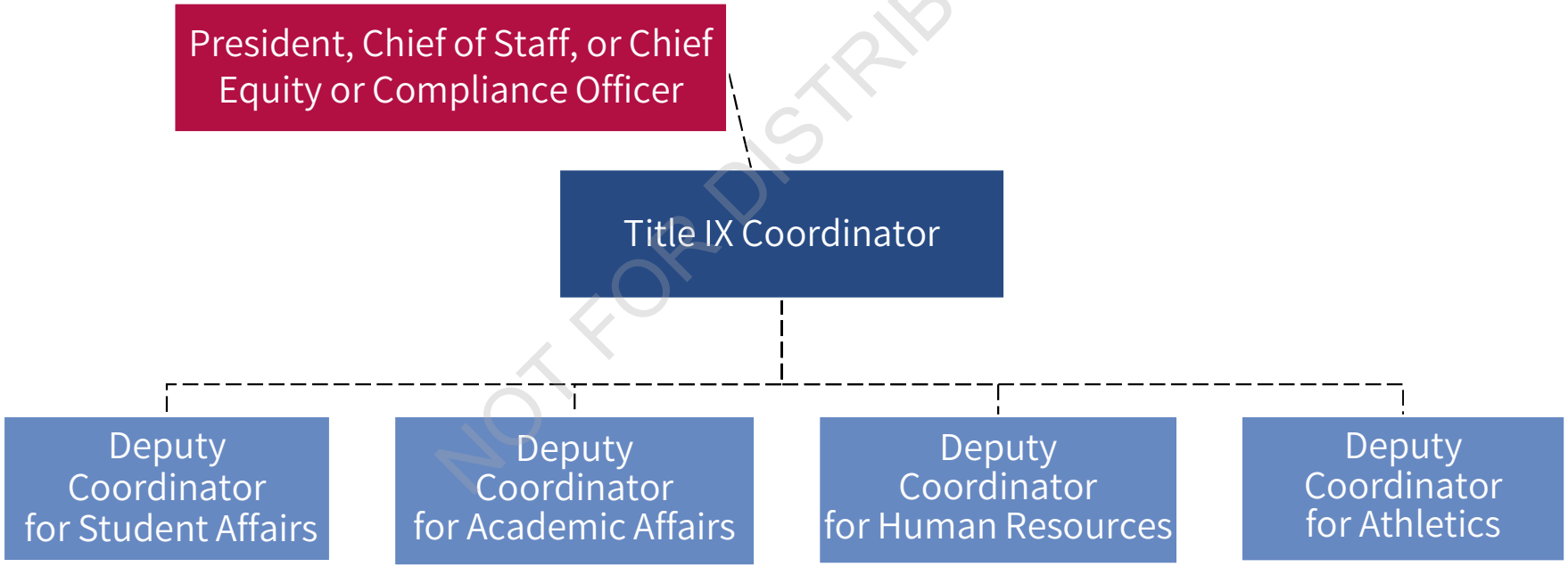
1	**Title IX Coordinator**
3-5	**Deputy Coordinators**
2-4	**Investigators**
5-10	**Decision-makers**
1-3	**Informal Resolution Facilitators**
4-6	**Advisors (if allowed by policy for K-12)**

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Example Higher Education Structure

Institutions will determine a structure that works best for their unique needs

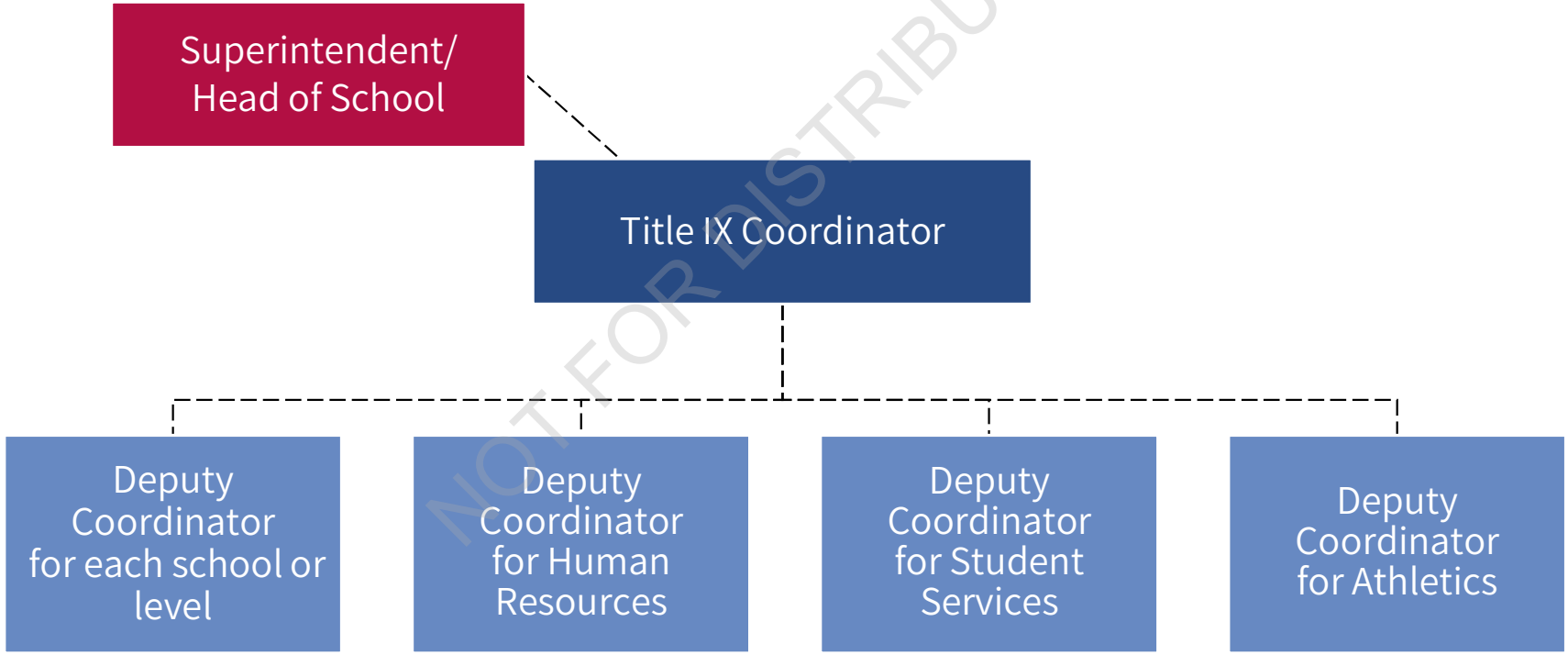


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Example K-12 Structure

Schools/Districts will determine a structure that works best for their unique needs



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Paid Positions

- ATIXA typically recommends the TIXC for most institutions/districts be a full-time paid position
- Designating paid positions for the Title IX team beyond the TIXC allows for:
  - Hiring experienced professionals with specialized training
  - Sufficient staffing to support the scope of work, including training/prevention, intake, and resolution processes
  - Accountability for timely response, efficient case management, and quality work product
- Schools/Institutions may participate in a consortium or exchange of staff to share personnel costs, but this may be complicated when procedures vary from school to school
- Paid positions may be a mix of full-time, part-time, and stipends

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Paid Position Recruitment

Schools/Institutions benefit from a strategic recruitment strategy:

- Develop a comprehensive job description outlining job responsibilities, qualifications, and requirements
- Conduct targeted outreach efforts to attract desired candidates
- Leverage existing networks and relationships within the educational community
- Engage the district/institutional community in recruitment efforts
- Prioritize diversity and inclusion in the recruitment process
- Establish a transparent and inclusive selection process that includes school/institution stakeholder feedback
- Offer competitive compensation and benefits

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Hiring Considerations

Schools/Institutions should be selective in their hiring process, considerations may include:

- Expertise and experience
- Legal and regulatory knowledge
- Communication skills
- Social-emotional skills
- Commitment to equity and inclusion
- Collaborative and team-oriented
- Ethical integrity
- Crisis management skills
- Continuous learning and development
- Distress tolerance skills
- Problem-solving skills
- Critical thinking skills
- Demonstrated sound professional judgment
- Screening for bias, including past roles/ experiences that may give the appearance of bias

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Recruitment and Vetting

- Title IX teams often include paid employees who take on Title IX roles as additional responsibilities (e.g., teachers, faculty, staff, administrators, and coaches)
- May contribute their time and expertise to support Title IX through:
  - Prevention education and programs
  - Awareness campaigns and trainings
  - Fulfillment of specific team roles (e.g., Investigator, Advisor)
- Recruiting considerations
  - Develop recruitment strategies
  - Request nominations from supervisors and senior leadership
  - Provide clear role expectations, including time commitments and training
  - Establish selection criteria
  - Conduct background checks and screen for bias concerns

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External Staffing Evaluation

- External firms or consultants my supplement or fill Title IX team roles
  - Interim role
  - One-time support for investigations, decision-making, appeals, etc.
  - Ongoing support for policy review, consultation, etc.
- For more extensive bench coverage, consider The FAIR Center

External Support Considerations

- Professional portfolio and reputation
- Complex Title IX complaint resolution experience
- Average completion time and cost for similar scope of work
- Availability and timely communication
- Opportunity to review anonymized final work product to screen for quality
- Confirmation of required training
- Familiarity with institution/school context

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Student Involvement

- Be intentional when engaging students in Title IX efforts
- Students can be important ambassadors in advancing equity
  - Potential stakeholders in policy and procedure development
  - Involve them in planning and implementation of prevention education, awareness campaigns, and programming
  - Collaborate with student groups whenever possible to increase student engagement and event attendance
  - Invite them to provide insight and feedback on campus climate, initiatives, and messaging

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Title IX Team Training

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Title IX Coordinator Training

- TIXCs must receive role-specific training on:
  - Pregnancy outreach and support requirements
  - Obligations to respond to reports of sex discrimination
  - Supportive Measures
  - Recordkeeping system and recordkeeping requirements
  - Any other training necessary to coordinate Title IX compliance
- Applies to designees, such as Deputy Title IX Coordinators, as well

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Title IX Training

TIXC has responsibility to ensure training mandates are met:

- All employees **must** complete annual training on the following topics, at a minimum:
  - Obligation to address sex discrimination in institution's education program or activity
  - Scope of conduct constituting sex-discrimination and sex-based harassment
  - Reporting and information sharing requirements
- Provide access to training materials on demand
- **Note:** Related student and employee training and prevention requirements per Clery Act/VAWA § 304



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Title IX Team Training

- TIXC has responsibility to ensure the **Title IX Team** also receives **annual training** on the topics on the preceding slide, and:
  - District/Institutional response obligations to reports of sex discrimination and sex-based harassment, including reporting requirements
  - Resolution procedures
  - Serving impartially and without conflicts of interest or bias
  - Meaning and application of relevant and impermissible questions and evidence
- IR Facilitators must receive training on rules and practices associated with the institution's Informal Resolution process

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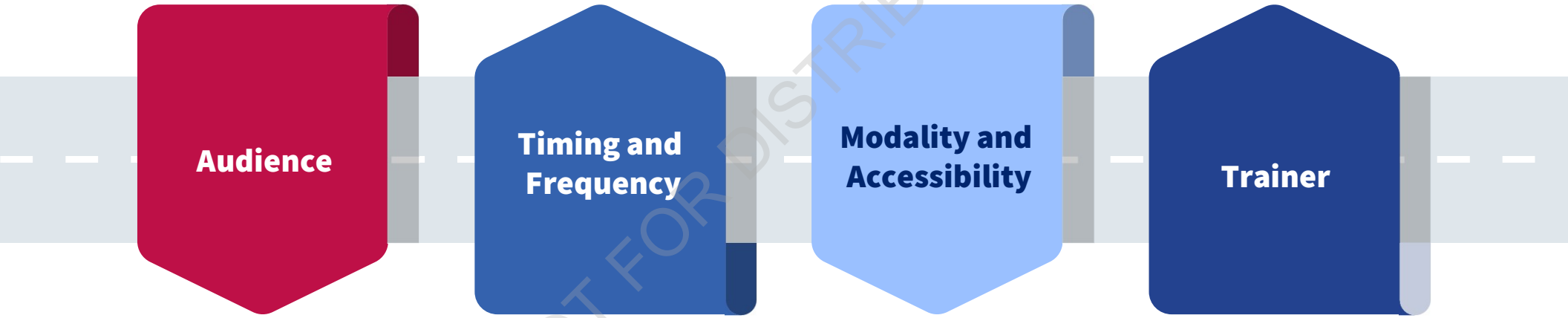
Recommended Training

- The Title IX team **should** receive comprehensive training beyond the topics required by regulations, to include:
  - Role-specific skills (e.g., credibility assessment, rationale writing)
  - Trauma-informed practices
  - Cultural competency and intersectionality
  - Legal updates and case law
- Some districts/institutions will choose to cross-train Title IX team members
  - Expands the pool of available trained practitioners
  - Provides a more comprehensive understanding of the Title IX Resolution Process

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Title IX Team Training Considerations



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Title IX Team Training Considerations

Audience

- Role-specific needs
- New or returning to the role
- Previous experience
- Voluntary or assigned to the role
- Potential conflicts of interest or bias
- Professional point of view

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Title IX Team Training Considerations

Timing and Frequency

- Duration
- Frequency/dosage
- Competing priorities
- Role complexity

- Multiple roles
- Duplication
- District/Institutional needs
- Available resources

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Title IX Team Training Considerations

Modality and Accessibility

- In-person
- Virtual
- Hybrid
- Self-paced

- On-demand
- Language
- Accessibility

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Title IX Team Training Considerations



- Level of expertise
- Internal vs. External
- Portfolio of practice/expertise
- Inclusion of diverse materials
- Potential bias

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Knowledge and Skills Training

- Title IX team training should include practical skills training
- Skills training focuses on skill development, integration, and application
- Examples of skills training:
  - Anonymized complaint file reviews with issue spotting
  - Mock interviews and hearings
  - Tabletop exercises
  - Role playing
  - Shadowing meetings, interviews, or hearings
- Combining knowledge and skills training empowers team members to effectively fulfill their roles

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Providing Professional Development

Strategies to support and develop the Title IX team include:

- Mentorship with other Title IX practitioners
- District/Institutional resources for professional development
- Yearly team member evaluations with individualized feedback
- Regular mental wellbeing check-ins
- Opportunities for process/complaint debriefs
- Professional recognition
- Support to attend and/or present at conferences

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Effective Supervision/Oversight and Evaluation

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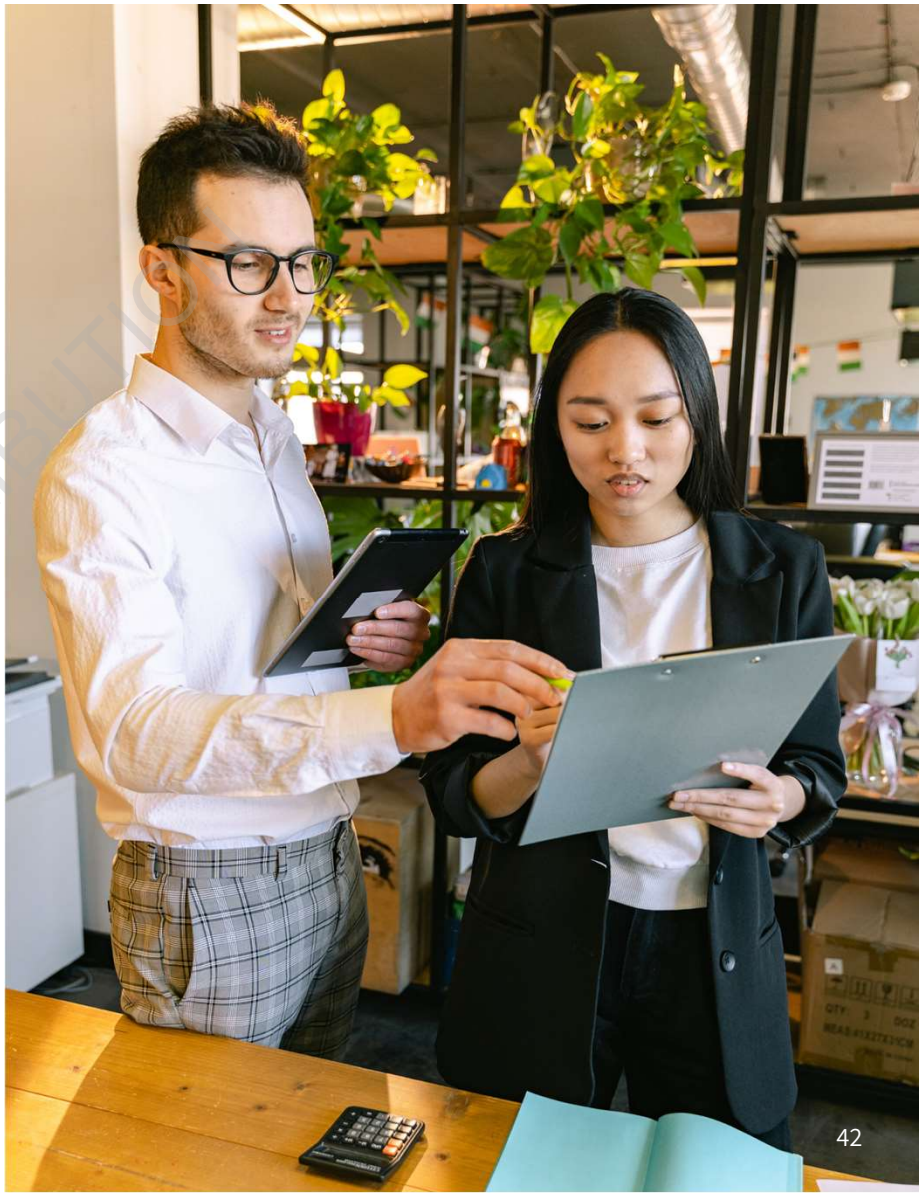
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Assessing the Title IX Core Team

TIXC must ensure team members are able to perform their roles

Consider:

- Confidentiality and privacy practices
- Cultural competence
- Decision rationales
- Impartiality/neutrality
- Writing skills
- Training and competence



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Title IX Team Supervision/Oversight

- Requires ongoing leadership, support, and oversight to ensure compliance obligations and school/institutional needs are met
- Often not their actual supervisor, but TIXC will oversee part of their work
- Key strategies, include:
  - Clear expectations for roles, responsibilities, and performance metrics
  - Ongoing training and individualized professional development opportunities
  - Regular meetings or check-ins
  - Supervisory availability and support
  - Prompt and honest work product feedback
  - Resource allocation
  - Professional ethics modeling

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Feedback and Coaching

Effective feedback enhances Title IX team skills and work product

- Given in a timely manner
- Helps ensure reliability, impartiality, and thoroughness
- Provide specific and objective details
- Focus on development
- Encourage dialogue
- Set clear expectations for future efforts
- Follow up on progress periodically

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Supervisory Challenges

Supervision may be impacted by the structure and composition of the Title IX team

- **Direct Report**
  - Highly structured with high degree of accountability
  - Include mid-year and/or annual performance evaluations
  - Build in one-on-one meetings with TIXC
- **Dotted-Line Report**
  - Semi-structured with varying degrees of accountability
  - Often dual roles and supervisors
  - TIXC may contribute to annual performance evaluation

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Informal vs. Formal Evaluations

Informal

- Flexibility in timing, frequency, and context
- Less-structured format
- Focus on day-to-day tasks, recent projects, or immediate concerns
- Provides opportunities for rapport building between TIXC and Title IX team
- Often not formally documented

Formal

- Typically scheduled at regular intervals
- Structured format or template
- Focus is on overall accomplishments, areas for improvement, and professional growth
- Formal documentation that becomes part of the employee's personnel record
- May influence decisions regarding promotion, salary, or removal from the Title IX team

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Supervisory/Oversight Challenges:

Informal supervisory structure presents challenges

- Volunteer or ancillary Title IX responsibilities, often limited accountability
- May have limited capacity for training and/or role responsibilities
- TIXC may have little to no input on annual performance evaluations
- Includes more coaching and supporting than supervising
- Requires buy-in and support from supervisor
- Necessitates clear expectations
- TIXC is still responsible for overseeing their Title IX work and work product

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Managing Team Member Complaints

TIXC must manage complaints about a Title IX team member with a sensitive and comprehensive approach, including:

- Prompt response
  - May need to investigate and gather information
- Consultation with legal counsel, human resources, or other supervisory staff (if appliable)
- Supportive Measures (if appropriate)
- Take appropriate action with rationale
  - Determine if there is mishandling, bias, or a conflict of interest
  - Remove the Title IX team member from the current complaint
  - Provide remedial training and education
  - Remove the individual from the Title IX team

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Case Study

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Gianna and Jeremy

- Gianna and Jeremy were both first-year students at Poe College
- One night they attended an on-campus party in a residence hall
- Gianna drank two to three cups of wine, two to three shots of tequila, and a mixed drink of Sprite and three shots of vodka, both before the party and within an hour of arriving at the party
- After leaving the party, Gianna and Jeremy decided to walk back to Gianna's residence hall where they engaged in penetrative sex
- Midway through the sexual encounter, the condom broke, and Jeremy ceased penetration

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Gianna and Jeremy

- Jeremy informed Gianna that the condom broke, told Gianna that he would purchase the morning after pill for her the next morning, and then he left
- Gianna was later found on the residence hall bathroom floor by another student, and she alleged that she was raped
- Although she told the Investigators that she had been drinking heavily and couldn't remember parts of the night, the Investigators focused solely on her framing of the allegations around consent and disregarded statements and evidence that suggested Gianna's incapacitation

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Gianna and Jeremy

- First responders found a used condom in Gianna's garbage the night of the incident
- When asked about the condom, Gianna stated that she guessed it was from her encounter with Jeremy
- When the Investigators submitted their draft report to the TIXC (prior to the parties' review period), the TIXC noted that the report did not include evidence related to Gianna's alcohol consumption on the night of the reported incident
- The Investigators believed the evidence was not relevant because Gianna alleged a violation on the basis of non-consensual sexual intercourse related to condom use

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Gianna and Jeremy: Discussion

Questions:

- What is your evaluation of the relevance of the evidence related to alcohol consumption?
- As the TIXC, how would you manage this situation?

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Gianna and Jeremy

- The Investigators amended the investigation report to include information about Gianna's alcohol consumption
- The Investigators recommended that Jeremy be found not responsible for a policy violation based upon the original framing of the complaint
- The hearing panel was comprised of three employees who had been trained by the TIXC in both Title IX and hearing procedures
- Gianna requested that the student who found her on the bathroom floor the night of the incident and the RA she spoke to be allowed to testify at the hearing
- The panel declined this request
- Gianna also requested an expert witness to discuss the effects of alcohol and Adderall on the body, and that too was denied

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Gianna and Jeremy: Discussion

Questions:

- As the TIXC, how would you respond to this situation?
- What if Gianna does **not** appeal the decision?
- Is there additional training to provide to the Title IX team?

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