A Professional Law Corporation

The New Title IX Team and Process for Community College Districts

SIERRA JOINT COMMUNITY COLLEGE DISTRICT

PRESENTED BY: Eve P. Fichtner, Partner



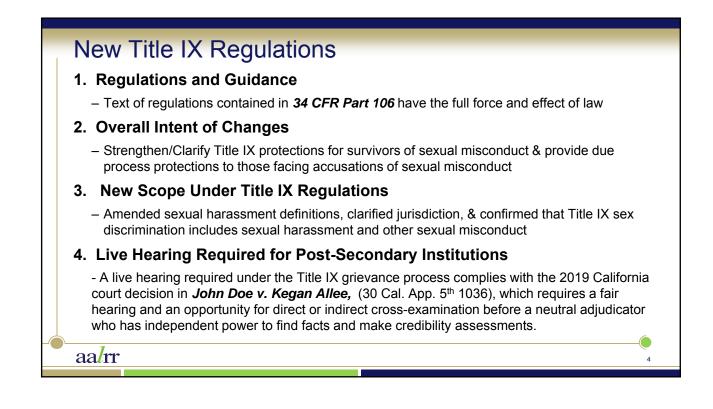




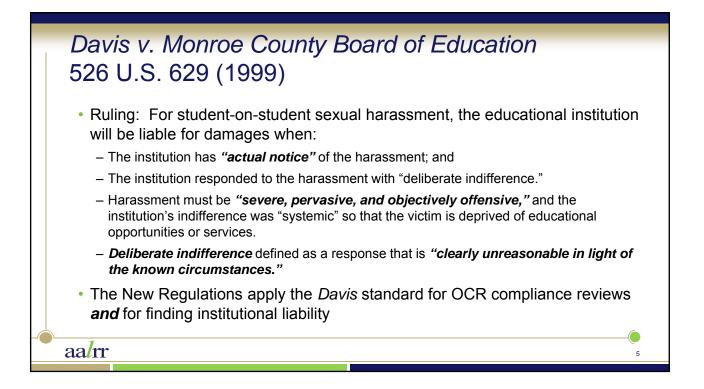


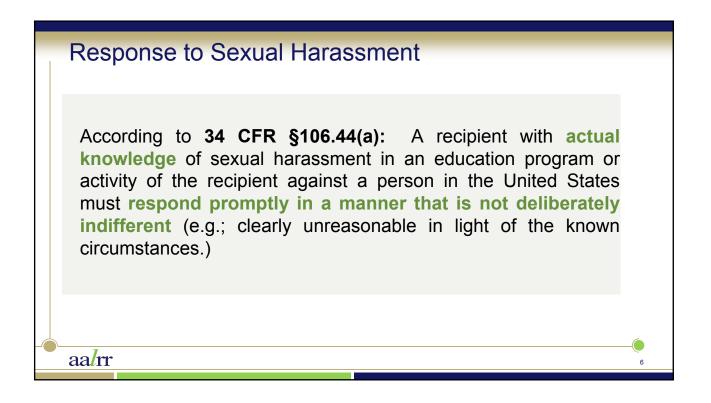


Fed	deral Law - Title IX:
	No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.
	itle IX of the Education Amendments of 1972 (20 U.S.C. Section 1681 et seq.) and related gulations (34 C.F.R. Part 106).)
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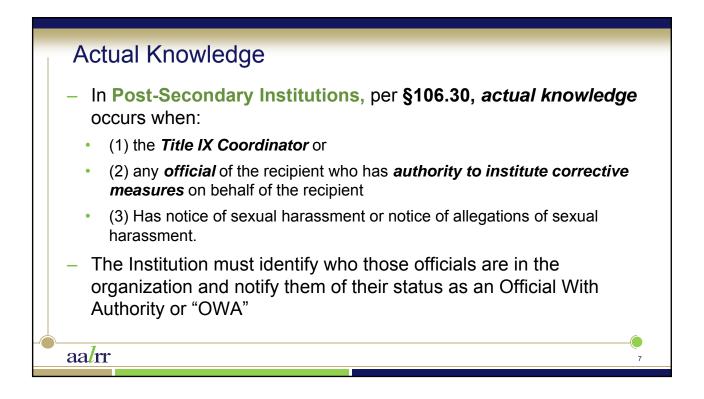


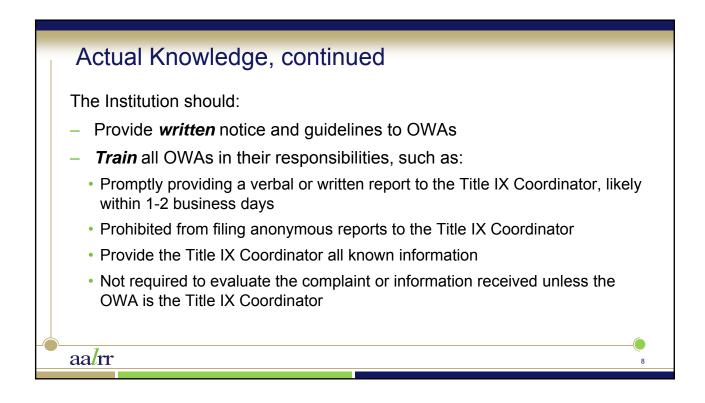




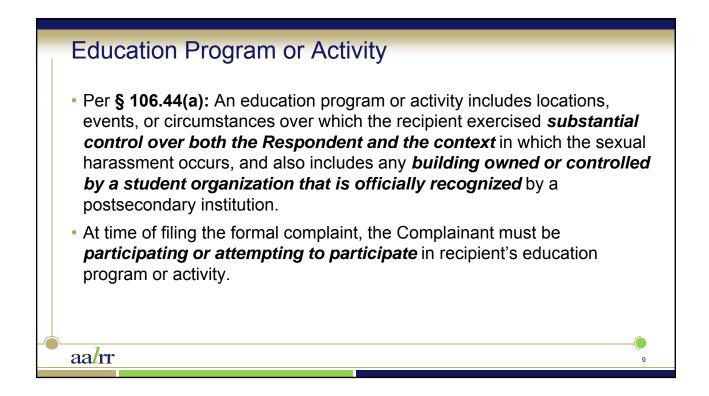


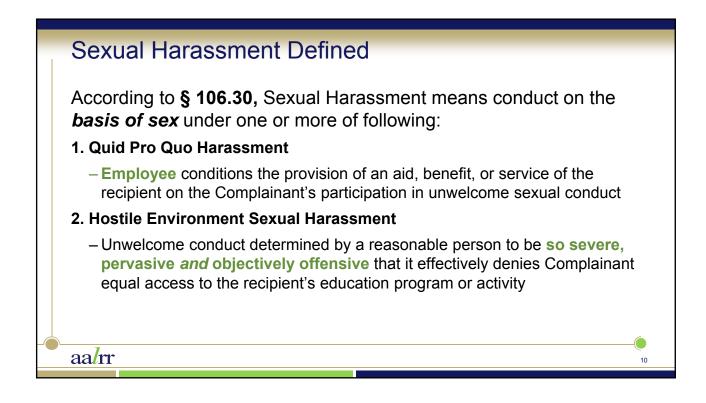




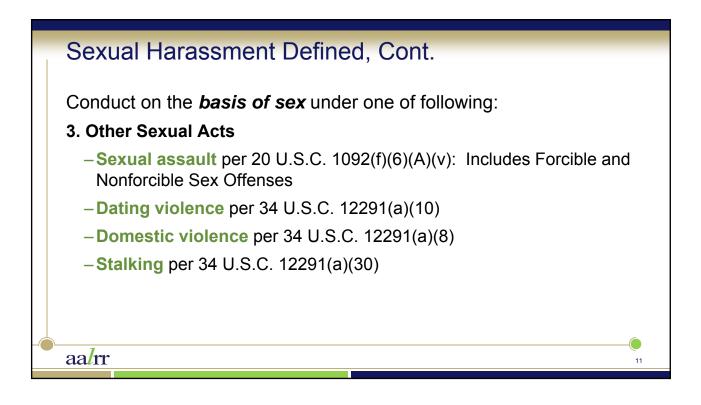


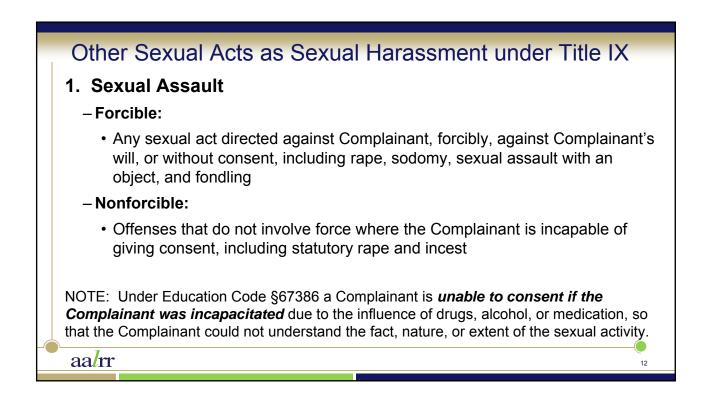




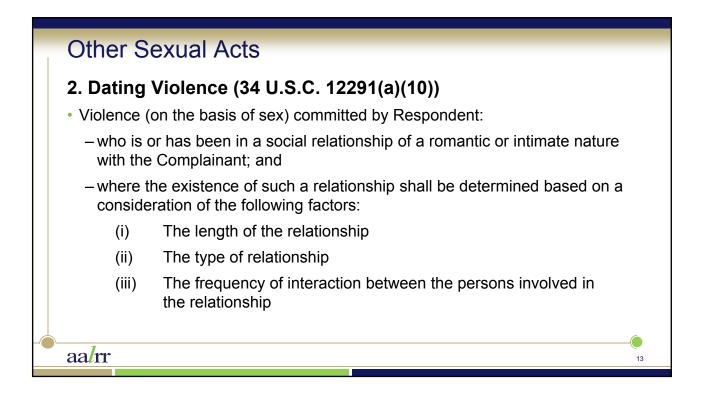


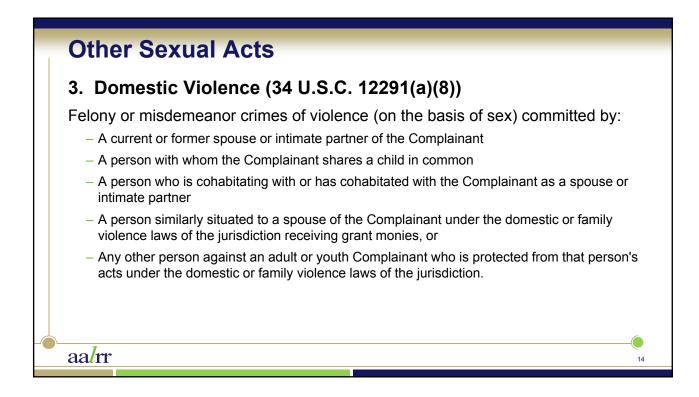




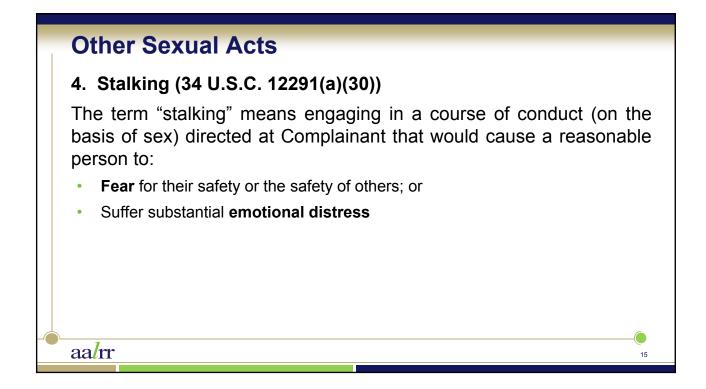






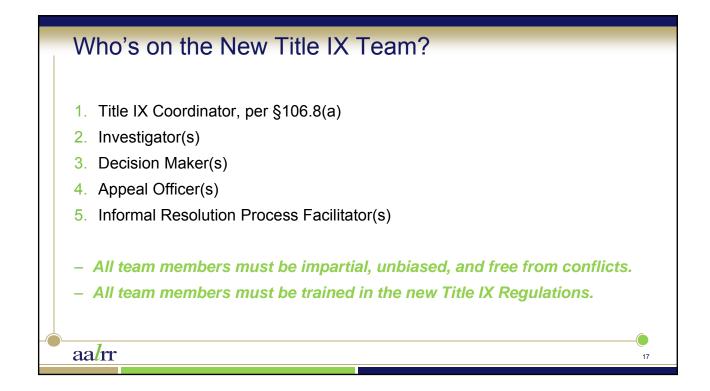


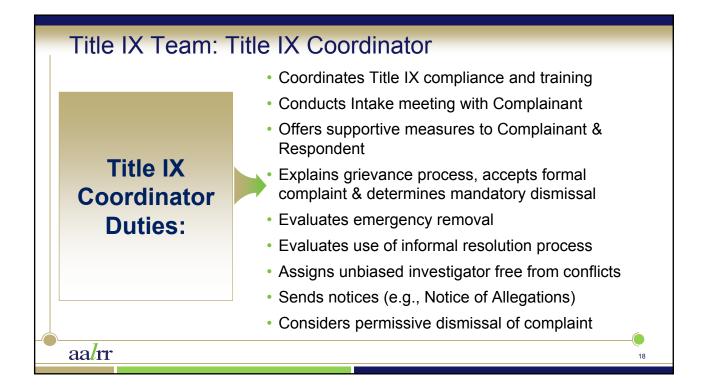




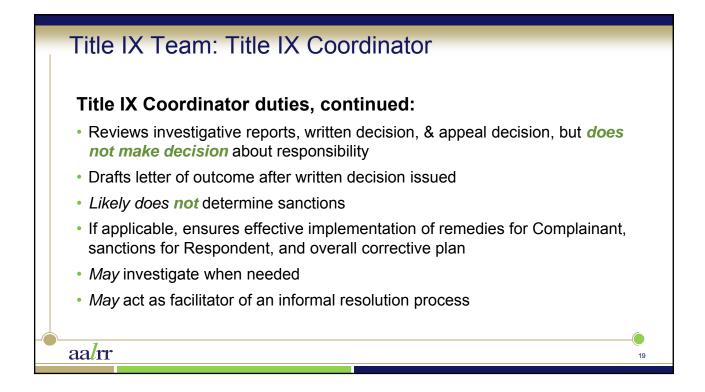














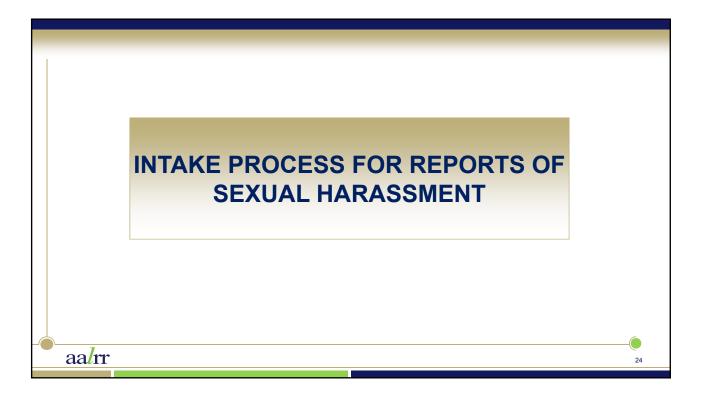


Title IX Team: Decision Maker				
	 Reviews Final Investigative Report with "fresh eyes" to see if information is missing or incomplete 			
	 May be a hearing officer or a hearing panel 			
	 Facilitates "live cross-examination" for parties through the parties' advisors 			
Decision Maker Role:	 Makes conclusions about whether alleged conduct occurred and the decision about responsibility for a policy violation 			
	 Prepares written determination with findings of fact, conclusions, and rationale for the result as to each allegation 			
	 If applicable, recommends sanctions for Respondent and remedies for Complainant 			
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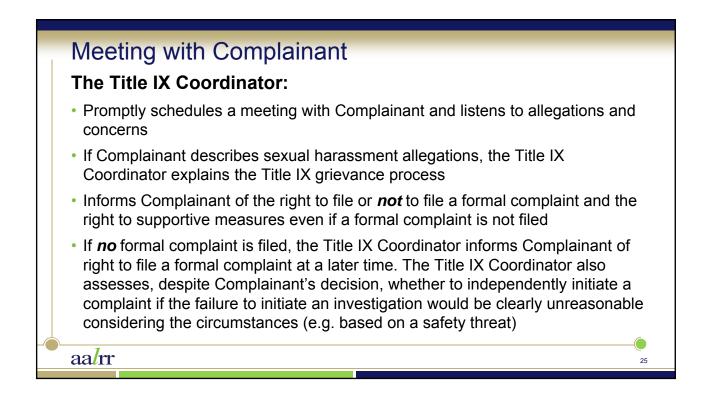
Title IX Team: Appeals Officer – Provides written notice to both parties about the right to appeal based on three grounds for appeal – If an appeal is filed, the Appeal Officer evaluates				
– If an appeal is filed, the Appeal Officer evaluates				
the appeal request(s) to determine if within the scope of appeal				
Appeal Officer – Provides a written Notice of Appeal to both parties				
Role: – 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 				
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Title IX Team: Informal Resolution Process Facilitator				
	 Cannot require the parties to participate in informal process or to waive the right to an investigation 			
Informal	 Obtains voluntary, written consent of the parties to resolve the matter anytime before a determination of responsibility is made 			
Resolution Process Facilitator Role:	 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 			
Role:	 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 			
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Meeting with Complainant

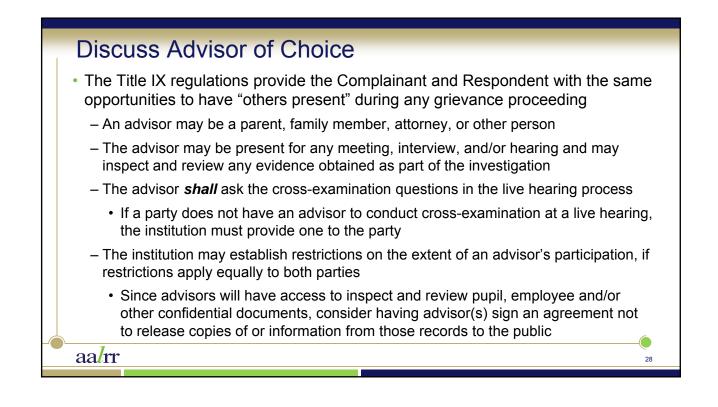
The Title IX Coordinator:

- If a formal complaint is filed, Title IX Coordinator gathers the signature of Complainant, parent/guardian and/or Title IX Coordinator
- Informs Complainant of right to request an informal resolution process after submission of a formal complaint and the right to exit informal resolution process at any time
- If a formal complaint is filed, Title IX Coordinator determines if the complaint falls within the scope of mandatory dismissal and informs Complainant and Respondent
- · Best practice to provide a written summary of the meeting

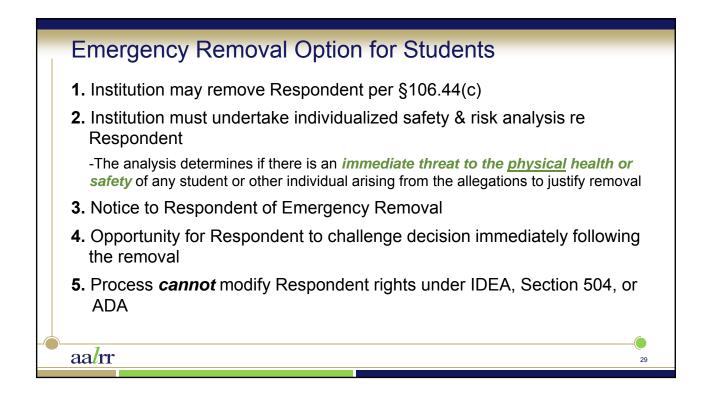
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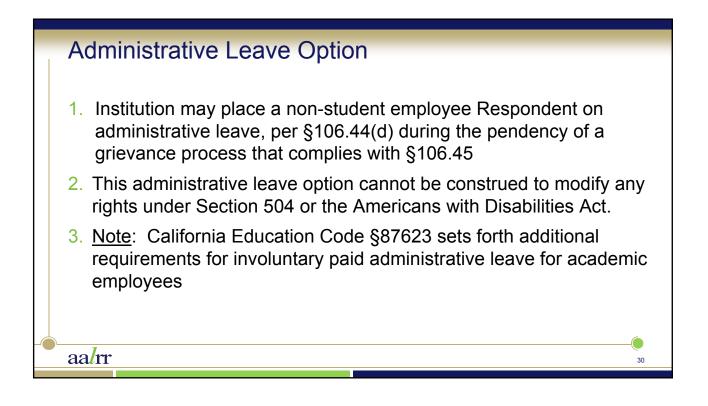






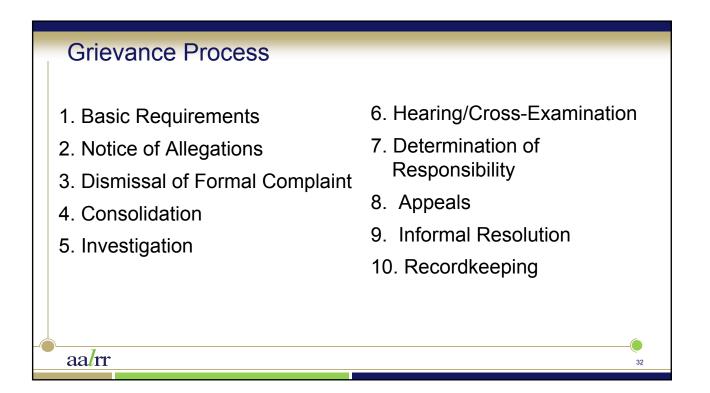




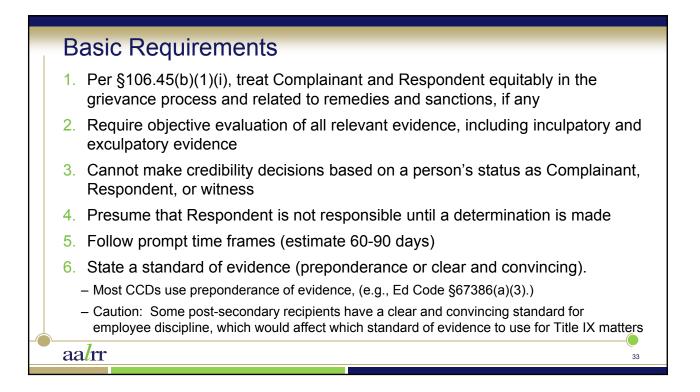






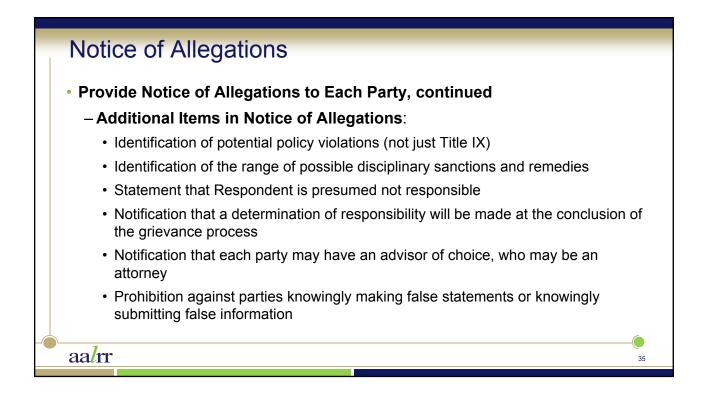


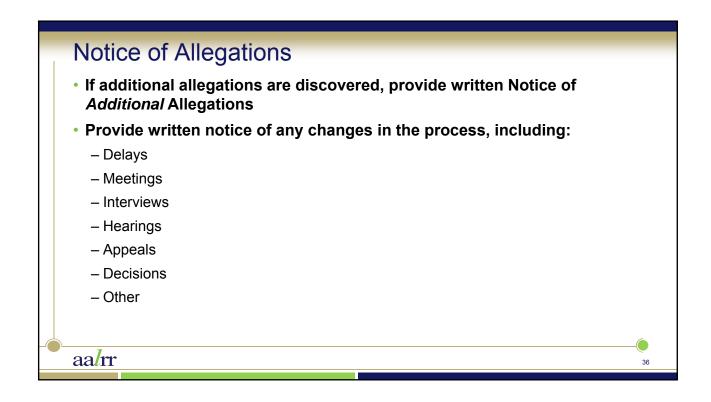




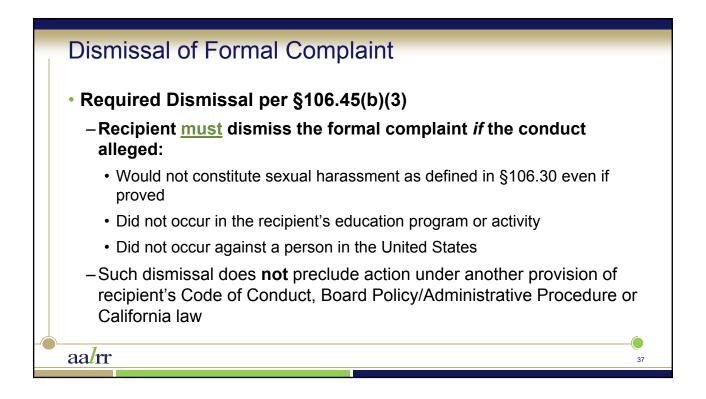


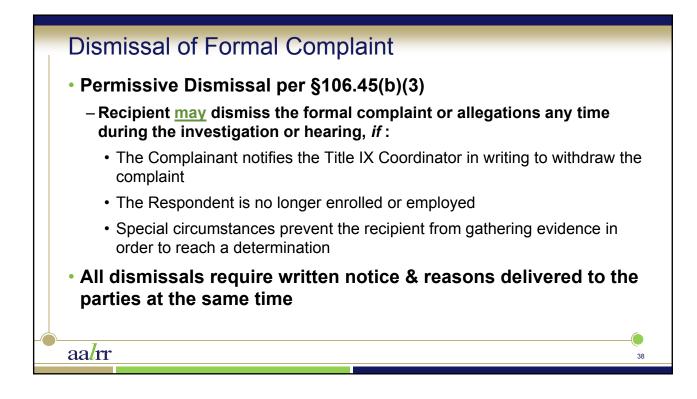




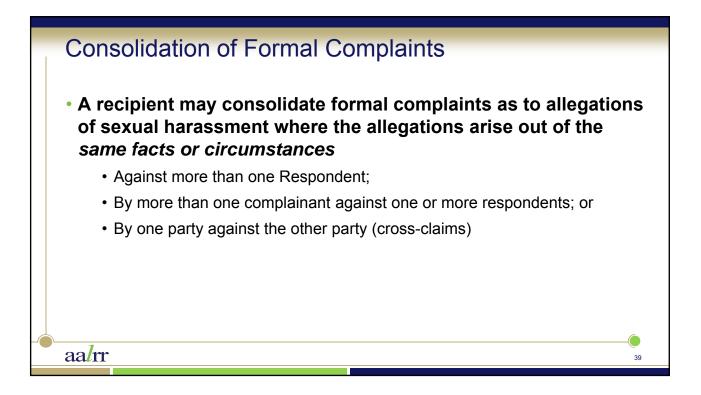


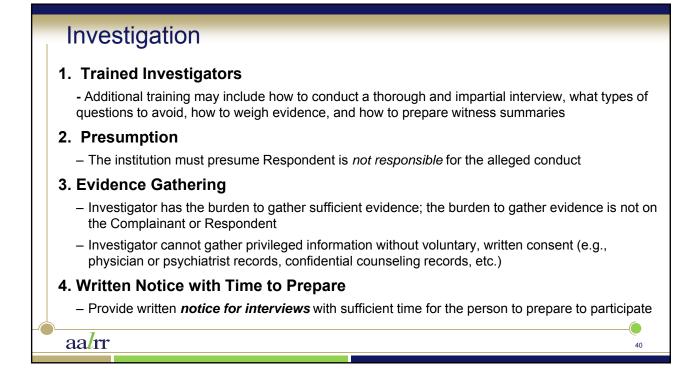




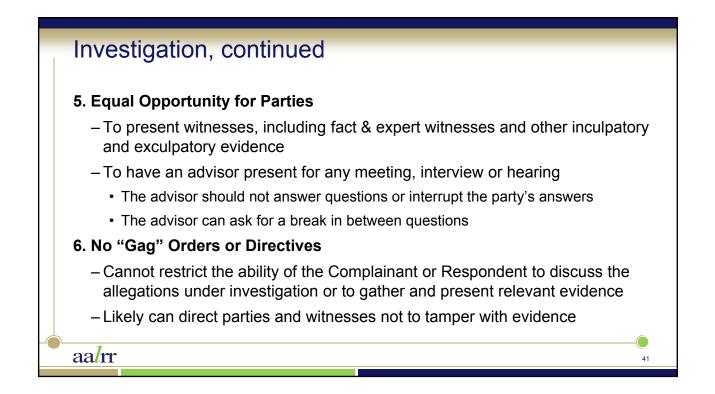


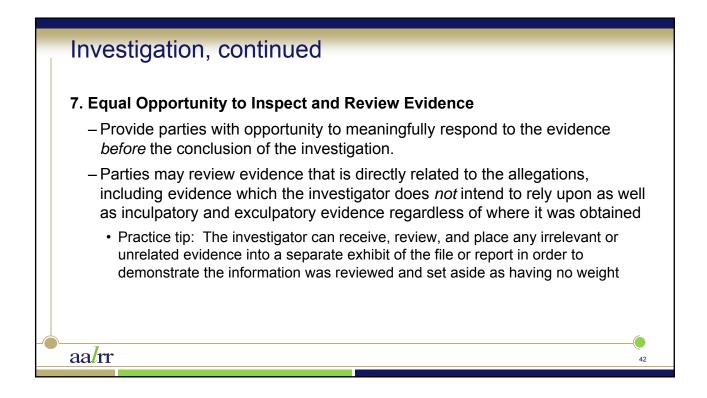




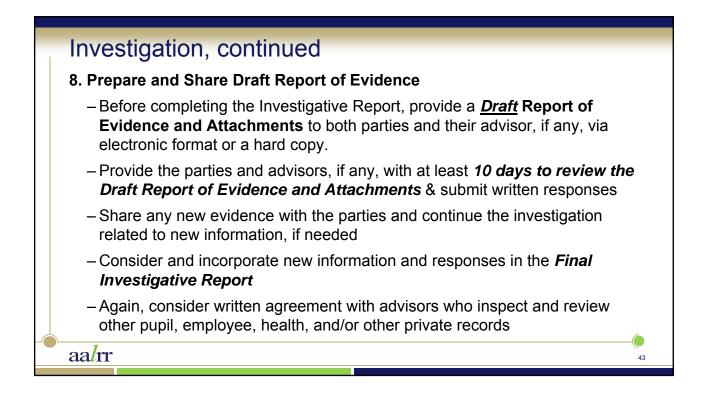


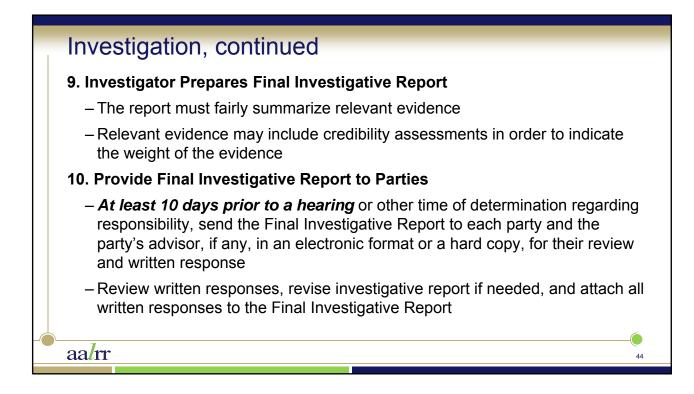




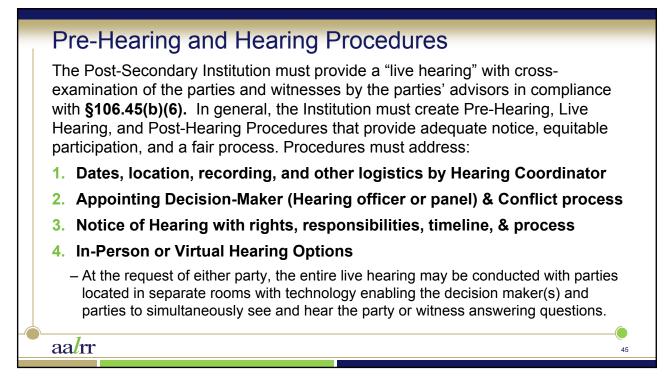


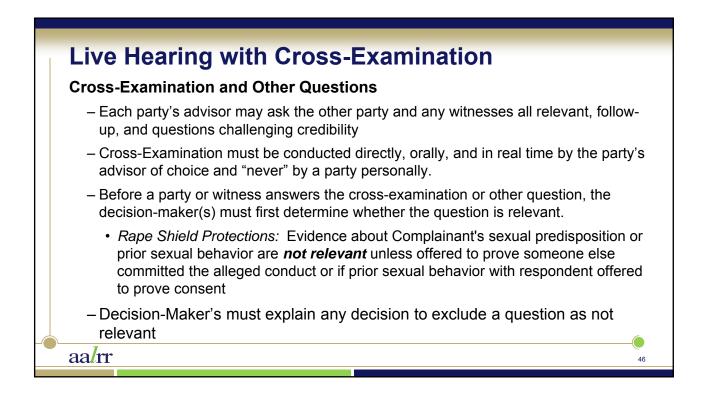




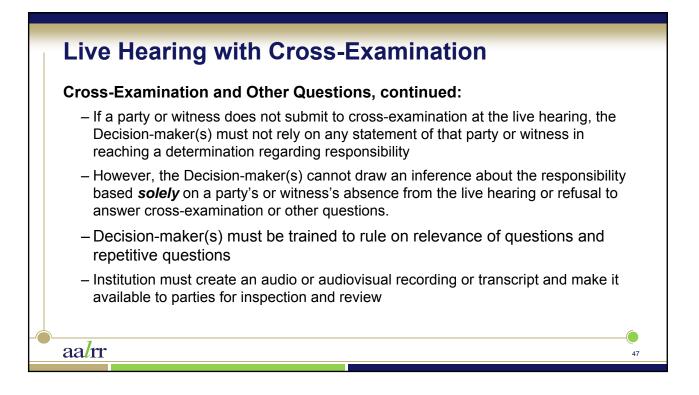


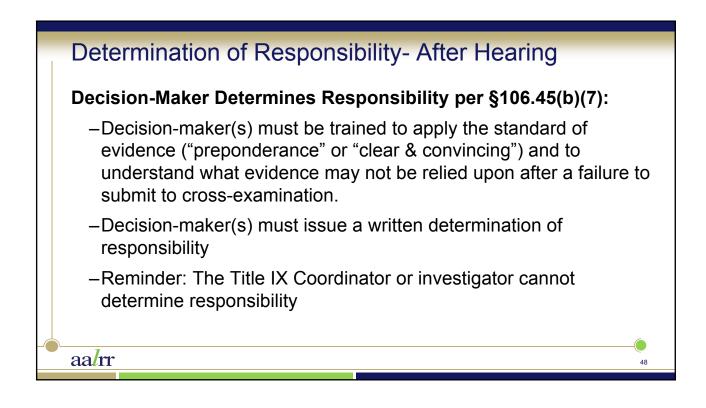




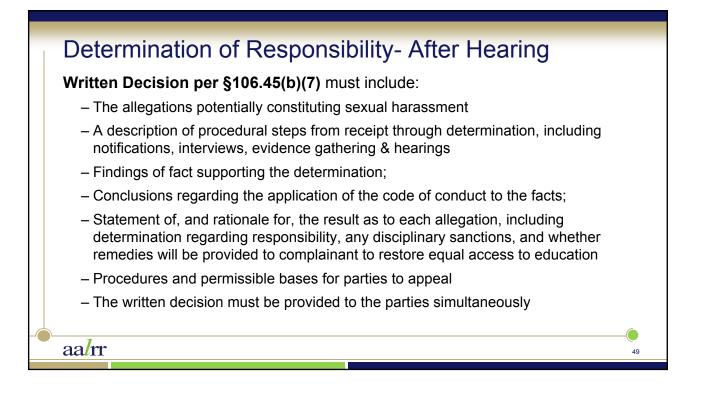


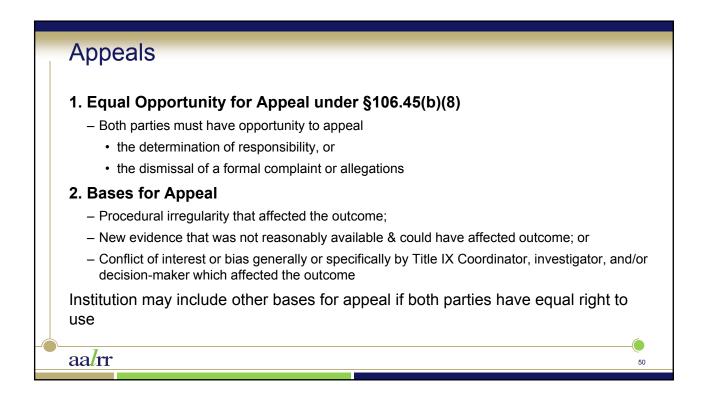




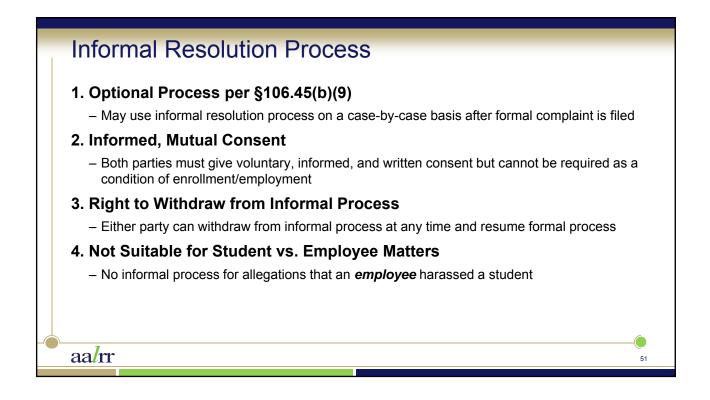


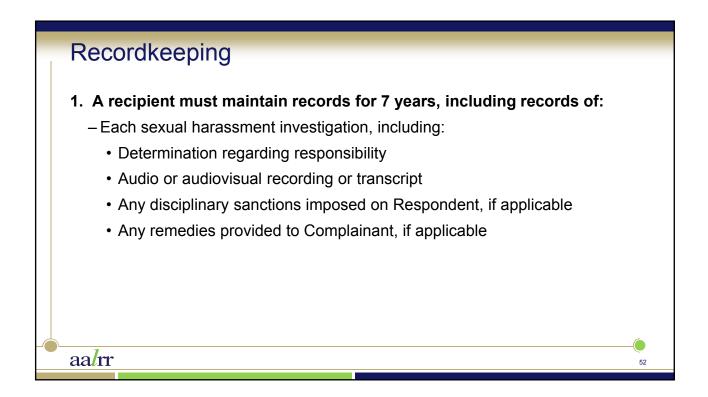




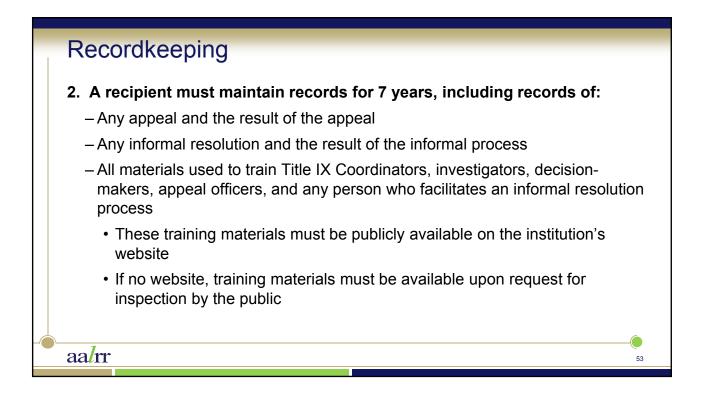


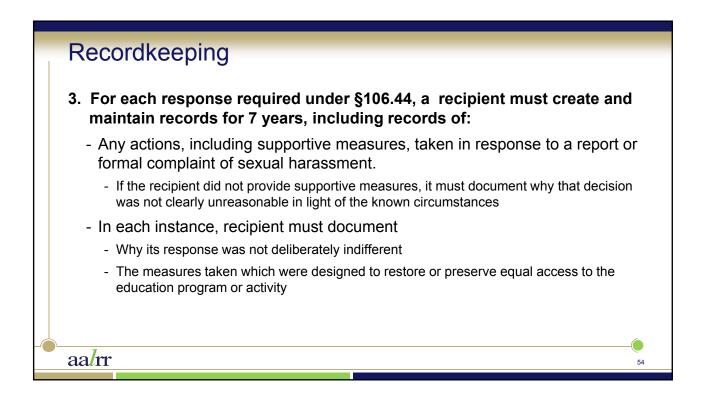










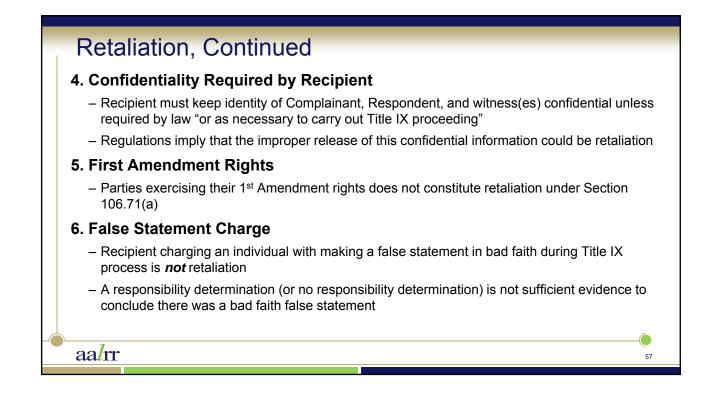






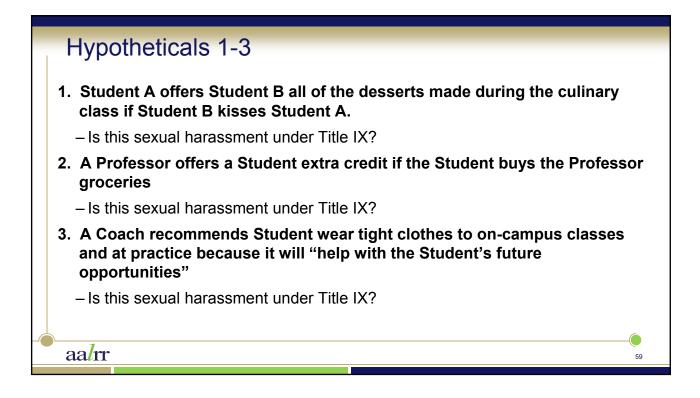
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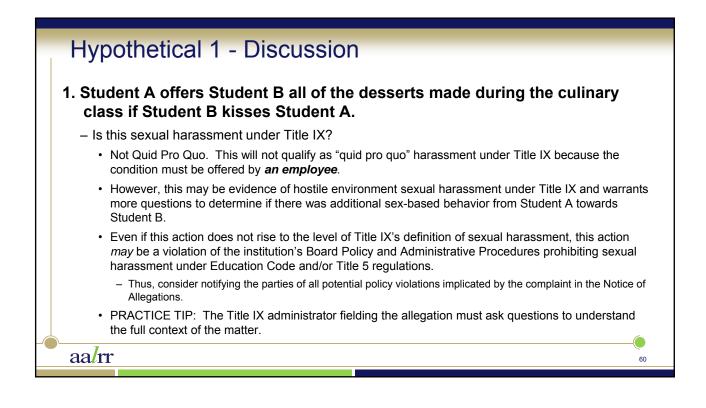




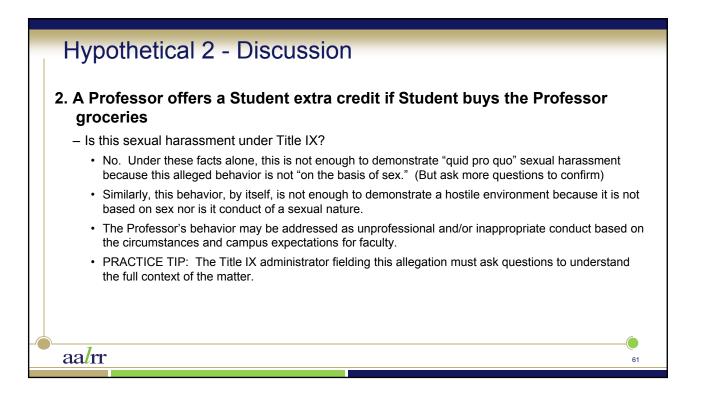


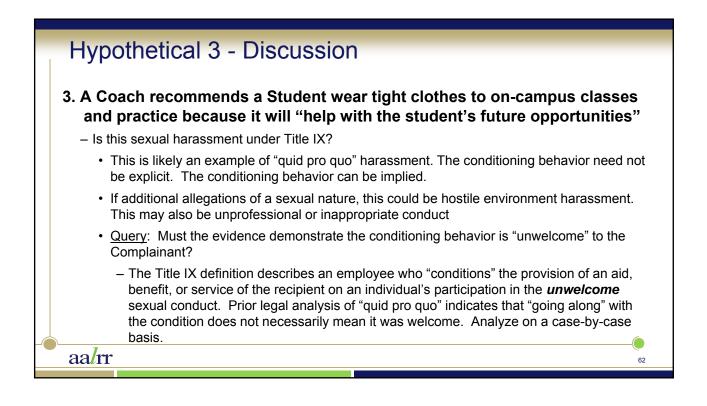




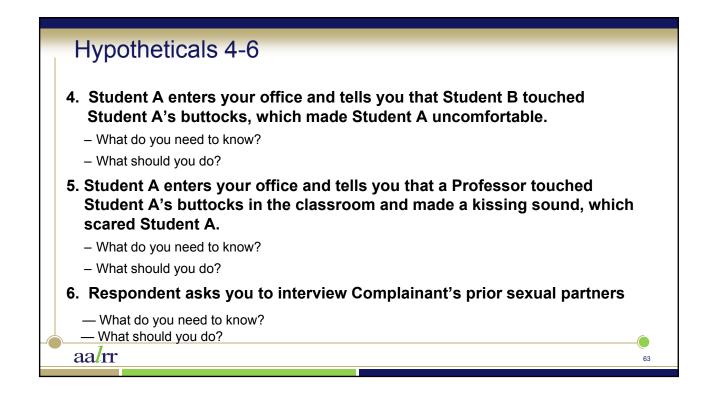


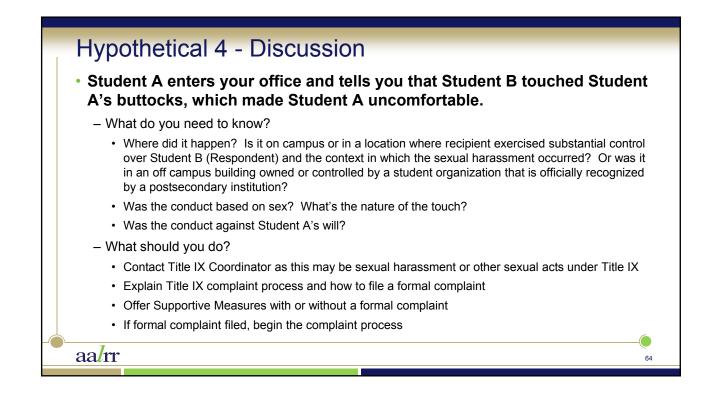




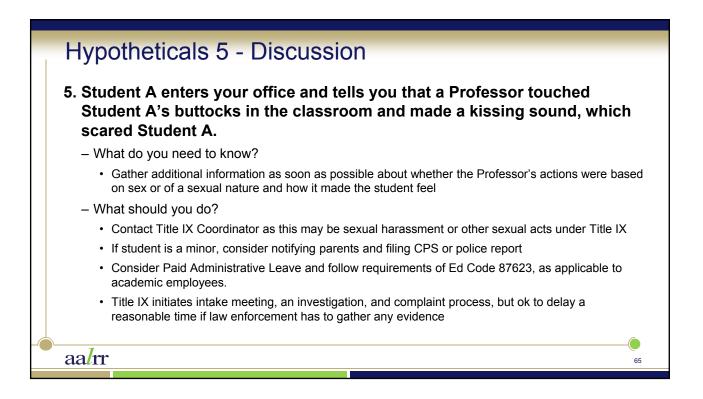


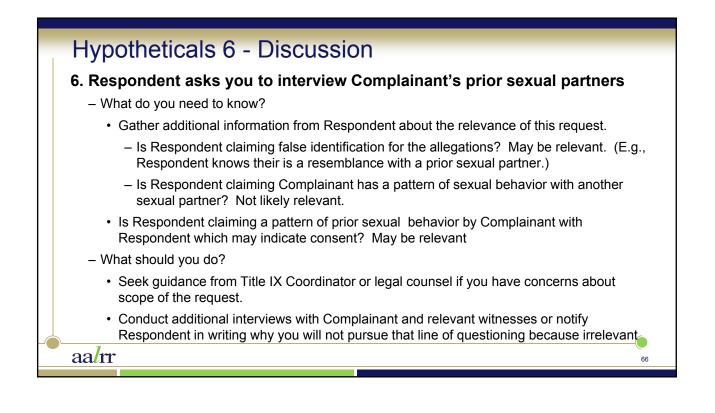
















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