



Title IX and SGD Hearing Panel Training, Part II

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Fall 2020



Title IX and SGD
Hearing Panel
Training, Part II

Content Warning

This presentation will discuss sexual violence, sexual harassment, and other acts of sex and gender discrimination (SGD). If those topics can be triggering for you, please practice self-care and/or reach out to your support system as needed.

If you need someone to talk to confidentially, you can contact the **Guadalupe Valley Family Violence Shelter at outreach@safesequin.org or 830-372-2780 or 800-834-2033 (24/7)**

or the RAINN National Sexual Assault Hotline at 800-656-HOPE (24/7)

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Review of Part I

- **What's New with Title IX (TIX) and Sex/Gender Discrimination (SGD)?**
 - New Personnel; New Definitions; New Requirements; New Processes
- **TLU Policies and Processes**
 - Definitions; Investigation Process; Disciplinary Process
- **Advising Basics**
 - Expectations; Role in Meetings; Role in Hearing Panels

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What's New with Title IX (TIX) and Sex/Gender Discrimination (SGD)?

- **New TIX Regulations require that Investigation Reports no longer include:**
 - Party credibility analysis
 - Application or analysis of evidence to alleged policies violated
 - Recommendations on if policy violations have occurred
- **Hearing Panel Members will now be expected to fill-in those gaps**

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Overview of Part II

- **Roles and Responsibilities of Panel Members**
 - Understanding Implicit Bias and Objectivity
 - **Understanding Trauma-Informed Processes**
 - Questioning
 - **Assessing Credibility**
 - Evaluating Evidence
- **Resolution/Disciplinary Hearings**
 - Hearing Process
 - Preponderance of the Evidence
 - **Deliberation and Determination**
 - Appropriate Remedies
- **Appeals**
- Remaining Training Schedule

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Roles and Responsibilities of Panel Members

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Understanding Implicit Bias and Objectivity

- **Everyone has biases**
- **Biases can be positive or negative (and conscious or unconscious)**
 - **+ Employee A is a TLU Bulldogs football fan and thus, roots for them unconditionally. When there's a close call, Emp A will "see" what occurs through a Bulldog-biased lens ("Black-and-Gold colored glasses")**
 - **- Because Employee B's supervisors have always been males, Emp B is not comfortable with a female supervisor and may undermine and/or question her authority or decisions**
 - **How one perceives + or - will differ from person to person, due to their own biases (or lack)**
 - **Ex. My dad only votes for female politicians**

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Understanding Implicit Bias and Objectivity

- **Implicit Bias**
 - **Unconscious attitudes or stereotypes that affect understanding, actions, and DECISIONS in an unconscious manner**
 - **Implicit biases are pervasive – everyone possesses them**
 - **Implicit biases don't necessarily align with our declared beliefs**
 - **We tend to hold biases that favor our own "ingroup" (although not always)**
 - **Implicit biases are malleable and can be gradually unlearned**
- **Confirmation Bias**
 - **Will discuss later**

(Source: Kirwan Institute for the Study of Race and Ethnicity, The Ohio State University)

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Understanding Implicit Bias and Objectivity

- **Strategies to Neutralize Personal Biases**

1) Take a personal inventory and admit your biases (at least to yourself)

2) Nurture an attitude of humility

- The panel's job is to ascertain facts, as you can, and apply those to University policies. The panel isn't here to "find the truth", "dispense justice", or even to "develop or educate"

(Source: ATIXA Whitepaper "The Seven Deadly Sins of Title IX Investigations, 2016)

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Understanding Implicit Bias and Objectivity

- **Strategies to Neutralize Personal Biases**

3) Nurture continuous curiosity

- **Our biases are informed by our experiences. You must seek out what you don't know or haven't experienced**
- Differing cultures (race, nationality, rural/urban, religious), gender roles/norms, age generations, abled-ness, sexual attitudes, et al, each have different norms and expectations – which may differ from your own. A good hearing panel member will attempt to learn about others and try to understand those differences, where they are able

(Source: ATIXA Whitepaper "The Seven Deadly Sins of Title IX Investigations, 2016)

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Understanding Implicit Bias and Objectivity

■ Strategies to Neutralize Personal Biases

4) Understand and recognize microaggressions

- May express a negative attitude about a marginalized group
 - Ex. “Your name’s quite a mouthful; is there a nickname I can use instead?”
 - Ex. “Where are you from?” (“Texas”) “No, I mean, where is your family from originally?”
- **Microaggressions, or slights, may be unintentional and unrecognized**
 - Ex. MAH’s recent slight
- **People who are conscious of their bias often unintentionally make microaggressions while meaning to compliment**
 - Ex. Telling someone “Wow. I’m really impressed. You’re so well-spoken” (“uh, yeah. Why wouldn’t I be?”)

(Source: ATIXA Whitepaper “The Seven Deadly Sins of Title IX Investigations, 2016)

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Understanding Implicit Bias and Objectivity

■ Objectivity

- **The credibility of our investigation and hearing process depends 100% upon our objectivity**
 - **Following our policies and procedures to the letter**
 - Legal implications
 - **2020 TIX Regs – RPs are to be considered “not responsible” until proven so; burden of proof falls on the University**
 - Always implied, now explicit
 - **If you have a reason to believe that you (or another panel member) cannot be objective in a hearing, you must recuse yourself (or ask the hearing administrator to recuse another member)**

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Questions on Bias or Objectivity?

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Understanding Trauma-Informed Processes

- **Trauma-Informed Processes have the following components:**

Promote Safety and Support

Understand the Impact and Effects of Trauma

Use Positive Responses to Avoid Re-Traumatization

Remember that ALL Parties May Experience Trauma

(Source: ATIXA Whitepaper "The Seven Deadly Sins of Title IX Investigations, 2016)

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Understanding Trauma-Informed Processes

1) Understand the Impact of Trauma on a Neurobiological, Physical, and Emotional Level

- Brain releases chemicals during “fight or flight” reaction. Mix of those chemicals may differ for each person and each circumstance and may stay in the body for as long as 96 hours
 - Ex. The brain sending a surge of opioids might result in a CP exhibiting a disinterested or “flat” reaction
 - CP may mention increased heart-rate or inability to focus
 - May result in “tonic immobility” or “freeze” reaction

(Source: ATIXA Whitepaper “The Seven Deadly Sins of Title IX Investigations, 2016)

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Understanding Trauma-Informed Processes

1) Understand the Impact of Trauma on a Neurobiological, Physical, and Emotional Level

- May impair the ability to recall the event clearly
 - May take up to 200 days for the brain to retrieve and reorganize the information from a traumatic event
 - Alcohol and post-event stress may impact the memory even further
 - Many CPs assume they may have been “roofied” or given “date rape drugs” because of their memory failures
 - Party may attempt to fill-in gaps, which can result in credibility issues

(Source: ATIXA Whitepaper “The Seven Deadly Sins of Title IX Investigations, 2016)

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Understanding Trauma-Informed Processes

2) Promote Safety and Support

- Advisor or Advocate Present (Required for TIX Hearings)
- **Panel Composition Should Not All Be the Same Gender**
- Separation of Parties (Waiting Rooms Available in Zoom)
- **Allow for Breaks When Requested and ASK if Needed**
- Spend a Few Minutes Chatting and Connecting
- **ASK Multiple Times if Parties Understand or Have Questions**
 - Most will be too intimidated to ask if they don't understand

(Source: ATIXA Whitepaper "The Seven Deadly Sins of Title IX Investigations, 2016)

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Understanding Trauma-Informed Processes

3) Know Positive Ways to Respond that Avoid Re-Traumatization

- Frame Questions in Manner that Doesn't Blame or Judge
 - "Why didn't you try to leave after RP closed the door?" might be better as "Do you recall if you considered your options after RP closed the door?"
 - "Why didn't you tell anyone what happened afterwards" might be better as "Do you recall if you considered contacting anyone afterwards, a friend or family member, to discuss the incident?"
 - **Alcohol consumption questions - MAH example**
- Explain Why You Need to Ask a Question/Preface it to "Soften the Blow"
 - "I know this question will be difficult for you to answer, but I need to verify the precise actions that occurred. Are you okay to answer those questions?"
- Pay Attention to Facial Expressions, Body Language, Eye Contact, and Tone
- **Use Simple Language - No Compound Questions**

(Source: ATIXA Whitepaper "The Seven Deadly Sins of Title IX Investigations, 2016)

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Understanding Trauma-Informed Processes

4) Remember that ALL Parties May Experience Trauma

- Not Just the Incident; the Investigation and Resolution Process is (in itself) VERY Traumatic and Stressful
- Some May Intentionally Not Show Effects (Defense Mechanism)
- Complainants
 - Trauma of incident; fear of not being believed; losing friends; losing the comfort/safety of the University; fear of being sued
- Witnesses
 - May experience second-hand trauma of incident and then additional trauma/stress of informing on a friend; fear of being sued
- Respondents
 - Trauma of incident; fear of not being believed; fear of disciplinary actions and future implications; losing friends; losing the comfort/safety of the University; fear of criminal action or being sued
- Advisors, Investigators, and Hearing Panel Members

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Questions on Trauma-Informed Processes?

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Questioning

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Questioning

- **Questioning**
 - Panel members will question:
 - **Investigators, Involved Parties (RP/CP), and Witnesses**
 - Party advisors will prepare cross-examination questions following the Hearing Panel's questions
 - **Hearing Chair will ask the questions and also will determine if the questions are relevant/allowable**
 - Questioning should follow trauma-informed principles (previous section)

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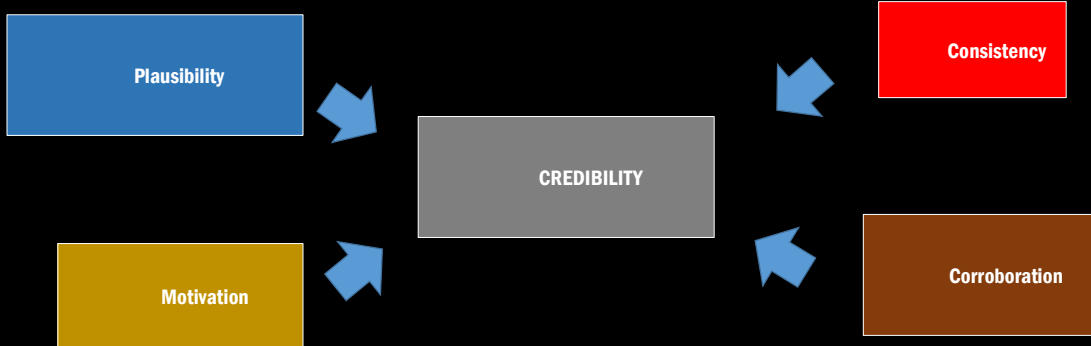
Questions on Questioning?

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Assessing Credibility



(Source: ATIXA Whitepaper "The Seven Deadly Sins of Title IX Investigations, 2016)

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Assessing Credibility

- **Credibility**
 - The process of weighing the accuracy and veracity of the PROVIDERS of the evidence
 - Two parties may genuinely (and truthfully) differ profoundly in their recollection of an event
- **Corroboration**
 - **Witness Testimony**
 - Eyewitness is most valuable; received from another party after the fact is less valuable (but not lacking in value); From a third party (friend of a friend) is hearsay
 - **Physical Evidence**
 - Text messages, social media posts, emails, voicemails; Photos or video with a timestamp; Medical reports

(Source: ATIXA Whitepaper "The Seven Deadly Sins of Title IX Investigations, 2016)

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Assessing Credibility

- **Consistency**
 - Major inconsistencies in testimony MAY detract from credibility. Remember potential trauma effects
 - Most parties either lie, stretch the truth, or express themselves in a more positive light
- **Plausibility**
 - Is what the party saying plausible? Could someone have booked an Uber or walked home for two miles; unlocked a door or fed the cat; texted a friend or posted on social media, all while being incapacitated? Or within a certain time frame?

(Source: ATIXA Whitepaper "The Seven Deadly Sins of Title IX Investigations, 2016)

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Assessing Credibility

- **Motivation**
 - **Most parties are going to express themselves in the most positive light**
 - **Look for bias in witnesses – friends (or closer friends) with one party over the other? Is all of their information directly from one of the parties?**

(Source: ATIXA Whitepaper “The Seven Deadly Sins of Title IX Investigations, 2016)

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Assessing Credibility

- **You Should NOT Consider (Generally) in a Credibility Assessment:**
 - **Body language, eye contact (or lack thereof), emotions expressed (or not)**
 - **You aren't Dr. Phil**
 - **Character Witnesses (without relevant testimony)**
 - **Popularity**
 - **“He's such a good guy” or “Everyone loves her”**

(Source: ATIXA Whitepaper “The Seven Deadly Sins of Title IX Investigations, 2016)

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Assessing Credibility

- **You Should NOT Consider (Generally) in a Credibility Assessment:**
 - **No Previous History**
 - **Clothing, Appearance, Flirtatious or Friendly Behavior**
 - “Dressing like that, what did they expect?” or “Obviously they were into the other person or they wouldn’t have gone to the bar with them”

(Source: ATIXA Whitepaper “The Seven Deadly Sins of Title IX Investigations, 2016)

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Questions on Assessing Credibility?

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Title IX and SGD Hearing Panel Training, Part II

Evaluating Evidence



(Source: ATIXA Whitepaper "The Seven Deadly Sins of Title IX Investigations, 2016)

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Evaluating Evidence

- **Two Types of Evidence**
 - **Inculpatory**
 - Evidence which purports to show that a Respondent is responsible for a violation/incident
 - **Exculpatory**
 - Evidence which purports to show that a Respondent is NOT responsible for a violation/incident

(Source: ATIXA Whitepaper "The Seven Deadly Sins of Title IX Investigations, 2016)

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Evaluating Evidence

- **Types of Evidence** (Discussed in Credibility)
 - **Witness Testimony**
 - **Eyewitness is most valuable; received from another party after the fact is less valuable (but not lacking in value); From a third party (friend of a friend) is hearsay**
 - Behavior of parties following incident can be important evidence
 - **Physical Evidence**
 - Text messages, social media posts, emails, voicemails; Photos or video with a timestamp; Medical reports
 - **Can be faked** – www.iphonefaketext.com

(Source: ATIXA Whitepaper "The Seven Deadly Sins of Title IX Investigations, 2016)

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Evaluating Evidence

- **Types of Evidence**
 - **Written Statements**
 - **Part of TLU Preliminary Investigation Process**
 - Be cautious – many of these statements are within the window for trauma impacts on memory/recollection
 - **Many parties with attorneys for advisors will issue a written statement**

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Evaluating Evidence

■ Specific Issues and Types of Evidence

- Incapacitation
 - What did people see them consume?
 - What did the party say they consumed?
 - What was the time period involved?
 - What did they have to eat before/during the time period?
 - What was the party able to do? Text or post on social media (beware of auto correct)? Find their way home from a distance? iPhone example
 - Vomiting doesn't equal incapacitation; it does (sometimes) confirm a large quantity of alcohol was consumed (but be aware that other factors may have led to vomiting other than intoxication)

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Evaluating Evidence

■ Specific Issues and Types of Evidence

- Consent
 - Evidence that consent was asked for and received for EACH different type of sexual activity
 - "What indicated to you that the CP consented to sexual penetration?"
 - "I asked and they said, 'yes'" – GREAT EVIDENCE
 - "They didn't say 'no' or that they DIDN'T want me to" – BAD
 - "I asked if they wanted me to put on a condom and they said 'yes'" – NOT NECESSARILY GOOD
 - "We have had sex lots of times and had already done it once that morning" – DOESN'T MATTER
 - Affirmative Consent
 - Doesn't necessarily have to be spoken – but the RP needs to be able to articulate what other actions, expressions, gestures indicated consent
 - A spoken lack of consent overrides gestures, expressions, seemed willingness – "No" means 'no'"

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Evaluating Evidence

▪ Evaluating the Evidence

- 1) **Avoid Confirmation Bias** – be careful not to form a theory first and then look for evidence to confirm it. Let the evidence itself lead you to a conclusion
- 2) **Assess each piece of evidence individually and separately**
- 3) **Assess ALL the evidence you receive. Don't pick and choose (confirmation bias) or just ignore evidence that doesn't fit or contradicts**
- 4) **Don't try to "fill in the gaps" with hunches or gut feelings. Stick to the evidence you have**
- 5) **Don't pair an individual's presentation with the evidence presented. Well or badly-presented, the evidence is the evidence**

(Source: ATIXA Whitepaper "The Seven Deadly Sins of Title IX Investigations, 2016)

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Questions on Evaluating Evidence?

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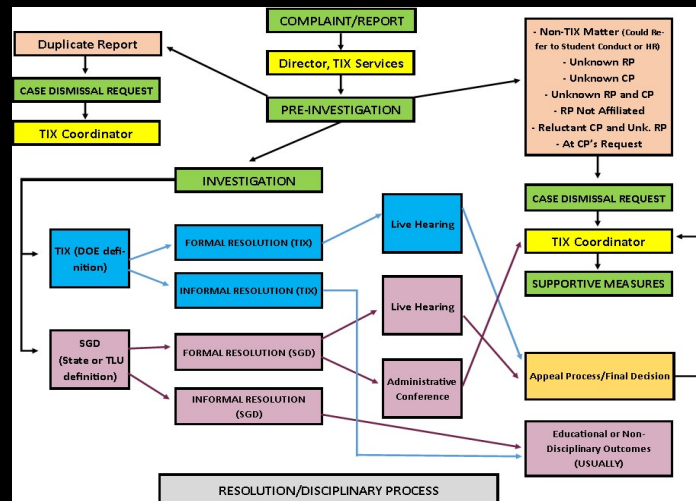
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Resolution/Disciplinary Hearings

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Title IX Hearings and SGD Hearings

- **Hearing Process**
 - **Opening**
 - **Introductions, Respondent's Rights**
 - **Review of the Process**
 - **Purpose of the Panel**
 - **Honesty Statement**
 - **Policy Violation Charges**
 - **RP's Plea for Charges**
 - **Investigators' Testimony**
 - **Summary of Report**
 - **Panel Questions**
 - **Cross-Examination Questions (CP Adv; RP Adv)***
 - **Complainant's Testimony**
 - **Panel Questions**
 - **Cross-Examination Questions (RP Adv)***
- **Witness(es)' Testimony**
 - **Panel Questions**
 - **Cross-Examination Questions (CP Adv; RP Adv)***
- **BREAK**
- **Respondent's Testimony**
 - **Panel Questions**
 - **Cross-Examination Questions (CP Adv)***
- **Closing Statements**
 - **Administrative Hearing Officer**
 - **Complainant**
 - **Respondent**
- **BREAK**
- **Deliberations**

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Hearing Panel Composition

- **Panel Chair + 3 Voting Members**
- **Chair – Pre-Hearing Meeting with Parties**
 - **Cross-examination questions discussed for relevance**
 - **Challenges to evidence from Investigation Report**
 - **Chair will need to rule on those questions/challenges**

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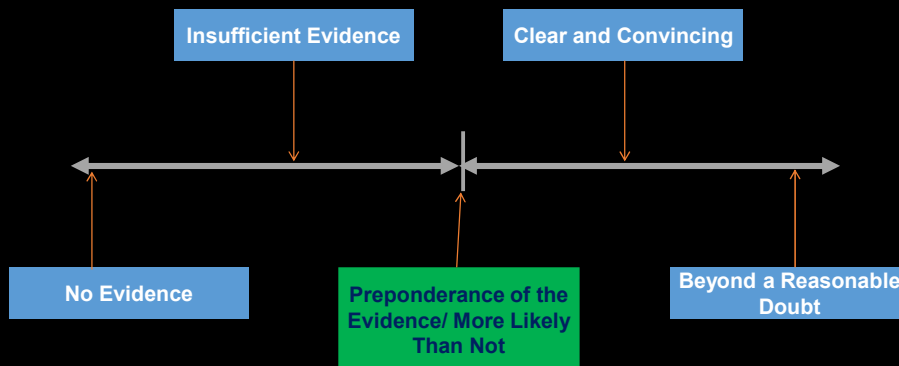
Questions on Hearing Process?

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Preponderance of the Evidence



(Source: ATIXA "Twenty Minutes to Trained: Applying Preponderance and Making a Finding", 2020)

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Preponderance of the Evidence

- **The preponderance standard has been described as the greater weight of evidence (picture the scales of justice, tipped slightly one way or the other), more likely than not, 50.01 percent, or 50 percent plus a feather**
- **In this sense, Investigators and final decision-makers are feather hunters, trying to find any feathers provided by the evidence and determine their weight and on which side of the scale they belong**

(Source: ATIXA "Twenty Minutes to Trained: Applying Preponderance and Making a Finding", 2020)

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Preponderance of the Evidence

- **Investigators and decision maker(s) should focus not on what happened, but what can be proven or shown by the evidence**
- **If the evidence is 50/50, the tie goes to the Respondent. Every time.**
- **Preponderance is not a high standard, and thus it must be respected steadfastly**
 - **You may feel deep down that the responding party did what was alleged, but you can't hold the individual accountable based on your feeling. It's not what you feel, but what is proven by more than 50%, with reliable, relevant, and credible evidence**

(Source: ATIXA "Twenty Minutes to Trained: Applying Preponderance and Making a Finding", 2020)

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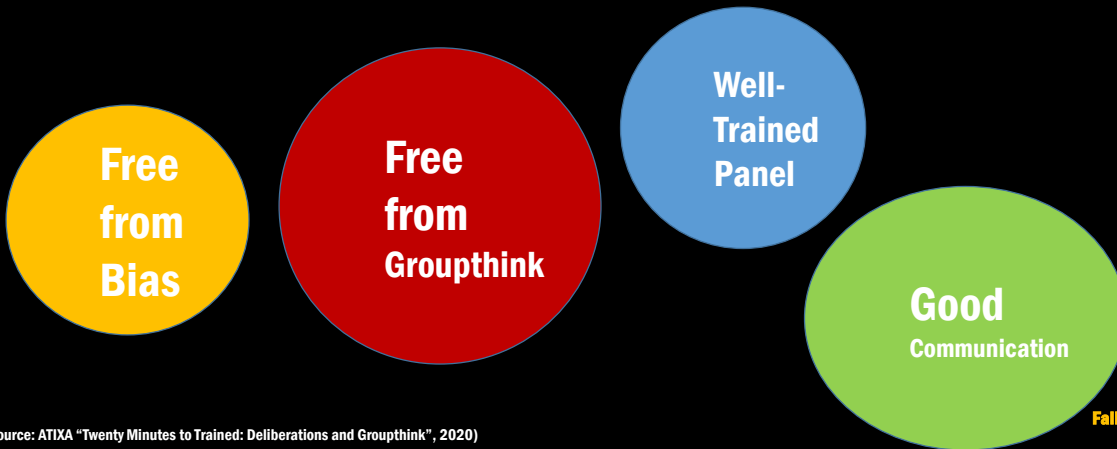
Questions on Preponderance of the Evidence?

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Deliberation and Determination



(Source: ATIXA "Twenty Minutes to Trained: Deliberations and Groupthink", 2020)

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Deliberation and Determination

- **Open, fair, and consistent communication is essential during this process. Biased or pressured communication hinders the process.**
- **Utilizing a deliberation process free of groupthink and bias enables the individuals to more thoroughly - and independently - explore the relevant facts to reach a more accurate decision.**

(Source: ATIXA "Twenty Minutes to Trained: Deliberations and Groupthink", 2020)

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Deliberation and Determination

- **Groupthink is the psychological phenomenon that occurs when groups try to minimize conflict and reach a consensus without fully reviewing alternative explanations or viewpoints**
 - **Ex. *12 Angry Men***
 - **Like most societal pressures, it can produce positive or negative outcomes**

(Source: ATIXA "Twenty Minutes to Trained: Deliberations and Groupthink", 2020)

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Deliberation and Determination

■ Deliberation Process

- Understand the policies allegedly violated
- **Fairly and adequately review and evaluate the evidence**
 - Recall that testimony from an individual who doesn't submit to cross-examination **CANNOT** be considered
- **Does the evidence show, on a more likely than not basis, that a violation of policy occurred?**
- Follow and complete your hearing deliberation document
 - **Must include the determination, rationale, the evidence used in support of its determination, the evidence not relied upon in its determination, credibility assessments, and any sanctions or recommendations**

(Source: ATIXA "Twenty Minutes to Trained: Deliberations and Groupthink", 2020)

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Deliberation and Determination

■ Deliberation Tips

- Avoid quickly coming to unanimous decisions without fully exploring all potential avenues/options
 - **Don't be pressured because of time or other factors**
- Be alert to when a line of inquiry or deliberation veers into bias or irrelevance
 - **If this occurs, be prepared to promptly address and correct the problem**
- **Raise issues of concern, offer an alternative hypothesis, and review the facts thoroughly before reaching a decision**

(Source: ATIXA "Twenty Minutes to Trained: Deliberations and Groupthink", 2020)

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Deliberation and Determination

■ Deliberation Tips

- Make sure you have all critical information you need/are able to obtain to assess a report
- **Understand that campus conduct decision-makers do not asked determine if someone's behavior was right or wrong. Decision-makers' highest priority and most important discipline is to determine if someone violated policy**
- Be disciplined in distinguishing the determination of finding from the sanction decision. If you feel someone made a mistake or is contrite, take this into account by ensuring the sanction is proportionate to the violation

(Source: ATIXA "Twenty Minutes to Trained: Deliberations and Groupthink", 2020)

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Questions on Deliberation and Determination?

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Appropriate Sanctions and Remedies

Consider
Pattern and
Predation

Complainant
Remedies

Respondent
Sanctions

Respondent
Remedies

(Source: ATIXA "Twenty Minutes to Trained: Pattern and Predation", 2020)

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Appropriate Sanction and Remedies

▪ Pattern and Predation

▪ Pattern

- Consider pattern evidence in two ways
 - In evaluating the information in the current report
 - Aid in credibility assessment/corroboratorion
 - Aid in determining whether the current reported misconduct is more likely to have occurred
 - In assessing appropriate sanctions

(Source: ATIXA "Twenty Minutes to Trained: Pattern and Predation", 2020)

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Appropriate Sanctions and Remedies

▪ Pattern and Predation

▪ Predation

- **Predation can exist without pattern, but pattern usually establishes a form of predation**
- **Predatory actions include grooming, targeting, isolation, incapacitating someone intentionally, etc**
- **Sanctions for predatory conduct can and should reflect that it is an aggravating factor**
- **Remedies should be reflective of the ongoing, repeat, and continuing harmful nature of such conduct**

(Source: ATIXA "Twenty Minutes to Trained: Pattern and Predation", 2020)

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Appropriate Sanctions and Remedies

▪ Complainant Remedies

- **Statement or Testimony – what are they seeking?**
- **May include:**
 - **Referral to counseling and health services (students)**
 - **Referral to the Employee Assistance Program (non-student employees)**
 - **Education to the individual and/or the community**
 - **Permanent alteration of housing assignments**
 - **Permanent alteration of work arrangements for employees**

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Appropriate Sanctions and Remedies

■ **Complainant Remedies**

- **May include:**
 - **Provision of campus safety escorts**
 - **Climate surveys**
 - **Policy modification and/or training**
 - **Provision of transportation accommodations**
 - **Implementation of long-term contact limitations between the parties**
 - **Implementation of adjustments to academic deadlines, course schedules, etc.**

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Appropriate Sanctions and Remedies

■ **Respondent Sanctions**

- **May ask Hearing Administrator for past sanctions imposed for similar allegations**
- **May include:**
 - **Warning**
 - **Required Counseling**
 - **Probation**
 - **Suspension (NTE two years)**
 - **Expulsion**

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Appropriate Sanctions and Remedies

▪ Respondent Sanctions

- May include:
 - **Withholding Diploma**
 - **Revocation of Degree**
 - **Organizational Sanctions (deactivation, loss of recognition, loss of some or all privileges for a specified period of time)**
 - **Performance Improvement Plan/Management Process**
 - **Enhanced Supervision, Observation, or Review**
 - **Required Training or Education**

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Appropriate Sanctions and Remedies

▪ Respondent Sanctions

- May include:
 - **Denial of Pay Increase/Pay Grade**
 - **Loss of Oversight or Supervisory Responsibility**
 - **Demotion**
 - **Transfer/Reassignment**
 - **Delay of tenure track progress**
 - **Assignment to new supervisor**

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Appropriate Sanctions and Remedies

Respondent Remedies

- **May be needed regardless whether a Respondent is found not responsible or responsible**
- **May include:**
 - **Referral to counseling and health services (students)**
 - **Referral to the Employee Assistance Program (non-student employees)**
 - **Education to the individual and/or the community**
 - **Permanent alteration of housing assignments**
 - **Permanent alteration of work arrangements for employees**

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Appropriate Sanctions and Remedies

Respondent Remedies

- **May include:**
 - **Implementation of long-term contact limitations between the parties**
 - **Implementation of adjustments to academic deadlines, course schedules, etc.**

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Hearing Panel
Training, Part II**

Questions on Appropriate Sanctions and Remedies?

Fall 2020



**Title IX and SGD
Hearing Panel
Training, Part II**

Appeals

**Grounds
for Appeal**

Appeal Process

Fall 2020



Title IX and SGD Hearing Panel Training, Part II

Appeals

- **Grounds for Appeal**
 - **Title IX Hearings**
 - **Procedural irregularity**
 - **New evidence that was not reasonably available at the time the determination**
 - **Conflict of interest or bias by the Title IX Coordinator, Investigator(s), or Decision-maker(s)**

Fall 2020



Title IX and SGD Hearing Panel Training, Part II

Appeals

- **Grounds for Appeal**
 - **University ERP Hearings**
 - **Procedural irregularity**
 - **New evidence that was not reasonably available at the time the determination**
 - **Conflict of interest or bias by the Title IX Coordinator, Investigator(s), or Decision-maker(s)**
 - **Sanctions imposed fall outside the range of sanctions the University has designated for this offense and the cumulative record of the Respondent**

Fall 2020



**Title IX and SGD
Hearing Panel
Training, Part II**

Appeals

- **Appeal Process**
 - Online request within three days of determination letter
 - **Four-person Appeal panel selected (3 voting members + 1 chair) – no original hearing panel members**
 - Review appeal materials – NOT rehearing the case
 - **If part (or all) of determination or sanctions are overturned, other party may appeal – same Appeal panel will hear those objections**
 - **FINAL DETERMINATION**

Fall 2020



**Title IX and SGD
Hearing Panel
Training, Part II**

Questions on Appeals?

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Title IX and SGD Hearing Panel Training, Part II

Remaining Training Schedule

- **ATIXA Training Videos**
 - **Assessing Credibility (Parts I and II); Questioning** by Oct. 14
 - **Applying Preponderance and Making a Finding; Deliberations and Groupthink; Pattern and Predation** by Oct. 21
 - **Appeals and Due Process** by Oct. 28
- **Special Topics – As we go**
 - Will send emails with videos or articles throughout semester

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Title IX and SGD Hearing Panel Training, Part II

How to Report a TIX or SGD Allegation?

- **By Phone (24/7): Campus Conduct Hotline 866-943-5787**
- **Online (24/7): MyTLU > Public > File a Complaint > Incident Reporting Form**
or
my.tlu.edu/TIXreport
- **In-Person (Email/Voicemail 24/7): titleix@tlu.edu; Title IX Coordinator; Deputy Title IX Coordinators; Director, TIX Services**

Fall 2020



**Title IX and SGD
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Training, Part II**

To Contact TIX Services

- **Email: mhunt@tlu.edu**
- **Call: 830-372-6327**

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