

Title IX in 2021: Update and Resources

June 23, 2021




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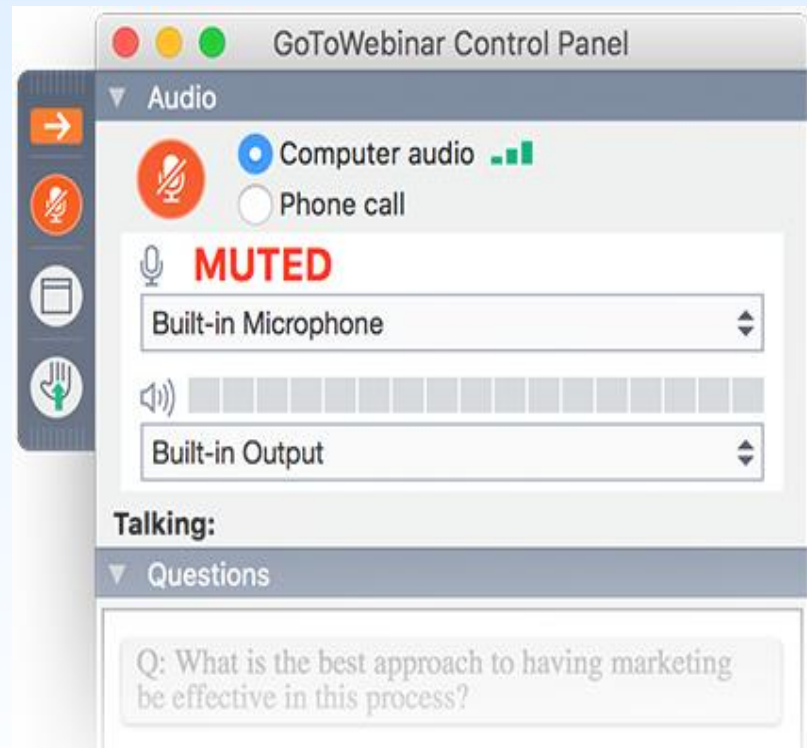
Housekeeping Items

- This webinar is being recorded

- Everyone is **MUTED** until we open for Q&A

- Raise your Hand  if you have a question & we will unmute you

- You may submit questions through the Questions box



Speaker



Natasha J. Baker is the co-founder and managing attorney at [Novus Law Firm, Inc.](#), a Bay Area law firm that uses legal technology to deliver efficient legal advice on issues of labor, employment and higher education law. She is also Of Counsel to [Dinse, PC](#). She advises institutions on labor and employment law, student affairs and Title IX compliance issues. She regularly trains administrators and faculty on higher education issues and is a past member of the NACUA Board of Directors.

She frequently speaks for NACUA, the Council of Independent Colleges and other higher education associations. Natasha is passionate about legal issues in higher education and has co-authored amicus briefs to the U.S. Supreme Court and the National Labor Relations Board. She is an instructor for NACUA and SUNY SCI.

Speaker

Joseph Storch, Associate Counsel, SUNY

Joseph.Storch@suny.edu

Joseph Storch ([@JosephStorchNY](https://twitter.com/JosephStorchNY)) is an Associate Counsel in the SUNY [Office of General Counsel](#) and Chair of the Student Affairs Practice Group. He concentrates his practice on student affairs, intellectual property, and campus safety, and serves as Principal Investigator on more than \$17 million in grants and external funding to support innovations in violence prevention and response on campuses and in the community.

He oversees the SUNY [Student Conduct Institute](#), which offers compliance and best practice training annually to thousands of higher education professionals engaged in response to violence and conduct violations and has over 75 publications in law reviews and popular media.



Speaker(s)

Sandra has 10+ years of experience in higher education as an administrator, investigator, consultant, and trainer for Title IX, Human Resources, and Equal Opportunity issues. Currently she serves as the Title IX Coordinator and Equal Opportunity Officer for the University of Puget Sound where she is responsible for policy creation, investigations, and all compliance related to Title IX and Equal Opportunity issues.

She is a member-at-large for the Northwest Association of Title IX Administrators and holds her Bachelors of Applied Science in Human Resources, Professional in Human Resources (PHR) and Society for Human Resource Management Certified Professional (SHRM-CP) certifications, as well as multiple Title IX specific certifications.

Sandra Braedt, PHR, SHRM-CP
Title IX Coordinator and Equal
Opportunity Officer



Speaker

Valarie Conrad, OD, MPH, ARM

Risk Management Director at EIIA. Valarie is trained as an Optometrist and has decades of experience in higher education as a tenured faculty, clinician and public health educator.

She served at the cabinet level in higher education focusing on compliance, quality improvement, strategic planning and risk management/insurance administration. Valarie also holds a Masters in Public Health.



AGENDA

- Discuss current information available about possible Title IX rule changes
- Learn about the Student Conduct Institute's training resources for building effective processes
- Hear how an EIIA member utilizes SCI's training resources into their student conduct program

Haven't We Been Here Before?

➤ Title IX Regulatory Process

- Title IX of the Education Amendments of 1972
- Sub-Regulatory Period- 1997-2017
- Regulations in 2020

Haven't We Been Here Before?

➤ Biden Administration Process

- Listening Tour, Hearings, and Letter Received
- Draft and Issue Proposed Regulations
- Receive and Consider Comments; Draft and Issue Final Regulations

➤ Timeline?

Possible Changes to the 2020 Title IX Regulations



Possible Changes/Speculation

- Live Hearings?
- Direct cross exam?
- Standard of proof?
- Applicable to employees?
- Formal Complaint prior to informal resolution?
- Likely to stay
- Possible change
- Likely change
- Possible change to conform to Title VII
- Likely to stay

Possible Changes/Speculation

- Relevance standard?
- Modified
- Advisors provided?
- Likely to stay
- Requirement that evidence be subject to cross or discarded?
- Modified
- Definition of sexual harassment?
- Modified

Possible Changes/Speculation

- Definition as including harassment on basis of gender identity?
- Jurisdictional limitation?
- Contextualized legal framework?
- Likely to change if procedures don't change.
- Likely to change to continuing effects.
- Unlikely.

Preparing your Campus: Member Experience



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SCI

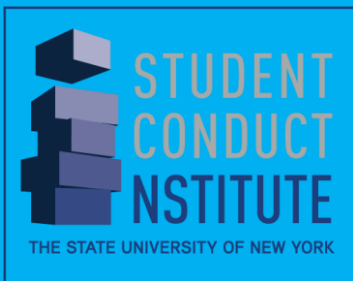
TRAINING FOR THOSE TASKED
WITH INVESTIGATING AND
ADJUDICATING CONDUCT CASES



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The Goal:

- Highest quality content
- Efficiently and clearly delivered
- Equitably accessed
- All you can train
- Lowest practicable cost



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SUNY Student Conduct Institute

LIVE@DISTANCE TRAININGS

Basic 8hr Compliance

Title IX Investigations for
Practitioners

Title IX Investigations for HR

Clery Act in a Changing
Environment

Neurobiology of Sexual
Assault

Title IX Investigations for Law
Enforcement

Restorative Justice

Codes Under Construction:
Code Revision Workshop

CONDUCT & TIX RESOURCES

CaseBook

Title IX Toolkit

Advisor Resource Guide

Model Policy Documents

Monthly Newsletter

SCItations Blog

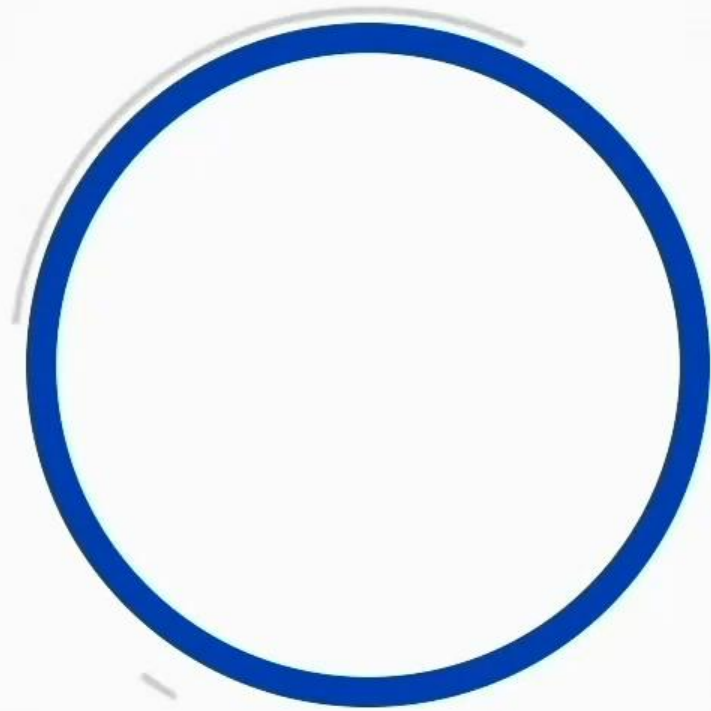
Legal Update Webinars

Ability to link to posted
training page for final rule
compliance

Customizable RAPID Training

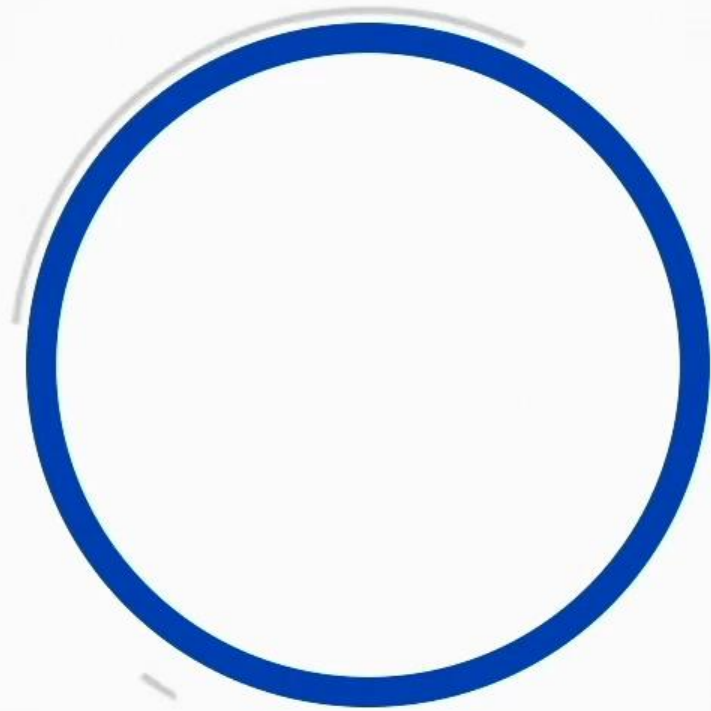


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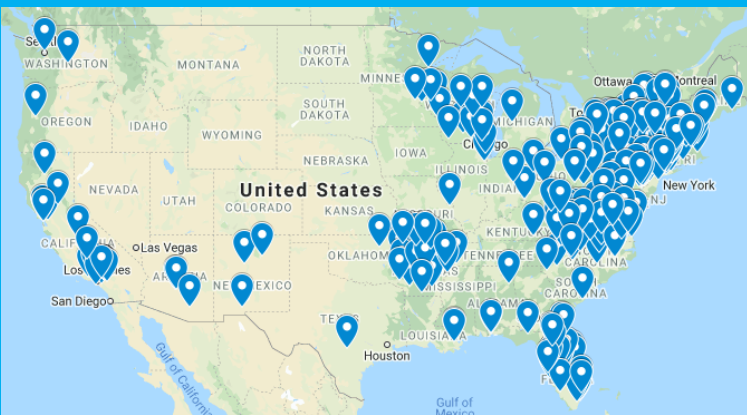
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- 9,400 individual learners
- 475 institutions/firms in 39 states
- That Educate 3.4 m students
- 45,000+ hours of training delivered in 33 months
- One Mission



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STUDENT CONDUCT INSTITUTE / JOINT GUIDANCE ON FEDERAL TITLE IX REGULATIONS

Cutting-edge updates on cases and regulations. Follow @SUNYSCI on

Joint Guidance on Federal Title IX Regulations

A Joint Guidance on Title IX Regulations to Assist Institutions

The United States Department of Education is expected to release Final Regulations under Title IX of the Education Amendments of 1972 sometime in 2020. To assist institutions with understanding the regulations and their effect, the organizations above, and the attorneys listed on the right, have decided to work together to issue a Joint Guidance. In the Joint Guidance, we will review each provision, provide analysis (including overlap, harmony, or conflict with the Clery Act as amended by the Violence Against Women Act and various state laws), and provide initial guidance regarding implementation and challenges that may arise.

The Joint Guidance is a project of about 40 dedicated attorneys who work on campus Title IX issues (you can see participants listed

Joint Guidance on Title IX Regs

<https://system.suny.edu/sci/tix2020/>

- Referred to as “the book” on the TIX Regulations
- 31,514 site visits from across the U.S.



Thank You

Valarie Conrad, OD, MPH, ARM

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