



TITLE IX ADVISOR TRAINING

JUNE 6, 2025

AGENDA

- ▶ **Introductions**
- ▶ **Federal Landscape**
- ▶ **Prohibited Conduct Overview**
- ▶ **Title IX Personnel & the Advisor Role**
- ▶ **Hearings**
- ▶ **Voices of Experience**
- ▶ **Dialogue & Questions**

WHAT IS 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.”



2022- Fifty Years of TIX



FEDERAL LANDSCAPE

President Trump signed executive order on January 31, 2025

- ▶ **DOE will enforce 2020 regulations created under the first Trump administration**
- ▶ **2024 Regulations had been enjoined in 26 states, including VA**
- ▶ **Dear Colleague letter repudiated the 2024 Title IX Rule's expanded meaning of 'on the basis of sex' to include 'gender identity.'**

EXECUTIVE ORDER ON 01-20-25

President Trump signed a sweeping executive order during his first hours in office

- ▶ **Recognizing only two sexes, male and female**
- ▶ **Directing federal agencies to cease promotion of the concept of gender transition**
- ▶ **Federal Agencies must use the term 'sex' and not 'gender'**
- ▶ **DOE will return to enforcing Title IX protections on the basis of biological sex in schools and on campuses.**
 - ▶ **<https://www.whitehouse.gov/presidential-actions/2025/02/keeping-men-out-of-womens-sports/>**

Policy on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence

**What Does UMW's
"Prohibited Conduct" Policy
Cover?**

**Prohibited
Conduct**

**Reporting
Options**

**Supportive
Measures**

**Formal
Process**

**Informal
Resolution**

Policy on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence



- **Sexual Harassment/Discrimination**
 - **Sexual Assault, Domestic Violence, Dating Violence, Stalking**
- **Sexual or Gender-Based Misconduct and Non-consensual Sexual Conduct**
- **Sexual Exploitation**
- **Retaliation**
- **Complicity**

TITLE IX PERSONNEL

Title IX Coordinator

- ▶ **Coordinates compliance under Title IX; ensures appropriate training and education, implements supportive measures (with or without a formal complaint); coordinates and reviews investigations, response, and resolution of all reports under the Policy and implements any remedies**
- ▶ **The Title IX Coordinator is the first point of contact to answer questions regarding the Policy and procedures**

Deputy Title IX Coordinators

- ▶ **Assist the Title IX Coordinator with executing responsibilities**

Title IX Investigations & Hearings

- ▶ **Grand River Solutions**

ADVISORS

- ▶ A student, faculty or staff has a right to have an advisor with them at any point in the Title IX process
- ▶ Appointed Advisor
- ▶ Chosen Advisors
 - ▶ Any person may be selected to serve as an advisor by a party at any point in the process

ROLE of the ADVISOR

- ▶ Advisors have a very narrow role
- ▶ Must have an advisor during a hearing process



ADVISORS

Assigned Advisors (role during a Hearing)

- ▶ If a party does not choose their own advisor, an advisor will be appointed for the hearing to conduct questioning on behalf of the party.
- ▶ An assigned advisor will be notified of their assignment to a case with sufficient time to prepare for the hearing
- ▶ Concerns related to serving as an advisor

Definitions

- ▶ **Complainant** – person reported to have experienced Prohibited Conduct
- ▶ **Respondent** – person reported to have committed Prohibited Conduct
- ▶ **Standard of Evidence** – Preponderance of the Evidence
- ▶ **Prohibited Conduct**
- ▶ **Grievance**

Hearing

- ▶ **Participants**
- ▶ **Decorum**
- ▶ **Flow of the Hearing**
 - ▶ **Requesting Breaks – You can request a break during the hearing**
 - ▶ **One exception – not once a question has been posed**
 - ▶ **Zoom Break Out Rooms**

ADVISOR ROLE IN HEARING



THE HEARING - Questioning

- ▶ **Developing Questions to Ask During the Hearing**
 - ▶ Ask your advisee what questions they have for the other party and witnesses
 - ▶ Note some prepared questions may be asked by the hearing officer during the hearing or new questions may arise based on responses during the hearing
- ▶ **Questioning Techniques**
 - ▶ Open-ended questions
 - ▶ Closed-ended questions
 - ▶ Avoid compound questions



During Hearing

- ▶ Chair will make relevance determination on question BEFORE it is answered
 - ▶ At the hearing, the advisor will ask the questions and then PAUSE so that the chair may make the relevance determination for every question. Then the person to whom the question was directed will answer.

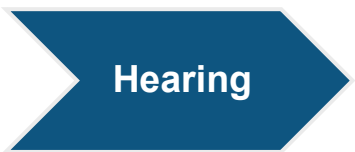
Relevance

- ▶ Only relevant direct examination and cross-examination questions may be asked of a party or witness. Questions that are immaterial or unduly repetitious are considered irrelevant.
- ▶ Hearing Officer makes determination

TIX Formal Process



Informal Resolution Options May Be Available



COMMUNICATION LOG

Document all interactions with your advisee

- ▶ **The log must include the date, time, contact, and short summary of the communications (less is more) for all types of communications including, but not limited to:**
 - ▶ **Emails**
 - ▶ **Phone calls and Voicemails**
 - ▶ **Video calls (e.g., Zoom calls)**
- ▶ **A copy of all written communications received from or sent to their advisee (save emails, etc.)**
- ▶ ***This document log will be uploaded in the permanent case file***

Sample Communication Log

01/17/2021 2:00PM	Email	I received an email with a list of questions for the other party and 2 of the 3 anticipated witnesses at the hearing. A copy of this email with the list of questions is attached.
01/18/2021 11:00AM	Voicemail	I received a voicemail from ADVISEE requesting that I return their call to answer a question about their case.
01/19/2021 8:30AM	In Person Meeting	I met with ADVISEE in person prior to the start of the hearing to confirm their list of questions for the other party and witnesses and ask if they have any questions for me or the Title IX Coordinator.

VOICES OF EXPERIENCE



DIALOGUE



SOME RESOURCES

- ▶ <https://www.umw.edu/title-ix/>
- ▶ ***FAQs for Complainants***
- ▶ ***FAQs for Respondents***
- ▶ ***FAQs for Employees***
- ▶ **Link to the “Prohibited Conduct” policy**
- ▶ ***Policy on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence:*** <https://www.umw.edu/title-ix/prohibited-conduct-policy/>