

Title IX
&
Minnesota State Board Policies and
System Procedures

Team Training

INVESTIGATION OFFICE



Agenda

- ❖ Discover your knowledge
- ❖ Discuss and review Title IX of the Education Amendments of 1972
- ❖ Discuss and review Minnesota State Board Policies and System Procedures
 - ❖ 1B.3: Sexual Violence Policy
 - ❖ 1B.1: Equal Opportunity and Nondiscrimination in employment and Education
- ❖ Review team and official process
 - ❖ Websites (BSU and NTC)
 - ❖ Organizational structure
 - ❖ Complaint process
 - ❖ Investigation process
- ❖ Discuss and review your role on the team
 - ❖ Deputy Title IX Coordinator
 - ❖ Investigator
 - ❖ Process Advisor
 - ❖ Decision Maker (Policy, and Appeal)

Purpose of Training

The purpose of this training is to:

1. Build confidence of team members
2. Establish foundational knowledge regarding Title IX of the Education Amendments of 1972
3. Establish foundational knowledge regarding Minnesota State Board Policy, 1B.1: Equal Opportunity and Nondiscrimination in employment and Education
4. Establish foundational knowledge regarding Minnesota State Board Policy, 1B.3: Sexual Violence Policy
5. Establish foundational knowledge regarding Minnesota State System Procedure, 1B.3.1: Response to Sexual Violence and Title IX Sexual Harassment
6. Provide firm expectations per team position

Evaluating Our Knowledge

Let's discuss!

What do you know about Title IX?

What do you know about MN State Board Policies and Procedures related to 1B.1/1B.1.1, and 1B.3, 1B.3.1?

Title IX of the Education Amendments of 1972

Historical context

- ❖ 20 U.S.C. § 1681 & 34 C.F.R. Part 106 (1972), “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 educational program or activity receiving federal financial assistance.”
- ❖ 1972 Title IX was signed into law.

❖ Covers:

- ❖ Sexual harassment
 - ❖ Quid pro quo
 - ❖ Hostile environment
- ❖ Sexual assault
 - ❖ Rape, Sodomy, Sexual assault with an object, Fondling, Incest, Statutory rape

Title IX of the Education Amendments of 1972

Current context

- ❖ 2020 Title IX regulations were issued.
- ❖ Covers:
 - ❖ Sex-based discrimination
 - ❖ Program equity, recruitment, admissions, and access, pregnancy, athletics, employment, recruitment, and hiring, extra-curricular activities, housing, access to course offerings, salaries and benefits, financial assistance, facilities, funding, sex, sexual orientation, and gender identity

- ❖ Covers:
 - ❖ Domestic violence
 - ❖ Dating violence
 - ❖ Stalking
 - ❖ Sexual exploitation
 - ❖ Retaliation

Resource

- ❖ [Department of Justice](#)

MN State Board Policies

[1B.1: Equal Opportunity and Nondiscrimination in employment and Education](#)

- ❖ Covers:
 - ❖ Retaliation
 - ❖ Discrimination
 - ❖ Harassment
 - ❖ Sexual Harassment

MN State Board Policies

[1B.3: Sexual Violence Policy](#)

❖ Covers:

❖ Sexual Violence

- ❖ Dating, intimate partner, and relationship violence
- ❖ Non-forcible sex acts
- ❖ Sexual assault
- ❖ Stalking
- ❖ Aiding acts of sexual violence
- ❖ Sexual exploitation (not stated in 1B.3, but could fall under here)

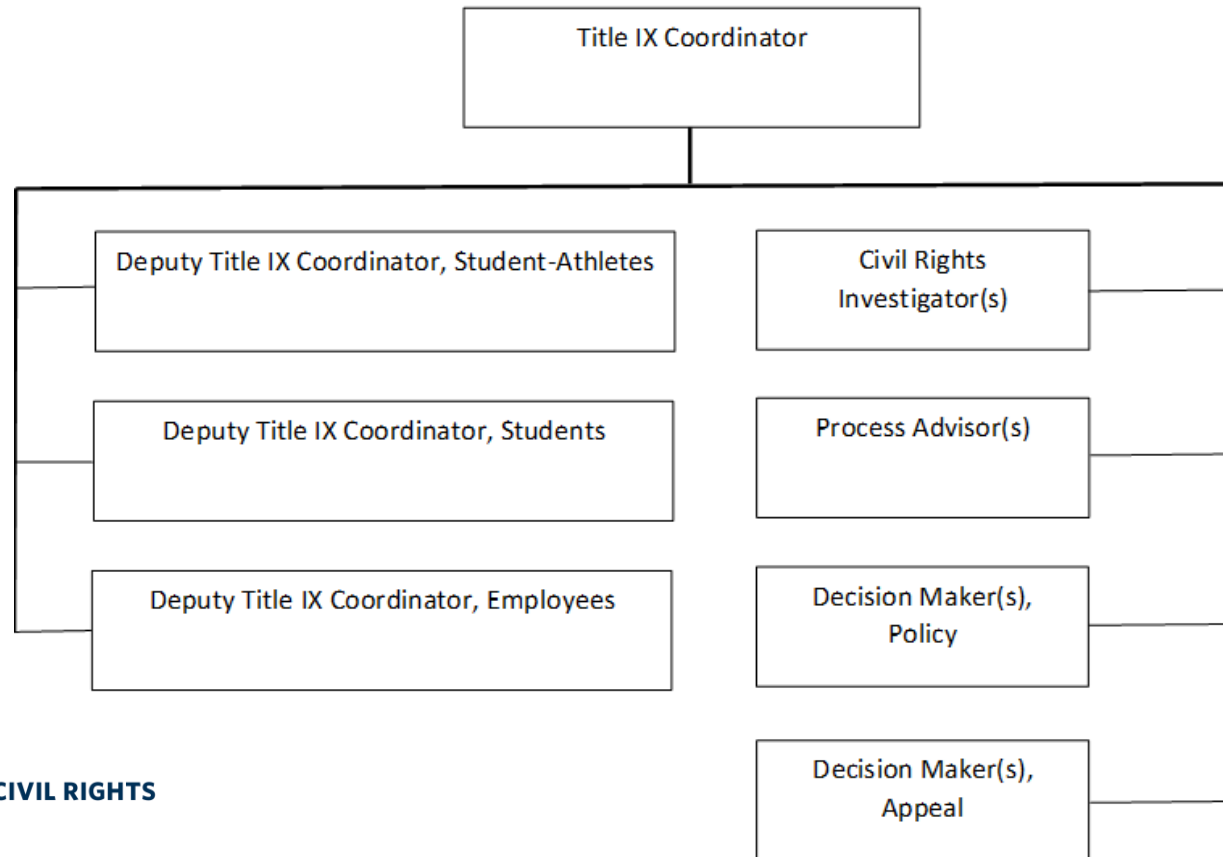
MN State System Procedures

[1B.3.1: Response to Sexual Violence and Title IX Sexual Harassment](#)

- ❖ Part 7, Subpart C, 6
- ❖ Part 7, Subpart D, 2
- ❖ Sexual violence prevention and education, Subpart A

Organizational Structure

Title IX and Minnesota State Board Policies and System Procedures Team



Complaint Process

- ❖ Formal complaint vs. Informal complaint
 - ❖ No matter the complaint type the following protocol will be followed:
 - ❖ Supportive measures presented
 - ❖ Intake
 - ❖ Investigation started or case closed

[Filing a Complaint](#)

Investigation Process

- ❖ Investigation is anything but simple; however, we have developed a model that will assist with conceptualizing the process.

[Investigation Process](#)

Deputy Title IX Coordinator

- ❖ Key duties for your role:
 - ❖ Training nationally, state, and institutionally
 - ❖ Coordinate investigation process after intake has been completed

Investigator

- ❖ Key duties for your role:
 - ❖ Training nationally, state, and institutionally
 - ❖ Lead the investigation process

Process Advisor

- ❖ Key duties for your role:
 - ❖ Training institutionally
 - ❖ Support respondent and complainant throughout the investigation process
 - ❖ Party rights
 - ❖ Support measures
 - ❖ Support investigation process

Decision Maker (Policy and Appeal)

- ❖ Key duties for your role (Decision Maker – Policy):
 - ❖ Training state, and institutionally
 - ❖ Focus on the finding of responsibility using the preponderance of evidence method
 - ❖ Decide if a violation was found
 - ❖ Decide sanction appropriate to finding(s)
- ❖ Key duties for your role (Decision Maker – Appeal)
 - ❖ Training state, and institutionally
 - ❖ Make final decision per appeal process