



ATIXA's Title IX Fundamentals for Higher Education

Module 1

1. Introduction
 - a. Welcome and learning objectives
 - b. Line item examination of Statute with explanation
 - i. No person in the United States
 - ii. On the basis of sex
 - iii. Excluded from participation
 - iv. Education program
2. Scope and History of Title IX
 - a. Application to postsecondary institutions
 - b. Passage of TIX in 1972
 - c. Mention of regulations in 1975
 - d. Federal courts influence
3. ATIXA's IX Commandments
 - a. Provides framework to remember key concepts
 - i. Actual Notice
 - ii. Investigations- Thorough, reliable, and impartial
 - iii. Process-Prompt, Effective, Equitable
 - iv. Stop, Remedy, Prevent
4. Three categories
 - a. Sex Discrimination
 - b. Sexual harassment
 - c. Retaliation
5. Supreme Court Cases Overview and Influence
 - a. Gebser v. Lago Vista Independent School District
 - b. Davis v. Monro County Board of Education
6. Difference between a lawsuit and complaint filed with OCR
7. OCR scope in relation to Title IX

Module 2

1. Intro and Learning objectives
2. Overview of roles
 - a. TIXC
 - i. Designation of TIXC
 - ii. Ideal organizational reporting structure in institution
 - iii. Responsibilities
 - b. Deputy TIXC
 - i. Examples of deputy TIX
 - ii. Responsibilities
 - c. Investigator
 - i. Models
 - ii. Responsibilities
 - d. Decision-Maker
 - i. Responsibilities

- ii. Determination
 - e. Appeals
 - i. Requirement and process
 - ii. Three grounds
 - f. Informal Resolution
 - i. Overview
 - ii. Examples
 - g. Advisors
 - i. Right to an advisor
 - ii. Responsibilities
- 3. Training
 - a. Training of those in TIX process
 - b. Maintenance of training
 - c. Posting requirements
- 4. Bias
 - a. Description
 - b. Examples

Module 3

- 1. Intro and learning objectives
- 2. Sex Discrimination
 - a. Definition
 - i. Sex stereotypes
 - ii. Sex characteristics
 - iii. Sexual orientation
 - iv. Gender Identity
 - b. Pregnancy
 - i. Examples
 - ii. Informing TIX office
 - iii. Support and accommodations
- 3. Sex-based Harassment
 - a. Types
 - i. Quid Pro Quo
 - ii. Hostile Environment
 - iii. Sexual Assault
 - iv. Dating Violence
 - v. Domestic Violence
 - vi. Stalking
 - b. Quid Pro Quo
 - i. Description and examples
 - c. Hostile Environment
 - i. Definition
 - ii. Elements of hostile environment broken down
- 4. Reasonable person Analysis overview
- 5. Rape
 - a. Definition
- 6. Fondling
 - a. Definition
- 7. Dating Violence

- a. Definition
- 8. Stalking
 - a. Definition
- 9. Retaliation
 - a. TIX prohibit retaliation and response
 - b. Definition
- 10. ATIXA's recommended additional prohibitive behaviors
 - a. Sexual exploitation
 - b. Harm/Endangerment
 - c. Discrimination
 - d. Intimidation
 - e. Hazing
 - f. Bullying
- 11. Consent Construct
 - a. Definition included in eTraining
 - b. 3 questions of construct
 - c. ATIXA recommendation to analyze 3 questions in the specific order
- 12. First Amendment intersections
 - a. Freedom of speech
 - b. Academic freedom

Module 4

- 1. Intro and Learning Objectives
- 2. Formal Grievance Process Overview
 - a. Institution on notice
 - b. TIX Coordinator's responsibilities
 - c. Policy
 - d. Jurisdiction breakdown and dismissal
 - e. Investigation
 - i. Investigator role
 - ii. 10 step description
 - f. Decision-maker
 - i. Determination
 - ii. Sanctions and remedies
 - 1. Stop, Remedy, Prevent
 - 2. Examples of student sanctions
 - 3. Examples of employee sanctions
 - 4. Written determination
 - iii. Appeals
 - 1. TIXC designates appeals board or person
 - 2. Example of appeal, grounds, and appropriate resolution
 - 3. Appeal is final and concludes process

Module 5

- 1. Intro and Learning Objectives
- 2. Intersection of federal laws
 - a. Title VII
 - i. Definition

- ii. Overlap with TIX
 - iii. Collaborate with HR
 - b. VAWA
 - i. Definition and inclusions
 - ii. 2022 Reauthorization
 - iii. Additional definitions
 - 1. Technological abuse
 - 2. Cyber Harassment
 - c. FHA
 - i. Definition
 - ii. Application
 - d. Clery Act
 - i. Definition
 - ii. Overlap with TIX
 - iii. Clery Requirements
- 3. Intersection of state, county or local jurisdiction
 - a. Explanation of potential overlap
 - b. TIXC coordination with legal counsel to determine applicability

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