



**Thank you for joining us.  
The webinar will begin soon.**

# Title IX 2024 Regulations & Compliance Requirements – What Higher Education Needs to Know

Tuesday, June 4, 2024

# Before We Begin

- **All attendees are in listen-only mode.** If you run into any audio issues during the webinar, please try another method of listening in, such as computer audio or calling in by phone.
- All registrants and attendees will receive a link to the recorded version of this webinar in a follow up email.
- If you have questions during the presentation, **please let us know by typing your question into the Q&A panel.** We will address these at the end of the presentation.





# Rebecca Leitman Veidlinger

Title IX Attorney

Rebecca Leitman Veidlinger is an attorney in private practice specializing in Title IX and the institutional prevention of, and response to, gender-based discrimination, sexual harassment, and sexual violence. Rebecca is the founding attorney of a boutique law firm that provides external investigator and hearing officer services, party advisors, and interim Title IX coordinator services to institutions across the country.

Rebecca teaches and trains on school-related sexual misconduct nationwide. She teaches a seminar on Title IX at the University of Michigan School of Law. She also serves as an instructor for the State University of New York's (SUNY) Student Conduct Institute, leading advanced modules on sexual misconduct investigative practice. She is also a contributing author to SUNY's Joint Guidance on Federal Title IX Regulations, a free comprehensive online resource geared to providing high-quality Title IX interpretation, insights, and practice tips for institutions of higher education.

During the webinar, we will discuss:

- The expanded scope of the new regulations and the revised definitions
- Mandatory reporting requirements of various institutional employees
- Different grievance process requirements and options for different kinds of sex discrimination matters
- Training requirements for campus members



# Learning Objectives

# Where We Are Today

- Operating under the August 2020 regulations for sexual harassment
- New regulations were issued in April 2024
- New regulations go into effect August 1, 2024
- Old regulations still apply to conduct occurring before August 1, 2024

- Includes but is not limited to:
  - Sex-Based Harassment
- Sexual discrimination includes discrimination on the basis of:
  - Sex Stereotypes
  - Sex Characteristics
  - Sexual Orientation
  - Gender Identity
  - Pregnancy (or related conditions)
- Also: clarification of Retaliation



A photograph of a university campus path in autumn. The path is paved and lined with large trees whose leaves are turning yellow and orange. Several students are walking along the path. The text "Sex-Based Harassment" is overlaid in large white letters on the left side of the image.

# Sex-Based Harassment

- Quid Pro Quo
  - Broadened to include acts of an employee, agent, or other person authorized by the institution to provide an aid, benefit, or service of the institution
- Hostile Environment Harassment
  - Broadened definition to conduct that is severe OR pervasive
  - Provides factors to assess for hostile environment
- Clery Crimes
  - Sexual assault, dating/domestic violence, and stalking



- Must provide reasonable modifications based on individualized needs (but don't have to fundamentally alter programs)
- Right of reinstatement to academic status
- Explicit requirement for lactation space other than a bathroom
- Important: Pregnancy reporting and requirement of providing information



# Pregnancy and Related Conditions

A background image showing three people in a professional setting. A man with glasses on the left is looking at a tablet held by a woman in the center. Another woman is partially visible on the right. The image is overlaid with a semi-transparent blue filter.


# Notification and Information Requirements (i.e., “Mandatory Reporting”)

- Differ, based on category of employees
- Officials with authority, administrators, faculty, and advisors: must report to TDC
- All other non-confidential employees: must either report to TDC or provide reporting party the TDC’s contact info
- Confidential employees: must provide information

- Response obligations: to conduct that occurred outside the institution's program or activity or outside the U.S., if it contributes to a sex-based hostile environment
- No requirement of "actual knowledge" to trigger response
- Investigation obligations: definition of complaint and who can file
- Duties of TIXC
- Opportunities to appeal
- Availability of informal resolution



# Other Expansions Worth Noting

A photograph of a woman and a man walking outdoors. The woman is on the left, wearing a blue headwrap, a blue blazer over a blue shirt, and holding a folder. The man is on the right, wearing a blue suit jacket over a white shirt and blue trousers. They are both looking towards the right. The background is a modern building with large windows.

# Grievance Procedures: Two Sets

- Complaints of sex discrimination
- Complaints of sex-based harassment involving a student party

- More relaxed evidence review
- Doesn't require institution to permit advisors
- No hearing requirement
- Decisionmaker (who may be the same person who conducted investigation) must be allowed to question parties and witnesses where credibility in issue
- Preponderance of the evidence, unless ...
- No requirement of investigation report
- Written notice of determination must include rationale for determination



# Procedures for Complaints of Sex Discrimination

A woman with blonde hair tied back, wearing a white button-down shirt, is sitting at a desk in an office. She is looking at a computer monitor and has her hands on a keyboard. The background is slightly blurred, showing office equipment and a window.

# Procedures for Complaints of Sex-Based Harassment Involving a Student Party

- More detailed notice letter
- Must allow advisors
- More relaxed evidence review?
- Adjudication: must include mechanism that permits decision maker to question parties and witnesses
- Can do this in one of four ways:
  - Non-hearing Investigator Model
  - Non-hearing Separate Decisionmaker Model
  - Hearing Without Cross-Examination
  - Hearing With Cross-Examination
- Fewer required elements in written determination

- Institution's obligation to address sex discrimination
- The scope of conduct that constitutes sex discrimination under Title IX, including the definition of sex-based harassment
- Their duty to report to the Title IX Office or give Title IX Office contact info
- All applicable notification and information requirements related to pregnancy and related conditions



# Training for All Employees

A photograph of a woman with short grey hair and glasses, wearing a brown knitted sweater, sitting at a desk and reading an open book. The background is a blurred bookshelf. The image has a blue overlay.

# Training for Title IX Implementers

- (Training for all employees, plus)
- Institution's obligations to respond to sex discrimination (including mandatory reporting)
- Institution's grievance procedures under 106.45 and, if applicable 106.46
- How to serve impartially, including not prejudging the facts, conflicts of interest, and bias
- The meaning and application of the term "relevant" in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance



- (Training for all employees, plus)
- The rules and practices associated with the institution's informal resolution process
- How to serve impartially, including by avoiding conflicts of interest and bias

# Training for Facilitators of Informal Resolution

A photograph of two women in a professional setting. One woman with long dark hair is seated at a table, looking at an open book or document. The other woman with curly brown hair is standing next to her, also looking at the document and holding a pen. The background is a blurred office or classroom environment with a green wall.

A woman with dark hair, wearing a light blue button-down shirt, is sitting at a desk and writing in a blue spiral notebook. She is looking down at the notebook. In the background, there are stacks of books and papers. The image is overlaid with a semi-transparent blue filter.

# Training for Title IX Coordinator and Designees

- (Training for all employees, training for all Title IX implementers, training for facilitators of informal resolution, plus)
- Their specific responsibilities to coordinate efforts to comply with Title IX, all duties of the TIXC spelled out in the regulations
- The recordkeeping requirements of the regulations



# Rebecca Leitman Veidlinger

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# How Vector Solutions Can Help

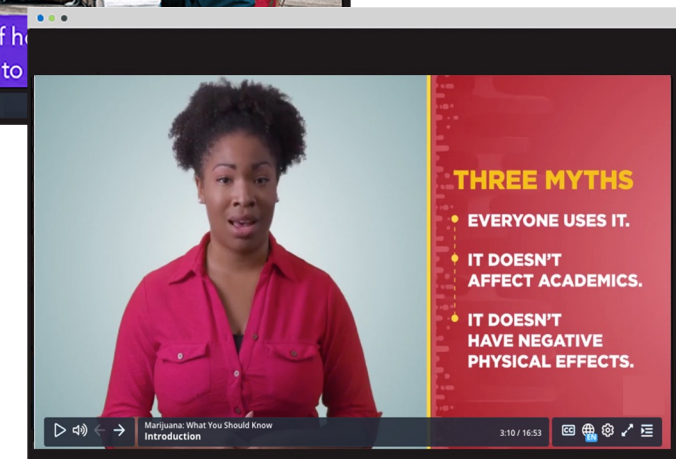
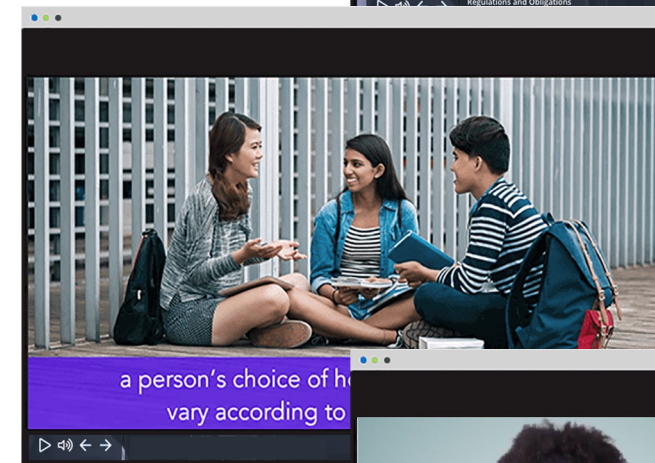
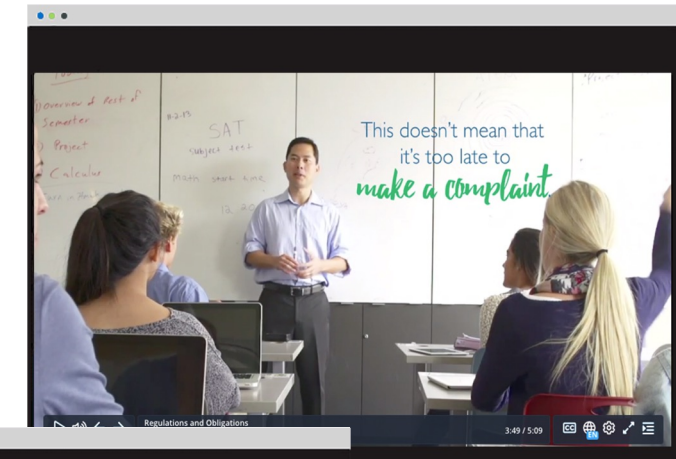
Strengthen your safety, well-being, and inclusion initiatives with high-impact training and higher education software solutions.

## Student Training

- Sexual Assault Prevention
- Alcohol & Drug Misuse Prevention
- Diversity, Inclusion, & Belonging
- Wellness & Safety
- Athletics
- Career & Personal Development

## Faculty & Staff Training

- Harassment, Discrimination, & Sexual Assault Prevention
- Diversity, Inclusion, & Belonging
- Human Resources & Workforce Management
- Health & Human Safety
- Athletics
- Facilities Management
- Environmental Health & Facilities Management
- Security & Risk Mitigation



# Vector Solutions' Title IX Course Updates



Our team of subject matter experts and legal editors have been actively reviewing the new Title IX regulations to assess what revisions will be needed to Vector Solutions' courses.



Over 50 courses in our library will be updated to reflect compliance-related changes.



We are committed to providing these compliance-related changes on or before August 1, 2024.



The list of courses to be updated and the timing of those updates is available in our Support Center. (<https://support.vectortrainingeducation.com/s/article/2024-Higher-Education-Course-Updates#TitleIX>)



# Q&A

*Note: If your question doesn't get answered during the allotted time, we will follow up by email.*

**Additional Questions?** Visit us at [VectorSolutions.com/HE](https://VectorSolutions.com/HE)



**Thank You!**