



GICA COMPLIANCE COLLABORATIVE PROGRAM

Title IX Hearing Panel Member Training In-Person/Zoom Sessions September and October 2023

AGENDA

Agenda:

9:00 a.m. – 10:00 a.m.

- Definitions:
 - Sexual harassment
 - Education program/activity
 - Recognized, off-campus student organizations
 - Formal Complaint
 - Complainant
 - Respondent

10:15 a.m. – 12:30 p.m.

- Overview:
 - Review of policy process steps
 - Informal resolution
 - Formal resolution
 - Role of decision-maker
 - Cross-examination
 - How to analyze the Final Report
 - How to develop appropriate and relevant questions
 - Exclusions
 - Rape shield
 - Legally recognized privileged
 - Medical records
 - Hearsay
 - Assessment of credibility
 - Status of party or witness
 - Factors

- Judgement
- Missing evidence
- Trauma-informed approaches
- Role play controlling unruly Advisors
- Discuss appropriate remedial measures
- Navigating confidentiality and disclosure of information within the institution
- Utilizing multiple case-scenarios, attendees will discuss how to assess witness credibility.
- Need for related policies:
 - Policy on Policies
 - Reporting Policy
 - Nondiscrimination Policy
 - Nonretaliation Policy

Presenter:

Judith W. Spain, J.D., CCEP

Judy currently serves as the GICA Compliance Program Consultant and serves on the Board for the Society for Corporate Compliance and Ethics. She is a Professor Emeritus, an attorney licensed in Kentucky, Ohio, and Pennsylvania, and is a Certified Compliance and Ethics Professional. She served as General Counsel and Chief Ethics and Compliance Officer at Eastern Kentucky University and Manhattanville College, where she developed and implemented compliance programs. Judy is the author of the first book on higher education compliance, *Higher Education Compliance: Blueprint for Success*. Judy is also the author of *Compliance Risk Assessments: An Introduction* published by the Society for Corporate Compliance and Ethics. Her third book, *Higher Education Compliance: What Governing Boards Really Need to Know* focuses on the responsibilities of higher education governing boards.

Resources:

OCR and Title IX

- https://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html
- [Federal Register :: Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance](#)
- [The U.S. Department of Education Releases Proposed Changes to Title IX Regulations, Invites Public Comment | U.S. Department of Education](#)