



The Association for
Biblical Higher Education

Prudent Response to a Title IX Investigation

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Overview

A growing list of institutions are reporting their hazardous journey through a US federal Title IX investigation. What are we learning about this audit and investigation process? How do smart institutions prepare for this most unfortunate circumstance?

Does your college or university receive federal funding? If so, you need to be aware of Title IX regulations—failure to comply can result in a loss of your funding.

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IN HIS NAME HR



Mark A. Griffin
 Human Resources expert
 President & Founder, In HIS Name HR

Personal

- Married to Gail
- Two awesome adult children
- Outdoor enthusiast
- Author
- International mission experience

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Serving Christian Higher Education



ISLA SCRIPTURA
 ISRAELI TERTIUM
 ISRAELI TERTIUM



faith baptist bible college
 and theological seminary



TAYLOR UNIVERSITY
 VERITAS ET FIDES





CLARKS SUMMIT
 UNIVERSITY



**CENTRAL
 CHRISTIAN**
 COLLEGE OF THE BIBLE

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Disclaimer



We are not licensed attorneys and do not provide legal advice.

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Biblical Approach



Pray to have godly employees. This is not a command; it is a principle. However, we would be wise to pray that God would send us all employees of like faith and belief. *Crown Financial Ministries*

We need employees who support our Mission, Vision and Values!

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Trends and Business Case

- The #MeToo movement
- Princeton University
- Florida State University pays \$950,000 to settle Title IX lawsuit
- Michigan State pays \$1.2M to settle complaint
- Chadron State to pay \$900,000 in settlement of Title IX lawsuit
- Biden administration potential changes

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What exactly is Title IX?

Title IX is a statute included in the Education Amendments of 1972 to protect students against sex discrimination. It requires that all schools publish and distribute a policy preventing sex discrimination.

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What exactly is Title IX?

Title IX has strict requirements for the handling of any reports of gender-based incidents on campus, including:

- assault
- harassment
- sexual assault
- sexual discrimination
- stalking

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Requirements

Title IX requires that every school appoint a Title IX coordinator to handle compliance with the regulations, oversee the Title IX process, and work with law enforcement in the event of an incident. Title IX coordinators are not allowed to conduct investigations, however, or make any final decisions regarding the outcome of any such events.

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Requirements

Their responsibilities may include of:

- Acting as the official contact for Title IX communication.
- Monitoring incidents and investigations to prevent systemic issues.
- Keeping an eye on enrollment to identify disproportionate demographics.
- Participation in drafting and implementing school policies.
- Ensuring compliance with the school's discrimination policy.
- Drafting and distributing any Notice of Discrimination.
- Setting up and distributing clear reporting tools for Title IX incidents.

All schools must post their Title IX coordinator's information on their website and communicate this information to students, staff, parents, and all unions (if you have any).

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Process Requirements

- A Title IX investigation process must allow for prompt and systematic investigations and ensure respect for the rights of all parties involved. Title IX issues can be sensitive, which means neutrality and discretion are paramount.
- Given the sensitivity required throughout the process, many institutions understandably prefer to hire a third party to assist in the investigation. Outsourcing investigations also removes any potential conflict of interest and negates concerns around bias. And it insulates victims from the discomfort or awkwardness of seeing their investigator regularly around campus, once the case is over.

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Process Requirements



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What a Title IX investigation looks like



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Complainants and Respondents: Rights to consider



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Why Outsourcing Investigations Is Best



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Recap Highlights

- Trends and business case
- We defined Title IX
- A Title IX coordinator needs to be in place
- Ensure your policy is updated, distributed, and signed for
- Communicate to your cabinet the importance of compliance and action upon complaint
- Consider using a third-party investigator to remove any appearance that the investigations are biased

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