



GICA

**COMPLIANCE
COLLABORATIVE
PROGRAM**

2020 Title IX Regulations Appeal Officer Training

Agenda

1:30 pm – 2:15 pm - Title IX Overview and Process

- Definitions
 - Sexual harassment
 - Sex
 - Educational program or activity
 - Recognized off-campus student organization
 - Misconduct outside educational program or activity
 - Formal complaint
 - Complainant
 - Respondent
 - No conflict of interest or bias
- Process
 - Written notice required
 - Reasonable prompt time frame
 - No gag order
 - Presumption of not responsible
 - Rights of Complainant and Respondents
- Formal Resolution
 - Burden of proof
 - Inspect and review evidence
 - Investigative report (preliminary) report
 - Investigative report (final) report
 - Non-disclosure Agreement
 - Live hearing
 - Appeal

2:20 pm – 3:30 pm

- Role of Appeal Officer
- Review of grounds for appeal

- Review of GICA CCP template forms:
 - Appeal determination – appeal denied
 - Appeal determination – new evidence
 - Appeal determination – procedural error
 - Appeal determination – conflict of interest or bias
- Reviewed Title IX specific scenario forms:
 - Final Report including 7 exhibits
- Using Title IX specific scenario, attendees discussed:
 - Appeal determination and grounds for determination

Presenter: Judith W. Spain, J.D., CCEP

Judy currently serves as the GICA Compliance Program Consultant and serves on the Board, 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* is available in paperback, Kindle, and audiobook.