



TITLE IX COMPLIANCE TRAINING SERIES

ACT I – II • VISION & FRAMEWORK

Deputy Title IX Coordinator Intensive

Legal Foundations, the Regulatory Landscape, and the Deputy's Lane

A HALF-DAY, PRACTICUM-FIRST CERTIFICATION EXPERIENCE

Today's Roadmap

Three Acts. One Half-Day.



TODAY

ACT I

VISION

30 min

Why it matters, the stakes,
the regulatory landscape

TODAY

ACT II

FRAMEWORK

105 min

Legal foundations and
the Deputy's lane

NEXT SESSION

ACT III

PRACTICUM

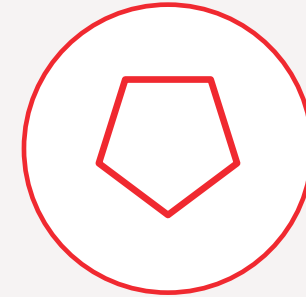
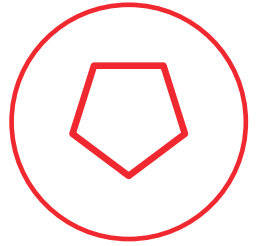
90+ min

Live simulations, drafting,
small-group coaching

Why This Role Matters

The Stakes Behind the Title

- Deputy Coordinators are often a reporting party's first point of contact — that conversation shapes trust in the entire process
- Missteps in intake, impartiality, or documentation can undermine an institution's entire Title IX defense
- OCR complaints and litigation increasingly scrutinize how — not just whether — coordinators were trained
- This is a compliance role and a trust-building role, at the same time



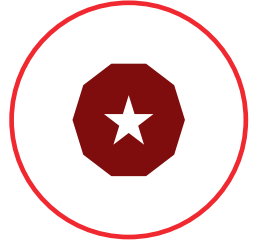
A Front-Line Role

Deputy Coordinators carry real legal weight — this training treats the role that way.

DEPUTY TITLE IX COORDINATOR INTENSIVE

The Regulatory Landscape Today

How We Got Here — and Where We Stand in 2026

**2020****2020 Rule Adopted**

34 CFR Part 106 finalized

**2024****New Rule Finalized**

Broader scope; later challenged

**JAN 2025****2024 Rule Vacated**

Nationwide, E.D. Kentucky

**FEB 2025****OCR Guidance Issued**

Dear Colleague Letter

**TODAY****2020 Rule Governs**

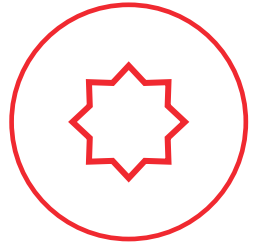
New rule not expected before late 2026/27

BOTTOM LINE

The 2020 regulations are the operative law right now. Reconfirm this posture with counsel before every delivery cycle.

What Excellence Looks Like

By the End of Today, You Will Be Able To:



Apply Title IX's core definitions and scope to real scenarios



Run an intake conversation that is trauma-informed and impartial



Distinguish supportive measures from disciplinary sanctions



Draft documentation that would hold up under OCR review

WHERE THIS SHOWS UP

Act III's live simulations and the closing competency check assess all four of these capabilities directly.

Statutory Foundation

Title IX of the Education Amendments of 1972



- Prohibits sex discrimination in any education program or activity receiving federal financial assistance
- Implemented through Department of Education regulations at 34 CFR Part 106
- Currently governed by the 2020 Final Rule, reinstated after the 2024 Rule's nationwide vacatur (Jan. 2025)

CURRENT RULE

**34 CFR Part 106 (2020 Final Rule)
– reinstated January 2025**

Defining Sex-Based Harassment

§106.30 — What the Rule Actually Covers



- Quid pro quo: an employee conditioning aid or a benefit on unwelcome sexual conduct
- Unwelcome conduct a reasonable person would find so severe, pervasive, and objectively offensive that it denies equal educational access
- Sexual assault, dating violence, domestic violence, and stalking as defined under the Clery Act / VAWA

IMPORTANT NOTE

Current federal enforcement does not extend sex-based protections to gender-identity claims — confirm your institution's position with counsel.

Scope of the Rule

Where Title IX Reaches

- Locations, events, or circumstances where the institution exercised substantial control over both the respondent and the context
- Any building owned or controlled by a student organization officially recognized by the institution
- Increasingly includes off-campus and online conduct when it affects access to education

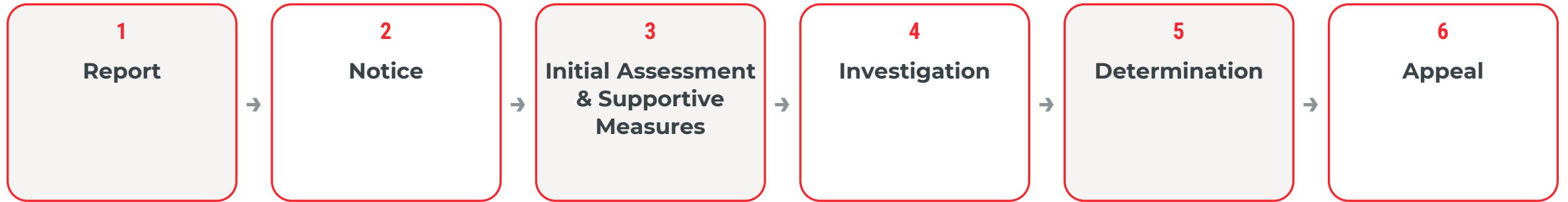
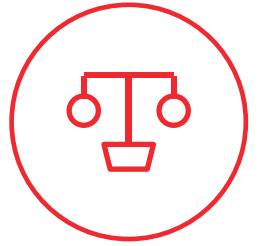


Broader Than Campus

Scope turns on control and educational impact — not just geography.

The Grievance Process Map

From Report to Resolution



INFORMAL RESOLUTION BRANCH

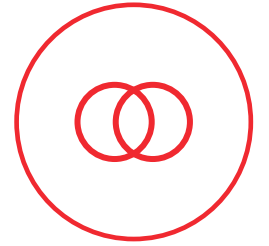
May be offered after notice, only if both parties voluntarily agree — never for employee-on-student sexual harassment claims.

THE DEPUTY'S ROLE IN THIS MAP

Deputies lead Steps 1–3 (Report through Supportive Measures) and escalate Steps 4–6 to the Coordinator or investigator.

Formal vs. Informal Resolution

Two Paths, Different Purposes



FORMAL RESOLUTION

- Full investigation and written determination
- Applicable standard of evidence applied throughout
- Available to either party at any time
- Required for employee-on-student sexual harassment

INFORMAL RESOLUTION

- Fully voluntary — both parties must consent
- Can conclude at any point before a determination
- Not permitted for employee-on-student sexual harassment
- Still requires written notice of the process and rights

The Deputy's Lane

Where Your Authority Begins and Ends



- Conduct initial intake and explain rights, options, and supportive measures
- Coordinate — not personally decide — supportive measures with relevant offices
- Maintain accurate, contemporaneous records for the Coordinator's file
- Escalate investigation and determination decisions to the Title IX Coordinator or designated investigator

KEY RULE

**Deputies inform and coordinate.
They do not adjudicate.**

DEPUTY TITLE IX COORDINATOR INTENSIVE

Confidentiality, Privacy & Reporting



Know Which Standard Applies

Confidentiality

Legally privileged (e.g., counselors, health staff). Information generally cannot be disclosed without consent.

Privacy

Shared only with those who need it to respond. Not privileged, but tightly limited.

Mandatory Reporting

Deputy Coordinators must report known incidents to the Title IX Coordinator — this is not confidential.

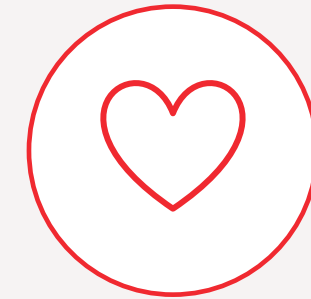
WHEN IN DOUBT

If you're unsure which standard applies, escalate to the Title IX Coordinator before making any confidentiality commitment to a party.

Supportive Measures

What They Are (and Aren't)

- Non-disciplinary, non-punitive individualized services offered to either party
- Designed to restore or preserve equal access to education — not to punish
- Available whether or not a formal complaint is ever filed
- Must not unreasonably burden either party



Access, Not Punishment

Supportive measures protect participation in education — they are never a finding of responsibility.

The Impartiality Standard

§106.45(b)(1)(iii)(C)



- No prejudgment of the facts before the process concludes
- Conflicts of interest must be disclosed and managed — personal, professional, or reporting-line
- Bias includes patterns of decision-making, not just explicit statements
- Training and materials themselves must be free of sex stereotypes

IMPORTANT CLARIFICATION

Impartiality is a standard you must be able to demonstrate — not just intend.

Evidence & Relevance

§106.45(b)(1)(iii)(D) — Rape Shield Protections



- Questions and evidence about a complainant's sexual predisposition are not relevant
- Prior sexual behavior with the respondent may be relevant only to prove consent, in limited circumstances
- Relevance is decided by role-appropriate personnel — never by the parties themselves



Relevance Has Limits

Rape shield protections keep the process from becoming a referendum on the complainant.

UP NEXT

Act III: Practicum

Where You Put It Into Practice

Intake Role-Play

Supportive Measures Triage

Documentation Drafting

Bias & COI Walk