

TITLE IX ADVISOR TRAINING



**WILLAMETTE
UNIVERSITY**

7.15.26

TITLE IX'S REQUIREMENTS

01

Title IX of the Education Amendments Act of 1972

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

20 U.S.C. § 1681 (1972).



THE TITLE IX REGULATIONS

SEXUAL HARASSMENT ONLY

1

Narrows the definition of sexual harassment;

3

Narrows eligibility to file a complaint;

2

Narrows the scope of the institution's educational program or activity;

4

Develops procedural requirements for the investigation and adjudication of sexual harassment complaints, only.

SEXUAL HARASSMENT: SECTION 106.30

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- (1) An **employee** of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
- (2) Unwelcome conduct determined by a reasonable person to be so **severe, pervasive, and objectively offensive** that it **effectively denies** a person equal access to the recipient's education program or activity; or
- (3) "**Sexual assault**" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "**dating violence**" as defined in 34 U.S.C. 12291(a)(10), "**domestic violence**" as defined in 34 U.S.C. 12291(a)(8), or "**stalking**" as defined in 34 U.S.C. 12291(a)(30).

AND... ONLY COVERED, IF:

Place of Conduct

- On campus **OR**
- Campus Program, Activity, Building, **AND**
- In the United States

Required Identity

- Complainant participating/attempting to participate in Program or Activity, **AND**
- Control over Respondent

SERVING AS AN ADVISOR

05

DURING THE INVESTIGATION: ADVISOR OF CHOICE

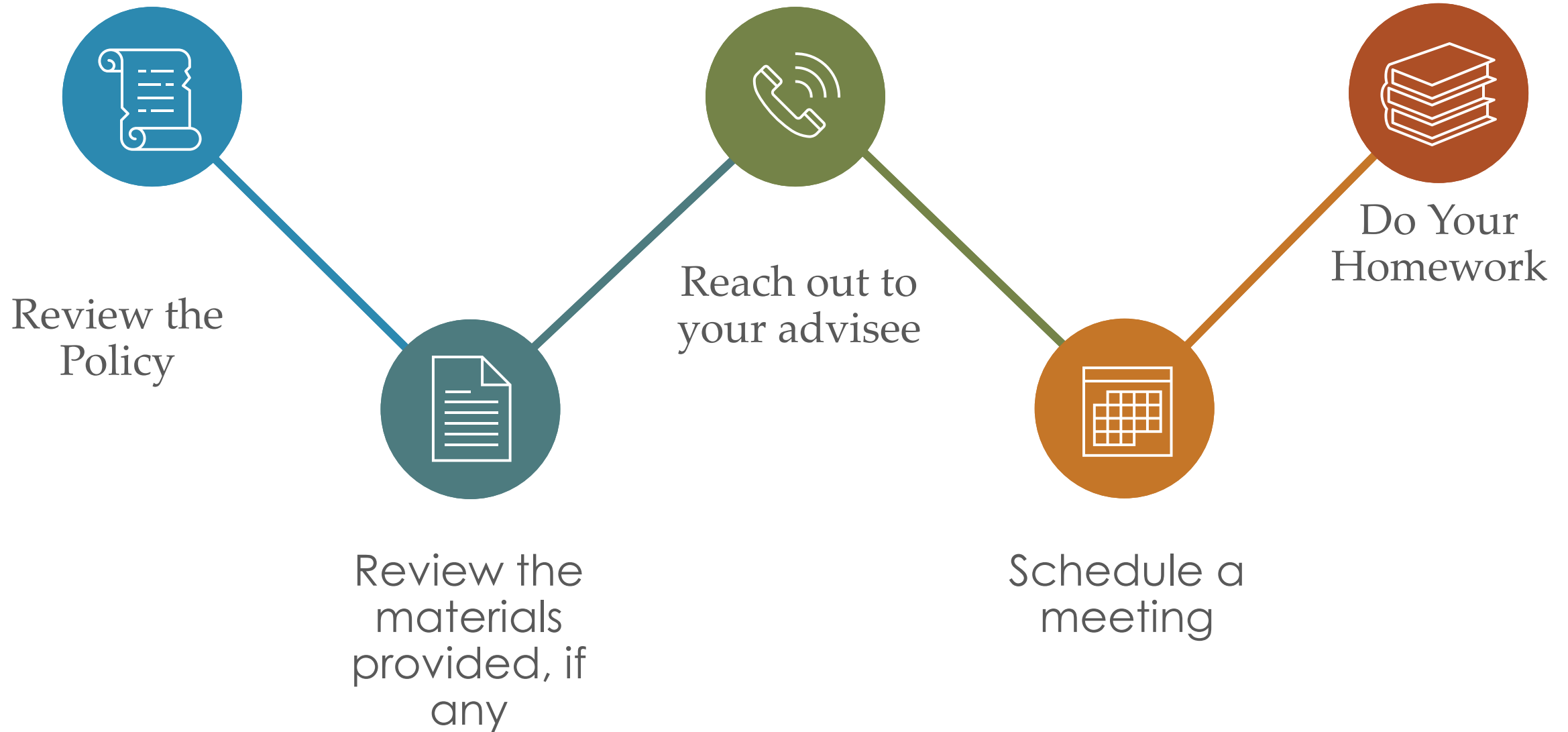
- Assist the advisee in understanding the Policy
- Assist in the identification of witnesses
- Assist in the identification of evidence
- Assist in providing the investigator with information
- Assist in preparation for investigative interviews
- Accompany advisee to investigative interviews
- Advise during the interview
- Assist with document/evidence review and response
- Assist with review of the report and development of the response



YOUR ROLE AS A HEARING ADVISOR

- The limited role of conducting cross examination on behalf of your party*
- Supporting your party

AFTER YOU ARE ASSIGNED A CASE AS A HEARING ADVISOR...



DO YOUR HOMEWORK

Pre-Hearing Conference: may be requested by the Parties/Advisors. At the meeting, each party may submit to the Hearing Administrator a preliminary list of witnesses, and questions they wish to pose to the other party, or to a witness.

Impact Statement: The parties may each submit a written impact statement prior to the hearing for the consideration of the Sanctioning Officer at the sanction stage of the process (if the process progresses to sanctioning) after a determination of responsibility is reached.

Review the General Structure and Rules of the Hearing – outlined in the Title IX Policy



MEETING WITH YOUR ADVISEE

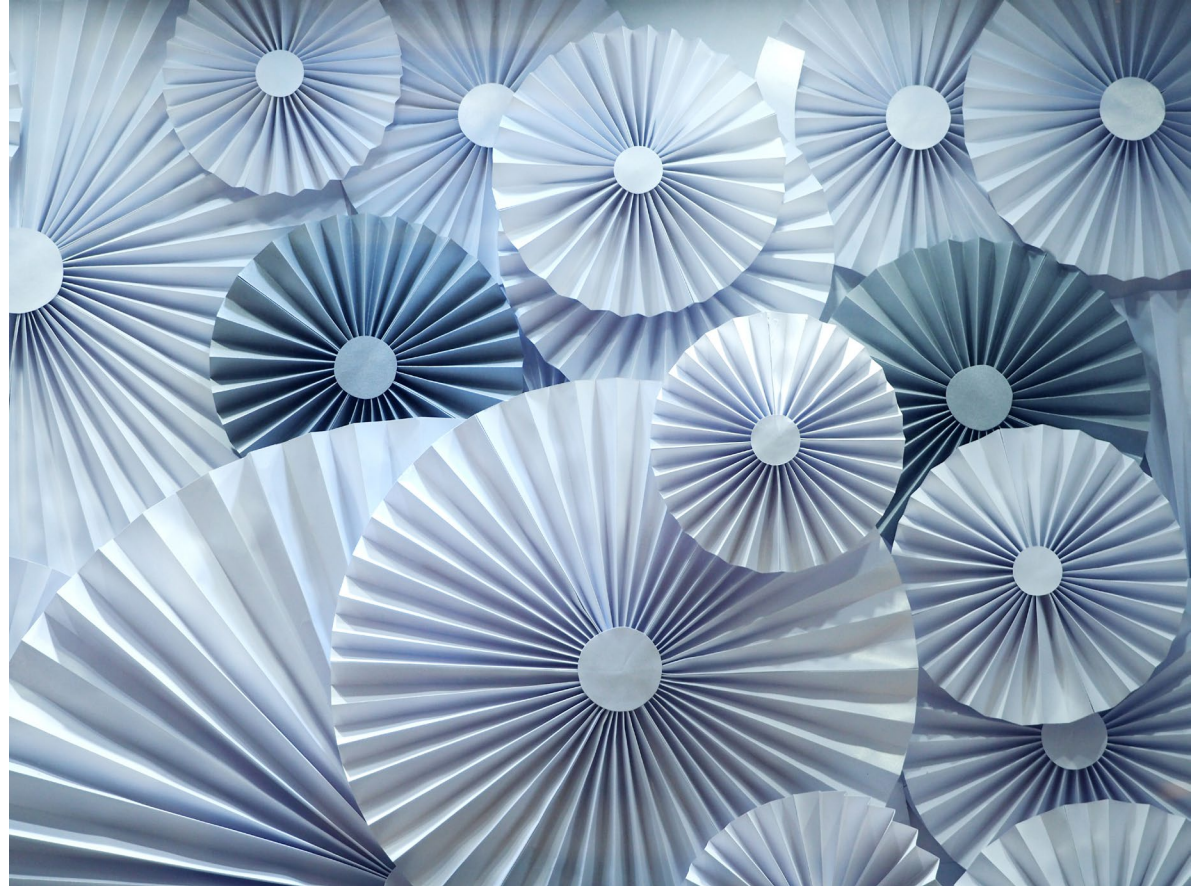
Build: Build Rapport

Explain: Explain your role

Advise: Advise them that their conversations with you are not privileged

Go Over: Go over the policy and process with them

Discuss: Discuss the evidence



PREPARE YOUR ADVISEE FOR THE HEARING



How to answer questions

Questions they can expect

How to prep for the hearing day itself and self-care

Communication during the hearing

Selective participation and potential impacts

CROSS EXAMINATION

Common Approaches

1. Obtain/Highlight helpful information
2. If a witness does not have information that is helpful, ask questions that illustrate that they are unimportant.
3. Highlight bias/lack of bias
4. Highlight credibility and reliability/lack of credibility or reliability
5. Discounting



CROSS EXAMINATION:

Do be efficient
in your
questioning –
go event by
event

Don't rehash
everything a witness
has said

Do focus on
the
information
that is helpful

Don't call
folks liars or
attack them

Do raise
concerns
about
credibility
and
reliability

Don't rant,
rave, lose
your
temper

Do make
your points
through
pointed and
calm
questioning

Don't forget to be
prepared to pivot
as testimony is
given

CLOSING STATEMENTS: ADVISOR'S ROLE

- Assist advisee in developing their closing statement
- Summarize evidence that the party wants the decision maker to focus on
- Bullet points
- May not provide a closing on behalf of an absent or non-participating party



QUESTIONS?

