



Title IX Update – Nine Months Later

On August 14, 2020, the new Title IX Regulations went into effect.

Months later school entities and administrators are still deciphering all the nuances of the new regulations that were issued as part of the 2,033 page document.

We previously reported the new law will significantly alter the way public school entities address issues and/or complaints under Title IX. Such changes include, but are not limited to:

1. Modification to existing Policies and Administrative Regulations to address and incorporate the Final Rule, which we anticipate as an effort to be undertaken by the Pennsylvania School Boards Association.
2. School Districts will need to ensure these policy changes are timely adopted and disseminated to students, parents, faculty, administrators and Title IX Coordinators.
3. Students and staff will need to be provided in-service training and/or professional development on these changes.
4. Faculty and student handbooks will need to be updated in accordance with applicable policy changes.
5. Title IX Coordinators, Administrators and other staff tasked with the responsibility of investigating complaints will need to receive updated training regarding the new changes in the law, meeting timelines, the requirements for conducting effective and legally compliant investigations and documenting the information that is uncovered as a result of such investigations.

Training:

The new Title IX regulations specifically mandate training.

Specific training requirements are outlined in §106.45(b)(1)(iii):

A recipient must ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment in §106.30, the scope of the recipient's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. A recipient must ensure that decision-makers receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as set forth in paragraph (b)(6) of this section. A recipient also must ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in paragraph (b)(5)(vii) of this section."

In response to meeting this specific "Training" need, Beard Legal Group PC and Levin Legal Group PC collaborated to develop a comprehensive five (5) plus hour training module for school entities.

During the months of August, September and October 2020, our firms provided required training to almost 100 school entities.

Since then, we have received a significant number of inquiries and requests to provide a shorter and much more targeted training module for Title IX Investigators.

We are pleased to announce we have developed and are releasing a focused training module targeted specifically for Title IX Investigators.

The new module is approximately 1.5 hours in length and covers virtually every aspect a Title IX Investigator will encounter in the course of an investigation.

The module contains over fifty (50) PowerPoint slides accompanied by a completely narrated format explaining every PowerPoint and providing insight regarding the application of PowerPoint to each aspect of the investigatory process.

Special narratives are included by each of the presenting attorneys.

The training module features:

- Approximately 1.5 hours of training.
- Comprehensive PowerPoint of over 50 slides.
- Narrative and explanation of the specific PowerPoint slide.
- Supplemental outline containing Postulates and detailed Cliff Notes of each phase of the Title IX process.
- Overview and Checklist of all PSBA required policies to include new Dating Violence and Discipline of Students Convicted/Adjudicated of Sexual Assault to comply with Act 110 of 2020 and new School Code Section 1318.1.
- Title IX Claims and Liability Outline. This comprehensive PowerPoint outline will examine no less than ten (10) federal lawsuits filed against Pennsylvania School Districts outlining who was sued, reasons therefore and outlining practical tips to avoid or minimize liability.
- “Protection from Abuse Orders: A School’s Newest Challenge” outline. This outline contains case studies and rulings. The outline also contains an actual template of a “Pre-Investigation Student Safety Plan” as well as Targeted Student Safety Plan.
- Additional template letters
 - Close out letter for an Initial Report **not** falling under Title IX.
 - Close out letter as a result of supportive measures resolving Complaint.
 - Resolution Agreement as an outgrowth of Mediation.

Costs

- The cost of the new investigator on-line training module and accompanying tool kit materials outlined above is \$600. NOTE: Each school entity shall be given an annual license to utilize the training module as many times as necessary.

Training Options:

- Live in-person can be arranged by contacting either Beard Legal Group or Levin Legal Group. See contact information below.
- On-line/Webinar format.

NOTE: For a detailed overview of new Title IX regulations requirements, please see the Beard Legal Group Education Law Report Editions: July 2020, **Volume XVI Number 2** and **Volume XVI Number 3** available on our website at www.BeardLegalGroup.com.

For those who did not receive the original five (5) hour training module, it is still available at a cost of \$1,750. Please feel free to call or email for details.

For more information and scheduling, contact:

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New Title IX Training Module and Toolkit for Title IX Investigators



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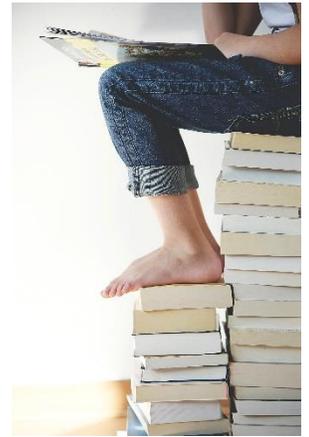
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