



Title IX Training: Investigations

Stephanie Klupinski, Esq.
Legal Counseling, Mediation, Training and
Workplace Investigations

Stephanie@Stella-Law.com

(330) 221-0655

www.stella-law.com

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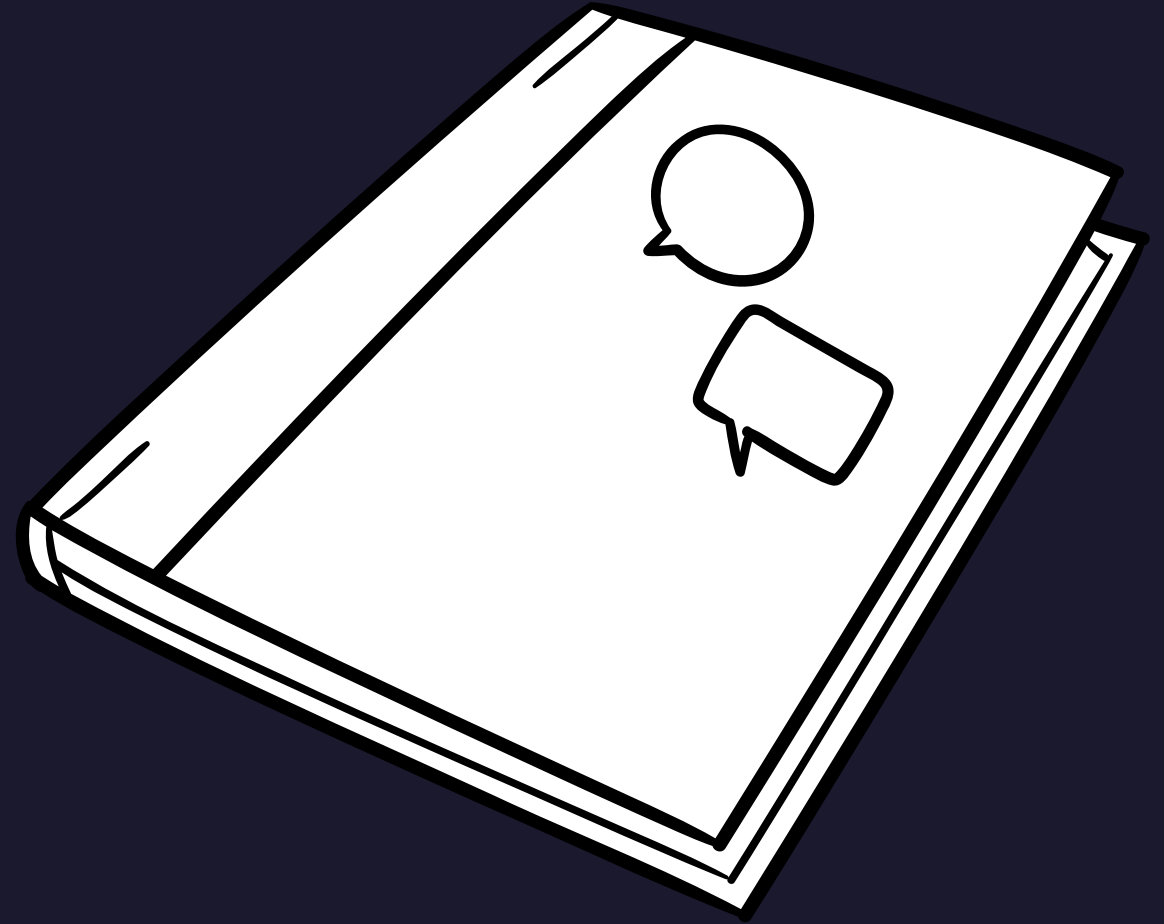
Housekeeping

- Not here to give you legal advice.
- Consult with your legal counsel regarding how best to address a specific situation.
- All who registered will receive a copy of the slides after this presentation.
- I will take questions at the end as time permits.



Agenda

1. Title IX Refresh
2. Title IX Legal Requirements
3. Brief Overview of Key Terminology
4. Role Refresh
5. Impartiality
6. Evidence and Relevance
7. Investigation Workflow



Title IX refresh

A fast review of the legal building blocks before we focus on investigations.

1. Quiz
2. Core definitions
3. Sexual harassment
4. Jurisdiction

Quiz

1. Who is your Title IX Coordinator?
2. Where is your Title IX policy located?
3. Is your Title IX Coordinators contact information prominently displayed on your website?
4. Do you have any training materials posted on your website?
5. Where is your Non-discrimination Statement?

SCHOOL will not discriminate against anyone on the basis of sex in its educational programs or activities, in admission to its educational programs or activities, or in employment policies and practices in accordance with Title IX of the Education Amendments of 1972. Inquiries regarding compliance with Title IX may be directed to the Title IX Coordinator.



Title IX: Policy, Procedures & Notice Requirements

34 C.F.R. § 106.8

Title IX Coordinator. Designate a Coordinator and notify applicants, students, K-12 parents/guardians, and employees of their name and contact information.

Nondiscrimination policy. State that the school does not discriminate on the basis of sex, including in admission and employment, and that questions may go to the Title IX Coordinator or the Office for Civil Rights.

Publish. Prominently display the Coordinator's contact information and the nondiscrimination policy on the school's website and in handbook.

No discriminatory publications. Schools may not use or distribute materials stating that they treat applicants, students, or employees differently by sex, unless Title IX permits it.

Grievance procedures. Adopt and publish grievance procedures, including how to report sex discrimination, how to file a formal complaint of sexual harassment, and how the school will respond.

Training materials. Post all training materials for Coordinators, investigators, decision-makers, and informal resolution facilitators on the website, and keep them for seven (7) years.

Quick compliance check

Can staff answer these?

- Who is our Title IX Coordinator?
- Where is our Title IX policy?
- How does someone report concerns?
- Where is our nondiscrimination statement?

Can families find these?

- Coordinator contact information on website
 - Nondiscrimination statement on website
 - Grievance procedures in handbook
 - Training materials posted online
-

Training Requirements

34 C.F.R. § 106.45(b)(1)(iii)

- **Who must be trained.** Title IX Coordinators, investigators, decision-makers, and anyone who facilitates an informal resolution process.
- **Required topics.** Title IX definition of sexual harassment; scope of the school's education program or activity; how to investigate and grievance process, including hearings, appeals, and informal resolution; and how to serve impartially by avoiding prejudgment of the facts, conflicts of interest, and bias.
- **Investigators.** Must be trained on issues of relevance, so they can prepare an investigative report that fairly summarizes relevant evidence.
- **Decision-makers.** Must be trained on relevance of questions and evidence, including when questions about a complainant's sexual predisposition or prior sexual behavior are not relevant.
- **Content standards.** Training materials must not rely on sex stereotypes and must promote impartial investigations and adjudications.
- **Posting/retention.** Post all training materials on the school's website and keep them for 7 years.

Key Definitions

Complainant means an individual who has reported being the victim of conduct that could constitute sexual harassment, or on whose behalf the Title IX Coordinator has filed a formal complaint.

Note: parents may file complaints for their children.

Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Recipient means the institution charged with receiving and handling complaints, i.e., the school.

Formal complaint means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school investigate the allegation of sexual harassment.

Sexual Harassment Definition

Sexual Harassment means conduct on the basis of sex that falls under one or more of the following:

- 1) **Quid pro quo harassment.** An employee conditioning an educational aid, benefit, or service on an individual's participation in unwelcome sexual conduct.
- 2) **Unwelcome conduct on the basis of sex** that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity (i.e., hostile environment).

Note: THIS IS NARROW

- 3) **Sexual assault** as defined in the Clery Act, or dating violence, domestic violence, or stalking as defined in the Violence Against Women Act.

Title IX scope

Alleged conduct must meet the Title IX definition of sexual harassment.

It must occur in the school's education program or activity.

It must occur against a person in the United States.

Dismissal for Title IX purposes does not prevent the school from addressing conduct under other policies.



Scope of Responsibility If Conduct Not Covered By Title IX

The narrow definition of sexual harassment means that many K-12 cases may not fall under the new Title IX definition.

Schools will need to act within their own codes of conduct or other policies to respond to cases and ensure they do not worsen to the levels described in the definition.

Schools may address sexual harassment affecting its students or employees that falls outside Title IX's jurisdiction in any manner chosen, including providing supportive measures or pursuing discipline.

Report vs. formal complaint

Report / notice

- May trigger supportive measures
- Coordinator assesses response options
- May or may not become a formal complaint
- Document the response either way

Formal complaint

- Written document or Coordinator-signed complaint
 - Requests investigation
 - Requires notice to both parties
 - Starts the grievance process
-

Roles + Team

1. Coordinator
2. Investigator
3. Decision-maker
4. Appeal reviewer

The Title IX Team

Regulations expressly prohibit the Single Investigator Model, where the investigator is also the decision-maker determining responsibility in Title IX cases.

Thus, the decision-maker must be separate from the Title IX Coordinator or investigator.

- *Rationale:* one person cannot effectively serve as detective, prosecutor, judge, and jury.

As such, schools should consider splitting roles for handling Title IX issues.



Title IX team (four roles):
Title IX Coordinator, Investigator,
Decision-maker, and Appeals
Board

Title IX Coordinator

Must have one designated employee to coordinate efforts to comply with and carry out responsibilities under Title IX.

Contact info for Coordinator **MUST** be on website and in handbook.

This person will coordinate the school's response to all reports and complaints involving possible sex discrimination, including sexual harassment; monitor outcomes; identify patterns; assess effects on school climate.

They also will provide training and technical assistance to staff on school policies and procedures related to sex discrimination and Title IX.

Also must document responses to complaints; documentation must include actions taking and any supportive measures provided. Also document why supportive measures might not have been provided.

Investigator



Facilitate interviews



Document and make concerned parties aware of status of investigation proceedings



Share relevant evidence



Issue an investigative report summarizing evidence before a determination regarding responsibility is made

Decision-maker

- In Title IX cases, the decisionmaker is primarily tasked with issuing a determination regarding responsibility after reviewing the evidence and findings of the investigation.
- The decisionmaker may be a faculty member, administrator, or other person (such as a school board member), depending on the circumstances of the complaint.



Appeals Board



- The job of the appeals board is to review the case and its determination and issue a ruling at the conclusion of their review.
- The appeals board may consist of faculty, administrators, or other actors (such as school board members) depending on the circumstances of the appeal.

Impartiality

Bias, conflicts, and prejudice are investigation risks.

Duty to Avoid Bias and Conflicts of Interest

Focus on integrity of process. Not the outcome.

Recognize and understand what your biases are and put them aside.

Cultural competency – understand unconscious biases.

Title IX team must not be biased or conflicted.

- *Bias* is a mental inclination or tendency; prejudice; predilection.
- *Conflict of interest* means a real or seeming incompatibility between one's private interests and public duties.
- May not be biased for or against Complaints or Respondents, generally.
- May not be biased for or against any individual Complainant or Respondent involved in the complaint.

Evaluating bias: an objective, common-sense approach

“Whether bias exists requires examination of the particular facts of a situation and the Department encourages recipients to apply an objective to apply an objective (whether a reasonable person would believe bias exists), common sense approach to evaluating whether a particular whether a particular person serving in a Title IX role is biased, exercising caution not to apply generalizations that might unreasonably unreasonably conclude that bias exists...bearing in mind that the very training required by 106.45(b)(1)(iii) is intended to provide Title IX provide Title IX personnel with the tools needed to serve impartially and without bias such that the prior professional experience of a person experience of a person whom a recipient would like to have in a Title IX role need not disqualify the person from obtaining the requisite training the requisite training to serve impartially in a Title IX role.”

Reasonable-person test

Look at the specific facts, not generalizations.

Background isn't bias

Prior professional experience does not automatically automatically disqualify.

Training is the safeguard

Required training equips staff to serve impartially. impartially.

Conflicts of interest

Personal relationship with a party, witness, advisor, or family member.

Prior involvement in the incident or discipline decision.

Financial, employment, or supervisory interest in the outcome.

Public comments or private communications suggesting prejudgment.

Any fact that would make neutrality hard to defend.

**When in doubt,
disclose and consult
before serving.**

Avoiding Pre-Judgment of Facts at Issue

- **A good way to avoid bias and ensure impartiality: avoiding prejudgment of facts.**
- **Keep an open mind as an investigator or decision-maker and actively listen to all the facts presented.**
- **Each case is unique and different.**

Avoiding prejudice

Risky language

- “Victim” before a finding
- “He lied” before weighing evidence
- “She is credible” based only on status
- “This type of student always...”

Better language

- Complainant / respondent / witness
- The statements conflict on...
- The record supports / does not support...
- The evidence shows...

Credibility without shortcuts

- Do not base credibility on whether someone is the complainant, respondent, or witness.
- Look for detail, consistency, plausibility, corroboration, and opportunity to observe.
- Address contradictions directly and neutrally.
- Separate demeanor observations from conclusions.

Credibility is evidence-based, not role-based.

Evidence + relevance

Investigators do not collect everything. They collect what helps answer the allegations fairly.

Investigation Guidelines

- Schools **must investigate the allegations in any formal complaint** and send written notice to both parties (complainants and respondents) of the allegations upon receipt of a formal complaint.
- During the grievance process and when investigating:
 - The **burden of gathering evidence and burden of proof** must remain on schools, not on the parties.
 - Schools **must provide equal opportunity** for the parties to present fact and expert witnesses and other inculpatory (implying responsibility) and exculpatory (denying responsibility) evidence.
 - Schools **must not restrict** the ability of the parties to discuss the allegations or gather evidence
 - Parties must have the same opportunity to select an **advisor of the party's choice** who may be, but need not be, an attorney.



Investigative Report Timelines



Schools **must send written notice** of any investigative interviews, meetings, or hearings.



Schools must send the parties and their advisors evidence directly related to the allegations with **≥ 10 days** for the parties to inspect, review, and respond to the evidence.



Schools must send the parties and their advisors an **investigative report** fairly summarizing relevant evidence, with **≥ 10 days** for the parties to respond.

Mandatory Dismissal of Complaint

Schools **must dismiss** allegations of conduct that:

1. do not meet the new definition of sexual harassment
 2. did not occur in a school's education program or activity
 3. not against a person in the U.S.
- NOTE: such dismissal is only for Title IX purposes and **does not** preclude the school from addressing the conduct in any manner the school deems appropriate.



Discretionary Dismissal of Complaint

Schools may, in their discretion, **dismiss a formal complaint or allegations if:**

1. the complainant informs the Title IX Coordinator in writing that they want to withdraw the formal complaint or allegations therein; or
2. if the respondent is no longer enrolled or employed by the school; or
3. if specific circumstances prevent the school from gathering sufficient evidence to reach a determination.



NOTE: Schools must give the parties written notice of a dismissal (mandatory or discretionary) and the reasons for the dismissal.

Complaint Consolidation

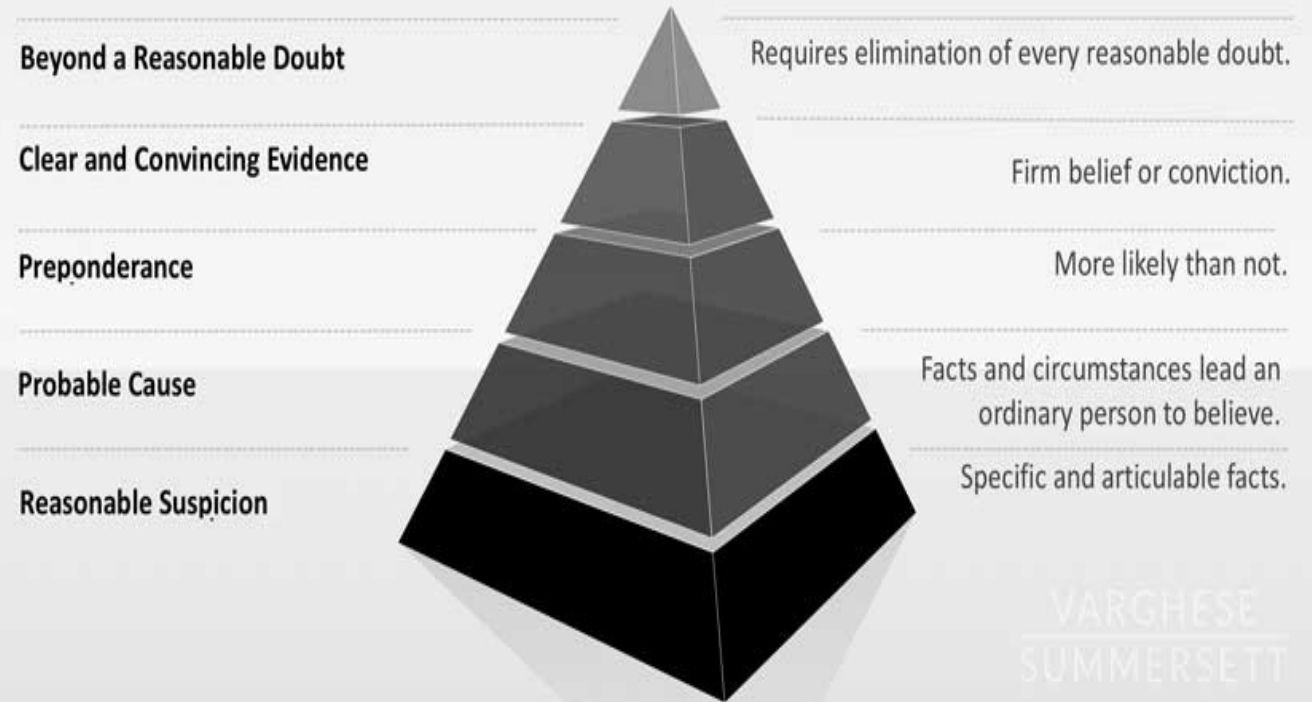
Schools may, in their discretion, **consolidate formal complaints where the allegations arise out of the same facts.**



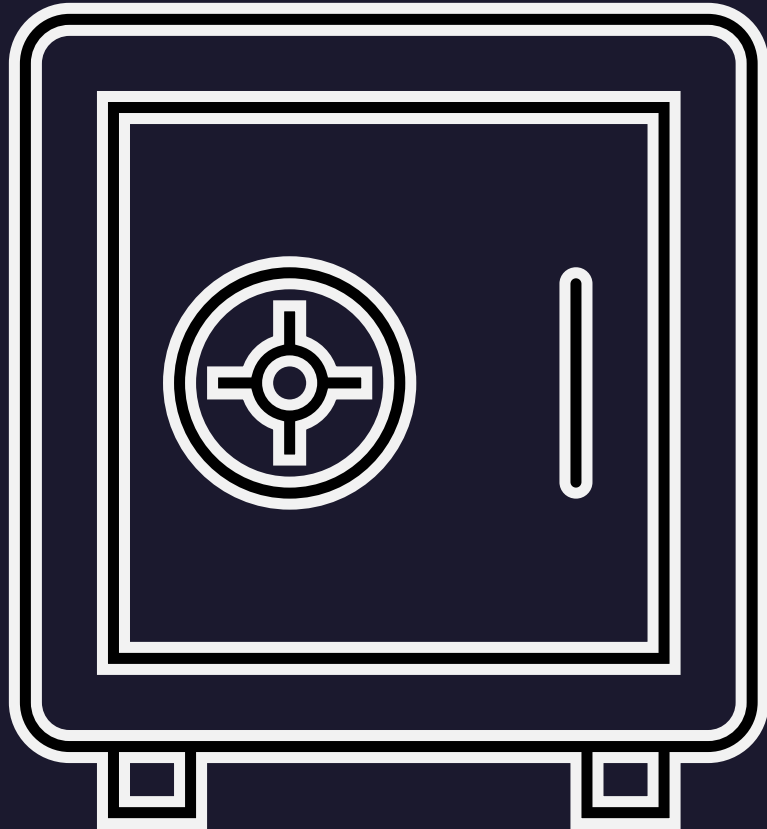
Evidentiary Standard

- Schools choose standard; our recommendation is Preponderance of Evidence.
- Schools must state what the standard is in the policy and apply it in determinations of responsibility.
- Must apply the same standard of evidence for informal complaints against students as well as for formal complaints.

BURDENS OF PROOF



Why a pyramid? | As the level of proof required rises, the fewer number of cases meet the level of proof.



Privacy: Certain Evidence Off-Limits

Regulations protect the privacy of a party's medical, psychological, and similar treatment records.

Schools cannot access or use such records unless the school obtains the party's voluntary, written consent to do so.

Relevance: The Standard

Schools **must objectively evaluate** all relevant evidence:

1. both inculpatory and exculpatory evidence
2. with equal opportunity for both parties to present witnesses and evidence
3. without basing credibility on a person's status as complainant, respondent, or witness
 - NOTE: certain questions and evidence are **excluded by regulation**, even if they seem related (next slides).



Evidence That Must Be Excluded

Schools **may not use** the following in the grievance process:

1. information protected by a legally recognized privilege, unless waived
2. a party's medical, psychological, or similar treatment records, without voluntary written consent
3. questions or evidence about the complainant's sexual predisposition or prior sexual behavior, with limited exceptions (e.g., offered to prove someone other than R did the conduct).



Treatment Records

Schools **cannot access, consider, disclose, or use** a party's records that are:

1. made or maintained by a physician, psychiatrist, psychologist, or other recognized professional
2. made and maintained in connection with treatment to the party
 - NOTE: such records may be used **only** with the party's voluntary, written consent for the grievance process.



Investigation Requirements

During the investigation, schools **must**:

1. carry the burden of proof and of gathering evidence
2. give both parties equal opportunity to present witnesses and evidence
3. allow the same opportunity to have others present, including an advisor
4. provide written notice of any interviews or meetings
 - NOTE: schools **may not** prohibit parties from discussing the allegations or gathering evidence.



Preparing to Investigate

Before interviews begin, investigators **should**:

1. review the Coordinator's notes, the notices, and the policy
2. define the scope: which elements are disputed or agreed upon
3. begin an evidence list and a witness list, and plan the interview order
4. craft questions for each witness tied to the policy elements
 - NOTE: if there is a criminal investigation, **coordinate with law enforcement** first.



Conducting the Interview

Effective interviews **move from broad to specific**:

1. set the stage: introductions, purpose, and the retaliation policy
2. begin broadly: let the witness describe what happened
3. use "freeze frames" to draw out details of key moments
4. follow up on each policy element and how the witness knows it
 - NOTE: gather facts to **assist the decision-maker** on credibility, while staying sensitive to trauma.



Closing the Interview

When wrapping up, investigators **should**:

1. ask closing questions and request copies of any evidence
2. explain next steps and how to reach you
3. afterward, update the log, notes, witness list, and evidence list
 - NOTE: discuss confidentiality, but **do not** prohibit a party from discussing the allegations.



Evidence Review and Report

Before any determination, schools **must**:

1. share all evidence directly related to the allegations with both parties and advisors
2. allow 10 days to review it and submit a written response
3. prepare a report that fairly summarizes the relevant evidence
4. share the report at least 10 days before a determination
 - NOTE: the investigative report **does not** make a determination of responsibility.



Step by Step

- With the roles of the people involved in Title IX cases made clear, the following slides provide a full walkthrough of the required grievance process for formal complaints.
- In order to appropriately respond to Title IX complaints filed by or on behalf of a student or staff member, the following procedure is recommended in compliance with the new regulations:

Handling Title IX Complaints

Assess the
Situation

Evaluate
Appropriate
Interim
Measures

Establish
Timelines and
Initiate
an Investigation

Interview the
Complainant,
Witnesses,
and the
Respondent

Prepare a
Investigation
Findings/Report

Decision-Maker
Issues Decision
and Appeals
Notice

Keep Records

Step 1: Assess the Situation - Immediately

**KEEP
CALM
AND
ASSESS
THE SITUATION**

- Review the written complaint and ask the complainant any clarifying questions you feel are necessary. If the complaint is verbal, ask the complainant to put it in writing.
 - If the complainant refuses to put his/her complaint in writing, prepare a written statement of what you were told.
- Notify the Title IX Coordinator of the complaint or incident that was brought to your attention. Consult with the Title IX Coordinator and determine:
 - Who should conduct the investigation
 - Initial investigation strategy
- Determine mandatory and discretionary reporting obligations (e.g. law enforcement if potential criminal activity).
- Note that allegations in any formal complaint must be investigated, and written notice of the allegations must be sent to both parties (complainants and respondents) upon receipt of a formal complaint.

Step 2: Evaluate Appropriate Interim Measures – Immediately and Ongoing

In consultation with the Title IX Coordinator, determine whether interim non-disciplinary, non-punitive measures should be put into place, before the investigation is completed, to protect or support the complainant and/or respondent. Interim measures should:

- be considered on a case-by-case basis
- not unfairly penalize the complainant or the respondent
- consider both the complainant's and the respondent's rights to access educational programs and activities



Step 2 Continued: Evaluate Appropriate Interim Supportive Measures for Complainant– Immediately and Ongoing

Appropriate “supportive measures” to consider include, but are not limited to, the following:

- Physical separation of the complainant and the respondent
- Offer medical, counseling or other support services to the complainant
- No contact orders
- Support services for bringing forth and defending allegations of sexual harassment/ misconduct
- Any other measures requested by the complainant or respondent





Step 3: Establish Timelines and Initiate an Investigation

- Notify the complainant of the school policy that you will be following to process his/her complaint, as well as the timeline for completing the investigation.
- Notify the respondent that a complaint has been filed against him/her along with additional information, as appropriate.
- Send written notice to the parties (complainant and respondent) of any investigative interviews, meetings, or hearings.
- Update the timeline, as needed, and keep the parties apprised of any delays or extensions.
- Document any delays in the investigation.
- Keep the Title IX Coordinator updated on the timelines and any delays.

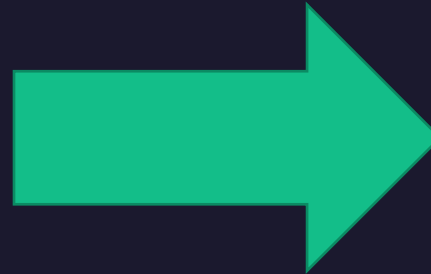
Step 4: Interviews

1. The interview process is similar for all those interviewed (Complainant, Respondent and Witnesses), with several key differences.
2. General guidelines for interviews are as follows:
 - Carefully determine who should interview the complainant/witness(es)/respondent (you may wish to consider the age, gender, and existing comfort level of the parties in choosing from potential interviewers).
 - Obtain all facts regarding the incident.
 - Ask broad, open-ended questions to narrow questions.
 - Preserve evidence and documentation provided by the parties. This may include emails, screen shots, pictures, or physical evidence.
 - Ask for the names of other potential witnesses.
 - Allow the complainant/witness(es)/respondent to have an advisor (who may be an attorney) or support person present.
 - Maintain neutrality.
 - Listen calmly and respectfully.

Step 4: Interview Cont.

Use “Funneled” Questioning

- Open-ended questions
- Aim for all relevant evidence
- Make sure the witness answers the questions fully
- Ask, “Do you remember anything else?”
- Summarize so witness can offer facts that were left out
- Identify other ways to refresh witness’s memory
- Encircle knowledge with wrap-up question



- What? Who? Where? When?
- Don’t disrupt train of thought
- Use active listening:
 - Don’t be wedded to your outline
 - Listen to subtle changes and clarify
- Follow up on cues
 - Watch for eye contact
 - Gestures
 - Body language

Step 4: Interviews Cont.

- Depending on the circumstances, you may want to request a written statement. If so, make sure it is signed and dated.
- Do not promise confidentiality. However, every effort should be made to keep the identity of the involved parties confidential to avoid retaliation.
- Do not use, rely on, or seek disclosure of information protected under a legally recognized privilege (i.e, medical information), unless the person holding such privilege has waived the privilege.



Be Sure to Ask the Right Questions

- Use “Funneled” Questioning
- What? Who? Where? When?
- Don’t disrupt train of thought
- Use active listening:
 - – Don’t be wed to your outline
 - – Listen to subtle changes and clarify
- Follow up on cues
 - – Watch for eye contact
 - – Gestures
 - – Body language

Step 4: Interview Complainant

For the COMPLAINANT:

- Exercise compassion and sensitivity.
- Allow the complainant to narrate without interruption; follow up with clarifying open-ended questions.
 - Note: this strategy may need to be modified depending upon the complainant's age and willingness to cooperate.
- Remind the complainant that the school prohibits retaliation and what to do if they feel retaliated against.

Step 4: Witnesses, and Respondent

For the WITNESS(ES):

- Witnesses should not be interviewed together.
- Remind witness(es) that the School prohibits retaliation and what to do if he/she feels retaliated against.

For the RESPONDENT:

- Caution the respondent against retaliation.
- Ensure that you communicate to the respondent that there is a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.



Step 4: Interview Tips



DO

- Use objective language
- Group together logically



DON'T

- Use legal conclusions
- Put words in the interviewees' mouths



Step 5: Prepare a Investigative Report/Summary



- First the school must send the parties, and their advisors, all evidence directly related to the allegations, in electronic format or hard copy, with at least 10 days for the parties to inspect, review, and respond to the evidence.
- The school must send the parties, and their advisors, an investigative report/findings that fairly summarizes relevant evidence, in electronic format or hard copy, with at least 10 days for the parties to respond.
- Can be sent by investigator or decision-maker—see Decision-Maker slides

Step 5: The Investigation Findings/Report

- Prepare an investigation findings letter or report for the complainant and respondent.
- Detail the steps taken during your investigation and the evidence considered, including:
 - How the issue was brought to your attention and what actions you took
 - Description of who you interviewed and what they told you
 - Description of the documents you reviewed
 - Assessment of the credibility of each witness



Step 6: Decision-Maker

- After the school (Investigator) has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision-maker(s) must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.
- Discuss your conclusions and next steps with the Title IX Coordinator.



Step 6: Decision-Maker Determinations on the Evidence

I. Relevance Determinations for Decision-maker

- Decision-maker must determine whether questions are relevant and explain any decision to exclude.
- Questions may only be excluded based on relevance.
- Questions and evidence about complainant's sexual predisposition or prior sexual behavior, unless to prove that someone other than respondent committed the conduct alleged or, if concerning specific incidents of complainant's conduct with respondent, offered to prove consent, are not relevant.
- The regulations do provide rape shield protections which generally prohibit lines of questioning that go into a complainant's past sexual behavior.
 - But, when prior sexual history can be relevant is a point to consider (e.g., when involving respondent)

2. Points to Consider:

- Who will be the decision maker? Cannot be the Title IX Coordinator or Investigator.
- Decision-maker and Investigator must be trained in relevance!

Step 6: Decision-Makers Written Determination



- **Decision-Maker's Written Determination**
 - The findings of fact based on the evidence gathered, using the standard of evidence set forth in the school policy
 - Conclusions of law about whether the alleged conduct occurred
 - Disposition of the complaint (aka determination regarding responsibility)
 - Rationale for the disposition as to each allegation
 - Corrective actions taken, including disciplinary actions taken against the respondent
 - Whether remedies will be provided to the complainant
 - Notice to both parties of their right to appeal the decision

Appeals Process

- The new regulations dictate that schools must offer both parties an appeal from a determination regarding responsibility, and from a school's dismissal of a formal complaint or any allegations therein, on the following bases:
 - procedural irregularity that affected the outcome of the matter.
 - newly discovered evidence that could affect the outcome of the matter.
 - Title IX personnel had a conflict of interest or bias that affected the outcome of the matter.
 - NOTE: schools may also offer an appeal equally to both parties on additional bases.



Step 7: Record Keeping

1. Title IX regulations require the school to keep the following records for 7 years:
 - Sexual harassment investigation documents, including any determination regarding responsibility, any audio or audiovisual recording or transcript, any disciplinary sanctions imposed on the respondent, any remedies provided to the complainant
 - Appeals and results therefrom
 - Informal resolution and results therefrom
 - All materials used to train coordinators, investigators, decision-makers, and persons who facilitate an informal resolution process (such materials must also be made available on school website)
2. The school should meticulously keep records in case it must ever document how its behavior was not “deliberately indifferent” in a Title IX proceeding.



Informal Resolution

1. Schools, in their discretion, can offer informal resolution options, such as mediation or restorative justice.
2. In order to pursue this option:
 - Both parties must give voluntary, informed, written consent.
 - Schools cannot require pursuing informal resolution as a condition of enrollment or employment.
 - Schools cannot offer informal resolution unless a formal complaint has been filed.
 - Schools cannot offer informal resolution for allegations that an employee sexually harassed a student.

Note: At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to formal complaint.

Retaliation Prohibited

- Expressly prohibits retaliation against any individual for exercising Title IX rights:
 - Protections for individuals making a complaint, testifying, or otherwise assisting.
 - Prohibiting charges against an individual for another code of conduct violation not involving sex discrimination or sexual harassment arising out of same circumstances.
 - Requirements for confidentiality of all individuals involved.
- Notable exceptions:
 - exercise of First Amendment Rights.
 - making a materially false statement during a proceeding.
- Any person retaliated against can file a complaint with the school, and the school must address the complaint promptly and equitably, as with Title IX complaints.
- NOTE: Schools should make every effort to keep the identifies of parties and witnesses confidential to avoid retaliation complaints.



Questions?

