



# TITLE IX

# **Tabletop Training**

Fall 2023

# Training Overview

- **Fictional Title IX Scenario**
- **Path 1: Informal Resolution**
- **Path 2: Formal Resolution**
- **Question and Answer Session After Each Path**

# Scenario: Background

- Tim and Ana meet during New Student Orientation.
- They realize they are in the same MATH 1314 course and make plans to study together.
- They exchange cell phone numbers, add each other on Snapchat, and join the class GroupMe chat.

# Scenario: Stage 1

- Through a GroupMe discussion, a group of students decides to meet in the Library to study.
- Tim and Ana join the study group, but the other students often do not show up.
- Tim and Ana decide to reserve a Library study room and continue to meet to study together.
- They study together amicably for the first half of the semester and talk about their personal lives, including their significant others.

# Scenario: Stage 2

- During a study session right before midterms, Tim tells Ana he has feelings for her and wants them to “be together.”
- Ana responds that she has a boyfriend and is not interested in dating Tim.
- Tim drops the conversation, and they continue studying.
- Later that evening, Tim texts Ana and says, “I can’t stop thinking about you.”
- Ana replies that she is conflicted because she loves her boyfriend but also likes Tim.
- They continue to text, and the messages become more flirtatious.
- They simultaneously exchange photos through Snapchat.

# Scenario: Stage 3

- Ana's boyfriend finds out she has been studying and exchanging messages with Tim. He confronts Ana and tells her she needs to stop seeing Tim.
- The next day, Ana tells Tim that they cannot study together anymore. Tim responds asking why and tells Ana he really enjoys their time together.
- Ana does not respond.
- Tim continues to text Ana and is persistent about wanting to meet with her.
- Ana does not show up to class, so Tim calls her "just to make sure she's ok." When Ana does not answer his call, Tim goes to the CougarCafe to see if she is working.
- Ana sees Tim and begins crying. She gives him a hug and apologizes for not being able to study with him anymore.

# Scenario: Stage 4

- Ana cuts off all contact with Tim and blocks him.
- Tim continues to find ways to contact her. He starts hanging out at the CougarCafe, asks other employees when Ana will be working, starts parking next to her, and leaves notes on her car.
- One day, Tim blocks the classroom doorway as Ana is leaving and tries to force her to talk to him.
- This behavior makes Ana feel uncomfortable.
- Ana and her boyfriend go to the Dean of Students Office and ask to speak with the Title IX Coordinator.
- Ana submits a *Title IX Formal Complaint Form* alleging **sexual harassment** and **stalking**.

# Path 1: Informal Resolution

- After meeting with the Title IX Coordinator to discuss her rights, options, and supportive measures, Ana decides to go through the Informal Resolution Process and signs the *Voluntary Consent to Informal Resolution Process* form.
- After meeting with the Title IX Coordinator, Tim also agrees to go through the Informal Resolution Process and signs the *Voluntary Consent to Informal Resolution Process* form.
- The Title IX Coordinator assigns the case to an Informal Resolution Facilitator.
  - *As the Informal Resolution Facilitator, would interim measures be appropriate?*
  - *Would any supportive measures be appropriate?*

# Path 1: Informal Resolution

- During the meeting with the Informal Resolution Facilitator, Ana states she wants a permanent no-contact directive put in place, a written apology letter from Tim, and for Tim to be removed from their MATH 1314 class.
  - *Are these appropriate terms for an Informal Resolution Agreement?*
- Tim does not agree to write an apology letter or to sign a permanent no-contact directive but states he would be alright with a no-contact directive that ends at the same time as their MATH 1314 class.
  - *How do you work with both Ana and Tim to mediate and come up with appropriate terms for the Informal Resolution Agreement?*

# Questions About Path 1?



# Path 2: Formal Resolution

- After meeting with the Title IX Coordinator to discuss her rights, options, and supportive measures, Ana decides to go through the Formal Resolution Process.
- The Title IX Coordinator assigns the case to two (2) Investigators.
- The Investigators conduct a full investigation, meet with both Ana and Tim, contact witnesses, and gather evidence.
- During the investigation, it is discovered that most of their communication was done through Snapchat so there is no evidence.
- Tim states they communicated primarily through Snapchat because Ana told him her boyfriend is controlling. Tim also provides text messages from Ana that indicate she is unhappy with her current relationship and open to exploring new options.
- The Investigators write the *Investigation Report*.

# Path 2: Formal Resolution

- Ana's boyfriend is serving as her Live Hearing Advisor.
- While reviewing the Investigation Report, Ana's boyfriend sees the information provided by Tim regarding him being controlling and tells the Investigators he wants that information removed.
  - *How should the Investigators handle this request?*
  - *Should the information be removed from the Investigation Report?*

# Path 2: Formal Resolution

- The case proceeds to the Live Hearing.
- During the cross-examination portion, Ana's boyfriend stops her from answering any questions posed by Tim's Live Hearing Advisor.
  - *How should the Live Hearing Officers handle this?*
- Tim has done some research online and found that Ana's boyfriend has a previous domestic violence charge. Tim argues that this information is relevant and that Ana was coerced into submitting the complaint.
- Tim wants his Live Hearing Advisor to ask Ana the following questions: 1) Were you aware of your boyfriend's domestic violence charge? and 2) Were there any outside factors that motivated you to file the Title IX complaint?
  - *Are these relevant questions?*
  - *How should the Live Hearing Officers handle this?*

# Path 2: Formal Resolution

- Tim also wants his Live Hearing Advisor to ask if he and Ana ever kissed.
  - *Is this a relevant question?*
  - *How should the Live Hearing Officers handle this?*
- Ana's boyfriend becomes incensed, disrupts the Live Hearing, and yells at Tim.
  - *How should the Live Hearing Officers handle this?*
- The Live Hearing Officers get everything back on track and the Live Hearing is concluded.
- The Live Hearing Officers deliberate and compose the Written Determination of Responsibility.
  - *What is your decision?*
  - *What is your rationale for the decision?*
  - *Are there any remedies you would put in place for the complainant?*

# Path 2: Formal Resolution

- Tim submits an appeal based on procedural error during the Live Hearing.
  - *Does Tim's request meet the Title IX criteria for an appeal?*
- The Appellate Officer meets with Ana and Tim separately.
  - *What is your decision?*
  - *What is your rationale for the decision?*
  - *Are there any remedies you would put in place for the complainant?*

# Questions About Path 2?

