



## TITLE IX AND BEYOND

# Title IX Coordinator Roles and Responsibilities Regarding Campus Sexual Violence

All higher education and K-12 institutions that accept federal funding must comply with Title IX of the Education Amendments Act of 1972. Title IX prohibits sex discrimination—including sexual harassment and sexual violence—by educational institutions. This resource is part of a series that addresses Title IX and sexual violence; other Title IX enforcement areas, such as gender equity in athletics, are not covered here.

Title IX is enforced by the Department of Education's Office for Civil Rights (OCR), which first required institutions to designate a Title IX coordinator years ago. Since then, OCR has greatly expanded the requirements of the role. Two OCR documents provide guidance on Title IX coordinator roles and responsibilities: "Questions and Answers on Title IX and Sexual Violence" (Q&A) issued on April 29, 2014, and the "Dear Colleague" letter (DCL) published on April 4, 2011.

### Defining Sexual Violence

OCR defines sexual violence as "physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual violence can be carried out by school employees, other students, or third parties. All such acts of sexual violence are forms of sex discrimination prohibited by Title IX."

The following checklist summarizes OCR’s recommended and required actions regarding the role of the Title IX coordinator in preventing sexual violence. Use it to review and, if necessary, revise your Title IX coordinator’s job responsibilities. For each item, check the appropriate “yes” or “no” box, and use the “Actions Needed” section to identify any follow-up actions your institution may need to take.

**Note:** Actions supported by OCR’s Q&A or DCL are noted by these symbols Q&A DCL in the “Source” column, while others are wise practices recommended by UE. UE strongly encourages institutions to adopt those actions supported by OCR guidance.

## 1. Filling the Role

The Q&A and the DCL state that institutions may appoint one or multiple Title IX coordinators. Designate coordinators and organize your Title IX hierarchy in a way that makes sense for your institution’s unique campus culture, type, and size. Title IX does not preclude particular employees from serving as Title IX coordinators, but coordinators should not have other job responsibilities that create conflicts of interest. Conflicts of interest raise issues as to whether or how well the school has met its Title IX obligations.

## Actions Needed

SOURCE	A. DESIGNATING A COORDINATOR	
<span style="background-color: #c00000; color: white; padding: 0 2px;">Q&amp;A</span> <span style="background-color: #0056b3; color: white; padding: 0 2px;">DCL</span>	• Has your institution designated at least one Title IX coordinator?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	• If you have designated multiple coordinators:	
	— Do your institution’s policies, notice of nondiscrimination, Title IX grievance procedures, and every Title IX coordinator’s job title make clear:	
<span style="background-color: #c00000; color: white; padding: 0 2px;">Q&amp;A</span> <span style="background-color: #0056b3; color: white; padding: 0 2px;">DCL</span>	◦ Who serves as the senior coordinator with overall oversight responsibility?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<span style="background-color: #c00000; color: white; padding: 0 2px;">Q&amp;A</span> <span style="background-color: #0056b3; color: white; padding: 0 2px;">DCL</span>	◦ Who serve as deputy coordinators with supporting roles to the senior coordinator?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	B. ORGANIZATION	
	• When deciding whether your institution needs one or multiple coordinators, do you consider:	
	— The size and level of centralization at your institution? Small campuses may need only one coordinator, while large and decentralized campuses should consider multiple coordinators.	<input type="checkbox"/> Yes <input type="checkbox"/> No
	— Campus communication? Campuses that are highly compartmentalized with communication barriers will often need multiple coordinators.	<input type="checkbox"/> Yes <input type="checkbox"/> No

SOURCE	B. ORGANIZATION <i>(continued)</i>	
	— Coordinators for each academic unit? Some UE members assign a deputy coordinator to each academic unit (e.g., School of Nursing, School of Law, School of Medicine).	<input type="checkbox"/> Yes <input type="checkbox"/> No
	— Coordinators for different campus constituencies? Some UE members designate deputy coordinators for students, faculty and staff, and athletics.	<input type="checkbox"/> Yes <input type="checkbox"/> No
	C. CONFLICTS OF INTEREST	
Q&A	<ul style="list-style-type: none"> <li>To minimize the risk of a conflict of interest, is the role of Title IX coordinator a full-time position?</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<ul style="list-style-type: none"> <li>If the coordinator is not a full-time position, do your policies and procedures list certain employees who should not also serve as the Title IX coordinator, such as:</li> </ul>	
Q&A DCL	— General counsel (especially if your institution's counsel may also represent the institution in legal claims alleging Title IX violations)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A	— Directors of athletics?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A	— Deans of students?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A DCL	— Any employee who serves on the judicial/hearing board or to whom an appeal might be made?	<input type="checkbox"/> Yes <input type="checkbox"/> No

## Actions Needed

## 2. Empowering the Coordinator

Your institution should give the Title IX coordinator authority, visibility, and training to fulfill roles and responsibilities. Ensure that your Title IX coordinator is appropriately trained in all areas over which he or she has responsibility. In particular, a coordinator should be well trained on your institution's grievance procedures and on handling sexual violence complaints.

SOURCE	A. AUTHORITY	
	<ul style="list-style-type: none"> <li>Does your institution provide the coordinator with authority to carry out his or her responsibility, such as:</li> </ul>	
	— Drafting and reviewing the institution's sexual violence policies and procedures, with the assistance of campus leadership at the highest levels?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	— Serving as one of your institution's ultimate authorities on Title IX and the institution's sexual violence policies and procedures?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	— Accepting all reports and complaints of sexual violence from all campuses?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	— Keeping records of all reports and complaints of sexual violence according to your document retention policy?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	— Identifying and overseeing corrective measures to prevent sexual violence on campus?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	— Bringing any failures to take correct measures to the attention of a senior administrator?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	B. VISIBILITY	
	<ul style="list-style-type: none"> <li>Does your institution ensure the Title IX coordinator is visible on campus by:</li> </ul>	
Q&A	— Disseminating your nondiscrimination policies to all students and employees?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A	— Explaining that the coordinator is designated by the institution to coordinate compliance with all reports of discrimination under Title IX?	<input type="checkbox"/> Yes <input type="checkbox"/> No

## Actions Needed

SOURCE	B. VISIBILITY <i>(continued)</i>	
	— Including extensive contact information for each coordinator in your nondiscrimination policies, including:	
Q&A DCL	◦ Name?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A DCL	◦ Title?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A DCL	◦ Office address?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A DCL	◦ Telephone number?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A DCL	◦ Email address?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	— Publicizing the coordinator's contact information through:	
	◦ Faculty, staff, and student handbooks?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	◦ Grievance procedures?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	◦ Websites?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	◦ Posters throughout campus?	<input type="checkbox"/> Yes <input type="checkbox"/> No

## Actions Needed

SOURCE	C. TRAINING	
	<ul style="list-style-type: none"> <li>Does your institution regularly train the Title IX coordinator on the following topics:</li> </ul>	
Q&A	— The types of conduct constituting sexual harassment, including sexual violence?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A	— Working with and interviewing individuals subjected to sexual violence?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A	— The effects of trauma, including neurobiological changes?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A	— The ways in which sexual violence may impact students differently depending on their cultural backgrounds?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A DCL	— Evaluating student requests for confidentiality?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A DCL	— Information on consent and the role of drugs or alcohol in one's ability to consent?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	— How to conduct sexual violence investigations, such as:	
Q&A	◦ How to determine credibility?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A DCL	◦ How to evaluate and impartially weigh evidence?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A DCL	◦ The standard of review for sexual violence complaints (preponderance of the evidence)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A DCL	— The institution's grievance procedures?	<input type="checkbox"/> Yes <input type="checkbox"/> No

## Actions Needed

SOURCE	C. TRAINING <i>(continued)</i>	
Q&A	— The importance of accountability for individuals found to have committed sexual violence?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	— The possible results of the grievance process, including:	
Q&A	◦ Sanctions against the perpetrator?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A	◦ Remedies and/or accommodations for the victim?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A	◦ Additional remedies for the school community?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A	◦ Appeals, if allowed under your procedures?	<input type="checkbox"/> Yes <input type="checkbox"/> No

## Actions Needed

### 3. Core Responsibilities

The Department of Education requires certain responsibilities be part of a Title IX coordinator's job. Coordinators must understand and comply with Title IX and oversee the institution's response to reports of sexual discrimination.

SOURCE	A. UNDERSTANDING AND COMPLYING WITH TITLE IX	
	<ul style="list-style-type: none"> <li>Does your coordinator oversee your institution's compliance with the procedural requirements of Title IX relating to campus sexual harassment and sexual violence, such as your duty to:</li> </ul>	
Q&A DCL	— Take immediate and appropriate steps to investigate when a school knows or reasonably should know of possible sexual violence?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A DCL	— Provide complainants and respondents with periodic updates on the status of their investigations?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A DCL	— Take interim steps to protect the complainant before the final outcome of the investigation?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A DCL	— Take prompt and effective steps reasonably calculated to end the sexual violence reported, eliminate the hostile environment, and prevent its recurrence?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<ul style="list-style-type: none"> <li>Does your coordinator's job description include the following key knowledge and skills necessary for the effective administration of the grievance process and related activities:</li> </ul>	
	— In-depth knowledge of the Title IX regulations and all policy guidance issued by OCR?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	— General knowledge of other federal and state non-discrimination laws?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	— In-depth knowledge of your Title IX grievance procedures?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	— General knowledge of your institution's personnel policies and practices?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	— Ability to prepare reports on Title IX compliance activities and make recommendations for action?	<input type="checkbox"/> Yes <input type="checkbox"/> No

### Actions Needed

SOURCE	A. UNDERSTANDING AND COMPLYING WITH TITLE IX <i>(continued)</i>	
	— Ability to communicate effectively?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	— Ability to establish a positive climate for Title IX compliance efforts?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	B. RESPONDING TO REPORTS AND COMPLAINTS	
	<ul style="list-style-type: none"> <li>Does your Title IX coordinator oversee the institution's response to internal reports and complaints of:</li> </ul>	
Q&A DCL	— Sex discrimination?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A DCL	— Sexual harassment?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A DCL	— Sexual violence?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A DCL	— Retaliation or intimidation for reporting any of the preceding three items?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A DCL	<ul style="list-style-type: none"> <li>Does your coordinator identify and address any patterns or systemic problems revealed by these reports and complaints?</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A DCL	<ul style="list-style-type: none"> <li>Is the coordinator available to meet with students as needed, regardless of whether a report or complaint is filed?</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<ul style="list-style-type: none"> <li>Does your institution require that all internal reports and complaints be brought to the attention of your Title IX coordinator, even if:</li> </ul>	
Q&A	— The report or complaint was initially filed with another individual or office?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A	— The investigation will be conducted by another individual or office?	<input type="checkbox"/> Yes <input type="checkbox"/> No

## Actions Needed

#### 4. Additional Roles and Responsibilities

OCR lists additional Title IX responsibilities to consider. Evaluate whether assigning other such duties will improve coordination of the institution's response to sexual violence.

SOURCE	ADDITIONAL RESPONSIBILITIES	
	<ul style="list-style-type: none"><li>Does your institution assign, or has it considered whether it is appropriate to assign, the following responsibilities to the Title IX coordinator:</li></ul>	
Q&A	— Providing training to students, faculty, and staff on Title IX issues?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A	— Conducting Title IX investigations, including investigating facts relevant to a complaint?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A	— Determining appropriate sanctions against the respondent and remedies for the complainant?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A	— Determining appropriate interim measures for a complainant upon learning of a report or complaint of sexual violence?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A	— Ensuring that appropriate policies and procedures are in place for working with local law enforcement?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A	— Coordinating services with local victim advocacy organizations and service providers, including rape crisis centers?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q&A	— Reviewing your institution's disciplinary procedures to ensure that the procedures comply with the prompt and equitable requirements of Title IX?	<input type="checkbox"/> Yes <input type="checkbox"/> No

#### Actions Needed

## Future “Best Practices” Guidance

On April 29, 2014, the White House Task Force to Protect Students from Sexual Assault issued its first report. While the task force is not under the authority of the Department of Education or OCR, its members include officials from those departments. The report promised future guidance on the roles and responsibilities of Title IX coordinators, such as:

- Sample language for a Title IX coordinator's role
- The collection and dissemination of a nationwide list of Title IX coordinators
- Publication of training programs suitable for Title IX coordinators, school officials, and investigators

## Acknowledgement

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