
TITLE IX TABLETOP TRAINING

FALL 2021



SCENARIO: STAGE I

On March 27th at approximately 11:32 pm, the Collin College Police Department (CCPD) received a call that a student was threatening to release an intimate picture of another student. Until recently, the two students were in an intimate partner relationship, which ended on March 26th. The complainant alleges that the respondent is harassing her through text messages, phone calls, and social media. This alleged harassment includes a threat to release an explicit photo of the complainant to her family, friends, and college community members. The complainant lives in student housing.

- Does this constitute a Title IX violation?
- If so, what are the next steps?
- Which participants in the Title IX process are involved at this stage?

SCENARIO: STAGE 2

On March 28th, the Title IX Coordinator meets with the complainant to provide ***Rights, Options, and Supportive Measures*** and to explain the formal and informal Title IX processes. During the meeting, the complainant alleges that, in addition to threatening to release the explicit photo, on March 26th the respondent slapped her after a verbal altercation. This alleged incident took place in the parking lot of a local restaurant. The complainant appears to be visibly distraught and she is unsure of how to proceed. At the end of this meeting, the complainant states “I am not sure what she [the respondent] is capable of and I am scared.”

- What supportive measures should be offered to the complainant, if any?
- What other information needs to be determined before proceeding?
- What additional actions should be taken by the Title IX Coordinator, if any?

SCENARIO: STAGE 3

On March 29th, the complainant informs the Title IX Coordinator that she approached the respondent on campus and reconciled with her. However, the complainant's family are encouraging her to pursue the Title IX complaint process. The complainant asked for more time to determine how she would like to proceed. The complainant states “she [the respondent] is a really good person... she [the respondent] just has an anger problem and snaps sometimes. I really do care about her [the respondent] and do not want to get her [the respondent] in trouble.”

- How should the Title IX Coordinator proceed?
- Does this change the supportive measures that you offer?
- What do you say to the student?
- Have you contacted the respondent at this point?

SCENARIO: STAGE 4

On April 1st, the complainant submits a formal Title IX complaint alleging that the respondent committed the following prohibited conduct: sexual harassment, stalking, and dating violence.

- How do you proceed?
- What participants in the Title IX process are involved at this stage?

SCENARIO: STAGE 5

On April 2nd, the Title IX Coordinator assigns two Title IX Investigators to investigate the allegations of prohibited conduct. The investigators review the documentation submitted with the Title IX complaint. The documentation includes screenshots of text messages the complainant received from the respondent. The text messages include statements from the respondent such as “I’m going to make you sorry” and “I’ll show you.”

- Should the Title IX Investigators recommend any Interim Actions based on the complaint and documentation?
- Does any information justify starting the removal process?
- What are the Investigators first steps?

SCENARIO: STAGE 6

On April 4th, the Title IX Investigators meet with the complainant and review the Title IX Formal and Informal Resolution Processes. The complainant states that she would like to pursue the Title IX Informal Resolution Process.

- How do you proceed?

SCENARIO: STAGE 7

On April 5th, the Title IX Investigators request a No Contact Directive between the two parties as an Interim Action. The Title IX Coordinator approves the requested Interim Action. The Title IX Investigators send both parties “Initial Written Notice of Investigation” forms, copies of the Formal and Informal Resolution Processes, and written copies of the No Contact Directive. That evening, the complainant emails the Title IX Investigators a screenshot of a text message from the respondent which states, “There’s no way I’m going to comply with the no contact directive. Go tell them I said that.”

- Should the Title IX Investigators recommend any additional Interim Actions based on this information?
- Does any information justify starting the removal process?
- What are the Investigators’ next steps?

SCENARIO: STAGE 8

On April 6th, the complainant contacts the assigned Title IX Investigators and states: “It’s clear to me now that she [the respondent] will never leave me alone. I have decided that I want to go through the formal process instead.”

- How do you proceed?

SCENARIO: STAGE 9

On April 8th, the respondent contacts the Title IX Investigators and agrees to meet for an Investigative Interview. During the Investigative Interview, the respondent denies the allegations of prohibited conduct. The respondent states that she will not participate in the Title IX Formal Resolution process.

- How should the Title IX Investigators proceed?

SCENARIO: STAGE 10

On April 9th, the respondent contacts the Title IX Investigators with screenshots of text messages the complainant sent the respondent after the No Contact Directive was issued.

- How do you proceed?

SCENARIO: STAGE I I

The Title IX Investigators complete the Investigative Report on April 22nd. The complainant and respondent both decline to provide their own advisor and each request a Live Hearing Advisor. The Title IX Coordinator assigns a Live Hearing Advisor to each party and notifies both parties. The Investigative Report is sent to both parties and their assigned advisors. The complainant responds promptly to her assigned advisor's communication. The respondent does not respond to any communication attempts from her assigned advisor.

- How should the complainant's Live Hearing Advisor proceed?
- How should the respondent's Live Hearing Advisor proceed?

SCENARIO: STAGE 12

The Title IX Live Hearing is scheduled for May 14th. The respondent still has not communicated with her assigned advisor and has not responded to any notices about the Live Hearing. The complainant and her Live Hearing Advisor request a pre-hearing meeting with the Hearing Officer because the complainant is concerned about cross-examination during the Live Hearing.

- How should the Hearing Officer proceed?

SCENARIO: STAGE 13

On May 14th, the Live Hearing begins as scheduled. The respondent arrives moments before the Live Hearing begins and meets her Live Hearing Advisor for the first time. The respondent tells her Live Hearing Advisor, "You need to ask her [the complainant] about all the other people she has sent nudes to this year."

- How should the Hearing Officer respond?
- How should the respondent's Live Hearing Advisor respond?
- How should the complainant's Live Hearing Advisor respond?

SCENARIO: STAGE 14

During the Live Hearing, the witness (CCPD Officer) does not appear due to an emergency. The witness' statement appears in the Investigative Report prepared by the Title IX Investigators.

- How should the Hearing Officer proceed?
- Is the witness statement admissible?

SCENARIO: STAGE 15

On May 18th, the Hearing Officer sends the "Written Determination of Responsibility" to the Title IX Coordinator. The Title IX Coordinator sends this document to both parties and their respective advisors. In this document, both parties are given a deadline of May 28th to appeal the determination. The complainant immediately responds and states that she wants to file an appeal because the sanction the respondent received is not harsh enough.

- How does the Title IX Coordinator proceed?

SCENARIO: STAGE 16

After receiving the "Written Determination of Responsibility," the respondent responds and states that she wants to file an appeal because she feels that the Hearing Officer was biased against her because the Hearing Officer did not allow questioning about the complainant's past sexual history (i.e., nude photographs the complainant shared with others).

- How does the Title IX Coordinator proceed?

SCENARIO: STAGE 17A

The Title IX Coordinator denies the complainant's appeal request and approves the respondent's appeal request.

- How should the Appellate Officer respond?

SCENARIO: STAGE 17B

Remember, there are 3 grounds for Title IX appeals:

- Procedural irregularity that affected the outcome;
- New evidence not reasonably available that could affect the outcome;
and/or
- Conflict of interest or bias by Collin College's participants that affected the outcome

QUESTIONS

