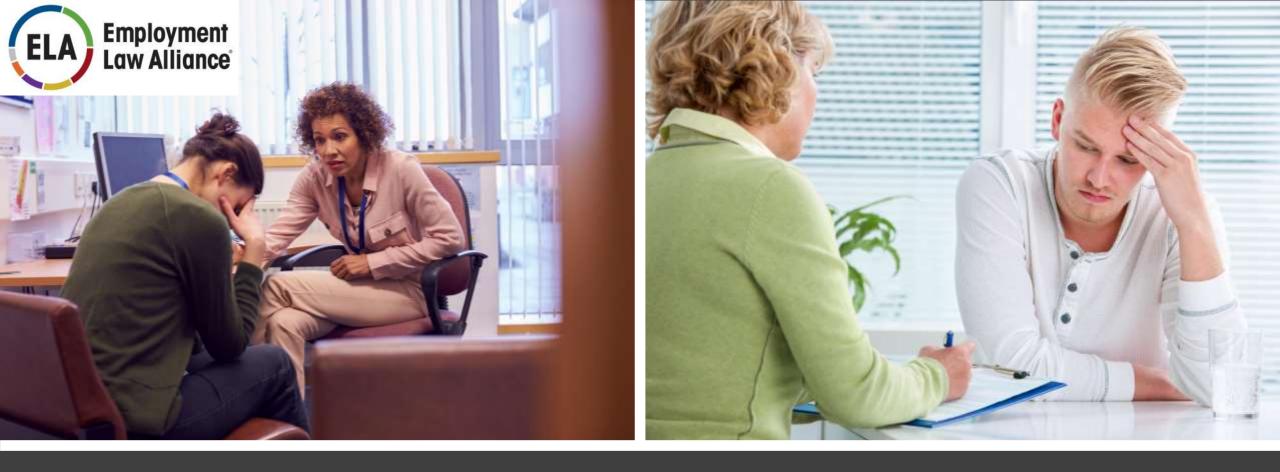


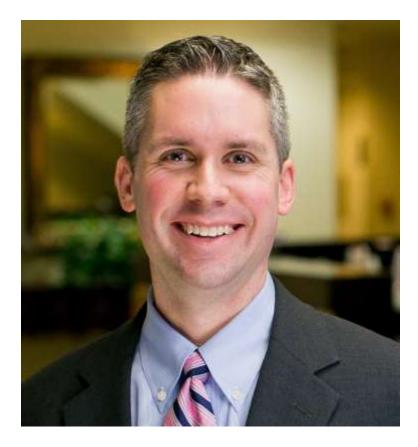


Welcome to the webinar! We will begin shortly.

2020 Regulations



Back to Campus - Back to Title IX: Confronting the Challenges of the 2020 Regulations



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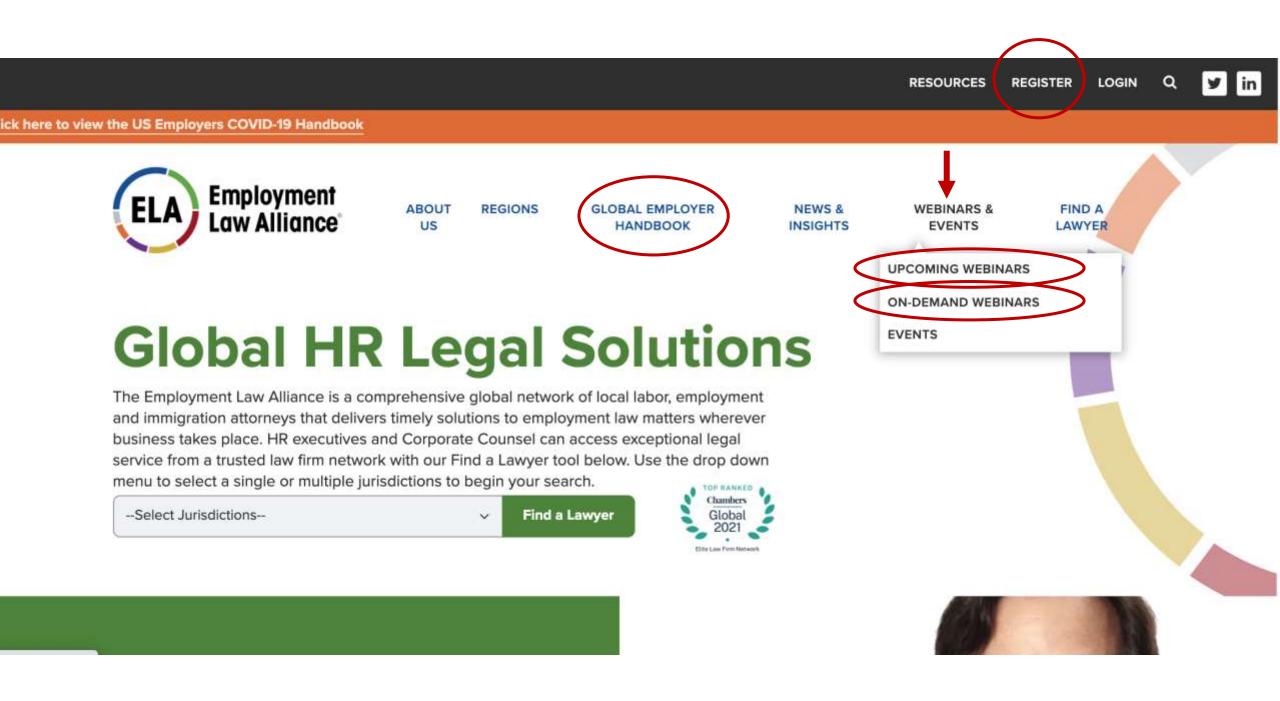
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Member Sturgill, Turner, Barker & Moloney







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Q&A

Welcome to Q&A

Questions you ask will show up here. Only host and panelists will be able to see all questions.

-



Type your question here...

Chat

Raine Hand



HOST

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Q&A

0 0 0

Welcome to Q&A

Questions you ask will show up here. Only host and panelists will be able to see all questions.

RALPH: What is the current legal position on marijuana in the workplace?

-

Balbe Hartel

Send anonymously



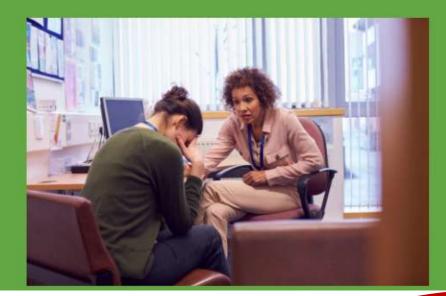
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The ELA Presents



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Date: September 21, 2021 Time: 3:00 p.m. Eastern Daylight Time Duration: 1 hour, 15 minutes

Event Resources

Presentation Slides & Certificate of Attendance

Resources provided by the speakers and their firms:





MODERATOR

SUSAN DENIKER

Member

West Virginia susan.deniker@steptoe-johnson.com



Overview

Back to Campus - Back to Title IX: Confronting the Challenges of the 2020 Regulations

- Title IX Recent Changes
- Title IX Final Rule Effective Date
- Formal Complaint Signed by Title IX Coordinator
- Amending Notice of Allegations
- Access to Directly Related Evidence
- Changes Regarding "Statements" Not Subject to Cross-Examination
- Practical Tips for Conducting (Remote) Hearings





Panelists



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KATE NASH

Missouri - Eastern knash@tuethkeeney.com

UETH KEENEY

Lots of Recent Changes



Kate Nash Shareholder Tueth Keeney Cooper Mohan & Jackstadt, PC Missouri - Eastern

- May 2021 U.S. Department of Education Announces Virtual Public Hearing on Title IX
- June 2021 Virtual Public Hearings on Title IX
- July 2021 Department of Education Issues a Questions and Answers Resource and Related Appendix on the Title IX Regulations on Sexual Harassment
- August 2021 Department of Education Issues Letter Regarding Court Ruling Vacating Title IX Regulation Restricting Postsecondary Schools' Use of Statements by Parties and Witnesses



Title IX Final Rule Effective Date



Derek Ishikawa Attorney Hirschfeld Kraemer LLP California

- Two Options
 - Procedures in Place at Time When Allegations
 Arise
 - $\odot\,\textsc{Procedures}$ in Place at Time of Alleged Conduct
- Considerations for Either Approach

 Legal
 Practical





Kathryn M. Nash Partner Lathrop GPM LLP Minnesota

- Permitted/Required by regulations
- Circumstances that might trigger
 - Complainant is not participating or attempting to participate in program or activity
 - Complainant is unwilling but significant concerns about safety of community



Process Options: Title IX/VAWA v. Student Conduct



Derek Ishikawa Attorney Hirschfeld Kraemer LLP California

- Mandatory Dismissal Considerations
- Mandatory v. Permissive Use of Formal Title IX Process v. Student Conduct Process



Amending Notice of Allegations



Kathryn M. Nash Partner Lathrop GPM LLP Minnesota

- Required by regulations
- Sufficient details
- Sufficient time for party to prepare





Kathryn M. Nash Partner Lathrop GPM LLP Minnesota

- Required by regulations
- Prior to completion of investigation report
- Provide party and party's advisor with hard copy or electronic format
- Include all directly related
- Exclude if not directly related, privileged information (unless waiver), treatment records (unless written consent)



Changes Regarding "Statements" Not Subject to Cross-Examination



Kate Nash Shareholder Tueth Keeney Cooper Mohan & Jackstadt, PC Missouri - Eastern

- Regulations prohibit determinations that rely on "statements" not subject to cross-examination
- Massachusetts federal case invalidated this provision
- Department of Education issued guidance will cease enforcement of provision
- Practical implications?



Practical Tips for Conducting (Remote) Hearings



Derek Ishikawa Attorney Hirschfeld Kraemer LLP California

- Tips
- Technical/Process Considerations



Questions?





Thank You!

MODERATOR



Susan Deniker Member Steptoe & Johnson PLLC West Virginia





Kathryn M. Nash Partner Lathrop GPM LLP Minnesota



Derek Ishikawa Attorney Hirschfeld Kraemer LLP California



Kate Nash Shareholder Tueth Keeney Cooper Mohan Jackstadt, PC Missouri - Eastern

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Coming Up Next!



Challenges and Key Measures for Consideration:

Redundancy in the Nordics

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September 29, 2021





Employment Matters

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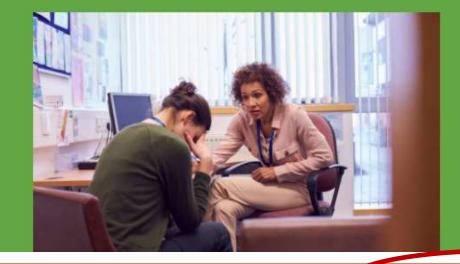


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