

TITLE IX

ENSURING REGULATORY COMPLIANCE AND NAVIGATING INVESTIGATIONS

Today, higher education institutions face more scrutiny than ever when addressing claims of discrimination or sexual misconduct. With increased public interest in gender discrimination issues including women's and LGBTQI+ rights, cases related to Title IX and sex-based discrimination in education programs and activities are being thrust into the spotlight. To protect brand reputation and mitigate harm, it is increasingly important for colleges and universities to ensure compliance with Title IX obligations and be prepared to act swiftly when claims arise.

Working with experienced legal counsel is imperative with the changing nature of Title IX rules and regulations. With constant changes to the law from each new presidential administration and leadership at the U.S. Department of Education, come new requirements for higher education institutions. From changes in policies regarding Title IX investigations and cross examination of victims to a redefinition of "sex" under the law and its application to transgender issues, staying on top of the latest adjustments to the law can be difficult. With experienced legal counsel on their side, colleges and universities will stay up to date on the latest obligations, be prepared to navigate Title IX complaints and investigations and remain compliant with the law.

How We Can Help You

Our team of labor & employment and higher education attorneys have extensive experience helping colleges and universities navigate the scope of Title IX and providing outside counsel for investigations and hearings. We routinely advise clients on a breadth of Title IX obligations including recruitment and admissions, athletics, sex-based harassment and sexual assault, and treatment of LGBTQI+ students. We partner with colleges and universities to ensure compliance, conduct investigations with due process, and reach determinations in accordance with Title IX policies.

Internal Investigations

When a Title IX complaint is made, it requires prompt action. Our team will support you from day one. We step in as impartial outside experts and work with your team to conduct internal investigations, lead witness interviews, and prepare facts for determination. In cases where respondents retain counsel to serve as an advisor, we know that campus teams might be on edge. Our attorneys are ready to serve as your partner in any investigation to ensure a fair and impartial comprehensive investigation.

Proceedings and Hearings

When Title IX complaints proceed to a hearing panel for determination, it can benefit colleges and universities to seek outside independent counsel to serve as decision makers. Our attorneys also have a wealth of experience supporting and guiding the hearing process to ensure decisions are made in accordance with Title IX rules and regulations, institutional policies and procedures, and that due process is followed.

Defending Investigations

Our attorneys are experienced in representing colleges and universities in litigation stemming from the findings of an internal investigation and proceedings. We have defended against claims alleging failure to provide due process, failure to follow the institution's Title IX policies and procedures in handling the investigation and biased investigators.

Compliance and Training

Serving as outside counsel, our attorneys will help you ensure policies and procedures align with the latest Title IX rules and regulations. We also partner with institutions in the creation of reporting policies and disclosures in accordance with the Clery Act. As changes to the law are made, our attorneys will work with you to update policies accordingly.

Additionally, our team of seasoned investigators and legal advisors can provide client-driven, tailored training to ensure all necessary staff are compliant with Title IX policies and procedures, including:

- Title IX reporting training for faculty and staff
- Legal training for Title IX coordinators
- Investigative, victim-informed training for internal university resources.

Discrimination Cases

Our attorneys have extensive experience conducting investigations and defending against claims of race, gender, and disability discrimination, which are increasingly included within Title IX claims. We have experience helping colleges and universities navigate investigations with the Office for Civil Rights and U.S. Department of Justice. Our team also conducts expansive investigations of academic departments and colleges within universities in cases of discrimination related and unrelated to Title IX.

University Athletics

Our attorneys work with athletics departments on matters of Title IX compliance and NCAA eligibility. We have experience supporting athletics departments in claims of Title IX violations including those of sexual harassment or misconduct and working to ensure a swift response that follows Title IX obligations. Additionally, our team is well-positioned to help colleges and universities navigate NCAA investigations.

OUR TEAM



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