



Supportive Measures Live Virtual Training



About Us

OUR MISSION

To provide the best Care and Support for our clients, Community Partners, employees, contractors, collaborators, vendors, and all others who encounter our company.

GOAL

To assist schools and districts in providing a safe and healthy learning and working environment for students, faculty and staff.

BEFORE WE GET STARTED...

- ✓ Not legal advice
- ✓ Materials
- ✓ Questions
- ✓ Repetition
- ✓ Breaks
- ✓ Posting link
- ✓ No recording



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**RATE YOUR MEETING?
THE SCHOOL/ADMINISTRATOR
CARES ABOUT ME**

☐ A Strongly Agree

☐ B Agree

☐ C Disagree

☐ D Strongly Disagree

TITLE IX PROCESS

REPORT OF TITLE IX SEXUAL HARASSMENT



Parties

COMPLAINANT

Individual who has allegedly been sexually harassed, regardless of whether they were the reporter

RESPONDENT

Individual who has allegedly committed the sexual harassment/sex discrimination

Notification/
Report

Formal
Complaint

Respondent

Complainant

Responsible

Preponderance

Decision-maker

Determination

Language Matters

REPORT VS. FORMAL COMPLAINT

Report

- Made by anyone to Title IX Coordinator /Responsible Employee
- Supportive Measures and process explanation required
- Does NOT automatically initiate Formal Grievance Process



Formal Complaint

- Initiated by Complainant (or parent in K-12) or Title IX Coordinator
- Starts Formal Grievance Process/Procedures (notice, investigation, resolution)
- MAY be dismissed by Title IX Coordinator

Back to
basics

WHAT ARE SUPPORTIVE MEASURES?

The Basics...

Supportive Measures May Include

but are not limited to:

COUNSELING

RESTRICTIONS ON
CONTACT APPLIED TO ONE
OR MORE PARTIES

EXTENSION OF DEADLINES
AND OTHER COURSE
RELATED ADJUSTMENTS

LEAVES OF ABSENCE

CHANGE IN
EXTRACURRICULAR OR
OTHER ACTIVITY

CAMPUS ESCORT SERVICES


CHANGE IN CLASS WORK

TRAINING AND
EDUCATION PROGRAMS
RELATED TO SEX-BASED
HARASSMENT

INCREASED SECURITY AND
MONITORING OF CERTAIN
AREAS

CHANGE IN HOUSING (IF
APPLICABLE)

Supportive Measures Continued...

MAY	MAY NOT	MUST	MUST NOT
Be terminated or modified at the conclusion of grievance procedures or informal resolution.	Unreasonably burden a party.	Be designed to protect the safety of the parties or educational environment or to provide support.	Impose supportive measures for punitive or disciplinary purposes.
Continue at the conclusion of grievance procedures or informal resolution.		Provide the opportunity to seek additional modifications of supportive measures if the circumstances materially change.	Disclose information about supportive measures to individuals other than to whom they apply unless necessary to provide the supportive measure or restore or preserve access.
		Consult with Disability Resources team in the implementation of supportive measures if applicable.	 <small>PRESENTED BY INSTITUTIONAL COMPLIANCE SOLUTIONS</small>

UTILIZING TRAUMA INFORMED PRACTICES

WHAT DOES IT MEAN?



- Realizing the prevalence of trauma
- Understanding the impacts of trauma
- Avoiding the creation of additional trauma

THE PREVALENCE OF TRAUMA



**70% of Adults in the U.S.
have experienced some
type of traumatic event at
least once in their lives**

223.4 MILLION PEOPLE

National Council for Behavioral Health.

TITLE IX
UNIVERSITY

PRESENTED BY INSTITUTIONAL COMPLIANCE SOLUTIONS



**Trauma
Can Stem
From....**

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FIGHT, FLIGHT, FREEZE, OR FAWN OR ALL FOUR...

OR SOMETHING COMPLETELY DIFFERENT...





REACT



ADAPT

Adaptability Checklist

- Develop rapport
- Take lead from participant
- Use empathy
- Listen actively
- Withhold judgment

Trauma Informed Meeting Necessities

THE 4- C'S



Comfortable



Clear



Consistent



Convenient



TRUST BEGINS WHEN THE PARTICIPANT "ENTERS" THE ROOM

- What does the room look and/or feel like?
- How do you appear when the participant enters?
- How do you introduce yourself/describe yourself?
- How do you explain the interview/process?
- How do you address housekeeping items?



[Watch video on YouTube](#)

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WHY



You need to be an **EXPERT** on **YOUR** Process

- You are the go-to
- Less legal, more personal
- Utilize flow charts
- Explain multiple times

WRAP AROUND SUPPORT

1.
INTAKE

2.
INVESTIGATION
&
REPORT

3.
POST
RESOLUTION

4.
FOLLOW UP
&
CHECK IN

INTAKE OF A REPORT

Where it all starts....



• Developing a Support Mindset

- Start thinking about support upon receipt of the report
 - Show up to a initial meeting with ideas already in mind
- Understand the “why” behind Supportive Measures:
 - Preserve/restore access to the education program or activity, enhance safety, and provide support.
 - Provide the party with an immediate response to their needs as a result of their experience.
 - Investigations take time. Support can happen fast!
 - Demonstrate care.
 - Not “sneaky discipline” driven.



"I've learned that people
will forget what you said,
people will forget
what you did,
but people will never forget
how you made them feel."

- Maya Angelou



Importance of Initial Outreach

Clear is kind...throughout whole process.

Initial outreach is opportunity for you to explain that a first meeting with you would include discussion of:

- Report and options under Policy
- Supportive measures you can help them access
- Any safety concerns

Emphasize the goal of safety and support being a primary goal for an initial conversation about their experience(s).



Not a One-Size-Fits-All Approach

- Listen for their needs as they are talking.
 - Unlikely to be “and this is support I’m needing.”
 - More likely to be “and I can’t even keep up with my homework anymore.”
- Prioritize safety needs first, if present.
- Tell them how you will loop others in on the support.
 - Transparency of process is also kind!





Intro + Explain
Process, Must Do's,
Privacy

Listen
For: Potential Policy
Violations, Safety
Planning, Emotional
Well-Being, Immediate
Needs

Support & Connect
Creativity,
Individualized,
Evaluation

**Document &
Follow Up**
In Writing, As Soon As
Possible

Care and Support Road Map

Introduction

Step by Step

01



WHO ARE YOU

- What is your role?
- Who do you report to?
- Private vs. Confidential
- What will you do with the information used?
- Identify any conflicts of interest

02



LEAD WITH SUPPORT

- Make sure it is clear that your main goal is support regardless of which process (if any) is used

03



EXPLANATION OF PROCESS

- Report vs. Formal Complaint
- Flow charts
- Transparency

04



ASSESS FOR COMFORT & IMMEDIATE NEEDS

- Breaks are okay
- Water/snack
- Advisor/advocate

LISTEN: KEEP AN EAR OUT FOR...



Safety Planning/ Concerns



Potential Policy Violations



Emotional Well Being



Immediate Needs, Future
Needs, Supportive vs. Not So
Supportive Friends/Family
Members





REMINDER: BODY LANGUAGE & FACIAL EXPRESSIONS

- Virtually and in person

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SUPPORT & CONNECT

Which connection is most critical.
Safety is always first.

PRIORITIZE



DO THE HEAVY LIFTING



Don't put the burden on the party. Take care of what you can on their behalf. (Class changes, grade requests, etc.)

This is not one size fits all. Period. Be creative. Think outside the box.

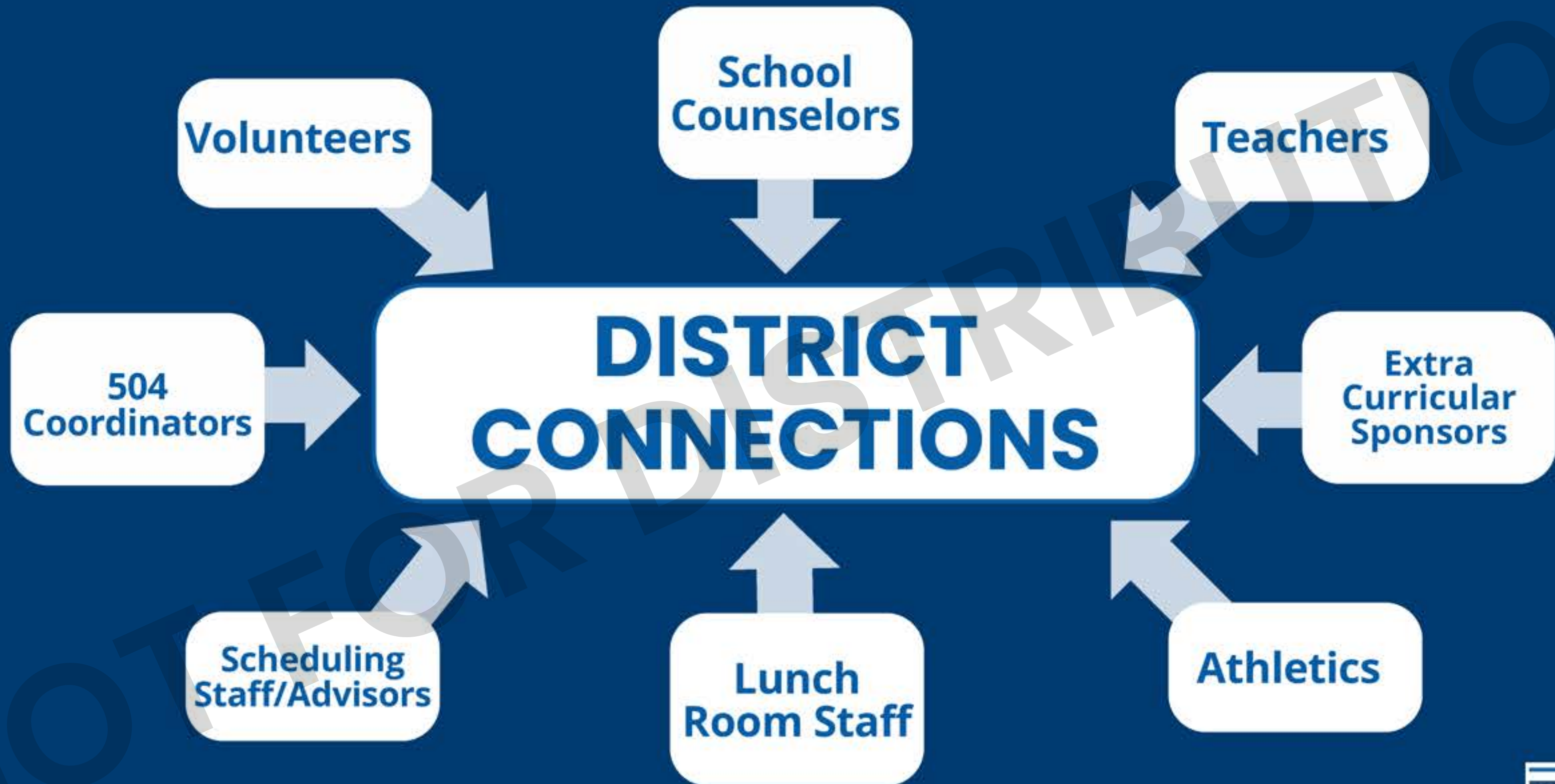


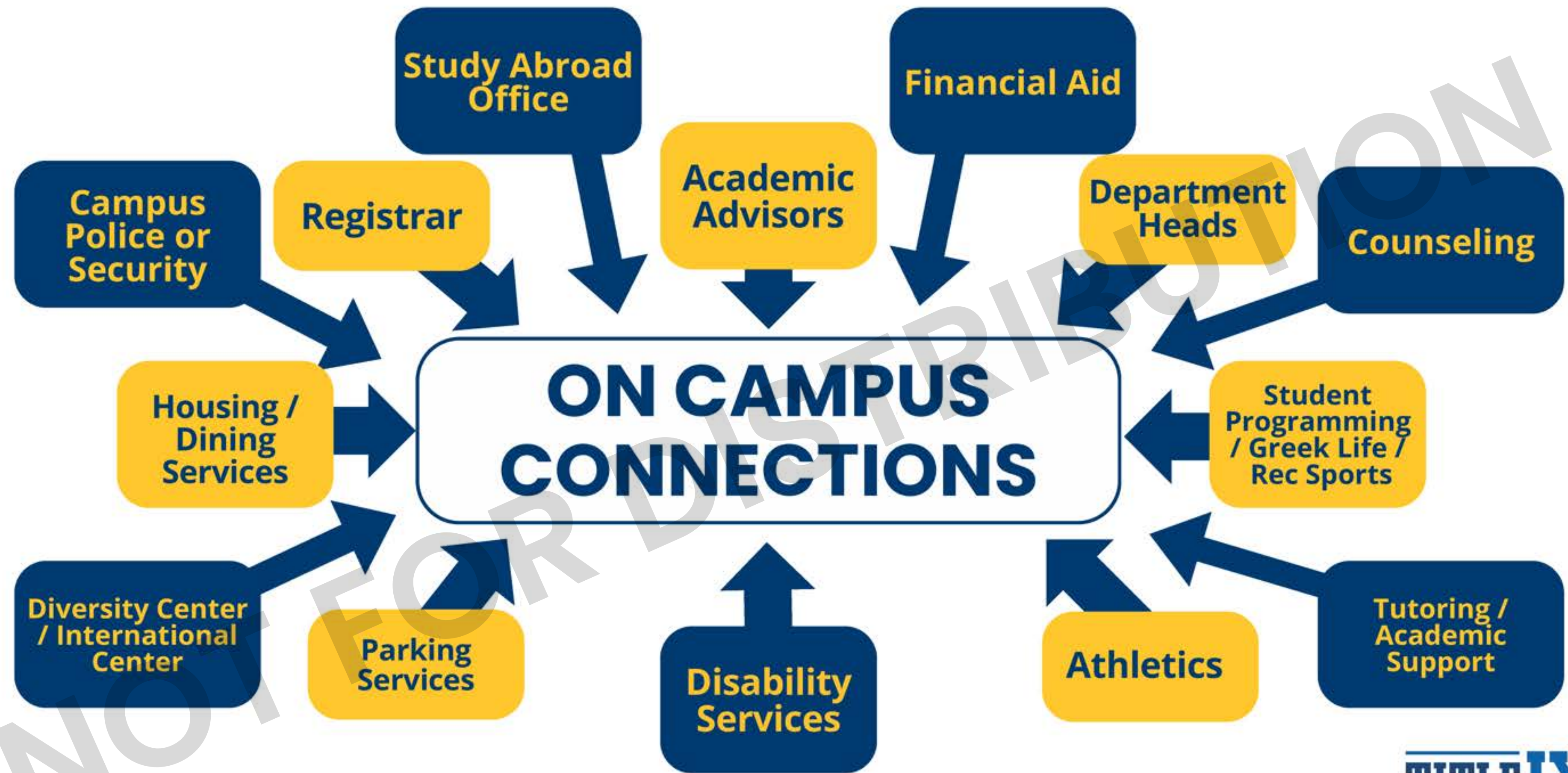
DUPLICATE



While the burden is on YOU, the door should be open for the party to let you know if they need something or if something isn't going well!

MAKE SURE THE DOOR REMAINS OPEN





OTHER CONNECTIONS AND IDEAS:



Call the counselor



Arrange for a ride to the local police department



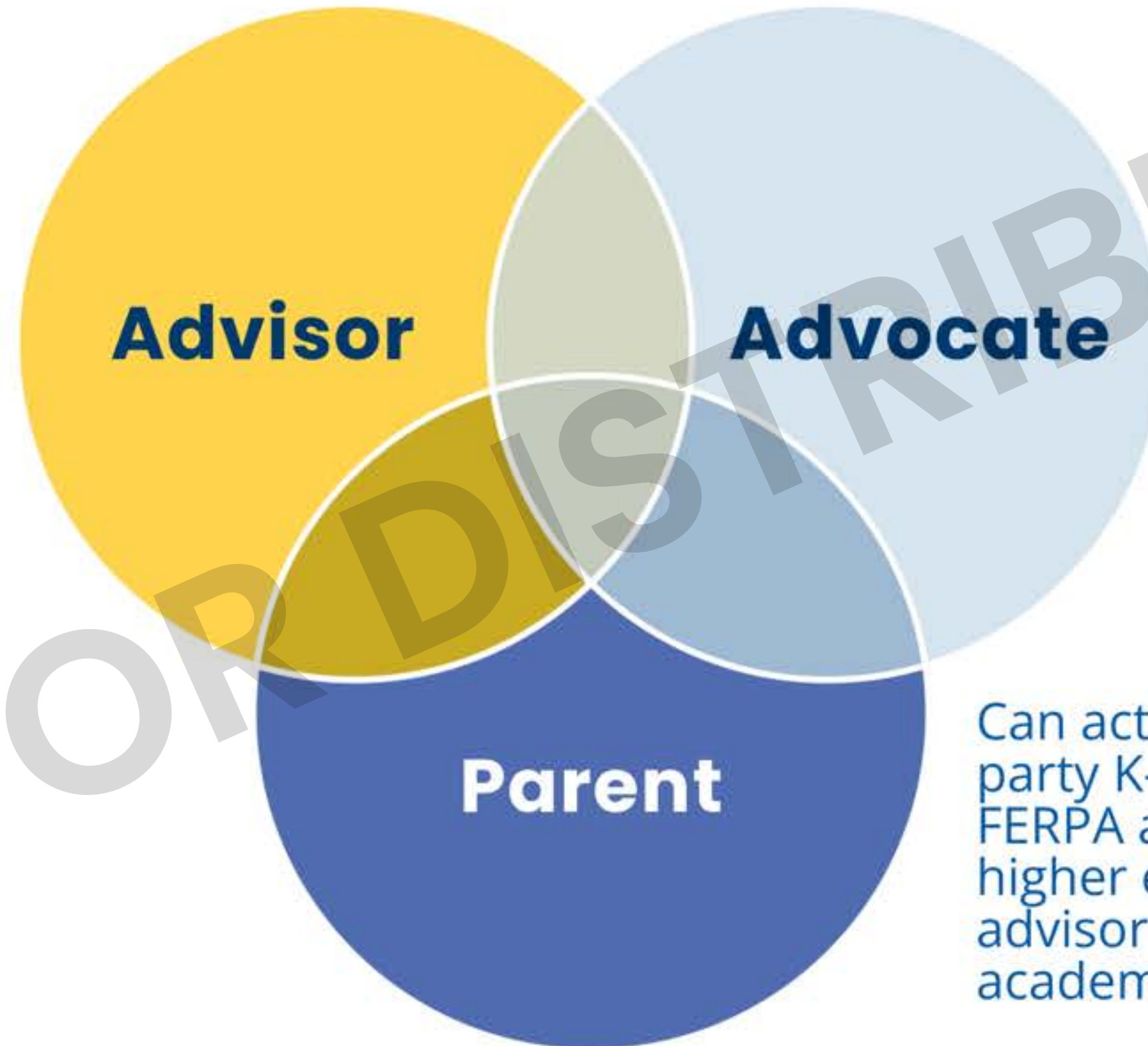
Provide a temporary computer or a phone



Help the student/employee call a parent or support person

CONNECT WITH AN ADVISOR

Same; Separate; Overlap



Of the party's choice regardless of academic institution. Required for cross exam in higher ed. Role should be clearly defined.

Not required anywhere but may be requested by a party...or serve as advisor.

Can act on behalf of the party K-12. Normal FERPA application higher ed. May serve as advisor regardless of academic institution.

WHAT CAN YOU / SHOULD YOU SHARE?



**You are working
with/assisting the
student or employee**



**Something has
happened that has
impacted their ability
to complete work or
has impacted
performance**



**Ask for assistance based
on the specific needs-
lead with, how can
we/you help**

Create a culture of support through relationships with:

- employees
- families
- guardians
- local connections

1

Build trust and relationships early and often



2

Clearly explain your role and the legal requirements



3

Remain as transparent as possible while respecting privacy



4

Express gratitude and share successes



5

Connect when there is not urgency



DOCUMENTATION IS CRITICAL

- Include everything you would need to continue supporting the individual if you didn't show up to work tomorrow

● What happened in the meeting? What were you told? What are the next steps? When were those next steps completed?

Document

**SHOW
YOUR
WORK**

Follow Up

● Ensure that everything you discussed is clearly outlined in writing. Copy advisor if one involved.

SUPPORT DURING THE INVESTIGATION

Behind the scenes...



CARE AND SUPPORT DURING THE INVESTIGATION



QUESTIONS

Serve as a connection and resource when questions arise



UPDATE

Update No Contact Directives and other supportive measures as necessary



REVIEW

Follow up during review periods



NOTIFY

Notify of upcoming deadlines, reports to be released etc.

SUPPORT DURING THE RESOLUTION PROCESS

Overwhelming...



Don't Forget



Follow Up/Check In

Regularly...



REGULAR CHECK INS

At Least Quarterly



GRADES

Increasing/
decreasing



CLASS SCHEDULE

Overlap with the
other party?



ATHLETICS / EXTRACURRICULARS

Has involvement
changed?



ADDITIONAL SUPPORTIVE MEASURES

Is there anything else that
can/should be done?



RETALIATION

Ensure that none is
occurring



HELLO

Literally, just to say
"hi, how are things?"

Burden:

Burden is on the SCHOOL to develop and implement supportive measures---

Don't be passive!

Barriers:

Schools are obligated to address barriers to reporting. Lack of supportive measures is often a significant barrier!



RESPONDENT VS. COMPLAINANT

Imperative that you learn to work
with both

DISLIKE

You just plain dislike the party
you are working with

CASE LOAD

There is simply not enough time
to adequately do the work

CHALLENGES

The work presents PLENTY of
challenges...here are just a few

UNTRUTHFUL

You think (or know) they are
being untruthful

PUSHBACK

The resources are not willing or
able to provide the necessary
assistance

NEVER ENOUGH

You cannot "fix" everything

Let's Practice!

Higher Ed

Andy shows up outside of Kelsey's residence hall repeatedly, often waiting for her to return from class. He sits outside her classrooms, follows her to the dining hall, and attends student events where he was not invited. Despite Kelsey's clear requests to stop contacting her, Andy continues to send excessive text messages, DMs, and calls. Kelsey reports feeling anxious, unsafe, and unable to fully participate in campus life as a result of Andy's persistent behavior.

K-12

Jared shows up by Lindsay's locker between classes and waits by her car after school. He walks past her classrooms, tries to sit with her in the cafeteria, and attends athletic events where he knows she'll be performing. Despite Lindsay's clear requests to stop contacting her, Jared continues to send excessive text messages, DMs, and calls. Lindsay reports feeling anxious, unsafe, and unable to fully participate in school life as a result of Jared's persistent behavior.

Setting Expectations for Supportive Measures

Upon receipt of the report, you reach out to set up a meeting with the student (and their parent/guardian). During the meeting, you discuss supportive measures and how they would be available to their student. The parent (student) mentions how the only thing they need as support is for the school to remove the student permanently and immediately?

How do you respond?



WHAT
TO
EXPECT



WHAT TO
EXPECT?

Setting Expectations for Supportive Measures: *When the Support Request isn't "Reasonable"*

- Thread the needle by explaining the difference between a safety-oriented supportive measure and discipline following a grievance process.

- Reminder that supportive measures cannot unreasonably burden one party.

- Enhance trust and demonstrate care by seeking to understand the nature of a supportive measure request. What is the need this addresses?

- Actively brainstorm alternative supportive measures that may achieve similar goals.

Setting Expectations for Supportive Measures: *When the Party Can't Identify a Need*

- Explain all the areas in which supportive measures can be offered: academic, extracurricular, mental health related, etc.
- Reiterate that supportive measures can be implemented immediately and regardless of next steps.
- Suggest common supportive measures in each of those areas to offer ways that the school can help.
- The burden is on the school to offer support, so be proactive in your suggestion and let the party decide to decline.

Providing Equitable Support for the Respondent

It is determined after an intake with the Coordinator that the Complainant (and their guardian) are signing a formal complaint to initiate an investigation. The Respondent (and their guardian) are put on notice. At your initial meeting with the Respondent (and their guardian), the Respondent tells you that this is stupid and this school just hates them. They are yelling at you during this meeting and threatening to sue the school and blast everyone on social media, including you.

How do you approach supportive measures with this Respondent?

Providing Equitable Support for Respondent



- We **must** provide equitable supportive measures to Complainant and Respondent.
- Respondents are presumed not responsible unless there is a finding of responsibility at the conclusion of a grievance process.
- Consider an initial meeting introduction that leads with support and concern for the Respondent before the next steps in “process” conversation.
 - Achieved well by explaining your goals for the meeting at your introduction.
- Title IX process impacts all people in the process. Consider proactively impacts that an allegation or grievance process would have on any party and suggest supportive measures that could be beneficial.

Communication about Supportive Measures

- Must only tell people what they need to know in order to effectively implement the requested supportive measure.
- Provide the following information:
 - Who you are and your role
 - That you are requesting a supportive measure under Title IX
 - That you are assisting the student/employee under Title IX
 - What the specific request is for the person (accepting late paper, extension to take test, absences, etc.)
 - What timeline applies to this specific request
- May be best to start with a call/meeting to discuss complicated situations; however, document with emails after for everyone's record.



Push-Back on Support

Higher Ed

K-12

You determine that no contact directives help support the concerns presented by Complainant and Respondent, so you implement those. You also decide to develop a schedule for dining hall access and to relocate one of Complainant's classrooms to another floor to eliminate overlap in academic buildings. You get a call from Kelsey's faculty that relocating this class is too complicated because it would require additional communication to the class and they did not have time for that with their faculty load.

You determine that no contact directives and increased monitoring helps support concerns presented by Complainant and Respondent, so you reach out to the teacher teams involved. You get the feedback that it would be nearly impossible to keep Complainant and Respondent separate during class breaks and in the parking lot and that this is too much to ask them to do on top of managing their classrooms and all the other things put on their plate.

How could you assist with this concern?

Building Buy-In for Implementation of Supportive Measures

- Start with a conversation to explain the purpose of a supportive measure and how the school is required under federal law to offer and implement these supportive measures.
- Be clear in what you are asking, be clear in what you are not asking.
- Listen to understand the challenges posed by certain supportive measure requests when there is push-back.
- Assist in the brainstorming process of how a supportive measure could be achieved and what resources are needed to achieve it.
- Enlist the help of others to assist with implementation when needed and where possible.

Ensuring Implementation

You coordinated additional monitoring in the hallways and in the parking lot with supervisors in those locations as a supportive measure; however, you received word that some of the same staff are not there each day and are not as consistent as others with this task.

Do you address this? If so, how?

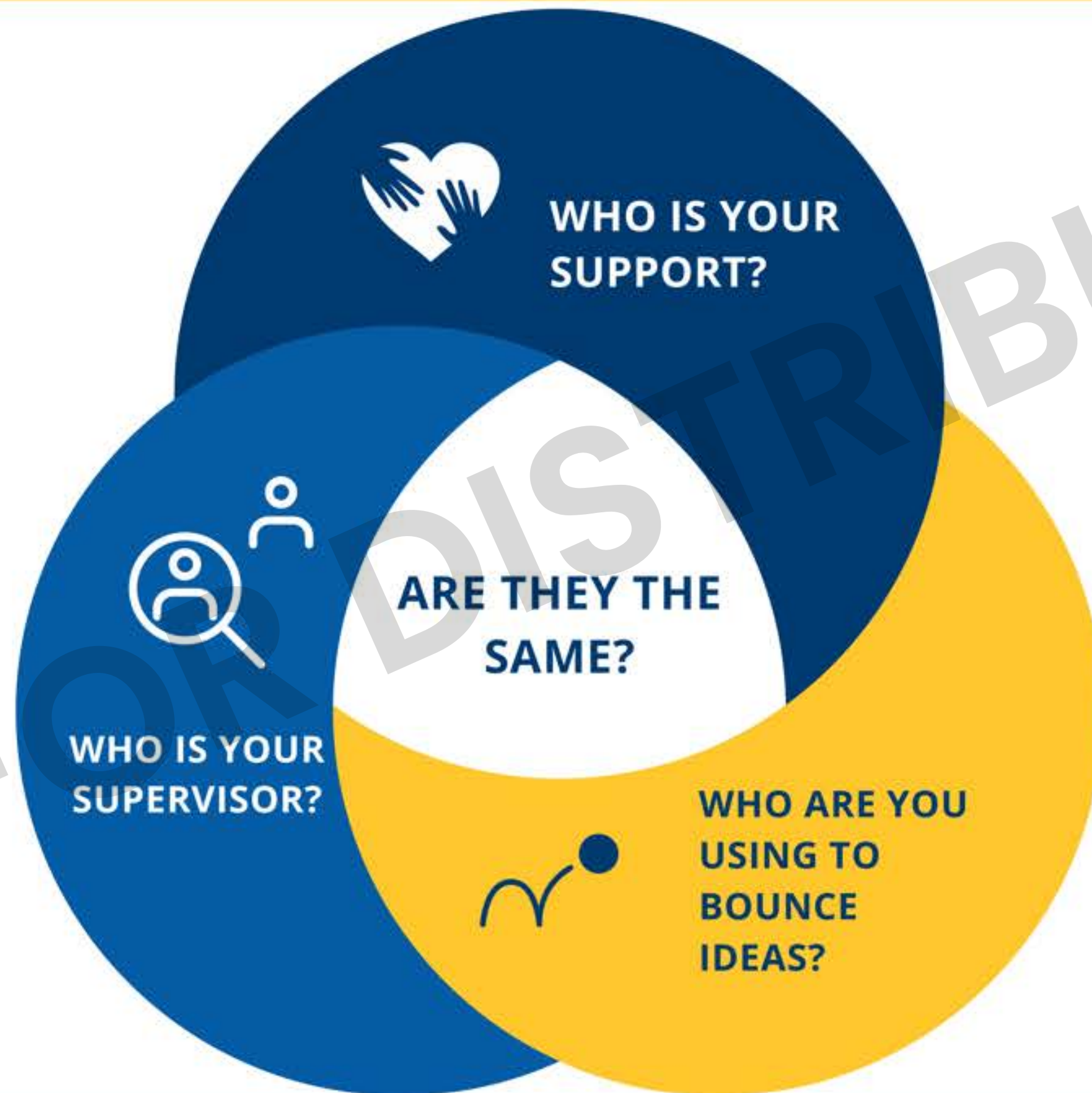
Ensuring Implementation

- Document action steps and send follow-up emails to involved parties regarding their next steps.
- Think about all the people who “need to know” about the supportive measure and how they will receive that information.
- If it’s an ongoing supportive measure, set calendar reminders to check back in and follow-up on effectiveness of or access to the supportive measure.
- If there are concerns that present during your follow-ups, address those concerns, update your documentation, and send additional email regarding next steps.
- **Good communication is critical!!**



- **How heavy is your load?**
- **How much are you carrying home?**
- **How are you being supported?**

Identifying Your Title IX Crutch (your people)





Reminder

Self Care is Important.

Okay



Reminder

Be kind to yourself.

Okay

**RATE YOUR MEETING?
THE SCHOOL/ADMINISTRATOR
CARES ABOUT ME**

A Strongly Agree

B Agree

C Disagree

D Strongly Disagree



Help Us Help You



Please fill out
the survey.



**YOU'VE
GOT THIS!**

NOT FOR DISTRIBUTION



QUESTIONS?



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