

## Checklist for Evaluating the Content of Grievance Procedures

This below are questions that can be used to evaluate the content of Title IX grievance procedures and to determine possible modifications and updates. These questions are organized into the following sections: Initiation and filing, processing the grievance and procedural rights.

### ***Some key definitions from the 2020 Title IX Regulations:***

Complainant

Respondent

Formal Complaint

Informal Complaint

Supportive Measures

Deliberate Indifference

Actual Knowledge

New Definition of Sexual Harassment

### **Initiation and filing of a complaint**

#### ***Does the grievance procedure:***

1. Provide a clear definition of who can grieve? What issues are covered? Yes\_\_\_ No\_\_\_
2. Covers all students and employees? (they can file a complaint easily?) Yes\_\_\_ No\_\_\_
3. Clearly states how to file a grievance? (possible form with information?) Yes\_\_\_ No\_\_\_
4. Specifies any time limits in filing a grievance? Yes\_\_\_ No\_\_\_
5. Specifies responsibilities of TIX Coordinator in receiving and handling the complaint? Yes\_\_\_ No\_\_\_
6. Directs the Title IX Coordinators to sign the complaint? Yes\_\_\_ No\_\_\_
7. Provide supportive measures to complainant & respondent? Yes\_\_\_ No\_\_\_
8. Provides for a prompt and equitable process? Yes\_\_\_ No\_\_\_
9. Provides for methods for informal and prompt resolution of Grievances when further processing is not needed? Yes\_\_\_ No\_\_\_
10. No conflict of interest among individuals designated as Title IX Coordinator(s), Investigators, and Decision Makers? Yes\_\_\_ No\_\_\_

### **Processing the grievance:**

#### ***Does the grievance procedure:***

1. State the number and levels of steps in the process and the criteria for moving to the next level? Yes\_\_\_ No\_\_\_
2. State the form of grievance presentation and processing (oral, written, hearing panel, ...) Yes\_\_\_ No\_\_\_

3. Delineate process and responsibilities for notification of all parties at each processing level? Yes\_\_\_ No\_\_\_
4. Designates prompt timelines for all activities and steps within the grievance process? Yes\_\_\_ No\_\_\_
5. Delineate how to serve impartially? Yes\_\_\_ No\_\_\_
6. That investigators have received training on issues of relevance to create an investigative report that fairly summarizes evidence? Yes\_\_\_ No\_\_\_
7. States which standard of evidence is use? Preponderance of evidence or Clear and convincing? Yes\_\_\_ No\_\_\_
8. Decision makers has received training on technology used in a hearing? Yes\_\_\_ No\_\_\_
9. Includes a presumption that the respondent is not responsible for the alleged conduct until a determination is made? Yes\_\_\_ No\_\_\_
10. Notice of allegations, written notice to both parties? Yes\_\_\_ No\_\_\_
11. Describes possible sanctions and remedies? Yes\_\_\_ No\_\_\_
12. Prohibition of retaliation? Yes\_\_\_ No\_\_\_
13. Includes procedures and permissible bases for appeals? Yes\_\_\_ No\_\_\_
14. Is there a process for maintaining records (7 years)? Yes\_\_\_ No\_\_\_

### **Post Determination and Appeals**

1. Are corrective action steps broken down into specific tasks, staff responsibilities and implementation timelines? Yes\_\_\_ No\_\_\_
2. Are all staff notified of their responsibilities related to implementation of modifications, remedial steps and corrective actions? Yes\_\_\_ No\_\_\_
3. Are staff provided the information and resources necessary to Implement modifications, remedial steps and corrective actions? Yes\_\_\_ No\_\_\_
4. Are periodic surveys and reviews conducted to assess the Implementation of modifications, remedies and corrective actions? Yes\_\_\_ No\_\_\_

USDOE, OCR (1987) Title IX Grievance Procedures: An Introductory Manual  
 USDOE, OCR (2020) Federal Register/Vol. 85, No. 97/Tuesday, May 19, 2020/Rules and Regulations