



GICA Compliance Collaborative

2020 Webinar Training

Title IX – Hearing Panel Member Training – Part V

(2 Hour Webinar – September 2020)

AGENDA

Title IX Hearing Panel Member Training

Total of 11 videos were written by Judy Spain, J.D., CCEP, GICA Compliance Collaborative Program Consultant. Videos produced by DMZ Productions; copyright held by Spain and Spain, Inc., and licensed to GICA.

For this training, five of the videos were used. The other 6 videos were used in the Title IX Investigator Training (both webinar and in-person August 2020).

Attendees watched the videos and then participated in discussion regarding the videos.

Videos show various steps in the Live Hearing. They are designed to develop Decision-maker competency skills; to expand attendees knowledge of the new Title IX process; to promote discussion regarding what went right/what went wrong in the Live Hearing; to assist attendees to determine what could be relevant questions; to encourage discussion regarding how to ask follow-up questions to determine facts and credibility of the interviewee; and to understand the need for standardization of process of opening/closing a Live Hearing.

Scene 7 – Complainant’s Testimony at Hearing

Actors:

Complainant – Jennifer Shore
Complainant’s Advisor – Elizabeth Shore
Title IX Hearing Panel Chair – Pat Jones
Respondent – Curtis Tripp
Respondent’s Advisor – Michael Dunlap

Date:

Wednesday, December 10, 2019
10:30 am

Synopsis: Complainant testified at hearing; Complainant testified that she said “no” and pushed Respondent to make him stop. Body language of Complainant’s Advisor was discussed.

Scene 8 – Cross-Examination of Complainant at Hearing

Actors:

Complainant – Jennifer Shore
Complainant’s Advisor – Elizabeth Shore
Title IX Hearing Panel Chair – Pat Jones
Respondent – Curtis Tripp
Respondent’s Advisor – Michael Dunlap

Date:

Wednesday, December 10, 2019
10:30 am

Synopsis: Complainant cross-examined by Respondent’s Advisor; escalation of questions by Respondent’s Advisor discussed; questions asked directly to Complainant with no intervention by Decision-maker.

Scene 9 – Respondent’s Testimony at Hearing (Take 1)

Actors:

Complainant – Jennifer Shore
Complainant’s Advisor – Elizabeth Shore
Title IX Hearing Panel Chair – Pat Jones
Respondent – Curtis Tripp
Respondent’s Advisor – Michael Dunlap

Date:

Wednesday, December 10, 2019
10:30 am

Synopsis: Respondent’s testimony at hearing; refused to testify; discussion of use of word “discounted” in reference to Respondent’s refusal to testify.

Scene 10 – Respondent’s Testimony at Hearing (Take 2)

Actors:

Complainant – Jennifer Shore
Complainant’s Advisor – Elizabeth Shore
Title IX Hearing Panel Chair – Pat Jones
Respondent – Curtis Tripp
Respondent’s Advisor – Michael Dunlap

Date:

Wednesday, December 10, 2019
10:30 am

Synopsis: Respondent’s testimony at hearing; discussed ways to encourage more detailed answers; Respondent continued to state that he did nothing wrong; Complainant’s Advisor’s body language again an issue.

Scene 11 – Cross-Examination of Respondent at Hearing

Actors:

Complainant – Jennifer Shore
Complainant’s Advisor – Elizabeth Shore
Title IX Hearing Panel Chair – Pat Jones
Respondent – Curtis Tripp
Respondent’s Advisor – Michael Dunlap

Date:

Wednesday, December 10, 2019
10:30 am

Synopsis: Respondent cross-examined by Complainant’s; escalation of questions by Complainant’s Advisor discussed; questions asked by Advisor to Decision-maker who directed Respondent to answer; Complainant’s Advisor behavior escalated until asked to leave the room; discussed what to do when remove an Advisor.

Author and Presenter: Judy Spain, J.D., CCEP

Judy currently serves as the GICA Compliance Program Consultant. She is a Professor Emeritus, Eastern Kentucky University, an attorney licensed in Kentucky, Ohio, New York, and Pennsylvania, and is a Certified Compliance and Ethics Professional. She served as General Counsel and Chief Ethics and Compliance Officer at Eastern Kentucky University and Manhattanville College, where she developed and implemented compliance programs. She has served in multiple Title IX roles and has lectured extensively in this area. Judy is the author of the first book on higher education compliance, *“Higher Education Compliance: Blueprint for Success”*. Judy is also the author of *“Compliance Risk Assessments: An Introduction”* published by the Society for Corporate Compliance and Ethics.