Time with IX: Decision Points and ATIXA’s Model Policies for Higher Education

Alisha Carter Harris, M.S., Senior Consultant, TNG
Kayleigh Baker, J.D., Senior Consultant, TNG
Today’s Presenters

Kayleigh Baker, J.D.
Senior Consultant, TNG

Alisha Carter Harris, M.S.
Senior Consultant, TNG
Decision Point Overview

- Policy
- Monitoring, Training, and Staffing
- Initial Evaluation
- Investigations, Decision-Making, and Appeals
- Pregnancy
Decision Points – Policy

- How will the institution navigate complying with two sets of regulations simultaneously?
- How will the institution structure its policies and procedures?
- Which standard of proof will the institution use?
- Will the institution take jurisdiction of off-campus behavior?
- Will the institution require employees to participate as witnesses?
Decision Points – Monitoring, Training, And Staffing

- How will the institution monitor its education program or activity for barriers to reporting?
  - When barriers are found to exist, how will they be reduced/eliminated?
- Which employees will be designated as confidential employees?
- What reporting obligations will other employees have?
- How will the institution train employees?
- How will the institution track training completion?
Decision Points – Initial Evaluation

- What structure will be used to handle challenges to supportive measures? Who will be used to hear those challenges?
- Who will conduct safety and risk analyses for Emergency Removals?
- Who will hear challenges to Emergency Removals?
- Who will facilitate Informal Resolutions?
Decision Points – Investigations, Decision-Making, and Appeals

- Will your institution offer one process that is compliant with both §§ 106.45 and 106.46?
- Will the investigator(s) prepare a written report?
- What model will be used for decision-making?
- How will dismissal and outcome appeals be structured?
- Will you offer a written appeal outcome?
Decision Points – Pregnancy

- How many lactation spaces does the institution need to comply with the regulations?
- What will be the protocol for determining and implementing reasonable modifications?
- Will reasonable modifications be documented?
- Will additional training to employees be provided?
- What changes, if any, need to be made to the institution’s leave policy?
Questions?
Thank you!

Kayleigh Baker, J.D., Senior Consultant, TNG
kayleigh.baker@tngconsulting.com
Alisha Carter Harris, M.S., Senior Consultant, TNG
alisha.carterharris@tngconsulting.com