



Association of
Title IX Administrators

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Did You Know... Having the Right Policy Doesn't Mean You're Compliant?

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Where is the Risk?

- A well-drafted policy is essential
 - However, strong policy does not automatically create a compliant program
- Compliance depends on whether the policy is consistently:
 - Understood
 - Implemented
 - Documented
 - Maintained

Policy vs. Program Compliance

Policy

- Accurate, precise, comprehensive language
- Defined roles
- Required steps and timelines
- Required documentation
- Training requirements

Program

- Practice and processes match policy
- Staff understand and perform roles as intended
- Timelines are tracked and met
- Records are maintained, organized, and complete
- Training aligns with practice

Demonstrating Compliance

- Do the written policies and procedures align with what actually takes place?
- Is there a clear explanation for how a complaint moves from intake through resolution?
- Are similar situations addressed consistently?
- Could someone step in tomorrow and understand the processes?
- Would the institution's records withstand external scrutiny?

Warning Signs To Look For



No one is monitoring updates to state/federal guidance, laws, or regulations



The policy says one thing; the team does another



Two people managing the same issue approach it very differently



You know why a decision was made, but the file provides no information



The policy has changed, but training has not



Only one person knows how everything works

Developing A Review Plan

Focus Area	Are written policies and procedures current, compliant, and workable?	Are programs structured for consistent, compliant implementation?	Are accessibility obligations reflected across practices?	Are broader organizational issues creating risks, gaps, or barriers?
Support	Policy and Procedure Review	Title IX/Title VI Program Review	ADA/Section 504 Assessment	Compliance or Organizational Assessment
Scope	Written materials, alignment, usability	Office structure, reporting pathways, websites, notices, records, training, implementation	Accessibility obligations across policy and practice	Structure, roles, workflow, risk, opportunities for improvement

Turning Compliance Reviews Into Action

- Confirm what is working
- Identify compliance and operational gaps
- Prioritize recommendations by risk and impact
- Define practical corrective actions
- Identify training and resource needs
- Build a roadmap for sustained improvement

Case Study:

Guidance Changes But Policy Does Not

- Definitions and regulatory expectations have changed, but policies and procedures have not been updated
 - “Fondling” → “criminal sexual conduct”
 - Evolving standards related to “disparate impact” and “hostile environment” applicability and definitions
- When requirements change but institutional practice does not, gaps emerge between policy, procedure, and compliance

Is yesterday’s policy compliant today?

Case Study: Policy Changes But Training Does Not

- Training is one-and-done and behind-the-times
- The process has changed, but the people responsible for carrying it out do not understand what changed
- Updated guidance has not been communicated to staff and the broader community
- You jotted down best practices in training but have not put them to work

Does the team know the policy?

Case Study: Practice and Policy Do Not Align

- The policy says Decision-makers will serve as a panel of three, but in practice, only a single decision-maker has been used
- The policy maintains that evidence is excluded if someone does not testify, but this has not happened in practice since 2020

Does the team follow what the policy says?



Case Study:

Practice Changes Depending on Staff

- Human Resources and Student Conduct apply the same policy differently depending on who receives or manages the complaint
- Volunteer Investigators rely on individual habits, interpretations, or past practice instead of a shared process
- Decision-makers address similar complaints differently depending on who is involved

Does the team operate consistently?

Case Study:

Records Are Not Maintained

- A year and a half later, a Complainant reports that you didn't investigate their complaint
 - You remember that the Complainant asked you not to investigate during intake, but you cannot find your notes and never sent written confirmation of that request
- Each investigation and outcome is decided by a different internal or external person, but there is no centralized recordkeeping mechanism in place

If it's not documented, it didn't happen.

What Can Be Done Proactively?

- Review policies and procedures at least annually and after significant legal or regulatory changes
 - Assign responsibility for monitoring legal, regulatory, and institutional updates
- Spot-check records periodically to confirm documentation is complete and consistent
- Debrief after significant complaints or resolution processes:
 - **Did the process work as intended?**
- Train affected personnel whenever policies, procedures, roles, or expectations change
- Conduct a broader review at regular intervals rather than waiting for a complaint or external inquiry

Do Not Wait Until Someone Else Decides to Review the Program

- A review should answer not only whether the policy is compliant, but whether it is consistently carried out
- Proactive review helps identify gaps before they are exposed through a complaint, audit, or investigation
- The goal is to understand where risk exists while there is still time to address it intentionally

From Compliance to Robust Program

Wherever the program stands today, we can help you strengthen what's working, address what isn't, and prepare for what comes next

Foundation

- Policy review
- Customized training
- Audits

Program Alignment

- Risk and gap analysis
- Tailored training
- Risk and gap analysis

Strategic Maturity

- Customized consulting
- Multi-year strategic planning

What an Outside Review Can Help Assess

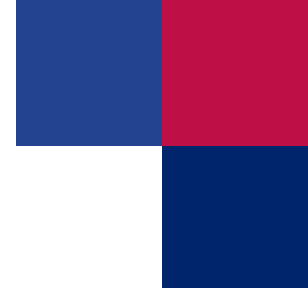
- Whether policy and practice align
- Whether complaints are addressed consistently and documented appropriately
- Whether roles, training, and resources support the program as designed
- Whether the program is positioned to withstand external scrutiny
- Which issues need attention first
- How to build a practical improvement plan



Questions?

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