Respondent Rights Under Title IX

1. Right to Written Notice of Allegations

The respondent has the right to receive written notice of:

- The allegations.
- The identities of the parties (if known).
- The conduct alleged.
- The date and location of the alleged incident (if known).
- The applicable policies allegedly violated.

2. Presumption of Non-Responsibility

A respondent is presumed **not responsible** for the alleged conduct unless and until a determination is made following the applicable grievance process.

3. Right to an Impartial Process

The respondent has the right to:

- An unbiased investigator.
- An unbiased decision-maker.
- A process free from conflicts of interest and bias.

4. Right to Be Heard

The respondent has the right to:

- Respond to the allegations.
- Provide their version of events.
- Submit evidence.
- Identify witnesses.

5. Right to Review Evidence

Before a determination is made, the respondent must be provided an opportunity to review relevant evidence and respond to it.

6. Right to an Advisor

The respondent may be accompanied by an advisor of choice, including:

- An attorney.
- A union representative (where applicable).
- Another support person permitted by district procedures.

7. Right to Participate in a Live Hearing

For matters governed by the 2020 Title IX higher education regulations, respondents had the right to participate in a live hearing before a determination regarding responsibility was made.

8. Right to Advisor-Conducted Questioning

At a live hearing, the respondent's advisor could ask relevant questions of:

- The complainant.
- Witnesses.
- Other parties.

The hearing officer determines whether questions are relevant before they are answered. Direct cross-examination by the parties themselves is not required.

9. Right to Supportive Measures

Supportive measures may be offered to respondents as appropriate, provided they are non-punitive and do not unreasonably burden either party before a finding is made.

10. Right to Receive the Written Determination

The respondent has the right to receive the written decision, including:

- Findings of fact.
- Policy conclusions.
- The rationale for the determination.

- Any sanctions imposed.
- Available appeal rights.

11. Right to Appeal

A respondent must be afforded the same appeal rights as the complainant. Typical appeal grounds include:

- Procedural irregularity.
- Newly discovered evidence.
- Conflict of interest or bias.

12. Right to Be Free from Retaliation

Title IX prohibits retaliation against respondents, complainants, and witnesses for participating in the Title IX process.