

Technology Used in Title IX Hearings

Technology Considerations and Best Practices at Lake Forest College

Co-facilitators-Lake Forest College Staff

LaShun McGhee, CAAP-Title IX Coordinator

M. Sean Riedel-Chief Information Officer

Objective

- Increase awareness of technology considerations in live hearings
- Considerations of the impact of various setting
- Managing your own engagement
- Identify security features and settings
- Lake Forest College technology options
- Lake Forest College technology resources

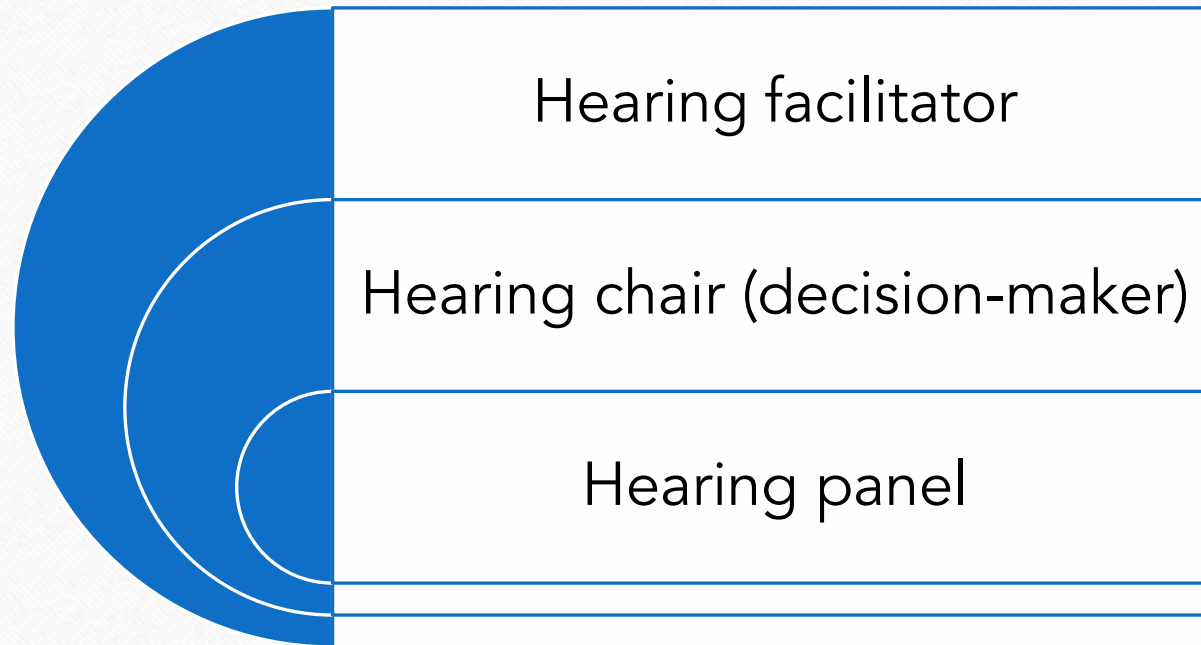
Such cross-examination **at the live hearing** must be conducted **directly, orally, and in real time**

Regulations

- Effective August 14, 2020
- Title IX Sexual Harassment Grievance Process
- All parties must be “cross examined” by an advisor
- Must be conducted directly, orally, and in real time

If a party or witness does not submit to cross-examination at the hearing, the decision-maker must not rely on any statement of that party or witness in reaching a determination regarding responsibility.

Virtual Hearing Roles

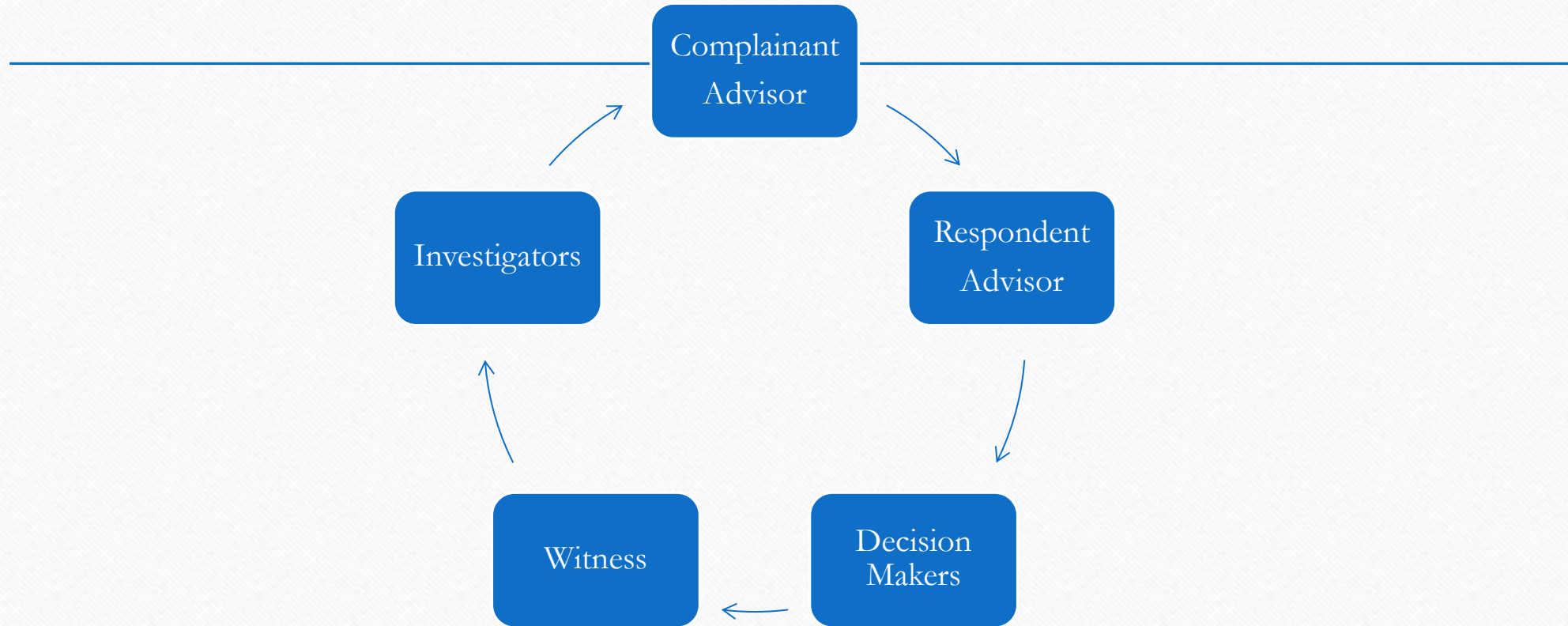


Virtual Hearing Roles

(Decision-makers)

- Hearing chair
 - Engages in pre-hearing discussions
 - Oversees the actual “live” hearing
 - Assess relevance
- Hearing panel
 - Engage with the parties directly
 - Review reports and evidence
 - Deliberate with hearing chair
- Hearing facilitator
 - Manage the setup
 - Manage rooms
 - Manage post-hearing logistics

Main Room (Hearing)



Hearing Snapshot

- Who's in the room?

- Complainant
- Respondent
- Witnesses (internal and external)
- Complainant's Advisor
- Respondent's Advisor
- Investigator (potentially)
- Decision makers

- Ad-hoc (not part of hearing, but accessible)

- Title IX Coordinator
- Lake Forest College Technology Services

Preparation

- Technology Considerations and Logistics
 - Flow of the hearing
 - Plan for Interruptions
- **Parties' Behaviors and Concerns**
 - Incorporate unexpected behavior in your plan of action
 - Set expectations ahead of time
 - Virtual vs. In-person
 - Consider their environment
 - Privacy and Communication
 - Recording

At the request of either party, the institution shall provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the party or the witness answering questions.

Impact of Various Settings

- In-person/hybrid participation
- Fully remote participation
- Managing your own engagement

Security Features and Settings

- Security Features
- Password and Hearing Protections
 - Use a different password for each meeting
 - Authentication
 - Controlling who can join
 - Waiting Room (there will be several)
- Don't forget to lock the meeting

Settings and Meeting Controls

- Meeting Set-up
 - What has to be set-up prior to the hearing (virtual or in-person)
 - What can be controlled or changed during the hearing
- Who's participating where?
 - Host vs. Co-host, Participant
 - Who will schedule the hearing?
 - How will information be shared?
 - Who will move participants in and out the room?

Lake Forest College Setting Options

- Platform for hearings
 - Zoom
- Recording
 - Various recording options
 - Records to cloud
- Permissions
 - Chat considerations
 - Chat Transcriptions
- Document sharing
 - Sharing evidence
 - Sharing documents

Lake Forest College Technology Security

- Zoom-campus specific features
- Navigating Breakout Room and Transitions
 - Managing breaks
 - Moving in and out of the “Main Hearing Room”
- Avoiding accidental recording of private rooms (i.e., advisor and complainant /respondent discussions)

Other Lake Forest College Considerations

- IT support during a hearing
- Standard protocol to be established for using technology in hearings
- Options for a party who prefer not to see the other party during a virtual hearing
 - Pin speaker video

Virtual Technology Resources

- Getting Connected
- Optimize Zoom Connection
- Zoom and Security Best Practices
 - <https://foresternet.lakeforest.edu/live/files/zoom-and-security-best-practices.pdf>
- Managing Breakout Rooms
 - <https://support.zoom.us/hc/en-us/articles/206476313-Managing-Breakout-Rooms>
- Participating in Breakout Rooms
 - <https://support.zoom.us/hc/en-us/articles/115005769646-Participating-in-breakout-rooms>
- Lake Forest College IT Services- IThelpdesk@lakeforest.edu

- Questions?

Thank you

LaShun McGhee

titleix@lakeforest.edu

Sean Riedel

lthelpdesk@lakeforest.edu