

In **2011**, the U.S. Department of Education (ED) observed that a number of issues related to the adequacy, reliability and impartiality of investigations, continued to plague institutional efforts to comply with Title IX.

Not surprisingly, **lawsuits** against colleges and universities, based on alleged failures to properly investigate such complaints, are more

TITLE IX **prevalent** than ever.

At the time of printing, there were approximately fifty (50) cases pending nationwide.

COMPLIANCE & INVESTIGATION

REQUIRES THAT:

- Institutions conduct a prompt, thorough and independent investigation, even before the conclusion of any concurrent criminal investigation;
- All persons involved in the investigation must have training or experience investigating complaints of sexual harassment and sexual violence;
- Investigations be impartial, without real or perceived conflicts of interest between the fact finders, decision makers and parties; and
- Institutions investigate own employees' failure to comply with Title IX in responding to allegations of sexual harassment and sexual violence.

U.S. Department of Education, Office of Civil Rights, Dear Colleague Letter dated, April 4, 2011.



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