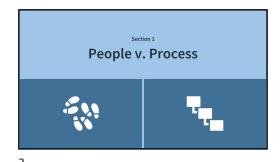




Agenda

1 People v. Process
2 Myths & Bias
3 Trauma
4 Managing people
5 Conclusion



1

4

Who are your people?

Your People and Your Community Matter

This is a people business
Your students and employees matter
How to we ensure that we work to do no harm?



5

Copyright 2020 Elizabeth H. Canning | www.ecanninglaw.com . All rights reserved.

Reproduction and distribution without written permission of Elizabeth H. Canning is prohibited.





Myths and Bias

Myths

Myths about sexual assault, dating violence, sexual harassment, discrimination, harassment....etc.

Myths/biases about complainants and respondents

Myths and expectations about human behavior

Myths about alcohol and dress

9

/

10

* prejudice in favor of or against one thing, person, or group compared with another, usually in a way considered to be unfair
 *cause to feel or show inclination or prejudice for or against someone or something

Biases

- Biases about complainants and respondents
- Biases about witnesses, advisors, lawyers, etc.
- Implicit Bias
- Affinity Bias
- Confirmation Bias
- Myths and biases based on gender and identity

Required under the new Title IX regs: presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process

Copyright 2000 (Stadeth K. Carning) www.scanninglaw.com . All rights neurosis. Reproduction and distribution without written permission of Citabeth K. Carnings) prohibited.

11 12

Copyright 2020 Elizabeth H. Canning | www.ecanninglaw.com . All rights reserved.

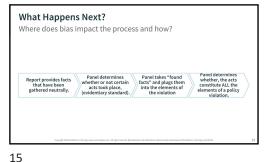
Reproduction and distribution without written permission of Elizabeth H. Canning is prohibited.





"It is impossible,"
Justice Gorsuch
wrote, "to
discriminate against a
person for being
homosexual or
transgender without
discriminating
against that
individual based on
sex."

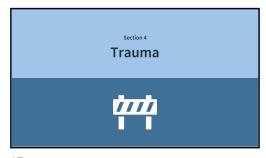
"It is impossible,"
June 15, 2020



13 14

Keep in Mind How Your Report Will be Used: Preponderance of the Evidence

That someone did do a certain act.



Trauma

What is it?
Who gets it?
How does it impact an investigation?
How do we use it appropriately?

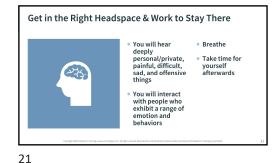
16 17 18

Copyright 2020 Elizabeth H. Canning | www.ecanninglaw.com . All rights reserved. Reproduction and distribution without written permission of Elizabeth H. Canning is prohibited.









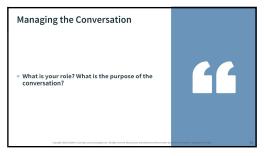
20

Neutrality

Do not take sides
Manage bias
Do not seek or promise a particular outcome

What is a presumption of "not responsible" and why does it matter?
No judging





22 23 24

Copyright 2020 Elizabeth H. Canning | www.ecanninglaw.com . All rights reserved. Reproduction and distribution without written permission of Elizabeth H. Canning is prohibited.



• The good
• The bad
• The ugly





25 26