

Title IX

Overview

Nearly 50 years after its passage, Title IX of the Education Amendments of 1972 continues to evolve in how it seeks to prohibit educational institutions from discriminating on the basis of sex. As a result of the law's shifting regulatory provisions, colleges and universities have an ever-increasing need for timely, practical legal advice concerning Title IX compliance.

To meet this need, Bond has a team devoted to assisting our college and university clients with fulfilling their Title IX obligations, understanding rule changes as they occur and helping them navigate the space where state and federal requirements intersect, or even collide. Our Title IX team consists of attorneys who are not only knowledgeable about Title IX and its newest regulatory requirements concerning the investigation and adjudication of sexual misconduct cases, but also as it relates to sexual assault prevention guidance and gender equity in athletics.

We work with each client to craft a Title IX policy solution that fits the institution's needs and culture. We also assist clients with disciplinary policy implementation, including hearing procedures, as well as Clery Act compliance and reporting. We work with our clients in connection with internal disciplinary proceedings and appeals, and we defend our clients in the event of external legal challenges to disciplinary results.

We have extensive experience representing clients before governmental enforcement agencies, including the Office for Civil Rights. Our team also provides training to administrators and other "responsible employees" with reporting and/or investigatory responsibilities, in each case designed to fit an institution's specific policy, organizational structure and campus culture.

Athletics

Bond can conduct a review of all policies that are applicable to a client's athletics department, including collegewide sexual assault policies, student-athlete drug-testing policies, non-discrimination policies and related training, as well as help identify areas where a client can minimize risk.

In a full athletic program review, Bond attorneys will review athletics facilities and collect information pertinent to the intercollegiate athletics program, including budgets, publicity materials, enrollment information and team eligibility lists. Such information is reviewed for potential compliance concerns.

Investigations

The pressure is on for colleges and universities to conduct timely investigations into allegations of civil rights discrimination, sexual misconduct, disability claims, whistleblower claims, workplace violence incidents, retaliation and more.

Our Title IX team can conduct independent, sensitive and thorough investigations for a variety of purposes (e.g., to obtain legal advice, formulate business decisions, respond to a threat of litigation or address a public relations crisis). Whatever the purpose, our team will ensure that any investigation we conduct is independent, fair and balanced. Our attorneys will develop an investigative plan with milestones for

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management briefings; conduct interviews and research; assess credibility; determine the extent of the alleged misconduct in terms of the people, offices and programs involved; and advise on the desirability of disclosing information.