

**From:** Kasey Nikkel  
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**To:** T9PublicHearing  
**Subject:** Anonymous Comment

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I have been in higher education my entire professional career being an assistant dean, chief conduct officer, case manager, and now a Title IX Coordinator.

I have only known a live hearing method (used previously to new rule) that I believe emphasizes an equitable process for all parties allowing Board members to seek the truth while asking did the alleged behavior occur (supported by the facts of the case) and if so, what are the appropriate sanctions.

I do believe the following are errors that need to be corrected by the DE.

- Voluntary participation as much or as little as they would like in the investigation, review, hearing

- Due process of cross-examination is important but not through live, oral and direct by an advisor--in the past, we have had parties submit in writing to the chair to ask on their behalf to keep civility

- Advisor shouldn't have an active role (but be able to consult with their client)

- Parties should be able to refuse to answer questions

- The fact "minimally relevant" evidence such as character witnesses to be permissible is rabbit holes for various board members lengthening hearing time with little to no impact on the content of the matter

successes:

RJ does work even for the most egregious cases our survey data is proving this. In the many cases, I have chaired, complainants during a grievance process first hate the respondent for their defense then hate the institution for the outcome causing significant harm to circulate over and over.

Overly transparent on written communication and training is a good thing.

As for LBGTQIA+

I hope the DE has a plan if they plan to include these options in the definition of the "basis of sex" for those employees and institutions that conflict with their constitutional religious rights. I know of many concerned conservative Christians, Jewish and Islamic coordinators that are concerned with the change in policy that will force them to advocate for something that goes against their religious practice. I can assure you many are watching the court cases of Ozarks and faculty that won't use pronouns to see where it will go. I would argue Title VII is a very different thing than Title IX and the impact on its employee's direct roles.

As a former 5 sport high school athlete, state champion, 2 sport collegiate all-American athlete I can assure you to allow high school males to compete based on gender identity is a mistake and will send female athletics back 50 years. The NCAA acknowledging the scientific difference has required medical documentation of at LEAST 6 months of hormone usage to level the playing

field, which I believe is still detrimental to provide to adolescence during this time of development but does for the co-curricular allow a reasonable balance between the sexes. Thank you for hearing my comments.

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