

COORDINATORS MODULE • SMALL GROUP DISCUSSION

Coordinator-Filed Complaints

Macy & Valerie

Macy, a sophomore on the women's basketball team, reaches out to you and alleges that she has been involved in a romantic and sexual relationship with Valerie, one of the team's assistant coaches. In addition to the potential Title IX implications of the relationship, you also consider whether the conduct could violate any other school policies, such as a consensual relationships policy. Valerie is an up-and-coming coaching star. She is also one of the school's most visible LGBTQ advocates and a vocal proponent of Black Lives Matter who has played an important role in the school's ongoing efforts to recruit and retain diverse students. Macy says that Valerie "overstepped" her boundaries in a recent sexual interaction. When Macy subsequently stopped responding to Valerie's text messages, the assistant coach began sending dozens of text messages a day until Macy felt compelled to block her.

You explain the Title IX Formal Complaint process to Macy, and she says that she will think about it. The next day, however, Macy follows up to tell you that she won't be filing a Formal Complaint. She thinks she exaggerated the previous day and may have just been emotional and confused about her interactions with Valerie. Macy says that everything is fine, that she and Valerie have worked things out, and that she is excited about the upcoming game, in which she will be starting for the first time.

Later that week, you have lunch with the school's Human Resources Director and mention your interaction with Macy in passing. The Human Resources Director tells you that in previous years, multiple basketball players have alleged that Valerie said inappropriate things to them and/or made them feel uncomfortable. In the past, each of the alleged incidents was addressed by the head coach verbally counseling the assistant coach.

Questions:

1. What factors might cause you to lean toward filing a Formal Complaint under Title IX as the Coordinator despite the student's decision not to do so?
2. What factors might cause you to lean against filing a Formal Complaint?
3. What factors, if any, from the above scenario are irrelevant to your analysis?
4. What other facts would you like to know before making a determination on this issue, and how specifically would you go about obtaining them?
5. Based on what you know here and now, what is your determination?
6. How would your view of the case differ if you had not spoken to the Human Resources Director? Under what circumstances should you seek additional information when a Complainant decides not to file a Formal Complaint?