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# An Evaluation of the Criteria Used to Assess Title IX Responsible Employee Training Programs at Large, Four Year Primarily Residential Institutions

Catherine Hopkins

*University of Arkansas, Fayetteville*

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An Evaluation of the Criteria Used to Assess Title IX Responsible Employee Training  
Programs at Large, Four Year Primarily Residential Institutions

A dissertation submitted in partial fulfillment  
of the requirements for the degree of  
Doctor of Education in Higher Education

by

Catherine Hopkins  
Saint Leo University  
Bachelor of Arts in Business Administration, 2003  
University of West Florida  
Master of Education in Educational Leadership, 2005

August 2018  
University of Arkansas

This dissertation is approved for recommendation to the Graduate Council.

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James O. Hammons, Ph.D.  
Dissertation Chair

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Suzanne McCray, Ph.D.  
Committee Member

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Ketevan Mamiseishvili, Ph.D.  
Committee Member

## **Abstract**

The purposes of this study were to: (a) discover the intended objectives that selected institutions of higher education had for their “responsible employee” training programs and (b) identify what data were collected to determine if the “responsible employee” training programs were meeting those objectives. I surveyed the Title IX Coordinators at 144 primarily residential and highly residential institutions using a 20 question electronic survey. The top four reported training objectives were that the responsible employee learn how to: appropriately respond to a student; understand their legal duty to report; cite the information that students must be informed about; and know how to respond to requests for confidentiality. The institutions were primarily focused on evaluating at the reaction level. The top three methods of evaluating at any of the levels were reaction sheets, pre-test/post-test assessments, and observations.

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### **Rationale for the Study**

Title IX of the Education Amendments of 1972, the Department of Education's (ED) Dear Colleague Letters, and other recently distributed guidance have changed the landscape of higher education about institutional response to sexual assault, domestic violence, dating violence, and stalking on campus. Title IX of the Education Amendments of 1972 states that, "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." (United States Department of Education, 2015a, para. 2). In the Dear Colleague letter, issued on April 4, 2011, the ED Office of Civil Rights explained that "sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX." (Ali, 2011, p. 1). Additionally, the Dear Colleague Letter states that "if a school knows or reasonably should know about student-on-student harassment that creates a hostile environment, Title IX requires the school to take immediate action to eliminate the harassment, prevent its recurrence, and address its effects." (Ali, 2011, p. 4).

Although Title IX has existed since 1972, there is a history of institutional mishandling of reports of sexual assault, domestic violence, dating violence, and stalking. One major reason for the mismanagement is the lack of training provided to the individuals known as "responsible employees." These employees are typically the staff members who field the reports of sexual assault, domestic violence, dating violence, or stalking. When campuses mishandle these reports, they can be found in violation of Title IX by the ED Office of Civil Rights. Campuses that are found to be in violation of Title IX may be subject to severe and crippling financial penalties up to loss of federal funding. Therefore, institutions of higher education have a vested interest in

adhering to Title IX and following the ED guidelines for implementation by providing high quality training for their respective “responsible employees.”

### **Purpose**

The purposes of this study were to: (a) discover the intended objectives that selected institutions of higher education had for their “responsible employee” training programs and (b) identify what data were collected to determine if the “responsible employee” training programs were meeting those objectives.

### **Research Questions**

1. What were the objectives of the “responsible employee” training program for the institution?
2. What data was gathered to evaluate the training? In particular, did institutions gather, assess, and use data about:
  - a. Participant reaction to training
  - b. Participant learning from training
  - c. Participant behavior after training
  - d. Results gained from attendance and participation in training

### **Definition of Terms**

Several terms needed to be defined for this study. These were:

1. *Large four-year, primarily residential (L4/R)* refers to bachelor’s degree-granting institutions with a fall enrollment data of at least 10,000 degree-seeking students. Of these degree-seeking students, at least 50% must attend full-time and 25-49 % of the undergraduate students must live on campus (New Carnegie Classification of Institutions of Higher Education Website, n.d.).

2. *Large four-year, highly residential (L4/HR)* refers to bachelor's degree-granting institutions with a fall enrollment data of at least 10,000 degree-seeking students. Of these degree-seeking students, at least 80% must attend full-time and 50% must live on campus (New Carnegie Classification of Institutions of Higher Education Website, n.d.).
3. *Title IX* refers to the Title IX Education Amendments of 1972. This legislation was created by Congress to protect people from sex discrimination in educational programs and activities that receive Federal financial assistance (National Center for Education Statistics, 2015).
4. *Responsible employee* refers to “any employee who has the authority to take action to redress sexual violence; who has been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX coordinator or other appropriate school designee; or whom a student could reasonably believe has this authority or duty” (United States Department of Education, 2014, p. 22).
5. *Kirkpatrick's Learning and Training Evaluation Model* refers to the four-level training evaluation model, developed by Dr. Donald Kirkpatrick in 1959 to assist managers and trainers with showing the business value and worth of training (Kirkpatrick & Kirkpatrick, 2014). The four levels of evaluation are reaction, learning, behavior, and results (Kirkpatrick & Kirkpatrick, 2006).

### **Delimitations of the Study**

The delimitations of this study narrowed the focus to primarily residential and highly residential institutions to make it both economical to complete and time efficient. Additionally, the population selected to be surveyed is large enough to have the funding and human resources to implement a full and complete “responsible employee” training program. Finally, the

researcher has chosen to use only fixed response questions on the survey instrument for expediency in analyzing the data.

### **Limitations of the Study**

The limitations of this study pertained to the generalizations one can make about the findings and low response rates to online surveys. First, I selected the Title IX Coordinator at each institution to be the person who would be asked to complete the survey. Other institutional stakeholders, university leadership, or other staff might answer some of the questions on the survey differently than the Title IX Coordinator. Second, the Title IX Coordinator is essentially self-reporting on part of his/her job responsibilities so there is most likely some bias to the data collected. Third, the U.S. Department of Education's interpretation of Title IX and the Dear Colleague Letter are still evolving. Therefore, the research that I conducted in this study cannot be generalized to future iterations of the training requirements and guidelines. Finally, many researchers have noted that electronic surveys have a lower response rate than paper surveys (Nulty, 2008). Therefore, there is a trade-off between convenience and cost versus response rate.

### **Summary**

Title IX of the Education Amendments of 1972, the Department of Education's (ED) Dear Colleague Letters, and other recently distributed guidance have changed the landscape of higher education about institutional response to sexual assault, domestic violence, dating violence, and stalking on campus. The purpose of this study was to: (a) discover the intended objectives that selected institutions of higher education had for their "responsible employee" training programs and (b) identify what data were collected to determine if the "responsible employee" training programs were meeting those objectives. The delimitations of this study narrowed the focus to primarily residential and highly residential institutions to make it



economical to complete and time efficient. The main limitations of this study pertained to the generalizations one can make about the findings. The U.S. Department of Education's interpretation of Title IX and the Dear Colleague Letter are still evolving. Therefore, the research conducted in this study cannot be generalized to future iterations of the training requirements and guidelines.

## Chapter Two: Literature Review

### **Literature Search and Review Process**

This chapter reviews the relevant literature on Title IX of the Education Amendments of 1972, the Title IX “responsible employee” training requirements, and the Kirkpatrick model of training evaluation. To understand the tenants of Title IX, I conducted a search through the University of Arkansas’ library EBSCO database and Google Scholar using the key words: Title IX History, Title IX Federal Statute, Title IX legislation, and Title IX legal review. Next, I searched for current Title IX training requirements through the EBSCO database by using the key word search terms: Title IX training, OCR Dear Colleague Letter+Title IX, and responsible employee training+Title IX. These searches yielded over 60 articles on Title IX. After reviewing the articles, I deemed it necessary to use only the information provided directly by the Department of Education in its various Dear Colleague Letters and other implementation guidance. This decision was made to ensure the accuracy of information, which a primary source provides.

I used a similar process to find material about the Kirkpatrick model. First, I searched for documents related to the Kirkpatrick model of training evaluation. The search terms used to perform the EBSCO database search included Kirkpatrick model, Kirkpatrick training evaluation, Kirkpatrick model application, and Kirkpatrick model case studies. This search resulted in over 40 articles and 6 books on the Kirkpatrick model.

### **Title IX History and Components**

On June 23, 1972, Congress enacted Title IX of the Education Amendments of 1972 to eliminate sex discrimination as a barrier to educational attainment for women. This amendment stated that “no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education

program or activity receiving Federal financial assistance" ("Title IX"), 20 U.S.C. Sec.1681, et seq. The passage of this law gave institutions an obligation to ensure nondiscriminatory policies and practices in the areas of recruitment, admissions, financial aid, athletics, student discipline, employment, pregnant or parenting students, as well as address sex based harassment (United States Department of Education, 2015a).

In April of 2011, the ED Office for Civil Rights (OCR) issued a Dear Colleague Letter (DCL) to address the issue of sex harassment within educational institutions. The impetus for this letter was a 2007 report prepared for the National Institute of Justice called The Campus Sexual Assault Study: Final Report XIII. The report found that "1 in 5 women are victims of completed or attempted sexual assault while in college" and that "6.1 percent of males were victims of completed or attempted sexual assault while in college" (United States Department of Education, 2011, p. 2). OCR used the DCL to reinforce the schools' responsibility "to take immediate and effective steps to respond to sexual violence in accordance with the requirements of Title IX" (United States Department of Education, 2014, p. 21). The letter stated, "the sexual harassment of students...interferes with students' right to receive an education free from discrimination" (United States Department of Education, 2011, p. 1). The DCL further explained that sexual harassment includes physical acts of sexual violence such as "rape, sexual assault, sexual battery, and sexual coercion," as well as any other unwelcome acts of a sexual nature (United States Department of Education, 2011, p. 1-2).

The OCR has continued to monitor compliance with Title IX and issue guidance to institutions of higher education from 2011 to the present. The guidance contains directions for the creation of a Title IX Coordinator on each campus and requires clear training requirements for all students, faculty, and staff with additional training required for "responsible employees"

and those entrusted with investigative responsibilities (United States Department of Education, 2015b).

### **Responsible Employee Training Requirements**

As pointed out earlier, the OCR has defined a “responsible employee” as “any employee who has the authority to take action to redress sexual violence; who has been given the duty of reporting incidents of sexual violence or any other misconduct by students...or whom a student could reasonably believe has this authority or duty” (United States Department of Education, 2011, p. 22). The OCR stated that a school is considered to have notice of sexual violence when a “responsible employee” is aware of or reasonably should know of possible sexual violence (United States Department of Education, 2014). Once notified, the OCR requires the school to take immediate and appropriate steps to investigate or otherwise determine what occurred. This makes the role of a “responsible employee” extremely important (United States Department of Education, 2014).

In April 2014, the OCR issued a supplementary document that provided specific information on “responsible employee” training. The OCR guidelines list the following topics to be covered in training:

how to prevent and identify sexual violence, including same-sex sexual violence; the behaviors that may lead to and result in sexual violence; the attitudes of bystanders that may allow conduct to continue; the potential for re-victimization by responders and its effect on students; appropriate methods for responding to a student who may have experienced sexual violence, including the use of nonjudgmental language; the impact of trauma on victims; and, as applicable, the person(s) to whom such misconduct must be reported. (United States Department of Education, 2014, p. 45)

Additionally, the guidance stated that “responsible employees” should be made aware of their obligation to report incidents of sexual assault, domestic violence, dating violence, and stalking, what information their report should contain, the consequences of failing to report, and

the procedure for responding to confidentiality requests by students (United States Department of Education, 2014).

The "responsible employee" is the institution's first responder to incidents of sexual assault, domestic violence, dating violence, and stalking. Per guidance from OCR, institutions are required to inform each student of their right to file a complaint with ED should their case be mishandled by the institution. If trained correctly, the "responsible employee" can be a major asset to the institution's risk management plan. However, untrained "responsible employees" can single-handedly draw negative attention from the ED Office of Civil Rights through mismanagement of reports. ED investigates all complaints and will financially penalize institutions that are not in compliance with Title IX. Therefore, the "responsible employee" training is vital to maintaining the financial health of an institution.

### **The Kirkpatrick Model**

The Kirkpatrick model is a four-level training evaluation model developed by Dr. Donald L. Kirkpatrick (Kirkpatrick & Kirkpatrick, 2006), to evaluate "the business value and worth of training" (Kirkpatrick & Kirkpatrick, 2014, p. 2). Dr. Kirkpatrick was a Professor Emeritus of the University of Wisconsin and a former senior human resource manager, training professional, and author. He was also the past president of the American Society for Training and Development (Kirkpatrick & Kirkpatrick, 2006). The Kirkpatrick model has been highly regarded and widely used in the business and for-profit industries for several decades. It has also been influential in the development of other training evaluation models. In recent years, its success has expanded internationally to many foreign governments and non-governmental organizations (NGOs). It "has served as the primary organizing design for training evaluations"

(Bates, 2004, p. 341) because it is relatively simple and easy to use by many people, regardless of their background and profession.

### **Basic Tenants**

As Bates (2004) wrote, “the Kirkpatrick model is popular because it is systematic, ...provides a straightforward language to talk about training evaluation outcomes (p. 341), and ...offers a vehicle by which to place training results in business terms, and simplifies the complex tenants of training evaluation” (p. 342) . The model recommends four levels of evaluation: reaction, learning, behavior, and results. The following sections describe each level. When appropriate, examples of potential questions that could be used in an evaluation of each level are integrated in the sections.

**Level 1: reaction.** The first level evaluates reaction or customer satisfaction (Kirkpatrick & Kirkpatrick, 2006). This level is important because understanding how a training participant feels about the training helps to ensure that the training is effective. Kirkpatrick suggests that participants must respond favorably to training to be motivated to learn (Kirkpatrick, 2006). To effectively evaluate training on this level, the Kirkpatrick model provides guidance on appropriate tools. For instance, the model recommends the use of a simple survey called a reaction sheet, or “smile” sheet, as a tool to collect data (Kirkpatrick & Kirkpatrick, 2007). To create a simple survey, Kirkpatrick (2006) advises evaluators to first determine what he or she wants to find out. He suggests separating the evaluation into two areas: reaction to the subject and reaction to the trainer. Some typical topics addressed on a reaction sheet survey include: the content of training; the relevance of the material to job responsibilities; the comfort of the facility; the convenience of the facility; the trainer(s)’ knowledge of the subject matter; the trainer(s)’ ability to communicate, the trainer(s)’ ability to maintain a friendly and helpful

attitude, the handouts, the date and time of scheduled training; the sound system, and seating arrangement (Kirkpatrick, 2006).

Kirkpatrick states “the ideal form provides the maximum amount of information and requires the minimum amount of time” (Kirkpatrick, 2006, p. 28) to complete. Some examples of questions that evaluate reaction to the “responsible employee” training might be:

- The training on the impact of trauma was relevant to your duties as a “responsible employee.” 1-Strongly Agree, 2-Agree, 3-Neutral, 4-Disagree, 5-Strongly Disagree
- The trainer was an effective communicator. 1-Strongly Agree, 2-Agree, 3-Neutral, 4-Disagree, 5-Strongly Disagree

It is recommended that trainers use a Likert scale or another design that scores answers in intervals so that the results of the survey responses can be quantified easily (Kirkpatrick, 2006).

Kirkpatrick insists that the survey be anonymous and receive 100% participation (Kirkpatrick, 2007). Anonymity is key because training participants are more likely to give honest feedback if their identities can be protected from disclosure. Kirkpatrick believes that 100% participation is vital because it reduces the chances of the data being skewed by a few people who had extreme reactions and were highly motivated to make their opinions known (Kirkpatrick, 2006).

The last two steps in evaluating reaction involve creating a set of standards for data comparison and communicating the results to stakeholders (Kirkpatrick, 2006). Kirkpatrick stresses the importance of setting realistic standards of performance for each aspect of training being evaluated as well as including stakeholders in this decision-making process. These standards should be numerical, set prior to survey administration, and informed by past experiences, whenever possible (Kirkpatrick, 2006). Once the data are collected, the evaluator can compare the results against the standards to determine training effectiveness at this level (Kirkpatrick,

2007). Kirkpatrick states that evaluation of reaction should be done even if none of the other levels are evaluated. He notes that strategic reporting of the results to stakeholders creates value that can lead to more dedicated resources for future training.

**Level 2: learning.** The second level of the Kirkpatrick model focuses on evaluating learning. In his model, learning is defined as the extent to which participants change attitudes, improve knowledge, and/or increase skill because of attending a training (Kirkpatrick & Kirkpatrick, 1998, p. 20). While there are many reasons that organizations need to understand how to evaluate learning, the most important involves financial support. Both internal stakeholders and external funders will almost always require proof that learning is taking place to continue funding the training program.

The gold standard for evaluating learning is a pre-and post-test that evaluates knowledge, skills, and attitudes. This can be completed with or without a control group. Kirkpatrick warns that using a control group is not always practical due to the organization's size or number of training participants (Kirkpatrick, 2006).

The data from the pre-test will form the baseline of what participants know and do not know prior to the training (Kirkpatrick, 2006). An example of a pretest question for a "responsible employee" training participant is:

- TRUE or FALSE: According to the Title IX guidance issued by the ED Office of Civil Rights, sexual harassment includes student to student sexual assault.

Following the training, a post-test is administered. The evaluator compares the results of the pre-test to the results of the post-test to get both an overall measure of change in knowledge, skills, and attitudes as well as a change in smaller topics addressed by individual questions.



Kirkpatrick (2007) notes that this portion of comparison is significant because it measures the effectiveness of the instructor and allows the instructor to see the specific areas where there was no change. This allows the instructor to modify future training to better fit the needs of the training participants with this information (Kirkpatrick, 2007).

**Level 3: behavior.** The third level of the Kirkpatrick model evaluates changes in behavior because of training attendance (Kirkpatrick & Kirkpatrick, 2006). According to Kirkpatrick (2006), attendees can learn but cannot always change behavior due to factors beyond their control such as workplace climate or unsupportive supervisors. Therefore, it is important to evaluate learning (level 2) separately from behavior change (level 3).

To do this, Kirkpatrick suggests the use of balanced scorecards. Balanced scorecards are a “visual and numeric representation of strategy in action” (Kirkpatrick & Kirkpatrick, 2006, p. 85). They are designed to show how effective training participants are in executing the new knowledge and skills they gained in training. This demonstrates the transfer of learning to behavior. In a traditional business balanced scorecard, targets that are derived from the financial or production goals of senior managers are placed on the scorecard and tracked. In a similar way, a Level 3 balanced scorecard for a “responsible employee” training may have an organizational goal of increasing the number of referrals from “responsible employees” to the Title IX coordinator by 10%. Kirkpatrick explains that a balanced scorecard can be used as an early warning system to find problems in strategy execution. It can also be used to communicate strategy and execution of strategy (Kirkpatrick & Kirkpatrick, 2006, p. 90).

Two important facts to keep in mind when evaluating this level is that employees cannot change their behavior until they have the opportunity to do so and that it is impossible to predict when a change in behavior will occur (Kirkpatrick, 2007). For “responsible employee” training

participants, a change in behavior might take the form of an increase in referrals to the Title IX Coordinator or an increase in the rate of satisfaction with how a case was handled from a victim's perspective. To assist the behavior change process from employees, Kirkpatrick (2006) recommends encouragement as well as extrinsic and intrinsic awards. Examples of extrinsic rewards may include verbal praise, a pay increase, or empowerment to take on new responsibilities. Alternatively, intrinsic rewards are very individualized and personal because they are predicated on the employee's values and sense of self. An example of an intrinsic reward is a deep sense of self-satisfaction and pride as a result of completing the training and using their newly acquired knowledge and skills (Kirkpatrick, 2006).

Although evaluation of behavior change can be challenging, Kirkpatrick recommends a 360-degree evaluation of a training participant as the best approach. To do this, some evaluators use a 360-degree survey to collect observations from a participant's supervisor, colleagues, customers, and supervisees (if appropriate) while others prefer to use 360-degree interviews (Kirkpatrick, 2007). Regardless of the selected approach, Kirkpatrick suggests asking the following questions when deciding whom to survey or interview: "Who is best qualified? Who is most reliable? Who is most available? Are there any reasons that one of the possible evaluators should not be used?" (Kirkpatrick, 2006). While there is much discussion on which approach to evaluation is most effective at this level, many champion the interview because they believe that it yields more information than a questionnaire. However, an equal number of evaluators agree that interviews are very time consuming so the evaluator would not be able to consult as many people (Kirkpatrick, 2006).

**Level 4: results.** The fourth level evaluates results or the final outcomes achieved as a result of program attendance (Kirkpatrick & Kirkpatrick, 2006). These outcomes provide some

measure of the impact of the training on the broader organizational goals and objectives (Bates, 2004). Many trainers stumble on this step because they “don’t know how to measure the results and compare them with the costs of the program” (Kirkpatrick, 2006, p. 64). Another point to consider at this level of evaluation is that, while the findings may provide evidence of change, they are not proof that the results came from the trainings (Kirkpatrick, 2006).

“Responsible employee” training can be evaluated at this level through yearly campus climate surveys, self-reported increases in outreach and education to students, and statistical comparison of the number of cases and other demographics (e.g. age, gender, race/ethnicity, or sexual orientation) by the Title IX Coordinator. One often overlooked method of evaluation is to hold group debriefing sessions at monthly intervals to discover ways the training has been implemented successfully or unsuccessfully. Nonetheless, the most important part of evaluation at this level is demonstrating that good training leads to positive and measurable change.

In the following section, I will discuss the foundational principles of the Kirkpatrick model that an evaluator must understand in order to conduct training evaluation successfully. These foundational principles are meant to supplement Dr. Kirkpatrick’s seminal work on the four levels.

### **Foundational Principles**

In 2014, the Kirkpatrick Partners published a white paper regarding the Kirkpatrick foundational principles. These foundational principles address how to approach the application of the Kirkpatrick model and mark a distinct departure from earlier publications. Instead of using the model to prove return on investment (ROI), the Kirkpatrick Partners expanded on this by suggesting that the model should prove return on expectations (ROE). The Kirkpatrick Partners submit that ROI tends to narrow the focus to monetary terms. They contend this is an incomplete

analysis because there are many more dynamics beyond monetary gains or losses that are of interest to stakeholders (Kirkpatrick & Kirkpatrick, 2014).

The first principle states, “the end is the beginning” (Kirkpatrick & Kirkpatrick, 2014, p. 3). The authors submit that it is impossible to create and demonstrate the value of training by applying the Kirkpatrick model after designing and delivering a training program. The key is to distinguish the plan development from the evaluation methodology and to work from Level 4: Results backwards to Level 1: Reaction.

The second principle states, “return on expectations is the ultimate indicator of value” (Kirkpatrick & Kirkpatrick, 2014, p. 4). It is important for professionals tasked with developing a training program to go beyond conducting a needs assessment when designing their training. They must solicit the expectations of stakeholders organization-wide and convert them to observable, measurable outcomes. To accomplish this, one suggestion is to ask probing questions such as “what does success look like to you?” These success indicators will then become the Level 4 outcomes. If the training evaluations indicate the success indicators were met, then the stakeholders’ expectations would theoretically be satisfied. They contend the concept ROE is a more complete picture than the traditional return on investment because it focuses on the subjectivity of the stakeholders’ estimation of value.

The third principle states, “...partnership is necessary to bring about positive ROE” (Kirkpatrick & Kirkpatrick, 2014, p. 4). By partnership, the Kirkpatrick Partners are referring to any entity, either internal or external to the organization, which has a stake in the results of the training program. There is a myth that holding a training event will automatically produce positive results. The Kirkpatrick Partners propose that what occurs before and after the training are better predictors of positive bottom line outcomes. The stakeholders have the most influence

in what occurs before and after training. If the stakeholders feel more invested in the process through a culture of partnership, the chance for positive training results is greater.

The fourth principle states, "value must be created before it can be demonstrated" (Kirkpatrick & Kirkpatrick, 2014, p. 6). The Kirkpatrick Partners believe the emphasis should be on pre-training and post-training because those activities reinforce and create value. Organizations invest 90% of their resources into the training event itself, yet these events only contribute 15% of on-the-job application (change in behavior on the job). Studies show that the pre-training and post training follow-up with each participant leads to the largest change in behavior on the job.

The fifth principle states, "a compelling chain of evidence demonstrates your bottom-line value" (Kirkpatrick & Kirkpatrick, 2014, p. 7). A chain of evidence is the data and information that connects the four levels, demonstrating that the learning gained from the training has positively impacted the organization (Kirkpatrick, 2014). Levels 1 and 2 are consumptive metrics that consist of data that indicate "how much time and how many resources have been invested into training" (Kirkpatrick & Kirkpatrick, 2014, p. 7). Levels 3 and 4 are impact metrics that indicate "the value and tangible results that training has delivered" (Kirkpatrick & Kirkpatrick, 2014, p. 7). Both consumptive and impact metrics must be reported to show a complete picture to the stakeholders.

The Kirkpatrick Partners created these guidelines for the implementation of the Kirkpatrick model to help evaluators get the highest ROE. These guidelines include developing the training by determining what should be accomplished by level 4 of the model, turning stakeholder's expectations into measurable outcomes, creating a partnership with stakeholders to create a sense of investment in the training, using pre-and post-training follow-up to increase the

value of training, and creating the most compelling chain of evidence that the training was effective by using data from each level. Evaluators that utilize these guidelines will illustrate the level of ROE achieved by the training.

### **Criticisms of the Model**

The Kirkpatrick model is the foremost standard for training evaluation in the United States and abroad (Bates, 2004). It is popular because it is simple and user-friendly. Still, some training researchers have argued that the very simplicity that makes the model appealing is also a liability (Alliger & Janak, 1989). “Kirkpatrick’s model provides a vocabulary and rough taxonomy for criteria. At the same time, Kirkpatrick’s model, through easily adopted vocabulary and a number of, often implicit, assumptions, can tend to misunderstandings and overgeneralizations” (Alliger, Tannenbaum, Traver, & Shotland, 2006, p. 2). Kirkpatrick’s model is useful for its simplicity as a taxonomy but this simplicity also creates challenges when the model is applied because it can lead to generalizations, for instance.

One of the most outspoken critics of the Kirkpatrick model has been Mr. Elwood F. Holton III. In his 1996 article entitled, *The Flawed Four Level Evaluation Model*, he makes several assertions to support his view that the model is inadequate. The first assertion is that the Kirkpatrick model is a taxonomy and not a theory based on research. He explains that a taxonomy is a “classification scheme” (Holton, 1996, p. 6) and is “the link between the initial stages and final confirmatory stages of developing a theory” (Holton, 1996, p. 6). Holton believes that the Kirkpatrick model has not been researched enough to be considered a theory of evaluation (Holton, 1996).

Holton next asserts there is no evidence to support Kirkpatrick’s implication that there is linear or causal relationship between the four levels. Holton believes there are many intervening

variables that affect the outcomes of training that are not considered in the Kirkpatrick model. Some examples of the variables are “employee readiness and motivation, training design, and reinforcement of training on the job” (Holton, 1996, p. 7). Holton argues that Kirkpatrick is unclear about his viewpoints on this because he alludes to complex causal relationships between variables such as organizational climate and employee motivation in some of his writings and makes statements that imply a simple causal relationship between the levels such as “without learning, no changes in behavior will occur” (Kirkpatrick, 1998, p. 51 & Holton, 1996, p. 7). Since there are not clear cause and effect relationships in the training evaluation, Holton considers it especially problematic when the model is used for diagnostic purposes. He argues that erroneous conclusions based on a training evaluation that does not include a complete list of variables, as he argues the Kirkpatrick model does not, can lead to inappropriate training program changes. Under the Kirkpatrick model, he contends that if positive results were not found, the only possible conclusion was that something was wrong with the training program. “However, if the many intervening variables that remain unmeasured are considered, it is quite possible that the training program is well designed and that the problem lies outside the classroom with some element of the organization, job, or individual” (Holton, 1996, p.8).

Kirkpatrick carefully responded to many of Holton’s critiques, concluding that in the real world where training evaluations take place the word model simply means a systematic way of doing something and may not fit a scholarly definition. However, Kirkpatrick asserts in response to Holton that his main concern is not whether the system is a model or a taxonomy, but rather the ability of the four levels to clarify the value of trainings (Kirkpatrick, 1998).

Another critique of the Kirkpatrick model comes from George Alliger and Elizabeth Janak in their 1989 article, Kirkpatrick’s Levels of Training Criteria: Thirty Years Later. Alliger

and Janak focus on the assumptions of the Kirkpatrick model. The first assumption examined is “each succeeding level is more informative than the last” (Alliger & Janak, 1989, p. 332). Alliger and Janak point out that not all training is meant to affect change at all four levels of the model. They submit that training can be “rewarding, spirit-building, or perquisite in nature” (Alliger & Janak, 1989, p. 332) and therefore the results do not have to be monetized to have value. In other words, the assumption that Level 4 results (ROI) are the “best” measure and the ultimate goal of all training evaluation may not correlate to the expectations of the participants or evaluator. They also indicate that inherent in this assumption is the bias that results that can be monetized are more valuable (Alliger & Janak, 1989, p. 333). The authors discuss the presence of the so-called “dollar criterion” in the literature. This simply put is the bias that results that can be monetized are more valuable to the evaluator. Unfortunately, a tendency for prioritizing results that can be quantified can obscure other possible approaches to evaluation (Alliger & Janak, 1989, p. 333). Alliger and Janak also examined the assumption of causality between successive levels. Like Holton, Alliger and Janak maintain that “causality is difficult to prove or disprove” (Alliger & Janak, 1989, p. 333). This holds true for the Kirkpatrick’s model and therefore they believe that it is worth examining whether the former step can be seen to cause the latter step. In response to this, it is important to realize that Kirkpatrick did not claim a causal relationship. He deemed his ideas as useful for shaping the evaluation process for organizations so they could create a chain of evidence to show that learning happened and change occurred. Alliger and Janak offer another causal linkage to rival the inherent linear causality of the model. In their system, “feedback sustains the behavior-result link” (Alliger & Janak, 1989, p. 334). In this alternate proposal, Level 1 is unrelated to the other levels, Level 2 is somewhat important in the causality of Levels



3 and 4 and Levels 3 and 4 are causally interdependent. This alternate model emphasizes the interdependent rather than linear link between behavior and result.

The final assumption is each succeeding level is positively correlated with the previous level. On this point, Alliger and Janak offer a thorough evaluation of the literature and find that many studies that have evaluated training on two or more of Kirkpatrick's levels report different effects of training for different levels but not necessarily a positive correlation. They conclude that there is a lack of evidence of inter-level correlation (Alliger & Janak, 1989). They also ask the interesting question of whether attitudinal reactions to training should be considered in a category independent from learning or behavior. Their review of the literature suggested that this separation may be advisable. While Alliger and Janak acknowledge that Kirkpatrick's model "may never have been meant to be more than a first, global heuristic for training evaluation" (p.339), they also reveal critical areas where the model assumes value and correlation in a way that is not easily proven.

### **Widespread Use and Acceptance**

The Kirkpatrick model is widely accepted as the gold standard for training evaluation. While originally intended for the human resource and business industry, today, it is used by diverse types of organizations from all over the world. Three case studies listed below demonstrate its widespread use and acceptance.

**Case study 1.** In 2009, the Ministry of Health and Medical Education in the Islamic Republic of Iran moved to decentralize its health system. The World Health Organization contracted a United Kingdom based university to design a series of courses for Iranian health professionals, with the goal of increasing the capacity of the National Public Health Management Centre in Tabriz, Iran. For this study, "capacity" was defined as "the knowledge, skills, and

confidence that people have to make effective use of their abilities” (Omar et al, 2009, para. 5). This study was designed to achieve two outcomes: first, to develop the competencies of participants in their current management roles and responsibilities in order to enable them to do their jobs better, and second, to enable them to organize and manage the training of others using a range of methods and approaches to train future trainers. The Kirkpatrick model was used to evaluate the training programs. The results of the evaluation of participant reaction showed that they perceived the course content to be relevant but wished there was less emphasis on theory and more attention given to practical, location specific skills and training. Additionally, participants preferred interactive approaches for learning about health planning and management. The results of the evaluation of learning and behavior were that the participants found detailed information and specific skills to be most helpful, such as health systems research and group work/problem solving. The participants deemed the areas dealing with training and leadership were the least beneficial. Participants also expressed the belief that it was easy to apply the information and skills learned that they deemed helpful. The evaluators observed that information and skills, such as problem-solving, were perceived as difficult to apply and therefore were used less. Eighty percent of the participants claimed they could perform their jobs better because of the training and 33% had been asked to train colleagues. Interviews with key administrators and internal stakeholders indicated that the performance of trainees had improved (Omar et al., 2009).

**Case study 2.** Dow University of Health Sciences in Karachi, Pakistan, conducted a study of the impact of a teacher’s training program in medical institutions between 2008 and 2014. The training program was 24 days long and was made up of ten training courses for teachers, each containing six modules. The researchers used the Kirkpatrick model to

evaluate the program on the four levels. The first level was evaluated using an opinion form. The second level was measured using pre-and post- module tests. The third level focused on documenting the transfer of acquired knowledge from teacher to student through structured assignments. The final level was evaluated using feedback obtained from students and teachers. Upon completion of the course, 90% of participants said that they benefitted from the course. However, after a period of months following the training, the program evaluation revealed that only 40% of participants showed improvement. In fact, 34% said that they benefitted somewhat and 18% were affected to an even lesser extent. The same evaluation showed that only two percent of teachers claimed to not have benefitted from the course (Masood & Usmani, 2015). Moreover, the researchers concluded that the Kirkpatrick model captured training evaluation on each of the four levels, while noting that the study was one of the first where the model was applied to medical teacher training.

**Case study 3.** An adapted training program named Team STEPPS (Strategies and Tools to Enhance Performance and Patient Safety) was delivered to Obstetrics clinicians in 2015. The training focused on communication, mutual support, situation monitoring, leadership, situational awareness, and cognitive bias. The goal of this study was to evaluate the effectiveness of a team training intervention in improving teamwork, situational awareness, decision making, and cognitive bias as well as patient outcomes in Obstetrics. To determine impact on trainee reactions, learning, transfer, and results, the team conducted a repeated measures multilevel evaluation of the training using the four levels of the Kirkpatrick model. Data were collected using surveys, situational judgment tests observations, and patient chart reviews. Overall, the research showed that participants found the training useful. In terms of participant learning, participants gained knowledge of communication strategies. However, knowledge of other team

competencies did not significantly improve nor did self-reported teamwork on the unit. Therefore, the application of the Kirkpatrick model showed that the training was partially successful. Although, situational awareness or the ability to detect and coordinate critical obstetrics emergencies did not significantly improve for all scenarios, results of behavioral observation suggest that decision accuracy significantly improved on the job and there was a marginally significant reduction in babies' length of stay in the hospital (Sonesh et al., 2015).

### **Barriers to Training Evaluation**

Training professionals encounter many barriers to evaluating their training programs. Research by Clarke (2004) found five barriers that illustrated the roadblocks training professionals encounter. These included: lack of prioritization by senior management, lack of knowledge on how to conduct an evaluation, lack of clear training objectives associated with the training program, limited budget, and the risk of an unfavorable outcome to an evaluation (Clarke, 2004, p. 628).

Two other studies add to Clarke's findings. The first of these, a 2003 study by Phillips, identified three barriers to training evaluation: evaluation costs, lack of training or experience, and evaluation not being required by the organization (Phillips, 2003, p. 1). Later, Brewer, in 2007, found that the top four reasons that training evaluation was not done was that it was not required by the organization, it may only be done to meet legal requirements, it is cost prohibitive, and those doing it have a lack of knowledge in doing the evaluation (Brewer, 2007, p.74). To overcome these barriers, training professionals must make the case to organizational leadership that only through training evaluation will the return on investment or expectations be realized.

## **Summary**

In summary, Title IX prohibits sex discrimination in any educational programs or activities that receive federal funding (“Title IX”), 20 U.S.C. Sec.1681, et seq. The responsible employee training program is meant to educate any employee that can be perceived as someone who can do something about a complaint (United States Department of Education, 2011). Institutions’ risk management strategy should include a robust responsible employee training program.

The Kirkpatrick model is a well-known method to evaluate training because it is simple and easy to understand (Bates, 2004). It consist of four levels: reaction, learning, behavior, and results. This chapter discussed the model itself, criticisms of the model, case studies that exhibit the wide use and acceptance of the model, and barriers to training evaluation.

### **Research Design**

Given the purpose and research questions of this study, a cross-sectional survey design was selected as the research design to be used. Cross sectional designs are used to collect data that reflect current attitudes, opinions, beliefs, or practices at one point in time (Creswell, 2002). The advantages of this design are that it can be conducted electronically, quickly, and cost efficiently (Creswell, 2002).

To develop the survey instrument, I used information about the Kirkpatrick framework to evaluate responsible employee training programs. Initially, a pilot test was conducted to gather feedback and preliminary impressions from my colleagues on the content and form of the survey. Upon receiving the results and after consultation with the dissertation advisor, I conducted a field test to establish the content validity of scores on the survey and to “improve questions, format, and scales” (Creswell, 2014, p.161). The field test survey was sent to three institutions being studied to gain feedback. I made the necessary adjustments before administering the survey to the population being studied.

### **Population and Sample**

The population being studied in this research was 103 large four year, primarily residential (L4/R) and 41 large four year, highly residential institutions (L4/HR) as identified by the Carnegie classification system in October 2015. I selected L4/R and L4/HR institutions because the literature shows that more sexual assaults occur in the residence halls than other on or off-campus locations. This is verified by the United States Department of Education Summary Crime Statistics for 2006-2008, which shows that about six times as many sexual assaults occur in on-campus residence halls than do off-campus (United States Department of Education, 2011). I surveyed the entire population in lieu of sampling to maximize the number of responses

obtained. This approach is advantageous because it allows conclusions to be drawn about the entire population (Creswell, 2002).

The survey was sent out to the Title IX Coordinators of all institutions in the L4/R and L4/HR classifications for two reasons. First, they were the individuals who were most likely to provide statistical data on training objectives and to determine what data are being collected to evaluate the responsible employee trainings. Second, they are the administrators best able to evaluate the training at level of individual units within the university, as well as the university as a whole.

### **Instrumentation**

The survey instrument included 20 close-ended questions that contained pre-set, mutually exclusive response options for the participants. Close-ended questions are practical because all individuals will answer the question using the response options provided (Creswell, 2002). This enables the researcher to conveniently compare responses (Creswell, 2002). Close-ended questions also provide a means for coding responses or assigning numeric value and statistically analyzing the data (Creswell, 2002). The downside of close-ended questions is that the researcher might provide insufficient options for the respondents to select from.

### **Data Collection**

In survey research, it is important to receive a high response rate from participants in the study so there is confidence that the results can be generalized to the population (Creswell, 2002). To encourage high rates of return, Creswell suggests pre-notifying the participants that they will receive a questionnaire and explaining the survey about two weeks prior to sending the actual survey (Creswell, 2002). Creswell also suggests sending a follow-up communication to

participants that have not responded about two weeks after distribution of survey (Creswell, 2002).

Another way to encourage a high rate of return is to frame the study as a problem of interest to the population under study (Creswell, 2002). Additionally, using a brief instrument that takes less than 15 minutes to complete yields a higher rate of return (Creswell, 2002). To detect any response bias, the researcher can use a wave analysis (Creswell, 2002). A wave analysis is a procedure to check for response bias in which an investigator groups returns by intervals and check to see if the responses change on a few select questions from the first week to the final weeks (Creswell, 2002). If there is a change, responses may be biased and not representative of the entire population (Creswell, 2002).

### **Data Analysis**

I used Survey Monkey, an online survey software and questionnaire tool, to administer the survey. To protect the confidentiality of each participating institution, I selected a setting that detached an individual email address from the correlating survey responses. Survey Monkey provided the descriptive statistics that I used to analyze the data. I focused on two types of descriptive statistics: measures of frequency and measures of central tendency. Specifically, I looked at the mode and percentages of each question. The mode “is the number that occurs most often within a set of numbers” (Rouse, 2014, para. 5). Percentage is a “way of expressing a proportion. A percentage is equal to the proportion times 100” (Stat Trek, n.d., para.2).

### **Summary**

In summary, the research design was a cross-sectional survey. The entire population of highly residential and primary residential, as identified by the Carnegie classification system,



was administered the electronic survey through Survey Monkey. The data analysis of the results examined the descriptive statistics of mode, frequency, and percentages.

## Chapter Four: Presentation of Data

### **Introduction**

As outlined in chapter three, the Title IX Coordinators of 144 HR and PR institutions of higher education were sent a one-page email through Survey Monkey explaining the study and asking for their participation. The email introduced the researcher, identified the purposes of the research, and provided a link to a survey. The survey asked the Title IX Coordinators about the intended objectives of the institution's responsible employee training and what data is collected to determine if the responsible employees are meeting those objectives. The survey also collected demographic information about the survey respondents. The Kirkpatrick model was utilized to construct the survey questions about what data the Title IX Coordinators collected when evaluating their responsible employee training program. The Kirkpatrick model consists of four levels of evaluation: reaction, learning, behavior, and results. The survey results for each level are stated below.

### **Participant Demographics**

The survey invitation was sent to 144 four-year institutions that were categorized as primarily residential or highly residential by the Carnegie Classification system. Three rounds of invitations were sent out, each two weeks apart. Thirty-two institutions responded. Table 1 shows the number and percentage of respondents by accrediting body. Nine respondents declined to answer this question. The highest response rate was from the Southern Association of Colleges and Schools with 34.8%, closely followed by the Middle States Commission on Higher Education with 30.4% and the Higher Learning Commission with 26.1%, respectively. No responses were received from the institutions in the Northwest Commission on Colleges and Universities or the Western Association of Schools and Colleges (WASC) Senior College and University Commission.

The low response rate from the institutions in the WASC Senior College was attributed to their collective decision to not participate in this study. I received communication directly from one institution stating that given the current political climate around Title IX, the WASC schools respectfully declined to participate.

After the second round of invitations were sent to participants, I noted that there were no responses directly claimed by schools from Northwest Commission on Colleges and Universities accreditation region. In order to increase the response rate, I made personal phone calls and sent direct emails to each school. I spoke to secretaries and administrative assistants as well as three Title IX Coordinators who stated they would complete the survey.

Table 1		
<i>Institution's Accrediting Body</i>		
<u>Answer Options</u>	<u>Percent of Respondents</u>	<u>Num</u>
Higher Learning Commission	26.1%	6
Middle States Commission on Higher Education	30.4%	7
New England Association of Schools and Colleges, Commission on Institutions of Higher Education	8.7%	2
Northwest Commission on Colleges and Universities	0.0%	0
Southern Association of Colleges and Schools, Commission on Colleges	34.8%	8
WASC Senior College and University	0.0%	0

Note. Nine respondents skipped this question.

As Table 2 shows, most of the institutions that responded to this question had a total student population greater than 10,000.

Table 2

*Total Student Population at Responding Institutions*

<u>Answer Options</u>	<u>Percent of Respondents</u>	<u>Response</u>
≤10,000	11.1%	3
10,001-20,000	48.1%	13
≥ 20,001	40.7%	11

Note. Five respondents skipped this question.

### **Purpose of the Study**

As stated earlier, the purposes of this study were to: (a) discover the intended objectives that selected institutions of higher education had for their “responsible employee” training programs and (b) identify what data were collected to determine if the “responsible employee” training programs were meeting those objectives.

### **Results of the Survey**

The survey results are presented below. The data are organized in the order of the questions on the survey. The tables provide the complete results from each question and are accompanied by important data that needed to be highlighted.

#### **Question 1. Does your institution train its responsible employees?**

According to the results, 97% of the responding institutions train their responsible employees (Table 1) but only 63.3% require responsible employees to attend training (Table 3).

Table 3

*Number of Institutions That Train Responsible Employees*

<u>Answer Options</u>	<u>Percent of Respondents</u>	<u>Number</u>
Yes	96.9%	31
No	3.1%	1

Note. No respondents skipped this question.

#### **Question 2. Does your institution require responsible employees to attend training?**

Table 4		
<i>Number of Institutions That Require Responsible Employees to Attend Training</i>		
<u>Answer Options</u>	<u>Percent of Respondents</u>	<u>Number</u>
Yes	63.33%	19
No	36.67%	11
I Do Not Know	0%	0

Note. No respondents skipped this question.

**Question 3. How often are your institution’s responsible employees required to attend training?**

As shown in Table 5, the frequency that responsible employees are required to attend training widely varied. Although no answer reached a clear majority, “each academic term” was the most common.

Table 5		
<i>Frequency That Responsible Employees Are Required to Attend Training</i>		
<u>Answer Option</u>	<u>Percent of Respondents</u>	<u>Number</u>
Never	3.6%	1
Once	10.7%	3
Each Term	0.0%	0
Each Academic Year	39.3%	11
As Needed	14.3%	4
Other	32.1%	9

Note. Four respondents skipped this question.

**Question 4. Who conducts the responsible employee training for your institution?**

Table 6 shows that Title IX Coordinators facilitated the responsible employee training at most of the responding institutions.

Table 6		
<i>Responsible Employee Training Facilitator</i>		
<u>Answer Options</u>	<u>Percent of Respondents</u>	<u>Number</u>
Title IX Coordinator	60.7%	17
Dean of Students/Vice President for Student Affairs	0%	0
Student Conduct Office	0%	0
Institution's General Counsel's Office	3.6%	1
Another Institution of Higher Education	0%	0
Consortium of Institutions	0%	0
Contracted External Agency/Organization	10.7%	3
Other	25.0%	7

Note. Four respondents skipped this question.

### **Question 5. What format is used to train responsible employees?**

The most common responsible training format was online (53.6%) with 25% offering in person training (Table 7). Approximately 21% of the respondents listed “other” as the training format (Table 7).

Table 7		
<i>Responsible Employee Training Format</i>		
<u>Answer Options</u>	<u>Percent of Respondents</u>	<u>Number</u>
In Person	25.0%	7
Online	53.6%	15
Other	21.4%	6

Note. Four respondents skipped this question.

### **Question 6. What are the objectives of your institution's responsible employee training?**

**Please select all that apply.**

The response options for this question were taken from the guidance issued by the US Department of Education's Office for Civil Rights (OCR) in 2014 which I shifted into learning outcome format. According to the data (Table 8), the top four and most widely used training objectives related to the responsible employee appropriately responding to a student, explaining the responsible employee's legal duty to report, citing the information the student must be informed of, and responding to requests for confidentiality.

Table 8		
<i>Responsible Employee Training Objectives</i>		
<u>Answer Options</u>	<u>Percent of Respondents</u>	<u>Number</u>
The participant will be able to label acts of sexual violence and recite strategies for prevention.	59.3%	16
The participant will be able to describe the attitudes and actions of bystanders that allow sexual violence to continue.	33.3%	9
The participant will be able to identify cases where re- victimization can occur.	22.2%	6
The participant will be able to give examples of appropriate responses to a student who may have experienced sexual violence.	88.9%	24
The participant will be able to explain the legal reporting obligation of responsible employees and name the consequences for failure to report.	81.5%	22
The participant will be able to cite the information that a student must be informed of (i.e. reporting obligations of responsible employees; option to request confidentiality; available confidential advocacy, counseling, or other support services; right to file a title ix complaint with the school; and right to report a crime to campus or local law enforcement )	77.8%	21
The participant will be able to list what information should be included in a report.	51.9%	14
The participant will be able to recall the procedure for responding to student requests for confidentiality.	74.1%	20
Other	22.2%	6

Note. Five respondents skipped this question.

**Question 7. Does your institution evaluate its responsible employee training?**

Approximately 51.9% of the institutions responded that they evaluate their responsible employee training and 48.1% answered that they do not (Table 9).

Table 9		
<i>Evaluation of Responsible Employee Training</i>		
<u>Answer Options</u>	<u>Percent of Respondents</u>	<u>Number</u>
Yes	51.9%	14
No	48.1%	13

Note. Five respondents skipped this question.

**Question 8. Why doesn't your institution evaluate its responsible employee training? Please select all that apply.**

As noted in Table 8, most of the respondents who said they did not evaluate their responsible employee training selected "lack of staff to conduct the evaluations" as the reason.

Table 10		
<i>Reasons that institution does not evaluate the responsible employee training</i>		
<u>Answer Options</u>	<u>Percent of Respondents</u>	<u>Number</u>
Budget Constraints or Cost	7.7%	1
Lack of Staff to Conduct the Evaluations	61.5%	8
Lack of Training and Skills to Evaluate the Training	7.7%	1
Upper Management Does Not Believe It Is Important and Necessary	7.7%	1
You Do Not Believe It Is Important and Necessary	0.0%	0
Other	46.2%	6

Note. Nineteen respondents skipped this question.

**Question 9. Do you evaluate the participant's reaction to the responsible employee training?**

The first level evaluates reaction or customer satisfaction (Kirkpatrick & Kirkpatrick, 2006). This level is important because understanding how a training participant feels about the training helps to ensure that the training is effective. As noted in Table 11, 50% of the respondents said that they evaluated participant reaction to the responsible employee training.



Table 11		
<i>Whether participant's reaction to responsible employee training is evaluated</i>		
<u>Answer Options</u>	<u>Percent of Respondents</u>	<u>Number</u>
Yes	50.0%	7
No	50.0%	7

Note. Eighteen respondents skipped this question.

**Question 10. Select the specific area(s) you include in your evaluation of the participants' reaction to the responsible employee training. Please choose all that apply.**

In Table 12, the respondents reported that they primarily gauged participant reaction by assessing the content of training, the relevance of the material to job responsibilities, the trainer as a subject matter expert, and the length of training.

Table 12		
<i>Areas included in evaluation of participants' reaction to responsible employee training</i>		
<u>Answer Options</u>	<u>Percent of Respondents</u>	<u>Number</u>
The Content of Training	100.0%	7
The Relevance of the material to Job Responsibilities	71.4%	5
The Trainer(S) Knowledge of The Subject Matter	71.4%	5
The Trainer(S) Ability to Communicate	28.6%	2
The Trainer(S) Ability to Maintain a Friendly and Helpful Attitude	28.6%	2
The Handouts	14.3%	1
The Date and Time of Scheduled Training	14.3%	1
The Length of the Training	42.9%	3
Other	28.6%	2

Note. Twenty-five respondents skipped this question.

**Question 11. For participants that attend the training in-person, select any additional area(s) you include in your evaluation.**

The single respondent to this question selected the comfort of the facility and the room set-up as the only additional areas evaluated.

Table 13		
<i>Additional areas included in evaluation for participants that attend the training in-person</i>		
<u>Answer Options</u>	<u>Percent of Respondents</u>	<u>Number</u>
The Comfort of The Facility	100.0%	1
The Convenience of The Facility	0.0%	0
The Cleanliness of The Facility	0.0%	0
The Sound System	0.0%	0
The Room Set-Up	100.0%	1
The Seating Arrangement	0.0%	0
The Type of Chairs and Tables Provided	0.0%	0
Other	0.0%	0

Note. Thirty-one respondents skipped this question.

**Question 12. What evaluation methods does your institution use most often to evaluate participant reaction to responsible employee training? Please select all that apply.**

The top four methods of evaluating reaction that were reported were reaction sheet, pre-test/post-test, observations, and other (Table 14). The most common choice was reaction sheet.

Table 14		
<i>Evaluation methods used by institution to evaluate participant reaction to responsible employee training</i>		
<u>Answer Options</u>	<u>Percent of Respondents</u>	<u>Number</u>
Reaction Sheet	66.7%	4
Pre-Test/Post-Test	16.7%	1
Journaling	0.0%	0
Interview with Participant	0.0%	0
Focus Groups	0.0%	0
Observations	16.7%	1
Other	33.3%	2

Note. Twenty-six respondents skipped this question.

**Question 13. Do you evaluate what the participants learned because of attending the responsible employee training?**

The second level of the Kirkpatrick model focuses on evaluating learning. In this model, learning is defined as the extent to which participants change attitudes, improve knowledge,

and/or increase skill as a result of attending a training (Kirkpatrick & Kirkpatrick, 1998, p. 20).

Eleven respondents indicated that they evaluated participants' learning (Table 15).

Table 15		
<i>Whether participant learning is evaluated</i>		
<u>Answer Options</u>	<u>Percent of Respondents</u>	<u>Number</u>
Yes	84.6%	11
No	15.4%	2

Note. Nineteen respondents skipped this question.

**Question 14. What evaluation methods does your institution use most often to evaluate what participants learned at the responsible employee training? Please select all that apply.**

Pre-test/post-test, observations, and other were the only methods selected (Table 16). Pre-test/Post-test was the most common.

Table 16		
<i>Evaluation methods most often used to evaluate participant learning at the responsible employee training</i>		
<u>Answer Options</u>	<u>Percent of Respondents</u>	<u>Number</u>
Pre-Test/Post- Test	44.4%	4
Journaling	0.0%	0
Interview with Participant	0.0%	0
Focus Groups	0.0%	0
Observations	11.1%	1
Other	55.6%	5

Note. Twenty-three respondents skipped this question.

**Question 15. Do you attempt to determine participants' change in behavior on the job as a result of responsible employee training attendance?**

The third level of the Kirkpatrick model evaluates changes in behavior as a result of training attendance (Kirkpatrick & Kirkpatrick, 2006). As noted in Table 17, one institution out of the 11 that responded to this question stated that they evaluate the change in behavior of the

responsible employees because of the training. The evaluation method used by the one institution that responded to this question was observations and other (Table 18).

Table 17		
<i>Whether change in behavior of participants because of responsible employee training is evaluated</i>		
<u>Answer Options</u>	<u>Percent of Respondents</u>	<u>Number</u>
Yes	9.1%	1
No	90.9%	10

Note. Twenty-one respondents skipped this question.

**Question 16. What evaluation methods does your institution most often use to evaluate a participant’s change in behavior attributable to the responsible employee training? Please select all that apply.**

Table 18		
<i>Evaluation methods used to evaluate participant’s change in behavior attributable to the responsible employee training</i>		
<u>Answer Options</u>	<u>Percent of Respondents</u>	<u>Number</u>
Journaling	0.0%	0
Interview with Participant	0.0%	0
Interview with Participant’s	0.0%	0
Performance Test	0.0%	0
360 Interviews	0.0%	0
Focus Groups	0.0%	0
Observations	100.0%	1
Other	100.0%	1

Note. Thirty-one respondents skipped this question.

**Question 17. Do you collect evidence that the intended results of the responsible employee training were accomplished?**

The fourth level evaluates results or the final outcomes achieved as a result of program attendance (Kirkpatrick & Kirkpatrick, 2006). Approximately 58.3% of the respondents

answered “yes” when asked if they collected evidence that the intended results of the training were accomplished (Table 19).

Table 19		
<i>Whether evidence that the intended results of the responsible employee training are collected</i>		
<u>Answer Options</u>	<u>Percent of Respondents</u>	<u>Number</u>
Yes	58.3%	7
No	41.7%	5

Note. Twenty respondents skipped this question.

**Question 18. What evaluation tools does your institution most often use to evaluate the results of the responsibly employee training? Please select all that apply.**

Approximately 43% of the institutions that responded used statistical data previously collected during the training evaluation process to evaluate the result (Table 20) and 57.1% used “other” means not listed (Table 20).

Table 20		
<i>Evaluation tools that institution uses to evaluate the results of the responsible employee training</i>		
<u>Answer Options</u>	<u>Percent of Respondents</u>	<u>Number</u>
Interview with Participant	0.0%	0
Interview with Participant’s Supervisor	0.0%	0
Focus Groups	0.0%	0
Observations	14.3%	1
Statistical Analysis from Data Previously Gathered During the Training Evaluation Process	42.9%	3
Other	57.1%	4

Note. Twenty-five respondents skipped this question.

**Summary**

This chapter detailed the demographic responses, and reviews the answers. In summary, 97% of the responding institutions trained their responsible employees. The most common

objectives of the responsible employee trainings involved the responsible employee appropriately responding to a student, explaining the responsible employee's legal duty to report, citing the information the student must be informed of, and responding to request for confidentiality. The primary level of evaluation was reaction and the highest selected method for evaluation across the four levels was observations.

## Chapter Five: Discussion

### **Introduction**

This chapter contains a summary of the methodology, the study findings and conclusions, and a discussion of the similarities with other studies using the Kirkpatrick Method.

Recommendations about improved practice and areas of further research are also presented.

### **Summary of Methodology**

The purposes of this study were to: (a) discover the intended objectives that selected institutions of higher education had for their “responsible employee” training programs and (b) identify what data were collected to determine if the “responsible employee” training programs were meeting those objectives. Given the purposes and research questions of this study, a cross-sectional survey design was selected. The population studied in this research were the 103 large four year, primarily residential (L4/R) and 41 large four year, highly residential institutions (L4/HR) as identified by the Carnegie classification system in October 2015. The Title IX Coordinators at each of these institutions being studied were surveyed using a 20 question instrument with fixed choice answers. The Kirkpatrick framework was utilized to evaluate responsible party training programs. To administer the survey and provide the descriptive statistics to analyze the data, I employed Survey Monkey, an online survey software and questionnaire tool.

### **Limitations**

A major limitation of this study was the low response rate that clearly influenced the ability to draw generalizations from the findings. Another limitation of this study was that the Secretary of Education rescinded the 2011 and 2014 Dear Colleague Letter guidance that outlined the details of what responsible employee training should cover (September 22, 2017).

## Findings

The major findings of the study are presented below. They are organized by research question.

### **Research Question 1: Responsible Employee Training Objectives**

Research question 1 asked: *What were the objectives of the “responsible employee” training program for the institution?* The top four reported training objectives were that the responsible employee learn how to: appropriately respond to a student; understand their legal duty to report; cite the information that students must be informed about; and know how to respond to requests for confidentiality.

### **Research Question 2: Training Data**

Research Question 2 asked: *What data was gathered to evaluate the training? In particular, did institutions gather, assess, and use data about:*

- a. *Participant reaction to training*
- b. *Participant learning from training*
- c. *Participant behavior after training*
- d. *Results gained from attendance and participation in training*

Almost without exception, colleges’ efforts to evaluate training were focused on obtaining reactions to the training. To do so, the respondents reported they primarily gauged participant reaction by assessing the content of training, the relevance of the material to job responsibilities, the competence of the trainers as a subject matter experts, and the length of training. The top three methods of evaluating at any of the levels were reaction sheets, pre-test/post-test assessments, and observations. Although few colleges evaluated at the behavior or results level, those institutions that did indicated the use of the data previously collected during



the training evaluation process as their chosen method to evaluate the results of responsible employee training.

### **Conclusions**

My first conclusion was that legal oriented learning objectives appeared to take priority over more promising practice-type objectives. I believe this occurred because an increasing number of colleges and universities had selected lawyers to be their Title IX Coordinators (Taylor, 2018), the climate around sexual harassment and sexual assault is more public and litigious than ever (Hartocollis, 2017), and, at the time of the study, there were over 1,650 open Title IX investigations at the U.S. Department of Education (U.S. Department of Education, 2018). It seemed that institutional leadership were very concerned about the legal issues affecting the institution.

My second conclusion was that despite the large amount of material that was meant to be covered according to the OCR guidance, only a small number of learning objectives were selected by respondents. I believe this absence of adequate learning objectives for responsible employee training was a major reason why so little assessment of the training was taking place. Learning objectives provide needed clarity about both teaching methods and assessment strategies (O'Reilly, Crawford, & Warren, 2007). In short, as Clarke (2004) reported, a lack of clear training objectives is a major barrier to successfully evaluating a training program.

My third conclusion was that the institutions valued importance of the trainer being a subject matter expert over evaluation of the trainer's ability to communicate or establish and maintain a good learning environment. This finding demonstrates the institution's apparent preference for legal adeptness over training skills and abilities.

My fourth conclusion was that institutions favored online training over in-person training. Although not a topic of my study, I can only surmise that this was due to a decision on a more cost effective method to reach a broader audience of all faculty, staff, and administrators. Support for this came from a 2004 study in which Clark also concluded that budget strongly impacts the method used to administer training.

My final conclusion was that because so few respondents conducted evaluations at Kirkpatrick's levels two and three, I do not believe that institutions were able to make clear assessments of the relationship between program attendance and meeting the training objectives. I don't know if the reason for this is lack of "know how" or lack of financial or human resources, or lack of prioritization by senior management, an observation by Brewer (2007).

It is disappointing, however not surprising, that the majority of the institutions did not evaluate responsible employee training beyond the reaction level. In a 2017 study titled, *Beyond exit surveys: A critical examination of current evaluation practices for diversity certificate training programs in higher education*, it was concluded "that current practices evaluating DCT programs were falling short of gathering in depth, longitudinal data to fully understand short- and long-term individual, departmental, and institutional outcomes" (Illes, 2017, p. 120). Sadly, this study becomes one of many other examples that point to a huge failure in the field of higher education to evaluate training programs in any meaningful way.

### **Recommendations for Improved Practice**

The U.S. Department of Education, U.S. Department of Energy, the National Science Foundation, and NASA are required to conduct Title IX compliance reviews of colleges and universities that receive federal dollars. The federal dollars come in the form of student financial aid, research grants, and conference sponsorships. Institutions of higher education can hire

lawyers as their Title IX coordinators to mitigate risk but if they do not ensure their responsible employee training is effective, it is the actions of a faculty member, staff member, or administrator that gets the school in legal trouble.

This study highlights the need for higher education professionals to learn more about the Kirkpatrick model and how to employ it. Although there is a huge amount of money spent on training annually, institutions do not know if they are receiving any return on their investment or meeting standards set forth by the Department of Education's Dear Colleague Letter of 2014. Colleges and Universities must commit additional resources to evaluating training programs.

### **Recommendations for Further Study**

Given the current environment in the Department of Education, it is hard to say what will happen to Title IX. The following recommendations are based on the assumptions that basic content of Title IX will continue. I recommend the following three studies that would assess:

- The motivation that institutional leadership requires to evaluate its training return on investment. Lack of leadership commitment leads to low resource allocation for training evaluation and is an important reason for the minimal levels of responsible employee training evaluation occurring as demonstrated in this study.
- The efficacy of the responsible employee training program content. Colleges and universities are receiving a lot of negative attention in the news and courts because of controversial training content, such as the neurobiology of trauma, within other Title IX related trainings (Yoffe, 2017).
- The effectiveness of administering the responsible employee training online versus in person. This would give evidence about the effectiveness of online training, something that Bettinger & Loeb (2017) say is absent.

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## Appendix A

### SURVEY INSTRUMENT

1. Does your institution train its responsible employees?

[YES] [NO] [I DO NOT KNOW]

If answer is NO, skip to demographics section.

2. Does your institution require responsible employees to attend training?

[YES] [NO]

3. How often are your institution's responsible employees required to attend training?

[NEVER] [ONCE] [EACH TERM] [EACH ACADEMIC YEAR] [AS NEEDED] [OTHER]

4. Who conducts the responsible employee training for your institution?

Title IX Coordinator

Dean of Students/Vice President for Student Affairs

Student Conduct Office

Institution's General Counsel's Office

Another institution of higher education

Consortium of institutions

Contracted external agency/organization

Other

5. What format is used to train responsible employees?

in person

online

other

6. What are the objectives of your institution's responsible employee training? Please select all that apply.

The participant will be able to label acts of sexual violence and recite strategies for prevention.

The participant will be able to describe the attitudes and actions of bystanders that allow sexual violence to continue.

The participant will be able to identify cases where revictimization can occur.

The participant will be able to give examples of appropriate responses to a student who may have experienced sexual violence.

The participant will be able to explain the legal reporting obligation of responsible employees and name the consequences for failure to report.

The participant will be able to cite the information that a student must be informed of (i.e. reporting obligations of responsible employees; option to request confidentiality; available confidential advocacy, counseling, or other support services; right to file a Title IX complaint with the school; and right to report a crime to campus or local law enforcement.)

The participant will be able to list what information should be included in a report.

The participant will be able to recall the procedure for responding to student requests for confidentiality.

Other

7. Does your institution evaluate the responsible employee training?

[YES] [NO]

If NO is the answer to question 7: Why doesn't your institution evaluate its responsible employee training? Please select all that apply.

Budget constraints or cost



- Lack of staff to conduct the evaluations
- Lack of training and skills to evaluate the training
- Upper management does not believe it is important and necessary
- You do not believe it is important and necessary
- Other

Then skip to demographics section.

8. Do you evaluate the participant's reaction to the responsible employee training?

[YES] [NO]

If no is response to question 8, skip to question 9.

8a. Select the specific area(s) you include in your evaluation of the participants' reaction with the responsible employee training. Please choose all that apply.

- The content of training
- The relevance of the material to job responsibilities
- The trainer(s) knowledge of the subject matter
- The trainer(s) ability to communicate
- The trainer(s) ability to maintain a friendly and helpful attitude
- The handouts
- The date and time of scheduled training
- The length of the training
- Other

8b. For participants that attend the training in-person, select any additional area(s) you include in your evaluation.

- The comfort of the facility

- The convenience of the facility
- The cleanliness of the facility
- The sound system
- The room set-up
- The seating arrangement
- The type of chairs and tables provided
- Other

8c. What evaluation methods does your institution use most often to evaluate participant reaction to responsible employee training? Please select all that apply.

- Reaction Sheet
- Pre-test/Post-test
- Journaling
- Interview with participant
- Focus groups
- Observations
- Other

9. Do you evaluate what the participants learned because of attending the responsible employee training?

[YES] [NO]

If NO is the answer to question 10, skip to question 11.

9a. What evaluation methods does your institution use most often to evaluate what participants learned at the responsible employee training? Please select all that apply.

- Pre-test/Post-test

Journaling

Interview with participant

Focus groups

Observations

Other

10. Do you attempt to determine participants' change in behavior on the job as a result of responsible employee training attendance?

[YES] [NO]

If NO is the answer to question 11, skip to question 12.

10a. What evaluation methods does your institution most often use to evaluate a participant's change in behavior attributable to the responsible employee training? Please select all that apply.

Journaling

Interview with participant

Interview with participant's supervisor

Performance test

360 interview

Focus groups

Observations

Other

11. Do you collect evidence that the intended results of the responsible employee training were accomplished?

[YES] [NO]

If NO is the answer to question 11, skip to demographic questions.

11a. What evaluation tools does your institution most often use to evaluate the results of the responsibly employee training? Please select all that apply.

Interview with participant

Interview with participant's supervisor

Focus groups

Observations

Statistical analysis from data previously gathered during the training evaluation process

Other

Go to demographics questions.

#### DEMOGRAPHIC QUESTIONS

Please note that answers to these questions will only be shared in an aggregate manner. Please select your institution's accrediting body. (required)

Higher Learning Commission

Middle States Commission on Higher Education

New England Association of Schools and Colleges, Commission on Institutions of Higher Education

Northwest Commission on Colleges and Universities

Southern Association of Colleges and Schools, Commission on Colleges

WASC Senior College and University Commission

Please indicate the total student population at your institution. (required)

$\leq 10,000$

10,001-20,000

$\geq 20,001$

## Appendix B

### IRB APPROVED COVER LETTER

Dear Participant:

My name is Catherine Hopkins and I am a graduate student at the University of Arkansas. For my dissertation study, I am evaluating the criteria used to assess Title IX responsible employee training programs at large, four year primarily residential institutions. The purpose of this study is to: (a) discover the intended objectives that selected institutions of higher education have for their “responsible employee” training programs and (b) identify what data are collected to determine if the “responsible employee” training programs are meeting those objectives.

You are being invited to participate in this study because you have been identified as the Title IX Coordinator at an institution that is classified as a “highly residential” or “primarily residential” per the Carnegie Classifications. The study consists of completing the following questionnaire. It will require approximately 5-8 minutes to complete. There is no compensation for responding nor is there any known risk. To ensure that all information will remain confidential, please do not include your name. The survey results will be provided to my University of Arkansas Dissertation Committee and the Graduate School and International Education. Participation is strictly voluntary and you may refuse to participate at any time. Thank you for taking the time to assist me in my educational endeavors. The data collected will provide useful information for future creators and evaluators of Title IX responsible trainings.

If you have questions or concerns about this study, you may Dr. Jim Hammons at (479) 575-5113 or by e-mail at [jhammons@uark.edu](mailto:jhammons@uark.edu). For questions or concerns about your rights as a research participant, please contact Ro Windwalker, the University’s IRB Coordinator, at (479) 575-2208 or by e-mail at [irb@uark.edu](mailto:irb@uark.edu).

Sincerely,

Catherine Hopkins  
[cmhopki@uark.edu](mailto:cmhopki@uark.edu)

IRB #17-03-585  
Approved: 04/18/2017  
Expires: 04/17/2018

## Appendix C



Office of Research Compliance  
Institutional Review Board

April 18, 2017

### MEMORANDUM

TO: Catherine Hopkins  
James Hammons

FROM: Ro Windwalker  
IRB Coordinator

RE: New Protocol Approval

IRB Protocol #: 17-03-585

Protocol Title: *An Evaluation of the Criteria Used to Assess Title IX Responsible Employee Training Programs at Large, Four Year Primarily Residential Institutions*

Review Type:  EXEMPT  EXPEDITED  FULL IRB

Approved Project Period: Start Date: 04/18/2017 Expiration Date: 04/17/2018

Your protocol has been approved by the IRB. Protocols are approved for a maximum period of one year. If you wish to continue the project past the approved project period (see above), you must submit a request, using the form *Continuing Review for IRB Approved Projects*, prior to the expiration date. This form is available from the IRB Coordinator or on the Research Compliance website (<https://vpred.uark.edu/units/rscp/index.php>). As a courtesy, you will be sent a reminder two months in advance of that date. However, failure to receive a reminder does not negate your obligation to make the request in sufficient time for review and approval. Federal regulations prohibit retroactive approval of continuation. Failure to receive approval to continue the project prior to the expiration date will result in Termination of the protocol approval. The IRB Coordinator can give you guidance on submission times.

**This protocol has been approved for 144 participants.** If you wish to make *any* modifications in the approved protocol, including enrolling more than this number, you must seek approval *prior* to implementing those changes. All modifications should be requested in writing (email is acceptable) and must provide sufficient detail to assess the impact of the change.

If you have questions or need any assistance from the IRB, please contact me at 109 MLKG Building, 5-2208, or [irb@uark.edu](mailto:irb@uark.edu).