Meet Your Facilitator

Chantelle Cleary is a nationally-recognized subject-matter expert in Title IX and related fields. She has more than 10 years of experience in the investigation and adjudication of sexual and interpersonal violence. She lectures extensively at universities and conferences throughout the U.S. on Title IX, VAWA, harassment, and implementation of best and emerging practices. Prior to joining Grand River Solutions, Chantelle served as the Director for Institutional Equity and Title IX at Cornell University, and before that as the Assistant Vice President for Equity and Compliance and Title IX Coordinator at the University at Albany. In these roles, she provided direct, hands-on experience in the fields of Title IX, civil rights, employment law, and workplace and academic investigations. Her responsibilities included focusing on diversity efforts, sexual assault prevention and training, affirmative action, and protecting minors on campus.

Chantelle Cleary, J.D.
Director of Strategic Partnerships and Client Relations
Vision
We exist to help create safe and equitable work and educational environments.

Mission
Bring systemic change to how school districts and institutions of higher education address their Clery Act & Title IX obligations.

Core Values
- Responsive Partnership
- Innovation
- Accountability
- Transformation
- Integrity
Day One Agenda

01. Title IX’s Requirements
02. Developing an Investigative Strategy
03. Investigative Interviews
04. Evidence Collection and Assessment
05. The Investigative Report and Record
Title IX’s Requirements
Title IX of the Education Amendments Act of 1972

“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.”
Sexual Harassment: Section 106.30

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or

Includes locations, events, or circumstances over which the recipient exercised **substantial control** over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by a postsecondary institution.

- On campus or in a building owned or controlled
- Off-campus incident that occurs as part of the institution's operations
- Institution exercised substantial control over the respondent and the context of alleged sexual harassment that occurred off campus pursuant to § 106.44(a); or
- the incident of sexual harassment occurs at an off-campus building owned or controlled by a student organization officially recognized by a postsecondary institution
Not Covered

- Off campus conduct, even if it has an impact on the educational program or activity;
- Conduct that occurs outside of the United States.
Covered Individuals
Eligibility for Title IX’s Protections

“At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the recipient with which the formal complaint is filed.” 34 C.F.R. § 106.30

Applicant
Accepted/Hired
Enrolled/Employed
Title IX Application Post May 2020 Regulations

- Hostile Environment Sexual Harassment
- Quid Pro Quo
- Sexual Assault
- Dating/Domestic Violence
- Stalking

- On campus
- Campus Program, Activity, Building, and
- In the United States

- Complainant is participating or attempting to participate in the Ed Program or activity

Required Response:
Section 106.45 Procedures
Conduct Falling Outside the Scope of Title IX

- Apply other institutional policies and procedures
- Ensure that those policies and procedures are complaint with VAWA/Clery, other intersecting federal and state laws
MICA'S Investigative Procedures
Initiation of an Investigation

Investigations begin with the filing of a formal complaint and the issuance of a notice of investigation and allegations.
Notice of Investigation and Allegations (NOIA)

The NOIA will include:

- A meaningful summary of all of allegations,
- The identity of the involved parties (if known),
- The precise misconduct being alleged,
- The date and location of the alleged incident(s) (if known),
- The specific policies implicated,
- A description of the applicable procedures,
- A statement of the potential sanctions/responsive actions that could result,
- A statement that MICA presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination,
- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence obtained during the review and comment period,
- A statement about MICA’s policy on retaliation,
- Information about the privacy of the process,
- Information on the need for each party to have an Advisor of their choosing and suggestions for ways to identify an Advisor,
- A statement informing the parties that MICA’s Policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process,
- Detail on how the party may request disability accommodations during the interview process,
- A link to MICA’s VAWA Brochure,
- The name(s) of the Investigator(s), along with a process to identify, in advance of the interview process, to the Title IX Coordinator any conflict of interest that the Investigator(s) may have, and
- An instruction to preserve any evidence that is directly related to the allegations.
Advisor of Choice During the Investigation

The advisor can be anyone, including an attorney or a witness.

MICA does not place restrictions on who can serve.

The advisor may not actively participate in the investigation.
Investigators will commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all witnesses and the parties.
Interview the parties and all available, relevant witnesses and conduct follow-up interviews as necessary.
Written Notification of Meetings and Sufficient Time to Prepare
Provide each interviewed party and witness an opportunity to review and verify the Investigator’s summary notes (or transcript) of the relevant evidence/testimony from their respective interviews and meetings.
Equal Opportunity to Present Evidence
Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of the other party and witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions.
Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of the other party and witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions.
Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) with a list of witnesses whose information will be used to render a finding.
Draft Investigation Report and Evidence Review

The Investigator will write a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence. Appendices including relevant physical or documentary evidence will be included.

Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) a secured electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence upon which MICA does not intend to rely in reaching a determination, for a ten (10) business day review and comment period so that each party may meaningfully respond to the evidence.
The Investigator(s) may elect to respond in writing in the investigation report to the parties’ submitted responses and/or to share the responses between the parties for additional responses.

The Investigator(s) will incorporate relevant elements of the parties’ written responses into a final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The Investigator(s) should document all rationales for any changes made after the review and comment period.
The Investigator(s) shares the report with the Title IX Coordinator and/or legal counsel for their review and feedback.

The Investigator will incorporate any relevant feedback, and the final report is then shared with all parties and their Advisors through secure electronic transmission or hard copy at least ten (10) business days prior to a hearing. The parties are also provided with a file of any directly related evidence that was not included in the report.
Investigation Timeline

Investigations must be completed expeditiously, normally within thirty (30) business days.

MICA must communicate regularly with the parties to update them on the progress and timing of the investigation.

Delays are permitted “if circumstances require.”

The parties must be informed, in writing, of the anticipated duration of the delay and reason for it.
“Directly Related” and “Relevant Evidence”
Directly Related Evidence

Regulations do not define “Directly Related” Evidence

Preamble states it should be interpreted using its plain and ordinary meaning.

Term is broader than:

- “all relevant evidence” as otherwise used in Title IX regulations, and
- “any information that will be used during informal and formal disciplinary meetings and hearings” as used in Clery Act

Includes evidence upon which the school does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source.
The Department declines to define “relevant”, indicating that term “should be interpreted using its plain and ordinary meaning.”

See, e.g., Federal Rule of Evidence 401

Test for Relevant Evidence:

“Evidence is relevant if:
• (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and
• (b) the fact is of consequence in determining the action.”
Evidence That is Not “Relevant”

“Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant,

• unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
• if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.”

“require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.”

Physical and mental health records and attorney-client privileged communications would fit within scope of this prohibition.
Who Decides?

Department emphasizes repeatedly in Preamble that investigators have discretion to determine relevance.

- Subject to parties’ right to argue upon review of “directly related” evidence that certain information not included in investigative report is relevant and should be given more weight.

Investigators will have to balance discretionary decisions not to summarize certain evidence in report against:

- Each party’s right to argue their case, and
- Fact that decisions regarding responsibility will be made at hearing, not investigation stage.
The Investigator

- Can be the Title IX Coordinator, although that is disfavored

- Must be trained in accordance with the requirements in the regulations

- Must conduct the investigation in an impartial manner, avoiding bias/pre-judgment, and conflicts of interest
The Requirement of Impartiality
The grievance process must require that any individual designated by the recipient as Title IX Coordinator, investigator, decision maker, or facilitator of informal resolution not to have a conflict of interest or bias.

1. For or against complainants or respondents generally, or
2. An individual complainant or respondent
Impermissible Bias

Making a decision, determination, or finding that is based on something other than the evidence and specific facts of the case.
What Constitutes Bias?

Conduct a fact specific, objective inquiry based in common sense, to determine bias

Includes:

• Decision-making that is grounded in stereotypes
• Different treatment based on a person’s sex or other protected characteristic
• A decision based on something other than the facts
Conflict of Interest
Avoiding Prejudgment of the Facts

Requires that the Title IX professional refrain from making a judgement on individual facts, the allegations, or whether a policy violation occurred until they have had the opportunity to consider all of the evidence.
An Impartial Investigation is...

- Not influenced by bias or conflict of interest
- Committed to decisions based on an objective view of the facts and evidence as you know them and as they evolve
- Truth seeking, not “your truth” confirming
In the preamble, the Department permits the use of trauma-informed practices and recognizes that trauma-informed practices can be used in an impartial and non-biased manner.

Trauma-informed practices must be applied equally to all genders.
Trauma-informed practices provide tools/techniques for interviewing and engaging with the Complainant, Respondent, and Witnesses.

Format/Structure of the Interview

Format of Questions

Approach to Clarification
Misapplication of Trauma-Informed Practices

It is a misapplication of trauma-informed principles to allow potential evidence of trauma to:

1. Influence the interpretation of a specific item of evidence;
2. Substitute for missing evidence;
3. To serve as a justification for not doing a full and thorough investigation;
4. Cause a biased belief in the veracity of one or more party.
Developing an Investigative Strategy
Essential Steps of an Investigation

- Notice of Formal Investigation
- Initial Interviews
- Evidence Collection
- Evidence Review
- Additional Evidence Collection/Follow-Up Interviews
- Report Writing
Understand the Scope of the Investigation

Review the formal complaint
Ask questions if unsure
The Process
Developing an Investigative Strategy

1. Receive Report
2. Develop a timeline
3. Identify Witnesses
4. Identify Potential Evidence
5. Develop Strategy to Collect Evidence
Investigation Timeline

Prior History
- Between the Parties
- Of the Parties

Pre-Incident
- Communications
- Interactions
- Conduct

Incident
- Consent
- Type of Contact
- Injuries

Post Incident
- Behaviors
- Communications
Title IX Hearing Requirements:
The Impact on Investigations

1. Evidence Collection
2. Investigate the Evidence
Considerations for Evidence Collection in a Post-Regulatory World

- Testimony
- Text Messages
- Social Media Posts
- Medical Records
- Public Safety/Police Records
The Importance of Organization
Investigative Interviews
Interview Objectives

**Connect**
- Build rapport
- Build trust
- Empower

**Listen**
- Allow interviewee to share their experience

**Clarify**
- Understand what you have heard
- Seek additional information

**Evidence Preservation**
- Text Messages
- Photographs
- Names and contact info for witnesses
## Prior to the Interview

1. **Secure an appropriate meeting location**
2. **Allow for enough time to conclude the meeting**
3. **If interviewing a party, inform them of their right to have an advisor present.**
4. **Prepare for the meeting**
   - Areas of focus?
   - Other evidence?
   - Go back review what you have
5. **Provide Written Notice of the Meeting**
   - Advise the parties/witnesses that you will be collecting evidence
Set Expectations

What they should expect of you

• That you are neutral
• That you will listen, what they are saying is important to you
• That you will keep the information they share private
• What you will do with recording/notes
• That you may have to ask difficult questions
• Patience, respect, and appreciation
• This will not be their only opportunity to speak with you

What you expect of them

• Honesty
• That they will seek clarity if needed (give them permission to do so)
• That they won’t guess or fill in blanks
An investigator must make the person being interviewed feel safe, in control, and supported. This will lead to feelings of safety and trust and will result in a more cooperative interviewee.

The interviewee will be able/willing to remember and share more information.

More accurate investigatory findings

Increased evidence collection and quality

The Importance of Empowerment and the Power of Empathy
How do we...

Build Rapport and Trust?

Empower?
Investigative Interviews

Start by eliciting a narrative

Listen

Interview for clarification

Listen

Avoid leading questions, questions that blame, interrogating
Start the interview by eliciting a narrative...

Where would you like to begin?

Start where you are comfortable and share what you are able to remember.

What are you able to tell me about your experience?

Allow the person to speak uninterrupted. This takes patience.
Next, ask questions that are intended to clarify and more deeply explore the information and details provided by the person in their narrative.

**Do Ask:**
- Interview for clarification
- Help me understand
- Can you tell me more about...?
- Is there anything else you can share about...?

**Avoid:**
- Interrogation
- Questions that blame
- Questions that imply doubt
- Leading questions
Capture the Entire Experience

• If you have to, ask about the physical and emotional reactions to the incident.
• Conclude with very open-ended questions:
  • What was the most difficult part of this experience for you?
  • Is there something that stands out/that you just can't stop thinking about?
  • Is there anything more that you would like me to know?
At some point during the interview, it is also important to explore the prior history, if any, between the reporting individual and the accused.
And The After

It is also important to explore the events following the incident. Oftentimes, the best evidence is produced after the incident.

- The parties’ psychological reactions
- Changes in behavior
- Witnesses to the psychological reaction
  - “Has anyone expressed concern about you since the assault?”
- Communication/contact between the victim and perpetrator
Throughout the Interview

- Explain your questions, especially the difficult ones.
  How much did you drink? What they hear: this is your fault because you were drinking.

- Do not ask leading questions.

- Watch your tone.

- Do not rush.

- LISTEN!!!!!!!!!

- Pay attention to and document information that might lead to additional evidence.

- Document questions asked. Especially when a response is not provided.
After the Interview: Actions

- Memorialize the Interview in writing
  - Notes
  - Summary
  - Transcript
- Provide Opportunity for the party or witness to review it
- Provide opportunity for party or witness to provide a response
- Incorporate the response
After the Interview: Reflection

- Reflect.
- Is there something you missed or forgot to ask?
- Do you need clarity on any of the information shared?
- Has this interview revealed additional evidence that you want to explore or collect?
- Has evidence of additional policy violations been shared?
Follow-Up Interviews

- Seek clarification
- Explore inconsistencies
- Explore contradictory evidence
- Explore difficult issues
- Provide opportunity to respond
Follow-Up Interview Approach

- Explain the purpose of the follow-up.
- Set the stage for the topics you will be covering.
- Do not avoid asking the hard questions.
The “Hard” Questions

- Details about the sexual contact
- Inconsistent evidence/information
- Alcohol or drug consumption
- Seemingly inconsistent behaviors
- What they were wearing
- Probing into reports of lack of memory
How to Ask the Hard Questions

Lay a foundation for the questions:
• Explain why you are asking it.
• Share the evidence that you are asking about, or that you are seeking a response to.

Be deliberate and mindful in your questions:
• Can you tell me what you were thinking when....
• Help me understand what you were feeling when...
• Are you able to tell me more about...
Evidence Collection and Assessment
Evidence

“Something (including testimony, documents, tangible objects) that tends to prove or disprove the existence of an alleged fact; anything presented to the senses and offered to prove the existence or non-existence of a fact.”

Black’s Law Dictionary
Types of Evidence

**Direct Evidence**
- Evidence that is based on personal knowledge or observation and that, if true, proves a fact without inference or presumption.

**Circumstantial Evidence**
- Evidence based on inference and not on personal knowledge or observation.

**Corroborating Evidence**
- Evidence that differs from but strengthens or confirms what other evidence shows.
Evidence

- Testimony
- Text Messages
- Social Media Posts and messages
- Emails
- Surveillance
- Videos
- Photographs
- Police Body Camera Footage
- Swipe Records
- Medical Records
- Phone Records
- Audio Recordings
Evidence Collection

- Identify the items of evidence that you would like to obtain
- Develop an intentional strategy for obtaining that evidence
- Overcome barriers to evidence collection
- Considerations about collecting certain types of evidence
## Evaluating the Evidence

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is it relevant?</td>
<td>Evidence is relevant if it has a tendency to make a material fact more or less likely to be true.</td>
</tr>
<tr>
<td>Is it authentic?</td>
<td>Is the item what it purports to be?</td>
</tr>
<tr>
<td>Is it credible/reliable?</td>
<td>Is the evidence worthy of belief?</td>
</tr>
<tr>
<td>What weight, if any, should it be given?</td>
<td>Weight is determined by the finder of fact!</td>
</tr>
</tbody>
</table>
A Thorough Investigation Permits the Decision Maker to Assess

- Relevance
- Credibility
- Reliability
- Authenticity
- Weight
The Department declines to define “relevant”, indicating that term “should be interpreted using [its] plain and ordinary meaning.”

See, e.g., Federal Rule of Evidence 401 Test for Relevant Evidence:

“Evidence is relevant if:
• (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and
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Evidence That is Not “Relevant”

“Questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant,

• unless such questions and evidence about the complainant’s prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
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“require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.”

Physical and mental health records and attorney-client privileged communications would fit within scope of this prohibition
Assessing Relevance
Why Does it Matter?

Unsure about the relevance about a particular item of evidence? Ask the person who has proffered it.

Character Evidence

Polygraph evidence

Opinion Evidence
Opinion Evidence

When might it be relevant?

How do you establish a foundation for opinion evidence so that the reliability of the opinion can be assessed?
Opinion Evidence: Try it!

You are investigating an allegation that Casey had sex with Taylor when Taylor was incapacitated. You interview several witnesses, one of whom made the following statement:

“I got to the party pretty late, and Taylor was already lit.”

“Taylor was wasted. Like totally messed up. There is no way they could have given permission for sex”
Assessing Authenticity
Investigating the products of the Investigation

- Never assume that an item of evidence is authentic.
- Ask questions, request proof.
- Investigate the authenticity if necessary.
Is it authentic?

- Question the person who offered the evidence
- Request originals
- Obtain originals from the source
- Have others review and comment on authenticity
- Are there other records that would corroborate?
Assessing Credibility and Reliability

No formula exists, but consider the following:

- Opportunity to view
- Ability to recall
- Motive to fabricate
- Plausibility
- Consistency
- Character, background, experience, and training
- Coaching
- Bias
Barriers to Evidence Collection

- Non-Participating Parties
- Uncooperative Witnesses
- Uncooperative Advisors
- Identity of party or witness unknown
- Refusal to share materials
- Materials lost or no longer accessible
- Difficult topics
Barriers to Evidence Assessment

- Authenticity/Technology
- Colluding witnesses
- Colluding parties
- Totally different versions
The Investigative Report and Record
At the conclusion of the investigation, we must create an investigative report that fairly summarizes relevant evidence.
Relevancy Standard

<table>
<thead>
<tr>
<th>Relevant Evidence</th>
<th>Irrelevant Evidence</th>
</tr>
</thead>
<tbody>
<tr>
<td>• “Evidence is relevant if:</td>
<td></td>
</tr>
<tr>
<td>• (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and</td>
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Who Decides?

Department emphasizes repeatedly in Preamble that investigators have discretion to determine relevance:

- Subject to parties’ right to argue upon review of “directly related” evidence that certain information not included in investigative report is relevant and should be given more weight.

Investigators will have to balance discretionary decisions not to summarize certain evidence in report against:

- Each party’s right to argue their case, and
- Fact that decisions regarding responsibility will be made at hearing, not investigation stage.
Redactions
Additional Requirements

- Share the report with the parties and their advisors
- In electronic format or hard copy
- At least 10 days prior to the hearing
The Purpose of the Report

To allow for advance Review

To allow for advance Preparation
  • By the Decision Maker
  • By the Parties

Reduce likelihood of bias in final outcome
Intended Recipients

The Parties
The Advisors
The Decision Maker
The Appeal Panel
Other Recipients?

- Friends of the parties
- Parents
- Law enforcement
- Attorneys
- Judges
- Media
- Social media
<table>
<thead>
<tr>
<th>Essential Elements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intentionally organized to enhance comprehension</td>
</tr>
<tr>
<td>Factually accurate</td>
</tr>
<tr>
<td>Concise</td>
</tr>
<tr>
<td>Without editorial or opinion</td>
</tr>
<tr>
<td>Consistent format</td>
</tr>
</tbody>
</table>
The Record

- Compilation of the evidence
- Organized intentionally and consistently
- Divided into Appendices
- Is attached to the report
- Includes a procedural timeline
### Examples of Appendices

<table>
<thead>
<tr>
<th>Appendix A:</th>
<th>Appendix B:</th>
<th>Appendix C:</th>
<th>Appendix D:</th>
</tr>
</thead>
<tbody>
<tr>
<td>witness testimony only (e.g., transcripts, statements summaries, etc.)</td>
<td>relevant documentary evidence (e.g., text messages, SANE reports, photographs, etc.)</td>
<td>the remaining evidence deemed irrelevant, but directly related to the allegations in the formal complaint</td>
<td>the procedural timeline</td>
</tr>
</tbody>
</table>
Structure of the Report

Overview of the Investigation
Statement of Jurisdiction
Identity of Investigators
Objective of the Investigation and the Investigation Report
Prohibited Conduct Alleged
Witnesses
Evidence Collected
Summary of Evidence
Conclusion
Report Structure
Overview

In this section, provide a very brief overview of the case. Include:

• the names of the parties,
• the applicable policy(ies),
• the prohibited conduct alleged,
• the date, time, and location of the conduct,
• a brief description of the alleged misconduct
Report Structure
Statement of Jurisdiction

1. Cite Jurisdictional Elements

2. State all grounds for Jurisdiction
Report Structure
Identify Investigators

1. Identify the investigators by name
2. State that they have been properly trained
3. List trainings, or cite documents in the record that detail investigators prior training
Report Structure

Objective of the Investigation & Report

1. This language should mirror the language in your policy or procedures.

2. State the objective of the investigation

3. Briefly state that all procedural steps were followed

4. Describe the purpose of the report.
Report Structure

Prohibited Conduct Alleged

1. List the allegations of prohibited conduct in the formal complaint.

2. Include definitions of prohibited conduct from institution’s policy/procedures.
Report Structure

List Witnesses

List those witnesses that were interviewed

List witnesses that were identified, but not interviewed

Simple List

Detailed List
## Example of a Detailed List

<table>
<thead>
<tr>
<th>Witness Name</th>
<th>Witness identified by:</th>
<th>Information offered</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Doe</td>
<td>Reporting Party</td>
<td>Mr. Doe is the Reporting Party's best friend. He was with the Reporting Party the night of the reported incident.</td>
</tr>
<tr>
<td>Jane Doe</td>
<td>Investigators</td>
<td>Jane Doe is the Responding Party's roommate. It is believed that she saw the Reporting Party leave the Responding Party's residence immediately following the reported incident.</td>
</tr>
</tbody>
</table>
The final Title IX regulations require that all evidence obtained as part of the investigation that is directly related to the allegations in the formal complaint be shared with the parties and "made available at any hearing to give each party equal opportunity to refer to such evidence during the hearing including for the purposes of cross-examination."

In this section, list the Evidence or Refer to Appendices
Report Structure
Summary of Evidence

In this section, include a summary of all relevant evidence. This section can be organized in several ways. It is important that, however organized, the evidence is summarized clearly and accurately, and without opinion or bias. In this section, the writer should cite the evidence and information in the Appendices.
Report Structure

Conclusion

In this section, summarize next steps in the process, including any procedural pre-requisites for moving the matter forward to a hearing.
Questions?

Email Us:
Chantelle@grandriversolutions.com
info@grandriversolutions.com

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@GrandRiverSols
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