

GRAND RIVER | SOLUTIONS

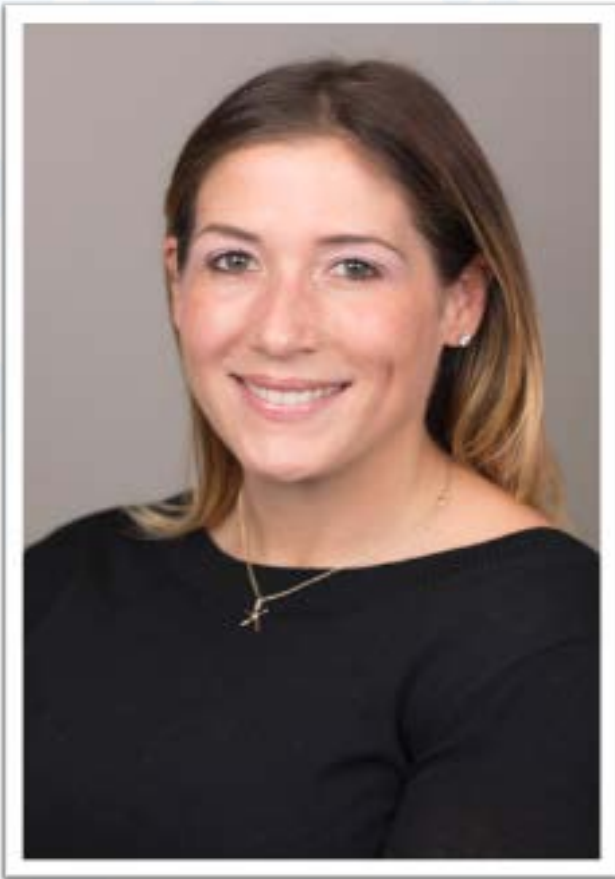
# Conducting Fair, Thorough, and Trauma-Informed Investigations

Maryland Institute College of Art

Chantelle Cleary, J.D.

June 2021

## Meet Your Facilitator



**Chantelle Cleary, J.D.**

Director of Strategic Partnerships  
and Client Relations

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.





## 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

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02

Developing an Investigative Strategy

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03

Investigative Interviews

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04

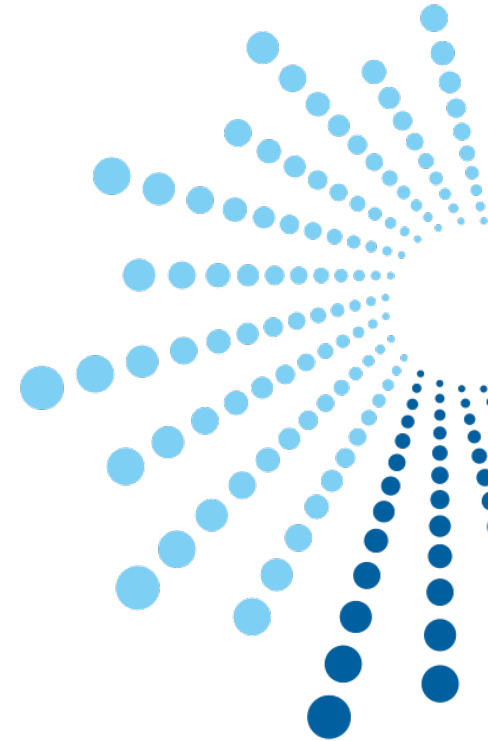
Evidence Collection and Assessment

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05

The Investigative Report and Record

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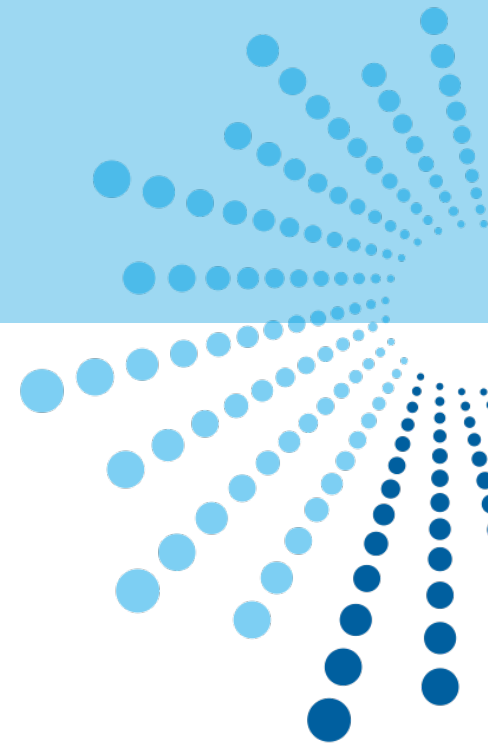




# Title IX's Requirements

01

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# 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*

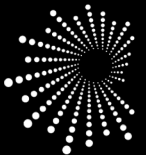
Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- (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
- (3) "**Sexual assault**" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "**dating violence**" as defined in 34 U.S.C. 12291(a)(10), "**domestic violence**" as defined in 34 U.S.C. 12291(a)(8), or "**stalking**" as defined in 34 U.S.C. 12291(a)(30).

# Covered Geography

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.

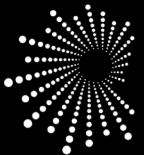
- ✓ On campus or in a building owned or controlled
- ✓ Off-campus incident that occurs as part of the institution's operations
- ✓ Institution exercised substantial control over the respondent and the context of alleged sexual harassment that occurred off campus pursuant to § 106.44(a); or
- ✓ the incident of sexual harassment occurs at an off-campus building owned or controlled by a student organization officially recognized by a postsecondary institution



A dark gray map of the United States with white state boundaries. A vertical white line is positioned to the left of the text on the right side of the map.

# 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.



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# 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

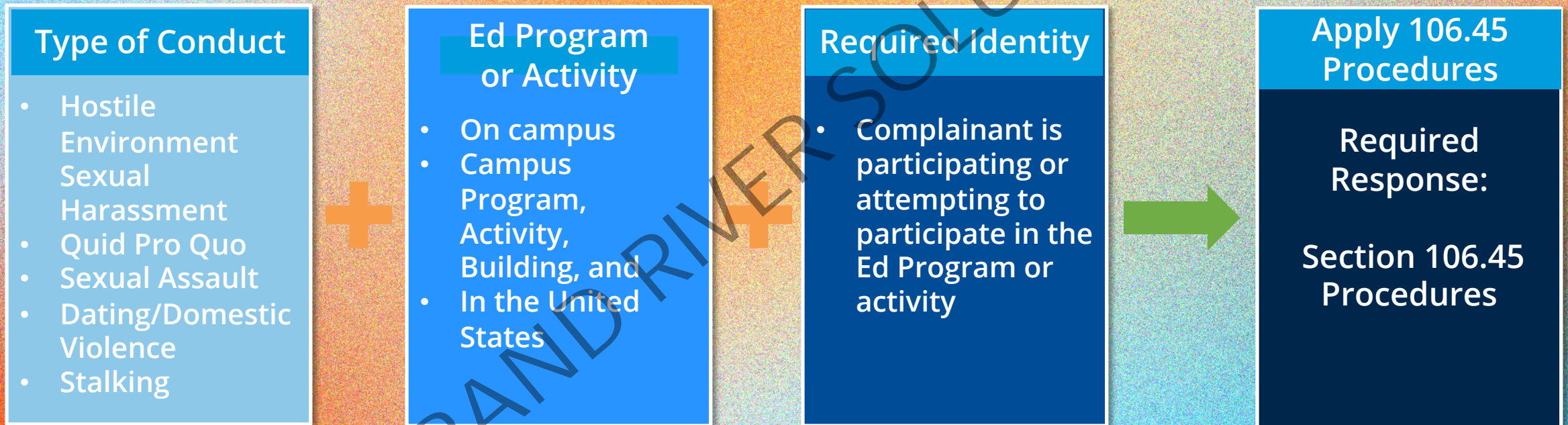
Applicant

Accepted/Hired

Enrolled/Employed



# Title IX Application Post May 2020 Regulations





# Conduct Falling Outside the Scope of Title IX

- Apply other institutional policies and procedures
- Ensure that those policies and procedures are compliant with VAWA/Clery, other intersecting federal and state laws





# MICA'S Investigative Procedures

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# 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

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

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MICA does not place restrictions on who can serve.

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The advisor may not actively participate in the investigation.

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# [Title Here]

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



**[Title Here]**

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Interview the parties  
and all available,  
relevant witnesses  
and conduct follow-  
up interviews as  
necessary.

# Written Notification of Meetings and Sufficient Time to Prepare

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# [Title Here]

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

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# [Title Here]

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.



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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.



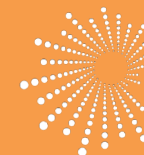
**[Title Here]**

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.



# [Title Here]

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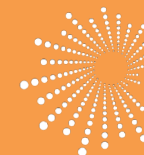
The Investigator(s) may elect to respond in writing in the investigation report to the parties' submitted responses and/or to share the responses between the parties for additional responses.

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.

# Investigative Report and Review

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

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

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

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Delays are permitted "if circumstances require."

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The parties must be informed, in writing, of the anticipated duration of the delay and reason for it.

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“Directly  
Related” and  
“Relevant  
Evidence”

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# 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.

# “Relevant” Evidence

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

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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

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# Section 106.45(b)(1)(iii)

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.

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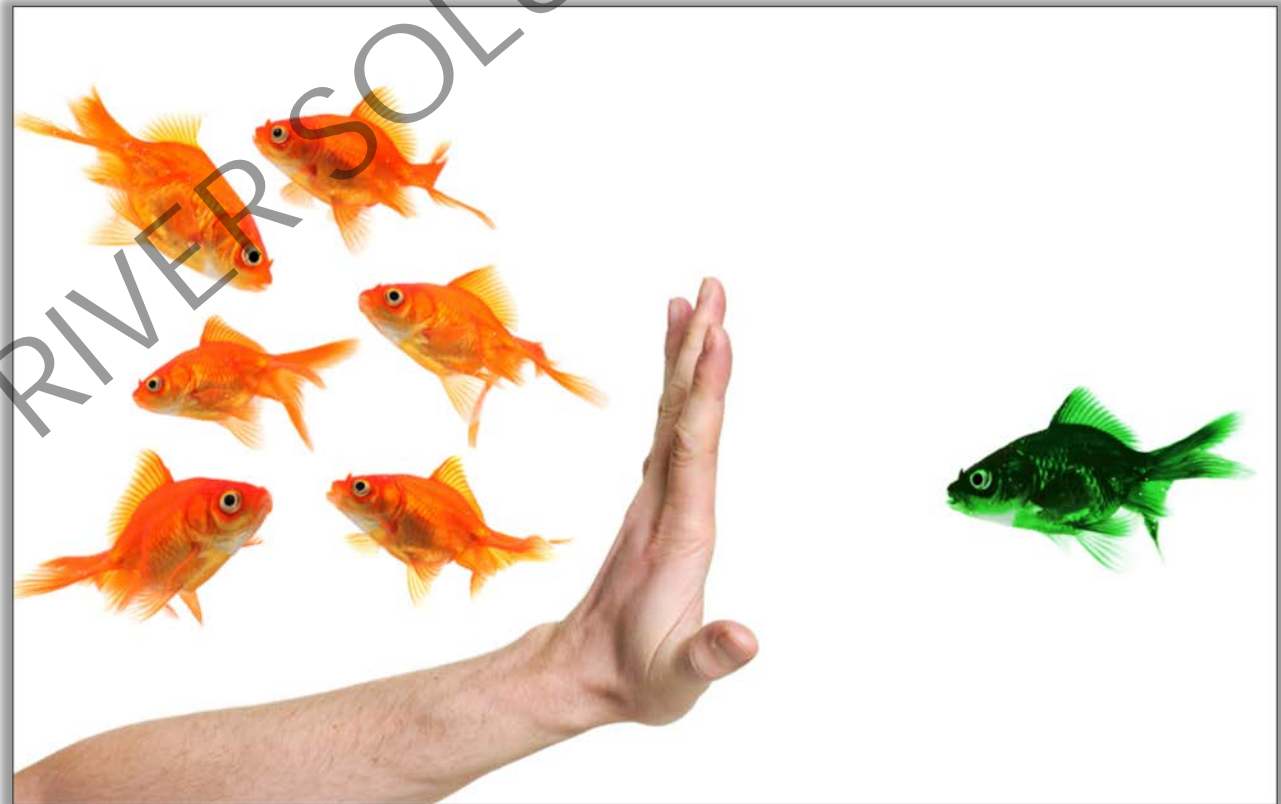
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# What Constitutes Bias?

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

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# Avoiding Prejudgment of the Facts

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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

# Trauma-Informed Practices

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

02

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# Essential Steps of an Investigation



Notice of Formal Investigation



Initial Interviews



Evidence Collection



Evidence Review

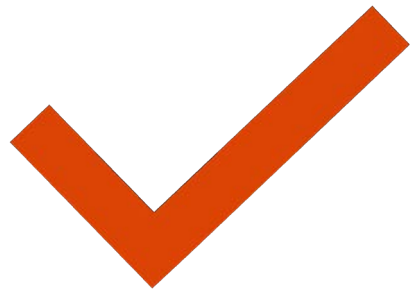


Additional Evidence Collection/Follow-Up Interviews



Report Writing

# Understand the Scope of the Investigation



Review the formal complaint



Ask questions if unsure

# The Process

## Developing an Investigative Strategy



# Investigation Timeline

## Prior History

- Between the Parties
- Of the Parties

## Incident

- Consent
- Type of Contact
- Injuries

## Pre-Incident

- Communications
- Interactions
- Conduct

## Post Incident

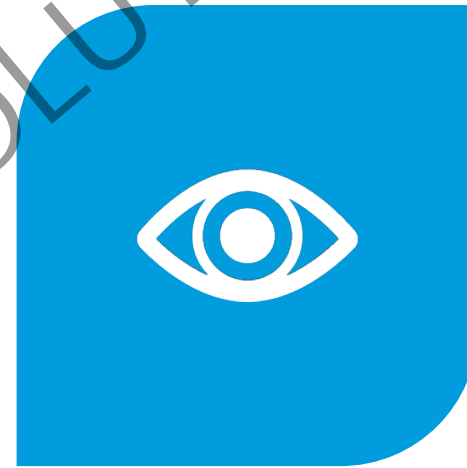
- Behaviors
- Communications

# Title IX Hearing Requirements: The Impact on Investigations

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EVIDENCE COLLECTION



INVESTIGATE THE EVIDENCE

# Considerations for Evidence Collection in a Post-Regulatory World

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Testimony

Text  
Messages

Social Media  
Posts

Medical  
Records

Public  
Safety/Police  
Records



# The Importance of Organization

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# Investigative Interviews



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# Interview Objectives



## Connect

Build rapport  
Build trust  
Empower



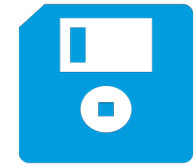
## Listen

Allow interviewee to  
share their experience



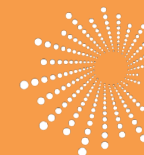
## Clarify

Understand what you  
have heard  
Seek additional  
information



## Evidence Preservation

Text Messages  
Photographs  
Names and contact info  
for witnesses



# Prior to the Interview



Secure an appropriate meeting location



Allow for enough time to conclude the meeting



If interviewing a party, inform them of their right to have an advisor present.



Prepare for the meeting

Areas of focus?

Other evidence?

Go back review what you have



Provide Written Notice of the Meeting

Advise the parties/witnesses that you will be collecting evidence

# Set Expectations

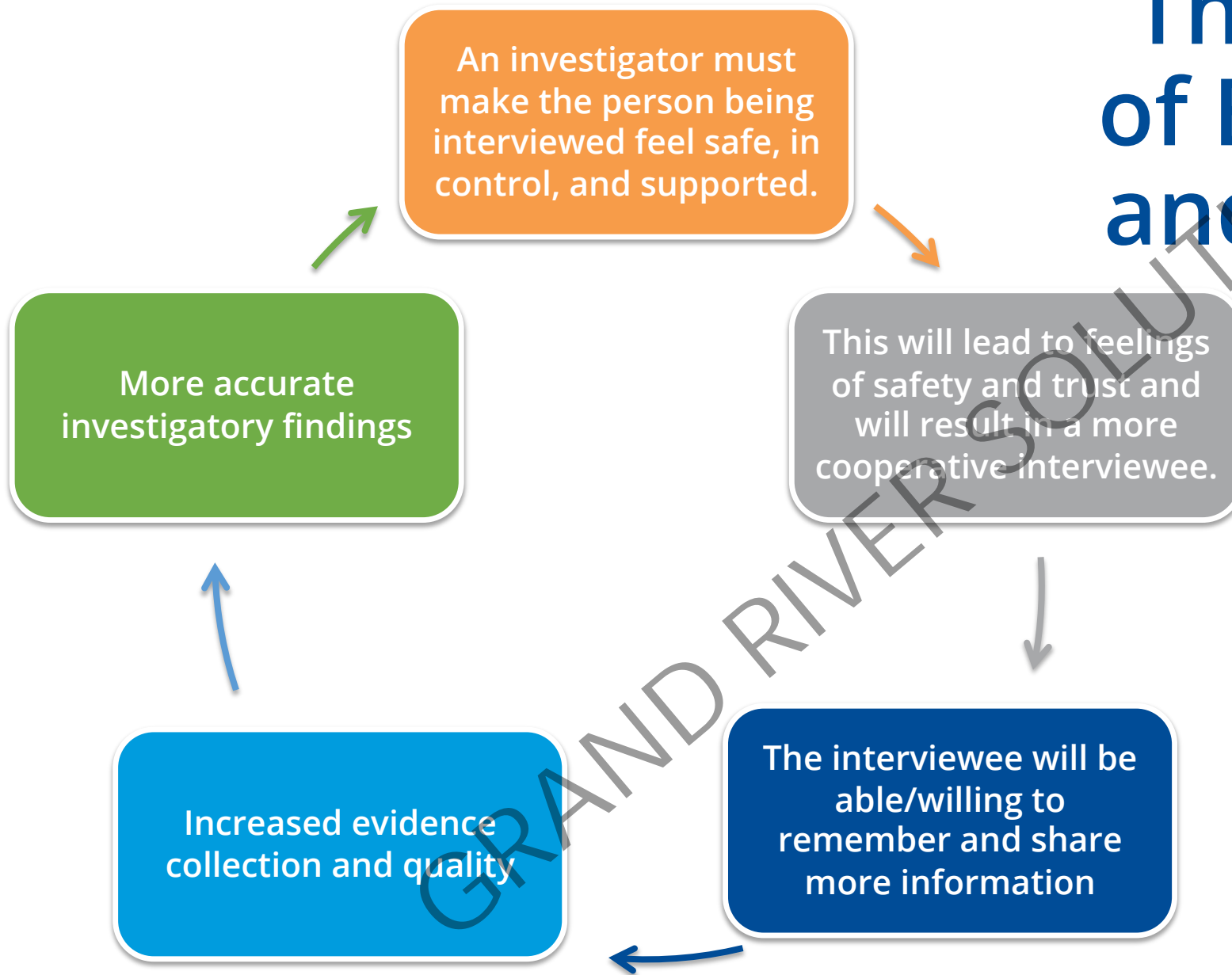
## What they should expect of you

- 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

# The Importance of Empowerment and the Power of Empathy



# How do we...

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Build Rapport  
and Trust?

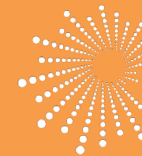


Empower?





# Investigative Interviews



# 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

A close-up photograph of a camera lens resting on a dark wooden surface. The lens is the primary focus, with its glass element and surrounding metal rings clearly visible. The background is a blurred wooden texture.

# 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?

# The Before

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

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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

Seemingly  
inconsistent  
behaviors

Inconsistent  
evidence/information

What they were  
wearing

Alcohol or drug  
consumption

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

04

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# 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

Is it relevant?

Evidence is relevant if it has a tendency to make a material fact more or less likely to be true.



Is it authentic?

Is the item what it purports to be?



Is it credible/reliable?

Is the evidence worthy of belief?



What weight, if any, should it be given?

Weight is determined by the finder of fact!

# A Thorough Investigation Permits the Decision Maker to Assess



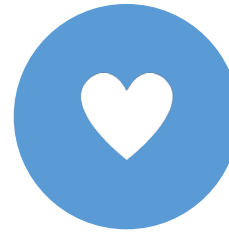
Relevance



Credibility



Reliability



Authenticity



Weight

# “Relevant” Evidence

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

# Assessing Relevance

Why Does it Matter?

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

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Character Evidence

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Polygraph evidence

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Opinion Evidence

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# Opinion Evidence

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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!

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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



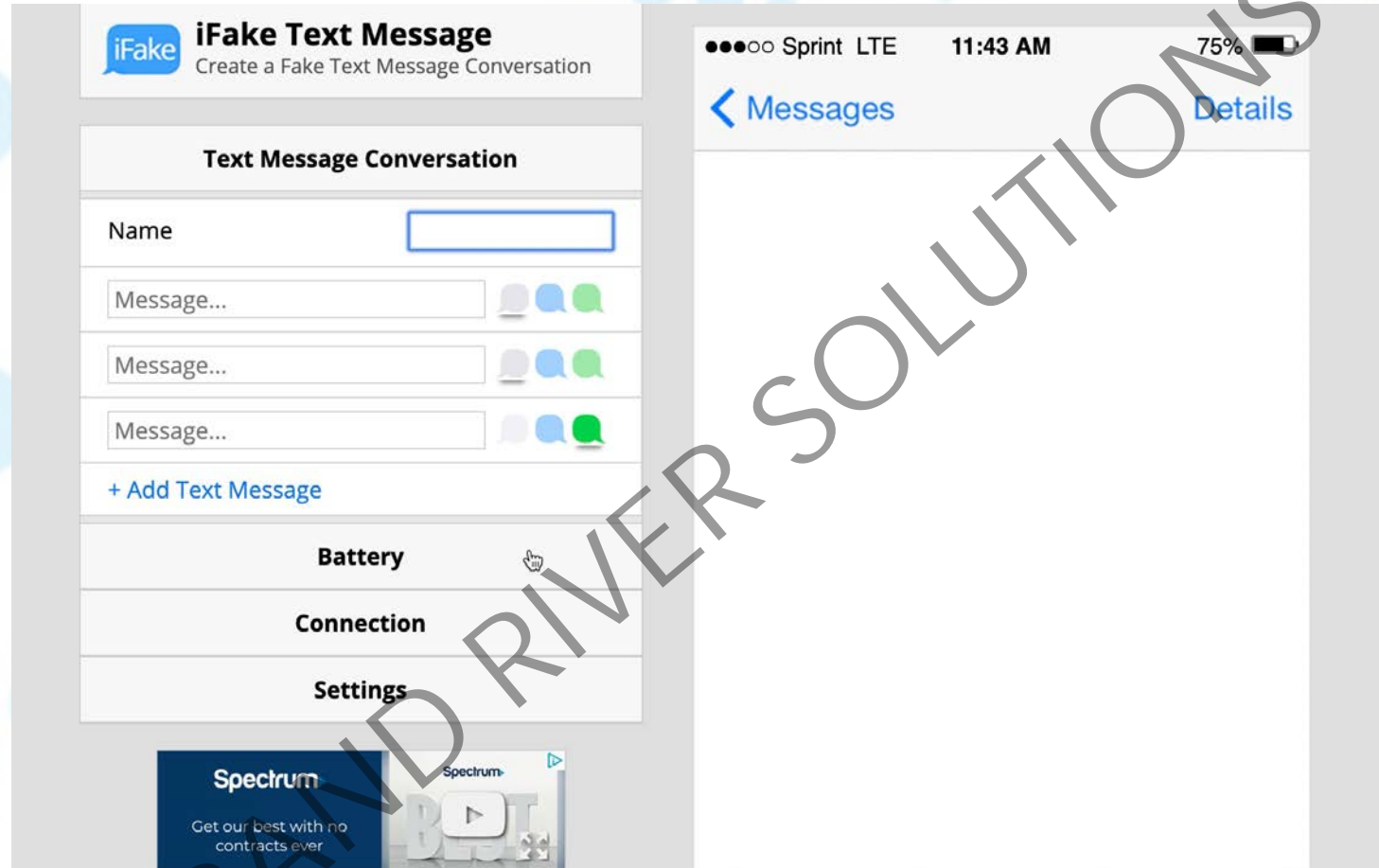
Never assume that an item of evidence is authentic.



Ask questions, request proof.



Investigate the authenticity if necessary.



# Is it authentic?

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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

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- Authenticity/Technology
- Colluding witnesses
- Colluding parties
- Totally different versions

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# The Investigative Report and Record

05

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At the conclusion of the investigation, we must create an investigative report that fairly summarizes relevant evidence.



# Relevancy Standard

## 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.”

## Irrelevant Evidence

- Prior sexual history of complainant, with two exceptions
- Legally recognized and un-waived privilege.
- Records related to medical, psychiatric, psychological treatment

# Who Decides?

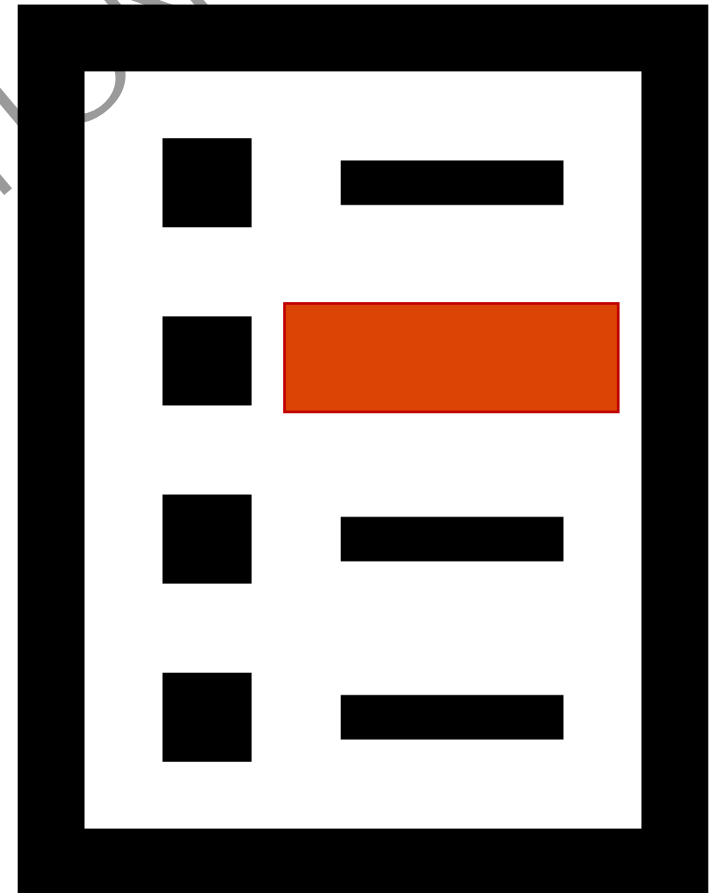
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Investigators will have to balance discretionary decisions not to summarize certain evidence in report against:

- 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

# Essential Elements

---

Intentionally organized to enhance comprehension

---

---

Factually accurate

---

---

Concise

---

---

Without editorial or opinion

---

---

Consistent format

---

# Report and Record



Summary of the  
Evidence



Compilation of the  
Evidence

# The Record



```
graph LR; A[The Record] --> B[Compilation of the evidence]; A --> C[organized intentionally and consistently]; A --> D[Divided into Appendices]; A --> E[Is attached to the report]; A --> F[Includes a procedural timeline];
```



Compilation of the evidence



organized intentionally and consistently



Divided into Appendices



Is attached to the report



Includes a procedural timeline

# Examples of Appendices

## **Appendix A:**

witness testimony only (e.g., transcripts, statements summaries, etc.)

## **Appendix B:**

relevant documentary evidence (e.g., text messages, SANE reports, photographs, etc.)

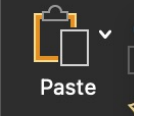
## **Appendix C:**

the remaining evidence deemed irrelevant, but directly related to the allegations in the formal complaint

## **Appendix D:**

the procedural timeline

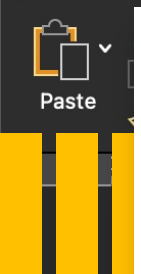




# Structure of the Report



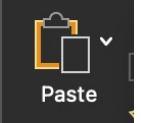
- Overview of the Investigation
- Statement of Jurisdiction
- Identity of Investigators
- Objective of the Investigation and the Investigation Report
- Prohibited Conduct Alleged
- Witnesses
- Evidence Collected
- Summary of Evidence
- Conclusion



# 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

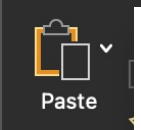
## Statement of Jurisdiction

---

1. Cite Jurisdictional Elements

---

2. State all grounds for Jurisdiction



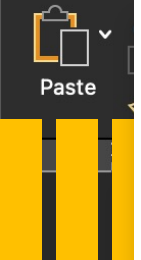
# Report Structure

## Identify Investigators

1. Identify the investigators by name

2. State that they have been properly trained

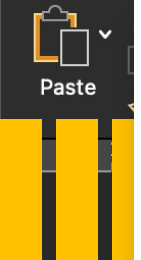
3. List trainings, or cite documents in the record that detail investigators prior training



# 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

Witness Name	Witness identified by:	Information offered
John Doe	Reporting Party	Mr. Doe is the Reporting Party's best friend. He was with the Reporting Party the night of the reported incident.
Jane Doe	Investigators	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.



# Report Structure

## Evidence Collected

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.”

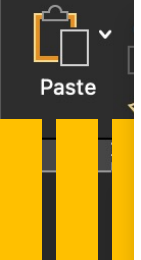
In this section, list the Evidence or Refer to Appendices



# 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?



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