

## **Title IX Investigation Report Checklist**

The investigation report must fairly summarize the relevant evidence gathered during the investigation. It should be in narrative form and include the information in this checklist to provide the Decision-Maker sufficient information to make a responsibility determination and to comply with Title IX requirements. The checklist is not designed to limit the scope of any investigation

### ***Complainant's Information***

- Complainant's name. If student: age, grade level, and building. If employee: job title and building.
- Name of Complainant's advisor (if any).

### ***Respondent's Information***

- Respondent's name. If student: age, grade level, and building. If employee: job title and building.
- Name of Respondent's advisor (if any).

### ***Investigator's Information***

- Investigator's name, title, and training verification.
- Statement that investigator does not have a conflict of interest or bias against either party, generally or individually, that affected the investigation.

### ***Relevant Chronology (including, but not limited to)***

- Date formal complaint filed/signed by Complainant or Title IX Coordinator.
- Date investigation initiated.
- Dates Complainant(s) and Respondent(s) were notified of interviews.
- Date evidence was submitted to parties/advisors for review.
- Date each party's response to evidence was due and whether any response was received.
- Date investigation report submitted to Decision-Maker.

### ***Nature of the Allegations***

- Describe each allegation, including date, time, place, and nature of the incident(s).
- If investigation revealed additional allegations not in original notice to the parties and investigator decides to investigate those allegations, identify the date notice of additional allegations was given to parties and describe additional allegations.
- If additional allegations are made or discovered and are not included in investigation, state basis for decision not to investigate.

### ***Fact-finding Activities***

- Summarize Complainant's and Respondent's interview; note interview dates and who attended (e.g., advisor, parent, attorney, or other representative).
- Identify any other contacts with Complainant, Respondent, or their advisors (include date, purpose, and contact method).
- Summarize all other witness interviews; note interview dates and who attended.
- Identify and describe any relevant evidence, including which party submitted the evidence or how it was obtained if not through a party.
- Describe any other fact-finding as part of the investigation (e.g., site visits, record review, video review, or hearing).

### **Evidence Review**

- Before completing investigation report, send hard or electronic copies of all evidence to Complainant, Respondent, and respective advisors, if any, for review. *Each party has 10 calendar days to review evidence and submit a written response to the Investigator.*
- Summarize any written response(s) received.
- Consider any written response(s) received before completing the investigation report.
- Describe how, if at all, the written response(s) affected your investigation, including a description of any additional investigation conducted as a result of the written response(s) (e.g., additional witness interviews, materials reviewed, or investigatory steps taken).

### **Findings of Fact**

- Make specific findings of fact based on full investigation. *Findings of fact will be reviewed by the Decision-Maker. The investigator does not make a determination of responsibility (i.e., whether a policy was violated or whether harassment occurred). The investigator should, however, make credibility determinations, where applicable.*
- Do not consider a party's medical or psychological records without the party's written consent (or, in the case of a student, parent/guardian consent).

### **General Tips for Investigation Report**

- Ensure each party has equal opportunity to submit evidence.
- Cite standard of review (e.g., preponderance of evidence).
- Note presumption that Respondent is not responsible.
- Cite applicable Board policies and code of conduct provisions.
- Ensure report is clear, concise, and complete.
- Assume final report may be released by either party
- Make findings of fact necessary for Decision-Maker to make determination of responsibility.

### **Delivery of Investigation Report**

- Send finalized investigation report to Title IX Coordinator, Decision-Maker, Complainant, and Respondent at least 10 calendar days after the parties were sent all evidence to inspect and review.
- Inform parties that they may, but are not required to, submit written questions of any party or witness to the Decision-Maker.