



Decision-Maker Determination Regarding Responsibility Checklist

- ☐ Identification of the Allegations

- ☐ Description of Procedural Steps Taken
 - Notifications to the Parties
 - Interviews with Parties and Witnesses
 - Site visits
 - Methods used to gather other evidence
 - Hearings held

- ☐ Findings of Fact Supporting Determination

- ☐ Conclusions Regarding the Application of the Code of Conduct to the Facts

- ☐ Result of Each Allegation Including Rationale
 - Determination Regarding Responsibility
 - Disciplinary sanctions
 - Whether remedies designed to restore or preserve equal access to education program or activity provided to the Complainant

- ☐ Procedures and Permissible Bases for Appeal

Investigation Flow Chart

Notice of Allegations

Investigation

Notice to parties of all meetings and interviews with time to prepare

Review

Opportunity for parties to inspect, review, and respond to all evidence directly related to allegations- relevant or not
Written Response: 10 days

Investigative Report

- Considers responses to evidence
- Determines what evidence is relevant
- Summarizes the relevant evidence
- May include recommended finding

Review

Opportunity for parties to review the investigative report. Can provide written response
10 days

Hearing

FORMAL TITLE IX GRIEVANCE PROCESS FOR INVESTIGATORS





Notice of Allegations Checklist

- ☐ **Notice of Grievance Process; Including Informal**

- ☐ **Allegations Potentially Constituting Sexual Harassment**
 - Identities of the Parties
 - Conduct Constituting Sexual Harassment
 - Date of Incident
 - Location of Incident

- ☐ **Statement: Respondent Presumed Not Responsible/Responsibility Determined After Process**

- ☐ **Right to Advisor of Choice**

- ☐ **Code of Conduct Provision Prohibiting False Statements or False Information in Process**

HIGHER EDUCATION



TITLE IX INVESTIGATOR



©Institutional Compliance Solutions 2025 All Rights Reserved

LESSON ONE

WELCOME AND REMINDERS



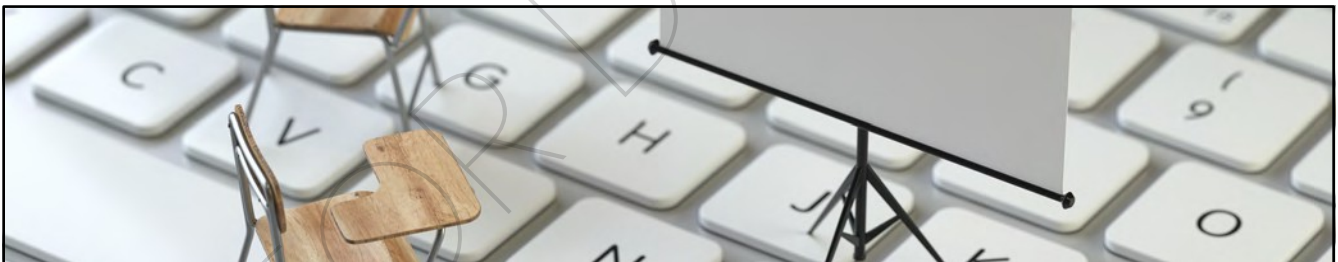
©Institutional Compliance Solutions 2025 All Rights Reserved

AGENDA

- Lesson One** Welcome and Reminders
- Lesson Two** Role and Scope Overview
- Lesson Three** Before the Investigation
- Lesson Four** Prepping for the Investigation
- Lesson Five** Investigation - Interviews
- Lesson Six** Investigation - Gathering Evidence
- Lesson Seven** Investigation - Follow Up
- Lesson Eight** Investigation - Identifying and Interviewing Witnesses
- Lesson Nine** Investigation - Building and Maintaining Your File
- Lesson Ten** Evidence Review
- Lesson Eleven** Report Writing and Review
- Lesson Twelve** After the Investigation
- Lesson Thirteen** Wrap-Up and Assessment of Knowledge



©Institutional Compliance Solutions 2025 All Rights Reserved



COURSE APPROPRIATE FOR:

- ☒ Title IX Coordinators
- ☒ Title IX Investigators
- ☒ Deputies/Designees
- ☒ Title IX Decision-Makers
- ☒ Others involved in Title IX matters



©Institutional Compliance Solutions 2025 All Rights Reserved



COURSE OBJECTIVES

Understand the role and scope of the Title IX Investigator

Learn best practices for your role

Explain the grievance process and your role in it




©Institutional Compliance Solutions 2025 All Rights Reserved




REMINDERS!



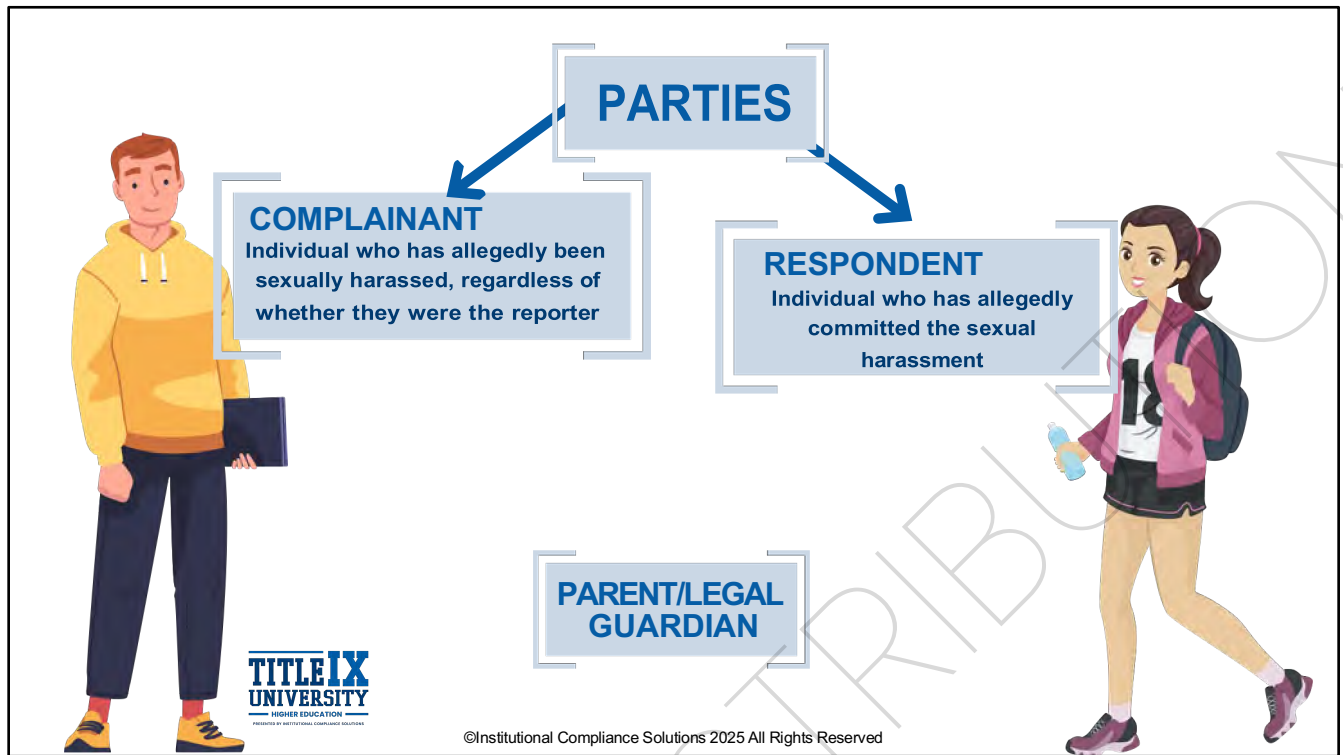
 You must still receive training on your policies and procedures

 Title IX Coordinator is your ultimate resource

 Review definitions from Introduction and Overview Course



©Institutional Compliance Solutions 2025 All Rights Reserved



LESSON TWO

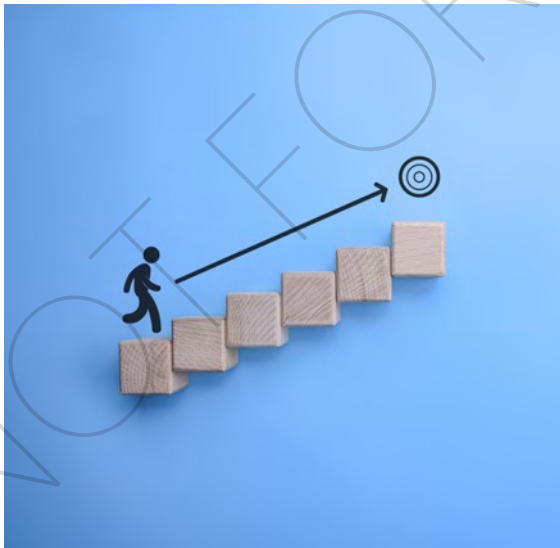
ROLE AND SCOPE OVERVIEW



©Institutional Compliance Solutions 2025 All Rights Reserved

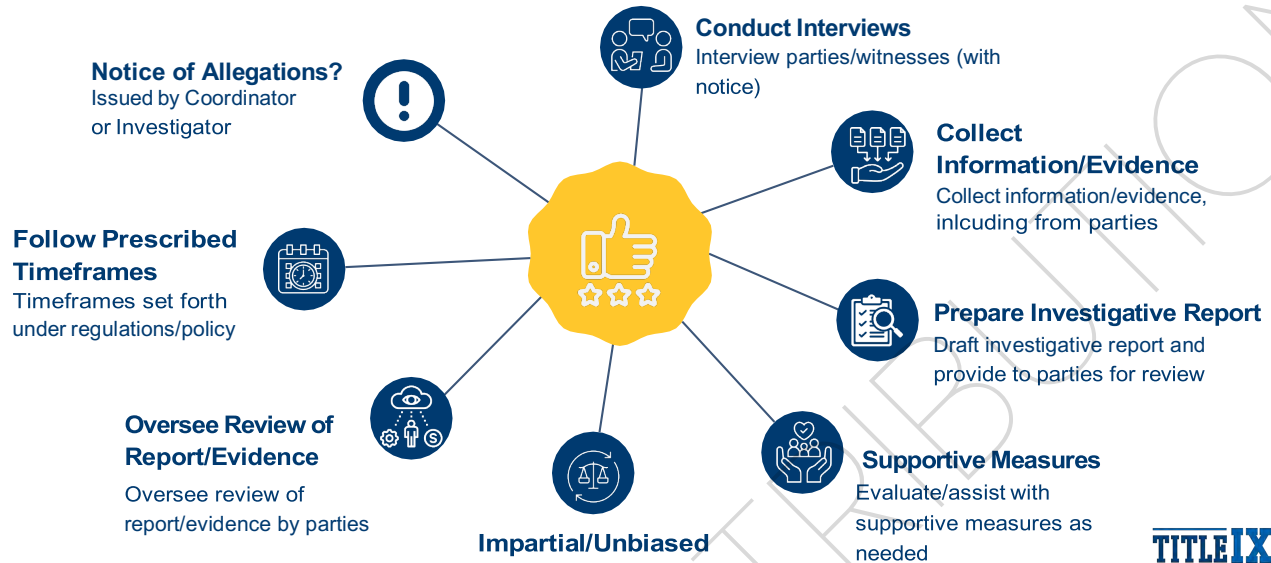


WHAT IS THE
ROLE/PURPOSE OF A TITLE
IX INVESTIGATOR (WHY
ARE WE DOING THIS
WORK?)



©Institutional Compliance Solutions 2025 All Rights Reserved

YOUR ROLE AND SCOPE



©Institutional Compliance Solutions 2025 All Rights Reserved



Note:

You are part of the Title IX Team at your institution. Title IX Coordinator is leader of that team.

Also on the team:

- De putie s/ De signee s
- De cision-Make r
- Appellate Decision-Make r
- Informal Resolution Facilitator

©Institutional Compliance Solutions 2025 All Rights Reserved





GIANT REMINDER!!!

 Investigator cannot
be a decision-maker

TITLEIX
UNIVERSITY
HIGHER EDUCATION
PRESENTED BY INSTITUTIONAL COMPLIANCE SOLUTIONS

©Institutional Compliance Solutions 2025 All Rights Reserved



SEE YOU IN LESSON 3!



TITLEIX
UNIVERSITY
HIGHER EDUCATION
PRESENTED BY INSTITUTIONAL COMPLIANCE SOLUTIONS

©Institutional Compliance Solutions 2025 All Rights Reserved

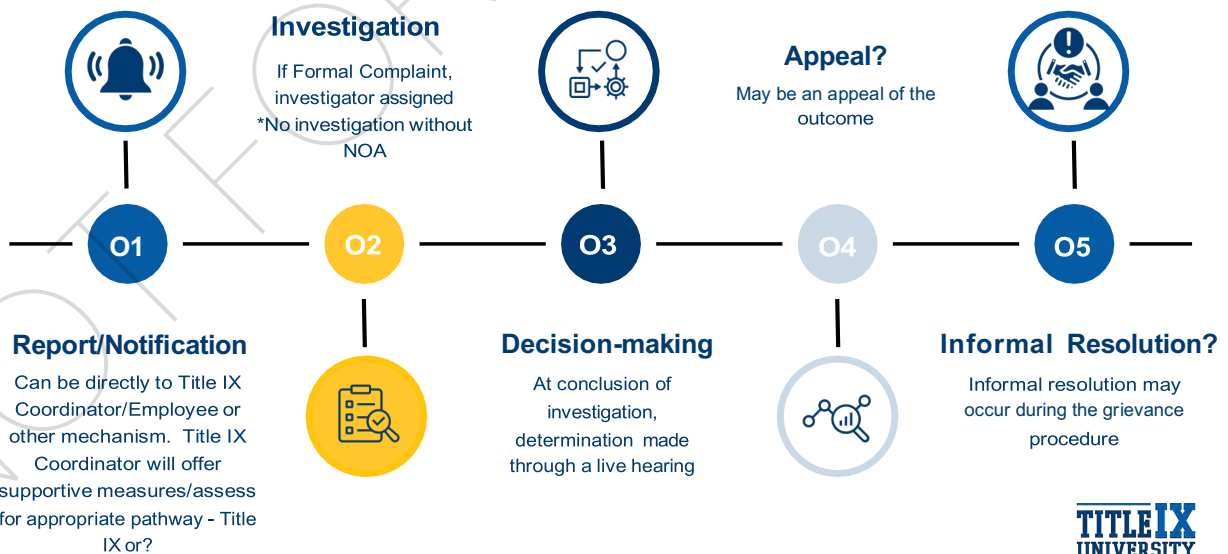
LESSON THREE

BEFORE THE INVESTIGATION



©Institutional Compliance Solutions 2025 All Rights Reserved

REPORT/NOTIFICATION PATHWAY OVERVIEW



©Institutional Compliance Solutions 2025 All Rights Reserved



BEFORE A MATTER IS INVESTIGATED...

©Institutional Compliance Solutions 2025 All Rights Reserved

TITLEIX
UNIVERSITY
— HIGHER EDUCATION —
POWERED BY INSTITUTIONAL COMPLIANCE SOLUTIONS

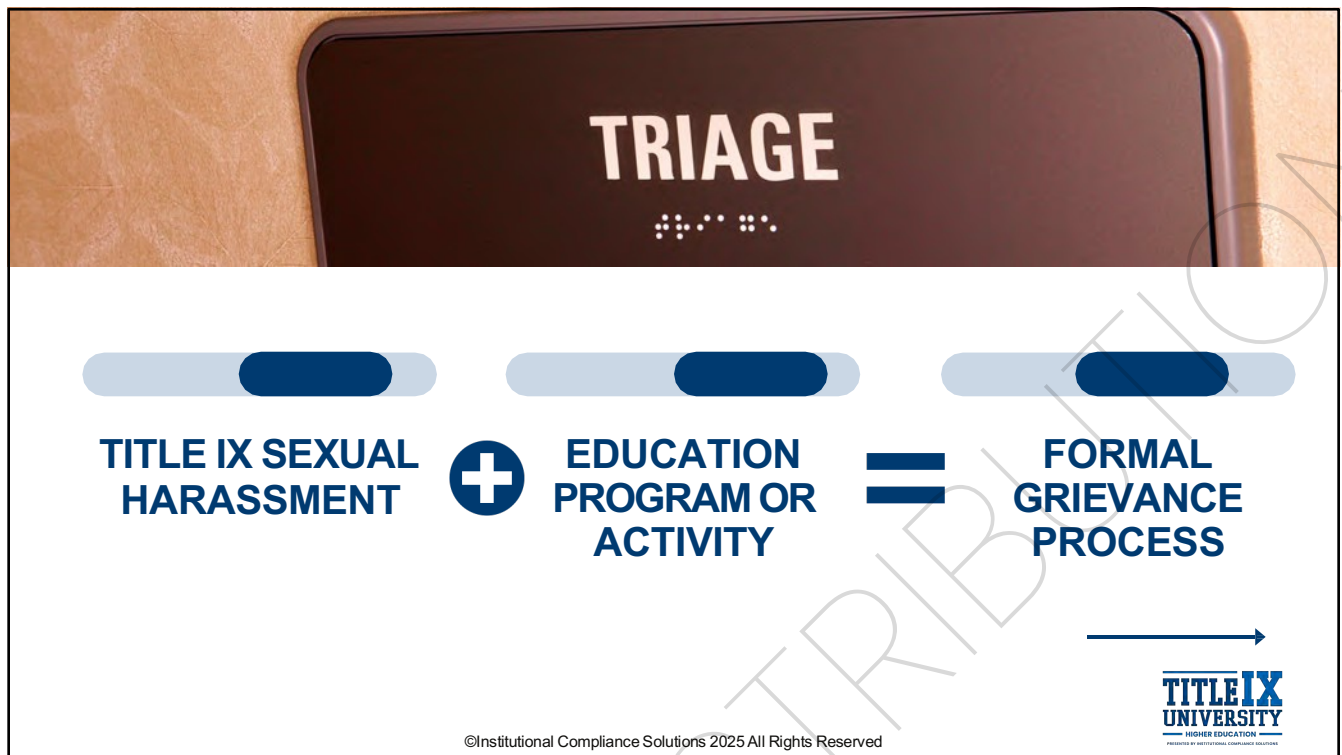


TITLE IX COORDINATOR WILL:

- Offer Supportive Measures
- Triage/evaluate conduct for Title IX
- Determine if signing Formal Complaint, if necessary
- Consider Emergency Removal/Admin Leave of Respondent

©Institutional Compliance Solutions 2025 All Rights Reserved

TITLEIX
UNIVERSITY
— HIGHER EDUCATION —
POWERED BY INSTITUTIONAL COMPLIANCE SOLUTIONS



GIANT REMINDER!!!

👉 No Investigation before or without a Formal Complaint

TITLE IX UNIVERSITY
HIGHER EDUCATION
PRODUCED BY INSTITUTIONAL COMPLIANCE SOLUTIONS

©Institutional Compliance Solutions 2025 All Rights Reserved

ROLE OF INVESTIGATOR WITH SUPPORTIVE MEASURES?



©Institutional Compliance Solutions 2025 All Rights Reserved

IF A COMPLAINANT DOES NOT WANT TO FILE A FORMAL COMPLAINT:

- Title IX Coordinator may initiate/sign
- Title IX Coordinator does not become the Complainant/a party
- Provide all notices as Investigator as if Complainant is participating



©Institutional Compliance Solutions 2025 All Rights Reserved



CONSOLIDATION OF COMPLAINTS

School MAY consolidate:

- Complaints related to more than one Respondent.
- Complaints related to or more than one Complainant against one or more Respondents.
- Complaints by one party against another party.




©Institutional Compliance Solutions 2025 All Rights Reserved

NOTICE OF ALLEGATIONS

- Notice of Grievance Process (including informal resolution process if one exists)
- Allegations potentially constituting Sexual Harassment
 - Identities of the parties
 - Conduct constituting Sexual Harassment
 - Date of incident
 - Location of incident
- Statement: Respondent presumed not responsible, and responsibility is determined after Grievance Process
- Right to Advisor of choice
- Code of Conduct provision(s) prohibiting false statements or false information in process




©Institutional Compliance Solutions 2025 All Rights Reserved

**INSTITUTIONAL
COMPLIANCE SOLUTIONS**

Notice of Allegations Checklist

- ☐ Notice of Grievance Process; Including Informal
- ☐ Allegations Potentially Constituting Sexual Harassment
 - Identities of the Parties
 - Conduct Constituting Sexual Harassment
 - Date of Incident
 - Location of Incident
- ☐ Statement: Respondent Presumed Not Responsible/Responsibility Determined After Process
- ☐ Right to Advisor of Choice
- ☐ Code of Conduct Provision Prohibiting False Statements or False Information in Process

**TITLEIX
UNIVERSITY**
HIGHER EDUCATION
POWERED BY INSTITUTIONAL COMPLIANCE SOLUTIONS

©Institutional Compliance Solutions 2025 All Rights Reserved



WHAT IS YOUR ROLE RE: NOTICE OF ALLEGATIONS AS INVESTIGATOR?



**TITLEIX
UNIVERSITY**
HIGHER EDUCATION
POWERED BY INSTITUTIONAL COMPLIANCE SOLUTIONS

©Institutional Compliance Solutions 2025 All Rights Reserved



NOTICE

Notice of Allegations tells you
WHAT you are investigating, and
it should be updated if needed.
Do not investigate matters
outside of the NOA!

©Institutional Compliance Solutions 2025 All Rights Reserved



THE TWO MOST IMPORTANT DOCUMENTS FOR AN INVESTIGATOR

- 1 Formal Complaint
- 2 Notice of Allegations

- Do not investigate matters outside of what is in the NOA
- If more information comes to light, you will need to update and redistribute the NOA

©Institutional Compliance Solutions 2025 All Rights Reserved



SEE YOU IN LESSON 4!



©Institutional Compliance Solutions 2025 All Rights Reserved

LESSON FOUR

PREPPING FOR THE INVESTIGATION



©Institutional Compliance Solutions 2025 All Rights Reserved

If a Formal Complaint is signed, you will
be assigned as an Investigator.



©Institutional Compliance Solutions 2025 All Rights Reserved



WHAT TYPES OF CASES WILL YOU BE INVESTIGATING?

- Who are the parties involved?
- What is the conduct at issue?



©Institutional Compliance Solutions 2025 All Rights Reserved




CONDUCT AT ISSUE

**Review definitions from Introduction and Overview Course and your policies and procedures*



©Institutional Compliance Solutions 2025 All Rights Reserved



YOU MAY BE ASKED TO INVESTIGATE MATTERS OUTSIDE OF TITLE IX FORMAL GRIEVANCE PROCESS WITHIN THE SAME INVESTIGATION

- It should be included in the NOA (i.e., student conduct violations)
- Get clarity if you are unsure
- If parallel processes, confirm with Coordinator on most trauma informed approach

©Institutional Compliance Solutions 2025 All Rights Reserved

TITLEIX
UNIVERSITY
HIGHER EDUCATION

NOTICE OF MEETINGS

MUST provide WRITTEN notice of the

- date
- time
- location
- participants
- purpose
- of all hearings, investigative interviews, or other meetings, with SUFFICIENT TIME for the party to prepare

©Institutional Compliance Solutions 2025 All Rights Reserved

TITLEIX
UNIVERSITY
HIGHER EDUCATION






REMINDER!!!

👉 Don't forget to include advisors

*note: not required to provide notice to witnesses, but we recommend it

©Institutional Compliance Solutions 2025 All Rights Reserved

TITLEIX UNIVERSITY
HIGHER EDUCATION
PRESENTED BY INSTITUTIONAL COMPLIANCE SOLUTIONS



IMPORTANT NOTES FOR INVESTIGATIONS:

TITLEIX UNIVERSITY
HIGHER EDUCATION
PRESENTED BY INSTITUTIONAL COMPLIANCE SOLUTIONS

BURDENS

- Burden of gathering evidence on school - NOT the parties
- Burden/ Standard of Proof - Preponderance of the Evidence (more likely than not) or Clear and Convincing Evidence
- May NOT access, consider, disclose, or use party's treatment records unless school obtains voluntary WRITTEN consent
- MUST provide equal opportunity for parties to:
 - Present witnesses (fact or expert--does not say character)
 - Gather and present relevant evidence
- May NOT restrict the ability of the parties to discuss the allegations or gather and present relevant evidence (no gag orders)

©Institutional Compliance Solutions 2025 All Rights Reserved



BEFORE YOU START... THE IMPORTANCE OF PREPARATION

©Institutional Compliance Solutions 2025 All Rights Reserved



WHAT INFORMATION DO YOU HAVE?

- ▶ Is there anything you need before you meet with parties and/or witnesses?



©Institutional Compliance Solutions 2025 All Rights Reserved



DEVELOPING A PLAN



©Institutional Compliance Solutions 2025 All Rights Reserved



SEE YOU IN LESSON 5!



©Institutional Compliance Solutions 2025 All Rights Reserved

LESSON FIVE

INVESTIGATION - INTERVIEWS



©Institutional Compliance Solutions 2025 All Rights Reserved





OPENING THE MEETING... THE IMPORTANCE OF TRANSPARENCY



©Institutional Compliance Solutions 2025 All Rights Reserved

YOU ONLY GET ONE FIRST IMPRESSION

*Before they “walk in” either in person or virtually,
CHECK YOURSELF*

-  Let go of whatever is happening outside that meeting
-  Refresh your mind with names and dates
-  Note your facial expressions
-  Prepare the room

©Institutional Compliance Solutions 2025 All Rights Reserved

TITLEIX
UNIVERSITY
— HIGHER EDUCATION —
PRODUCED BY INSTITUTIONAL COMPLIANCE SOLUTIONS

TRAUMA INFORMED MEETING NECESSITIES

THE 4 - C'S



Comfortable



Clear



Consistent



Convenient

©Institutional Compliance Solutions 2025 All Rights Reserved

TITLEIX
UNIVERSITY
— HIGHER EDUCATION —
PRODUCED BY INSTITUTIONAL COMPLIANCE SOLUTIONS

CHECK YOUR BIASES



Where are your potential biases in the case?



Can you overcome any biases that exist?



Is your mind in a neutral position?

©Institutional Compliance Solutions 2025 All Rights Reserved

TITLEIX
UNIVERSITY
— HIGHER EDUCATION —
PRODUCED BY INSTITUTIONAL COMPLIANCE SOLUTIONS

INTRODUCTION

Who are you?



What is your responsibility?

What policy/policies & procedures are you using?



Something to connect you with the party or witness

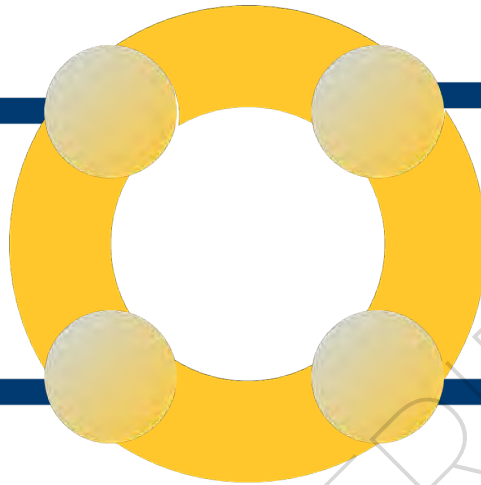
©Institutional Compliance Solutions 2025 All Rights Reserved

TITLEIX
UNIVERSITY
— HIGHER EDUCATION —
PRODUCED BY INSTITUTIONAL COMPLIANCE SOLUTIONS

GET TO KNOW THE PARTY/WITNESS



What name do they prefer?



Find a similarity

What is their position? (year in school, employment role, etc.)



Something to discuss?



©Institutional Compliance Solutions 2025 All Rights Reserved

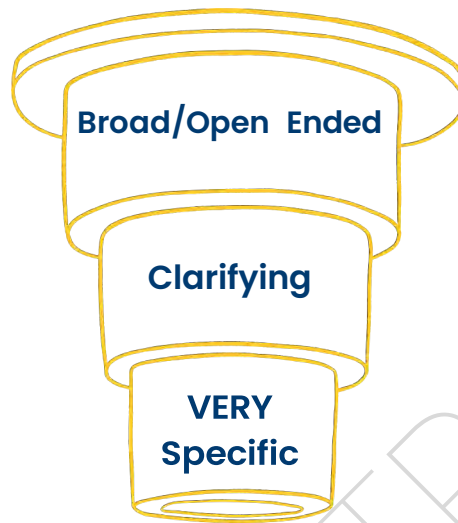


ASKING QUESTIONS... THE IMPORTANCE OF GAINING CLARITY



©Institutional Compliance Solutions 2025 All Rights Reserved

FUNNEL METHOD



©Institutional Compliance Solutions 2025 All Rights Reserved



©Institutional Compliance Solutions 2025 All Rights Reserved

THE NEED TO KNOW QUESTIONS

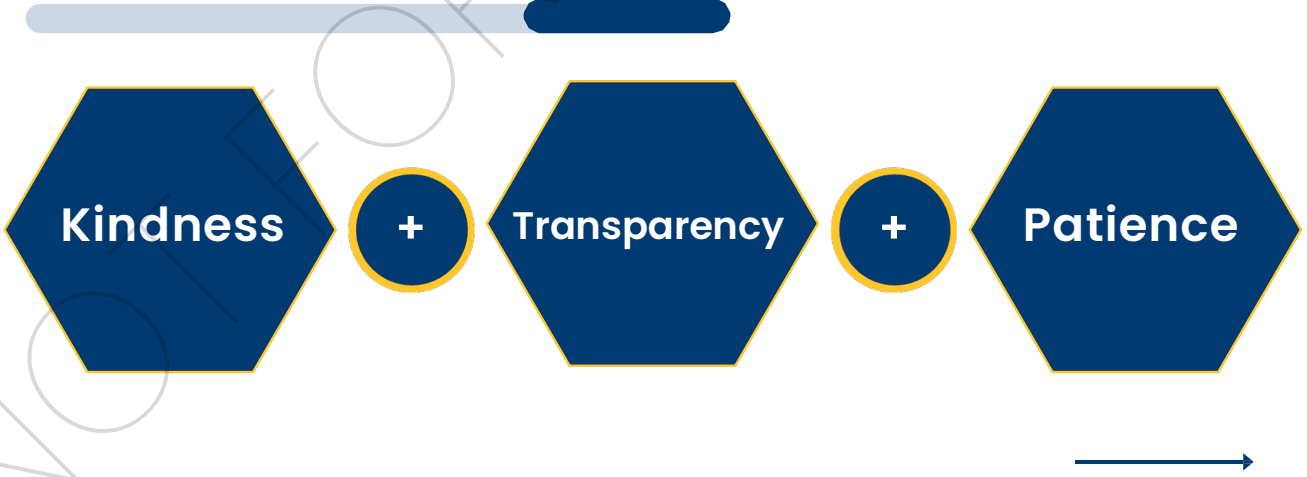


- What happened?
- How do you know about it?
- How did it happen?
- Who did it happen to?
- How do you know these parties?
- Who else was there?
- When did it happen?
- Where did it happen?
- Why - without saying WHY

TITLEIX UNIVERSITY
HIGHER EDUCATION
PROVIDER OF INSTITUTIONAL COMPLIANCE SOLUTIONS

©Institutional Compliance Solutions 2025 All Rights

THE FORMULA FOR QUESTIONING



Kindness + **Transparency** + **Patience**

TITLEIX UNIVERSITY
HIGHER EDUCATION
PROVIDER OF INSTITUTIONAL COMPLIANCE SOLUTIONS

©Institutional Compliance Solutions 2025 All Rights Reserved

CHALLENGING WITNESSES / PARTIES

The “Hulk”



The Rabbit Chaser

The “Turtle”



The Big Reveal



The Reluctant Participant

©Institutional Compliance Solutions 2025 All Rights Reserved



NOTE-TAKING

Detailed, but not so much that it slows down the interview

Decide what is most important

Extra person in the room?

- Give notice and explain their role as note-taker

Use quotations if possible

Note-taker vs. dual investigator

Ask for a pause or clarification if necessary

©Institutional Compliance Solutions 2025 All Rights Reserved





LESSON SIX

INVESTIGATION - GATHERING EVIDENCE



©Institutional Compliance Solutions 2025 All Rights Reserved

THE IMPORTANCE OF CURIOSITY WHEN GATHERING EVIDENCE



©Institutional Compliance Solutions 2025 All Rights Reserved

SLEUTH

Noun

a person who investigates a crime; a detective



Verb

carry out a successful investigation into a crime or mystery

“there’s nothing you can do but sleuth around until you find the answer”



©Institutional Compliance Solutions 2025 All Rights Reserved

VIDEO QUESTIONS



- ? Do you have access?
- ? Who else has access?
- ? How long is it stored?
- ? Do you know how to save it?
- ? Does someone make sure all cameras are working regularly?



©Institutional Compliance Solutions 2025 All Rights Reserved

SOCIAL MEDIA



©Institutional Compliance Solutions 2025 All Rights Reserved

BURDEN

*The burden is on you to ASK for information.
The burden is NOT on the party or witness to
"offer it".*

- ? Do you have any phone or texts?
- ? Was anything shared on social?
- ? Did you email about this?
- ? Is there any geo-tracking?



INDEPENDENT INVESTIGATIVE ACTIONS

Think outside the box



Make the phone call



Find the witness



Visit the location



Google the term



Take the photo



©Institutional Compliance Solutions 2025 All Rights Reserved

SEE YOU IN LESSON 7!



©Institutional Compliance Solutions 2025 All Rights Reserved

LESSON SEVEN

INVESTIGATION - FOLLOW-UP



©Institutional Compliance Solutions 2025 All Rights Reserved

ASSESS SUPPORT NEEDS



- How was the party?
- Do they need additional support?
- Counseling?
- Academic support?
- No contact directives?
- Concerns about retaliation?

©Institutional Compliance Solutions 2025 All Rights Reserved

EMAIL FOLLOW UP

Thank you



Any response or information needed from party

What was discussed



Opportunity to clarify

Next steps



Reminder about supportive measures



©Institutional Compliance Solutions 2025 All Rights Reserved

DOCUMENTATION

- ✓ Clean up notes
- ✓ Save notes
- ✓ Save evidence collected
- ✓ Create to do list
 - Witnesses to connect with
 - Evidence to collect
 - Follow up meetings to schedule



©Institutional Compliance Solutions 2025 All Rights Reserved

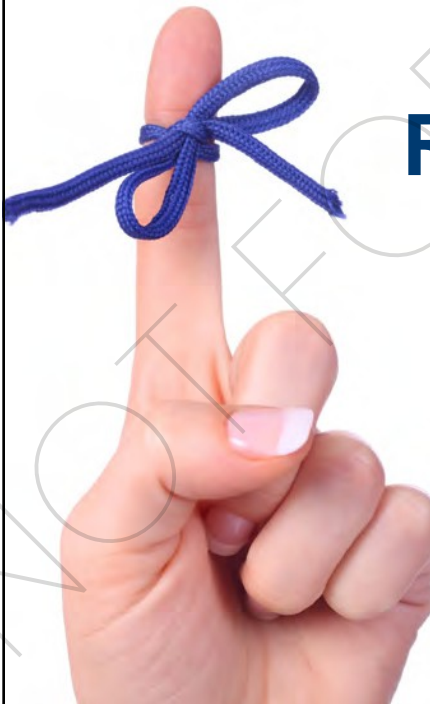


If you were unable to continue with the investigation starting tomorrow, would the person picking up the file know what had been done and what is left to do?

Sustainability Planning

©Institutional Compliance Solutions 2025 All Rights Reserved

TITLEIX
UNIVERSITY
HIGHER EDUCATION
PROVIDED BY INSTITUTIONAL COMPLIANCE SOLUTIONS



REMINDER!



Information for case needs to be saved for 7 years

©Institutional Compliance Solutions 2025 All Rights Reserved

TITLEIX
UNIVERSITY
HIGHER EDUCATION
PROVIDED BY INSTITUTIONAL COMPLIANCE SOLUTIONS

SEE YOU IN LESSON 8!



©Institutional Compliance Solutions 2025 All Rights Reserved

LESSON EIGHT

IDENTIFYING AND INTERVIEWING WITNESSES



©Institutional Compliance Solutions 2025 All Rights Reserved

WHO ARE YOUR WITNESSES AND WHO IDENTIFIED THEM?

Witnesses
identified by the
Complainant

Witnesses
identified by the
Respondent








Witnesses
identified by you

Witnesses
identified by other
witnesses



©Institutional Compliance Solutions 2025 All Rights Reserved

TYPES OF WITNESSES

-  Eye Witnesses
-  Fact Witnesses
-  Expert Witnesses
-  Hearsay Witnesses
-  Character Witnesses

MOST IMPORTANT QUESTIONS

- How do you know the Complainant?
- How do you know the Respondent?
- How do you know the other witnesses?
 - *How long?*
 - *In what capacity?*
 - *Describe your relationship with them*



MEMORY

- How much do witnesses actually remember?
- What impacts memory?



©Institutional Compliance Solutions 2025 All Rights Reserved



SEE YOU IN LESSON 9!



©Institutional Compliance Solutions 2025 All Rights Reserved



LESSON NINE

INVESTIGATION - BUILDING AND MAINTAINING YOUR INVESTIGATIVE FILE

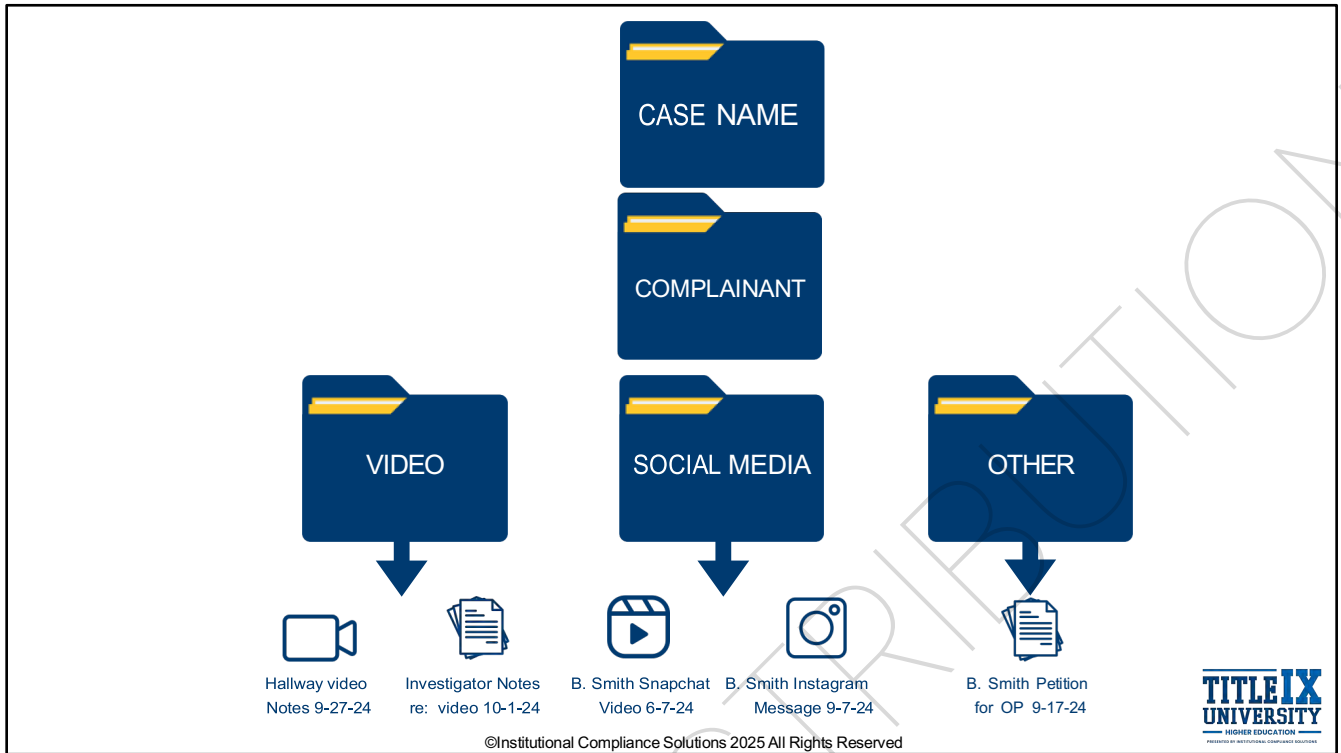


©Institutional Compliance Solutions 2025 All Rights Reserved



©Institutional Compliance Solutions 2025 All Rights Reserved





SEE YOU IN LESSON 10!



©Institutional Compliance Solutions 2025 All Rights Reserved

LESSON TEN

EVIDENCE REVIEW



©Institutional Compliance Solutions 2025 All Rights Reserved

MUST: PROVIDE BOTH PARTIES AN EQUAL OPPORTUNITY TO INSPECT AND REVIEW ANY EVIDENCE OBTAINED AS PART OF THE INVESTIGATION THAT IS DIRECTLY RELATED TO THE ALLEGATIONS INCLUDING:

- The evidence upon which the school does not intend to rely in reaching a determination
- Inculpatory or exculpatory evidence



©Institutional Compliance Solutions 2025 All Rights Reserved

CHALLENGES WITH REVIEW:



01

Sending securely

02

The anxiety it may cause (*PROVIDE SUPPORT*)

03

The VOLUME of information

04

Some of the information may not be "Relevant"



©Institutional Compliance Solutions 2025 All Rights Reserved

REMINDER!



How Long?

10 days

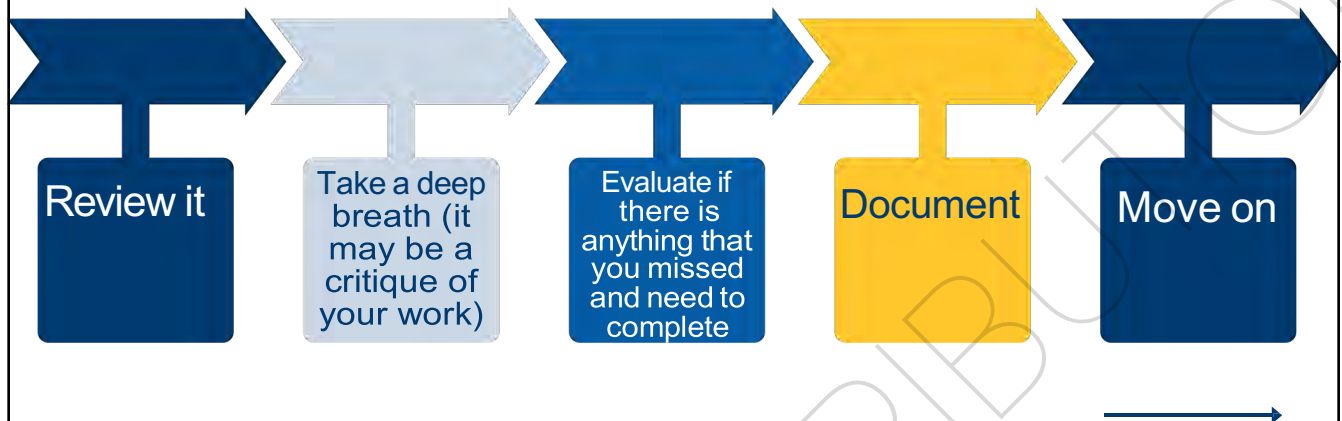
(business or calendar?)

Define in policy



©Institutional Compliance Solutions 2025 All Rights Reserved

WHAT TO DO WITH THEIR RESPONSE (if any)?



©Institutional Compliance Solutions 2025 All Rights Reserved



SEE YOU IN LESSON 11!



©Institutional Compliance Solutions 2025 All Rights Reserved

LESSON ELEVEN

REPORT WRITING AND REVIEW



©Institutional Compliance Solutions 2025 All Rights Reserved

A TITLE IX REPORT IS A SUMMARY OF RELEVANT EVIDENCE

THIS IS **NOT** A DUMP OR COPY OF YOUR NOTES.



©Institutional Compliance Solutions 2025 All Rights Reserved

ORGANIZATION



Easy to Follow, Clear, Concise

Can the reader follow the report and understand who reported/said what?



Roadmap for the Decision-Maker

This report will guide the decision maker, help them ask questions, and provide a roadmap for their process



Includes the Basics

Assume the reader knows NOTHING



Reviewed by Colleague

Trusted counterpart

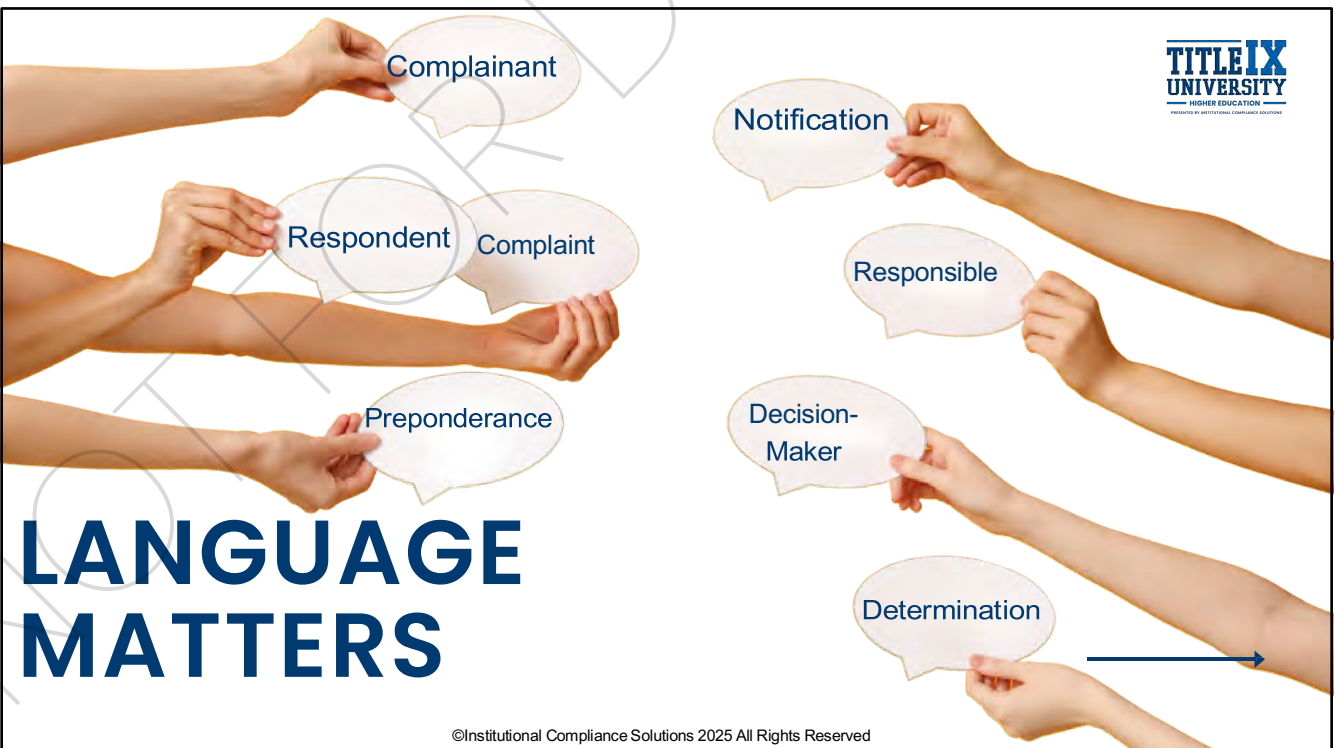


Consistent but Not Identical

There is room for a little flexibility



©Institutional Compliance Solutions 2025 All Rights Reserved



©Institutional Compliance Solutions 2025 All Rights Reserved

WHO IS YOUR AUDIENCE?



Judge



Family



©Institutional Compliance Solutions 2025 All Rights Reserved

THE ART OF SUMMARIZING



What is important?



What is relevant?



What is outside the scope?



What needs to be quoted?



©Institutional Compliance Solutions 2025 All Rights Reserved

RELEVANCY

Information that has a tendency to make a fact more or less probable than it would be without the information—and the fact must be of consequence to the allegations.



©Institutional Compliance Solutions 2025 All Rights Reserved

ORGANIZATION IS KEY



By party/witness?



By time/chronological?



By event?



©Institutional Compliance Solutions 2025 All Rights Reserved

OTHER REPORT MUST HAVES

Page numbers

Footnotes?

Timeline(s)

- Investigation
- Events



Appendix/Attachments
WITH PAGE NUMBERS

- Table of Contents
for appendix/
attachments



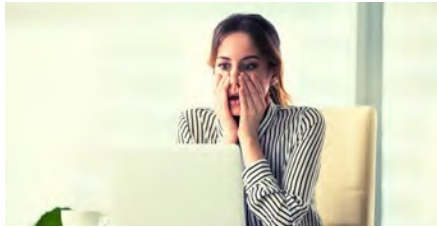
©Institutional Compliance Solutions 2025 All Rights Reserved

DELIVERY OF THE REPORT... THE IMPORTANCE OF SUPPORT



©Institutional Compliance Solutions 2025 All Rights Reserved

THE DELIVERY OF THE REPORT CAN BE TRAUMATIC



Witnesses may say things that are surprising to the parties



Changing the trajectory of individual's lives



©Institutional Compliance Solutions 2025 All Rights Reserved

CONSIDERATIONS

- WHAT IS THE BEST WAY TO DELIVER THE REPORT
- ARE THERE SUPPORT RESOURCES IMMEDIATELY AVAILABLE
- DO YOU NEED TO PROVIDE A HEADS UP THAT IT IS COMING
- NEXT STEPS
- APPEAL OPTIONS



©Institutional Compliance Solutions 2025 All Rights Reserved



REPORT REVIEW... THE IMPORTANCE OF NOT TAKING IT PERSONAL


©Institutional Compliance Solutions 2025 All Rights Reserved

TITLEIX
UNIVERSITY
HIGHER EDUCATION

REVIEW OF REPORT

REQUIRED 10 DAY REVIEW AND RESPONSE PERIOD (BEFORE DETERMINATION)

CONSIDER WAITING FOR RESPONSE BEFORE SENDING TO DECISION-MAKER

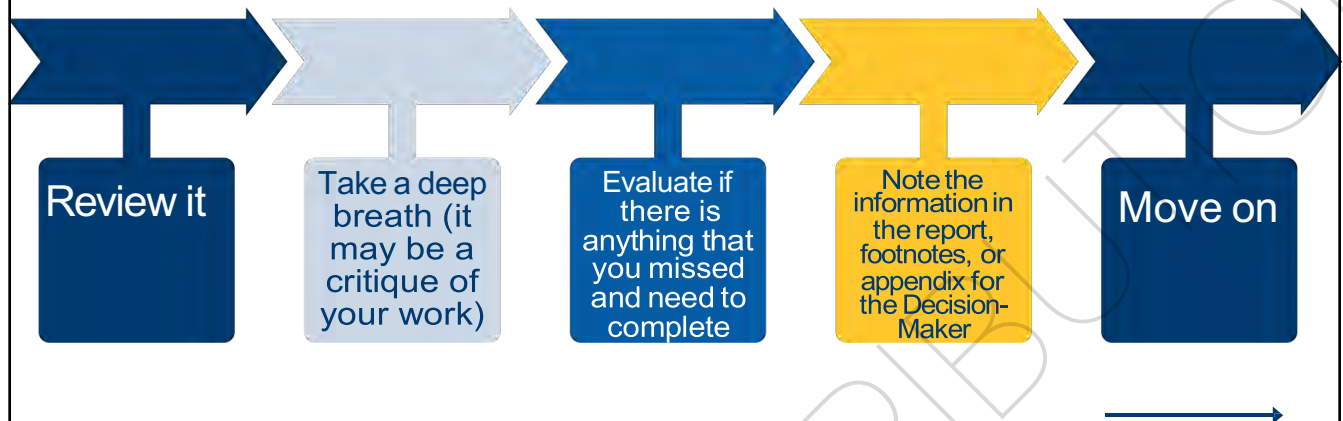


TITLEIX
UNIVERSITY
HIGHER EDUCATION

©Institutional Compliance Solutions 2025 All Rights Reserved

WHAT TO DO WITH THEIR RESPONSE

(if any) Similar to Evidence Review?



©Institutional Compliance Solutions 2025 All Rights Reserved



SEE YOU IN LESSON 12!



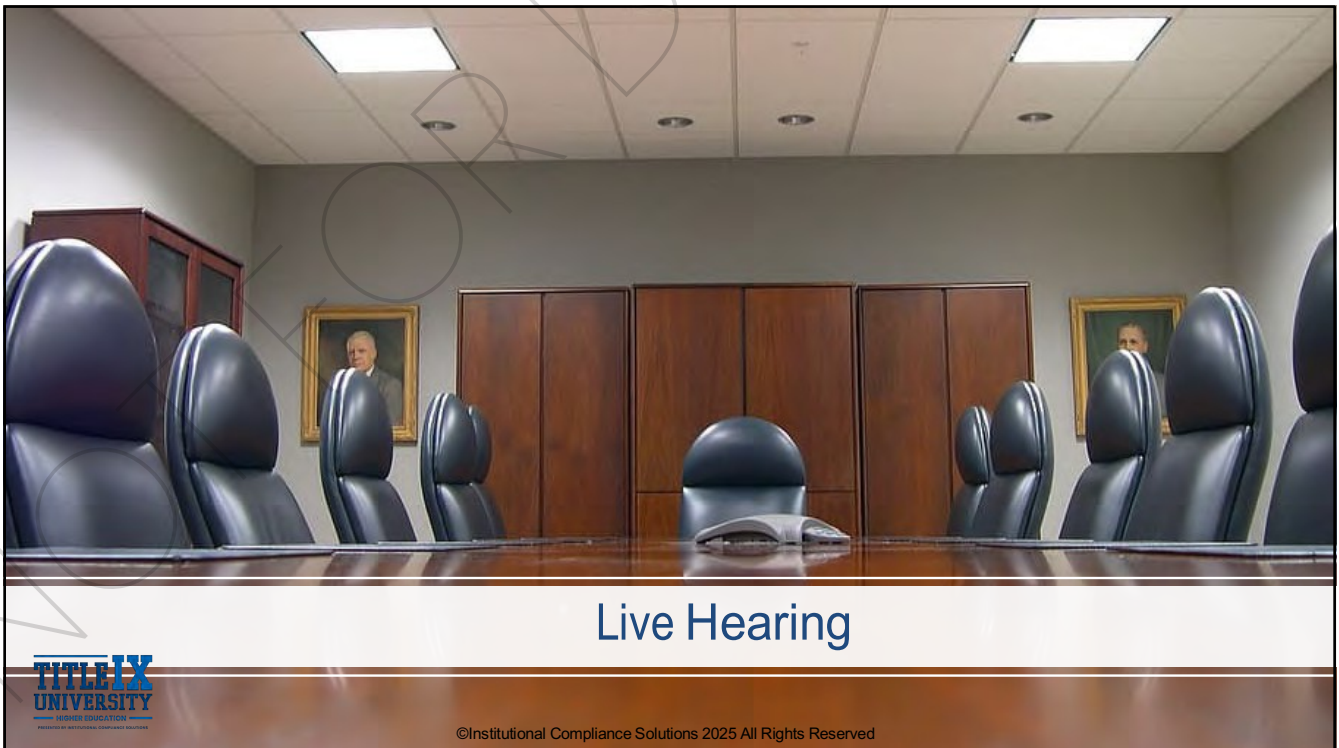
©Institutional Compliance Solutions 2025 All Rights Reserved

LESSON TWELVE

AFTER THE INVESTIGATION



©Institutional Compliance Solutions 2025 All Rights Reserved



©Institutional Compliance Solutions 2025 All Rights Reserved



Decision-Maker Determination Regarding Responsibility Checklist

- ☐ Identification of the Allegations
- ☐ Description of Procedural Steps Taken
 - Notifications to the Parties
 - Interviews with Parties and Witnesses
 - Site visits
 - Methods used to gather other evidence
 - Hearings held
- ☐ Findings of Fact Supporting Determination
- ☐ Conclusions Regarding the Application of the Code of Conduct to the Facts
- ☐ Result of Each Allegation Including Rationale
 - Determination Regarding Responsibility
 - Disciplinary sanctions
 - Whether remedies designed to restore or preserve equal access to education program or activity provided to the Complainant
- ☐ Procedures and Permissible Bases for Appeal



©Institutional Compliance Solutions 2025 All Rights Reserved

STANDARD OF PROOF



- Preponderance of Evidence unless Clear and Convincing for all other proceedings.
- Preponderance of the Evidence - 50% plus a feather - more likely than not
- School investigation vs. Criminal investigation



©Institutional Compliance Solutions 2025 All Rights Reserved

APPEALS



Offered to both parties

Can appeal dismissal of Formal Complaint or any allegations therein or determination regarding responsibility

On the following basis:

- Procedural irregularity that affected the outcome of the matter
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter
- Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter
- Additional bases if offered equally to both parties

Notify the other party in writing when an appeal is filed

Give both parties a reasonable opportunity to submit a written statement in support of or challenging the outcome

Written decision describing the result and rationale for the result

Provide written decision simultaneously to both parties



©Institutional Compliance Solutions 2025 All Rights Reserved

SEE YOU IN LESSON 13!



©Institutional Compliance Solutions 2025 All Rights Reserved

LESSON THIRTEEN

WRAP UP AND ASSESSMENT OF KNOWLEDGE



©Institutional Compliance Solutions 2025 All Rights Reserved



©Institutional Compliance Solutions 2025 All Rights Reserved





BURDEN

Burden to collect/gather evidence is on the institution (investigator)... NOT THE PARTIES



©Institutional Compliance Solutions 2025 All Rights Reserved



PAY ATTENTION TO THE TIMELINES REQUIRED BY YOUR POLICIES FOR THE INVESTIGATIVE STAGE



©Institutional Compliance Solutions 2025 All Rights Reserved

FINAL THOUGHTS

Translation services

Accommodations



©Institutional Compliance Solutions 2025 All Rights Reserved



FINAL THOUGHTS

Investigation skills take time to develop

No one way to conduct an investigation, but need to follow grievance procedures and policies/procedures

Clarity on your role is critical

Report writing takes time

Consider templates/process now before there is a matter



©Institutional Compliance Solutions 2025 All Rights Reserved





REMINDER!!!

- 👉 Do not forget your course downloads and other resources within Title IX University
- 👉 Survival Kit



©Institutional Compliance Solutions 2025 All Rights Reserved

TRAINING PATHWAY

Title IX Investigator

REQUIRED!

Title IX
Introduction and
Overview



Title IX Investigator
Course



Other
Fundamental
Courses

QUESTIONS?

Title IX Coordinator
info@titleixu.com



©Institutional Compliance Solutions 2025 All Rights Reserved

CONGRATULATIONS!!



©Institutional Compliance Solutions 2025 All Rights Reserved