



INVESTIGATIVE REPORT WRITING

A Title IX Investigator Refresher Course



IN THIS COURSE



INVESTIGATIVE REPORT
WRITING

LESSON COMPLETION

Title IX Solutions, LLC

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Level I: Navigating the 2024 Title IX Regulations with Confidence

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- Pre-Training Materials 0/3
- Decoding the 2024 Title IX Regulations: A Roadmap for Educational Institutions 1/6 DRAFT
- Chapter & Speaker Introduction VIDEO • < 1 MIN • PREREQUISITE • DRAFT
- Defining Sex Discrimination & Sex-Based Harassment VIDEO • < 1 MIN • PREREQUISITE • DRAFT
- Revised Scope & Jurisdiction**

Revised Scope & Jurisdiction

106.31 – EDUCATION PROGRAM

Up next
Policy, Training & Reporting Requirements

CONTINUE →

MARK INCOMPLETE

CONTINUE →

CANCEL

Noted Changes

- 106.31(a)(2) was added addressing gender identity

Comments

- There is pending litigation regarding gender identity protection that may impact this part of the regulations.

"In the limited circumstances in which Title IX or this part permits different treatment or separation on the basis of sex, a recipient must not carry out such different treatment or separation in a manner that discriminates on the basis of sex by subjecting a person to more than de minimis harm."



STEPPING AWAY

The screenshot displays the user interface of the Title IX Solutions, LLC website. At the top left is the company logo. The navigation menu includes 'Courses', 'Curriculum', 'Free Resources', 'FAQs', 'My Dashboard', and 'Cara K' with a user profile icon. A large orange arrow points to the user profile icon. The main content area features three course cards, each with a 'See Overview' and 'Start Course' button. The first card is for 'NAVIGATING THE 2024 TITLE IX REGULATIONS WITH CONFIDENCE' in Atlanta, GA, scheduled for June 27 & 28, 2024. The second card is 'AN INTRODUCTION TO THE 2024 TITLE IX RULE' on April 25, 2024. The third card is 'NAVIGATING THE 2024 TITLE IX REGULATIONS WITH CONFIDENCE' as live virtual training on July 23 & 24, 2024. Each card includes a progress indicator showing 0% completion.

POSTING REQUIREMENTS

In accordance with the 2020 Title IX Regulations, institutions must post “all materials used to train Title IX Coordinators, Investigators, Decision-Makers, and any person who facilitates an informal resolution process.”
34 C.F.R. 106.45(b)(10)(i)(D).

Such training materials must also be kept for seven years.

POSTING REQUIREMENTS

Facilitating Informal Resolution Processes 0/4

Informal Resolution Agreements and Outcomes 0/2

Potential Challenges in Facilitating Informal Resolution Processes 0/2

Understanding Trauma 0/6

Course Wrap-up 0/3

Title IX Posting Requirements 0/2

Instructions for Posting Title IX Solutions Training Materials on Institutional Websites
INSTRUCTIONS - PREREQUISITE

Final Combined Course Materials
DOWNLOAD

Instructions for Posting Title IX Solutions Training Materials on Institutional Websites

Thank you for participating in a Title IX Solutions Certification Training!

Please follow these instructions as you post the training materials to your school's website to comply with Title IX Regulation 106.45(b)(10)(i)(d).

Contact adrienne@titleixsolutions.com or tawny@titleixsolutions.com with any questions regarding the posting of Title IX Solutions' training materials.

Program materials available for download:

If you haven't done so already, you can find and download the program materials for this course by clicking on the next lesson named "Final Combined Course Materials".

Instructions for posting the above training program materials are outlined below:

Step 1: Publish Authorization & Disclaimer

COMPLETE & CONTINUE →

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TITLE IX SOLUTIONS, LLC

JUNE 27 & 28, 2024
ATLANTA, GA

**NAVIGATING THE 2024
TITLE IX REGULATIONS
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Training for Higher Education Administrators

June 27-28, 2024: In-Person Title IX Training (Atlanta, GA)

**AN INTRODUCTION TO
THE 2024 TITLE IX RULE**

TITLE IX SOLUTIONS, LLC

APRIL 25, 2024

An Introduction to the 2024 Title IX Regulations

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JULY 23 & 24, 2024
LIVE VIRTUAL TRAINING

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THANK
YOU!



TITLE IX SOLUTIONS, LLC

INVESTIGATIVE REPORT WRITING

IN THIS CHAPTER



SHARING EVIDENCE
WITHOUT AN
INVESTIGATIVE
REPORT



ELEMENTS OF THE
INVESTIGATIVE
REPORT



SUMMARIZING
INTERVIEWS &
EVIDENCE



REVIEWING THE
REPORT



THE INVESTIGATION
FILE



SAMPLE REPORT

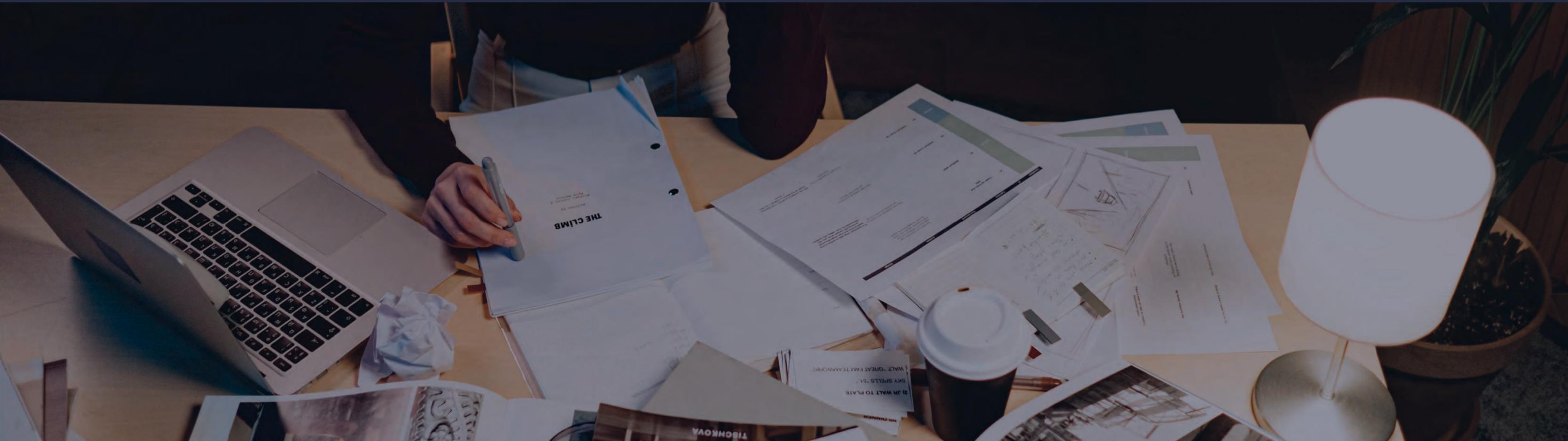


SPEAKER

SUSANNA MURPHY

TITLE IX SOLUTIONS
LEAD INVESTIGATOR

ELEMENTS OF THE INVESTIGATIVE REPORT



REPORT WRITING PREPARATION

- This may be the area where you feel exposed
 - Parties will have the chance to observe your work
- Preparation can be your safety net
- As you're interviewing:
 - Interview back and forth
 - Write up each interview or transcribe immediately following or as soon as possible
 - Write in large blocks of time
- You may see questions you forgot to ask or points that need clarification - go back and ask

ELEMENTS OF THE INVESTIGATIVE REPORT

AT THE CONCLUSION OF THE INVESTIGATION, THE INVESTIGATOR WILL PREPARE A WRITTEN REPORT WHICH WILL:

- ✓ Identify the allegations
- ✓ Identify relevant policies, guidelines, and other standards
- ✓ Explain the procedural steps taken between initiation of the complaint and the conclusion of the investigation, including all notifications to the Parties, interviews with the Parties, interviews with other Witnesses, dates of all interviews, any site visits, and the methods used to gather evidence
- ✓ Fairly summarize relevant evidence

ELEMENTS OF THE INVESTIGATIVE REPORT

ALLEGATIONS INVESTIGATED

Allegations, if proved, that meet the definition of Sexual Misconduct

- Should be roughly identified in the Formal Complaint

Alleged form(s) of sexual misconduct

- Sexual Harassment, Dating Violence, Domestic Violence, Sexual Assault, Stalking
- Copy full definitions from policy
- Many forms of prohibited conduct are also dependent upon factors such as consent, length or type of relationship between the Parties, number of alleged incidents, etc.

ELEMENTS OF THE INVESTIGATIVE REPORT

ALLEGATIONS INVESTIGATED

Allegations, if proved, that DO NOT meet the definition of Sexual Misconduct

- Other policies implicated?
- Harassment not based on sex or gender
- Sexual misconduct that does not fall under Title IX's scope, but may need to be addressed under another policy

ELEMENTS OF THE INVESTIGATIVE REPORT

RELEVANT POLICIES, PROCEDURES, GUIDELINES AND STANDARDS



Sexual
Misconduct
Policy



Additional Relevant
Institutional
Policies

ELEMENTS OF THE INVESTIGATIVE REPORT

PROCEDURAL STEPS TAKEN BETWEEN RECEIPT OF FORMAL COMPLAINT AND CONCLUSION OF INVESTIGATION

TIMELINE

- The importance of documentation during the interviewing process presents here
- Investigator should utilize communication logs, activity logs, or other templates that document your information-gathering timeline
- The following should be provided:
 - Dates of notices
 - Interview dates
 - Date of provision of investigation file
 - Dates of responses to investigation file, etc.

ELEMENTS OF THE INVESTIGATIVE REPORT

PROCEDURAL STEPS TAKEN BETWEEN RECEIPT OF FORMAL COMPLAINT AND CONCLUSION OF INVESTIGATION

- Thoroughness is key
- Document if a Party or Witness does not respond or declines to participate in the investigation
- Document communication with other departments or off-campus sources (i.e., local police)
- Document supportive measures in place during the investigation (Work with Title IX Coordinator to obtain this information)



Does your Title IX office utilize a case management system?

ELEMENTS OF THE INVESTIGATIVE REPORT

SUMMARY OF RELEVANT EVIDENCE

The “meat” of the Investigation Report which should include:

- Summaries of interviews with Complainant, Respondent, and witnesses
- Summaries of evidence, with exhibits attached
 - Reference the evidence log and appendix which should contain relevant information collected, including any evidence obtained or submitted as part of the investigation, electronic records, written statements, photographs, or other documentation



REMINDER:

**THE WRITTEN REPORT SHALL NOT MAKE
FINDINGS OF FACTS OR CONCLUSIONS
REGARDING THE APPLICATION OF FACTS TO
THIS POLICY.**

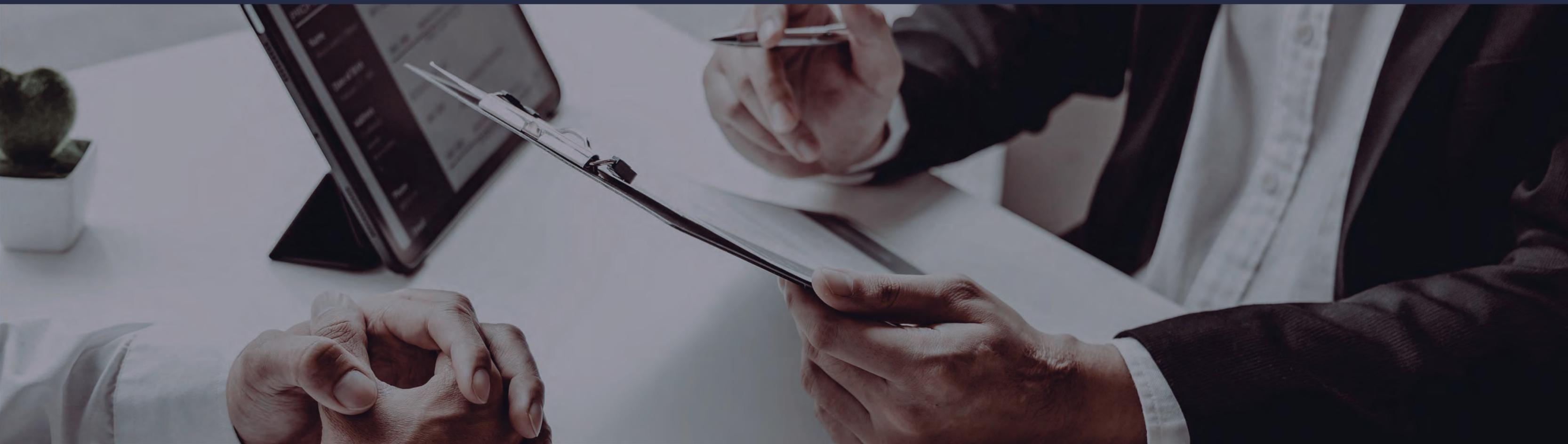
This is the responsibility of the Decision-Maker.

ELEMENTS OF THE INVESTIGATIVE REPORT

A presentation of facts and analysis of consistencies and inconsistencies in the information collected

**Optional to Include*

SUMMARIZING INTERVIEWS



SUMMARIZING INTERVIEWS

STAY FOCUSED WHEN SUMMARIZING INTERVIEWS.

- Key questions for the Title IX grievance process:
 - Did the alleged incident occur?
 - Is the alleged incident a policy violation?

STEP

1

IDENTITIES AND DATES

NOTE TIME, DATE, LOCATION OF INTERVIEW, AND IF AN ADVISOR WAS PRESENT

- Explain the interviewee's relation to the case
 - Complainant, Respondent
 - If a witness, who are they?

EXAMPLE



“Joshua Kaplan was the person working the front door of Myers Hall on the night of November 28.”

STEP

2

SUMMARY
OF
RESPONSES

TELL THE STORY

Transform the individual's responses into a coherent narrative

STEP

2

SUMMARY
OF
RESPONSES

INCLUDE DIRECT QUOTES FROM THE INDIVIDUALS

- Direct quotes are extremely powerful and useful for those reading the report
- Cite direct quotes either from the specific line in the transcript or timing of the recording (annotate footnotes or endnotes)

STEP

2

SUMMARY
OF
RESPONSES

ORGANIZE INTERVIEWS INTO SUB-SECTIONS WHEN DEALING WITH MULTIPLE ALLEGATIONS

- If a complaint alleges multiple policy violations or forms of sex discrimination or sex-based harassment, consider organizing the interview into sub-sections related to each policy violation

EXAMPLE



Relationship with a history of dating violence and sexual assault

STEP 2 SUMMARY OF RESPONSES

DO NOT CONFLATE AN INDIVIDUAL'S STATEMENTS WITH FACT.

- If a Complainant says the incident occurred at 9:00 PM, your summary should read: "NAME OF COMPLAINANT stated that the incident occurred at 9:00 PM" rather than "The incident occurred at 9:00 PM."
 - Start a longer narrative section with: "The following is what Sam recalled:"
- CONSIDER: Note at the conclusion of your interview summary if evidence (photographs, text messages, surveillance footage, etc.) support or refute the interviewee's statements

DO NOT INCLUDE YOUR OPINIONS

STEP

3

INTERVIEW
OBSERVATIONS

OPTIONAL (BUT BE CONSISTENT ACROSS PARTIES):

- Did the individual ask for a break?
 - Note how many breaks
- Was the individual accompanied by an Advisor?
- Did the Advisor attempt to speak on the individual's behalf?
 - What occurred?
 - Only include if noteworthy
- Did the individual bring any evidence to the interview?
 - What was brought?
 - How was it presented?

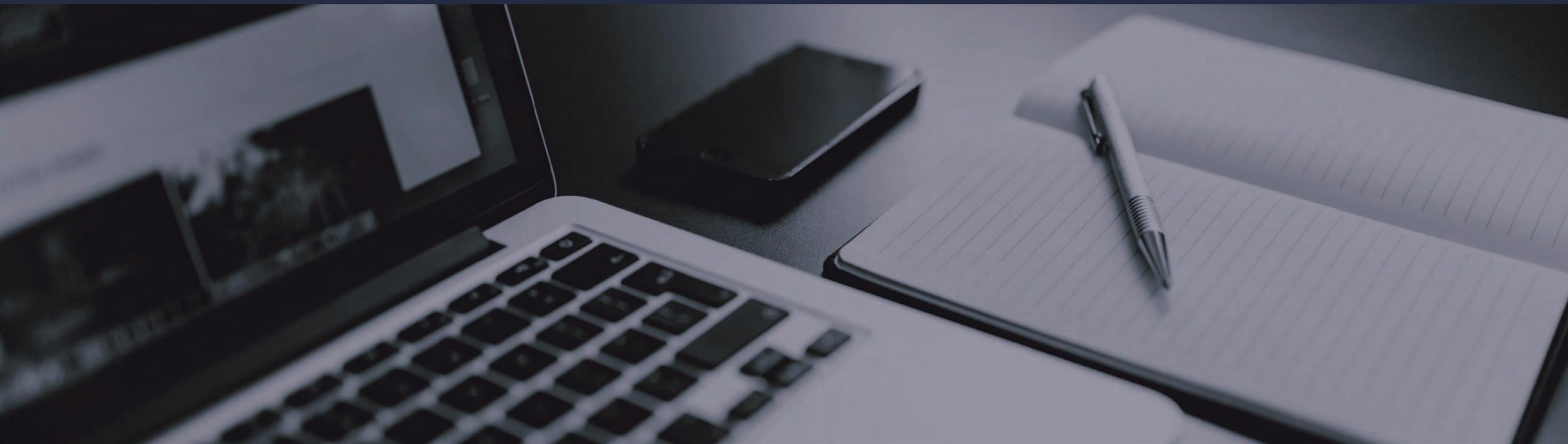
STEP

4

SHARE
INTERVIEW
SUMMARY?

- Summaries of interviews are a presentation of the individual's statements and do not include the Investigator's analysis, assessments, etc.
- Some Investigators share the summary of interview with the individual as soon as available to ensure accuracy of note-taking or transcription

SUMMARIZING EVIDENCE



EXAMPLES OF SUMMARIZING EVIDENCE

MAY SIMPLY BE A LIST OF ALL EVIDENCE, REFERENCING ITS APPENDIX NUMBER.

VIII. Table of Appendices

Documents and evidence obtained during the course of the investigation such as the formal complaints and Notices of Investigation can be found in the attached Appendices.

Additionally, each investigative interview was recorded by Investigator Chapman with the consent of the interviewee. The transcripts of each interview can also be found in the attached Appendices.

A list of Appendices is as follows:

| Appendix No. | Description | Date Received |
|--------------|---|-----------------|
| Appendix A | Jacob Smith Formal Complaint to the Title IX Coordinator | January 3, 2022 |
| Appendix B | Amanda Parsons Formal Complaint to the Title IX Coordinator | January 4, 2022 |
| Appendix C | Jacob Smith Email to the Title IX Coordinator with additional allegations | January 6, 2022 |
| Appendix D | Notice of Allegations to Smith - Complainant | January 7, 2022 |
| Appendix E | Notice of Allegations to Parsons - Complainant | January 7, 2022 |
| Appendix F | Notice of Allegations to Thompson – Respondent | January 7, 2022 |
| Appendix G | Smith Interview Transcript | January 9, 2022 |
| Appendix G-1 | Smith Interview Recording | January 9, 2022 |

EXAMPLES OF SUMMARIZING EVIDENCE

YOU MAY ALSO DECIDE THAT SPECIFIC PIECES OF EVIDENCE REQUIRE AN EXPLANATION.

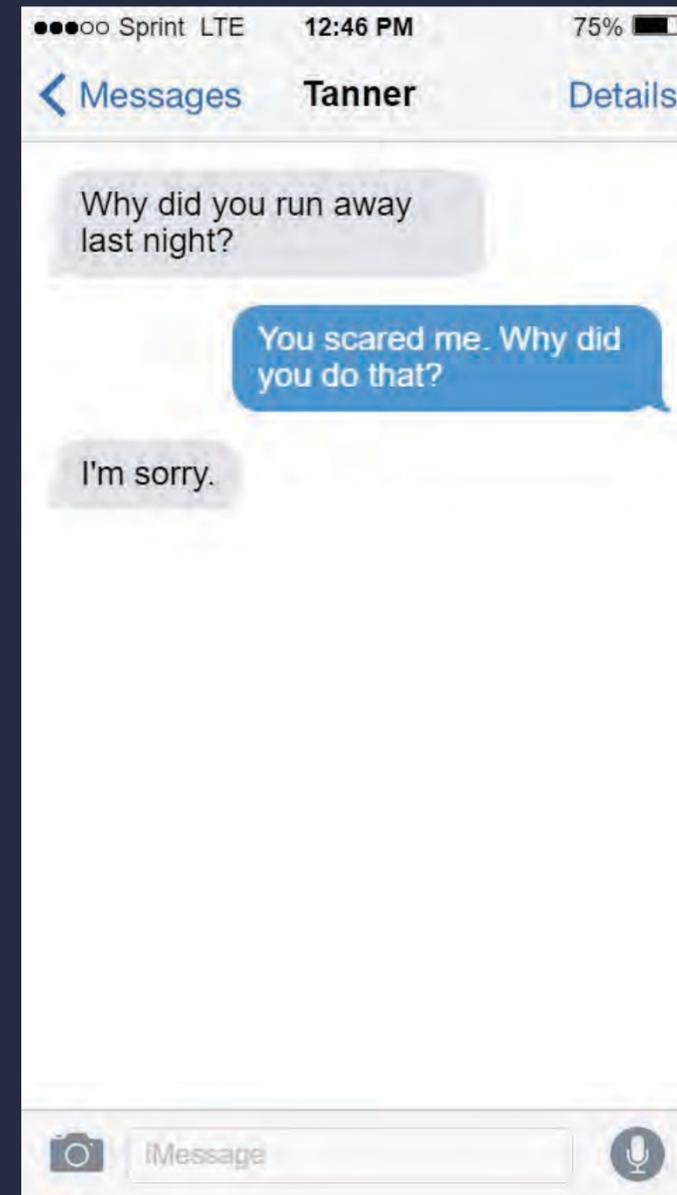


Example: Security camera video recording from Sentry Hall timestamped from January 1, 2022 at 9:00 PM to January 2, 2022 at 6:00 AM.

Security camera video recording was obtained from Sample University Police Department (SUPD)

Saved as SUPD_Evidence_2.mp4 in Investigation File

Still image from 00:18:14 Attached to Investigation Report as Appendix K



Example: Screenshot of text message received by Complainant Jacob Smith timestamped on January 2, 2022 at 8:07 AM. Alleged to be sent by Respondent Tanner Thompson. Screenshot was provided by Complainant Smith.

Saved as Smith_Evidence_1.png in Investigation File

Attached to Investigation Report as Appendix H

EXAMPLES OF SUMMARIZING EVIDENCE

NOTING INCONSISTENCIES

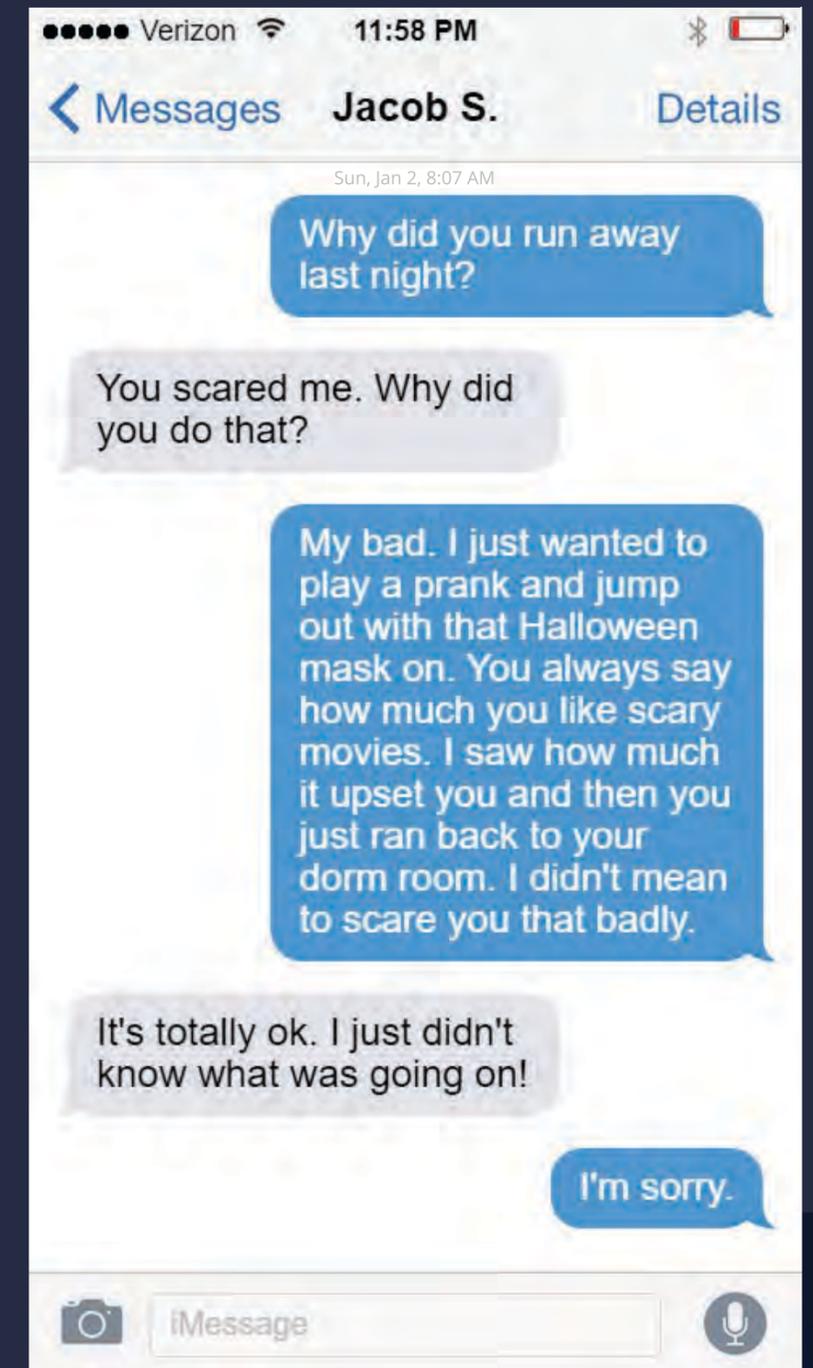
Example: Screenshot of text message exchange alleged to be between Complainant Jacob Smith and Respondent Tanner Thompson on January 2, 2022 timestamped at 8:07 AM. Screenshot was provided by Respondent Thompson.

NOTE: There are inconsistencies between the messages displayed on the screenshot of the exchange provided by Complainant Smith and the screenshot provided by Respondent Thompson.

The screenshot provided by Respondent Thompson contains a text message from the Respondent stating, "My bad. I just wanted to play a prank and jump out with that Halloween mask on. You always say how much you like scary movies. I saw how much it upset you and then you just ran back to your dorm room. I didn't mean to scare you that badly."

The text reply from Complainant Smith states, "It's totally ok. I just didn't know what was going on!"

These messages are absent from the image provided by Complainant Smith.



REVIEWING THE REPORT



KEEP IN MIND

- As you review your investigation report, ask yourself if your investigation answers these questions
- Your summaries of interview and evidence should address these questions:

WHO

Who was involved?

WHAT

What are the allegations?

WHEN

When did the incident occur?

WHERE

Where did the incident occur?

WHY

Why and how did the incident occur?

KEEP IN MIND

IT MAY NOT BE POSSIBLE TO DEFINITELY ANSWER THE QUESTIONS, BUT YOU SHOULD PROVIDE THE INDIVIDUALS' RESPONSES TO THE QUESTIONS.

- Complainant states that the incident occurred at 1:00 PM on Tuesday, June 15th
- Respondent states that the incident occurred at 11:30 AM on Tuesday, June 15th
- Access logs to the campus building where the incident occurred show that the Complainant swiped in to access the building at 11:00 AM, and the Respondent swiped in to access the building at 12:00 PM

NEXT STEPS



EDIT



PROOFREAD



PRINT



PROOFREAD
AGAIN



FORMAT



Pronouns - Use as few as possible, but ensure the ones you use are accurate. Too many "he", "she", and "they" pronouns can become confusing to the reader.

THE INVESTIGATION FILE

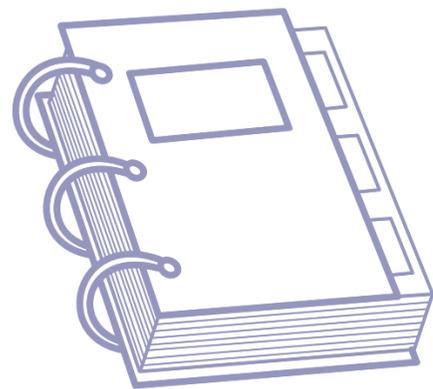


WHAT IS THE INVESTIGATION FILE?

AT THE CONCLUSION OF THE INVESTIGATION, PREPARE WHAT WE REFER TO AS AN INVESTIGATION FILE:

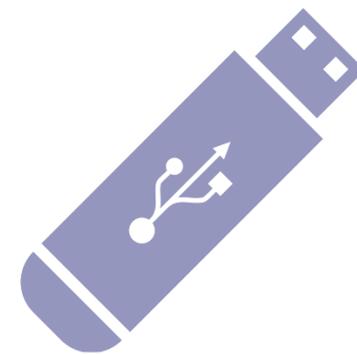
- May also be referred to as a case file or case binder

- Can be:



hard copy

or



digital

WHAT DOES THE INVESTIGATION FILE CONTAIN?

ALL EVIDENCE OBTAINED AS PART OF THE INVESTIGATION THAT IS DIRECTLY RELATED TO THE ALLEGATIONS RAISED IN A FORMAL COMPLAINT TO THE COMPLAINANT AND RESPONDENT

- Do not filter out any information from the file at this point unless completely unrelated
- Parties must have an equal opportunity to inspect and review all of the directly related evidence
 - Investigators may also send evidence to Advisors, with consent
- Includes evidence that tends to prove and disprove the allegations (inculpatory and exculpatory), whether obtained from a party or witness

WHAT DOES THE INVESTIGATION FILE CONTAIN?

- Includes evidence that is directly related to the allegations but upon which the institution does not intend to rely in reaching a determination regarding responsibility
 - For instance, where evidence is directly related to the allegations, but the investigator does not believe the evidence to be credible and thus does not intend to rely on it
- All evidence must be made available to the parties, but not all evidence may be “relevant”
 - Reviewing the investigation file provides the Advisor and the party the opportunity to argue whether certain evidence is relevant or not

**RELEVANT
VS.
DIRECTLY
RELATED**

Directly related evidence is a broader term than relevant evidence. All directly related evidence is included in the investigation file. Only relevant evidence, however, is summarized in the investigation report.

Directly
related

Relevant

WHAT IS NEVER RELEVANT?

AS WRITTEN INTO THE TITLE IX REGULATIONS, THE FOLLOWING EVIDENCE IS NEVER RELEVANT:

- Evidence about a Complainant's sexual predisposition
- Evidence about a Complainant's prior sexual behavior, except when:
 - Questions and evidence are offered to prove someone other than Respondent committed alleged conduct; or
 - Questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent are offered to prove consent.

EXAMPLE: "She slept with half the frisbee team, already. She obviously was up for this encounter."

PROHIBITED EVIDENCE

AS WRITTEN INTO THE TITLE IX REGULATIONS, THE FOLLOWING EVIDENCE IS PROHIBITED:

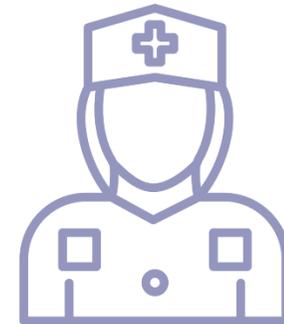
- The school cannot access, consider, disclose, or otherwise use a Party's records protected under a legally recognized privilege such as those that are made or maintained by:



A physician



A psychiatrist or psychologist



Other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity



Schools must obtain that party's voluntary, written consent to include this evidence in the Title IX grievance process.

ONCE THE FILE IS PREPARED

- Title IX Coordinator will provide the file to the Complainant, Respondent, and Advisors
- School must provide at least 10 calendar days for the Parties to respond to the evidence
- Investigators will share any written response with the other Party and will consider any written response prior to completing the investigation report



The audience for the Investigation File is the Complainant, Respondent, Advisors, and Decision-Maker.

AFTER PARTIES REVIEW

CREATE THE FINAL INVESTIGATION REPORT:

- Incorporate relevant elements of the Parties' written responses (or absence thereof) into the investigation report
- Include any additional relevant evidence
- Make any necessary revisions
- Finalize the report
- Document all rationales for changes made after the review and comment period

ELEMENTS OF INVESTIGATION FILE



First, check to see if your school has a template or predetermined method of organizing the investigation file.

Generally, it should contain the following elements:

TABLE OF CONTENTS

1

- Organized for quick reference as the files can become large
- Separated into major sections and even subsections, if necessary, to help parties, Advisors, and Decision-Maker locate key information

INVESTIGATION REPORT



- Will not be finalized until the Parties and Advisors review and respond within the required 10 day review period
- Includes allegations, relevant policies/guidelines and other standards, procedural steps; and
- Fairly summarizes relevant evidence
 - Summaries of Interview (summary for every interview conducted)
 - Summaries of Evidence

LIST OF INTERVIEWS & EVIDENCE



- Communications log
- Evidence log

WITNESS INTERVIEWS



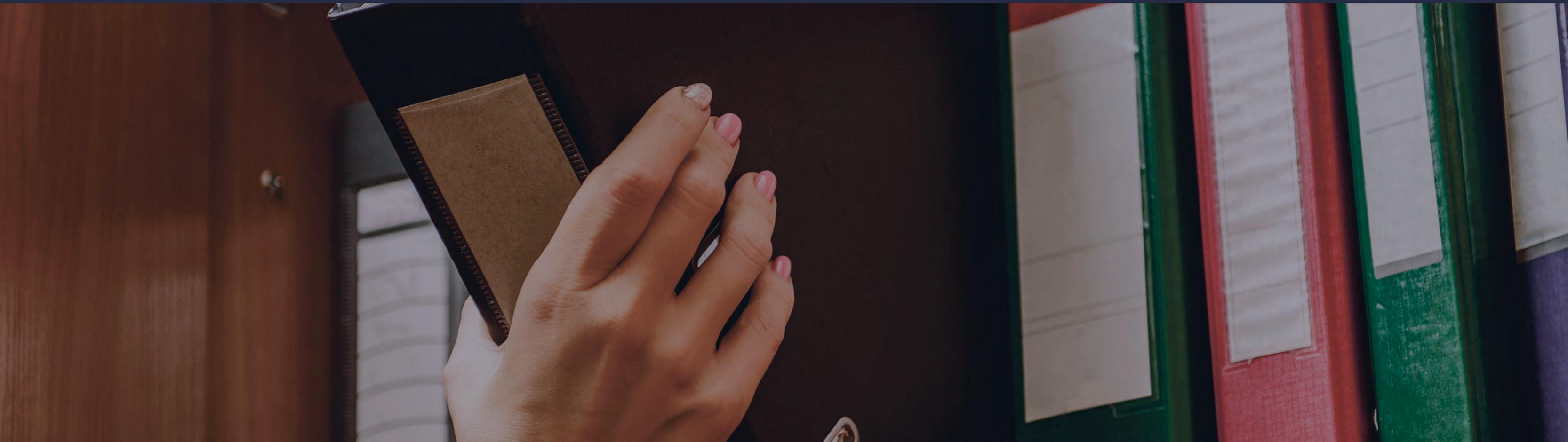
- If interviews are recorded, each interview should have the following documentation:
 - Transcript of interview
 - Recording of interview (if available)

APPENDICES

5

- Contains relevant documentary and physical evidence
 - Examples: electronic records, written statements, photographs, surveillance video, copies of text messages or emails, snapchats, restraining orders, or other documentation
- Evidence should be catalogued and organized into appendices with numbers or letters corresponding to the line in the evidence log
 - Save for the final task

SAMPLE REPORT



CONTENTS

I. ALLEGATIONS

II. IMPLICATED POLICY

III. STANDARD OF PROOF

IV. PRESUMPTION OF NON-RESPONSIBILITY

V. PROCEDURAL STEPS AND INVESTIGATION
TIMELINE

A. CASE PROGRESSION

B. LIST OF INTERVIEWS

VI. SUMMARY

VII. EVIDENCE

VIII. APPENDIX

I. ALLEGATIONS:

The following was alleged in the ABC College Notice of Investigation and Allegation (NOAI) (Appendix A):

“The alleged actions include Respondent John Doe engaging in unwanted sexual contact through touching the Complainant’s [Jane Smith’s] buttocks under her underwear. Respondent also allegedly placed hands on Complainant’s face and leaned in and tried to kiss the Complainant prior to her turning their head and verbally refused. This allegedly occurred while in the bathroom at the XX Eating Club Fall formal.”

This is alleged to have occurred on or about January 25, 2021 at the Madison Performing Arts Halls on ABC College’s campus.

II. IMPLICATED POLICY

The Complaint was filed alleging the following 2020 Sexual Discrimination and Sexual Misconduct Policy “Title IX Policy” (hereinafter referred to as “the Policy”), and section was violated:

Then cite to the specific policy and sections and definitions.

PROHIBITED CONDUCT:

- Allegation/Incident 1: Section B. Sexual Misconduct
- Sexual Assault- Sexual assault defined in 20 U.S.C. 1092(f)(6)(A)(v), is an offense classified as a forcible or non-forcible sex offense

Sections III(A) and III(C) of The Policy provides its definition and examples of consent, as follows:

Consent: Lack of consent ...

III. STANDARD OF PROOF

The Hearing Panel shall employ the Preponderance of Evidence/Clear and Convincing Standard in evaluating the facts and circumstances of this matter, according to the ABC College 2020 Title IX Sexual Harassment Complaint Resolution Procedures. (Sec.6b)

IV. PRESUMPTION OF NOT RESPONSIBLE

Pursuant to the ABC College Sex Discrimination and Sexual Misconduct Policy there is a presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the investigation and resolution process.

V. PROCEDURAL STEPS AND INVESTIGATION TIMELINE

a. Case Progression

Pre-Formal Complaint

On Saturday, March 17, 2021 Jane Doe contacted her advisor, Chantel Johnson, to arrange a meeting. On Sunday, March 18, 2021, Jane Doe sent an email to the ABC Title IX office stating that she “was the victim of non-consensual sexual touching while asleep” (Appendix B). She attached to that email a statement she had typed detailing her allegations and including electronic messages between herself and John Doe (Appendix C).

On March 19, 2021, Jane met with Chantel Johnson. Jane alleged that she had been sexually assaulted by John. Rather than discuss the details of her allegations, Jane shared with MS. Johnson her typed allegations that she had forwarded to the Title IX office (Appendix C). On March 21, 2021, Jane met with Title IX Coordinator Victor Ramirez, to discuss her reporting options, her rights and discuss supportive measures. ...

Formal Investigation

On March 30, 2021, Jane filed a formal, written and signed Complaint with the Title IX Office. That Complaint alleged “sexual assault” and “Unwelcome Sexual Contact”.

On April 2, 2021, a Notice of Investigation and Allegation was sent to the ...

| DATE | ACTION |
|----------|---|
| x/x/2021 | Formal written complaint filed by Complainant via email and acknowledged by Title IX Office x/x/21 |
| x/x/2021 | Title IX Coordinator held follow up with meeting with Complainant post formal written complaint to clarify and questions about the process, rights or options shared at time of initial reporting |
| xxxx | Notice letter issued to Complainant and Respondent via email |
| xxxx | Title IX Coordinator email to External Investigator with instruction to begin investigation process |
| xxxx | Title IX Coordinator Informed Respondent they have the right to meet to discuss rights and options |
| xxxx | Investigator reached out to Complainant to establish initial contact to begin scheduling initial interviews |

| DATE | ACTION |
|------|---|
| xxxx | Informed Parties the name of the external Investigator, Martha Collins |
| xxxx | Title IX Coordinator met with Respondent to share rights, options and procedural steps |
| xxxx | Process Delay-Investigation due to campus spring recess; Parties and Investigator Notified by Title IX Coordinator |
| xxxx | Title IX Coordinator informed Respondent, Complainant, and Investigator that the process (investigation phase) will continue effective this date. |
| xxxx | Investigator shared Draft Investigation Report with Complainant and Respondent |
| xxxx | Respondent emailed Investigator Response to Draft Report |
| xxxx | Complainant emailed Investigator Response to Draft Report |

b. List of Interviews

- On April 22, 2022, Jane Doe was interviewed via Zoom. Jane did not choose to have an Advisor present.
- Witness 1 was interviewed via Zoom on April 24, 2022.
- Witness 2 was interviewed via Zoom on April 28, 2022.
- Etc.

VI. SUMMARY

All relevant information that was shared during the interviews of the Parties and Witnesses are contained in this report. Other information that is directly related but not deemed relevant, remain in the Investigation File but were not incorporated herein.

The following is a summary of undisputed facts:

Jane Doe is a student at ABC College and lives in Smithson Hall on the Burlington Campus with a roommate. As of the date of the alleged incident Jane was dating Witness 1 who also is a student at ABC.

INTERVIEW OF JANE SMITH

The following is an account of Jane's interview:

Jane was planning to attend the Fall Formal with Witness 1 after attending an off-campus "pre-gaming party.....

Interview of John Doe:

...

Interview of Witness 1:

...

VII. EVIDENCE

Jane provided the following items:

- Word document description of what occurred including most of her texts with John
- Messages between herself and Witness 1 (Appendix C)
- Messages between herself and John

John provided the following items:

- Snapchat screenshot (Appendix H)

Witness 1 provided the following items:

- Messages between himself and ...

Witness 2 provided the following items:

- Messages between herself and Jane

Witness 3 did not provide any physical evidence

VIII. RESPONSES TO DRAFT REPORT

On May 11, 2021 Respondent submitted a response to the Draft Report (Appendix J) requesting the investigator include the description he provided in his interview of Jane's jeans being "very tight". This was incorporated into the report.

On May 14, 2021 Jane submitted a response to the Draft Report, which suggested a number of edits. The following changes were made in response to her submission:

- The labelling of Appendix H was corrected from G to H;
- Jane first arrived on campus after winter break, before the rest of the student body, for basketball practice.

| IX. | Appendix |
|-----|--|
| A. | Notice of Investigation and Allegations |
| B. | Email from Jane to Title IX Office, first reporting the allegation |
| C. | Formal Written Complaint of Jane, attached to email to TIX Office |
| D. | Case Report |
| E. | Floor Plan of Simpson Concert Hall |
| F. | Messages between Jane and Witness 1 provided by Jane |
| G. | Messages between Jane and Witness 1 provided by Witness 1 |
| H. | Messages between John and Witness 4 provided by Witness 4 |
| I. | Respondent's Response to Draft Report |
| J. | Complainant's Response to Draft Report |