

A circular inset image showing a classroom scene with several students sitting at desks. In the foreground, a young woman with curly hair and glasses is resting her head on her hand, looking thoughtful. Other students are visible in the background, some looking towards the camera and others looking away.

Checklist

# Sexual Harassment Investigations

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*Under Title IX regulations and sexual misconduct policies, higher education and K-12 institutions have a duty to investigate a complaint of alleged sexual harassment. Specifically, under the Title IX regulations, this duty to investigate is triggered when a formal complaint is made to the Title IX coordinator and the allegations involve an employee, student, or campus visitor. In other instances, your institution's discrimination and harassment policy may require you to investigate no matter how your institution receives the report or notice.*

The scope of the investigation and the subsequent response depend upon whether Title IX or another law or policy is implicated. Consult legal counsel about specific legal requirements that may govern these investigations. Relevant federal laws include Title IX and the Violence Against Women Act (VAWA) amendments to the Clery Act; both regulate how campuses investigate complaints of sexual harassment against students and employees. Title VII applies only to sexual harassment in employment and to private K-12 schools in

the employment context. Title IX applies to schools receiving federal funding. Title IX can apply to student and employment matters. Title VII and Title IX generally apply to higher education institutions and public K-12 schools, but VAWA only applies to higher education institutions.

In addition, comply with any relevant state law requirements and carefully follow your institution's policies. Note that the Department of Education (ED) stated that the Title IX regulations pre-empt existing state law but that ED doesn't believe the regulations prohibit institutions from complying with other applicable federal laws.

This checklist is based on federal legal requirements and on United Educators' (UE's) research and experience with claims brought against members. ***Title IX regulations requirements in the checklist are italicized.***

People responsible for receiving complaints, assigning investigators, or conducting investigations of sexual harassment allegations should review the checklist and determine whether your institution follows these requirements and recommendations.

For each item in the checklist, check the appropriate box ("Yes," "No," or "N/A (Not Applicable)") and note any additional needed actions in the space to the right.

## Choosing the Investigator

Assign at least one investigator for every formal complaint or other allegation of sexual harassment or other prohibited conduct. Complex, lengthy investigations may require multiple investigators. In these cases, investigators should meet regularly to coordinate the investigation and ensure all parties are treated equitably and in a fair and unbiased manner. An external investigator with the necessary training, experience, knowledge, and skills to investigate the complaint may be used. For Title IX complaints, *the investigator may not be the decision-maker, but may be the Title IX coordinator.*

The Title IX regulations *allow for the consolidation of investigations when allegations of sexual harassment arise out of the same facts and circumstances either:*

- *Against more than one respondent*
- *Involving more than one complainant against one or more respondents*
- *Where one party makes allegations against the other party*

## Terminology

**Advisor** — Someone chosen by a party, or provided by the institution when required, to accompany them to a meeting, interview, or hearing. *At higher education institutions, at the hearing, the advisor will conduct cross-examination on the party's behalf.* This person may or may not be an attorney.

**Complainant** — The person alleged to be the victim or survivor of conduct that could be sexual harassment, sexual assault, dating violence, domestic violence, stalking, or other prohibited conduct

**Parties** — The complainant and the respondent, including parents or guardians of elementary and secondary school students bringing complaints on behalf of those minor students

**Respondent** — The alleged perpetrator of prohibited conduct

**School and Institution** — These terms are used interchangeably to refer to K-12 schools and higher education institutions. If a requirement applies only to one or the other, it is noted in the checklist.

**Sexual Harassment, Sexual Violence, or Sexual Misconduct** — Used interchangeably throughout this checklist, these terms encompass a range of behaviors including rape, sexual assault, sexual abuse, sexual coercion, and sexual exploitation as well as other gender-based misconduct that can include dating violence, domestic violence, and stalking. For more on what constitutes Sexual Harassment under Title IX specifically, visit UE's [Title IX page](#) and view checklists on Title IX policies and procedures.

## Investigator Selection and Training

For each investigation, is the investigator:

<ul style="list-style-type: none"> <li>• <i>Impartial and free from bias and free from a conflict of interest, and lacking supervisory authority over any party or any stake in the investigation's outcome?</i></li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li>• Trained and/or experienced in handling complaints of sexual harassment under the school's policy and grievance procedures?</li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li>• Trained on how to conduct fair and sensitive, trauma-informed interviews of both the complainant and respondent?</li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li>• Trained on:             <ul style="list-style-type: none"> <li>• <i>The definition of <b>sexual harassment</b> under Title IX?</i></li> </ul> </li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li>• <i>How to conduct an investigation, including serving impartially, avoiding prejudgment of facts at issue, conflicts of interest, and bias?</i></li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li>• Issues related to domestic violence, dating violence, sexual assault, and stalking?</li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li>• How to conduct investigations that protect complainant safety, respect fair process, and promote accountability?</li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li>• Reporting to the institution's threat assessment team an immediate risk of harm?</li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li>• Reporting to a multidisciplinary committee a risk of ongoing harm or physical threats, thus ensuring relevant campus departments (such as Campus Security, Student Affairs, Human Resources, Athletics) or the Title IX coordinator are on notice to appropriately evaluate the potential harm posed to others on campus (for example, identifying a serial perpetrator or a person who poses a threat to minors)?</li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li>• Trained on how to gather inculpatory and exculpatory evidence in a fair, unbiased, neutral manner?</li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li>• <i>Trained on issues of relevance for creating a fair summary of relevant evidence in the investigative report?</i></li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li>• Trained on understanding and storing of electronic or social media evidence?</li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li>• Trained on complying with applicable confidentiality and privacy laws in conducting investigations?</li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A

**Knowledge**

**Is the investigator knowledgeable about or has received training on:**

- Sexual harassment, sexual assault, domestic and dating violence, and stalking?  Yes  
 No  
 N/A

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- Title IX generally, including the definition of *sexual harassment* and your institution's grievance process?  Yes  
 No  
 N/A

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- VAWA and its requirements?  Yes  
 No  
 N/A

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- The overlap between Title IX, Title VII, relevant case law in your institution's jurisdiction, and other applicable laws, regulations, and guidance?  Yes  
 No  
 N/A

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- The scope of your institution's education program and activities?  Yes  
 No  
 N/A

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- Services and resources available to those affected by sexual harassment or violence, including minors?  Yes  
 No  
 N/A

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- State and federal child protection and reporting laws?  Yes  
 No  
 N/A

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- Your institution's child protection/minors on campus policy?  Yes  
 No  
 N/A

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- The rights of unionized employees or faculty under collective bargaining agreements?  Yes  
 No  
 N/A

**Experience and Skills**

**Is the investigator practiced in:**

- Discussing, without judgment or discomfort, difficult topics such as sexual encounters and intimate physical details?  Yes  
 No  
 N/A

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- Communicating with all types of students, including minors who may be on a college campus, and all levels of employees?  Yes  
 No  
 N/A

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- If the complainant is a minor, does the investigator have training and/or experience interviewing children or adolescents, including speaking to them non-judgmentally, and using terms appropriate to their age and education level?  Yes  
 No  
 N/A

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- Fairly investigating allegations regardless of whether a person is prominent, such as a well-known student or high-profile employee?  Yes  
 No  
 N/A

• Testifying competently in legal proceedings?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• Coordinating with law enforcement agencies?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<b>If the institution doesn't have a qualified internal investigator, does it engage an external investigator who has the qualities, skills, and training listed above?</b>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A

## Investigation Preparation

The goal of investigations is to determine and document what happened, what harm — if any — resulted, and the scope and nature of available evidence, including both evidence that is inculpatory and exculpatory. To protect parties' privacy, and to avoid overburdening the parties, before conducting interviews investigators should plan how to best collect relevant information in a manner that limits redundant or unnecessary interviews. Follow-up interviews about new information may be necessary.

### Developing a Plan

#### Potential Rules or Laws Violated

**Has the investigator collected the relevant information to create an initial plan for the investigation, including:**

• A summary of the portions of the policy alleged to have been violated, including relevant elements of either:	
• Student code of conduct, or anti-harassment policy, and/or Title IX policy (if separate)?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• Employee handbook?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• Minors on campus policy (if separate)?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• Consensual relationships policy (if separate)?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• Faculty handbook or tenure policy (if applicable)?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• Other relevant policies?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• A summary of state or local laws that may affect the interview process (such as California's Affirmative Consent Law)?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A

## Timeline, Witnesses, and Questions

## Actions Needed

Has the investigator collected the relevant information to create an initial plan for the investigation, including:

<ul style="list-style-type: none"><li>• Designating a point person to coordinate and schedule interviews?</li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<ul style="list-style-type: none"><li>• A preliminary timeline of events according to the original complaint or allegation?</li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<ul style="list-style-type: none"><li>• A list of testimony and other evidence needed to confirm or rebut the complainant's allegations?</li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<ul style="list-style-type: none"><li>• An initial witness list with contact information?</li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<ul style="list-style-type: none"><li>• Determining if any parties or witnesses are minors and whether the law or your policy require notification permission from a parent or guardian to interview the minor?</li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<ul style="list-style-type: none"><li>• Determining the order in which to interview parties and witnesses?</li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<ul style="list-style-type: none"><li>• Determining questions to ask each party and witness or the questioning approach to use (such as an open-ended cognitive interview)?</li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<ul style="list-style-type: none"><li>• An accurate notetaking or audio recording system for documenting:<ul style="list-style-type: none"><li>• Interviews and other tasks?</li></ul></li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<ul style="list-style-type: none"><li>• All steps in the investigative process, including attempts to reach witnesses and reasons witnesses weren't interviewed?</li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<ul style="list-style-type: none"><li>• A system for storing and sharing (as required by the law and your policy) the relevant evidence, witness statements, and interview notes?</li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<p><b>Does the investigator explain under the institution's policy the party's rights, such as the right and opportunity to present relevant fact and expert witnesses and other evidence (both exculpatory and inculpatory), equally to both parties?</b></p>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<p><b>Does the investigator provide, or coordinate with the Title IX coordinator to provide, written notice to the complainant and respondent of any delays or extensions of time and the reasons for the delay or extension?</b></p>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>

**Coordination with Local Law Enforcement**

If the investigation includes forensic evidence, has the investigator considered consulting with local and/or campus law enforcement or a forensic expert?  Yes  No  N/A

If a criminal investigation is proceeding, does the investigator:

• Review the memorandum of understanding with local law enforcement to understand expectations and what information must be shared?  Yes  No  N/A

• Review any law enforcement investigation documents made available?  Yes  No  N/A

• Work with local law enforcement and the local prosecutor’s office to learn when the criminal investigation’s evidence-gathering stage will be complete and what information can be shared?  Yes  No  N/A

If law enforcement is delayed in providing evidence or completing its investigation, does the investigator:

• Continue with the institution’s investigation?  Yes  No  N/A

• Document the reasons given for the law enforcement delay?  Yes  No  N/A

• Communicate in writing to both parties any anticipated delays in the school’s investigation?  Yes  No  N/A

**Notice**

Does the investigator confirm that the Title IX coordinator provided written notice of the allegations and rights under Title IX to both parties prior to any investigation interviews?  Yes  No  N/A

Does the investigator provide written notice, far enough in advance to allow sufficient time to prepare, to a party or witness of the investigative interview or other meeting with the following details:

• Date?  Yes  No  N/A

• Time?  Yes  No  N/A

• Location?  Yes  No  N/A

• Participants?  Yes  No  N/A

• Purpose?  Yes  No  N/A



## Gathering Materials

## Actions Needed

*Does the investigator ensure the burden of proof and burden of gathering evidence sufficient to reach a responsibility determination rests with the institution and not the parties?*

- Yes
- No
- N/A

Before conducting interviews, has the investigator gathered as much relevant material as possible, including but not limited to:

- Applicable written policies and procedures?
  - Yes
  - No
  - N/A
- Campus police or security reports?
  - Yes
  - No
  - N/A
- Local police reports?
  - Yes
  - No
  - N/A
- Security videotapes?
  - Yes
  - No
  - N/A
- Photos or videos from other sources, such as cellphones?
  - Yes
  - No
  - N/A
- Voicemail messages, text messages, or recordings of calls to campus police or the security office?
  - Yes
  - No
  - N/A
- The formal complaint filed with the Title IX coordinator?
  - Yes
  - No
  - N/A
- Any additional written complaints (for employees) made to a supervisor or the Human Resources department?
  - Yes
  - No
  - N/A
- Google searches and public social media postings?
  - Yes
  - No
  - N/A
- Entry/exit logs for the residence hall, Greek housing, or other campus buildings involved?
  - Yes
  - No
  - N/A
- Personnel files and work or travel logs if an employee is involved?
  - Yes
  - No
  - N/A
- Employee background check results (where applicable)?
  - Yes
  - No
  - N/A
- Sources of additional evidence and a plan to obtain it?
  - Yes
  - No
  - N/A
- Information from student files (where applicable)?
  - Yes
  - No
  - N/A
- Other written statements/complaints?
  - Yes
  - No
  - N/A



**Has the investigator:**

- Determined whether searches of campus buildings or individuals' personal property are needed to obtain relevant material?  Yes  
 No  
 N/A

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- Received appropriate permission to search offices, residence hall rooms, or personal property?  Yes  
 No  
 N/A

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- *Secured the voluntary written consent of a party (or parent or guardian, when appropriate) to obtain records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in their capacity or assisting in that capacity and which are maintained in connection with the provision of treatment to the party?*  Yes  
 No  
 N/A

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- *Kept a log of any evidence received but not "directly related to the allegations" and/or subject to a privilege, and therefore, not shared with the parties or provided in redacted form?*  Yes  
 No  
 N/A

**Interview Locations**

**Will the investigator:**

- Interview the parties and critical witnesses in person or by video conference rather than by phone whenever possible?  Yes  
 No  
 N/A

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- Ensure interviews are held in neutral, private locations where interviewees will feel safe and comfortable to speak candidly?  Yes  
 No  
 N/A

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- Arrange interview schedules to allow sufficient time between interviews to limit the potential for encounters between parties/witnesses?  Yes  
 No  
 N/A

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- *Not restrict the parties' ability discuss the allegations or gather and present relevant evidence?*  Yes  
 No  
 N/A

**Special Accommodations**

**Is the investigator prepared to provide for parties and witnesses:**

- A translator for those who don't speak or understand English sufficiently to meaningfully engage in the investigative process?  Yes  
 No  
 N/A

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- Interpreters or assistive devices as appropriate for people with disabilities?  Yes  
 No  
 N/A

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- The presence of an adult support person, who may be a parent/guardian, for a minor?  Yes  
 No  
 N/A

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- *Sufficient written notice of the allegations and the interview date and time to prepare for the interview and obtain an advisor of their choice (including an attorney or applicable union representative)?*  Yes  
 No  
 N/A

**Does the investigator wait to interview all parties or witnesses until they aren't intoxicated or under the influence of medication that may impair their ability to respond?**  Yes  
 No  
 N/A

Has the investigator considered whether information can be shared among investigators to minimize multiple and/or redundant interviews?  Yes  
 No  
 N/A

**Does the investigator:**

• Allow an advisor of the party's choice to be present at any interview, meeting, or related proceeding?  Yes  
 No  
 N/A

• Limit the party's advisor's participation to what the institution's policy specifies, including enforcing rules of decorum (and apply such limitations equally to both parties)?  Yes  
 No  
 N/A

• Limit the number of advisors allowed to attend for each party as specified in the institution's policy (and apply such limitation equally to both parties)?  Yes  
 No  
 N/A

**Potentially Reluctant Interviewees (Parties or Witnesses)**

**Has the investigator:**

• Apprised employees and students of any duty to cooperate in the investigation under the institution's policy, *subject to Title IX's regulatory requirement not to retaliate against individuals who don't participate in a Title IX investigation?*  Yes  
 No  
 N/A

• Consulted applicable law and the institution's policy to prepare responses to questions that parties or witnesses might ask, such as:  
  
• Who and what does this situation involve?  Yes  
 No  
 N/A

• Do I have to answer your questions?  Yes  
 No  
 N/A

• Do I need to have my own lawyer here?  Yes  
 No  
 N/A

• Can I remain anonymous?  Yes  
 No  
 N/A

• Can I tell you this "off the record?"  Yes  
 No  
 N/A

• Can you explain what consent means according to our policy/the law?  Yes  
 No  
 N/A

• Am I protected from retaliation? Who will know what I tell you?  Yes  
 No  
 N/A

• If I tell you that I was drinking or using drugs, will I face charges under the student conduct code or employee handbook?  Yes  
 No  
 N/A

## Actions Needed

<ul style="list-style-type: none"><li>• Will you tell the police what I tell you?</li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<ul style="list-style-type: none"><li>• Who am I allowed to talk to about this?</li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<ul style="list-style-type: none"><li>• Devised strategies for handling witnesses who aren't institutional employees or students and therefore aren't subject to institutional conduct policies?</li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<ul style="list-style-type: none"><li>• If so, do these strategies include:<ul style="list-style-type: none"><li>• Addressing any concerns or questions the witness may have about the process and/or participation?</li></ul></li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<ul style="list-style-type: none"><li>• Providing multiple location and time options for the interview, if possible?</li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<ul style="list-style-type: none"><li>• Explaining that witness participation allows the investigation to gather evidence?</li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<ul style="list-style-type: none"><li>• Conducting video or phone interviews when witnesses are reluctant to be interviewed in person?</li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<ul style="list-style-type: none"><li>• Informed a respondent who refuses to cooperate or be interviewed that the investigation may continue without the respondent's involvement?</li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<ul style="list-style-type: none"><li>• Advised parties and witnesses that retaliation is strictly prohibited, will be taken seriously, and will be addressed accordingly, including through disciplinary action, if it takes place?</li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<ul style="list-style-type: none"><li>• Devised strategies for handling hostile and aggressive witnesses, including de-escalation techniques?</li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>

## Obtaining Written Statements

### Does the investigator:

<ul style="list-style-type: none"><li>• Avoid statements written by the parties as a first step, unless allowed by the school's policy?</li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<ul style="list-style-type: none"><li>• Ask for a signature and date if a person offers a written statement?</li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<ul style="list-style-type: none"><li>• Conduct an interview even if the person provides a written statement?</li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<ul style="list-style-type: none"><li>• Allow the party to amend the written statement?</li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>
<ul style="list-style-type: none"><li>• Ask clarifying questions about the written statement?</li></ul>	<ul style="list-style-type: none"><li><input type="radio"/> Yes</li><li><input type="radio"/> No</li><li><input type="radio"/> N/A</li></ul>

# Interview Techniques

Interviews typically begin with an overview of the investigation and grievance process, move into a discussion of the events in question, and end with an explanation of the institution’s prohibition on retaliation. Interviewees should do most of the talking in the interviews; the investigator’s role is to guide the interview, uncover facts, obtain clarification about event details to the extent possible, and, where applicable under a school’s non-discrimination policy, assess interviewees’ credibility.

## Beginning the Interview

### Does the investigator explain:

- The institution’s investigatory and grievance process, including expectations for participation and potential consequences for failing to participate? 
 Yes  
 No  
 N/A

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- The investigator’s role? 
 Yes  
 No  
 N/A

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- That the investigator is an attorney (if applicable) but doesn’t represent the institution or any individual? 
 Yes  
 No  
 N/A

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- *That the person has a right to an advisor of their choice (who may be an attorney), and offer to reschedule if the interviewee doesn’t have an advisor and they wish to obtain one?* 
 Yes  
 No  
 N/A

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- Does the investigator limit interviewees to a short delay, if stated in the institution’s policy, to keep the investigation timely? 
 Yes  
 No  
 N/A

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- *Does the investigator explain the advisor’s role and limit the advisor’s participation according to the institution’s policy (and apply these restrictions equally to both parties)?* 
 Yes  
 No  
 N/A

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- The anticipated time frame for completing the investigation? 
 Yes  
 No  
 N/A

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- The importance of honesty when answering the questions? 
 Yes  
 No  
 N/A

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- *That the investigator will keep investigation details private and only share them with others who have a right to know, such as the respondent?* 
 Yes  
 No  
 N/A

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- What, if any, information might be shared with others (for example, an employee’s supervisor might need to know a complaint was filed but might not need to know interview details or evidence witnesses provide)? 
 Yes  
 No  
 N/A

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- Any amnesty policies that would eliminate a barrier to participation and/or candor? 
 Yes  
 No  
 N/A

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- *The institution’s prohibition on retaliation, and how and where to file a complaint of retaliation?* 
 Yes  
 No  
 N/A

- Does the investigator explain to unionized employees the right to union representation, if a representative isn't present?
  - Yes
  - No
  - N/A

### Does the investigator ask interviewees:

- For consent to record interviews, if a recording will take place?
  - Yes
  - No
  - N/A
- To sign an acknowledgment of what they were told at the outset, or otherwise document the information provided to them about the investigative process?
  - Yes
  - No
  - N/A
- If there is any reason they feel the investigator can't be fair and objective?
  - Yes
  - No
  - N/A
- For names of all potential witnesses?
  - Yes
  - No
  - N/A
- For any related documentation in the interviewee's possession as well as suggestions of other helpful information or evidence, such as medical records, diary entries, calendars, social media posts, emails, photos, videos, phone messages, records, and texts?
  - Yes
  - No
  - N/A
- If they understand the need for follow-up interviews and identify the best means of contact for them?
  - Yes
  - No
  - N/A

- Does the investigator remind the complainant and the respondent, both during the interview and in writing, of services available such as pastoral care or mental health services?
  - Yes
  - No
  - N/A

- Does the investigator remind the complainant and respondent that the investigator's role is to gather facts and not determine responsibility (unless the investigator is tasked with making a determination in non-Title IX cases under institutional policy)?
  - Yes
  - No
  - N/A

## Asking Questions and Use of Language

### Does the investigator:

- Ask the parties how they want the investigator to refer to them and the other party, as well as ask what pronouns they use?
  - Yes
  - No
  - N/A
- Begin with neutral questions relating to the incident?
  - Yes
  - No
  - N/A
- Use open-ended, non-judgmental questions and allow sufficient time for responses?
  - Yes
  - No
  - N/A
- Ask the interviewee to clarify language to avoid misunderstanding?
  - Yes
  - No
  - N/A
- Ask "What else?" multiple times during the interview and finish with "Is there anything else you want me to know?"
  - Yes
  - No
  - N/A

<ul style="list-style-type: none"> <li>Establish a chronology to the extent possible by having interviewees share what they are able to regarding the order-of-events timeline?</li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li>Invite both parties to identify witnesses, provide relevant evidence, and pose questions to be asked of the other party/witnesses?</li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li>Remind interviewees that <i>the respondent is presumed not responsible</i>, and no conclusions will be drawn until the investigation is complete and a hearing is held (if applicable)?</li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li>Remind interviewees that <i>retaliation for reporting, participating in, or refusing to participate in an investigation is prohibited and should be promptly reported to the investigator, Title IX coordinator, or another authority as stated in the institution's policy</i>?</li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li>Invite the person to contact the investigator with any additional information they remember?</li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li>Explain a follow-up interview or additional written questions may be necessary after the conclusion of other party or witness interviews?</li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<b>Does the investigator avoid:</b>	
<ul style="list-style-type: none"> <li>Using slang (except as used by parties or witnesses), legal jargon, or police terminology?</li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li>Provocative words and phrases such as “victim,” “perpetrator,” “moving on,” “closure,” or “guilty?”</li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li>Questions that are:             <ul style="list-style-type: none"> <li><i>Protected by a legally recognized privilege unless voluntary, written consent was obtained by the party to disclose the information?</i></li> </ul> </li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li><i>About the complainant's prior sexual history, unless offered to prove that someone else committed the alleged misconduct or it concerns the parties' prior sexual history with one another if offered to prove consent?</i></li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li>About the parties' character, reputation, or unrelated bad acts that are prohibited by the institution's policy and/or not relevant to the allegations?</li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li>Compound, by breaking questions into smaller segments?</li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li>Outside the scope of evidence allowed under the institution's policy (some policies exclude evidence of past sexual history and character evidence)?</li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
<ul style="list-style-type: none"> <li>Irrelevant?</li> </ul>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A

• Editorializing, commenting, interrupting, or passing judgment?  Yes  
 No  
 N/A

• Making conclusory statements about the events in question?  Yes  
 No  
 N/A

**Assessing Credibility**

**Where assessing credibility is part of the investigator’s role under institutional policy for allegations not subject to the Title IX sexual harassment grievance process, does the investigator use the interview to assess parties’ and witnesses’ credibility, taking into account:**

• The individual’s general demeanor (for example, does the person appear forthright and cooperative versus deliberately evasive, argumentative, or hostile)?  Yes  
 No  
 N/A

• The person’s opportunity and capacity to observe the event?  Yes  
 No  
 N/A

• Contradiction or consistency with other evidence, such as whether the person’s account of events is probable or whether the person provided inconsistent statements about the matter?  Yes  
 No  
 N/A

• Whether the individual has:  
 • A motive to lie?  Yes  
 No  
 N/A

• Lied before about other relevant matters that are material to the investigation?  Yes  
 No  
 N/A

• Whether a witness has a particular bias in favor of or against either party?  Yes  
 No  
 N/A

• Whether the individual provides specific details of events or offers a vague, conclusory account?  Yes  
 No  
 N/A

**Does the investigator, in a non-confrontational manner, raise questions and obtain clarification about inconsistencies?**  Yes  
 No  
 N/A



## Documenting Interviews

Does the investigator understand that their notes likely aren't privileged and would have to be disclosed in the event of litigation?

- Yes
- No
- N/A

Does the investigator preserve notes or other documentation in accordance with the institution's document retention policy in the event of future litigation?

- Yes
- No
- N/A

Does the investigator ensure accurate documentation of interviews by audio recording the interviews and/or preparing a memorandum reflecting the information obtained that includes:

• When the witness was interviewed, the interview's length, where the interview occurred, and who was present?

- Yes
- No
- N/A

• The witness' version of events, with as much factual detail as possible?

- Yes
- No
- N/A

• Direct quotes with respect to important observations?

- Yes
- No
- N/A

• A record of witness behavior that may reflect on credibility?

- Yes
- No
- N/A

Does the investigator share a transcript of the notes from all interviews with both parties and witnesses (if allowed under the school's policy) and request comment to ensure accuracy?

- Yes
- No
- N/A

Does the investigator consider audio-recording interviews or having a notetaker at the interview to accurately capture the individual's statements so that the investigator can maintain a conversational approach in the interview and assess the interviewee's credibility (where applicable)?

- Yes
- No
- N/A

## Retaliation and Safety Concerns

Does the investigator describe the prohibition on retaliation to the parties and promptly act on information about potential retaliation against the parties or witnesses by:

• Reporting it to the appropriate disciplinary authority for the consideration of additional charges?

- Yes
- No
- N/A

• Investigating suspected retaliation, if tasked with that investigation, after proper written notice to the parties?

- Yes
- No
- N/A

• Notifying the campus threat assessment team when there is information suggesting a risk of physical harm to any person?

- Yes
- No
- N/A

## Interviewing the Complainant

When interviewing a student or a minor who has made a complaint or allegation of sexual harassment or violence, the investigator must strike a balance between sensitivity and obtaining the information necessary to allow for a fulsome investigative report and determination regarding responsibility. The investigator should assure the complainant that the allegation is being taken seriously and will be handled properly, and that information obtained in the investigation will be disclosed on a “need-to-know basis.” After the interview, the investigator should advise that they will keep the complainant (or parents or guardians, in the case of a minor) generally apprised of the investigation’s status.

### Recommended Questions

**Does the investigator ask the complainant (in an age-appropriate way and non-judgmental manner):**

• What are you able to share about what happened?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• When did the alleged incident happen?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• If the complainant didn’t immediately report the incident, does the investigator ask, in a manner that isn’t judgmental or accusatory, why the complainant reported when the complainant did?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• Are there other incidents involving the complainant and respondent that haven’t been previously reported?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• Where did the alleged incident occur?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• Was anyone else present? If so, who, and for how long?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• To describe the specific alleged acts?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• To describe how consent was communicated by words or actions, depending on the phrasing of institutional policy?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• To describe the respondent’s actions, words, behavior, and demeanor?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• Can you describe your physical and emotional reaction during and after the alleged incident?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• What happened immediately after the alleged incident?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A

## Actions Needed

- If the complainant considered obtaining or did obtain a medical examination/sexual assault nurse examiner (SANE) kit, and/or police report?
  - Yes
  - No
  - N/A
- Have you spoken to anyone about the incident? If so, to whom and when?
  - Yes
  - No
  - N/A
- Have you made any written statement? If so, do you have a copy?
  - Yes
  - No
  - N/A
- Have you posted anything about this online, including on social media or in blogs or comments?
  - Yes
  - No
  - N/A
- Have you created or kept any notes, diary entries, emails, text messages, social media posts, or other written records that have anything to do with the allegations?
  - Yes
  - No
  - N/A
- Do you know of other students or employees who may have similar complaints or concerns?
  - Yes
  - No
  - N/A
- How do you know the respondent (if applicable)?
  - Yes
  - No
  - N/A
- Have you had any other interactions with the respondent apart from those being discussed today? Could you tell me about your relationship before and after the alleged incident?
  - Yes
  - No
  - N/A
- Do you have any written or electronic communications with the respondent?
  - Yes
  - No
  - N/A
- Did the respondent use or threaten to use force?
  - Yes
  - No
  - N/A
- Did the respondent intimidate or coerce you?
  - Yes
  - No
  - N/A
- Did you, the respondent, or anyone else involved, drink alcohol or use other drugs?
  - Yes
  - No
  - N/A
- If the complainant alleges incapacitation: What did you consume? How much did you consume? Over what time period? Did you also consume food and/or non-alcoholic beverages within the hours before you began drinking alcohol, and/or while you were drinking alcohol?
  - Yes
  - No
  - N/A
- Was this use typical for you?
  - Yes
  - No
  - N/A
- Did you fall, vomit, or pass out? Do you have memory gaps?
  - Yes
  - No
  - N/A
- How have you been affected by this, and what have you done about it? (Some institutions don't allow use of these impact statements in the proceedings or only allow them after a finding of responsibility.)
  - Yes
  - No
  - N/A

- |  |  |
|--|--|
| • What action or remedy from the institution are you seeking through this complaint?                                   | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • Do you feel physically threatened by the respondent or any witness?  | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • What do you expect the respondent may say or point to as evidence of consent (if applicable)?                        | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • Are there any particular questions you want asked of the respondent and/or any witnesses?                            | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • Does the investigator reiterate that the institution won't tolerate retaliation against the respondent or witnesses? | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |

## Interviewing the Respondent

A respondent is entitled to a full and fair opportunity to defend against the specific allegations. In many aspects, the interview of the respondent should follow a similar approach to the interview of the complainant. It should be professional, respectful, and non-judgmental. Assure the respondent of the presumption of non-responsibility and that no conclusions have been reached and the respondent will have an uninterrupted opportunity to share perspective and identify evidence to support their account. The investigator should seek out exculpatory evidence from the respondent, including witnesses who may support the respondent's defense. As with the complainant, the investigator should commit to keeping the respondent generally apprised of the investigation's status.

## Recommended Questions

**Does the investigator ask the respondent (in a non-judgmental manner):**

- |  |  |
|--|--|
| • What are you able to tell me about what happened?                | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • When did the alleged incident happen?                            | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • Where did the alleged incident occur?                            | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • Is there any alleged conduct you wish to admit or don't dispute? | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • What happened immediately after the alleged incident?            | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • Was anyone else present? If so, who and for how long?            | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |

## Actions Needed

- |   |  |
|---|--|
| • Have you spoken to anyone else about the alleged incident? If so, to whom and when?   | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • Have you made any written statement? If so, do you have a copy?   | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • Have you posted anything about this online, including on social media or in blogs or comments?  | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • Have you created or kept any notes, diary entries, emails, text messages, or other written records that have anything to do with the allegation?  | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • Do you have any photos, videos, or other electronic evidence to corroborate the timeline of events?   | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • Do you know of any other complainants who may have similar complaints or concerns?  | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • How do you know the complainant (if applicable)?  | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • Have you had any other interactions with the complainant, apart from those being discussed today? Could you tell me about your relationship with the complainant before and after the incident? | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • Do you have any written or electronic communications with the claimant?   | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • Were you under the influence of drugs or alcohol at the time of the alleged incident?   | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • If so, what did you consume?  | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • How much did you consume?   | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • When did you consume it?  | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • Over what time period was it consumed?  | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • What is your experience with alcohol/drugs, and what effects did you experience on this occasion?   | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • Do you have memory gaps?  | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |
| • What did you know or observe in terms of the complainant's consumption of alcohol/drugs and condition (if applicable)?  | <input type="radio"/> Yes<br><input type="radio"/> No<br><input type="radio"/> N/A |

- What words or actions led you to believe that the complainant consented to (and/or was able to consent to) the sexual contact that took place (if applicable)?  Yes  
 No  
 N/A

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- If the respondent denies the conduct, does the investigator ask the respondent what motive the complainant — and any witnesses who support the complainant’s account — may have to make or support the allegation?**  Yes  
 No  
 N/A

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- If applicable, does the investigator ask whether and why the complainant was upset during or following the alleged incident?  Yes  
 No  
 N/A

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- Does the investigator ask the respondent about any specific and sensory details the complainant disclosed?**  Yes  
 No  
 N/A

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- Does the investigator reiterate that the institution won’t tolerate retaliation against the complainant or witnesses?**  Yes  
 No  
 N/A

## Completing the Investigation

- Does the investigator provide both parties the opportunity to inspect and review evidence directly related to the allegations and provide a written response before concluding the investigation?*  Yes  
 No  
 N/A

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- Has the investigator carefully compared the allegations the complainant made with the investigation’s findings and considered the following:**

  - Is there corroborating evidence to support the complainant’s account?  Yes  
 No  
 N/A

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  - Is there evidence supporting the respondent’s account?  Yes  
 No  
 N/A

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  - Did any person the investigator interviewed make statements that later proved to be untrue?  Yes  
 No  
 N/A

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  - Did either party’s overall account or chronology of events differ significantly from other witness accounts?  Yes  
 No  
 N/A

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  - Did either party’s account conflict with written evidence?  Yes  
 No  
 N/A

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  - Did either party appear particularly forthcoming or evasive in answers?  Yes  
 No  
 N/A

Has the investigator *summarized all relevant evidence — inculpatory and exculpatory* — and determined which pieces are relevant and material to the allegations and which pieces can't be considered under the institution's policy (if tasked with that determination)?

- Yes
- No
- N/A

- Has the investigator documented these decisions?

- Yes
- No
- N/A

### Does the investigator's report:

- Summarize the allegations, including:

- The parties?

- Yes
- No
- N/A

- Their relationship?

- Yes
- No
- N/A

- What is alleged to have happened, where, and when?

- Yes
- No
- N/A

- Summarize the investigation background, including:

- How and when the incident was reported?

- Yes
- No
- N/A

- When and why the investigation was initiated?

- Yes
- No
- N/A

- The investigator's role?

- Yes
- No
- N/A

- Whether any mandatory reporting obligations under state law, Title IX, or other law applied, and, if so, when a report was made and by whom?

- Yes
- No
- N/A

- List the interviews and other evidence gathered and

- Summarize the interviews?

- Yes
- No
- N/A

- Explain the reason any witness wasn't interviewed?

- Yes
- No
- N/A

- Explain the reason any evidence wasn't obtained?

- Yes
- No
- N/A

- Detail any physical locations visited?

- Yes
- No
- N/A

- Provide a timeline of alleged events as well as the investigation process including the procedural steps taken from the receipt of the complaint through the conclusion of the investigation, and explain the reason for any delays?

- Yes
- No
- N/A



## Actions Needed

• Recount relevant details to assist the fact finder in assessing the credibility of:	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• The complainant?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• The respondent?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• Any witnesses?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• Include only material, relevant information?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• Include sufficient details related to disputed facts including corroboration through witnesses or other evidence?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• Assess the severity of the alleged conduct and whether the respondent may pose a danger to others (if applicable and within the investigator's role)?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• Explain the status of any concurrent criminal investigation and how that did or didn't impact the investigation?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• Contain factual conclusions (if applicable) the investigator reached rather than assumptions or speculation? Does it explain the reasoning for the factual conclusion?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• Include any other relevant information in the format required by applicable law or the institution's policy?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• Avoid legal definitions or terms unless the institution's policies incorporate legal definitions?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• Avoid the content of consultations with the institution's legal counsel?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
• Avoid suggesting disciplinary or remedial measures?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A

**Does the investigator, pursuant to Title IX regulation requirements and the institution’s policy:**

- *Share a preliminary version of the report with the parties and their advisors along with the directly related evidence subject to inspection and review (in an electronic format or hard copy)?*

**Yes**  
 **No**  
 **N/A**

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- *Provide the parties at least 10 days to submit a written response to the evidence and the draft report?*

**Yes**  
 **No**  
 **N/A**

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- *Consider any written response from the parties in completing the final investigative report, as appropriate, or otherwise address the parties’ comments or corrections?*

**Yes**  
 **No**  
 **N/A**

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- *Share the final report with the parties and their advisors at least 10 days prior to any hearing?*

**Yes**  
 **No**  
 **N/A**

By **Heather Salko, Esq., Manager of Risk Research**. Heather oversees the development of risk research publications. Her areas of expertise include employment law, Title IX, and student mental health. Before joining the Risk Research team, she practiced employment and insurance coverage law and handled UE liability claims for more than a decade.

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