

Helpful Hints About Preparing the Investigative Report

- A. After you (the Title IX investigator) has collected evidence according to the College's investigation template, you will compile an investigative report that fairly summarizes the relevant evidence.
1. Relevant evidence are the facts that *potentially* describe or explain an event or incident under investigation (*e.g.*, date-stamped photographs, emails, text messages, oral reports, clothing, etc.).
 2. In determining whether evidence is relevant, you must consider rape shield protections (i.e., exclusion of sexual history evidence relating to the Complainant unless it is being offered to prove that someone else engaged in the alleged conduct; or as prior conduct between the Complainant and Respondent to establish consent).
 3. Make sure not to include any conclusions or findings of responsibility in the investigative report.
 - a. *Example:* Do not include comments such as “Bentley is lying about the alleged sexual harassment, and therefore his complaint should be dismissed.”
 - b. *Example:* You could include a comment such as “Bentley’s account of events changed during each interview,” so long as you do not include any credibility assessments based on these differing accounts.
- B. The investigative report should summarize and include all of the following:
1. The procedural history of the sexual harassment claim;
 2. Allegations potentially constituting sexual harassment;
 3. Any relevant policies referenced, and the evidentiary standard utilized;
 4. All witness interviews (with the date of the interview and a summary);
 5. All relevant evidence;
 6. The investigation timeline; and,
 7. Appendices that include relevant physical or documentary evidence.
- C. Before you finalize this investigative report, you must send to each party/advisor the evidence subject to inspection and review.
1. The parties must have at least 10 days to submit a written response to the draft report, which you will consider prior to completion of the investigative report.
- D. Once the investigative report is finalized, you will send to each party/advisor the final investigative report for their review and written response at least 10 days prior to a hearing.
1. You must also send the final investigation report to the Title IX Coordinator at this time.