

## Title IX Investigation Procedures

- I. The Title IX Coordinator will consider the complaint and determine if the allegations, if proven, meet the definition of sexual harassment or retaliation.
  - a. The Title IX Coordinator will make this decision in consensus with the Senior Director of People and Workplace Culture, the Office of General Counsel, and, when applicable, the Dean of Students.
- II. Conducting the Investigation
  - a. The Title IX Coordinator will use best efforts to assign two investigators and designate one as the lead investigator.
  - b. Assigned investigators will:
    - i. Coordinate and conduct interviews with the complainant, respondent, and relevant witnesses;
    - ii. Ensure clear communications with all participants;
    - iii. Conduct a prompt, thorough, and fair investigation;
    - iv. Collect relevant evidence;
    - v. Compile an investigation file; and
    - vi. Prepare an investigation report.
  - c. Coordinating and Conducting Interviews
    - i. Investigators will interview the complainant, respondent, and all relevant witnesses.
    - ii. Investigators will give participants sufficient time to prepare for an interview, not exceeding five business days, unless extenuating circumstances require additional time.
    - iii. Investigators will document attempts to contact participants.
    - iv. Investigators will give written notice to participants that contain:
      1. The date, time, and location of the interview;
      2. Information regarding who will be in the interview;
      3. The purpose of the interview; and
      4. Notice that complainant and/or respondent may have a personal representative present.
    - v. Supervisors shall make employees available to participate in an investigation.
    - vi. The complainant or respondent when interviewed may have a personal representative present.
      1. The representative is not allowed to interrupt the interview in any way.
      2. The personal representative is present for emotional support and is not a participant in the interview.

- vii. Investigators will conduct interviews in a respectful and unbiased manner.
- viii. An investigator must provide the confidentiality and retaliation admonition before conducting an interview.
- ix. Investigators may record all interviews using college-owned resources; never on personal equipment.
  - 1. Recordings will:
    - a. Be maintained in the investigative file;
    - b. Be retained under GRAMA; and
    - c. Not become part of an employee's personnel file.
  - 2. Participants being interviewed will not be permitted to record interviews.
- x. The investigators will:
  - 1. Prepare an interview summary report or transcript;
  - 2. Provide a draft copy of the interview summary report to the participant interviewed; and
  - 3. Provide the participant interviewed three business days to refute or clarify the information.
- xi. The investigators may change the interview summary report based on responses but are not required to do so. However, investigators must inform the participant that any rebuttal or clarification will be attached to the interview summary report as an addendum.
- xii. The investigators may request an extension for additional time needed to complete the investigation report by submitting the request to the [AVP] of People and Workplace Culture in writing.

### III. The Investigation Report

- a. After the investigation the investigators must write an investigation report detailing their findings.
  - i. The investigation report shall contain, at a minimum:
    - 1. An executive summary that includes:
      - a. A statement of the allegations,
      - b. Including the policies involved;
      - c. The investigators; and
      - d. A summarized finding;
    - 2. A procedural history of the investigation;
    - 3. A statement of jurisdiction;
    - 4. The standard of evidence used;
    - 5. The parties;
    - 6. The investigation timeline, including interview information detailing:
      - a. The date, time, and location of the interview; and

- b. The investigators present;
    - 7. A summary of the interview;
    - 8. Additional information gathered;
    - 9. A proposed finding of fact and analysis; and
- b. The lead investigator will deliver the completed report to the Office of General Counsel's office and the Senior Director for People and Workplace Culture for review.
- c. The Title IX Coordinator will simultaneously provide the report to the parties and the Dean of Students as appropriate.

IV. Title IX Hearing

- a. An investigation of sexual harassment will be referred to a hearing for proceedings under the [Title IX Sexual Harassment Policy](#) section VI.K.