

Directions: After the Complainant and Respondent have had at least 10 calendar days to inspect and review all evidence gathered during the investigation, the Investigator must finalize an investigation report. This sample investigation report should guide the Investigator's drafting of the report but may require significant customization depending on the allegations and scope of the investigation. Please consider working with a Thrun Title IX attorney before finalizing this report and distributing it in accordance with your Policy.

[Insert School District Letterhead]

Title IX Investigation Report

Investigator Name/Position:

Report Date:

Complainant Name:

Complainant's Advisor (if any):

Respondent Name:

Respondent's Advisor (if any):

Date Formal Complaint Filed:

Date of Alleged Unlawful Sexual Harassment:

Summary of Allegation: *Briefly describe the Complainant and Respondent's relationship to the school (students, staff, etc.) and the specific allegations that were investigated.*

Relevant Chronology

Insert dates and a brief description of relevant events that occurred in this investigation, including the dates (if applicable) when:

- *The initial report of Title IX sexual harassment was made;*
- *The conduct was reported to police;*
- *The Title IX Coordinator conducted the initial "triage" meeting with Complainant and offered supportive measures;*
- *The Formal Complaint was filed;*
- *Letters notifying the parties of the Formal Complaint and investigation were sent;*
- *The Investigator was appointed;*
- *Letters were sent to the Complainant and Respondent to schedule interviews;*
- *The parties and witnesses were interviewed;*
- *The Investigator communicated with the parties (include all contacts with the Complainant and Respondent);*
- *The Investigator sent the Complainant and Respondent all of the evidence collected during the investigation and provided notice that they had 10 calendar days to inspect and review the evidence.*

Note: This list is not exhaustive. Include all relevant dates for your specific investigation.

Witness Interviews

Insert names, dates, and summaries of all interviews. You can include witness summaries within this section or attach the witness summaries to this report.

Other Contacts with Parties

Insert the dates and a brief description of each contact the Investigator had with the Complainant and Respondent.

If this information is included above in the Relevant Chronology, insert this language: "This Investigator's contacts with the parties are summarized above in the Relevant Chronology."

If this information is not included in the Relevant Chronology, include it here.

Evidence

Insert a bulleted list of all evidence that was collected as part of the investigation. This will include any video footage, screen shots, social media pages, communication from parties, written statements, etc. Include each piece of evidence as an exhibit to this report.

Other Information Relevant to this Investigation

Insert a bulleted list of any other information that may be relevant to this investigation, such as whether a witness refused to participate and how many times you attempted to interview that person, whether witnesses were identified that you choose not to interview, etc.

Party Responses to Evidence

On [insert date], this Investigator sent identical copies of the evidence to both Complainant and Respondent along with notice of their respective right to inspect, review, and respond to the evidence. This Investigator advised the parties of their right to consult with an advisor of their choice about the evidence. The Complainant [did/did not] respond to the evidence. The Respondent [did/did not] respond to the evidence. [If any response was received, insert the following sentence: This Investigator reviewed and considered [each/the] response before finalizing this report.]

If either party responded to the evidence, also indicate the date the response was received and attach the response to the report as an exhibit.

Findings of Fact

Based on a preponderance of the evidence collected during this investigation as summarized in this Investigation Report, this Investigator makes the following findings of fact:

Insert numbered, single-sentences for each fact. Facts should include:

- *Whether each allegation did or did not occur, including relevant dates/times.*

- The specific information surrounding each allegation.
- Any credibility determinations of parties or witnesses.

Note: This list is not exhaustive. Include all relevant findings of fact that are specific to your investigation. Remember, the Investigator does NOT make a determination of responsibility (i.e. whether the conduct violated the District's Title IX Sexual Harassment Policy). The Decision Maker makes the determination of responsibility and may choose to adopt or reject any of the Investigator's findings of fact, and make his/her own findings of fact.

Title IX Board Policy Considerations:

Insert your Board's definition of Title IX sexual harassment, including the Board Policy number and title.

Referral to Decision Maker

Note: Follow Board Policy on how to deliver the Investigation Report to the parties, their advisors (if any), and the Decision Maker. This Investigation Report was sent to both parties and their advisors (if any) and to the Decision Maker or Title IX Coordinator, as required by Board Policy. Before making a final determination of responsibility, the Decision Maker will afford each party an opportunity to submit written, relevant questions that a party wants asked of any party or witness; provide each party with the answers; and allow for additional, limited follow-up questions from each party. The parties will have at least ten calendar days to review and respond to this Investigation Report before the Decision Maker renders a final determination of responsibility.

Index of Exhibits

Insert a list of exhibits that will be attached to this report.

Investigator Signature

Date

*By my signature, I assert that I do not have a bias or conflict of interest for or against Complainant or Respondent specifically, nor do I have a general bias or conflict of interest for or against parties to a Title IX grievance process, whether complainants or respondents. I further assert that I have, at all times, endeavored to conduct this investigation fairly and impartially by giving both parties an equal opportunity to provide both inculpatory and exculpatory evidence and to review and respond to the evidence. During the investigation, when finalizing this report, and when making findings of fact, I operated under the presumption that Respondent is not responsible for the alleged conduct.