

# Title IX Investigation Checklist

Case # \_\_\_\_\_

Date Reported: \_\_\_\_\_ Date of Incident: \_\_\_\_\_

Investigator: \_\_\_\_\_

Co-Investigator: \_\_\_\_\_

Complainant: \_\_\_\_\_

Contact information: Cell: \_\_\_\_\_

Email: \_\_\_\_\_

Other: \_\_\_\_\_

Attorney: Yes/NO

Alleged Respondent: \_\_\_\_\_

Contact information: Cell: \_\_\_\_\_

Email: \_\_\_\_\_

Other: \_\_\_\_\_

Attorney: Yes/NO

Witnesses: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## Pre-Investigation

Notify Title IX Coordinator      Date Notified \_\_\_\_\_

Determine if a police report is available or necessary:

## Initial Steps

Contact the Complainant and determine whether the following resources have been offered and provided:

\_\_\_\_ Campus resources including Counseling, Pastoral Counseling, Medical Services, Campus Police.

\_\_\_\_ Discuss any evidence that needs to be preserved. (Clothing, Condoms, bed sheets, etc.)

Check with the Title IX Coordinator for any prior complaints against the Respondent: \_\_\_\_\_

## Contact the Complainant

- Contact the Complainant and arrange a meeting:
  - Meeting Date: \_\_\_\_\_
- Determine what Interim Measures are needed, if any. Housing change, schedule change, no contact order.
- Email to the Complainant verifying the meeting date, any interim measures, And resources available (counseling, medical, police).
  - Date email sent: \_\_\_\_\_

## Meeting with the Complainant

- If complainant is a student, obtain FERPA waiver if a non-Limestone staff is assigned as an advisor.
- Discuss confidentiality limits and impact of an anonymous report will have on the investigation.
- Discuss the involvement of others:
  1. Title IX Coordinator notification.
  2. Police notification and possible involvement.
  3. Coordinator and cooperation with Law Enforcement during a parallel criminal investigation.
  4. Professors or other University Staff who might need to be contacted.
- Discuss the grievance procedure and the person's rights and personal choices:
  1. The person's involvement as a complainant or request to remain anonymous.
  2. Support and advocacy during the procedure and how information will be shared with the person.
  3. Possibility of hearing.
  4. Protection from retaliation.
- Let the person tell their story:
  1. Ask to explain what they remember and how they felt.
  2. What is the relationship between the parties?
  3. Whether alcohol or drugs was a factor: incapacitation or inability to make a decision.
  4. Was there violence involved, was the person injured? How and where?
  5. Was the person able to give consent or indicate they did not consent?
  6. What specific body parts were involved?
  7. Were there any witnesses, before or after the incident? Did the person tell anyone about the incident?
  8. Are there any electronic messages (email, text, or social media) between the parties before or after the incident?
  9. Is there any evidence the person can provide to support their version of events?



### Contact the Respondent/Witnesses/Gather Evidence

- Contact the respondent and arrange a meeting. Meeting Date: \_\_\_\_\_
  - Explain any interim measures that will be in place during the investigation.
  - Follow up date to check that interim measures are in place: \_\_\_\_\_
  - Email Respondent of resources available during the investigation: (counseling, advisor, support person) \_\_\_\_\_ Date Email sent: \_\_\_\_\_
  
- Contact witnesses and arrange meeting.
  - Witness 1: \_\_\_\_\_ Meeting Date: \_\_\_\_\_
  - Witness 2: \_\_\_\_\_ Meeting Date: \_\_\_\_\_
  - Witness 3: \_\_\_\_\_ Meeting Date: \_\_\_\_\_
  - Witness 4: \_\_\_\_\_ Meeting Date: \_\_\_\_\_

### Meeting with the Respondent

- Discuss the limitations of confidentiality if a non-attorney attends the meeting as a support person.
- Discuss the involvement of others:
  - The Title IX Coordinator
  - Coordination and cooperation with law enforcement during a parallel criminal investigation.
  - Professors or other University Staff who might be contacted.
- Discuss the grievance procedure and the person's rights and personal choices:
  - The person's involvement choices to request a support person, advisor, or attorney.
  - Support and advocacy during the procedure and how information will be shared.
  - Possibility of hearing.
- Let the person tell their story:
  - Ask the respondent to explain what they remember.
  - What is the relationship between the parties?
  - Ask whether alcohol or drugs were a factor.
  - Was the person injured? How? Where?
  - How do you know that sexual contact was okay and that you had consent?
  - What specific body parts were involved?
  - Were there witnesses, before or after the incident? Did you tell anyone about the incident?
  - Are there any electronic messages (email, texts, or social media) between the parties regarding the incident, before or after?
  - Any other evidence that supports the respondent's version of events?
- Explain who the Respondent may contact if they wish to discuss the progress of the grievance procedure or remember additional information.

Contact name given: \_\_\_\_\_

### **Meeting with Witness (es)/Gather Information**

- If the witness is a student, obtain a FERPA Waiver if a non-Limestone staff is serving as an advisor.
- Discuss the involvement of others:
  - The Title IX Coordinator
  - Coordination and cooperation with law enforcement during a parallel criminal investigation.
  - Professors or other University Staff who might be contacted.
- Discuss the grievance procedure and the person's rights and personal choices:
  - The person's involvement choices to request a support person or advisor.
  - Support and advocacy during the grievance procedure and how information will be shared during the investigation.
  - Possibility of hearing.
  - Protection from retaliation.
- Let them tell their story:
  - Ask to explain what they remember.
  - What is the relationship with the parties?
  - What was the behavior of the respondent towards the complainant?
  - Where did you observe this behavior?
  - Ask whether alcohol or drugs were a factor.
  - Were there any electronic messages (email, texts, or social media) between you and the parties regarding the incident, either before or after?
  - Is there any other evidence they can provide that supports their version of events?
- Discuss campus resources available (counseling or health).
- Explain who the witness may contact if they wish to discuss the progress of the grievance procedure or remember additional information.

Contact name given: \_\_\_\_\_

### **Report to the Title IX Coordinator**

- Description of all interviews.
  - Demeanor of the interviewees,
  - Willingness to cooperate,
  - Level of confidence in the information.
- What was shared in the interviews.
  - Was the information shared consistent or was there wide discrepancy?
  - Actual events relayed by each party.
- List all gathered evidence.
  - Location and times verified.
  - List any physical evidence.