Sexual Misconduct Investigation Training
Krista Anderson, Systemwide Title IX Coordinator
Spring 2021

Agenda
1. Title IX Introduction
2. Case Management Overview
3. Conducting an Investigation: Initial Steps
   • Notice of Formal Complaint
   • Party’s Rights & Options
4. Interview Approaches & Example Questions
   • General Cases
   • Non-Stranger Sexual Assault Cases
   • Incapacitation vs. Intoxication
   • IPV & Stalking Cases
5. Closing Steps
   • Access to Evidence
   • Issues of Relevance
   • Investigation Reports
   • Transition to the Adjudication Stage
Introduction

Sexual Harassment
- Employee Quid Pro Quo
- Severe Pervasive Obj. Offensive
- Sexual Assault
- Dating Violence
- Domestic Violence
- Stalking

VS.

Non-Sexual Harassment
- Other Inappropriate Sexual Conduct
**Definition of “Sexual Harassment” under Title IX**

Conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the institution conditioning the provision of an aid, benefit, or service of the institution on an individual’s participation in unwelcome sexual conduct (Quid Pro Quo);
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the institution’s education program or activity; or
3. “Sexual assault,” “dating violence,” “domestic violence,” or “stalking” as defined under Clery/VAWA.

*Source: Title IX Regulations (2020)*

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**Definition of “Other Inappropriate Sexual Conduct”**

Conduct on the basis of sex that does not meet the definition of “sexual harassment” (under the Model Policy), but is

1. Verbal conduct (including through electronic means), unwanted statements of a sexual nature intentionally stated to a person or group of people, that are objectively offensive to a reasonable person and also so severe or pervasive that it created a Hostile Environment, as defined in the Model Policy.
2. Physical conduct…

*Source: UT System Model Policy for Sexual Misconduct (2020)*
Definition of “Other Inappropriate Sexual Conduct” (Cont.)

Possible Examples (depending on facts):
- Unwelcome sexual advances (including explicit or implicit proposition(s) of sexual contact or activity);
- Requests for sexual favors (including overt or subtle pressure);
- Gratuitous comments about an individual’s sexual activities or speculation about an individual’s sexual experiences;
- Gratuitous comments, jokes, questions, anecdotes or remarks of a sexual nature about clothing or bodies;
- Persistent, unwanted sexual or romantic attention;
- Exposure to sexually suggestive visual displays such as photographs, graffiti, posters, calendars or other materials;
- Deliberate, repeated humiliation or intimidation;
- Unwelcome intentional touching of a sexual nature; or
- Deliberate physical interference with or restriction of movement.

Source: UT System Model Policy for Sexual Misconduct (2020)

“Education program or activity” under Title IX

Includes locations, events, or circumstances over which the institution exercises substantial control over both the respondent and the context in which the alleged sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the institution.

- Example of a “building owned or controlled by a student organization”: Fraternity or sorority house that is occupied by students of the organization, and the student organization is a recognized organization with the institution.

Source: Title IX Regulations (2020)
Key Pillars: Title IX Processes

Title IX processes should focus on **impartiality, respect, fairness, & equity** for all of the participants:

- Complainants
- Respondents
- Witnesses
- Third-party Reporters

Serving Impartially in Your Role

- Must avoid **prejudgment** of the facts at issue
- Must avoid **conflicts of interest**
- Must avoid **bias**

*Source: Title IX Regulations (2020)*
Principles for Title IX Process

- Must maintain complete neutrality & impartiality at all times in investigating alleged conduct violations of institutional policies.
- Understanding bias & whether it exists: Need to take an “objective, common sense approach to evaluating whether a person serving in a role is biased.” (Title IX Preamble (2020))

Avoiding Bias

- Must not treat a party differently:
  - On the basis of the person’s sex;
  - On stereotypes about how men or women behave with respect to sexual violence; and/or
  - On the basis of the person’s characteristics: sex, race, ethnicity, sexual orientation, gender identity, disability, immigration status, financial ability, socioeconomic status, or other characteristic.

Source: Title IX Preamble (2020)
Relevant Evidence

- Must consider **all of the relevant evidence**, including all possible **inculpatory** & **exculpatory** evidence obtained in the investigation
  - **Exculpatory**: Evidence tending to excuse, justify, or absolve the person of the alleged conduct.
  - **Inculpatory**: Evidence that places responsibility on the person of the alleged conduct.

“Reasonable Person” Standard

Use a **“reasonable person”** standard for weighing all of the evidence:
  - An **objective test** to denote a hypothetical person who exercises average care, skill, and judgment in conduct **under similar circumstances** as a comparative standard.
• Conducting an **investigation**
• Understanding **issues of relevance** to create an investigation report that fairly summarizes relevant evidence of questions posed and evidence obtained
Resolution Flowchart

A Report to TIXC
Can be submitted by anyone: Complainant, witness, third-party, employee, etc.
Triage & Preliminary Assessment

Formal Complaint
Submitted/Signed by CP
Submitted/Signed by TIXC

Written Notice of Formal Complaint
Supportive Measures Rights & Options Notice of Grievance Process

Resolution Options
Formal Grievance Process Informal Resolution Formal Complaint Dismissal

Formal Grievance Process Flowchart (Zoomed-In)
Title IX/Sexual Harassment

Formal Complaint/Notice Issued

Investigation
Gathering Evidence Witness Interviews Investigation Report

Adjudication
Live Hearing Written Determination Issued Remedies/Sanctions (if any)

Option to Appeal
Procedural Irregularity New Evidence Bias/Conflict of Interest
Formal Investigation Initiated & Conducting an Investigation

Resolution Flowchart

A Report to TIXC

Can be submitted by anyone: Complainant, witness, third-party, employee, etc.

Triage & Preliminary Assessment

Formal Complaint

Submitted/Signed by CP

Submitted/Signed by TIXC

Written Notice of Formal Complaint

Supportive Measures

Rights & Options

Notice of Grievance Process

Resolution Options

Formal Grievance Process

Informal Resolution

Formal Complaint Dismissal
Written Notice of Formal Complaint

Upon receipt of a formal complaint, promptly send written notice to CP & RP:

- Notice of the grievance process under the policy;
- Notice of the allegations that potentially constitute prohibited conduct under the policy, sufficient details about the alleged conduct: Date(s), time(s), and location(s);
- A statement that the potential policy violations are being investigated;

Written Notice (Continued)

- A statement that the RP is presumed not responsible for the alleged conduct and that the determination regarding responsibility will be made at the conclusion of the grievance process;
- Both parties may have an advisor of choice, who may be, but is not required to be, an attorney, and may inspect and review all evidence;
- A statement that the parties may review evidence gathered as part of the any investigation;
A provision of the policy that knowingly making false statements or knowingly submitting false information during the grievance process is prohibited and subject to disciplinary action;

- Any other relevant information for the written notice; and

- A statement that retaliation is prohibited under the policy. (recommended)

Other resources to include with the written notice:

1. Supportive measures available for both parties
2. Campus & local resources or services
3. Rights & options of both parties
4. A copy of the grievance process & policy
5. Title IX Coordinator & Investigator(s) contact information
Party’s Rights

A Complainant and Respondent have the following rights during a grievance process:

- To be informed of and have access to counseling, medical, academic, and other applicable support services, including confidential resources.
- To be informed of the importance of a victim going to a hospital for treatment and the preservation of evidence, if applicable, as soon as practicable after an alleged incident.
- To be informed of a notice of formal complaint to the University, whether filed by a CP or the TIXC.
- To receive a prompt, fair, equitable, and impartial grievance process.
- To receive information and ask questions about the formal and informal processes.

Party’s Rights (Cont.)

- To be given equal chance to participate in a grievance process, including the opportunity to identify witnesses and other relevant evidence.
- To choose not to actively participate in the grievance process, if desired.
- To have an advisor of choice present during all meetings and grievance proceedings.
- To have an advisor provided for a party at a hearing under the Title IX/SH grievance process, if an advisor of choice is not present.
Party’s Rights (Cont.)

- To have access and equal opportunity to inspect and review any evidence obtained as part of the investigation, and to receive a copy of the completed investigation report.
- To be equally informed of any determinations regarding responsibility, dismissals of formal complaints, and/or a party’s filing of an appeal.
- To appeal a determination regarding responsibility and/or dismissals of formal complaints.
- To file a report with local and/or campus law enforcement authorities.

Complainant’s Rights

- To report an incident and/or file a formal complaint with the University.
- To request in writing that the University not investigate a reported incident and be informed of the University’s decision whether or not to investigate.
- To request in writing a dismissal of a formal complaint (e.g. withdraws the formal complaint or any allegations therein).
Conducting an Investigation

Formal Grievance Process Flowchart (Zoomed-In)

Sexual Misconduct Cases

- Formal Complaint/Notice Issued
- Investigation Initiated
  - Gathering Evidence
  - Witness Interviews
- Process Resolution Options
  - Investigation Report
  - Informal Resolution
  - Formal Complaint Dismissal
- Next Steps (if applicable)
  - Adjudication
  - Appeal F.C. Dismissal

Supportive Measures for P & RP
- Emergency Removal or Administrative Leave
Investigation Plan: The Foundation

Basis for the investigation?

- Alleged **incident** of prohibited conduct
- Alleged **pattern** of prohibited conduct
- Alleged **climate issue(s)** in an area or department

Investigative Framework

- Establish **facts & timeline(s)**.
- Understand each party’s **perception & experiences** of the alleged incident(s).
- Elicit **details & descriptions** of the alleged incident(s) from the parties & witnesses.
- Address **disputed facts or conflicting evidence** (if any) & seek responses from the parties (if applicable).
- Gather **sufficient information available** for a determination of facts, importance, & relevance to the formal complaint.
Investigator Considerations

- One or two investigators?
- Roles of each investigator?
  - Facilitator
  - Notetaker
- Interview notetaking or recording?

Investigation Plan (Continued)

- Criteria: Outline the behavioral criteria of what constitutes the prohibited conduct & develop strategies for how to gather relevant evidence
- Witnesses: Identify relevant witnesses & determine order of interviews
- Evidence: Identify other sources of possible evidence & determine how the evidence will be obtained
- Contact Info: Confirm contact information for CP & RP; and communicate regularly with CP & RP throughout the process
Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

For the purposes of this definition:

- **Course of conduct** means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

- **Reasonable person** means a reasonable person under similar circumstances and with similar identities to the victim.

- **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
Engaging in a (1) course of conduct (2) directed at a specific person that would (3) cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

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- **Reasonable person** means a reasonable person under similar circumstances and with similar identities to the victim.
- **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
Key Pillars (Revisited)

For all of the participants in the process:

Complainants
Respondents
Witnesses
Third-party Reporters

A. Encourages all participants to share what they are able to recall about their experience without demanding chronological recall; and
B. Facilitates the gathering of information in a balanced manner from all individuals
Interview Notice

- Date, time, & location of the interview meeting
- Names of the invited or expected meeting participant(s)
- Purpose of the meeting or investigative interview
- Opportunity to present any information, evidence, and/or witnesses relevant to the formal complaint.
- An advisor of choice may attend, though not required.

Before an Interview

- Develop a safe space for a person’s physical & emotional well-being
- Have handouts & resources readily available
Pre-Interview: Rapport-Building

- Weather
- Hometown
- Hobbies
- Favorite Classes
- Pop Culture
- Music

Pre-Interview: Explain the Process

- What to expect of the process
- Applicable policies; amnesty for alcohol/drug use; prohibition of retaliation
- Rights of the parties
- Purpose for the interview
- Options for decision-making
- Resources & supportive measures available
- Title IX Coordinator & investigator(s) contact information
- Follow-up & next steps
Interview Start

- Allow the person to provide their account of the incident in their own words & at their own pace:
  - “What are you able to tell me about your experience?”
  - Allow time for the person to respond.
  - Do not ask a lot of questions at first.
- Be patient & respectful.
- Be comfortable with silence.
- **Nodding** or “Mmm” are ok.
- Follow-up (if a general prompt is necessary):
  - What, if anything, do you remember once you...[insert last part]...?

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Clarification Prompts

- Attempt to clarify from all parties. Examples...
  - “Tell me more about [blank]...”
  - “When you said [blank]...help me understand what you meant...”
  - Instead of asking “Why or why not...?” Maybe say: “Help me understand your thought process for [insert the clarifying part]...”
  - “What did you mean by [blank]...?”
  - “There are differences in your account vs. [blank]...[insert specifics]...help me understand the reason(s) or rationale for this different account...”
Recall Prompts

**Sensory recall:** “*What, if anything, are you able to remember about...*”

- Taste
- Smell
- Feel
- Hear
- See

Recall Prompts (Cont.)

- **Instead of asking** “Why or why not...?”
  - “*What was your thought process...*”
    - …*During* the experience?”
    - …*Before* the experience?”
    - …*After* the experience?”
    - “*What, if anything, are you able to remember about...?*”
    - “*What were your reactions to...?*”
      - Emotional response?
      - Physical response?
- “*What was the most difficult part of this experience for you?*”
- “*What, if anything, can’t you forget?*”
Document the **psychological & physical responses** of the experience (if applicable):

- Nausea
- Flashbacks
- Trembling
- Muscle Rigidity
- Terror
- Memory Gaps
- Sensory Recall
- Injuries

Document **elements** of force, threat, coercion, intimidation, or fear (if applicable):

*Note: These elements may not be based on weapon use or actual physical threat for it to be perceived as real*
Interview Documentation (Cont.)

Document **defensive strategies** (if applicable):

- Forceful Physical Resistance (Fight)
- Verbal Resistance
- Attempt to Get Away (Flight)
- Bargain (Appease)
- Tonic Immobility (Freeze)

Interview Wrap-Up

Explain the following:

- Revisit what to expect for next steps of the process, person’s rights, person’s options, resources available, and applicable remedies
- Decision options (and timelines or deadlines, if applicable)
- Ways to provide evidence, witnesses, or respond to other party’s statements
- Contact information for the investigator and/or TIXC/Deputy
Consent Definition

A voluntary, mutually understandable agreement that clearly indicates a willingness to engage in each instance of sexual activity. Consent to one act does not imply consent to another. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Consent can be withdrawn at any time. Any expression of an unwillingness to engage in any instance of sexual activity establishes a presumptive lack of consent.

Consent is not effective if it results from: (a) the use of physical force, (b) a threat of physical force, (c) intimidation, (d) coercion, (e) incapacitation or (f) any other factor that would eliminate an individual’s ability to exercise his or her own free will to choose whether or not to have sexual activity.

A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of a relationship, there must be a voluntary, mutually understandable agreement that clearly indicates a willingness to engage in each instance of sexual activity.

Source: UT System Model Policy for Sexual Misconduct (2020)
First...Establishing Consent

**Consent** is not effective if:

- Physical force;
- Threat of physical force;
- Intimidation;
- Coercion; or
- **Incapacitation**

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Consent (Example Questions)

- Refer to the definition of "consent" based on the institution's policy.
- What was the nature, timing, & scope of the relationship btw the parties?
- What were each party's expectations (e.g. perceived, communicated), about the nature of the contact on the date of the alleged incident?
- What was the manner of communication before, during, & after the alleged incident (e.g. words & actions) btw the parties?
- What were the circumstances of the CP's disclosure & the RP's reaction to the disclosure?
- What was the impact of alcohol or other drug use in relation to the ability to give consent?
- Are there any reported or demonstrated predatory behaviors?
Incapacitation Definition

Incapacitation is the inability, temporarily or permanently, to give consent because the individual is mentally and/or physically helpless, either voluntarily or involuntarily, or the individual is unconscious, asleep, or otherwise unaware that the sexual activity is occurring. An individual may be incapacitated if they are unaware at the time of the incident of where they are, how they got there, or why or how they became engaged in a sexual interaction.

When alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. When drug use is involved, incapacitation is a state beyond being under the influence or impaired by use of the drug. Alcohol and other drugs impact each individual differently, and determining whether an individual is incapacitated requires an individualized determination.

Source: UT System Model Policy for Sexual Misconduct (2020)

Incapacitation*:
- Mentally or physically helpless
- Unconscious
- Asleep
- Unable to speak coherently or walk unassisted
- Unaware of the sexual activity occurring
- Unaware of time, place, or how they became engaged in a sexual act
- A state beyond drunkenness or intoxication

* UT uses a “reasonable person” standard
Incapacitation Definition (Cont.)

After establishing that a person is in fact incapacitated, the University asks:

1. Did the person initiating sexual activity know that the other party was incapacitated?
   And if not...
2. Should a **sober, reasonable person in the same situation** have known that the other party was incapacitated?

*If the answer to either of these questions is “**YES,**” consent was **absent** and the conduct is likely a violation of this Policy.*

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**Note:** A Respondent will be found to have violated policy only if the Respondent knew or should have known that the person was incapacitated.

Source: UT System Model Policy for Sexual Misconduct (2020)

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Incapacitation (Example Questions)

- What were each person’s **pre-incident** behavior?
- **Quantity and quality** of alcohol & other drug use:
  - What was the nature of the event & setting?
  - Was there any respective power or control of either party?
  - Who supplied the alcohol or other drug(s) to either party?
- What were each person’s **expectations & mindset**?
- How did each person **reasonably know** the level of intoxication of the other party?
- Is there any information from witnesses, video footage, etc. as to the level of incapacitation?
- What were each person’s **post-incident** behavior?
IPV & Stalking Cases

Common Considerations:
- Indicators of power & control
- Presence or threat of a weapon
- History of dating or domestic violence
- Aggressive or hostile body language
- Pre-existing protective orders or “no contact” directives
- Comparative extent of injury (if both are injured)
- Property damage
- Elements of fear
<table>
<thead>
<tr>
<th>Has the RP:</th>
<th>Assessing Danger (Example Questions for CP)</th>
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<tr>
<td>• Prevented you from talking to others such as family or friends?</td>
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<td>• Listened to your private phone calls or read your email?</td>
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<td>• Acted jealous?</td>
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<td>• Humiliated you at home or in public?</td>
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<td>• Broken your personal belongings?</td>
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<td>• Behaved violently or aggressively in public?</td>
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<td>• Been arrested in the past for violence?</td>
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<tr>
<th>Assessing Lethality (Example Questions for CP)</th>
<th>Has the RP:</th>
</tr>
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<tbody>
<tr>
<td>• Have access to a weapon, and/or threatened to use a weapon?</td>
<td>• Threatened to harm or kidnap your children?</td>
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<tr>
<td>• Threatened to kill you, themselves, or others?</td>
<td>• Harmed your pet(s)?</td>
</tr>
<tr>
<td>• Been abusing alcohol or drugs?</td>
<td>• Stalked or followed you?</td>
</tr>
<tr>
<td>• Forced you or your children to flee in the past?</td>
<td>• Forced you or your children to flee in the past?</td>
</tr>
</tbody>
</table>
Remember the Investigation Plan

Closing Steps of the Investigation
Advisor Considerations

- Is an advisor of choice involved?
- Access to the related evidence & the finalized investigation report (closing steps of the investigation).
- Consider providing an advisor, if an advisor of choice has not been involved.

Evidence Collection

- Available body of facts or information:
  1. Tangible objects (real items)
  2. Demonstrative (modeling)
  3. Documentary (written materials)
  4. Testimonial (statements)

...that indicates whether a claim, belief, or proposition may be true or valid.
Evidence Pyramid

Relevant evidence

Evidence included in the Investigation Report

Evidence directly related to the allegations

Evidence provided to the parties & advisors for inspection & response

Access to Evidence

Equal opportunity to both parties (& the advisors) to inspect & review any evidence obtained that is directly related to the allegations in the formal complaint.
Access to Evidence: Why?

So that each party can **meaningfully respond** to the evidence prior to the conclusion of the investigation.

Access to Evidence: When?

- Upon request from a CP, RP, or an Advisor?
- At the end of the investigation?
Send each party (& the advisors*) the applicable evidence:

- In hard copy or electronic format
- At least 10 days to inspect, review, & respond to the evidence
- All responses to the evidence must be submitted in writing to the investigator(s)

* Advisor of choice; or the provided advisor by the institution (If applicable)

The investigators will consider all timely responses submitted by the parties prior to completing the investigation report.
Issues of Relevance

Review the Evidence

• Available body of facts or information:
  1. Tangible objects (real items)
  2. Demonstrative (modeling)
  3. Documentary (written materials)
  4. Testimonial (statements)
Evidence Pyramid

Relevant evidence

Evidence included in the Investigation Report

Evidence directly related to the allegations

Evidence provided to the parties & advisors for inspection & response

Relevant Evidence

Evidence is relevant if:

- The evidence has any tendency to make a fact more or less probable than it would be without the evidence; and
- The fact is of consequence in determining the action.
Relevant Evidence

Another way to frame it:

- **Exculpatory evidence**: Evidence tending to excuse, justify, or absolve the person of the alleged conduct.
- **Inculpatory evidence**: Evidence that places responsibility on the person of the alleged conduct.

“Reasonable Person” Standard

*Use a “reasonable person” standard for weighing all of the evidence:*

- An **objective test** to denote a hypothetical person who exercises average care, skill, and judgment in conduct **under similar circumstances** as a comparative standard.
Cannot access, consider, disclose, or use a party’s medical or mental health records as evidence unless the party provides voluntary, written consent to the institution for the grievance process.
Formal Grievance Process Flowchart (Zoomed-In)

Sexual Misconduct Cases

Formal Complaint/Notice Issued

Investigation Initiated
- Gathering Evidence
- Witness Interviews

Process Resolution Options
- Investigation Report
- Informal Resolution
- Formal Complaint Dismissal

Next Steps (if applicable)
- Adjudication
- Appeal F.C. Dismissal

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Title IX/Sexual Harassment

Notice

Investigation (No determination)
- Both parties have access to all evidence related to the allegation(s) & ability to comment
- No Administrative Disposition
- Hearing Required

Non-Sexual Harassment

Notice

Investigation (Preliminary determination)
- Both parties have access to all evidence related to the allegation(s) & ability to comment
- Administrative Disposition or Hearing Options

Appeal
Institution’s Sexual Misconduct Grievance Process (Example/Reference)

Title IX Process Starts
Formal Complaint Submitted

Resolution Options
(a) Formal Grievance Process, (b) Informal Resolution, or (c) Formal Complaint Dismissal under Title IX

Live Hearing
Determination regarding responsibility

Administrative Disposition
The parties may accept the determination and sanctions (if applicable); waives Live Hearing

Live Hearing
Either party may select a hearing for a determination regarding responsibility

Resolution Options
(a) Investigation/Determination, (b) Informal Resolution, or (c) Formal Complaint Dismissal

(2) Initiate Alternative Process for Students
When the conduct alleged doesn’t constitute “Sexual Harassment”

(1) Initiate Alternative Process for Faculty & Staff
When the definitional &/or jurisdictional framework under Title IX is not met

Draft vs. Completed Investigation Report
Completed Investigation Report: Sexual Harassment Cases

1. Outline each of the **allegations** that potentially constitutes prohibited conduct under the Policy.

2. Provide a **timeline** (e.g. procedural steps) of the investigation. (recommended)

Completed Investigation Report: Sexual Harassment Cases (Cont.)

3. **Fairly summarize** relevant evidence, participate statements, and responses to questions.
   - **Exculpatory**: Evidence tending to excuse, justify, or absolve the person of the alleged conduct.
   - **Inculpatory**: Evidence that places responsibility on the person of the alleged conduct.
1. Outline allegations related to the Policy
2. Timeline of the investigation
3. Fairly summarize relevant evidence
4. Credibility assessments*
5. Evidence analysis & rationale*
6. Preliminary determination regarding responsibility*

Send each party (& the advisors*) the completed investigation report:
- At least 10 days prior to the scheduled hearing
  - Why? Opportunity for the parties to inspect, review, & respond to the investigation report (at the hearing)
- A copy of the investigation report to the TIXC and hearing officer assigned.

* Advisor of choice; or the provided advisor by the institution (If applicable)
Formal Grievance Process Flowchart (Zoomed-In)
Title IX/Sexual Harassment

Formal Complaint/Notice Issued

Investigation
- Gathering Evidence
- Witness Interviews
- Investigation Report

Adjudication
- Transition
- Live Hearing
- Written Determination Issued
- Remedies/Sanctions (if any)

Option to Appeal
- Procedural Irregularity
- New Evidence
- Bias/Conflict of Interest

Transition to Adjudication
- Transition process to the adjudication office? Referral?
- An administrative coordinator for the adjudication intake, scheduling, organizing, & communicating the next steps (e.g. hearing) to all participants.
Contact Information

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<tr>
<th>Krista Anderson</th>
<th>Sean Flammer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Systemwide Title IX Coordinator</td>
<td>Assistant General Counsel</td>
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<tr>
<td>Office of Systemwide Compliance</td>
<td>Office of General Counsel</td>
</tr>
<tr>
<td>UT System (Austin, TX)</td>
<td>UT System (Austin, TX)</td>
</tr>
<tr>
<td>Phone: 512-664-9050</td>
<td>Phone: 512-579-5106</td>
</tr>
<tr>
<td>Email: <a href="mailto:kranderson@utsystem.edu">kranderson@utsystem.edu</a></td>
<td>Email: <a href="mailto:sflammer@utsystem.edu">sflammer@utsystem.edu</a></td>
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