



TITLE IX INVESTIGATOR TRAINING

FALL 2024



AGENDA

Review Role and Responsibilities


2020 Title IX Final Rule: Investigation Procedures

2024 Title IX Final Rule: Investigation Procedures

Review Documents

Discuss Common Pitfalls

Q&A



2020 TITLE IX FINAL RULE: INVESTIGATION PROCEDURES

RECEIPT OF COMPLAINT

- Collin College's Title IX complaint process is initiated by the Complainant, appropriate Title IX Coordinator, Deputy Title IX Coordinator, or an official with authority to institute corrective measures on behalf of Collin College.
- To file a complaint, the complainant can contact the appropriate Title IX Coordinator or Deputy Title IX Coordinator or submit the *Title IX Formal Complaint Form* in Guardian.
- If reported orally, the complaint will be reduced to writing by the appropriate Title IX Coordinator, Deputy Title IX Coordinator, or designee.
- The complaint **must** be signed.
 - If the Complainant is not able or willing to sign the complaint, the appropriate Title IX Coordinator, Deputy Title IX Coordinator, or designee may sign the complaint in the Complainant's stead.

SUPPORTIVE MEASURES

- Once Collin College has actual knowledge of an allegation of prohibited conduct, the appropriate Title IX Coordinator, Deputy Title IX Coordinator, or designee will promptly contact the Complainant and offer supportive measures.
- Supportive measures and resources are available to the Complainant whether or not they choose to file a formal complaint.
- In the event a complaint is filed and the appropriate Title IX Coordinator, Deputy Title IX Coordinator, or designee determines an investigation should be initiated, supportive measures will also be offered to the Respondent.

ANTICIPATED TIMEFRAME FOR THE INVESTIGATION

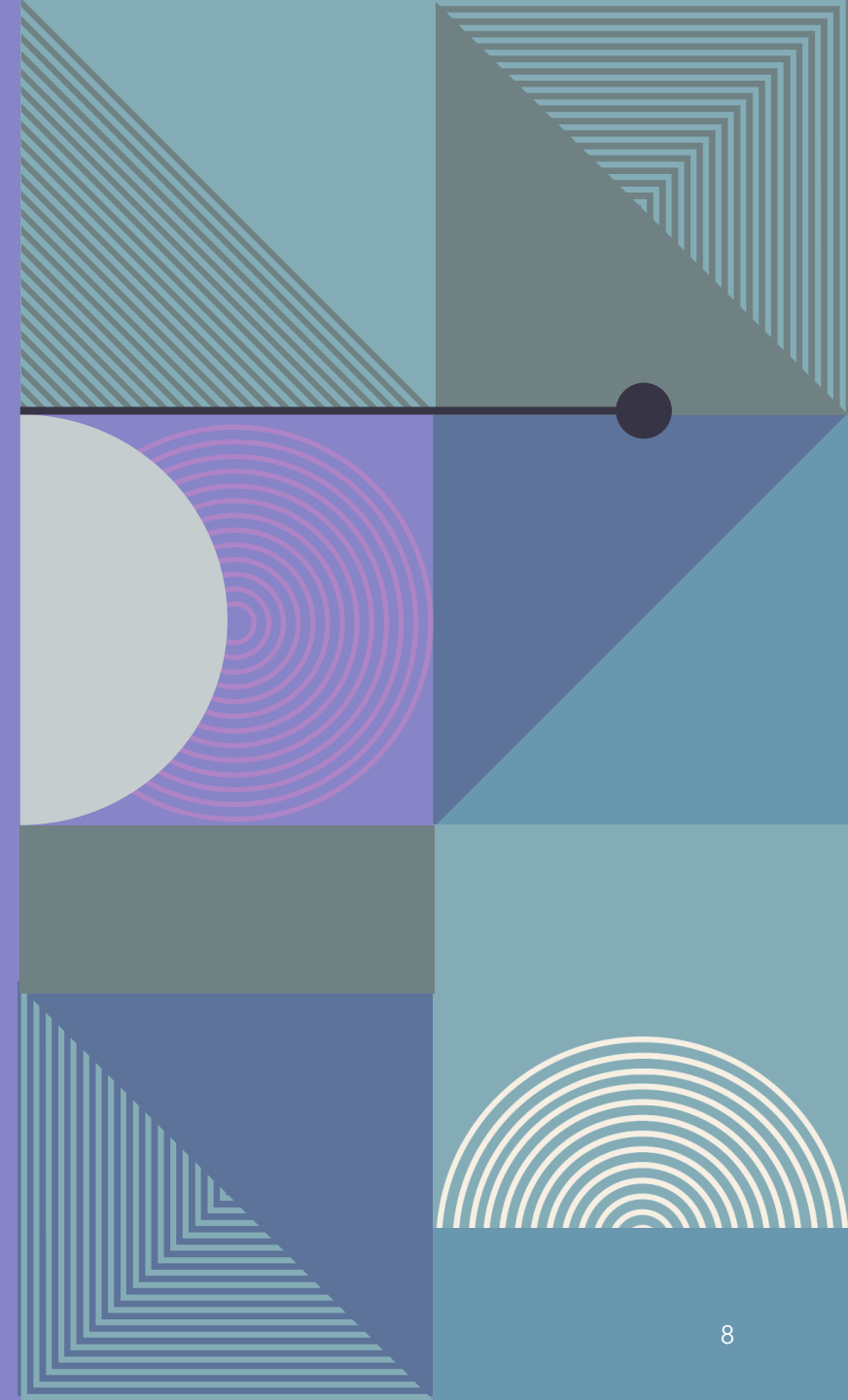
- Collin College will endeavor to expedite all formal complaint investigations and resolutions.
- Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for Collin College to delay its investigation, the Formal Resolution Process should be completed within a reasonably prompt time frame.
- Collin College may temporarily delay or grant a limited extension of the time frame for good cause as long as both parties are notified in writing of the delay or extension and the reason(s) for the action.
- The anticipated time frame from receipt of the formal complaint through the investigation and Live Hearing phases, culminating with the live hearing officer's *Written Determination of Responsibility*, is **60 College District business days**.

DETERMINATION TO PROCEED WITH AN INVESTIGATION

- The appropriate Title IX Coordinator, Deputy Title IX Coordinator, or designee will determine whether the allegation(s):
 1. Occurred while participating in or attempting to participate in Collin College's education program or activity;
 2. Impacted a person in the United States; and/or
 3. If proven, would meet the definition of prohibited conduct.
- The alleged conduct must be so **severe, pervasive, and objectively offensive** that it limits or denies a student's ability to participate in or benefit from an educational program or activity.
 - Note: Quid pro quo harassment, Clery Act, and VAWA offenses are not evaluated for severity, pervasiveness, or offensiveness, or denial of equal educational access because such misconduct is sufficiently serious to deprive a student of equal access.
- If the allegations in the complaint meet the criteria defined above, the appropriate Title IX Coordinator, Deputy Title IX Coordinator, or designee will assign an appropriate individual(s) to investigate the complaint.
- If the allegation(s) should be addressed through another Collin College process, the Title IX Coordinator, Deputy Title IX Coordinator, or designee will forward the complaint to the appropriate party.

INITIATING THE INVESTIGATION

- The appropriate Title IX Coordinator, Deputy Title IX Coordinator, or designee will send an initial written notice containing details of the complaint and allegation(s) to both parties at the onset of the investigation.
- The respondent will be presumed to be not responsible for the alleged prohibited conduct until a written determination is made at the conclusion of the Title IX complaint process.
 - This presumption will be stated in the initial written notice provided to both parties at the onset of the investigation.

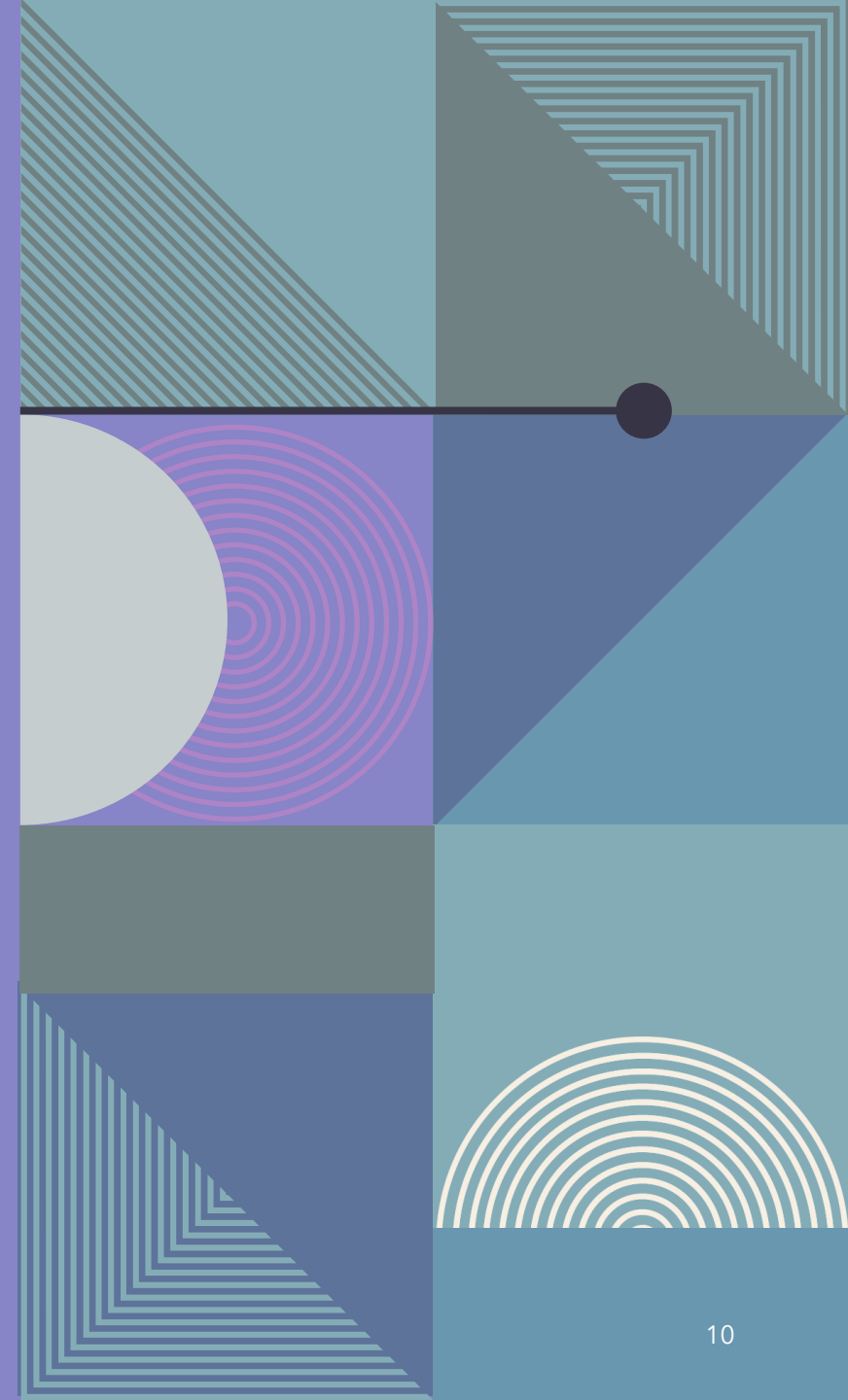


INVESTIGATOR(S)

- Collin College will maintain a pool of Investigators consisting of members of the District Dean of Students Office and any other appropriately trained investigators designated by Collin College.
- The Investigator(s) will not be the Title IX Coordinators, Deputy Title IX Coordinators, Informal Resolution Facilitators, Removal Challenge Officers, Live Hearing Officers, or Appeal Decision Makers.
- The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will assign an individual(s) from the pool of Investigators to investigate the complaint.
- All Investigators will receive appropriate training on at least an annual basis to function in this role.

INVESTIGATOR(S) (CONT.)

- The Investigator(s) will be free from conflicts of interest or bias for or against the complainant or respondent (hereafter referred to as “the parties”).
- The Investigator(s) will conduct a prompt, fair, impartial, unbiased, and equitable process from the initial investigation to the submission of the *Investigation Report*.
- Throughout the investigation, the burden of gathering evidence and burden of proof will fall on Collin College and the Investigator(s), not the parties.



ADVISOR'S ROLES DURING THE INVESTIGATION

- In accordance with Title IX, both parties will have equal right to be accompanied by an advisor of their choice (e.g., family member, friend, legal counsel) to interviews, meetings, and hearings with the Investigator(s).
- However, only the party may speak on their behalf.
- Collin College will not provide an advisor for either party during this phase of the Title IX complaint process.
- Collin College retains the right to limit the role of both parties' advisors in interviews, meetings, and hearings with the Investigator(s).
- Should a party's advisor continuously speak on the party's behalf, become combative, or otherwise disrupt the proceedings, the Investigator(s) reserves the right to ask them to leave or to end the proceedings and reschedule for a later date.
- **Remember: Under the 2020 Title IX Final Rule, Collin College is required to provide a Live Hearing Advisor (only for the Live Hearing) if a party does not have their own.**

INTERIM ACTION AND TEMPORARY REMOVAL

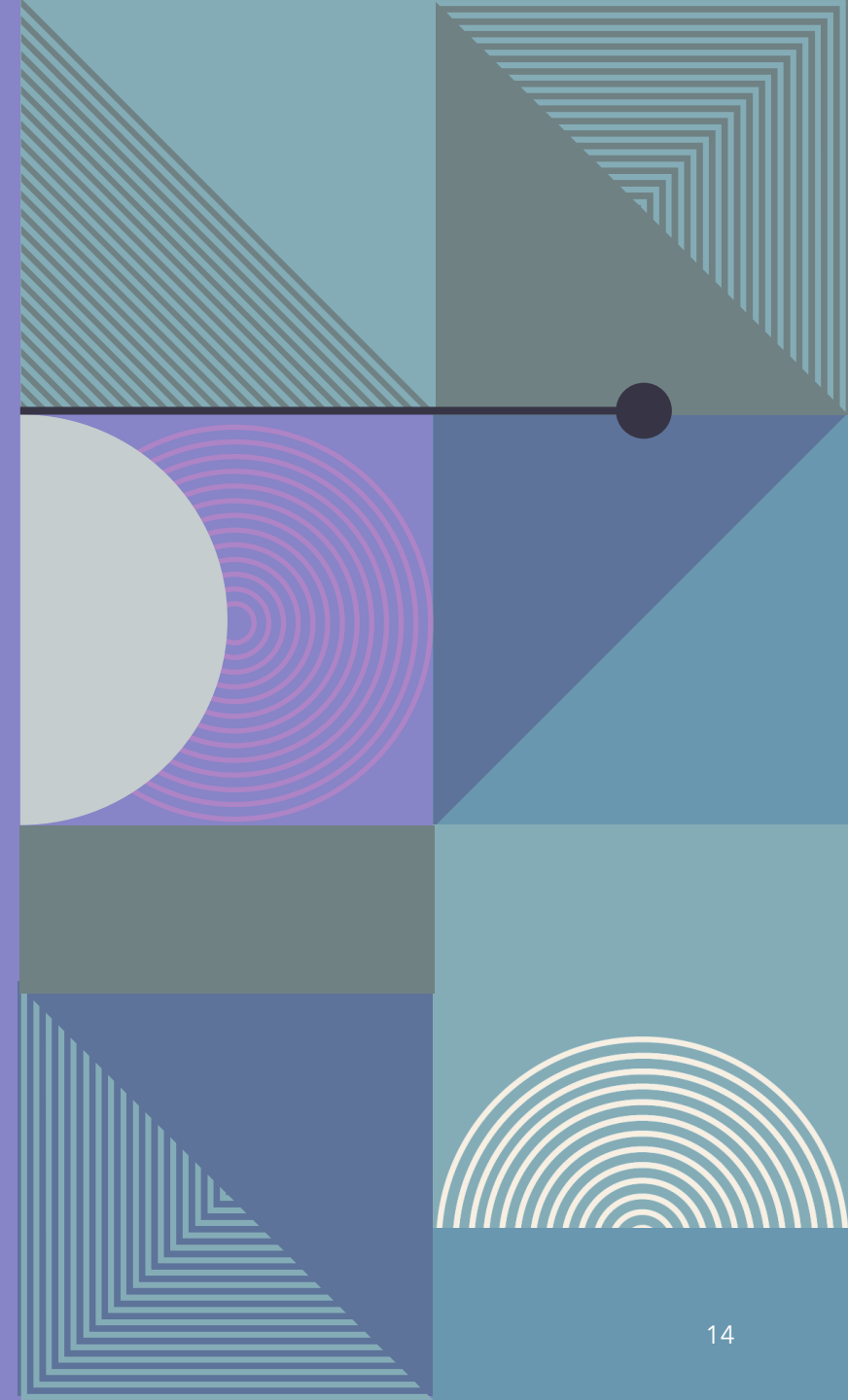
- If, after engaging in an individualized safety and risk analysis, the Investigator(s) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegation of prohibited conduct justifies the temporary removal of the Respondent, the Investigator(s) may recommend interim action(s) to the appropriate Title IX Coordinator, Deputy Title IX Coordinator, or designee.
 - The Investigator(s) may consult with other Collin College departments (e.g., Collin College Police Department, SOBI Care Team, SOBI Threat Assessment Management Team) to assist in the individualized assessment and risk analysis.
- If the appropriate Title IX Coordinator, Deputy Title IX Coordinator, or designee approves the interim action(s), the Investigator(s) will provide the Respondent with written notice of the interim action(s).

INTERIM ACTION AND TEMPORARY REMOVAL (CONT.)

- The Investigator(s) will meet with the Respondent to discuss and explain the interim action(s).
- If the interim action(s) include a temporary removal (e.g., Temporary Immediate Suspension, temporary removal from Collin College Student Housing, temporary employee administrative leave):
 1. The Investigator(s) will explain to the Respondent their right to challenge the interim action(s) immediately after the temporary removal.
 2. The Investigator(s) will provide to the Respondent the *Notice to Challenge a Temporary Removal* form.
- If the Respondent chooses to challenge the temporary removal and completes the *Notice to Challenge a Temporary Removal* form, the Investigator(s) will submit it to the designated Removal Challenge Officer along with a brief rationale explaining the individualized safety and risk analysis utilized to arrive at the interim action(s).

INTERIM ACTION AND TEMPORARY REMOVAL (CONT.)

- The Removal Challenge Officer will:
 1. Review the documentation,
 2. Consider whether the removal is appropriate, and
 3. Write a rationale explaining their decision.
- The Removal Challenge Officer will then notify the parties and Investigator(s) in writing whether the removal is upheld or overturned.



INVESTIGATIVE INTERVIEWS, MEETINGS, OR HEARINGS

- The Investigator(s) will contact the parties and witnesses to request they schedule investigative interviews and meetings.
- This communication will be made through one (1) or more of the following methods:
 1. A written communication sent to the individual's Collin College email account;
 2. A written communication sent to the individual's personal email account, if the individual is not a Collin College student or employee and/or the individual requests that communication be sent through this method;
 3. A letter mailed to the individual's address as listed with the Student and Enrollment Services Office or Human Resources Department;
 4. A letter hand-delivered to the individual on campus by the Investigator(s). The Investigator(s) will document the date, time, and place of hand-delivery; and/or
 5. A phone call to the individual's number as listed with the Student and Enrollment Services Office, Human Resources Department, or provided to the Investigator(s).

INVESTIGATIVE INTERVIEWS, MEETINGS, OR HEARINGS (CONT.)

- If a party or witness does not respond to the Investigator(s)'s communication within 10 College District business days, the Investigator(s) will attempt to contact the individual one (1) more time through at least one (1) of the methods listed on the previous slide.
- If a party or witnesses does not respond to this second communication within 10 College District business days, the Investigator(s) will proceed with the investigation.

INVESTIGATIVE INTERVIEWS, MEETINGS, OR HEARINGS (CONT.)

- The Investigator(s) will meet separately with the parties, their respective advisors (if the parties elect to provide their own advisors during this phase), and witnesses either in person or via Zoom or other web conferencing software approved by Collin College.
- The Investigator(s) will send written notice of any investigative interviews, meetings, or hearings to **both** parties and afford them sufficient time to prepare for these events.
- During the initial interview, meeting, or hearing, with the parties and their respective advisors (if the parties elect to provide their own advisors during this phase), the Investigator(s) will:
 1. Notify the parties and their respective advisors (if the parties elect to provide their own advisors during this phase) of their rights and options, including their right to file a complaint with the U.S. Department of Education Office for Civil Rights (OCR);
 2. Explain the preponderance of the evidence standard (i.e., more likely than not to have occurred);
 3. Provide a list of potential disciplinary sanctions and remedies. The Investigator(s) will review and explain this document and answer any questions regarding the potential disciplinary sanctions and remedies; and
 4. Explain the informal resolution provisions.

INVESTIGATIVE INTERVIEWS, MEETINGS, OR HEARINGS (CONT.)

- The parties will have equal opportunity to present:
 1. Witnesses (including both fact and expert witnesses),
 2. Inculpatory evidence (i.e., evidence that can establish an individual's involvement in an act or guilt), and
 3. Exculpatory evidence (i.e., evidence that can exonerate an individual).
- The Investigator(s) will not restrict the ability of either party or their respective advisors (if the parties elect to provide their own advisors during this phase) to gather or present relevant evidence or discuss the allegations outside of these meetings.

ASSIGNING LIVE HEARING ADVISORS

- If a party is unable to obtain an advisor for the Live Hearing, Collin College will provide one (1) free of charge for the purpose of conducting cross-examination for the party.
- The Investigator(s) will ascertain whether each party will provide their own Live Hearing Advisor (e.g., family member, friend, legal counsel).
- If a party is not able to provide their own Live Hearing Advisor, the appropriate Title IX Coordinator, Deputy Title IX Coordinator, or designee will assign an appropriate Live Hearing Advisor to the party for the Live Hearing.

LINK TO ACCESS A SECURED ELECTRONIC FOLDER

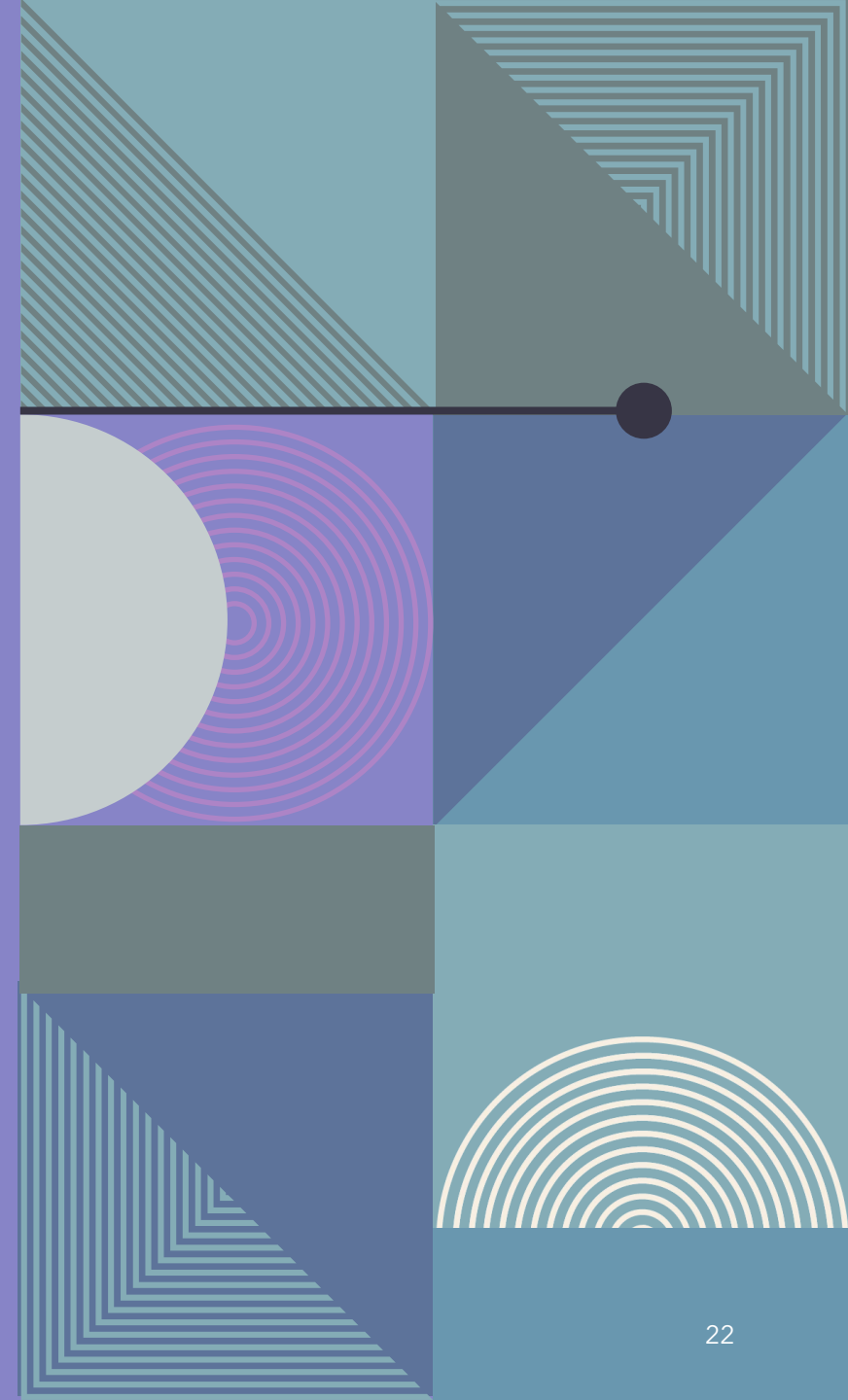
- Prior to writing an *Investigation Report*, the Investigator(s) will send to both parties and their Live Hearing Advisors a link to access a secured electronic folder containing all information and evidence obtained from a party or other sources that is **directly related** to the allegation(s), including:
 1. The evidence upon which Collin College does not intend to rely in reaching a determination regarding responsibility
 2. Inculpatory evidence (i.e., evidence that can establish an individual's involvement in an act or guilt)
 3. Exculpatory evidence (i.e., evidence that can exonerate an individual)
- This information must be provided so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation.
- The Investigator(s) will copy the appropriate Title IX Coordinator, Deputy Title IX Coordinator, or designee on this communication.

DRAFT *INVESTIGATION REPORT*

- The Investigator(s) will write an *Investigation Report* that fairly summarizes the investigation and includes all **relevant** evidence.
- The Investigator(s) will send the parties and their respective Live Hearing Advisors the draft of the *Investigation Report* in electronic format or hard copy and will give them 10 College District business days to inspect, review, and respond to the document prior to finalizing it.
- The Investigator(s) will copy the appropriate Title IX Coordinator, Deputy Title IX Coordinator, or designee when the draft of the *Investigation Report* is sent in electronic format.
- The parties and/or their respective Live Hearing Advisors should send any edits or additions to the draft *Investigation Report* to the Investigator(s) by the stated deadline.
- The Investigator(s) will include all edits and additions received by the stated deadline as addendums at the end of the finalized document.

CALCULATING “COLLEGE DISTRICT BUSINESS DAYS”

- College District business days exclude:
 1. Weekends (i.e., Saturdays and Sundays)
 2. National holidays recognized by Collin College
 3. College District closures
- **Do not** count the day you send the documents.
- Examples:
 1. If you send the documents on **Monday, October 7, 2024**, the parties will have until **4:30 p.m. on Monday, October 21, 2024**, to submit any edits or additions to the draft *Investigation Report*.
 2. If you send the documents on **Wednesday, December 18, 2023**, the parties will have until **4:30 p.m. on Monday, January 13, 2024**, to submit any edits or additions to the draft *Investigation Report* due to the Winter Break.

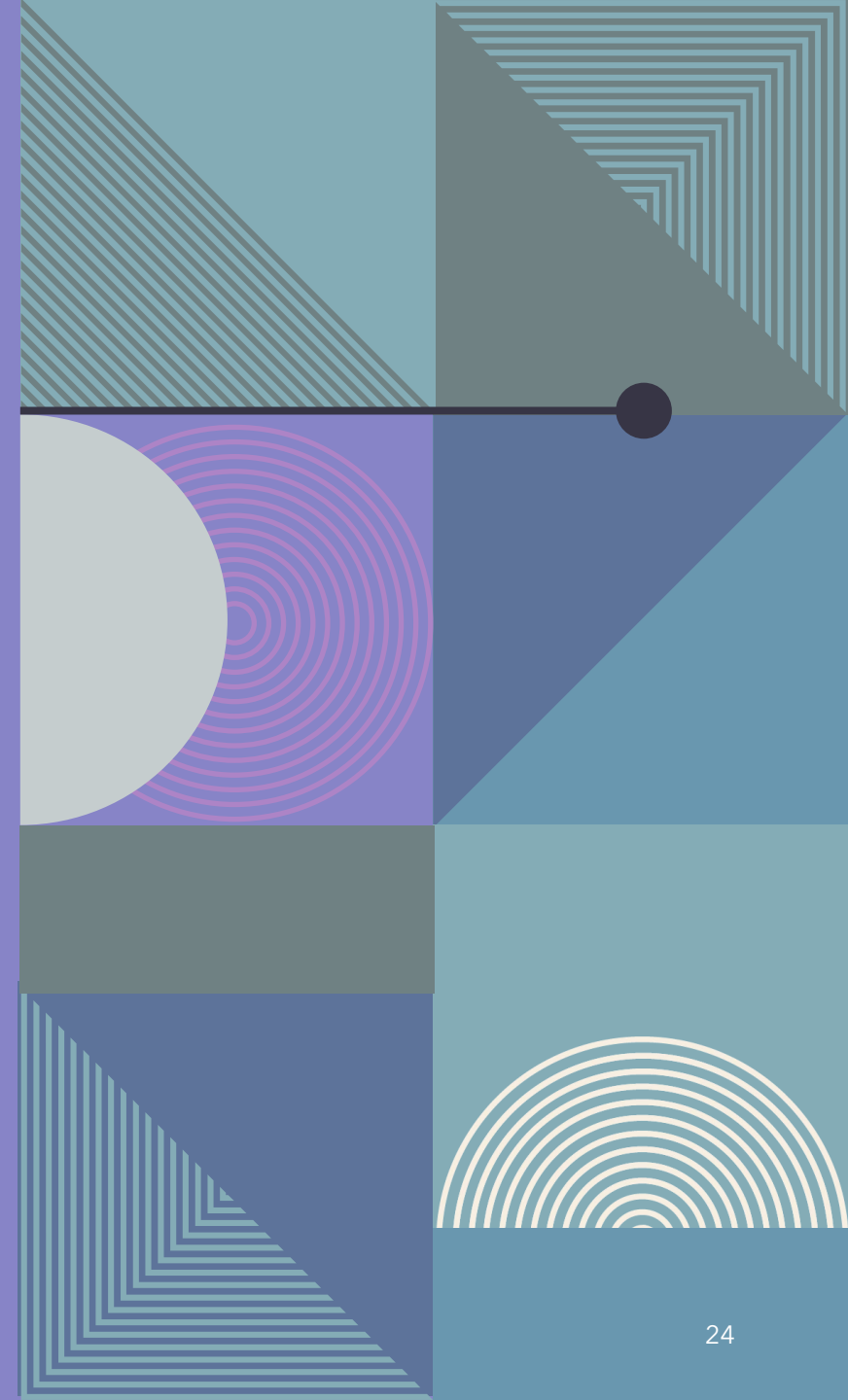



FINAL INVESTIGATION REPORT

- The Investigator(s) will complete the final *Investigation Report* at least 10 College District business days prior to the Live Hearing.
- The Investigator(s) will send the parties and their respective Live Hearing Advisors a copy of the final *Investigation Report* in electronic format or hard copy.
- The Investigator(s) will copy the appropriate Title IX Coordinator, Deputy Title IX Coordinator, or designee when the final *Investigation Report* is sent in electronic format.

INVESTIGATOR(S)'S ROLE DURING THE LIVE HEARING

- The appropriate Title IX Coordinator, Deputy Title IX Coordinator, or designee will notify the Complainant, Respondent, their respective Live Hearing Advisors, any Witnesses, the Investigator(s), and the Live Hearing Officer of the date, time, and location of the Live Hearing in writing.
- The Live Hearing Officer will conduct the Live Hearing on the specified date and time.
- The Live Hearing will be held on a Collin College campus with all parties located in separate rooms.
- Zoom will be used to conference all parties into the meeting so everyone can simultaneously see and hear the proceedings and all questions.
- The Investigator(s) will be required to attend the Live Hearing.
- After the Live Hearing Officer gives their opening remarks and has everyone introduce themselves, the Live Hearing Officer will move the Investigator(s) into a breakout room.
- The Investigator(s) may be brought back into the main room at any point during the Live Hearing to answer questions and/or provide clarification regarding the investigation.





2024 TITLE IX FINAL RULE: INVESTIGATION PROCEDURES

COMPLAINTS OF SEX DISCRIMINATION AND SEX-BASED HARASSMENT

- Under the 2024 Title IX Final Rule, “complaint” means an **oral or written request** to Collin College that **objectively** can be understood as a request for Collin College to investigate and make a determination about alleged discrimination under Title IX or its regulations
- The 2024 Title IX Final Rule **does not** require that a signed complaint be on file before the grievance procedures can be initiated.
- Additionally, the 2024 Title IX Final Rule **does not** require that a complaint be made in writing.

COMPLAINTS OF SEX DISCRIMINATION AND SEX-BASED HARASSMENT (CONT.)

- The following people have the right to make a complaint of **sex discrimination**, **including** complaints of **sex-based harassment**, requesting that Collin College investigate and make a determination about alleged sex discrimination and/or sex-based harassment under Title IX:
 1. A “complainant,” which includes:
 - a. A student or employee of Collin College who is alleged to have been subjected to conduct that could constitute sex discrimination and/or sex-based harassment under Title IX; or
 - b. A person other than a student or employee of Collin College who is alleged to have been subjected to conduct that could constitute sex discrimination and/or sex-based harassment under Title IX at a time when that individual was participating in or attempting to participate in Collin College’s education program or activity;
 2. A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or
 3. Collin College’s Title IX coordinators and deputy Title IX coordinators.

COMPLAINTS OF SEX DISCRIMINATION AND SEX-BASED HARASSMENT (CONT.)

- With respect to complaints of **sex discrimination** other than sex-based harassment, in addition to the people listed on the previous slide, the following persons have the right to make a complaint:
 1. Any student or employee of Collin College; or
 2. Any person other than a student or employee who was participating in or attempting to participate in Collin College's education program or activity at the time of the alleged sex discrimination.
- A person is entitled to make a complaint of **sex-based harassment only** if:
 1. They themselves are alleged to have been subjected to the sex-based harassment,
 2. They have a legal right to act on behalf of such a person, or
 3. The appropriate Title IX coordinator, deputy Title IX coordinator, or designee initiates a complaint consistent with the requirements of Title IX.

COMPLAINTS OF SEX DISCRIMINATION AND SEX-BASED HARASSMENT (CONT.)

- To file a complaint of sex discrimination and/or sex-based harassment, individuals can contact the appropriate Title IX coordinator or deputy Title IX coordinator and/or submit the *Title IX Formal Complaint Form* in Guardian.
- Collin College may consolidate complaints of sex discrimination and/or sex-based harassment against more than one (1) respondent, or by more than one (1) complainant against one (1) or more respondents, or by one (1) party against another party, when the allegations of sex discrimination and/or sex-based harassment arise out of the same facts or circumstances.

ANTICIPATED TIMEFRAME FOR THE INVESTIGATION STAGE

- The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will assign an investigator(s) at the conclusion of the Evaluation and Initiation of Grievance Procedures stage.
- The investigator(s) will endeavor to complete the investigation within **45 College District business days**.
- However, the investigation is subject to a host of variables (e.g., the parties' availability for investigative interviews, availability of evidence) and, therefore, may take additional time to complete.
- At the conclusion of the investigation, the investigator(s) will send the *Investigation Report* to the parties and allow them **10 College District business days** to review the report prior to the start of the Determination stage.

EVALUATION AND INITIATION OF GRIEVANCE PROCEDURES

- Once the appropriate Title IX coordinator, deputy Title IX coordinator, or designee has knowledge of alleged conduct that may constitute sex discrimination and/or sex-based harassment, they will evaluate the matter and initiate the Title IX grievance procedures.
- If the alleged conduct could not constitute sex discrimination and/or sex-based harassment under Title IX, the appropriate Title IX coordinator, deputy Title IX coordinator, or designee will refer the matter to another Collin College process for appropriate resolution.

NOTICE OF ALLEGATION(S)

- Upon initiation of Collin College's Title IX grievance procedures, the appropriate Title IX coordinator, deputy Title IX coordinator, or designee will notify the parties of the following:
 1. Collin College's Title IX grievance procedures and any informal resolution process.
 2. Sufficient information available at the time to allow the parties to respond to the allegation(s), including, but not limited to the:
 - a. Identities of the parties involved in the alleged incident(s);
 - b. Conduct alleged to constitute sex discrimination and/or sex-based harassment filed by an employee complainant against an employee respondent; and
 - c. Date(s) and location(s) of the alleged incident(s).
 3. Collin College's prohibition against retaliation.
 4. That the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence in the form of an *Investigation Report*.
- If, in the course of an investigation, Collin College decides to investigate an additional allegation(s) of sex discrimination and/or sex-based harassment by the respondent toward the complainant that is not included in the initial notice provided or that is included in a complaint that is consolidated with the initial complaint, the appropriate Title IX coordinator, deputy Title IX coordinator, or designee will notify the parties of the additional allegation(s).

INVESTIGATORS

- Collin College will maintain a pool of investigators consisting of members of the District Dean of Students Office and any other appropriately trained investigators designated by Collin College.
- The investigator(s) will not be the Title IX coordinators, deputy Title IX coordinators, informal resolution facilitators, challenge officers, decision-makers, Level I appellate officers, Level II appellate officers, or Level III appellate officers.
- The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will assign an individual(s) from the pool of investigators to investigate the complaint.
- All investigators will receive appropriate training on at least an annual basis to function in this role.

INVESTIGATORS (CONT.)

- The investigator(s) will be free from conflicts of interest or bias for or against complainants or respondents generally or the individual complainant or respondent.
- The investigator(s) will conduct a prompt, fair, impartial, unbiased, and equitable process from the initiation of the investigation to the submission of the final *Investigation Report*.
- The burden is on the investigator(s) – not the parties – to conduct an investigation that gathers sufficient evidence to determine whether a Title IX violation occurred.

ADVISOR'S ROLES DURING THE INVESTIGATION STAGE

- Both parties will have equal right to be accompanied by an advisor of their choice (e.g., family member, friend, legal counsel) to investigative interviews with the investigator(s).
- However, only the party may speak on their behalf.
- Collin College will not provide an advisor for either party during this stage of the Title IX grievance procedures.
- Collin College retains the right to limit the role of both parties' advisors in investigative interviews with the investigator(s).
- Should a party's advisor continuously speak on the party's behalf, become combative, or otherwise disrupt the proceedings, the investigator(s) reserves the right to ask them to leave or to end the proceedings and reschedule for a later date.

INVESTIGATION PROCEDURES

- Collin College will provide for adequate, reliable, and impartial investigation of complaints.
- The burden is on Collin College - not on the parties - to conduct an investigation that gathers sufficient evidence to determine whether a Title IX violation occurred.
- Collin College will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all meetings or proceedings with sufficient time for the party to prepare to participate.
- Collin College will provide the parties with the same opportunities to be accompanied to any meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney.
 - Collin College will not limit the choice or presence of the advisor for the complainant or respondent in any meeting or proceeding.
 - Collin College may establish restrictions regarding the extent to which the advisor may participate in these grievance procedures, as long as the restrictions apply equally to the parties.

INVESTIGATION PROCEDURES (CONT.)

- Collin College will provide the parties with the same opportunities, if any, to have people other than the advisor of the parties' choice present during any meeting or proceeding.
- Collin College will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that is relevant and not otherwise impermissible.
- Collin College will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

INVESTIGATION PROCEDURES (CONT.)

- Collin College will provide each party and the party's advisor, if any, with an equal opportunity to access the evidence that is relevant to the allegation(s) in the following manner:
 1. Collin College will provide the parties an equal opportunity to access the **relevant and not otherwise impermissible evidence** in the form of an *Investigation Report*.
 2. Collin College will further provide the parties with an equal opportunity to access the **relevant and not otherwise impermissible evidence** upon the **request** of any party.
 3. Collin College will provide a reasonable opportunity to review and respond to the evidence contained in the *Investigation Report*.

INVESTIGATIVE INTERVIEWS

- The investigator(s) will contact the parties and witnesses to request they schedule meetings for investigative interviews.
- This communication will be made through one (1) or more of the following methods:
 1. A written communication sent to the individual's Collin College email account;
 2. A written communication sent to the individual's personal email account, if the individual is not a Collin College student or employee and/or the individual requests that communication be sent through this method;
 3. A letter mailed to the individual's address as listed with the Student and Enrollment Services Office or Human Resources Department (HR);
 4. A letter hand-delivered to the individual on campus by the investigator(s). The investigator(s) will document the date, time, and place of hand-delivery; and/or
 5. A phone call to the individual's number as listed with the Student and Enrollment Services Office, Human Resources Department (HR), or provided to the investigator(s).

INVESTIGATIVE INTERVIEWS (CONT.)

- If a party or witness does not respond to the investigator(s)'s communication within 10 College District business days, the investigator(s) will attempt to contact the individual one (1) more time through at least one (1) of the methods listed on the previous slide.
- If a party or witness does not respond to this second communication within 10 College District business days, the investigator(s) will proceed with the investigation.
- The investigator(s) will meet separately with the complainant and their advisor (if the complainant elects to provide their own advisor during the grievance procedures), respondent and their advisor (if the respondent elects to provide their own advisor during the grievance procedures), and witnesses either in person or via Zoom or other web conferencing software approved by Collin College.

INVESTIGATIVE INTERVIEWS (CONT.)

- The parties will have equal opportunity to present fact witnesses and other inculpatory and exculpatory evidence that is relevant and not otherwise impermissible.
- For the purposes of complaints against Collin College (i.e., complaints alleging sex discrimination in Collin College's policy or practice), the institution is not considered a respondent.
 - In lieu of meeting with a respondent, the investigator(s) will meet with the appropriate Collin College administrator or designee.
 - The appropriate Collin College administrator or designee will be defined as an employee capable of taking corrective action regarding the complaint.

LINK TO ACCESS A SECURED ELECTRONIC FOLDER

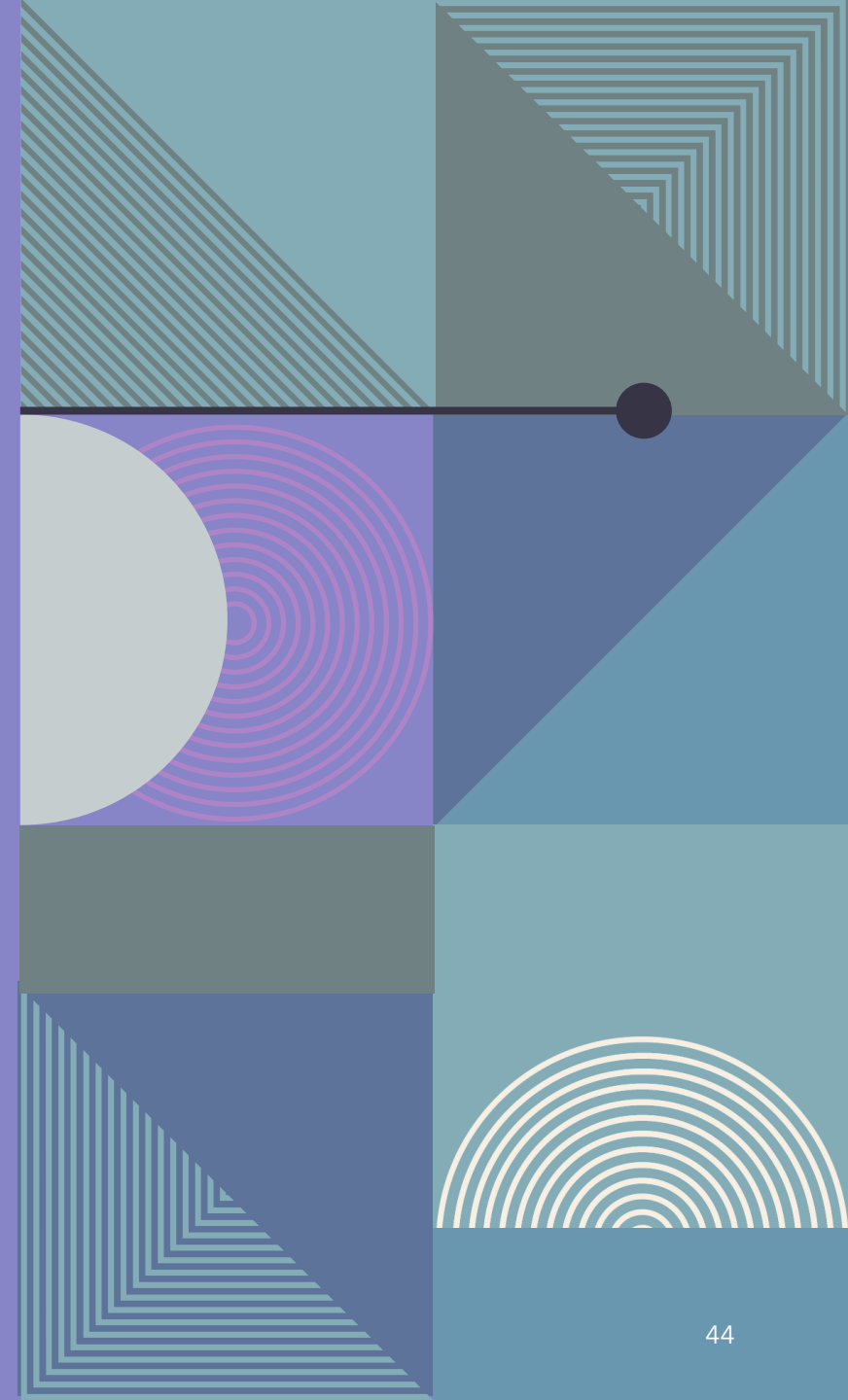
- Prior to writing an *Investigation Report*, the investigator(s) will simultaneously send to both parties and their respective advisors (if the parties elect to provide their own advisors during the grievance procedures) a link to access a secured electronic folder containing all information and evidence that is **relevant and not otherwise impermissible**.
- The investigator(s) will copy the appropriate Title IX coordinator, deputy Title IX coordinator, or designee on this communication.

DRAFT *INVESTIGATION REPORT*

- The investigator(s) will write an *Investigation Report* that fairly summarizes the investigation and includes all evidence that is **relevant and not otherwise impermissible**.
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- The investigator(s) will include all edits and additions received by the stated deadline as addendums at the end of the final document.

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 2. If you send the documents on **Wednesday, December 18, 2023**, the parties will have until **4:30 p.m. on Monday, January 13, 2024**, to submit any edits or additions to the draft *Investigation Report* due to the Winter Break.



FINAL INVESTIGATION REPORT

- The investigator(s) will complete the final *Investigation Report* at least 10 College District business days prior to the start of the Determination stage.
- The investigator(s) will simultaneously send the parties and their respective advisors (if the parties elect to provide their own advisors during the grievance procedures) a copy of the final *Investigation Report* in electronic format or hard copy.
- The investigator(s) will send to the decision-maker(s) a copy of the final *Investigation Report* in electronic format or hard copy.
- The investigator(s) will copy the appropriate Title IX coordinator, deputy Title IX coordinator, or designee when the final *Investigation Report* is sent in electronic format.
- Additionally, the investigator(s) will send to the decision-maker(s) a link to access a secured electronic folder containing all information and evidence that is **relevant and not otherwise impermissible**.
 - The investigator(s) will copy the appropriate Title IX coordinator, deputy Title IX coordinator, or designee on this communication.

PREVENTING UNAUTHORIZED DISCLOSURES OF INFORMATION AND EVIDENCE

- Collin College will take reasonable steps to prevent and address the parties' and/or their respective advisors' (if the parties elect to provide their own advisors during the grievance procedures) unauthorized disclosure of information and evidence obtained solely through the grievance procedures.
- Disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint are authorized.
- However, it is a violation of Collin College policy to release information and evidence obtained solely through the grievance procedures in an unauthorized manner.

PREVENTING UNAUTHORIZED DISCLOSURES OF INFORMATION AND EVIDENCE (CONT.)

So...How Do We Do This?

- When sending the link to the secured electronic folder on OneDrive, make sure you choose the option that says: **"Can't download/Can view, but not download."**
- When sending the draft and final *Investigation Report* to the Complainant, add a **watermark** that says **"COMPLAINANT."**
- When sending the draft and final *Investigation Report* to the Respondent, add a **watermark** that says **"RESPONDENT."**
- To add a watermark in MSWord:
 1. Click on "Design" in the toolbar, then click on "Watermark" on the right-hand side.
 2. Click on "Custom Watermark" and change the settings to "Text watermark."
 3. Type in the appropriate text and click on "Apply."
 4. If the watermark is not dark enough, you can change the color to a darker gray under the "Custom Watermark" options.

INVESTIGATOR(S)'S ROLE DURING THE DETERMINATION STAGE

- The Determination stage will begin promptly 10 College District business days after the final *Investigation Report* is sent to the parties and their respective advisors (if the parties elect to provide their own advisors during the grievance procedures) and the decision-maker(s).
- The decision-maker(s) will meet separately with the complainant and their advisor (if the complainant elects to provide their own advisor during the grievance procedures), respondent and their advisor (if the respondent elects to provide their own advisor during the grievance procedures), and witnesses either in person or via Zoom or other web conferencing software approved by Collin College.
- The decision-maker(s) will conduct meetings with the parties and witnesses as necessary to provide an opportunity for questioning and credibility assessment.
- The investigator(s) will not be required to meet with the decision-maker(s); however, the investigator(s) should be available via phone and/or email to answer questions and/or provide clarification regarding the investigation.

QUESTION & ANSWER SESSION

