



SESSION 2: PUTTING YOUR KNOWLEDGE INTO PRACTICE

Work Sheets

A. You are the Title IX Coordinator.

1. Evaluation -- Is this a complaint that triggers the College's obligation to respond?

- a. Under the final Title IX regulations?
- b. Under Illinois state law?
- c. If not a complaint, what elements are missing under the final Title IX regulations?
- d. What should the College do in response to the report?
- e. How should College respond if the report is anonymous?

2. Investigation – If complaint proceeds to investigation,

- a. What information does the letter of notification include?
- b. Who would you interview?
- c. What evidence would you seek?
- d. Are medical records confidential and privileged?
- e. What does the investigation file need to include?

3. Interviews

- a. What information should be included in the introduction to the interview?
- b. Was the format of the questions appropriate?
- c. Was the interview conducted in a culturally sensitive manner?
- d. Was any information missing from the interview that is important to the investigation?

- e. Was it appropriate to ask about the Complainant's prior sexual history?
- f. After each interview, what follow-up information will you seek from the interviewee?
- g. After each interview, are there additional witnesses to be interviewed?
- h. How much did each of the parties and witnesses have to drink on the night in question?
- i. Did the interviewees seem credible? Why or why not?

4. Preparation of Investigative Report

- a. List the inculpatory evidence for the Complainant.
- b. List the inculpatory evidence for the Respondent.
- c. List the exculpatory evidence for the Complainant.
- d. List the exculpatory evidence for the Respondent.
- e. Rank the evidence in terms of reliability (from most reliable to least reliable).
- f. Write the analysis and conclusion, including a conclusion as to whether the preponderance of the evidence supports that the Respondent violated the University policy.

B. You are the hearing officer.

1. What questions do you want to ask at the hearing?

- a. To the Investigator?
- b. To the Complainant?
- c. To the Respondent

- d. To each of the Witnesses?
- e. Is there any information missing from the report?
- f. Is the tone of the report appropriate?
- g. Is the report clearly organized?

2. Prepare an analysis and conclusion to the report

- a. List the inculpatory evidence for the Complainant.
- b. List the inculpatory evidence for the Respondent.
- c. List the exculpatory evidence for the Complainant.
- d. List the exculpatory evidence for the Respondent.
- e. Rank the evidence in terms of reliability (from most reliable to least reliable).
- f. Write the analysis and conclusion, including a conclusion as to whether the preponderance of the evidence supports that the Respondent violated the University policy.