



Conducting Fair and Thorough Trauma-Informed Investigations

Independent Colleges &
Universities of Texas

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MEET YOUR FACILITATORS



Chantelle Botticelli

Chantelle Cleary Botticelli is the Senior Director of Strategic Partnerships and Client Relations.

Chantelle is a nationally-recognized subject matter expert in TIX and related fields with over 15 years of experience in the investigation and adjudication of sexual and interpersonal violence. She lectures extensively throughout the country on Title IX, the Violence Against Women Act, harassment, and the implementation of best and emerging strategies in the industry.



Martha Compton

Martha is the Director of Strategic Partnerships and Client Relations. Martha consults and trains nationally on Title IX and student conduct and has previously served as a technical trainer for Department of Justice VAWA campus grantees. Martha is a former President of the Association for Student Conduct Administration, has been a faculty member for ASCA's Gehring Academy, and was part of the core team that developed ASCA's Sexual Misconduct Institute. A student conduct professional for over 20 years, Martha is also a former dean of students and has extensive experience in residence life, behavior intervention, emergency services, orientation, leadership, and working with student organizations.



DAY ONE AGENDA



Title IX's Requirements:
Quick Review



The Proper Application of
Trauma- Informed
Practices



The Importance of
Understanding the
Potential Impact of Trauma



Developing an Investigative
Strategy

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TITLE IX'S REQUIREMENTS FOR INVESTIGATIONS

01

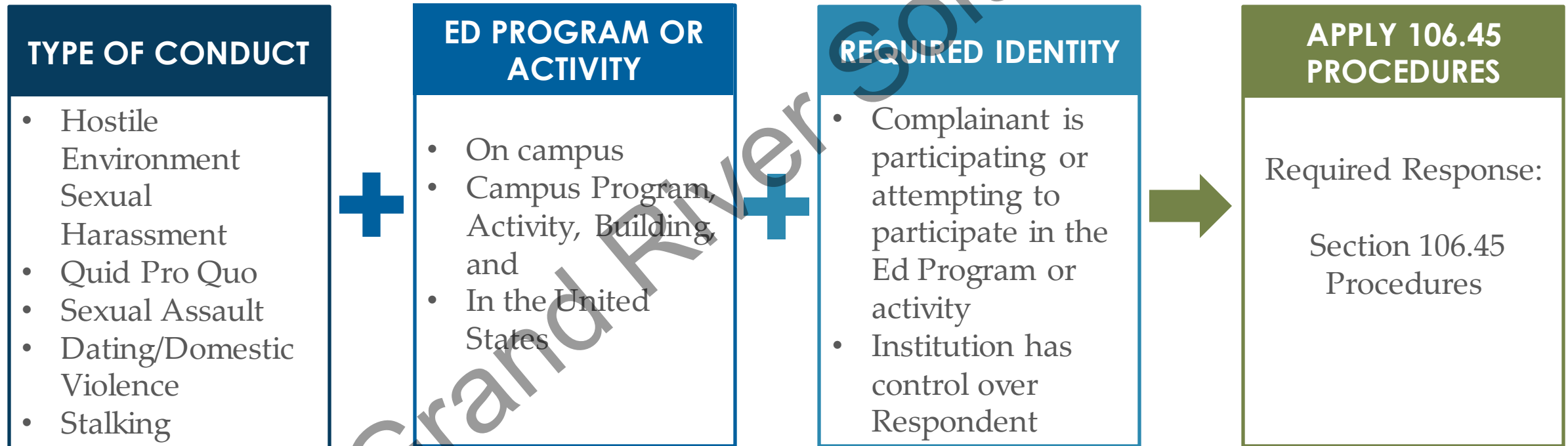
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TITLE IX OF THE EDUCATION AMENDMENTS ACT OF 1972



- "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." 20 U.S.C. § 1681 (1972).

TITLE IX APPLICATION POST MAY 2020 REGULATIONS



CURRENT PROCEDURAL REQUIREMENTS FOR INVESTIGATIONS

Notice to both parties

Equal opportunity to present evidence

An Advisor of Choice

Written notification of meetings, etc., and sufficient time to prepare

Opportunity to review all directly related evidence, and 10 days to submit a written response to the evidence prior to completion of the report

Report summarizing relevant evidence and 10-day review of report prior to hearing



THE PROPER APPLICATION OF TRAUMA INFORMED PRACTICES

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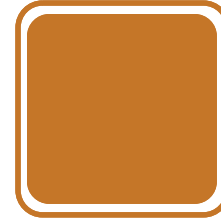
TRAUMA INFORMED PRACTICES PROVIDE TOOLS/TECHNIQUES FOR INTERVIEWING AND ENGAGING WITH THE COMPLAINANT, RESPONDENT AND WITNESSES.

Format/Structure of the Interview

Format of questions

Approach to Clarification

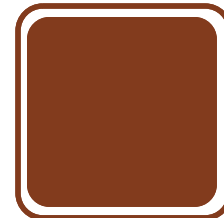
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Format/Structure of the Interview



Format of questions



Approach to Clarification

TRAUMA INFORMED PRACTICES ARE DESIGNED TO:

Encourage thorough and complete investigations

Assist with recollection

Assist with recounting

Reduce potential for false information

Minimize unnecessary re-traumatization

Reduce Bias

MISAPPLICATION OF TRAUMA INFORMED PRACTICES

It is a misapplication of trauma informed principles to allow potential evidence of trauma to:

- Influence the interpretation of a specific item of evidence;
- Substitute for missing evidence;
- To serve as a justification for not doing a full and thorough investigation;
- Cause a biased belief in the veracity of one or more party.

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THE IMPORTANCE OF UNDERSTANDING THE POTENTIAL IMPACT OF TRAUMA

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AN EVENT THAT IS EXPERIENCED AS TERRIFYING, HORRIFYING, OR THREATENING AND THAT IS COUPLED WITH AN ACTUAL OR PERCEIVED LACK OF CONTROL.

TRAUMA

EXAMPLES OF EVENTS THAT MIGHT TRIGGER A TRAUMATIC RESPONSE

Sexual Assault

Physical Assault
by a Stranger

Physical Assault
by an Intimate
Partner

A Car Accident

Accident that
causes serious
injury or death

Robbery

Significant
medical event

WHEN TRAUMA OCCURS, THERE ARE VERY
REAL CHANGES IN BRAIN FUNCTION THAT
MAY AFFECT A PERSON'S ABILITY TO MAKE
MEMORY AND TO RECOUNT THEIR
EXPERIENCE.

COMMON CHARACTERISTICS OF DISCLOSURES BY A TRAUMA BRAIN



Historically, the seemingly inconsistent behaviors that frequently accompany disclosures of sexual assault and interpersonal violence resulted in the belief that the victim was being dishonest.

Inconsistencies
Lack of Detail
Non-Linear
Fragmented
New Information

Not Credible

The Historical Conclusion...

False Report
Regretted Sex
Not Provable

Investigation
CLOSED

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WHEN AN INVESTIGATOR USES “TRAUMA INFORMED” TOOLS, THEY ARE LESS LIKELY TO:

Conclude, without a thorough investigation, that the reporting individual is Not Credible

Ask questions or make decisions founded in bias

Cause additional harm

Jeopardize future reporting

WHEN PRESENTED WITH THE FOLLOWING CHARACTERISTICS IN A DISCLOSURE

- Inconsistencies
- Lack of Detail
- Non-Linear
- Fragmented
- New Information

An investigator who understands trauma will...



Continue their
investigation.

THE FUTURE...

An understanding of trauma and its potential impact should encourage investigators to keep an open mind, and it should prevent investigators from immediately interpreting seemingly inconsistent behaviors with lack of credibility or reliability. An understanding of trauma provides another explanation for these seemingly inconsistent behaviors.

This is essential to a fair and thorough investigation.



DEVELOPING AN INVESTIGATIVE STRATEGY

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ESSENTIAL STEPS OF AN INVESTIGATION



Review Notice of Allegations and Formal Complaint



Initial Interviews



Evidence Collection



Evidence Review



Additional Evidence Collection/Follow Up Interviews



Report Writing

UNDERSTAND THE SCOPE OF THE INVESTIGATION



Review the Notice of Allegations
and the Formal Complaint



Ask questions if unsure

IDENTIFY THE CLAIMS AND WHAT NEEDS TO BE PROVEN

- What will the decision maker be asked to decide?
- What does the formal complaint allege?
- What are the elements of each act of prohibited conduct alleged?

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BREAK OUT 1

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IDENTIFY THE ELEMENTS...

- 1- Breakout into small groups
- 2- Identify a scribe
- 3- As a group read the definition of the act of prohibited conduct assigned
- 4- With your group, identify the elements
- 5- Be prepared to share out

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PROHIBITED CONDUCT

1

Rape. The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

2

Stalking: Occurs when a person engages in a course of conduct directed at another person that would cause a reasonable person to fear for their safety or the safety of another, or experience material emotional harm.

3

Sexual Harassment: Unwelcome conduct of a sexual nature that is severe, pervasive, and objectively offensive and impacts a person's ability to participate in the educational program or activity

RAPE

Did Respondent penetrate Complainant's vagina or anus, with any body part or object, or oral penetration by a sex organ of another person?

Without Complainant's affirmative consent?

Lack of affirmative consent?

Force?

Incapacitation?

Etc...

STALKING



Did Respondent engage in a course of conduct?

Was that course of conduct directed at Complainant?

Would Respondent's conduct cause a reasonable person to either

1. Fear for their safety or the safety of others, or
2. Suffer substantial emotional distress

SEXUAL HARASSMENT



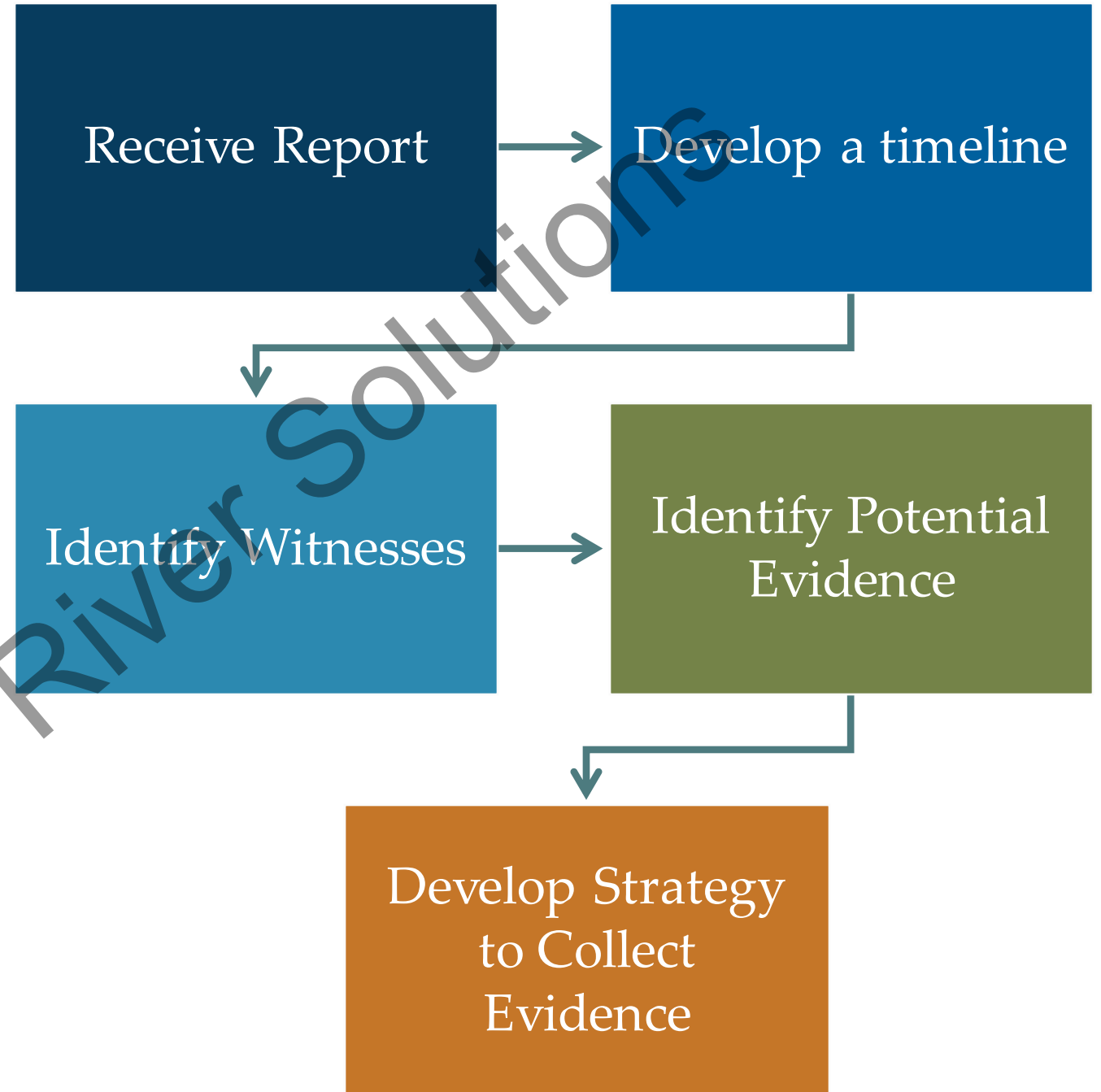
Did Respondent engage in unwelcome conduct?

Was it severe, pervasive, or objectively offensive?

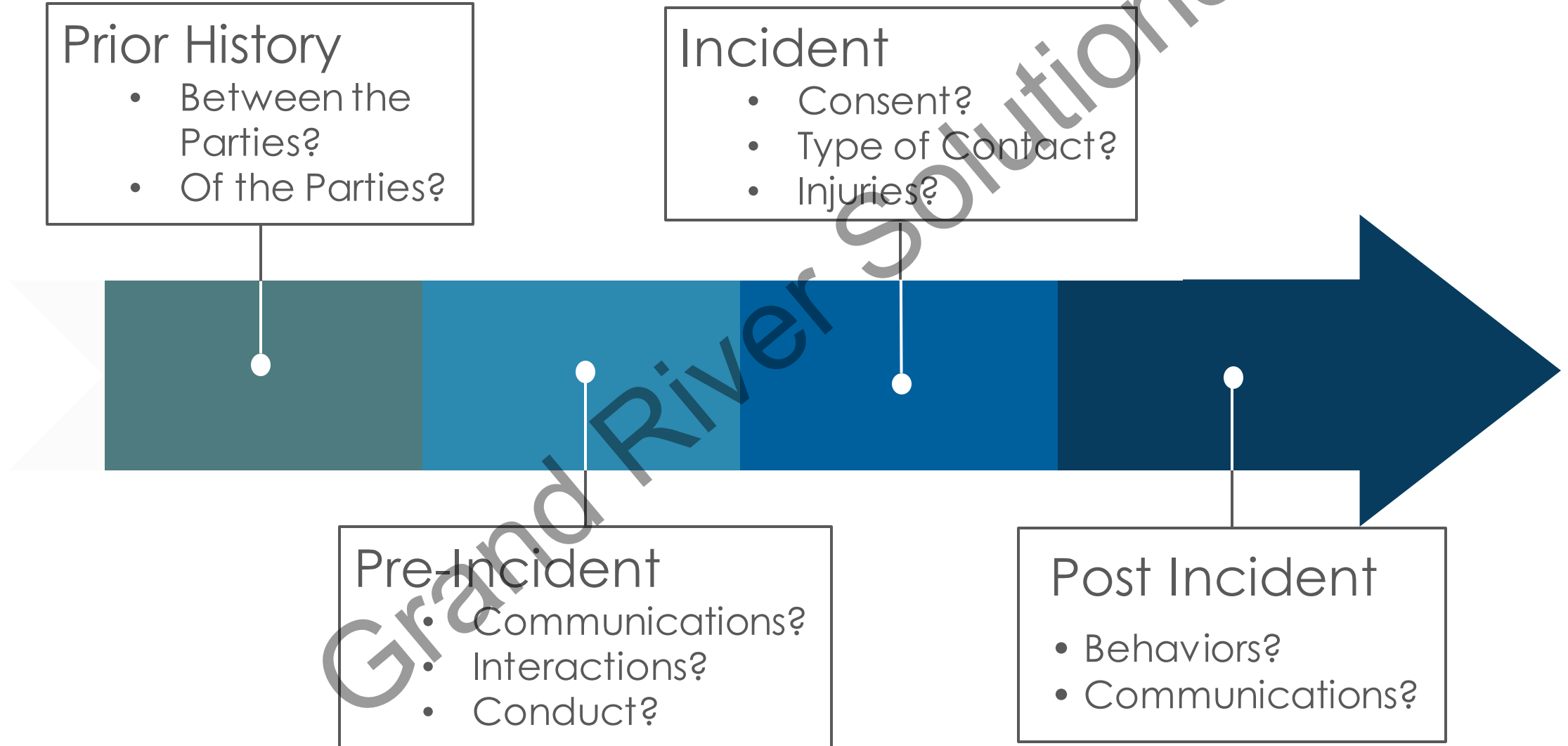
Did the conduct impact Complainant's ability to access the educational program or activity?

THE PROCESS

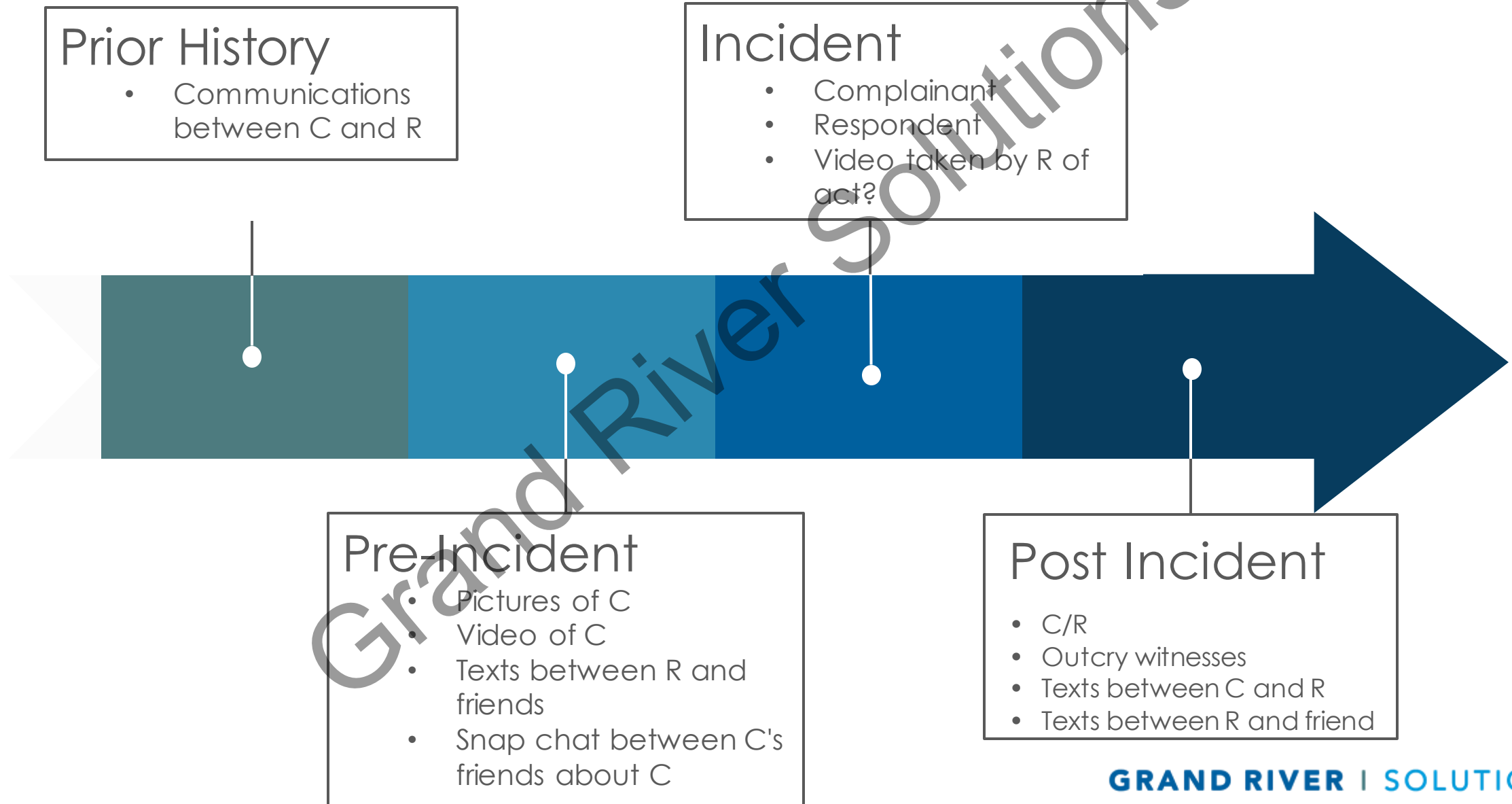
DEVELOPING AN
INVESTIGATIVE STRATEGY



INVESTIGATION TIMELINE



INVESTIGATION TIMELINE



BREAK OUT 2

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DEVELOP AN INITIAL INVESTIGATIVE STRATEGY

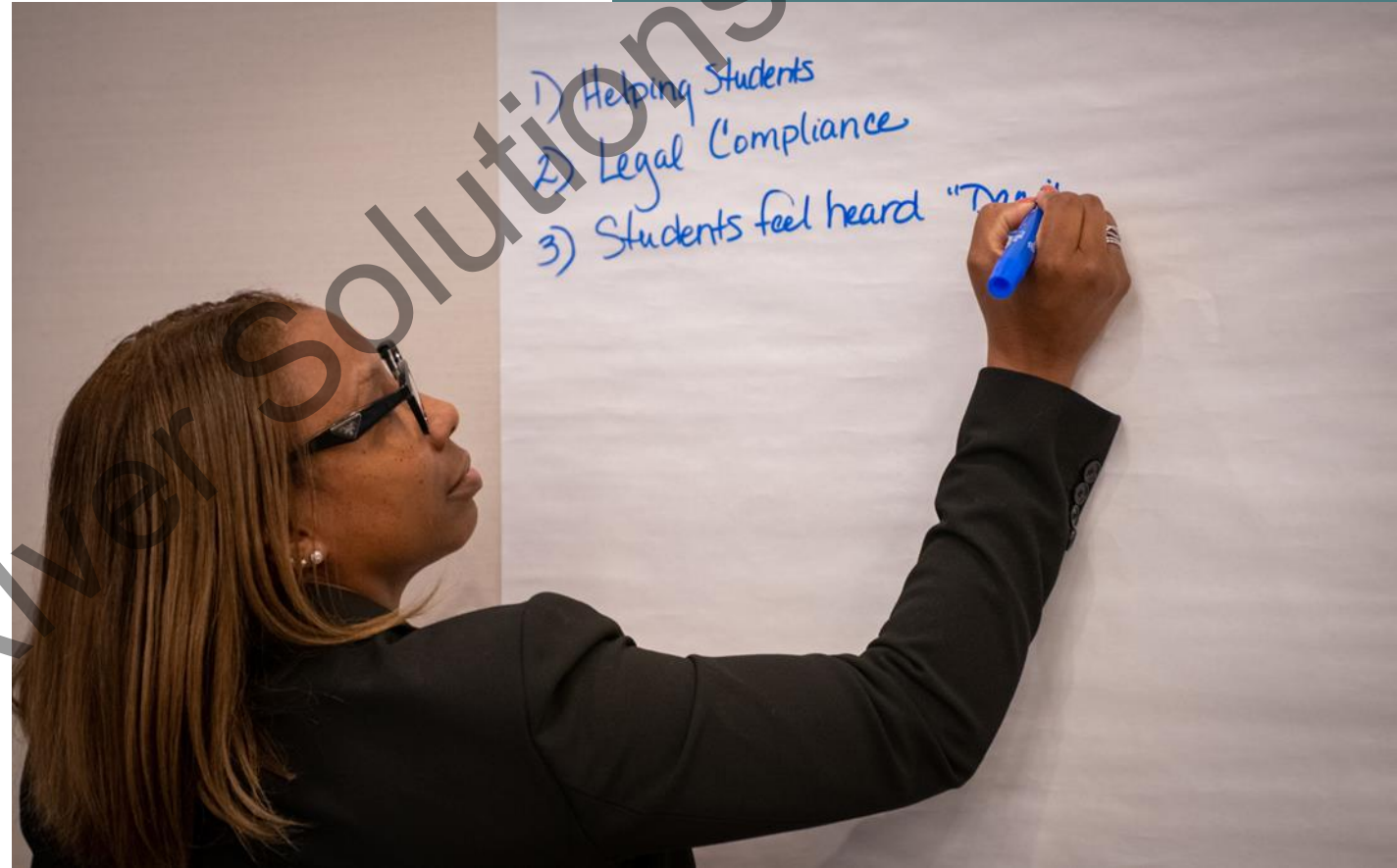
1. Get into small groups
2. Select a scribe
3. Review the report
4. Develop an initial investigative strategy

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DEVELOP AN INITIAL INVESTIGATIVE STRATEGY

On Saturday I was drinking in my dorm room with my friends Darci and Omar. At around 11, Gavin hit me up and invited me to his frat house off-campus. The three of us decided to go and we called an uber. When we got there, we joined the beer pong tournament and I partnered with Gavin. We kept winning, but the games were close and so I drank a lot. At some point my memory just goes blank. The last thing I remember was taking a shot of fire ball off of some girls stomach. My next memory is waking up in a room I didn't know. My pants were off and my vagina hurt. Gavin was next to me and he was naked and asleep. I quickly got dressed and left. When I got outside, I checked my phone and I had a bunch of text messages in our group chat asking me where I was and if I survived and if I was ok. There were pictures of me passed out on a couch. I called my friend Kerri to come pick me up and she did. Later that day I messaged Gavin and asked him what happened. He said we had sex. I have no recollection of even going to his room, let alone consenting to sex.

THE IMPORTANCE OF ORGANIZATION



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DAY TWO AGENDA

1

Investigative Interviews

2

Evidence Collection & Assessment

3

The Investigative Report & Record



INVESTIGATIVE INTERVIEWS

01

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Interview Objectives



Connect

Build rapport, Build trust, Empower



Listen

Allow interviewee to share their experience



Clarify

Understand what you have heard
Seek additional information



Evidence Preservation

Text Messages
Photographs
Names and contact info for witnesses

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PRIOR TO THE INTERVIEW

Secure an appropriate meeting location

Allow for enough time to conclude the meeting

If interviewing a party, inform them of their right to have an advisor present

Prepare for the meeting

Areas of focus? Other evidence? Go back review what you have

Provide Written Notice of the Meeting

Advise the parties/witnesses that you will be collecting evidence

SET EXPECTATIONS

What they should expect of you:

- That you are neutral
- That you will listen, what they are saying is important to you
- That you will keep the information they share private
- What you will do with recording/notes
- That you may have to ask difficult questions
- Patience, respect, and appreciation
- This will not be their only opportunity to speak with you
- Prepare the parties for follow up interviews and the “shift”

What you should expect of them:

- Honesty
- That they will seek clarity if needed (give them permission to do so)
- That they won't guess or fill in blanks

HOW DO WE...



• Build Trust?

• Empower?



RAPPORT AND TRUST

Exhibiting Expertise

Clear Introduction

Exhibiting Empathy

Preparedness

Transparency

EMPOWERMENT



Duration

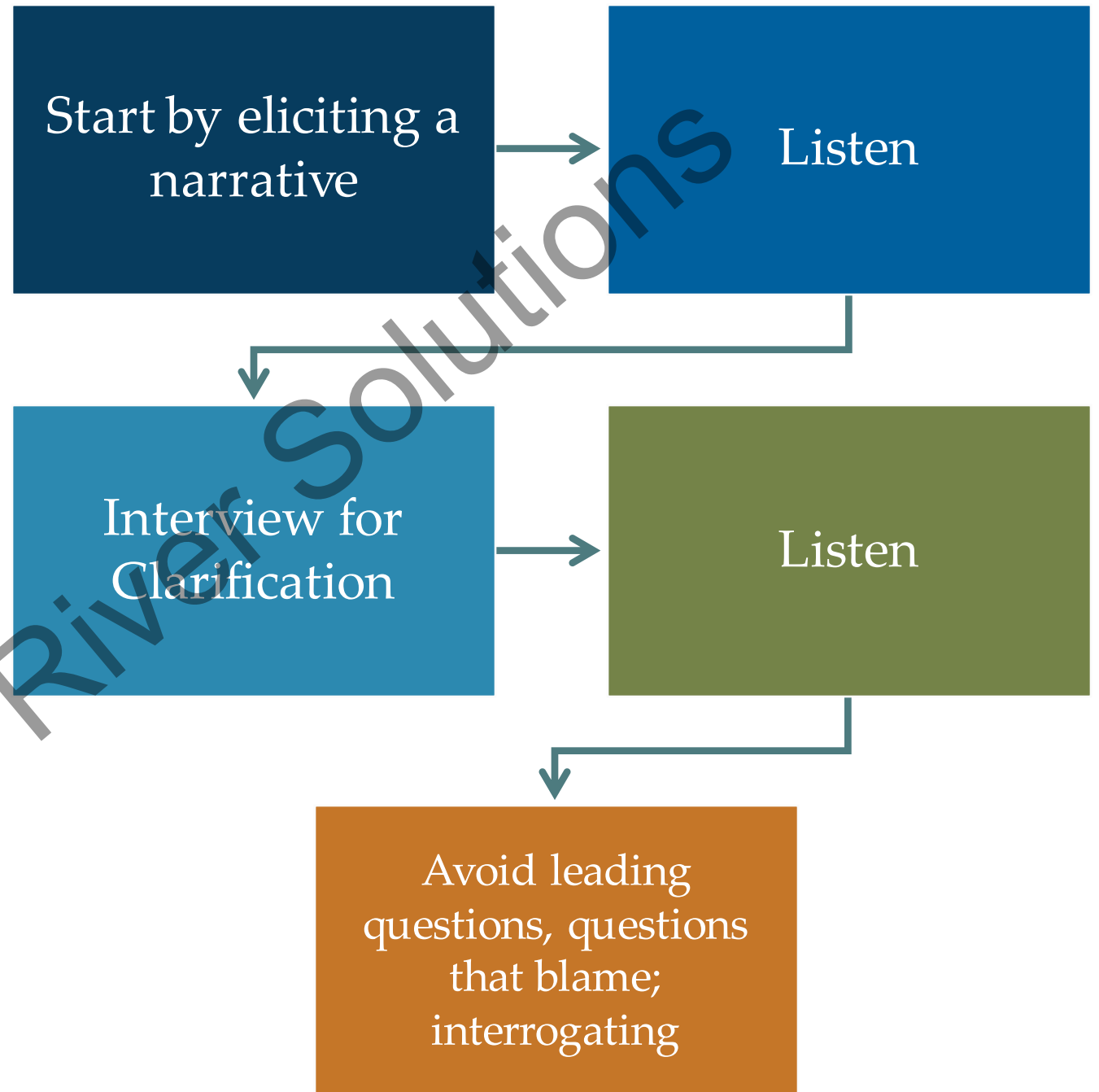
Permission to ask questions

Space

Clear expectations

Permission to seek clarity

INVESTIGATIVE INTERVIEWS



Start the interview by eliciting a narrative...

Help me understand your experience?

Start where you are comfortable and share what you are able to remember.

What are you able to tell me about your experience?



Allow the person to speak uninterrupted. This takes patience.

NEXT, ASK QUESTIONS THAT ARE INTENDED TO CLARIFY AND MORE DEEPLY EXPLORE THE INFORMATION AND DETAILS PROVIDED BY THE PERSON IN THEIR NARRATIVE.

Do Ask:

- Interview for clarification
- Help me understand?
- Can you tell me more about...?
- Is there anything else you can share about...?

Avoid:

- Interrogation
- Questions that blame
- Questions that imply doubt
- Leading questions



Capture the Entire Experience

- Ask about the physical and emotional reactions to the incident.
- Conclude with very open-ended questions:
 - What was the most difficult part of this experience for you?
 - Is there something that stands out/that you just can't stop thinking about?
 - Is there anything more that you would like me to know?

THE BEFORE

At some point during the interview, it is also important to explore the prior history, if any, between the complainant and the respondent, and the history of the parties, individually.

AND THE AFTER

It is also important to explore the events following the incident.

Oftentimes, the best evidence is produced after the incident.

-
- The parties' psychological reactions
 - Changes in behavior
 - Witnesses to the psychological reaction
 - "Has anyone expressed concern about you since the assault?"
 - Communication/contact between the complainant and respondent

Throughout the Interview



Explain your questions, especially the difficult ones.

How much did you drink? What they hear: this is your fault because you were drinking.



Do not ask leading questions.



Watch your tone.



Do not rush.



LISTEN!!!!!!!!!!



Pay attention to and document information that might lead to additional evidence.



Document questions asked. Especially when a response is not provided.

At the Conclusion of the Interview



Discuss submission of evidence.



Explain statement review process.



Explain next steps in the process.



Keep the lines of communication open.



Review available support, privacy requirements, and prohibition against retaliation.

After the Interview: Actions



Memorialize the Interview in writing.

Notes
Summary
Transcript

Provide opportunity for the party or witness to review it.



Provide opportunity for party or witness to provide a response.



Incorporate the response.

A NOTE ABOUT WITNESSES SUMMARIES

01

The reader of any report should not know of the investigator's presence in the summary; for example, report should not say "I then asked . . ."

02

Use interviewee's words and put the words in quotes if it is their words

03

Avoid conclusory words, or words that suggest that the investigator has an opinion about the information offered

AFTER THE INTERVIEW: REFLECTION



Reflect.



Is there something you missed or forgot to ask?



Do you need clarity on any of the information shared?



Has this interview revealed additional evidence that you want to explore or collect?



Has evidence of additional policy violations been shared?

FOLLOW UP INTERVIEWS

Seek Clarification

Explore Inconsistencies

Explore contradictory evidence

Explore difficult issues

Opportunity to respond

FOLLOW UP INTERVIEW APPROACH

01

Explain the purpose of the follow up.

02

Set the stage for the topics you will be covering.

03

Prepare the interviewee for "the shift."

04

Do not avoid asking the hard questions.

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The “Hard” Questions

Details about the sexual contact

Seemingly inconsistent behaviors

Inconsistent evidence/information

What they were wearing

Alcohol or drug consumption

Probing into reports of lack of memory

How to Ask the Hard Questions

Lay a foundation for the questions.

- Explain why you are asking it
- Share the evidence that you are asking about, or that you are seeking a response to

Be deliberate and mindful in your questions:

- Can you tell me what you were thinking when....
- Help me understand what you were feeling when...
- Are you able to tell me more about...

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What Questions Do You Have for Quinn?

“Casey and I have been friends for a few weeks. On Friday night, we were hanging out alone in my room, watching a movie. We started to make out, and I was ok with that. After making out for a while, Casey started touching me down there. Then Casey tried to have sex with me. Casey knew that I didn't want to have sex but kept trying anyway. Casey was being really coercive, and so I just went along with it. Casey raped me and I want Casey to be held accountable.”

WHAT QUESTIONS DO YOU HAVE FOR BARRI?

“When I got to the party, I was already lit. I kept letting Marc get me drinks anyway. At some point, I just kinda don’t remember anything. And then I woke up in Marc’s bed and it was morning. I had all my clothes on, but I know someone had sex with me. I could feel it. I just wanted to go, so I did. Before I left Marc woke up and tried to talk to me but I wasn’t hearing it. He looked guilty and I could tell he felt bad.”

WHAT QUESTIONS DO YOU HAVE FOR COLIN?

“Pat and I have been together for about a month and have been intimate for the last two weeks. We went out with my friends on Friday night and Pat got really drunk. At some point we ran into my ex and Pat was really jealous, so we left. When we got back to my place, I thought things were fine. We started hooking up and all of a sudden Pat's mood changed. Pat got really aggressive and choked me. He was so angry and I was so scared.”



EVIDENCE COLLECTION AND ASSESSMENT

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EVIDENCE

“Something (including testimony, documents, tangible objects) that tends to prove or disprove the existence of an alleged fact; anything presented to the senses and offered to prove the existence or non-existence of a fact.”

Black's Law Dictionary

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TYPES OF EVIDENCE

01

Direct Evidence

Evidence that is based on personal knowledge or observation and that, if true, proves a fact without inference or presumption.

02

Circumstantial Evidence

Evidence based on inference and not on personal knowledge or observation.

03

Corroborating Evidence

Evidence that differs from but strengthens or confirms what other evidence shows

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LAST PERSON STANDING: PART 1

1. Get into small groups
2. Select a scribe
3. When I say go, you and your team will have 90 seconds to list as many items of evidence as you can.
4. Please include one item per sticky note.
5. Only the scribe can write.
6. When I say stop, ALL WRITING MUST STOP!

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EVIDENCE

Testimony

Text Messages

Social Media Posts
and Messages

Emails

Surveillance

Videos

Photographs

Police Body
Camera Footage

Swipe Records

Medical Records

Phone
Records

Audio
Recordings

EVIDENCE COLLECTION



Identify the items of evidence that you would like to obtain.



Develop an intentional strategy for obtaining that evidence.



Overcome barriers to evidence collection.



Considerations about collecting certain types of evidence.

**A THOROUGH
INVESTIGATION**

**IS MORE THAN
EVIDENCE
COLLECTION**

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EVALUATING THE EVIDENCE

Is it relevant?

Is the evidence important, or of consequence, to the fact-finding process?



Is it authentic?

Is the item what it purports to be?



Is it credible/reliable?

Is the evidence worthy of belief and can the decision maker rely on it?



What weight, if any, should it be given?

How important is the evidence to the fact-finding process?

BREAK OUT 3

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HAVE A CHAT



If the investigator is not making findings, why is it important for the investigator to evaluate and assess the evidence during their investigation?

A Thorough Investigation Permits the Decision Maker to Assess



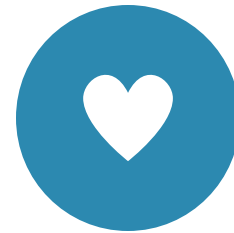
Relevance



Credibility



Reliability



Authenticity



Weight

“RELEVANT” EVIDENCE

The Department declines to define “relevant”, indicating that term “should be interpreted using [its] plain and ordinary meaning.”

See, e.g., Federal Rule of Evidence 401 Test for Relevant Evidence:

“Evidence is relevant if:

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

EVIDENCE THAT IS NOT “RELEVANT”

1. “Questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant,
 1. unless such questions and evidence about the complainant’s prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
 2. if the questions and evidence concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent.”
2. “require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.”
3. Physical and mental health records and attorney-client privileged communications would fit within scope of this prohibition

ASSESSING RELEVANCE

Why does it matter?

Unsure about the relevance about a particular item of evidence?
Ask the person who has proffered it.

Character Evidence

Polygraph Evidence

Opinion Evidence

OPINION EVIDENCE

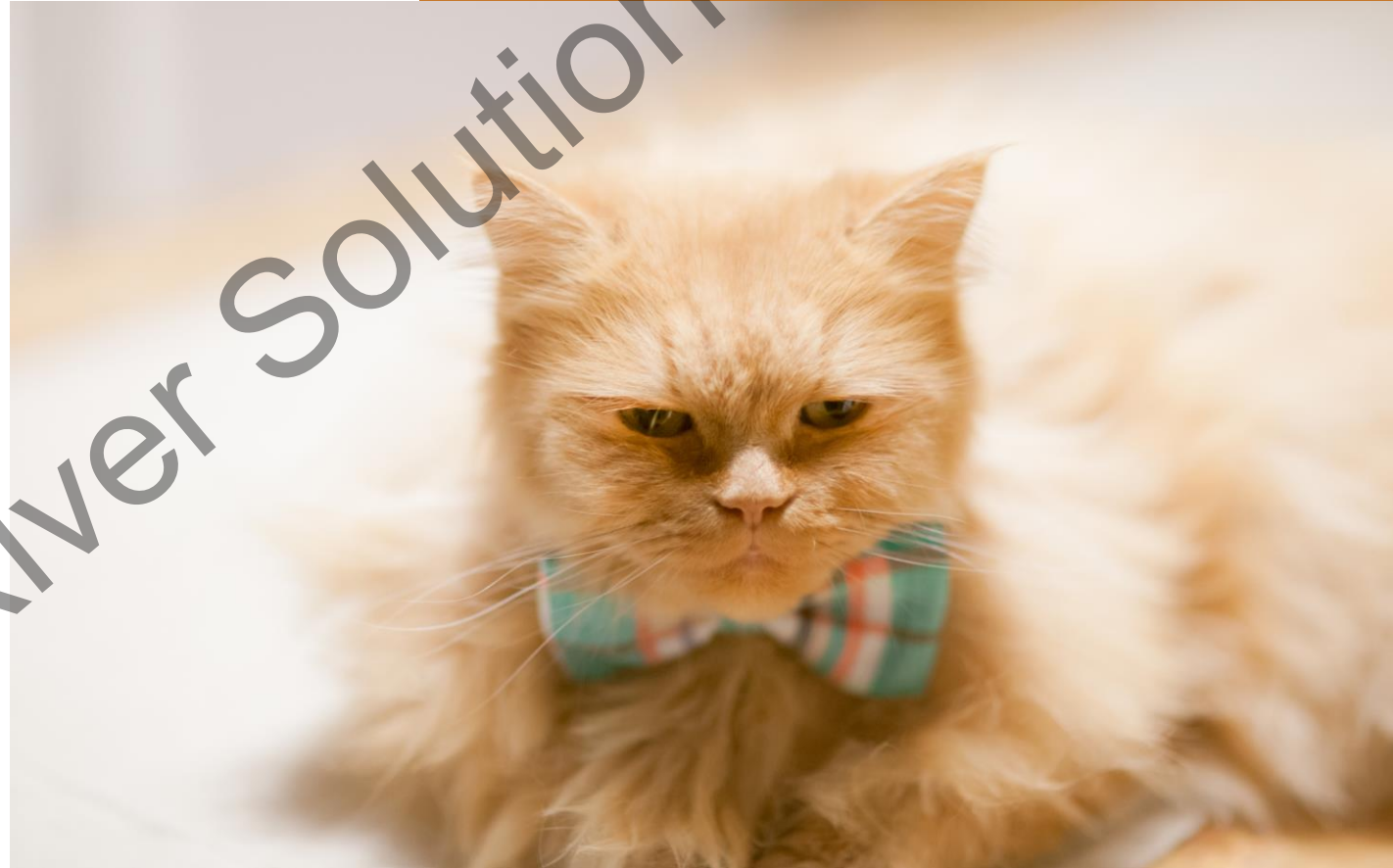
When might it be relevant?

How do you establish a foundation for opinion evidence so that the reliability of the opinion can be assessed?

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BREAK OUT 2

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OPINION EVIDENCE

1. Get into small groups
2. Discuss the following questions:
 1. What are the opinions here?
 2. What questions might you ask in follow up?

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OPINION EVIDENCE: TRY IT!

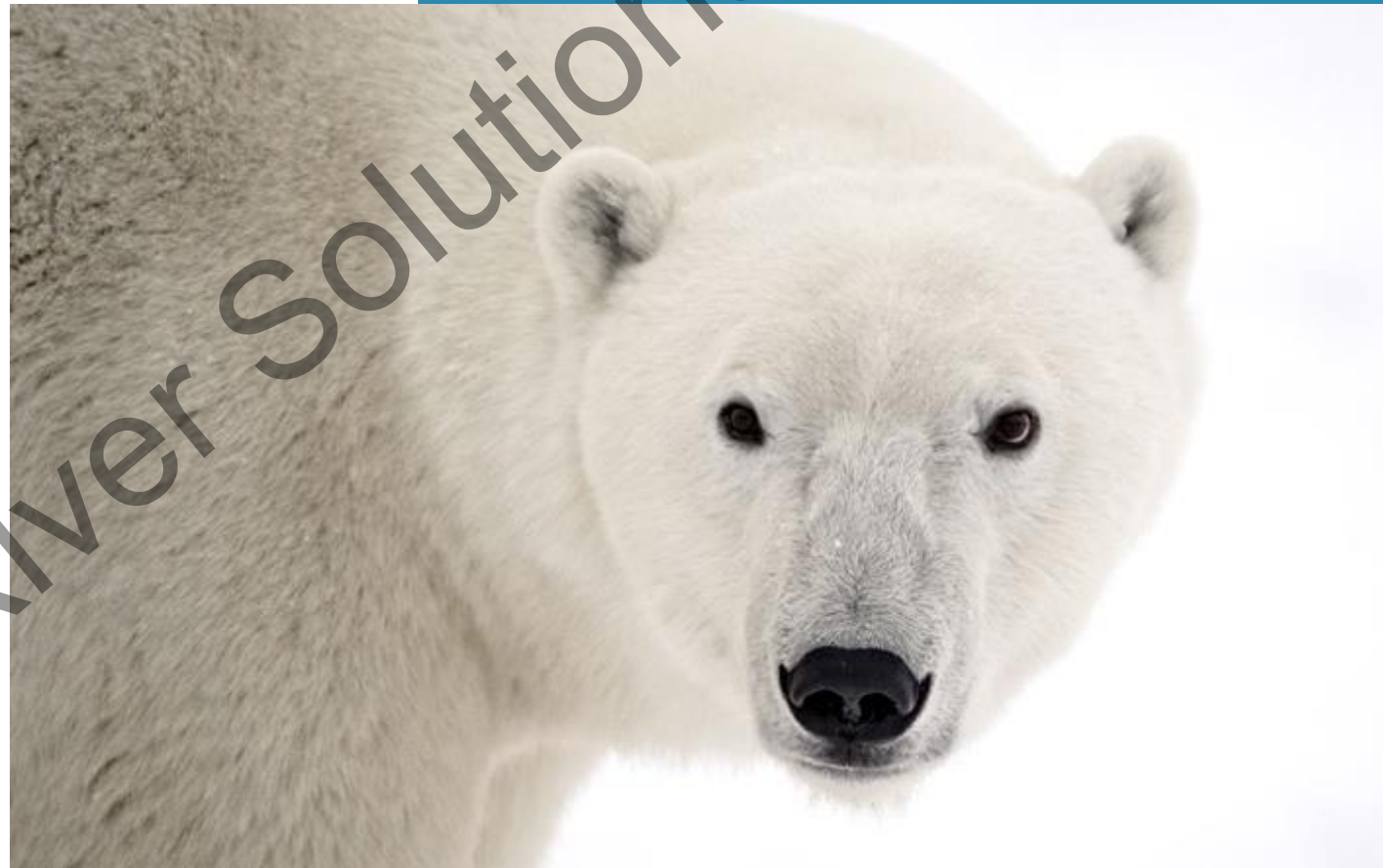
You are investigating an allegation that Casey had sex with Taylor when Taylor was incapacitated. You interview several witnesses, one of whom made the following statement:

“I got to the party pretty late, and Taylor was already lit.”

“Taylor was wasted. Like totally messed up. There is no way they could have given permission for sex”

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WHAT DO YOU DO?

Complainant provides you with screen shots of text messages between her and respondent wherein respondent apologizes for hurting her. She wants these messages to be included as an item of relevant evidence.

What questions do you have for her that will assist the decision maker with assessing authenticity?

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ASSESSING AUTHENTICITY

Investigating the products of the Investigation



Never assume that an item of evidence is authentic.



Ask questions, request proof.





Investigate the authenticity if necessary.


iFake **iFake Text Message**
Create a Fake Text Message Conversation

Text Message Conversation

Name

Message... 

Message... 

Message... 


[+ Add Text Message](#)

Battery

Connection

Settings

Spectrum
Get our best with no contracts ever



Sprint LTE 11:43 AM 75% 

[← Messages](#) [Details](#)



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IS IT AUTHENTIC?



Question the person who offered the evidence



Have others review and comment on authenticity



Request Originals



Obtain originals from the source



Are there other records that would corroborate?

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ASSESSING CREDIBILITY AND RELIABILITY

NO FORMULA EXISTS, BUT CONSIDER THE FOLLOWING:

Opportunity
to view

Ability to
recall

Motive to
fabricate

Plausibility

Consistency

Coaching

Character, background,
experience, and training

Bias

BARRIERS TO EVIDENCE COLLECTION

Non-Participating Parties

Uncooperative Witnesses

Uncooperative Advisors

Identity Of Party Or Witness Unknown

Refusal To Share Materials

Materials Lost Or No Longer Accessible

Difficult topics



THE INVESTIGATIVE REPORT AND RECORD

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At the conclusion of the investigation, we must create an investigative report that fairly summarizes relevant evidence.



Relevancy Standard

Relevant Evidence

“Evidence is relevant if:

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

Irrelevant Evidence

Prior sexual history of complainant, with two exceptions

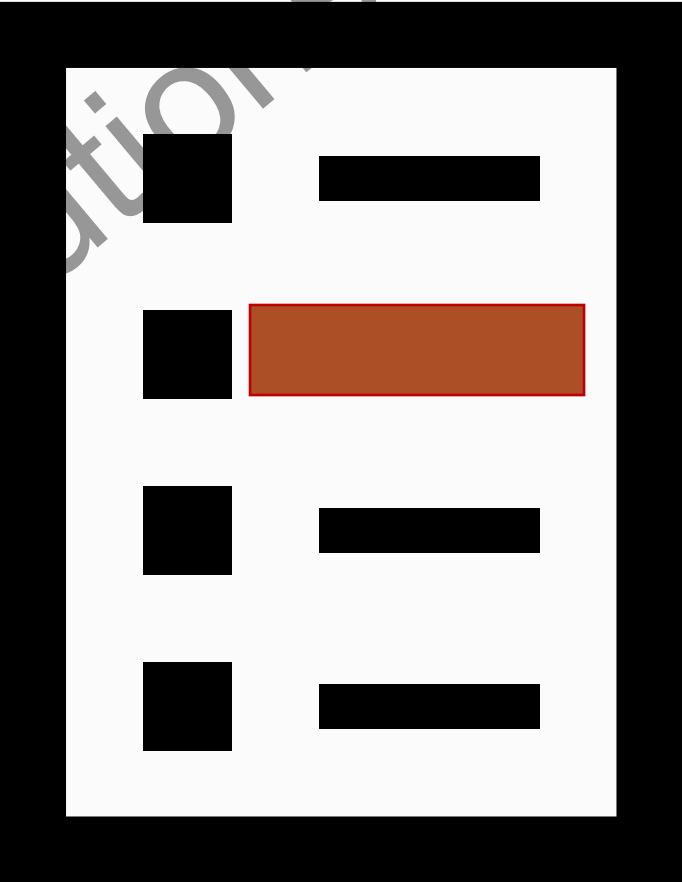
Legally recognized and un-waived privilege.

Records related to medical, psychiatric, psychological treatment

WHO DECIDES?

- “Department emphasizes repeatedly in Preamble that investigators have discretion to determine relevance at this stage of the process.
 - *Subject to parties’ right to argue upon review of “directly related” evidence that certain information not included in investigative report is relevant and should be given more weight.*
- Investigators will have to balance discretionary decisions not to summarize certain evidence in report against:
 - *Each party’s right to argue their case, and*
 - *Fact that decisions regarding responsibility will be made at hearing, not investigation stage.*

REDACTIONS



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ADDITIONAL REQUIREMENTS



Share the report with the parties and their advisors



In electronic format or hard copy



At least 10 days prior to the hearing

THE PURPOSE OF THE REPORT

To allow for advance Review

To allow for advance Preparation

- By the Decision Maker
- By the Parties

Reduce likelihood of bias in final outcome

INTENDED RECIPIENTS

The Parties

The Advisors

The Decision Maker

The Appeal Panel

OTHER RECIPIENTS?

Friends of the parties

Parents

Law enforcement

Attorneys

Judges

Media

Social Media

ESSENTIAL ELEMENTS

Intentionally organized to enhance comprehension

Factually accurate

Concise

Without editorial or opinion

Consistent format

REPORT AND EVIDENCE FILE

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EVIDENCE FILE



Compilation of the evidence



Organized intentionally and consistently



Divided into Appendices



Is attached to the report



Includes a procedural timeline

EXAMPLES OF APPENDICES



Appendix A

Contains all of the party/witness testimony (e.g., transcripts, statements summaries, etc.) that the investigator deems relevant

Appendix B

Contains all of the documentary evidence (e.g., text messages, SANE reports, photographs, etc.) that the investigator deems relevant.



Appendix C

Contains the remaining evidence deemed irrelevant by the investigator, but that is directly related to the allegations in the formal complaint



Appendix D

The procedural timeline

STRUCTURE OF THE REPORT

- Overview of the Investigation
- Statement of Jurisdiction
- Identity of Investigators
- Objective of the Investigation and the Investigation Report
- Prohibited Conduct Alleged
- Witnesses
- Evidence Collected
- Summary of Evidence
- Conclusion

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REPORT STRUCTURE

OVERVIEW

In this section, provide a very brief overview of the case. Include:

- the names of the parties,
- the applicable policy(ies)
- the prohibited conduct alleged,
- the date, time, and location of the conduct,
- a brief description of the alleged misconduct

REPORT STRUCTURE

STATEMENT OF JURISDICTION

1. Cite Jurisdictional Elements

2. State all grounds for
Jurisdiction

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REPORT STRUCTURE

IDENTIFY INVESTIGATORS

1. Identify the investigators by name
2. Investigator's training belongs in file, not in report

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REPORT STRUCTURE

OBJECTIVE OF THE INVESTIGATION & REPORT

1. This language should mirror the language in your policy or procedures.
2. State the objective of the investigation
3. Briefly state that all procedural steps were followed
4. Describe the purpose of the report.

REPORT STRUCTURE

PROHIBITED CONDUCT ALLEGED

1. List the allegations of prohibited conduct in the formal complaint.
2. Include definitions of prohibited conduct from institution's policy/procedures

REPORT STRUCTURE

LIST WITNESSES

1. List those witnesses that were interviewed
2. List witnesses that were identified, but not interviewed
3. Simple List
4. Detailed List

Example of a Detailed List

| Witness Name | Witness identified by: | Information offered |
|--------------|------------------------|--|
| John Doe | Reporting Party | Mr. Doe is the Reporting Party's best friend. He was with the Reporting Party the night of the reported incident. |
| Jane Doe | Investigators | Jane Doe is the Responding Party's roommate. It is believed that she saw the Reporting Party leave the Responding Party's residence immediately following the reported incident. |

REPORT STRUCTURE

EVIDENCE COLLECTED

The final Title IX regulations require that all evidence obtained as part of the investigation that is directly related to the allegations in the formal complaint be shared with the parties and “made available at any hearing to give each party equal opportunity to refer to such evidence during the hearing including for the purposes of cross-examination.”

In this section, list the Evidence or Refer to Appendices

REPORT STRUCTURE

SUMMARY OF EVIDENCE

In this section, include a summary of all relevant evidence. This section can be organized in several ways. It is important that, however organized, the evidence is summarized clearly and accurately, and without opinion or bias. In this section, the writer should cite the evidence and information in the Appendices.

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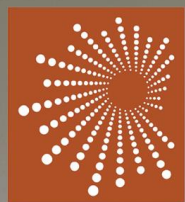
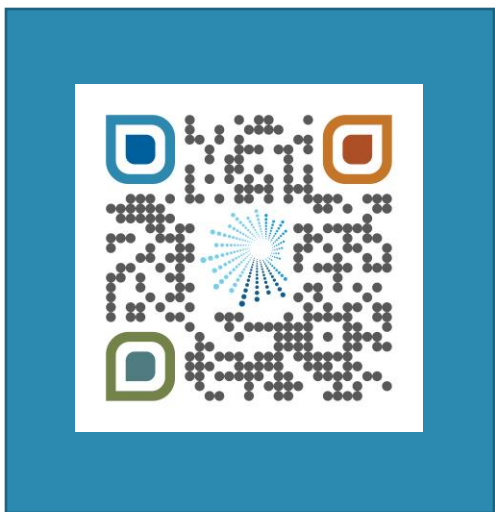
REPORT STRUCTURE

CONCLUSION

In this section, summarize next steps in the process, including any procedural prerequisites for moving the matter forward to a hearing.

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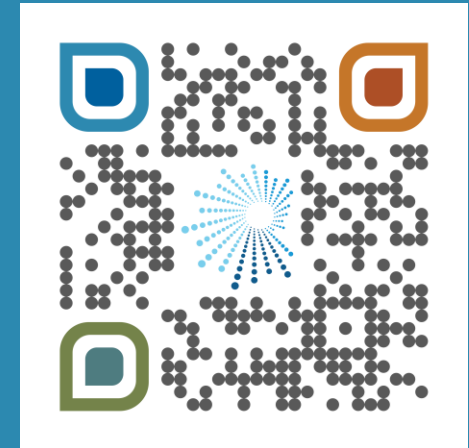
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