**ATIXA TIXKIT INVESTIGATION REPORT TEMPLATES**

**BLANK TEMPLATE 1**

**[INSERT SCHOOL LOGO]**

**[RECIPIENT] INVESTIGATION REPORT**

**CONFIDENTIAL**

**Complaint Date: [Date]**

**Complainant: [Complainant’s Full Name] ([RecipientID])**

**Initial Notice Date: [Date]**

**(if different)**

**Initial Notice Received From: [Third Party’s Full Name] ([RecipientID])**

**(if different)**

**Respondent: [Respondent’s Full Name] ([RecipientID])**

**Date Assigned: [Date]**

**Investigator(s): [Investigator(s)’ Full Name(s) and Titles]**

**Investigation Report Date: [Date]**

**EXECUTIVE SUMMARY**

On [Date], [Complainant or Third-Party Reporter Full Name and role] submitted information to the [Office] alleging misconduct, including [description of alleged behavior]. [The information provided constituted a formal complaint under [College/University] policy and Title IX OR Following communication with the Title IX Coordinator, Complainant [Complainant’s Full Name] submitted a formal complaint and requested an investigation of the allegation OR the Title IX Coordinator determined it was necessary to sign a complaint initiating this investigation].

This Office, which oversees Title IX [and VAWA] compliance, investigated the allegations as required by [College/University] policy and federal law.

The following facts were ***undisputed*** by the parties:

[Detailed account of undisputed facts]

The following facts are ***disputed***by the parties:

[Detailed account of disputed facts]

This matter is being referred to [Hearing Body] for a determination of responsibility and sanctions, if any, as required by [College/University] policy and federal law.

This investigation report details the investigation in the following sections:

1. Relevant Background
2. Jurisdiction and Scope of the Investigation
3. Applicable [College/University] Policies and Relevant Definitions
4. Invesigation Timeline
5. Reported Incident Timeline(s)
6. Summary of Relevant Statements and Evidence
7. Credibility Assessment
8. Discussion and Synthesis
9. Recommended Findings (if permitted by institutional policy)
10. Recommended Final Determination (if permitted by institutional policy)
11. Conclusion
12. Appendices
13. **RELEVANT BACKGROUND INFORMATION**

[Summarize when and how the report/formal complaint was made and received. Also summarize the allegations, including applicable policies.]

***[Topic 1]***

[Include additional background information as necessary to understand relationship history, context, etc.]

1. **JURISDICTION AND SCOPE OF THE INVESTIGATION**

[Provide statement of jurisdiction in terms of date, time, location, individuals involved, as well as relevant policies and procedures related to jurisdiction. Indicate whether Title IX requires the school to investigate, or whether jurisdiction is discretionary and Title IX does not apply.]

**EXAMPLE**

According to available information, the Respondent is currently a [student/employee/unaffiliated; classification; other relevant relationship to institution, including status at time of incident] and the Complainant is currently a [student/employee/unaffiliated; classification; other relevant relationship to institution, including status at time of incident].

[Provide relevant information and analysis for subject matter jurisdiction, per the 2020 TIX regulations:

1. Does the alleged misconduct, if true, potentially meet one or more of the definitions for misconduct covered by Title IX, according to §106.30 of the 2020 TIX regulations?
   1. Sexual Harassment (Quid Pro Quo OR Hostile Environment)
   2. Sexual Assault (rape, sodomy, assault w/ an object, fondling)
   3. Nonforcible Sex Offenses (incest, statutory rape)
   4. Dating Violence
   5. Domestic Violence
   6. Stalking
2. Does the institution control the context of the alleged harassment/misconduct?
   1. Did the misconduct occur:
      1. At a building or property owned or controlled by the institution, or by an officially recognized student organization;
      2. At a building or property used for a program or event sponsored by the school or an organization recognized by the school;
      3. At locations, events, or settings under substantial control of the institution, including certain online/electronic circumstances; or
      4. Outside of institutionally controlled programs, activities, or locations, BUT where the effects of such misconduct has in-program effects (e.g., hostile environment)?
3. Did the alleged misconduct against the Complainant occur within the United States?]

***Scope***

The [Office], which oversees Title IX [and VAWA] compliance, commenced an investigation to determine:

[Allegation 1]

[Allegation 2]

Investigator(s) [Investigator’s Full Name(s) and Titles] conducted an investigation in accordance with guidelines and requirements set forth by the U.S. Department of Education Office for Civil Rights for Title IX investigations [and Violence Against Women Act Section 304]. Their efforts were overseen by [TIXC Full Name and Title]. Witnesses interviewed include [current students/former students/alumni/faculty/staff/expert witnesses/etc.].

***Parties and Witnesses***

[List the parties and relevant witnesses, while providing basic context for who the witness is in relation to the institution and the parties. Also list when each was interviewed and by whom. If there were witnesses who were contacted and were either nonresponsive or declined to participate, include that information as well.]

1. **APPLICABLE [COLLEGE/UNIVERSITY] POLICIES AND RELEVANT DEFINITIONS**

***Applicable Policies***

[Copy and paste ALL applicable policies from appropriate source(s) (handbook, code, etc.).]

***Relevant Definitions***

[Copy and paste applicable and definitions (e.g., consent) from appropriate source(s) (handbook, code, etc.).]

***Standard of Evidence***

[Indicate the evidentiary standard (e.g.: preponderance of the evidence) that will be applied by the Decision-maker(s).]

1. **INVESTIGATION TIMELINE**

[Include a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, etc.]

**EXAMPLE**

|  |  |
| --- | --- |
| **10/26/19** | Complainant – notifies [NAME] of allegations. |
| **10/27/19** | No contact order put in place between parties. |
| **11/01/2019** | Meeting between Complainant and Title IX Coordinator. Formal complaint submitted by Complainant.  Assigned to Investigators. |
| **11/03/19** | Parties sent Notice of Investigation and Allegations; Emails requests for interviews sent to parties and witnesses. |
| **11/07/19** | Investigators interview Complainant. |
| **11/21/19** | Directly related evidence submitted to parties and advisors for response. |
| **12/2/19** | Review deadline ends; no response received from parties. |
| **12/3/19** | Investigation report submitted to parties and advisors for review and response. |

1. **REPORTED INCIDENT TIMELINE(S)**

**EXAMPLE**

|  |  |
| --- | --- |
| **9/18/19 ~ 9:50 pm** | Complainant goes to [name] house (Address) before [event]. |
| **9/18/19 ~ 10:45 pm** | Complainant and [names] walk to [location]. |
| **9/18/19 ~ 11:00 pm** | Complainant and [names] others arrive at [location, plus brief description of activity.] |
| **9/18/19 ~ 11:30 pm** | Complainant vomited [where.] |
| **9/18/19 ~ 12:15 am** | Complainant starts [specific activity] with Respondent. They [engage in activity] for approximately [time frame]. [Add brief details re: drug/alcohol consumption, potential witnesses, etc.] |
| **9/18/19 ~ 1:30 am** | Parties agree to leave and go back to [location.] |

1. **SUMMARY OF RELEVANT STATEMENTS AND EVIDENCE**

[Include copies of relevant notes from interviews and written statements, and other relevant evidence. No need to include entire interview notes (unless all is relevant) because you will be including full interview notes in the appendices.]

***Complainant***

11/01/19 Interview

11/07/19 Interview

***Text Messages Between Complainant and Respondent***

***Respondent***

***Witness 1***

1. **CREDIBILITY ASSESSMENT**

[Specific and detailed analysis of credibility of the parties, each witness, and any other evidence. Point to specific details that you have considered that have aided in your assessments. May or may not include conclusions about credibility, depending on institutional policy. ATIXA does not recommend making conclusions.]

***Complainant***

***Respondent***

***Witness 1***

***Text Messages Between Complainant and Respondent***

1. **DISCUSSION AND SYNTHESIS**

[Discuss and synthesize the relevant information, considering the elements of each policy at issue, and referring back to relevant evidence cited as well as the credibility assessments above. Summarize all areas of contested and uncontested facts/evidence. Institutional procedure may allow the investigator(s) to conduct analysis and make recommended findings or may limit the investigator(s) to synthesis. ATIXA does not recommend making recommendations as to findings or final determination. This section, or an appendix, can also include a summary of all questions asked, all questions suggested by parties, and all questions deemed not relevant by investigator(s).]

1. **RECOMMENDED FINDINGS (DID CONDUCT OCCUR AS ALLEGED?) [IF INSTITUTIONAL POLICY PERMITS]**

[List recommended findings by the standard of evidence for each alleged policy violation and a statement that these findings are not binding on the Decision-maker(s).]

1. **RECOMMENDED FINAL DETERMINATION (DID CONDUCT VIOLATE POLICY?) [IF INSTITUTIONAL POLICY PERMITS]**

[List recommended final determination by the standard of evidence for each alleged policy violation and a statement that this determination is not binding on the Decision-maker(s).]

1. **CONCLUSION**

[Summarize allegations, investigation process, any recommendations, and next steps.]

Respectfully submitted,

[Investigator 1]

[Investigator 2]

Date:

1. **APPENDICES**

[Include all applicable evidence and documentation, including the verified full transcript or complete notes from each interview, the formal complaint, any written statements, photos, screenshots, etc. Also always include a copy of the full policies in place at the time of the incident(s) and investigation.]

**EXAMPLE**

1. Formal Complaint Submitted [Date]
2. Verified Transcript of Complainant’s Interview on [Date]
3. Verified Transcript of Respondent’s Interview on [Date]
4. Questions Submitted by Complainant
5. Questions Submitted by Respondent
6. Complainant’s Response to Draft Investigation Report
7. Respondent’s Response to Draft Investigation Report
8. Applicable Institutional Policy (provided by link)

**EXAMPLE APPENDIX PAGE**

**APPENDIX A**

**Description:** Formal Complaint Submitted by Complainant

**Date Received:** 11/1/2019

**Submitted By:** [Complainant’s Full Name]

**Received By:** TIXC’s Full Name, Title

**[Authenticated By]:** [Full Name, Title, and Means]

[Additional context or explanatory information]

**BLANK TEMPLATE 2**

**[INSERT SCHOOL LOGO]**

**[RECIPIENT] INVESTIGATION REPORT**

**CONFIDENTIAL**

**Date of Report:** [Date]

This report addresses alleged violations of the [Policy Name(s)] of the [Recipient]. [Names of Investigators] conducted the investigation into these allegations. This report will summarize all administrative steps taken and all relevant evidence obtained during the course of the investigation.

**Executive Summary:**

[Summarize findings]

**Procedural History:**

[Include the date of the incident, the date on which it was reported, how and to whom (generally) it was reported, the date a formal complaint was made, the date on which investigators were assigned, and the date on which the investigation completed and referred for hearing.]

**EXAMPLE**

On [Date], Complainant met with Name in the Office of Victim Assistance at University of Knowledge along with Name Other Present Parties. Complainant reported that General Allegations occurred on [Date]. Complainant has not reported this matter to law enforcement at this time, although he is aware of this option. On [Date] Complainant submitted a formal complaint via the University’s on-line reporting system.

This report was referred to Investigators [Investigator’s Full Name] and [Investigator’s Full Name] on [Date]. Both investigators were present in person for each interview. They alternated questioning and note-taking roles. This investigation was completed on [Date].

**Involved Parties:**

[Identify all individuals interviewed or referred to in the investigation report, including their role, institutional affiliation, their relationship to the parties and/or the incident, and any other relevant demographic details.]

**EXAMPLE**

Complainant is *(e.g., a first-year undergraduate male residing in the residence halls)*.

Respondent is *(e.g., a female graduate student and a residence advisor in the residence halls)*.

JM is *(e.g., a freshman male residing in the residence halls and Complainant’s roommate)*.

JC is *(e.g., a female undergraduate student living off-campus and a classmate and friend of Complainant)*.

RH is *(e.g., a female employee of Name local bar; employee is not affiliated with the university)*.

**Investigation Timeline/Table of Interviews:**

A timeline of the investigation and a table of when each interview was conducted is attached as **Appendix A**.

**Alleged Violations:**

A Notice of Investigation and Allegations (NOIA) was sent to [Respondent] and [Complainant] via campus e-mail on [Date]. Investigator [Investigator’s Full Name] spoke with [Respondent] by phone on this date to confirm that she received the NOIA. The NOIA informed the parties that an investigation was being conducted pursuant to [Policy]. The NOIA contained the following allegations and is attached as **Appendix C**:

*[Details of first allegation]*

*[Details of second allegation]*

The [College/University] investigated possible violations of two provisions of the [Policies]. The relevant policy definitions follow. The applicable policies are attached in full as **Appendix B**.

[Alleged policy violations and any other applicable definitions (e.g., consent)]

**Jurisdiction and Status:**

The [College/University] has jurisdiction over these allegations pursuant to […]

*[Add any necessary details about emergency removal or supportive measures that would be relevant to the Decision-maker(s).]*

**Standard of Evidence:**

To determine whether an individual has violated the [College/University]’s [Policy], the standard of evidence required is [a preponderance of evidence (i.e., the evidence demonstrates that it is more likely than not that the conduct occurred) OR clear and convicing evidence].

**Interview(s) with Complainant:**

[Include the name and title of the investigator(s); the names and roles of others present; the location and date of the interview(s); and detailed notes of the interview(s).] Transcript attached as **Appendix D**.

**Additional Information Provided By Complainant:**

[Include information such as written statements, any relevant emails, texts, voice mails, and photographs. Include with **Appendix D**.]

**Interview(s) with Respondent:**

[Include the name and title of the investigator(s); the names and roles of others present; the location and date of the interview(s); and detailed notes of the interview(s).] Transcript attached as **Appendix D**.

**Additional Information Provided By Respondent:**

[Include information such as written statements, any relevant emails, texts, voice mails, and photographs. Include with **Appendix D**.]

**Interview(s) with Witness(es):**

[Include the name and title of the investigator(s); the names and roles of others present; the location and date of interview; how witness(es) was/were identified; and detailed notes from those interviews.]

Transcript(s) attached as **Appendix D**.

**Additional Information:**

1. Attached with Appendix D

2. Relevant Residence Life information, Appendix E

3. Sexual assault nurse exam, Appendix F

4. Campus security or police report, Appendix G

5. Expert reports or information, Appendix H

6. Text messages between Complainant and Respondent etc., Appendix I

**Credibility Assessment:**

[Specific and detailed analysis of credibility of the parties, each witness, and any other evidence. Point to specific details that you have considered that have aided in your assessments. May or may not include conclusions about credibility, depending on institutional policy. ATIXA does not recommend making conclusions.]

**Recommended Findings of Fact and Analysis for Policy 1:**

Institutional procedure may allow the investigator(s) to conduct analysis and make recommended findings or may limit the investigator(s) to synthesis. ATIXA does not recommend making recommendations as to findings or final determination. If making recommended findings, state your policy and apply the facts as you find them related to the policy, weighing evidence and incorporating credibility assessment as you proceed.

**Recommended Findings of Fact and Analysis for Policy 2:**

*Same as above*

**Conclusion (if applicable):**

Based on the totality of the circumstances and the information obtained pursuant to this investigation using the [preponderance of the/clear and convincing] evidence standard, we conclude that the available information [does not] substantiate[s] a finding of a policy violation for the Respondent for the following reasons […]

These are recommended findings and are not binding on the Decision-maker(s) for this matter. This complaint and associated investigation report are being referred to [Hearing Body] for a final determination pursuant to [College/University] policy and federal law.

Respectfully submitted,

Name, Title of Investigator, University of Knowledge Date signed

Name, Title of Investigator, University of Knowledge Date signed

Appendix A: Timeline of Investigation

Appendix B: Applicable Policies

Appendix C: Notice of Investigation and Allegations

Appendix D: Interview Transcripts and Other Evidence Collected

Etc.