Investigation Foundations for Higher Education
Training & Certification Course Agenda

**Description:**
Investigation Foundations for Higher Education is the initial course in ATIXA’s investigator curriculum for investigators, deputies, and Title IX Coordinators looking to acquire the fundamental skills necessary to conduct sex- and gender-based violence, harassment, and discrimination investigations. Expert faculty members will guide participants through an in-depth exploration of each phase of an investigation as prescribed by the Title IX Formal Grievance Process, including additional relevant topics for each phase.

The concepts and investigation structure taught in this course can be readily adapted and applied to investigations under other civil rights laws including Title VI, Title VII, the ADA, and Section 504 of the Rehabilitation Act.

In combination with the included Title IX Fundamentals online learning experience, Investigation Foundations meets both the Title IX and VAWA Section 304 training requirements for participants and details best practices for success as a full-time or part-time investigator.

**Learning Outcomes:**
After completing this course, participants will be able to…

- **Identify and uphold federal regulatory compliance requirements specific to Title IX investigations**
- **Understand the value of the investigation and report within the overall Title IX grievance resolution process**
- **Discuss the intersection of Title IX and Title VII for complaints involving employees**
- **Explain the steps of a formal investigation**
- **Develop an investigation strategy after receiving a formal complaint**
- **Recognize potential policy violations and the need for updating a NOIA**
- **Articulate strategies for managing a variety of investigation-based challenges and obstacles**
- **Differentiate interviewing approaches based on the needs and demeanor of the interviewee**
- **Describe how the Investigator and Title IX Coordinator roles work together during the investigation process**
Day One
11:00 AM – 6:00 PM

Civil Rights Investigations Overview
- Philosophy
- General Phases
- Bias and Conflict of Interest

Title IX Formal Grievance Process – Pre-Investigation
- Step 1: Receive Notice/Complaint/Report
- Step 2: Preliminary Inquiry & Jurisdiction Determination
- Step 3: Establish Basis for Investigation
  - Incident, Pattern, or Climate/Culture
  - Multi-Characteristic Complaints
  - Individual vs. Group
  - Multiple Complainants or Multiple Respondents

Title IX Formal Grievance Process – Investigation
- Step 4: Notice of Investigation and Allegations
  - Process Rights
  - § 106.45 vs. § 106.46
  - Presumption of Not Responsible
  - Overview of Recordkeeping and Investigation File Hygiene
    - Regs Requirement (7 years)
    - Contact Log
    - Investigation Timeline
- Step 5: Formulate and Execute Investigation Strategy
  - Potential for Informal Resolution
  - Process Delays
  - Coordination with Law Enforcement
  - Order of Interviews
  - Cross-Complaints
  - Evidence Collection
    - Evidence Log
Day Two  
11:00 AM – 6:00 PM

Title IX Formal Grievance Process – Investigation (Cont.)
- Step 6: Formal Comprehensive Investigation
  - Thorough, Reliable, and Impartial Investigations
  - Confidentiality vs. Privacy
  - Working with Advisors
  - Interview Considerations
    - Bias and Conflict of Interest
  - Building Rapport
  - Interviewing Parties and Witnesses
    - Appropriate Questioning
    - Transcripts vs. Summaries
    - Review Process
  - Evidence
  - Credibility Assessment
- Step 7: Draft Investigation Report
  - Recommended Report Structure
- Step 8: TIXC or Legal Counsel Report Review
  - TIXC/Legal Counsel Role in Review
- Step 9: Parties’ Draft Report Review
  - Sharing Logistics
  - Incorporating Feedback
  - Follow-up Interviews
- Step 10: Finalize Investigation Report
  - Final Review
  - Who Distributes the Report, and How?

Title IX Formal Grievance Process – Post-Investigation
- Step 11: Decision-making
  - Decision-making Models
    - Investigator as Gatherer
    - Investigator as Recommender
    - Investigator as Decision-maker
  - Hit the G.A.S.
- Step 12: Appeals
  - Investigator Role in the Appeal Process
Note: Each day will include one morning and one afternoon break (approximately 15 minutes each) and a one-hour lunch break. Training start and end times for in-person events are determined by the host site. All virtual training sessions take place from 11 AM – 6 PM ET unless otherwise specified.