Title IX Investigator Foundations for K-12 Education
Training & Certification Course Agenda

Description:
ATIXA’s Investigator Foundations for K-12 Education, when combined with the Title IX Compliance Essentials for K-12 course, is designed to give K-12 investigators the complete foundational training needed to understand the investigation process under Title IX, which can also be applied to complaints under other civil rights laws.

This course focuses on the investigator’s specific responsibilities at each distinct phase of an investigation. Participants will learn the fundamental skills necessary to plan and promptly complete investigations of sex- and gender-based misconduct in schools. ATIXA experts will lead participants through a comprehensive review of the investigation process, providing step-by-step guidance and advice, using a case study to provide an opportunity to practice each phase.

Relying upon the experience and expertise of ATIXA’s faculty, this course offers participants the opportunity to ask questions, discuss best practices, and apply valuable skills, building the confidence investigators need to implement adequate, reliable, and impartial investigations in K-12 schools and districts.

This course will support all individuals who have responsibility to conduct investigations in K-12 settings. This course will also be helpful to K-12 Title IX Coordinators who oversee or directly conduct Title IX investigations.

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

▪ Understand the purpose and function of an investigation, how it will be used, and the professional standards that are applicable to the investigation process and work product
▪ Describe due process components of investigations, including how to implement an adequate, reliable, and impartial investigation
▪ Explain the main stages of an investigation
▪ Discuss strategies to identify, evaluate, and authenticate different types of relevant and permissible evidence
▪ Identify key considerations in developing an investigation strategy
▪ Conduct interviews and ask questions skillfully
▪ Understand documentation requirements in Title IX investigations
▪ Discuss how to explore key issues like consent and unwelcomeness in sexual misconduct investigations
Course Topics

Title IX Refresher
- The Law
- Title IX Definitions
- Scope and Jurisdiction

Title IX Grievance Process: An Overview
- The Process & Due Process
- Steps of an Investigation
- Title IX Coordinator Oversight
- Title IX Team
- Impartiality, Bias, and Conflict of Interest

Prior to the Formal Investigation
- Actual Knowledge/Notice
- Reports and Formal Complaints
- Initial Assessment
- Supportive Measures
- Informal Resolution

Case Study

Notice to the Parties
- Individual v. Group
- Multiple Respondents
- Incident, Pattern, Climate/Culture

Investigation Strategy
- One Investigator vs. Two Investigators
- Timelines and Temporary Delays
- Working with Law Enforcement & SROs
- Interview Preparation & Scheduling
- Counter-Complaints
- Trauma-Informed Best Practices

Formal Investigation
- Adequate, Reliable, Impartial Investigations
- Building Rapport
- Interview Considerations
Encouraging Participation
Role of Parents, Guardians, and/or Advisors
Recording vs. Notetaking
Questioning Skills
Interviewing Parties & Witnesses
Evidence
  - Relevant vs. Non-Relevant Evidence
  - Standard of Proof
  - Impemissible Evidence
  - Identification and Evaluation of Evidence
  - Inculpatory vs. Exculpatory
  - Authentication
  - Character Evidence

Documenting the Investigation
  - Notes
  - Transcription
  - Witness Verification
  - Draft Reports
  - Review and Comment
  - Final Reports

Parties’ Review of the Investigation and Evidence
  - Role of Title IX Coordinator and/or Legal Counsel
  - Incorporating Feedback
  - Additional Interviewing or Evidence-Gathering

Finalizing the Investigation
  - Sharing Documentation and Evidence with Decision-Makers
  - Role in Decision-Making Process & Appeal Process

Consent Construct
  - What is Consent?
  - Force
  - Incapacity
  - Affirmative Consent

Cultural Competency in Investigations
  - Language Barriers
  - Disability-related Considerations
- Cultural Mores
- Gender-based Considerations
- Investigations and Intersectionality

Note: Training 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.