



## **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 Overview**

- Title IX Statute
- Title IX and Equity
- Title IX Compliance
- Stop, Prevent, Remedy
- IX Commandments

### **Civil Rights Grievance Process Scope and Definitions**

- Scope
- Sexual Harassment
- Sex Discrimination
- ATIXA Model Definitions
- Religious Exemption

### **Civil Rights Investigations Overview**

- Bias and Conflicts of Interest
- Title IX Grievance Process Overview
- Investigation Oversight and Supervision
- Role of Investigator(s)
- Required Training
- Investigation Overview

### **Pre-Investigation**

- Step 1: Notice/Complaint
- Step 2: Initial Assessment & Jurisdiction Determination
- Informal Resolution
- Step 3: Determine a Basis for Investigation
- Investigation Scope
- Who Should Investigate?

### **Formal Investigation**

- Investigation Steps
- Step 4: Notice of Investigation and Allegations

## **Recordkeeping**

- Recordkeeping
- Contact Log
- Evidence Log
- Investigation Timeline

## **Investigation Strategy**

- Step 5: Establish Investigation Strategy
- Process Delays
- Working with Advisors
- Working with Parents/Guardians
- Coordinating with Law Enforcement
- Interview Sequencing
- Evidence Collection
- Counter-Complaints
- Information Sharing

## **Interviewing Skills and Techniques**

- Step 6: Formal Comprehensive Investigation
- Pre-Interview Planning
- Establishing Rapport
- Impacts of Trauma
- Trauma-Informed Practices
- The “Spiel”
- Interviewing Skills
- Questioning Considerations
- Questioning Tips
- Consent Construct
- Interview Challenges: Resistance, Reluctance, and Lying
- Final Questions for Interviews
- Interview Documentation and Review
- Understanding Evidence
- Standard of Evidence
- Types of Evidence
- Specific Evidence Issues: Privileged and Medical Information
- Specific Evidence Issues: Rape Shield Provision
- Credibility Assessment
- Evidence Authentication
- Step 7: Draft Investigation Report
- Investigation Report Elements

- Investigation Report Steps
- Step 8: Report Review
- Step 9: Parties and Advisors Review Draft Investigation Report
- Step 10: Final Investigation Report
- Affirmative Consent

### **Post-Investigation: Decision-Making and Hearings**

- Decision-Making Process
- Determinations

### **Appeals**

- Appeal Grounds
- Appeal Outcomes

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.