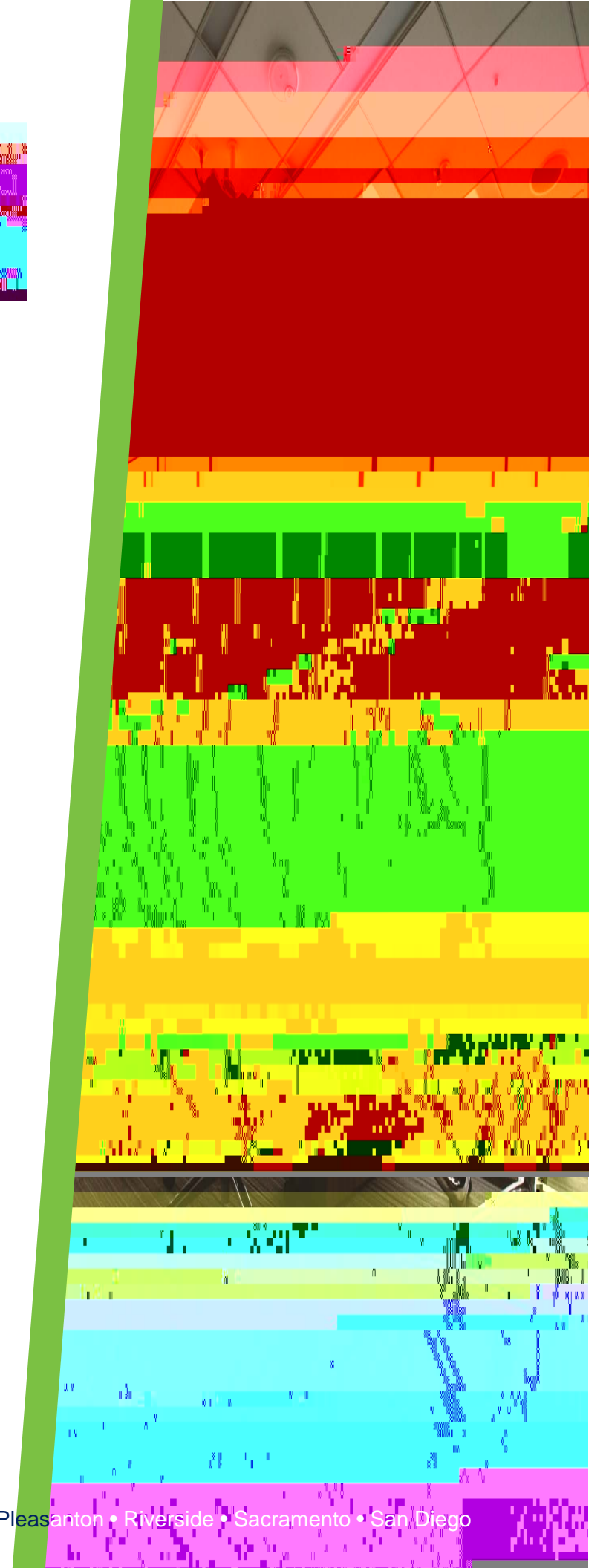


Title IX Investigator Training for Community College Districts

**Title IX Investigator Training
Long Beach Community College
District
May 3, 2021**

SESSION ONE

**PRESENTED BY:
*Eve P. Fichtner, Partner***





Agenda

- Definitions for Training
- Review Title IX Investigator Roles
- Introduce the Hypothetical & Investigation Plan
- Plan the Investigation & Prepare for Interviews
- Interviewing Tips
- Weigh the Evidence & Determine Disputed and Undisputed Issues
- Application to Hypothetical



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Definitions for Training

- Complainant
- Respondent
- Parties
- Witness
- Advisor
- Grievance Process
- Other

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REVIEW HYPOTHETICAL & INVESTIGATION PLAN

Promptly Review the Complaint

- Review **Hypothetical Complaint** and **Notice of Allegations**
 1. Who are the **parties** ?
 2. Who are potential **witnesses** ?
 3. Identify other potential **evidence** ?
 4. What general **claims** are asserted or described?
 5. What **policies** are potentially violated?
 6. What **allegations** should you ask questions about?
 7. What's the **chronology** ?
- Create an **Investigation Plan**













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Listen Closely & Follow-up

- When you listen closely, you may notice gaps in the Party's or Witness's statements. Ask follow-up questions to fill in those gaps. Some examples:



A decorative graphic consisting of a vertical line on the left side, a horizontal bar at the top, and a horizontal bar at the bottom. The top bar is dark blue. The bottom bar is composed of three segments: a gold segment on the left, a green segment in the middle, and a dark blue segment on the right. A small green circle is positioned near the bottom right of the vertical line.



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Identify Undisputed and Disputed Issues

- Common Undisputed Issues
 - Nature of relationship, age, how met, prior communications
 - Date, general time, location, who was present
 - Sexual or intimate relationship
- Common Disputed Issues
 - Sexual activity
 - Consent
 - Force, duress, or threats
 - Incapacitation
 - Intent
 - Words
 - Tone





Credibility Factors to Weigh Disputed Evidence

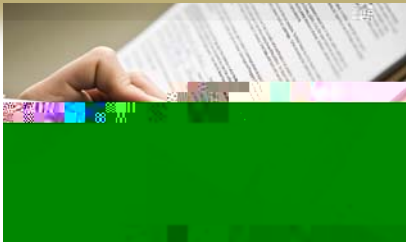
- Actual Knowledge/Opportunity to Observe or not Observe
- Direct/Indirect Corroboration or No Corroboration
- Consistent or Inconsistent Statements
- Material Omission or Material Admissions
- Inherently Plausible or Implausible

APPLICATION TO
HYPOTHETICAL



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