

ATIXA K-12 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:
(if different) [Date]

Initial Notice Received From:
(if different) [Third Party's Full Name] ([RecipientID])

Respondent: [Respondent's Full Name] ([RecipientID])

Date Assigned to Investigator: [Date]

Investigator(s): [Investigator(s)' Full Name(s) and Titles]

Investigation Report Date: [Date]

This investigation report details the investigation in the following sections:

- I. Relevant Background
- II. Jurisdiction and Scope of the Investigation
- III. Applicable [School/District] Policies and Relevant Definitions
- IV. Investigation Timeline/History of Complaint
- V. Reported Incident Timeline(s)
- VI. Summary of Relevant Statements and Evidence
- VII. Credibility Assessment
- VIII. Discussion and Synthesis
- IX. Recommended Findings (if permitted by school/district policy)
- X. Recommended Final Determination (if permitted by school/district policy)
- XI. Conclusion
- XII. Appendices

I. 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.]

II. 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. This information should be provided by the Title IX Coordinator.]

EXAMPLE

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

[Provide relevant information and analysis for subject matter jurisdiction, per the 2020 Title IX 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?
 - a. Sexual Harassment (Quid Pro Quo OR Hostile Environment)
 - b. Sexual Assault (rape, sodomy, assault w/ an object, fondling, incest, statutory rape)
 - c. Dating Violence
 - d. Domestic Violence
 - e. Stalking
2. Does the school/district control the context of the alleged harassment/misconduct?
 - a. Did the misconduct occur:
 - i. Within a building or on property owned or controlled by the school/district
 - ii. At a building or property used for a program or event sponsored by the school or an organization recognized by the school
 - iii. At locations, events, or settings under substantial control of the school/district, including certain online/electronic circumstances
 - iv. Outside of school-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 compliance, commenced an investigation to determine:
[Allegation 1]

[Allegation 2]

Investigator(s) [Investigator's Full Name(s) and Title(s)] 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. Their efforts were overseen by [TIXC Full Name and Title]. Witnesses interviewed include [current students/former students/teachers/staff/administrators/expert witnesses/etc.]. The Investigator(s) have no bias for or against this Complainant/Respondent, or for or against complainants or respondents, generally. The presumption of innocence was applied in this investigation.

Parties and Witnesses

[List the parties and relevant witnesses, while providing basic context for who each witness is in relation to the school and the parties. Also list when each individual 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.]

III. APPLICABLE [SCHOOL/DISTRICT] POLICIES AND RELEVANT DEFINITIONS

Applicable Policies

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

Relevant Definitions

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

Standard of Evidence

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

IV. INVESTIGATION TIMELINE

[Include a description of the procedural steps taken from the receipt of the formal complaint (or the TIXC's decision to sign a formal complaint) through the completion of the investigation, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, etc.]

EXAMPLE

09/17/21	Guidance Counselor notifies Title IX Coordinator of allegation. Title IX Coordinator meets with Complainant.
----------	--

09/20/21	No contact order put in place between parties.
09/20/21	Formal complaint submitted by Complainant. Assigned to Investigators.
09/21/21	Parties sent Notice of Investigation and Allegations; Email requests for interviews sent to parties and witnesses.
09/22/21	Investigators interview Complainant.
09/23/21	Investigators interview Respondent.
09/30/21	Directly related evidence submitted to parties and advisors for review and response.
10/11/21	Review deadline ends; no response received from parties.
10/13/21	Investigation report submitted to parties and advisors for review and response.

V. REPORTED INCIDENT TIMELINE(S)

EXAMPLE

9/17/21 ~ 12:50 pm	Complainant goes to school restroom during lunch.
9/17/21 ~ 12:51 pm	Respondent follows Complainant into school restroom.
9/17/21 ~ 12:53 pm	Complainant alleges Respondent sexually assaulted Complainant restroom stall.
9/17/21 ~ 12:55 pm	Complainant hears another student [person's name] enter the restroom while sexual assault is occurring.
9/17/21 ~ 1:00 pm	Complainant leaves school restroom and sees [person's name] in the hallway.
9/17/21 ~ 1:15 pm	[Person's name] escorts Complainant to Guidance Counselor's Office, Complainant reports alleged sexual assault.

VI. SUMMARY OF RELEVANT STATEMENTS AND EVIDENCE

[Include copies of relevant interview notes, 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

11/01/21 Intake Meeting

11/07/21 Interview

Text Messages Between Complainant and Respondent

Respondent

11/09/21 Interview

Witness 1

VII. CREDIBILITY ASSESSMENT

[Provide a 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 school policy. **Note:** ATIXA does **not** recommend that investigators make conclusions.]

Complainant

Respondent

Witness 1

Text Messages Between Complainant and Respondent

VIII. 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. School/district procedure may allow the investigator(s) to conduct analysis and make recommended findings or may limit the investigator(s) to synthesis. **Note:** ATIXA does **not** recommend that investigators make finding or final determination recommendations.]

[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).]

IX. RECOMMENDED FINDINGS (DID CONDUCT OCCUR AS ALLEGED?) [IF SCHOOL/DISTRICT 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).]

Note: ATIXA does **not** recommend that investigators make finding or final determination recommendations.

Note: A finding is a determination (by the standard of proof) that the conduct occurred as alleged. Whether that conduct violated policy is for the Final Determination section, below, and is often the responsibility of a Decision-maker, not an Investigator.

X. RECOMMENDED FINAL DETERMINATION (DID CONDUCT VIOLATE POLICY?) [IF SCHOOL/DISTRICT 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). State your policy and apply the facts as you find them related to the policy, weighing evidence and incorporating credibility assessment as you proceed.]

Note: ATIXA does **not** recommend that investigators make finding or final determination recommendations.

XI. CONCLUSION

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

Respectfully submitted,

[Investigator 1]

[Investigator 2]

Date: [Date]

XII. 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

- A. Formal Complaint Submitted [Date]
- B. Verified Transcript of Complainant's Interview on [Date] OR Verified Copy of Investigator(s)' Complete Notes from Complainant's Interview on [Date](if school/district does not record interviews)

- C. Verified Transcript of Respondent's Interview on [Date] OR Verified Copy of Investigator(s)' Complete notes from Respondent's Interview on [Date] (if school/district does not record interviews)
- D. Questions Submitted by Complainant
- E. Questions Submitted by Respondent
- F. Complainant's Response to Draft Investigation Report
- G. Respondent's Response to Draft Investigation Report
- H. Investigator(s) Response to the Responses of the Parties
- I. Applicable School Policy (provided by link)

EXAMPLE APPENDIX PAGE

APPENDIX A

Description:	Formal Complaint Submitted by Complainant
Date Received:	11/1/2021
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 [Recipient] [Policy Name(s)]. [Name(s) and Title(s) of Investigator(s)] 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.

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 (or signed by the Title IX Coordinator), the date on which investigators were assigned, and the date on which the investigation was completed and referred to the Decision-maker(s). The majority of this information should be provided by the Title IX Coordinator.]

EXAMPLE

On [Date], [Complainant] met with [Name] in the Guidance Counselor's Office at [School/District] 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 to the Title IX Coordinator, [TIXC Full Name and Title].

The formal complaint was referred to Investigator(s) [Name(s) and Title(s) of Investigator(s)] 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, school/district affiliation, their relationship to the parties and/or the complaint, and any other relevant demographic details.]

EXAMPLE

Complainant is (e.g., a first-year student).

Respondent is (e.g., a senior student).

JM is (e.g., a first-year student).

JC is (e.g., a sophomore student who attends [School/District]).

RH is (e.g., an employee of Name local entity; employee is not affiliated with [School/District]).

Investigation Timeline/Table of Interviews:

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

Alleged Violations:

A Notice of Investigation and Allegations (NOIA) was sent to [Respondent] and [Complainant] via school 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 is attached as **Appendix C** and contained the following allegations:

[Details of first allegation]

[Details of second allegation]

The [School/District] 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 [School/District] 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 [School/District]'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 convincing evidence].

Summary of 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, relevant notes from the interview(s).] [Transcript OR complete interview notes] included in the Evidence File as **Document G**.

Additional Relevant Information Provided by Complainant:

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

Summary of 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, relevant notes from the interview(s).] [Transcript OR complete interview notes] attached in included in the Evidence File as **Document H**.

Additional Relevant Information Provided by Respondent:

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

Summary of Interview(s) with Witness(es):

[Include the name and title of the investigator(s); the names and roles of others present; the locations and dates of interviews; how witness(es) was/were identified; and detailed notes from those interviews.] [Transcript(s) OR complete interview notes] included in the Evidence File as **Documents I and J**.

Additional Evidence Collected:**[EXAMPLE]**

- Text messages provided by Witness 1, Document A
- Text messages provided by Witness 2, Document B
- Relevant school-related information, Document C
- Sexual assault nurse exam report, Document D
- School security or police report, Document E
- Expert reports or information, Document F

Credibility Assessment:

[Provide 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 school/district policy. **Note:** ATIXA does **not** recommend investigators make conclusions.]

Recommended Findings of Fact and Analysis for Policy 1:

[School/district procedure may allow the investigator(s) to conduct analysis and make recommended findings or may limit the investigator(s) to synthesis.]

Note: ATIXA does not recommend that investigators make finding or final determination recommendations.

Recommended Findings of Fact and Analysis for Policy 2:

Same as above

Recommended Final Determination and Conclusion (if applicable):Based on the totality of the circumstances and the information obtained pursuant to this investigation using the [preponderance of the OR clear and convincing] evidence standard, the investigator(s) conclude that the available information [does/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 [Decision-maker] for a final determination pursuant to [School/District] policy and federal law.

Respectfully submitted,

Name, Title of Investigator	School/District of Knowledge	Date signed
Name, Title of Investigator	School/District of Knowledge	Date signed

Report Appendices [Example]

Appendix A: Investigation Timeline
 Appendix B: Applicable Policies
 Appendix C: Notice of Investigation and Allegations
 Appendix D: Additional Relevant Information Provided by Complainant
 Appendix E: Additional Relevant Information Provided by Respondent

Evidence File Documents [Example]

Document A: Text Messages Provided by Witness 1
 Document B: Text Messages Provided by Witness 2
 Document C: Relevant School-Related Information
 Document D: Sexual Assault Nurse Exam Report
 Document E: School Security or Police Report
 Document F: Expert Reports or Information
 Document G: Complete Interview Notes/Transcript(s) for Complainant
 Document H: Complete Interview Notes/Transcript(s) for Respondent
 Document I: Complete Interview Notes/Transcript(s) for Witness 1
 Document J: Complete Interview Notes/Transcript(s) for Witness 2