Title IX Investigation Foundations Level Two: Skills and Report Writing for Higher Education

Training and Certification Course

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Content Advisory

The content and discussion in this training will necessarily engage with sex discrimination, sexual harassment, violence, and associated sensitive topics that can evoke strong emotional responses.

ATIXA faculty members may offer examples that emulate the language and vocabulary that Title IX practitioners may encounter in their roles including slang, profanity, and other graphic or offensive language. It is not used gratuitously, and no offense is intended.

Introduction

This training focuses on refining interviewing techniques and post-interview tasks, including writing clear, comprehensive investigation reports.

Practitioners will learn how to use policy language as a starting point for generating interview questions and synthesizing the information collected during an investigation.

This training empowers Investigators with the skills needed to critically assess information, determine relevance and credibility, and draft clear and thorough rationales in investigation reports.

Investigation Process Review

Investigation

1

INCIDENT

- Complaint/ Notice to Title IX Coordinator (TIXC)

2

INITIAL ASSESSMENT

- Jurisdiction
- Dismissal
- Supportive Measures
- Emergency Removal
- Referral to Another Process
- Informal/Formal Resolution

3

FORMAL INVESTIGATION

- NOIA
- Interviews
- Evidence Collection
- Draft Report
- Parties' Review/ Comment
- Final Report

4

DECISION-MAKING

- Questioning
- Credibility Assessment
- Determination and Rationale
- Sanctions
- Remedies

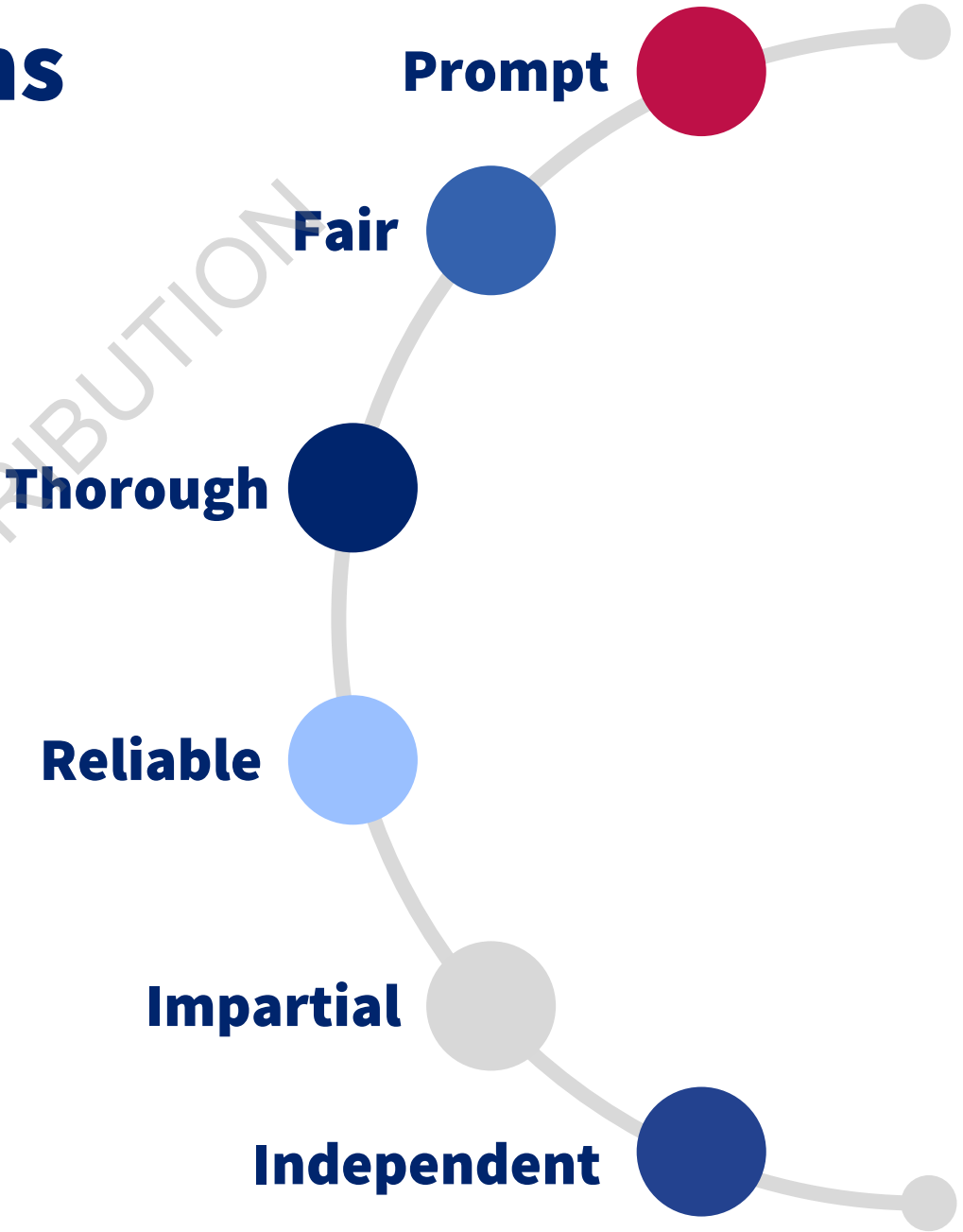
5

APPEAL

- Appeal Grounds
- Determination and Rationale

Civil Rights Investigations Overview

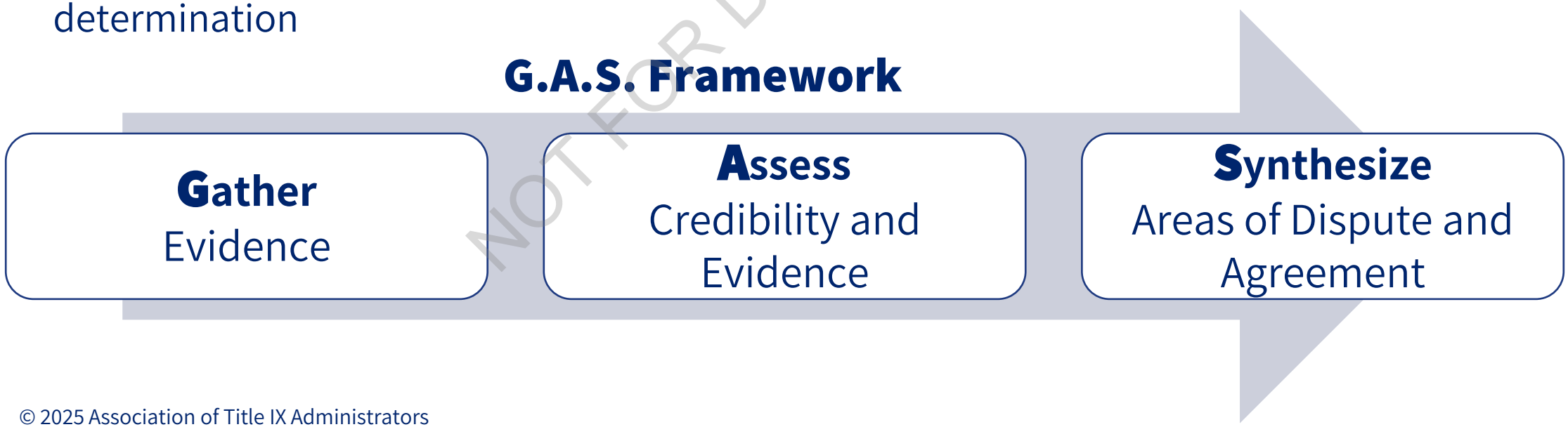
- Investigations focus on gathering all available and relevant information
- The institution is responsible for gathering evidence—not the parties
- Investigators must provide a report that accurately and succinctly summarizes the collected evidence



Role of the Investigator

- **Input:** all available, relevant evidence
- **Outputs:** a comprehensive, detailed written investigation report that fairly summarizes all relevant evidence **and** the investigation; an organized directly related evidence file
- Follow the G.A.S. Framework to well position the Decision-maker for reaching a determination

G.A.S. Framework



Investigation Steps

1. Receive Notice/Complaint
2. Initial Assessment and Jurisdiction Determination
3. Determine Basis for Investigation
4. Notice of Investigation and Allegations (NOIA)
5. Establish Investigation Strategy
6. Thorough, Reliable, Impartial Investigation
7. Draft Investigation Report
8. TIXC Reviews Draft Report and Evidence
9. Parties Review Draft Report and Evidence
10. Final Investigation Report

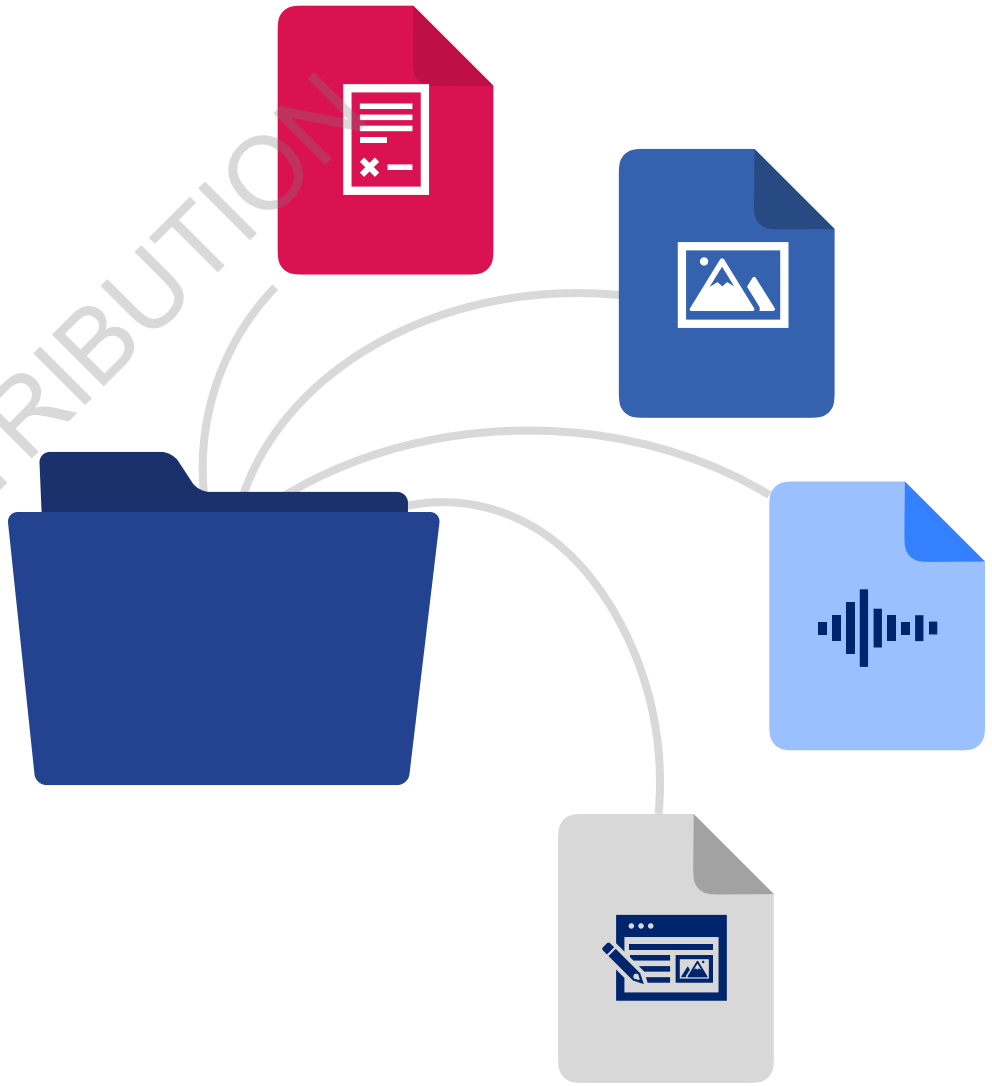
Investigation File

FORMAL COMPLAINT AND INTAKE INFO
- Initial report
- Formal complaint
- Notes from Intake

NOIA AND POLICIES
- Original NOIA and any updates
- Policies and procedures in place at the time of the incident(s) **and** at the time of the investigation

PARTY AND WITNESS DOCUMENTS
- Verified interview transcripts/summaries
- Associated evidence
- Correspondence with Investigator

ADDITIONAL EVIDENCE
- Evidence and evidence log
- Authentication information



Investigation File, Cont.

- Background information (education, employment, etc.)
- Witness flowcharts
- Contact log
- Investigator notes
- Timelines for incident and investigation
- Investigation report
- Investigation file becomes part of the **comprehensive complaint file**
- Title IX-related records must be maintained for a minimum of **seven years**

Comprehensive Complaint File

Title IX Coordinator should maintain:

- Supportive measures and interim action correspondence and documents
- Emergency removal or administrative leave documents (if applicable)
- Communication regarding Informal Resolution (if applicable)
- Signed releases of information for Advisors
- Advisor Non-Disclosure Agreements (NDAs) (if applicable)
- Dismissal information (if applicable)
- Allegations of bias or conflict of interest and response

Bias-Free Investigations

Bias

- **Bias:** prejudice for or against **a person or group,** or an unwillingness/inability to be influenced by factual evidence
  - A preference or tendency to like or dislike
  - Implicit or explicit
  - Formed from stereotypes, societal norms, and experiences
- Title IX Grievance Process must be free from bias
- Bias can influence an Investigator's perception:
  - Of Complainants and Respondents
  - Of the content or context of the allegation(s)

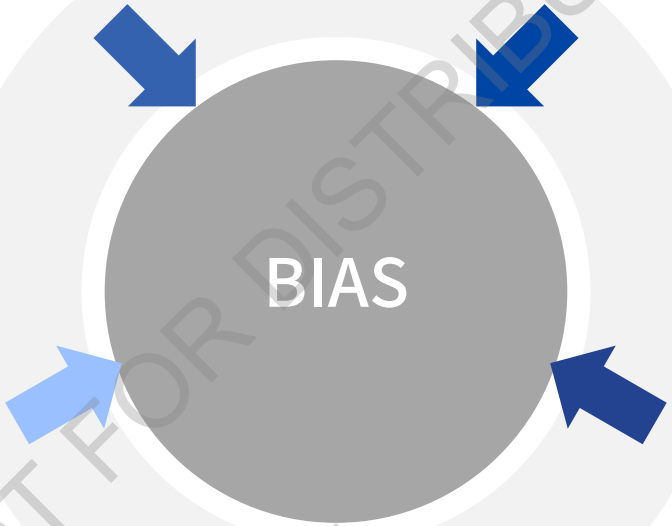
Group Discussion

- What types of challenges might disrupt or impede an effective investigation based on the individuals and/or sexual practices involved?
- How should an Investigator navigate an issue where an Investigator's response to descriptions of preferences or practices that are "new" or "unfamiliar" to the Investigator may impact rapport with an interviewee?

Common Bias Manifestations in Investigations

Pre-Determined Outcome

Senior-level Administrator Interference



Anchor Bias

Improper Policy Application

Confirmation Bias

Mitigating Bias

- Investigate in pairs
- Investigators review each other's questions
- Follow institutional policy and procedures
- Question map to ensure comprehensive process
- Use evidence collected to make determinations; provide clear rationales

Activity: Small Group Discussion

Trauma and Investigations

Understanding Trauma

- **Trauma** is exposure to an event or events that create a real or perceived threat to life, safety, sense of well-being or bodily integrity, and can be:
  - Acute, chronic, or complex
  - Neurological, biological, psychological, social, and emotional impacts
  - Developmental, intergenerational, historical, secondary, vicarious, or collective
- Responses to trauma can vary, depending on a variety of factors
- **ATIXA Position Statement:** application of trauma-informed practices in our field has gotten ahead of the actual science
- **ATIXA Recommendation:** incorporate trauma-informed investigation and interviewing methods without compromising gathering credible, relevant evidence
- **Trauma-informed practices should not influence evidence evaluation**

Trauma-Informed Practices

- To encourage open sharing, while mitigating the likelihood of re-traumatizing individuals, Investigators can consider infusing the following practices:
  - Approach all individuals with the assumption that trauma (recent or distant) can impact anyone **AND** its impact can be far-reaching
  - Consider the physical space and overall environment
    - Seating arrangement
    - Tone and décor
    - Body language
  - Use clear language; ensure individuals understand their rights and options
  - Be prepared for non-linear storytelling; be patient in allowing individuals to share information in their own way
  - Ensure that offers and referrals for support and resources are made to all parties

Suggested Questions

- Prior relationships with other party(ies) and witnesses
- Thought process
  - Do you recall what was going through your mind then?
- Sensory information
  - What do you remember seeing?
  - What do you remember hearing?
- Response (physical, emotional, verbal)
- Disclosures and/or documentation

Trauma and Credibility

- Investigators can only assess available relevant evidence
  - Avoid substituting trauma indicators for evidence
  - Trauma is neutral; it neither enhances or detracts from proof
  - Lack of evidence from an individual often negatively impacts their credibility
- Avoid blaming questions, or questions that imply that a Complainant could have or should have made different choices
- Avoid reaching potential outcomes based on what a person “should” or “would” have done
  - Response to alleged behavior
  - Timing of report

Activity:
Trauma-Informed Interviewing

Activity: Trauma-Informed Interviewing

Read each of the following questions, identify why they are problematic, and suggest more trauma-informed phrasing

- Have you had sex with this person before?
- Why does this keep happening to you?
- What were you wearing that night?
- Why would Complainant file a complaint if it wasn't true?
- Isn't it possible that you misunderstood Complainant's signals?
- Help me understand why you think what happened is a policy violation.
- Did anyone see this happen?

Information Gathering and Recordkeeping

Keeping Information

- Keep **investigation file** in a secure location
- Compile a timeline of the investigation steps, including dates of all meetings and interviews
- Records of all contacts, including emails and phone calls with all parties and witnesses
- Documenting interviews:
  - Take specific notes or record
  - Recording is becoming industry standard
  - Handwritten vs. typed notes
  - **Interviewee verification is industry standard practice**

Notetaking and Recording

IF IT ISN'T WRITTEN DOWN, IT DIDN'T HAPPEN

- Date all records and identify who was present
- Number pages
- Keep notes describing any information shared with parties or witnesses
- Clarify anything that is unclear
- Document any refusal to answer, evasion, or refusal to participate
- Review and finalize notes immediately upon interview completion
- Recording interviews is becoming an industry standard

Notetaking

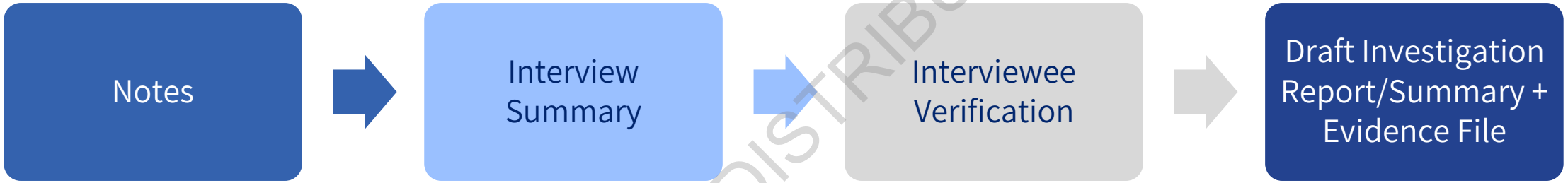
- Notetaking should occur throughout the entire interview
- Taking notes may slow down the interview
- Use pre-prepared, numbered questions
  - Remain flexible for follow-ups
- Summarize perceptions of credibility

Notetaking, Cont.

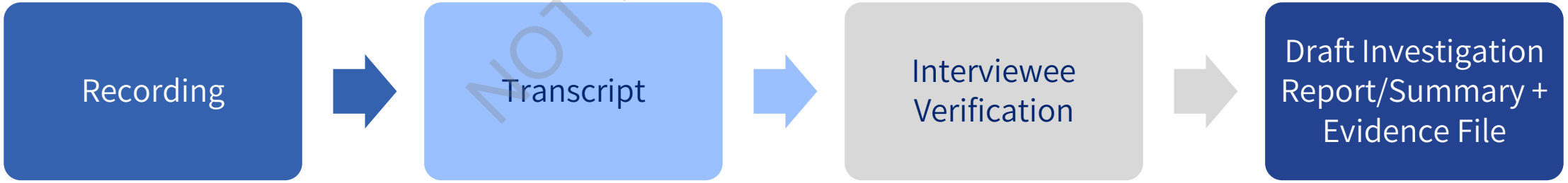
- Don't want interviewees to feel **S.O.L.D.** out; Avoid:
  - **S**tereotypes
  - **O**pinions
  - **L**abels
  - **D**iagnoses
- Avoid conclusions or determinations
- Interview notes may be subject to "inspection" rights under FERPA
  - "Sole Possession notes" exception is very limited

Information Flow

Option 1: Notetaking



Option 2: Recording



Relevant Evidence

Investigators are responsible for gathering **relevant** evidence

- **Relevant** means related to the allegations under investigation
  - Evidence is relevant if it has value in proving or disproving a fact at issue
  - Evidence can also be relevant to credibility assessments
- It is the Investigator's responsibility to objectively summarize all **relevant** evidence in their report

Directly Related Evidence

- Connected to the complaint but neither inculpatory nor exculpatory and will not be relied upon by the Decision-maker
  - Provides background or contextual information
- Must be provided to the parties and their Advisors for review
  - ATIXA recommends providing an organized directly related evidence file
- Decision-maker(s) ultimately determine what is relevant, directly related, or neither

Relevant vs. Directly Related Evidence Examples

Relevant Evidence

- Complainant's description of several voicemails left on their cell phone
- Respondent's account of an alleged incident occurring during practice
- Specific statements in emails between the parties

Directly Related Evidence

- Complainant's entire cell phone call records for the period in question
- Coach's description of how they manage practices
- Complete emails exchanged between the parties during the period in question

Privileged and Medical Information

The party must provide written permission to obtain and/or include:

- Evidence protected under a legally recognized privilege
- Records made or maintained by:
  - Physician
  - Psychiatrist
  - Psychologist

Relevant Evidence Exclusions

- Evidence of the **Complainant's sexual predisposition** is never relevant
- Evidence of the **Complainant's prior sexual behavior** is not relevant except:
  - If offered to prove that someone other than the Respondent committed the alleged conduct; or
  - If offered to prove consent with respect to prior consent with the Respondent
- Even if admitted/introduced by the Complainant
- Does not apply to Respondent's prior sexual behavior or predisposition

Collecting and Managing Evidence

Evidence Preservation

- Discuss the need to preserve evidence with parties and witnesses as soon as feasible
  - Ask parties to record names of witnesses and contact information
  - Save relevant communications in a secure location, not just on a phone/tablet/etc. Screenshots
    - Date stamps
  - Photograph/videorecord physical evidence
    - Clothing
    - Damaged property
    - Injuries
- Also consider preservation for evidence in the institution's possession

Evidence Management

- Electronic databases are becoming an industry standard
- Properly record and categorize evidence provided to Investigator or TIXC
  - Quick access (indexed, digitized)
  - Organized
  - Redacted versions and/or descriptions of graphic content
    - Unredacted version available for viewing
- Ensure the evidence is not compromised
  - Establishing/maintaining chain of custody
  - Do not modify evidence in any way, unless the Investigator clearly indicates doing so
    - Example: renaming an electronic file

Managing Sensitive Information

Store information in secure locations:

- Electronic
  - Password protection or encryption; multi-factor authentication
  - Limited access, deadline for access, auditable storage
  - View or save information on appropriate devices
- Physical
  - Locked; limited access
- Remove personally identifiable information
- Communicate information storage practices to parties

Law Enforcement Evidence

- Obtaining law enforcement evidence may not be possible if a case is active
- Establishing an MOU is beneficial
  - Build relationships
  - Understand their process
  - Clarify level of access to law enforcement evidence
- Obtain documentation about chain of custody
  - Authentication efforts
  - Source of evidence
- Obtain officer statement or testimony about evidence
- Be aware of implications for sharing/releasing law enforcement evidence

Applying Policy in Investigations

Applying Policy in Investigations

- Know what to look for
- **Models of Proof:** the specific elements of each violation
- Investigators collect evidence specific to the alleged policy violations (GATHER)
- Policy language informs appropriate questions
  - Policy provisions, definitions, jurisdiction
- Decision-makers (DM) use the information gathered in the investigation to determine whether all necessary elements are met for each alleged policy violation
  - DMs rely upon Investigators to collect all of the available relevant evidence

Activity: Applying Policy to Investigations

Definition: Fondling*

The intentional touching of the clothed or unclothed genitals, buttocks, groin, breasts, or other body parts of the Complainant by the Respondent, without the consent of the Complainant, for the purpose of sexual degradation, sexual gratification, or sexual humiliation; or the Respondent caused or directed the Complainant's intentional touching of the Respondent's clothed or unclothed genitals, buttocks, groin, breasts, or other body parts, without consent of the Complainant, for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

*ATIXA's recommended definition encompasses the regulatory definition. Consult with legal counsel before adopting this definition.

Activity:
Applying Policy to Investigations

- Determine the policy elements for the **fondling** definition
- Use the elements to develop:
  - Initial questions for parties
  - Potential sources of evidence

Model of Proof: Fondling

- The intentional touching of the clothed or unclothed genitals, buttocks, groin, breasts, or other body parts of the Complainant by the Respondent
  - Without the consent of the Complainant
  - For the purpose of sexual degradation, sexual gratification, or sexual humiliation
- Or the Respondent caused or directed the Complainant's intentional touching of the Respondent's clothed or unclothed genitals, buttocks, groin, breasts, or other body parts
  - Without consent of the Complainant
  - For the purpose of sexual degradation, sexual gratification, or sexual humiliation

Investigating Fondling Allegations

Sexual Degradation

ATIXA Model Definition:

- Refers to conduct that reduces a person to a sexual object, demeans them on the basis of sex, or portrays them as inferior, subservient, or lacking dignity because of a person's sex or sexual characteristics
- Key aspects include the reduction or objectification of a person's sense of value, not just making the person feel embarrassed
- May manifest as:
  - Verbal
  - Physical/Positional
  - Behavioral/Role-Based
  - Body-Based

Sexual Gratification

- ATIXA suggests the following decisional rubric for assessing when it is reasonable to find that the contact in question is **NOT** for purposes of sexual gratification:
  - The contact can be proven inadvertent
  - The contact is for a legitimate medical (or other privileged) purpose and thus is conduct for which consent should have been sought and obtained by the provider
  - The contact involves a Respondent who is pre-sexual, based on maturity/age (thus their intent is not sexual)
  - The contact involves a Respondent who cannot developmentally understand sexual contact or that their contact is sexual
  - The contact is something like butt-slapping on a team and is both minimal and unlikely to have sexual motivation or purpose, as shown by the context of the act(s)

Sexual Humiliation

ATIXA Model Definition:

- Refers to conduct that causes embarrassment, shame, or loss of dignity through sexualized means
- Sexual humiliation typically involves verbal, physical, or psychological acts that target a person's sense of dignity, self-worth, or bodily autonomy, while being tied to sexual activity, sexuality, or sexual identity
- May manifest as:
  - Verbal
  - Exposure-Based
  - Situational
  - Social

Fondling Analysis

- Requires a three-part analysis:
  1. Was the touching unwelcome?
  2. Was the touching (or attempted touching) intentional?
  3. If yes, was the intent of the touching for the purpose of sexual degradation, sexual gratification, or sexual humiliation?
- When the touching is of a non-private body part, the analysis must also consider how the contact was sexualized (i.e., sexual in nature) as non-private body parts are not inherently sexual

Analysis Considerations

Aspect	Sexual Degradation	Sexual Humiliation
Key Distinction	Objectification & dehumanization are central	Embarrassment & ridicule are central
Core Focus	Lowering status, stripping away respect, or objectifying someone	Shame, embarrassment, ridicule, or being made to feel foolish/exposed
Emotional Impact	Creates feelings of worthlessness or being “less than	Creates feelings of shame or awkwardness
Verbal Examples	Calling someone demeaning names (“slut,” “whore”), referring to them as an object or “thing”	Mocking sexual performance, laughing at size or appearance, teasing in embarrassing ways

Analysis Considerations, Cont.

Aspect	Sexual Degradation	Sexual Humiliation
Physical Examples	Forcing someone to crawl, kneel, or serve like a pet; spitting on them as a show of dominance	Forcing someone into silly or awkward sexual positions, making them act in a ridiculous way
Exposure Examples	Treating the person as furniture, a tool, or a disposable body part	Public nudity or forced sexual exposure designed to embarrass
Social Angle	Degradation often emphasizes hierarchy, dominance, and loss of status	Humiliation often involves ridicule or laughter, sometimes in front of others/publicly

Fondling Considerations for Investigators

- Not all touching of a private body part is a sexual trespass
- Must become skilled at parsing out the policy (i.e., definition of fondling)
- In addition to the three-part intent analysis, there will need to be a thorough consent analysis:
  - The presence of force may be an indicator of sexual degradation
  - Incapacity may be a factor when determining sexual humiliation
- Consent analysis must be both subjectively and objectively applied

Consent Construct

ATIXA's Model Consent Policy Definition

Consent is:

- knowing,
- voluntary, and
- clear permission
- by word or action
- to engage in sexual activity

Overview of The Three Questions

1. **FORCE:** Was force used by the Respondent to obtain sexual or intimate access?
2. **INCAPACITY:** Was the Complainant incapacitated?
   a. If so, did the Respondent know, or
   b. Should the Respondent have known that the Complainant was incapacitated

Note: The intoxication of the Respondent cannot be used as a reason they did not know of the Complainant's incapacity

3. **CONSENT:** What clear words or actions gave the Respondent permission for each specific sexual or intimate act that took place as it took place?

Force

Was force used by the Respondent to obtain sexual or intimate access?

Physical Violence

- Hitting, restraint, pushing, kicking, etc.

Threats

- Objective and subjective analysis of the viability of the threat (true threat if public)

Intimidation

- Implied threat that menaces and/or causes reasonable fear

Coercion

- Unreasonable amount of pressure for sexual access (e.g., isolation, frequency, intensity, duration)

Incapacity

Was the Complainant incapacitated?

- **Incapacitation:** a state where an individual cannot make rational, reasonable decisions because they **lack the capacity** to give knowing consent
  - Unable to understand who, what, when, where, why, or how
  - Incapacity ≠ impaired, drunk, intoxicated, or under the influence
  - Situational awareness
  - Consequential awareness

Incapacity, Cont.

- What was the reason for incapacity?
  - Alcohol or other drugs (prescription or non-prescription)
  - Mental/cognitive impairment
  - Injury
  - Asleep or unconscious
- Blackouts are frequent issues
  - Blackout ≠ incapacitation (automatically)
    - Blackout = working memory is functional; short-term memory not retained
    - Partial blackout must be assessed as well
  - Although memory is absent in a blackout, verbal and motor skills may still function, as may decision-making capacity

Evidence of Incapacity: Potential Context Clues

- Slurred speech
- Odor of alcohol on the breath
- Shaky equilibrium; disorientation
- Passing out/unconsciousness
- Throwing up
- Known blackout
- Outrageous or unusual behavior (requires prior knowledge)

Incapacitation determination is made contextually **given all the available relevant evidence**

Incapacity Analysis

- If the Complainant **was not** incapacitated, move to the Consent Analysis
- If the Complainant **was** incapacitated, but:
  - The Respondent did not know, **AND**
  - The Respondent would not have reasonably known of the Complainant's incapacity = no policy violation, move to Consent Analysis
- If the Complainant **was** incapacitated, and:
  - The Respondent **knew it or caused it** = policy violation
  - The Respondent **should have known it (reasonable person)** = policy violation
  - **Remember:** the Respondent's own intoxication cannot be used as a defense because of the reasonable person standard (though it could mitigate sanctions)

Prior Knowledge Construct

- Did the Respondent previously know the Complainant?
  - If so, was the Complainant acting differently than previous similar situations, or out-of-character?
- Evaluate what, if anything, the Respondent observed the Complainant consuming
  - Use a timeline analysis
- Determine if the Respondent provided any substances to the Complainant

Consent Analysis

What clear words or actions gave the Respondent permission for each specific sexual or intimate act that took place as it took place?

- Is there any relevant sexual or intimate pattern or history between the parties?
- What verbal and/or non-verbal cues were present during any acts or portion of the encounter that the parties agree were consensual? Non-consensual?
  - Contemporaneous communication
- Critical to gather evidence regarding detailed and specific intimate behaviors
- Investigators sometimes think it isn't trauma informed to probe, but probing is part of the job – Investigators must probe gently and with tact

Credibility

Credibility Overview

- Credibility assessments weigh the accuracy and reliability of relevant information
- Primary considerations are **consistency** and **corroboration**
- Credibility is not synonymous with a person being “truthful” or “honest”
  - Avoid moral judgment phrases in reports such as “lying,” “honest,” “deceitful,” “sincere” etc.
- Evasion, misleading testimony, or memory errors may impact credibility
- Avoid too much focus on **non-relevant** information
- Use significant caution if relying on demeanor to determine credibility

Primary Credibility Factors

Corroboration

- Aligned testimony and/or physical evidence

Consistency

- Is a person's account consistent over time?

Inherent Plausibility

- Does the explanation make sense?
- Be careful of bias influencing sense of "logical"

Motive to Falsify

- Do they have a reason to lie?

Past Record

- Is there a history of similar behavior?

Consistency

- Typically measures internal consistency of an individual's account over time
  - Consistent accounts may bolster credibility
  - However, consistent does not mean **truthful;** credibility is more about assessing **reliability and accuracy**
- Inconsistency may be a better tool to assess credibility than consistency
- Carefully parse words or language to assess how (in)consistent a detail may be
- Written statements, texts, and other messages are often central to consistency analysis
- When someone gives inconsistent testimony, it presents an opportunity to clarify, recognize deviations, and explore what their basis may be

Corroboration

- Focuses on whether statements and evidence gathered from a party or witness are supported by "external" evidence (e.g., the statements or evidence provided by others)
  - Corroboration may bolster credibility
  - As with consistency, corroboration does not mean **truthful**; credibility is more about assessing **reliability and accuracy**
  - In practice, lack of corroboration may be a better tool to assess credibility
- Compare statements and evidence offered by parties or witnesses against each other
  - What consistent, reliable, and plausible external information corroborates a person's account?

Corroborating Evidence

- Strongest indicator of credibility
- Independent, objective authentication
- Corroboration of central vs. environmental facts
- Not simply aligning with friendly witnesses
- Contemporaneous witness accounts
- Outcry witnesses
- Allegiances

Inherent Plausibility

- Does what the party described make sense?
  - Consider environmental factors, trauma, relationships
- Is it believable on its face?
- "Plausibility" is a function of "likeliness"
- Is the party's statement consistent with the evidence?
- Is their physical location or proximity reasonable?
- How good is their memory?

Motive to Falsify

- Does the party have a reason to lie?
- What's at stake if the allegations are true?
  - Academic or career implications
  - Personal or relationship consequences
- What if the allegations are false?
  - Other pressures on the Complainant
- Reliance on written document while answering questions

Past Record

- Is there evidence or records of past misconduct?
- Are there determinations of responsibility for substantially similar misconduct?
- Check record for past allegations
  - Even if found “not responsible,” may evidence pattern or proclivity
- Written/verbal statements, pre-existing relationships

Demeanor

- Physical presentation and speech patterns are not determinative of credibility or truthfulness
  - Individuals are often good at picking up non-verbal cues
  - **However,** individuals are terrible at using demeanor to determine credibility
- Demeanor cues may indicate cause for additional questioning
  - "I noticed when I asked you about…you crossed your arms. Can you tell me why your posture changed?"
  - "I noticed when I started asking you questions about…your responses became much shorter. Can you explain that for me?"
  - "I noticed you rolled your eyes when I mentioned….Can you tell me about your reaction?"

Inconsistencies, Affect, and Credibility

- Differentiate between **more** versus **inconsistent** versus **contradictory** information if an individual's account changes
- Variations in testimony on minor or insignificant details should not significantly impact credibility
- One's affect ≠ evidence

Credibility Assessments in Investigation Reports

- Indicate where the Decision-maker should focus without rendering conclusions or making findings related to credibility

NOT GOOD

"The Decision-maker should find Mark to be unbelievable in his testimony about having received consent for the following reasons..."

BETTER

"Mark's testimony about X conflicts with Mariana's testimony about X. The accounts of Witness 1 and Witness 7 aligned with Mariana's testimony, not Mark's, during the investigation."

Common Credibility Assessment Errors

- Misinterpretation of and misplaced emphasis on nonverbal deception indicators
- Misplaced emphasis on (often trivial) information inconsistencies
- Confusion about memory
- Bias in interviews
  - Presumptions of responsibility
  - Anchor bias
- Confirmation bias
- Excusing inconsistencies by citing to trauma
- Accepting information at face value

Credibility Assessment Review

Interviewing Skills and Considerations

Interviewing Skills

Investigators build and improve skills over time and with practice:

- Appropriate questioning
- Active listening
- Seeking clarification
- Identifying gaps
- Body language and non-verbal communication (use caution)

Interviewing Considerations

- Anticipate heightened confidentiality concerns
  - Prepare to answer questions; don't dodge them
  - Be clear about expectations, especially limiting other parties or witnesses from discussing the complaint or the individuals involved
  - Ensure interviewees are aware of how the information they provide will be maintained and whether a statement can be retracted
- Be mindful of power dynamics and Investigator role as an authority figure in the Title IX process and the institution
- Visible reactions may impact rapport building or push a witness to dig deeper
  - Consider how facial expressions and demeanor may impact interviewees
  - Whether Investigator is impassive or expressive, they should be intentional and keep it neutral

Questioning Considerations

- An interview is a conversation designed to elicit information in a non-accusatory manner
- Start with broad questions, but focus on timelines and details as well
- Explore all gaps in information; answer all questions
- Ask purposeful questions:
  - What do I need to know?
  - Why do I need to know it?
- Use policy definitions to inform questions
- Avoid unnecessary repetition or traumatic re-triggering
- Choose or blend effective questioning strategies/methodologies

Questioning Techniques

Following
vs.
Leading

Explaining
vs.
Defending

Clarifying
vs.
Challenging

Curiosity
vs.
Suspicion

Disability Considerations

- Collaborate with disability/accessibility services staff as appropriate
- Possible accommodations
  - Communication services
  - Extended time
  - Accessible materials
  - Additional support persons
  - Other reasonable accommodations

Language Considerations

- English may not be a participant's first language and translation services may be needed for meaningful participation
- Even when speaking the same language there are often easy misunderstandings, so ensure accurate understanding

Interview Challenges: Resistance, Reluctance, and Lying

- Offer a reminder of Investigator's role as a neutral fact-gatherer
- Maintain rapport and avoid accusation
  - "Help me understand…"
  - "I think I'm missing something…"
  - "Can you tell me more about that?"
- Use language mirroring
- Allow opportunity for interviewee to restate
- Review retaliation, amnesty policies, expectation of truthfulness
- Avoid statements reflecting moral judgment

Investigation Reports

ATIXA's Recommendation

Comprehensive investigation report for all Title IX complaints

- Required for sexual harassment complaints
- Creates an opportunity for equitable access to relevant evidence
- Shows Investigator's work
- Provides Investigators with a standard and consistent format
- Helps protect institution on complaints that may be subject to scrutiny

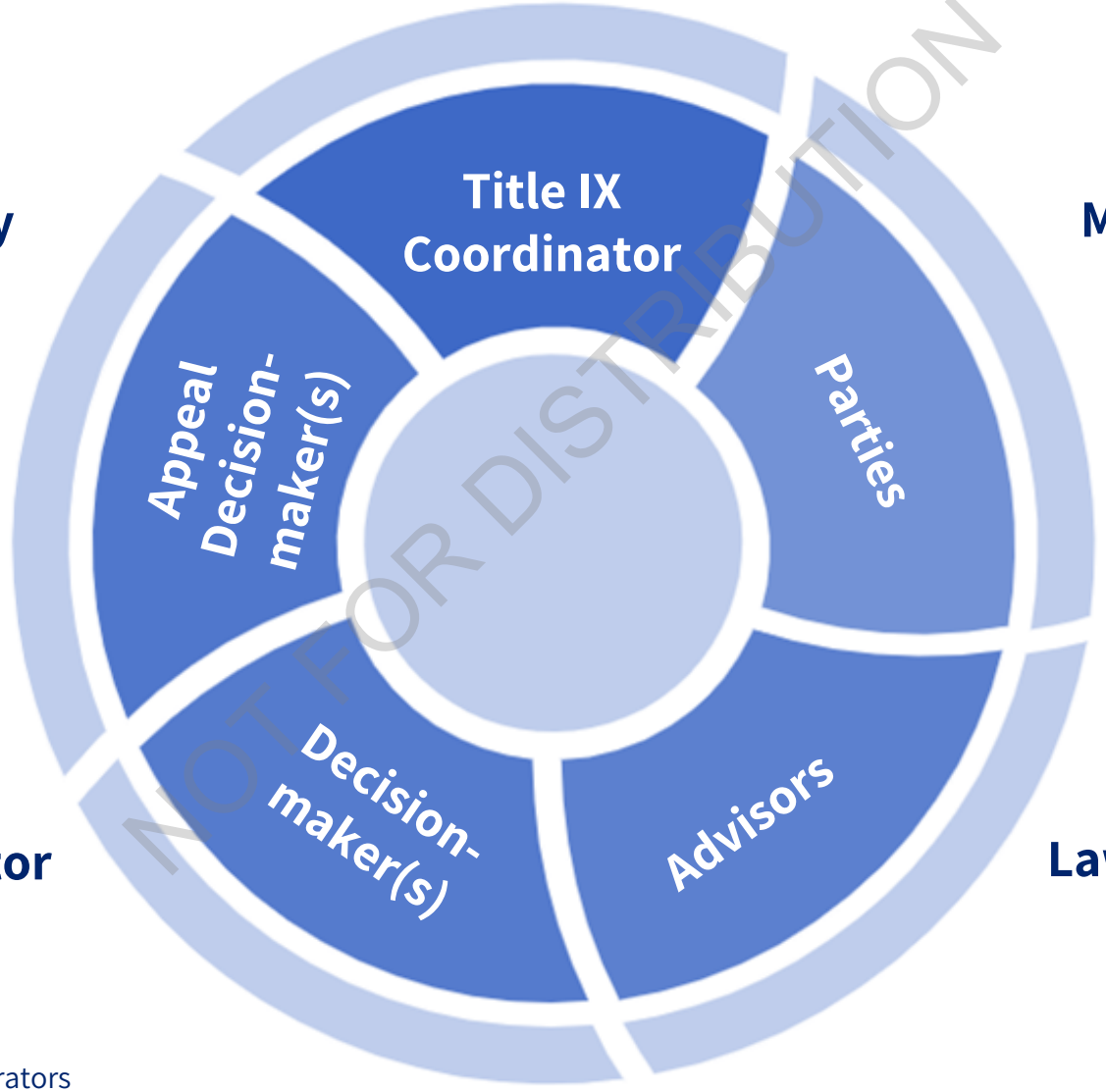
Potential Audiences for Report

External Agency

Legal Counsel

Employee Supervisor

Mediator or Arbitrator



Media

Civil Court

Criminal Court

Law Enforcement

FERPA, Title IX, and Student Records

- Title IX investigation reports involving students are subject to the **Family Educational Rights and Privacy Act (FERPA)**
- An investigation report is considered part of each party's education record
  - Not part of a student witness's education record, typically
- FERPA permits the disclosure of information contained in education records, without the student's consent, to institutional officials and specific external stakeholders who have a **legitimate educational interest**
  - Includes other parties and their Advisors
  - Avoid including or redact personally identifying information before releasing the report

Employee Records

- Title IX investigation reports involving employees may be subject to state employment record laws
- Institutional policy dictates whether a Formal Complaint, and subsequent Formal Grievance Process, are part of a Complainant's employee records
- Title IX requires releasing the investigation report to parties (whether students or employees) and their Advisors

Party Information Disclosure

- Title IX prohibits institutions from restricting the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
- Institutions may place restrictions on parties with respect to sharing and redistributing institutional work product (e.g., investigation reports)
- **ATIXA recommends stating in policy:**
  - Complainant or Respondent may share information about their own experience and evidence they have gathered themselves
  - The parties may not share the institution's work product
  - Unauthorized disclosure typically warrants either warning, sanctioning (parties), or removal (Advisors)

Writing Mechanics

Tone, Voice, Tense, and Point of View

TONE

Writer's attitude toward the subject or audience

VOICE

Form or format through which a narrator communicates a story

TENSE

When events or actions occurred in time—in the past, present, or future

POINT OF VIEW

The position from which the author "speaks" to the reader

Formal vs. Informal Language

Formal Language

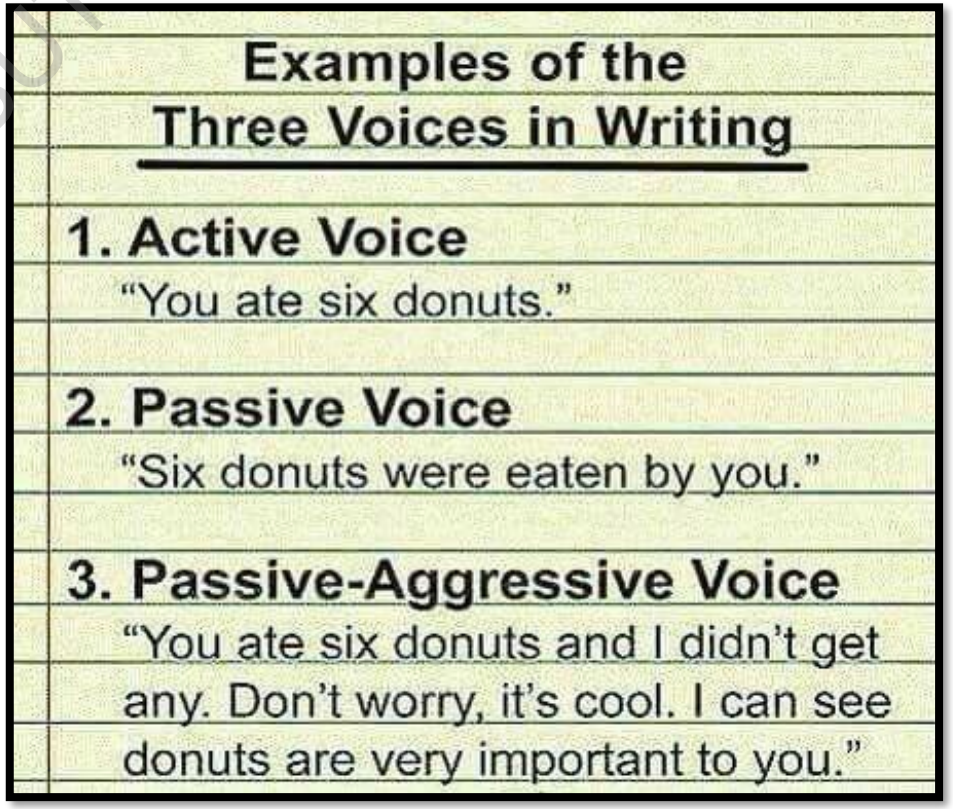
- Medical/anatomical terms
- Accurate terms for alcohol or other drugs, their composition, and use
- Full words – we would, cannot, percent
- Last name, role, titles
- Third-person writing

Informal Language

- Colloquial or slang terms for anatomy (“junk”) or sexual acts (“smashing”)
- “Weed,” “hunch punch,” “hammered”
- Contractions – we’d, can’t
- First name or nickname
- Empathic writing/taking a position

Active vs. Passive Voice

- **Active Voice:** used when the subject performs the action
  - Focuses on the doer of the action
  - Best practice
- **Passive Voice:** used when the action is performed upon the subject
  - Focuses on the action; doer is unknown, implied, or irrelevant



Tense

- Investigation reports are a narrative of events that have already occurred
  - **Past tense is best practice**
  - Avoid changing tenses
    - Exception: Investigator actions for the present or future
- **Present Tense:** expresses anything that is happening now, or is ongoing, constant, or habitual
- **Past Tense:** indicates past events, prior conditions, or completed processes
- **Future Tense:** indicates actions or events that will happen in the future

Neutral Perspective

- **Investigators may write from the first- or third-person point of view**
  - Third person creates more distance between the reader and the parties
    - First Person: I watched the Complainant sob and tremble at the pain they felt as they described the incident during the interview
    - Third Person: Complainant stated it was “very painful” to discuss the incident
- Investigator’s writing can unintentionally reflect their own biases
  - Focus on information and evidence, not opinions or suppositions
  - Describe evidence in a neutral manner; avoid emotional language or moralizing
  - Write so that the report is consistent in tone/format/voice no matter who writes it
- Templates can help maintain a neutral perspective regardless of Investigator

Writing and Structuring Investigation Reports

Format and Structure

- Templates, templates, templates
- Transcripts vs. interview summaries
- Narrative vs. bulleted format
  - Headnotes
- Multi-party or multi-allegation investigations
- Use attachments, appendices, and exhibits

Enhancing User-Friendliness

- Table of contents
- Page numbers
- Line numbers
- File naming conventions
- Internal document links

Direct Quotations

- Direct quotations and commentary from parties and witnesses can help to accurately convey their experiences and perceptions
- Recorded interviews, written statements, electronic messages, etc. can help facilitate use of direct quotations
- Advisors' statements should not be attributed to a party
- Care must be taken to indicate whether a quote is something a witness told Investigator(s) or something another person said to a witness

Incorporating Direct Quotations

Introduce the quotation with a complete sentence	Cole described how his relationship with Devyn evolved over time: “We were friends, and then we became friends with benefits.”
Use an introductory or explanatory phrase	When asked to describe his relationship with Devyn, Cole responded, “We are friends with benefits.”
Incorporate the quotation part of the sentence	Cole described his relationship with Devyn as “friends with benefits.”
Use a short phrase as part of the sentence	Cole used the term “friends with benefits” to describe his relationship with Devyn.

Punctuation for Quotations

If words are omitted from a quotation, use an ellipsis (…)

- Three dots (…) indicate the quote omits words in a sentence or sentences in a paragraph
- Four dots (….) indicate the quote omits words at the end of one sentence when the quote continues onto the next sentence
- Do not change the meaning of the sentence by omitting text

If words are inserted or altered in a quotation to improve readability, use square brackets [ ] to indicate the change

- May include:
  - Letter case or verb tense
  - Replacing a word to clarify meaning

Punctuation for Quotations

Enclose "sic" in square brackets to indicate that the quote is verbatim, though there are spelling or other syntax errors

- Most needed for excerpts from documentary evidence or interview transcripts
- Use [sic] when the meaning of the quotation is unclear
  - Helps proofreaders know what is/is not intentional
- If there are numerous errors throughout, consider a blanket statement that quotes are verbatim and that grammatical, syntax, or other errors are a function thereof

Sensitive Information

- Offensive, triggering, or explicit language (e.g., slurs)
- Graphic images/videos
- Medical information, including test results
- Mental health information
- Chosen name vs. legal name

Redaction Practices

Full redaction vs. role identifiers

- Example:
  - **Original:** Teagan stated that Jesse smacked her with an open hand
  - **Full:** [redacted] stated that [redacted] smacked her with an open hand
  - **Role Identifiers:** Complainant stated that Respondent smacked her with an open hand
- Full redaction is a common practice in law enforcement, but is not recommended for Title IX investigations
- Provide key with names for parties and Advisors

Redaction Practices

- Other options:
  - Include full name for first mention
  - Use initials
  - Use one- or two-letter identifiers (e.g., C, R, W1, W2)
- Determine whether to create a fully unredacted copy
  - Legal counsel
  - Decision-maker(s)

Word Choice

- Investigation report writing is **clear and factual**
- Avoid:
  - Unnecessary adverbs and adjectives
  - Conclusory words
  - Bias language
  - Judgmental statements

Common Pitfalls

- Abbreviations, initialisms, and acronyms
- Absolutes
- Clichés
- Exaggerations
- Generalizations
- Idioms
- Inconsistency
- Jargon
- Repetition

Word Choice Exercise: Part 1

Consider the difference a single word makes:

- The Respondent **fondled** the Complainant's breasts while they were sitting next to each other at the movie theater
- The Respondent **felt** the Complainant's breasts while they were sitting next to each other at the movie theater
- The Respondent **caressed** the Complainant's breasts while they were sitting next to each other at the movie theater
- The Respondent **touched** the Complainant's breasts while they were sitting next to each other at the movie theater
- The Respondent **groped** the Complainant's breasts while they were sitting next to each other at the movie theater

Word Choice Exercise: Part 2

Now that you've considered each of the statements, where would you place the described actions on a continuum from least severe/egregious to most severe/egregious?

The Respondent:

- Fondled
- Felt
- Caressed
- Touched
- Groped

Word Choice Examples

- The Respondent **refused** to answer the question.
- The Respondent **declined** to answer the question.
- The Respondent **chose not** to answer the question.

- The Complainant **denied** offering to massage the Respondent.
- The Complainant **vehemently denied** offering to massage the Respondent.
- The Complainant **flatly denied** offering to massage the Respondent.

Word Choice Examples

Poor Phrasing Example: "On September 21, 2016, four upperclassmen male students brought unwelcome sexual activity to Jane Doe and another female student in a stairwell at Maplewood."

Doe v. Metropolitan Government of Nashville and Davidson County, No. 20-6225 (6th Cir. May 19, 2022)

Recommended Revision: Four male upperclassmen engaged in sexual activity with Jane Doe and another female student in a Maplewood stairwell on September 21, 2016. Jane Doe and the other female student allege the sexual activity was unwelcome.

Footnotes

- Provide a space for definitions, context, or source information that would disrupt the flow of the report
- Description of electronic devices or applications
- References to appendices or evidence file
- Background information
- Relevant evidence source(s)
- If the Investigator is offering context from their own knowledge, make sure it is clearly indicated as such
  - Example: The Investigator notes from personal familiarity with the building that Room 19 is approximately halfway down the hall from the elevator

Footnotes, Cont.

- Consider who will be reading the report now and potentially in the future
  - Technology evolves
  - Slang shifts
  - Pop culture references change
  - Businesses come and go
  - Generational differences
  - Cultural differences
- Do not assume common knowledge
- In text, the footnote marker follows punctuation except for the em dash (—)
  - I.e., .[1] vs. [1]—

Footnote Example

Respondent described this interaction as follows,

> "At this point we were fully naked. And so we were grinding on each other. We were grinding on each other's genitalia. And then she placed her hand over her vagina and said, 'Wait, do you have a condom?' Then we began to discuss the use of a condom. I did not have a condom. I had just ran out the week prior. And so she asked if I could grab one from one of my friends, to which I responded, 'They're not home. They're still at the party. And I can't exactly go searching through their things while they're gone to find a condom.'"[2]

The parties agreed they engaged in a conversation about Respondent's lack of a condom and Complainant's concerns regarding proceeding with sexual intercourse without a condom.

[2] See Respondent Interview 4.1.2024_Transcript.pdf, p. 6.

Parties' Questions for Others

Document questions suggested or requested to be asked by the parties

1

Otherwise Answered
Document: the question and the answer

2

Asked and Answered
Document: the question, how it was asked, and the answer

3

Rephrased and Asked
Document: the question, rephrased question, rationale for rephrasing, and the answer

4

Not Asked
Document: rationale for not asking the question (e.g., irrelevant, impermissible)

Tips for Report and Evidence File Sharing

- Use a secure file-sharing platform
  - Consider functional and time limit restrictions as appropriate for the institution's community and process
- Include a separate watermark for each party and Advisor
- Clearly mark **draft** and **final** versions, including draft number
- Ensure the parties have a user-friendly method for providing feedback
- Remind about not disclosing institutional work product

Parties' Review and Response

- Must provide **10 days** for written response:
  - Draft report and directly related evidence must:
    - Be sent to each party and Advisor in an electronic format or hard copy
    - Include evidence upon which the Recipient does not intend to rely
    - Include exculpatory and inculpatory evidence
- Strategies for addressing :
  - New evidence
  - Clarification of earlier statements
  - Request to retracts earlier statements

Post-Review Investigator Response

- Follow-up on all areas, as needed
  - Additional evidence
  - Additional witnesses
  - Questions
- Track changes
- Include each party's review and comment in an appendix
  - Note if a party declined to comment
- Include Investigator response to review and comment in an appendix
  - Rationales for responses

Internal Report Review

Internal Report Review and Feedback

- TIXC and/or legal counsel reviews draft investigation report prior to providing it to the parties, after providing it to the parties, or both
  - ATIXA recommends having legal counsel review after providing the report to the parties
- Reviewer(s) identifies gaps, logic leaps, typographical errors, and substantive issues
- Reviewer(s) should not rewrite any section of the report, but can ask questions and provide suggestions
- Investigator should review and incorporate helpful edits and suggestions

Six Cs for Report Reviews

01 CLEAR

Readers can understand the report without needing to interpret vague language or guess at missing details

02 CONCISE

Complex information is distilled into its most essential elements without sacrificing accuracy

03 COHERENT

Connects the dots between evidence, analysis, and recommendations

04 CONCRETE

Includes specific, tangible facts instead of abstract ideas

05 CONSISTENT

Uses the same terminology, formatting, and analytical frameworks from beginning to end

06 CRITICAL

Objectively evaluates evidence for credibility assessment and synthesis

Feedback Examples

- Respondent said, “You can touch me too if you want.” Complainant did not say if she touched Respondent.
  - **Comment:** Why is this unanswered? As a primary element of their defense, the Respondent is arguing Complainant reciprocated the sexual contact. This is important information.
- Witness 4 also said that Complainant did not explain what Complainant meant when she said she was considering getting Respondent in trouble.
  - **Comment:** Did the Complainant say what she meant by this comment?
- Complainant was told there was no appeal process.
  - **Comment:** By whom? Do you know?

Absent Information

Information Not Obtained

Investigators should document all efforts to obtain evidence and explain any information that could not be obtained

- Did/does not exist
- Cannot be located
- Party/witness not available or declines to respond to question(s)
- Party/witness declined to submit
- Deleted, destroyed, damaged
- Unable to access without a court order
- Cannot be released based on an ongoing criminal and/or agency investigation

Unanswered Questions

- **ATIXA recommends including unanswered questions asked** during the investigation to:
  - Demonstrate a thorough investigation
  - Help guide the Decision-maker to topics that may need further exploration
- **If relevant, document in the interview summary**
  - Example: “Witness 2 declined to provide additional information regarding their text conversation with Complainant on February 19, 2024. Witness 2 was informed that Complainant voluntarily submitted screenshots of the text messages in question for purposes of this investigation.”

Investigation Report Sections

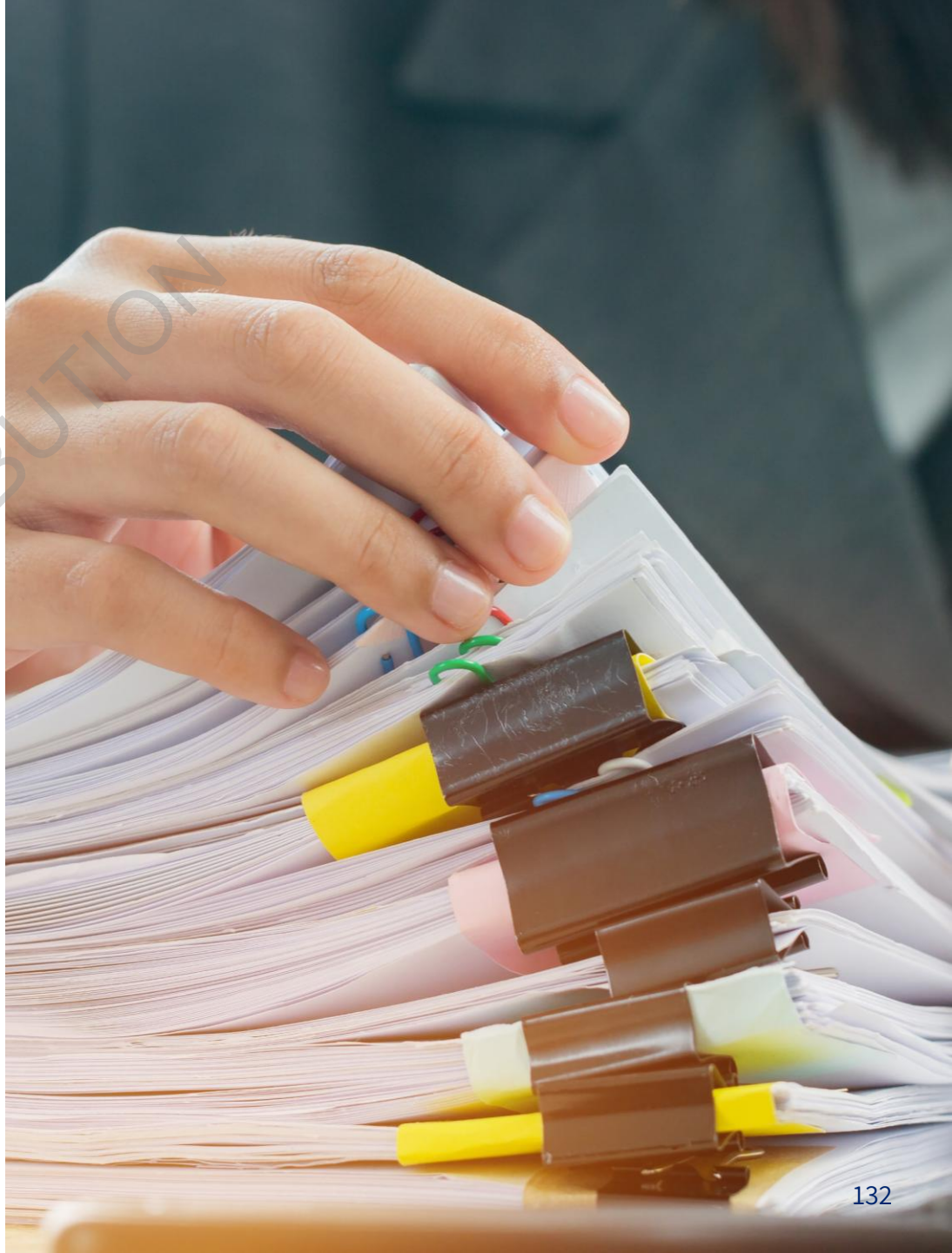
Possible Investigation Report Sections

- Introduction/Complaint Information
- Allegations Overview
- Jurisdiction
- Investigation Scope
- Applicable Policies and Relevant Definitions
  - Standard of Evidence
- Evidence List
- Investigation Timeline
- Relevant Background
- Incident Timeline
- Relevant Evidence Summary
- Credibility Assessment
- Discussion and Synthesis
- Recommended Findings and Final Determination
- Conclusion
- Appendices
- Evidence File

Discussion: Investigation Report Context Sections

Relevant Background

- Include additional background information as necessary to understand relationship history, context, etc.
  - Separate by topic



Incident Timeline(s)

- Visual representation or list that shows events in chronological order
  - One timeline for the reported incident(s) based on all available information
  - Use separate timelines for multiple incidents if necessary
- Reference evidence connected to points on the timeline
  - E.g., timestamped text messages, receipts, call logs
- Especially helpful in evaluating incapacitation
- For stalking allegations, it is an industry standard to include a timeline to assess the "course of conduct" element of the offense

Incident Timeline Example

~10:00 PM

Marty's

C and R meet at Marty's Convenience Store and purchase beer, wine, and bread

Travel

C and R travel to R's on-campus apartment and begin consuming alcohol and watching Netflix

Restroom

C uses the restroom and begins feeling "like it took a lot of effort to move [her] limbs" and "everything was going on around [her] in slow motion"

1:47 AM

Roommate Text

W2 texts R and tells him that W2 and W3 are coming back to the apartment; R says he is "entertaining"

Incident Timeline Example

Incident Timeline Example

~4:30 AM

Pick-up

W1 picks up C outside of R's residence hall and transports C to the hospital for a sexual assault examination

- Timeline established by using all available information
  - Receipts
  - Text message time stamps
  - Witness statements
  - Party statements
  - Building access records
  - Other

Relevant Evidence Summary

Relevant Evidence Summary Includes:

- Complaint and/or Incident Report
- Interview summaries/relevant portions of transcripts
- Written statements
- Responses to Draft Investigation Report
- Text/social media/email/electronic messages
- Photographs
- Description of and link to videos
- Relevant documents

Organizing the Relevant Evidence Summary

- Content may dictate the most logical organization structure for this section
- Can organize in multiple ways, depending on number of complainants, respondents, witnesses, or allegations, as well as the nature and type of the allegations themselves
- Some common approaches
  - By interviewee
  - By allegation
  - Chronological by interview
  - Chronological by incident timeline

Credibility Assessment

- Specific and detailed credibility assessment of:
  - Each party
  - Each witness
  - Any other relevant evidence
- Point to specific details that were considered that have aided in the assessments
- ATIXA does not recommend Investigators make conclusions about credibility, but comparisons may be helpful

Credibility Assessment Example

Respondent

- Respondent indicated that his current job at the institution is his “dream job” and he “would never do anything to jeopardize his employment”
- Respondent indicated that several people had come to him to discuss the allegations made by Complainant, and acknowledged conversations with W1, W2, W4, W9, W17, and W22
- W6 specifically refuted any suggestion that Respondent would call anyone a “lipstick lesbian,” but Investigators never shared with W6 that Respondent was alleged to have used that specific term
- W2 indicated that Respondent would never use derogatory language about a student-athlete
- W21 indicated that Respondent texted her at an unusual hour to see how she was doing on the same day that Complainant filed the allegations

Discussion and Synthesis

- Discuss and synthesize the relevant information
  - Consider the elements of each policy at issue
  - Refer back to relevant evidence cited
  - Refer to the credibility assessment(s)
- Guide for the Decision-maker(s) determination
  - What remains unresolved?
  - What type of analysis is required based on the applicable policy provisions?

Discussion and Synthesis Example: Undisputed Facts

The parties agree on the following facts:

- The parties met at an off-campus store, Marty's, where the Respondent purchased beer, wine, and bread
- The Respondent selected the beer, and the Complainant selected the wine
- The parties returned to the Respondent's on-campus apartment where they both consumed alcohol and watched Netflix while sitting on the couch in the living room
- The Complainant used the restroom in the apartment
- The Complainant awoke in the Respondent's bedroom early the following morning and texted her friend to pick her up

Discussion and Synthesis Example: Disputed Facts

The parties disagree on the following:

- Whether the Complainant was incapacitated due to alcohol consumption
- Whether Complainant asked Respondent to get a condom
- Whether the Respondent engaged in physical violence against the Complainant resulting in bruising on Complainant's neck and hip
- Whether Respondent had consent to engage in vaginal sexual intercourse with Complainant

Discussion and Synthesis Example 2

Allegation #1 – Sexual Harassment

Did Respondent sexually harass Complainant by showing Complainant's nude video to other Acme students?

- Acme College Policy defines "sexual harassment" as any unwelcome or unwanted sexual attention, sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature or other offensive behavior directed toward a student because of or on account of their sex, when:
  - such conduct has the purpose or effect of unreasonably interfering with an individual's performance as a student; or
  - such conduct creates an intimidating, hostile or offensive environment at the institution

Discussion and Synthesis Example 2, Part 2

The parties dispute this allegation

- Respondent denied showing Complainant's nude video to Witness 3
  - Complainant was not present when Respondent allegedly shared the video
  - Respondent did not explicitly deny playing the video on her phone in the presence of other students, but very deliberately defined "share" in such a way that Respondent could have been playing the video on her phone in plain view of other students and Respondent would not consider that "sharing" the video with other students

Discussion and Synthesis Example 2, Part 3

- Witness 3 told Complainant that Respondent showed Witness 3 and other students a nude video of Complainant
  - Witness 3 told Complainant that she was wearing a colorful robe in the video Respondent showed Witness 3
  - Complainant recognized Witness 3's description of the video as one she had shared with Respondent privately
  - Respondent denied that Complainant sent a video wearing a colorful robe

Discussion and Synthesis Example 2, Part 4

- Respondent thought Witness 3 overheard a conversation that was not directed at Witness 3 but denied ever showing or describing Complainant's video. Respondent also said Respondent did not have Complainant's text messages pulled up during this time
  - Witness 3 told Complainant that Respondent showed Witness 3, Witness 1, and Witness 2 a video of Complainant while the group was talking about their classmates
  - Witness 3 said that she and another student in the group during the conversation were new to the Acme campus, and the conversation was about "who was weird" and trying to "warn" people about other students
  - At some point, Complainant was brought up and then Respondent showed the videos

Discussion and Synthesis Example 2, Part 5

Did the incident occur as described?

- The Decision-maker should first evaluate the witness and parties' statements to determine whether the factual allegations are supported by a preponderance of the evidence
- Because there is a material disagreement on whether the video was shown, the Decision-maker should determine which description of these specific events is most reliable
- That determination may largely depend on the Decision-maker's evaluation of the credibility of the parties
- Relevant evidence that may impact the Decision-maker's evaluation of the parties' credibility is outlined in the credibility section of this report

Discussion and Synthesis Example 2, Part 6

- When the Decision-maker has determined which version of the interactions subject to disputed evidence in Allegation #1 is supported by a preponderance of the evidence, the Decision-maker should, if appropriate, determine whether the conduct constituted unwelcome or unwanted sexual attention that had the purpose or effect of unreasonably interfering with Complainant's performance as a student or created an intimidating, hostile, or offensive environment at the institution

Discussion: Investigation Report Evidence Sections

Recommended Finding and Recommended Determination

Recommended Finding

Whether the conduct occurred, by the standard of evidence

Recommended Determination

Whether the conduct that is proven to have occurred violates policy

Recommended Findings

- This section is only applicable if permitted by institutional policy (not recommended)
- **Apply the standard of evidence and use the relevant, credible evidence to answer the following question:**
  - **Did the conduct occur as alleged?**
    - What is more likely than not to have occurred?
    - Who was involved in what occurred?
    - When and where did it happen?

Recommended Findings, Cont.

- Apply the credibility analysis
  - Evidence is less credible if it is inconsistent or not corroborated
  - Passage of time, coupled with memory errors can adversely impact credibility of evidence
- Don’t assign disproportionate weight to minor deviations
- Recognize and neutralize any biases – allow the evidence alone to guide recommended findings
- List the recommended finding of fact for each alleged policy violation, applying the standard of evidence

Recommended Final Determination

- This section is only applicable if permitted by institutional policy (not recommended)

For complaints where Investigator(s) found that the alleged conduct occurred, apply the standard of proof and use the relevant, credible evidence to answer the following question

- **Did the conduct alleged violate policy?**
  - Parse the policy into its individual elements (model of proof)
    - A final determination of a violation can only occur when every element of a policy is met
    - Which facts provide information that either supports or detracts from meeting each element?
- List the recommended final determination for each alleged policy violation applying the standard of evidence

Discussion: Investigation Findings and Final Determinations

Appendices

- Relevant information that would not fit neatly in the investigation report
  - Policies
  - Complaint (depending on length)
  - Lengthy documents
- Parties' feedback on the investigation report and Investigator responses
- Parties' questions for others and responses
- Description, date of receipt, source, method of receipt, and verification/authentication information

Evidence File

- All relevant and directly related evidence in complete form
- Redact information that is not relevant or directly related
- Logical organization to align with report
- Maintain electronically
- TIXC and DM must be able to access

Questions?

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