

# *2026 Annual Investigator Training*

Office of the Vice President for Ethics and Compliance



# *Values*

# *University Commitment*

Maintain a **positive** and **safe** environment **free from harassment** that:

- Recognizes and values the inherent worth and dignity of every person
- Fosters tolerance, sensitivity, understanding and mutual respect
- Encourages each individual to strive to reach his or her own potential

Enforcement of policies of equal access and equal opportunity

# *Shared Commitment and Core Values*

**Commitment:** Every person matters and every interaction matters.

**Core Values:**

- Honesty in Practice
- Integrity
- Confidentiality
- Customer Service Mindset
- Self-Care

# *Values/Expectations*

**Honesty**, no matter what.

- You can't make decisions without reliable information.
- Without honesty, there is no trust.
  - Without trust, there is no credibility.
    - Without credibility, we cannot be successful.

**Integrity**, no matter what.

- If you see something/learn something that does not seem right, report it to me or to Vice President Rollock
- A note about time off, remote work, Purdue in Indianapolis, etc.

# *Values/Expectations*

**Confidentiality**, no matter what.

- VPEC/OCR/OCRC receives a lot of information from a lot of sources.
  - What we learn stays confidential, unless there is an express business need to share.
- Campus community members and partners put their trust in VPEC/OCR/OCRC to handle sensitive, complex, and difficult matters.
  - Be careful in sharing information.
  - Be sure to redact sensitive information – even in attachments/evidence gathered in investigations
  - Use Filelocker or secured means of sending information
- Texts and Teams chats are public records
- Check attachments and “to” line on emails before you send them
- Close doors for sensitive conversations
- Media inquiries – No Comment!
- Safeguard information
- Any requests for information/data should be run by me before providing the information outside of VPEC/OCR/OCRC. There is certain data we do not share.

# *Values/Expectations*

## **Customer-Oriented**

- "One-size fits one"
- Approachable and professional to all campus community members and campus partners.
- Friendly, courteous and excellent follow-up.
- Responsiveness matters.
- Provide value.
- Document appropriately and thoroughly.
- Escalate as appropriate.
  - If you have trouble with an individual, come to me first before writing a terse email or having a confrontational meeting.

## **Self-Care**

- Prioritize your work/what is reasonable to get done.
- Avoid getting sucked into the weeds.
- Don't wait too long to raise your hand for help.

# *Updates and Due Process*

# *2025 Updates to Policies and Procedures*

# *Equal Opportunity and Equal Access (III.C.)*

- Removed references to affirmative action
  
- Clarified good faith/bad faith and false statements
  - "Making a good faith report of discrimination or Harassment that is not later substantiated is not considered a false statement. Similarly, a determination regarding responsibility is not sufficient on its own to conclude that any individual made a materially false statement in bad faith."
  
- Application to Employment and Education
  - Purdue University may not require as a condition of employment, that a person attend training, including a training session, a seminar, a continuing education program, an orientation, or a program of therapy, that asserts any of the following:
    - That a person having a specific Personal Characteristic is inherently superior or inferior to a person having a different Personal Characteristic.
    - That a person, by virtue of the person's Personal Characteristic, should be blamed for actions committed in the past.
    - That a person's moral character is determined, in whole or in part, by the person's Personal Characteristic.
  - Neither Purdue University nor any of its employees may, in the course of the University's or the employee's prescribed duties: (a) implement any of the theories described in the above list; or (b) compel a student to implement any of the theories described above.

# *Equal Opportunity and Equal Access (III.C.)*

- Updated definition of Discrimination

- The process of illegally differentiating between people on the basis of group membership rather than individual merit, including, without limitation (a) to take an Education Action with respect to a person if the Education Action is based on a Personal Characteristic of the person, or (b) to take an Employment Action with respect to a person if the Employment Action is based on a Personal Characteristic of the person. *Systemic discrimination* may occur when unequal treatment results from neutral institutional practices that continue the effect of past discrimination. *Individual discrimination* may result when a person is subjected to unequal treatment on the basis of race, religion, color, sex, age, national origin or ancestry, genetic information, disability, status as a veteran, marital status, parental status, sexual orientation, gender identity or gender expression.

- Added definitions of Education Action, Employment Action and Personal Characteristic

- **Education Action**

- To enroll, refuse to enroll, admit, refuse to admit, provide aid, deny aid, reward, or penalize a person with respect to education or an educational opportunity.

- **Employment Action**

- To hire, fire, promote, refuse to promote, demote, reward, or penalize a person with respect to employment or an employment opportunity, unless such action is based on a bona fide occupational qualification.

- **Personal Characteristic**

- Race, religion, color, sex, national origin, or ancestry of an individual.

# *Equal Opportunity and Equal Access (III.C.)*

- Operating Procedures for Gender Participation in Sports:
  - <https://www.purdue.edu/ethics/resources/procedures-for-Gender-Participation-in-Sports.php>
- Complaints:
  - Written complaints by students or their parents may be directed to the University. The written complaint must be filed in a timely manner and be addressed to the Vice President for Ethics and Compliance. The Vice President for Ethics and Compliance, or designee, will provide a copy of the complaint to the sponsor of the athletic team within 10 days of receipt and afford the sponsor an opportunity to provide a written response.
  - The Vice President for Ethics and Compliance, or their designee, will review complaints and communicate with the complainant and sponsor regarding their determination, including any appropriate remedies or sanctions.

# *AntiHarassment (III.C.1)*

- Clarified good faith/bad faith and false statements
  - "Making a good faith report of discrimination or Harassment that is not later substantiated is not considered a false statement. Similarly, a determination regarding responsibility is not sufficient on its own to conclude that any individual made a materially false statement in bad faith."
  
- Added explanatory language to the Statement of Policy regarding Harassment covered by the policy.
  - Harassment in the workplace or the educational environment is unacceptable conduct and will not be tolerated. Purdue University is committed to maintaining an educational and work climate for faculty, staff and students that is positive and free from all forms of Harassment. This policy addresses Harassment in all forms, including Harassment toward individuals (a) for reasons of race, religion, color, sex, age, national origin or ancestry, genetic information, disability, status as a veteran, marital status, parental status, sexual orientation, gender identity and/or gender expression **or (b) based on actual or perceived shared ancestry or ethnic characteristics, and citizenship or residency in a country with a dominant religion or distinct religious identity and their association with this national origin/ancestry. This includes, for example, conduct towards another person or identifiable group of persons that is determined to have been motivated by Antisemitism, Islamophobia, Christianophobia or any other hatred, prejudice or discrimination against a particular religious belief. The University will not tolerate Harassment of its faculty, staff or students by persons conducting business with or visiting the University, even though such persons are not directly affiliated with the University.**

# *Procedures for Resolving Complaints of Discrimination and Harassment*

- Initial Assessment Changes
  - Initial assessment of Formal and Informal Complaints for Purdue University West Lafayette (including Indianapolis and statewide technology locations), done by the Associate Vice President for Civil Rights
- Formalized the initial assessment process for Informal Complaints
- Added time limit for filing a complaint after separation of student status
  - Notwithstanding the foregoing, a complaint relating to alleged discrimination or harassment occurring during a Complainant's employment by or enrollment as a student of the University must be properly filed within 10 days following termination of the Complainant's employment with the University or within **30 days following the Complainant's graduation, last date of enrollment, or other separation as a student, as the case may be.**
- Revised sanction language
  - Failure to abide by the sanctions imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanctions, up to and including expulsion or termination from the University.

# *Title IX Harassment (III.C.4)*

- Clarified good faith/bad faith and false statements
- Updated definitions of Domestic Violence and Fondling

## **Domestic Violence**

Felony or misdemeanor crimes of violence (including threats or attempts) committed:

- by a current or former spouse of the victim,
- by a person with whom the victim shares a child in common,
- by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Indiana, or
- by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

## **Fondling**

The intentional touching of the clothed or unclothed body parts without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation; or the forced touching by the victim of the actor's clothed or unclothed body parts, without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation. Fondling includes instances where the victim is incapable of giving consent because of age or incapacity due to temporary or permanent mental or physical impairment or intoxication for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

# *Procedures for Resolving Complaints of Title IX Harassment*

- Updated sanction language
- Clarified good faith/bad faith and false statements

# *Due Process*

# ***Due Process***

What is due process?

- Notice and an opportunity to respond
- Ensures fair treatment for all parties

Why does due process matter?

# ***Initial Assessment***

## **Time Frames:**

- Within 5 days of the filing of a Formal or Informal Complaint; or
- Within 14 days of the filing of a Formal Complaint of Title IX Harassment

## **Non-Title IX Process:**

- Whether the status of the Complainant or Respondent(s) places the matters outside the scope of the Policies;
- Whether the allegations, if substantiated, would constitute a violation of the Policies; and
- Whether there is reasonable cause to believe that the Respondent(s) has violated the Policies

## **Title IX Process:**

- Mandatory Dismissal Provisions
  - Fails to constitute Title IX Harassment
  - Jurisdictional issues
- Discretionary Dismissal Provisions

# ***Initiation Notice***

## **This is your map**

Initial Assessment will result in either a dismissal notice or an initiation notice.

Initiation Notice must:

- State whether it is a Formal Complaint of Harassment, Discrimination, or both.
- Identify the specific allegations being investigated and any allegations being dismissed
  - This should be specific to each Respondent where there are multiple Respondents
- Include the correct effective dates for the Policies and Procedures
- Include a Timeline
- CC list
- Resources

Vague notices lead to confusion, less organized investigations, and procedural challenges, including due process concerns

# *Investigation Planning*

# ***Notice of Response***

Responses from Respondents are varied

- No written response
- Brief response
- Lengthy response

Ensure that a copy of the response is provided to the Complainant and Investigators

Investigators should review the response and ask:

- Did the Respondent admit to or deny the allegations?
- Can we streamline the investigation?
- What additional evidence is needed?

# *Investigation Planning*

## Building Your Plan

- Review the Initiation Notice
  - Remember, this is your map
  - What is alleged to have happened?
  - When did it happen?
  - Who is involved?
- Policy Definitions
  - What are the elements you would need to establish in order to find a policy violation?
  - What evidence would you need?
  - Who do you need to talk to in order to get that information?
- Who do you need to interview?
  - Witnesses identified by Complainant, Respondent
  - Witnesses appearing in documents/evidence
- When someone is *not* interviewed:
  - Err on the side of over-inclusion of witnesses (30 minutes now can save a lot of time later)
  - Check with supervisor before deciding to omit someone identified by one of the parties
  - Document in the report either the decision not to interview someone OR document the number of attempts or response from the witnesses declining the interview (\*Note expectation of participation)

# *Scheduling Interviews*

- Use Meeting Request Templates
  - Template for parties
  - Template for witnesses
  - Separate templates for Title IX Matters
    - NOTE: Cannot compel participation in Title IX Process
- How to handle non-responsiveness
  - Maxient letters (with and without texting, if a cell phone number is known)
  - Direct emails
  - Telephone calls!
  - Letter
  - Non-Title IX Matters
    - Expectation for Participation by Parties and Witnesses
    - Referral to HR or OSRR, as appropriate

# *Conducting Investigations*

# *Interviews of Parties and Witnesses*

## Expectations for Interviews

- In-person interviews of Complainant and Respondent
  - Witness interviews can be conducted remotely, though the preference is for in-person interviews
  - Decorum/professionalism, even for remote interviews
- Record all interviews
- This is important!
  - People need to understand the process to participate effectively
  - Establishes a record – sets clear expectations for next steps
  - Useful time for building rapport

# *Interviews of Parties and Witnesses*

## Interview Script

- Promotes consistency and accuracy
- Review the process/what to expect at the start of each interview
  - Date/Time/Location/Who is Present
  - We record all interviews
  - Transcripts of the recordings of interviews and all evidence gathered provided to the Complainant and Respondent(s)
    - Due Process
    - Transparency
  - Report Review Agreement overview (for Complainant and Respondent(s))
  - Role of a Support Person (for Complainant and Respondent(s))
  - Availability of Breaks
  - Confidentiality
  - Protections against Retaliation
  - What to expect regarding next steps
    - Explain to witnesses that they will not be notified of the outcome
    - Explain the Hearing process to witnesses in Title IX cases
  - May be useful to walk them through the timeline

# *The Interview*

## Plan and Pivot

- Prepare, prepare, prepare!
  - What information do you need to gather from this specific individual?
  - Plan questions – or categories of questions – in advance
- Do not be too rigid
  - Let the conversation flow naturally, but be ready to pull it back to your plan/list
  - Make notes of questions/topics to follow up on
- Ask open-ended questions
  - Why do you feel that way?
  - What makes you believe that?
  - Tell me about the night...
- Maintain a neutral, respectful and professional attitude
  - Remember: **Every Person Matters, Every Interaction Matters**
- Make a document list for follow up
- Other witnesses
  - Anyone else you think we should interview?
  - What information would that person be able to share?

# *Speed Up by Slowing Down*

## Thorough and Complete

- Order transcripts from Rev.com on an ongoing basis throughout the investigation
- Review the transcripts to see if there are areas/topics you missed or things you need to follow up on based on other interviews
- Check your charts
  - Have you gathered all of the evidence you need to be able to answer all of the elements of a policy definition?
  - Are you missing anything – either testimony or documentation?
- Check for Gaps
  - Extra interviews now take 30-60 minutes; reopening an investigation takes weeks
  - Request extensions of time for thoroughness
  - Gaps found now are easier to fill than gaps found at the hearing stage

# *General Investigation Tips*

- We are neutral fact-finders
  - Remember you have no "side"
- Engage in active accumulation of evidence
- Don't hide the ball
- Turn over every relevant rock
- Maintain a clean and organized investigation file
- Keep clear notes/records of attempts to contact parties/witnesses, evidence requested (and if it is not provided), reasons for delays, deviations from established timelies/procedures

# *Questioning Skills*

- We want sufficient information to make a fair, impartial, and well-informed decision.
- The questions asked are imperative to the credibility determinations
- Funnel technique
  - Broad, open-ended questions first
  - Narrowing each question as it flows logically from the previous question or answer
- Repeat/rephrase questions if they do not answer the question you asked
  - Restate and reframe answers, if necessary to ensure correct understanding
- Revisit topics to avoid any ambiguity
- Circular questioning to verify consistency/accuracy of answers
- Avoid leading questions
- Generally, avoid yes/no questions unless necessary (e.g. elusive)
- Avoid compound questions/multiple choice questions
- Stay impartial/neutral/respectful
  - Do not interrogate
- Don't be afraid of silence

# *Report Writing*

# *Report Writing*

# *Writing the Report*

## Writing Process

- Leave yourself plenty of time to write
- Read information submitted by the parties (Complaint/Response)
- Create an investigation plan
- Interview parties and witnesses
- Create a working outline
- Draft the Investigation Report
- Revise and refine the draft

# *Writing the Report*

## Details and Organization Matter

- Start from a clean investigation report template
- Refer to the Notice of Investigation for your allegations
- Be sure to include all relevant policy definitions in the report
  - Check the revised dates of the policies/procedures to make sure you are including and analyzing the correct policies
- Check the spellings of names
- Objective Writing
  - Give an objective recommendation
    - Do not "advocate"
    - Evaluate each side of the case
    - Accurately predict the appropriate outcome
  - Include Necessary Facts
    - Synthesize facts & highlight disputed facts
  - Organize logically
    - Chronologically
    - Logically
  - Adopt the proper tone

# *Writing the Report*

## Details and Organization Matter

- Synthesize Areas of Dispute/Agreement
  - Summary of all undisputed facts
  - Summary of all evidence that remains contested
- Do not leave implicit any details that need to be explained
- Review for any relevant facts that are missing
  - If you find a gap – raise your hand
  - Better to reopen the investigation than to get to the panel or hearing with ambiguity or incomplete evidence
- Be sure you do not omit any relevant facts just because they do not support your conclusion

# *Writing the Report*

## Best Practices in Editing

- Get a first draft completed
- Editing is the most important stage of the writing process
- Edit on paper, not the screen
- Take a break!
- Minimize distractions
- Have a coworker read your draft
  - Are there parts that need better explained?
- Leave time for reflection
- Write as you go \*during the investigation\*
- Utilize your tools (Rev.com/charts/templates)
- Block calendar time for writing and reflection

# *REV.com & Box 101*

# Rev.com

## Expectations for Use

- All campuses are using Rev.com for ordering transcripts and are ordering through the WL account
- Everyone should have access as a "manager"
  - Let me know if any issues
- Human Transcription
- Do NOT add extras without written permission from me
- See SOP for ordering instructions
  - Reference Names/PO, Project, Department
- GLOSSARY
  - Before ordering transcripts, build your glossary
    - Speaker Names
    - Accents
    - Other Terms
      - people, locations, abbreviations, or anything you think might be out of the ordinary for the transcriptionist
  - **Every Person Matters, Every Interaction Matters**

*Thank You!*

