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Title IX Investigator- Sex-Based Harassment Investigations (Tier 1)

Presented by DSA Associates:

**Cathy Cocks
Adrienne Murray
Ann Todd**

D. Stafford & Associates, LLC
179 Rehoboth Avenue, #1121
Rehoboth Beach, DE 19971
302-344-5809

Dolores@DStaffordandAssociates.com

www.dstaffordandassociates.com

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Sex-Based Harassment Investigations

- The Investigator
- Sex-based Harassment
- Unwelcome Conduct & Consent
- Investigative Strategy & Evidence Collection
- Interviewing
- Trauma & The Interview
- Evidence Evaluation
- Reports



Adrienne Meador Murray, Vice President, Equity Compliance and Civil Rights Services



In January 2014, Adrienne Meador Murray joined D. Stafford & Associates where she currently serves as the Vice President, Equity Compliance and Civil Rights Services after having been affiliated with D. Stafford & Associates as a part-time Associate since 2012 and the National Association of Clery Compliance Officers & Professionals (NACCOP) where she currently serves as Director of Training and Compliance Activities. Murray began her career in municipal law enforcement as a civilian employee with the City of Richmond Police Department (Virginia). She graduated from the Virginia Commonwealth University Police Training Academy and began her career as a sworn police officer for the University of Richmond (UR) Police Department (Virginia). At UR, Murray progressed through the ranks from a night shift patrol officer to Operations Lieutenant (overseeing criminal investigations, crime prevention and patrol) over the span of a decade before becoming the Chief of Police at Davidson

College in North Carolina. Most recently, Murray served as Chief of Police at Trinity Washington University (in Washington, D.C.).

As the Executive Director, Equity Compliance and Civil Rights Services for DSA, Murray builds on her 17-year career in law enforcement in which she became a nationally recognized expert in the field of best practice postsecondary institutional response to the sexual victimization of college women in the United States and in Canada. She is also a trained civil rights investigator and is well respected throughout the country for her ability to aid institutions in understating how to do best practice criminal and civil rights investigations concurrently. She is well known for her work in having provided support, advocacy and criminal investigative services for victims of sexual assault, stalking and intimate partner violence and is a sought-out speaker and investigator. She has expertise in the construction of best practice law enforcement standard operating procedures and training police officers to respond in best practice and trauma-informed ways to victims of sexual assault and intimate partner violence. In her current role, Murray coordinates curriculum development and instruction for national classes, including basic and advanced sexual misconduct investigation classes; an investigation of dating violence, domestic violence and stalking class; and a Title IX Coordinator/Investigator class offered through D. Stafford & Associates. To date, Murray has trained more than 3,500 criminal and civil rights investigators throughout the U.S.

Drawing on her experiences as a trained criminal and civil rights investigator, Murray also oversees independent investigations of complex sexual misconduct cases; conducts audits of Title IX/VAWA



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P.O. Box 1121
Rehoboth Beach, DE 19971
Phone: (202) 438-5929
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Compliance; drafts institutional sexual misconduct policies and procedures; and conducts campus-based trainings pertaining to the resolution of sexual misconduct offenses on college and university campuses. Murray frequently presents at regional and national conferences on topics such as the *Sexual Victimization of College Women*, *Understanding Consent and Incapacitation*, and *Responding to Sexual Assault on Campus: Clery Act and Title IX Implications*. Murray also conducts provincially specific sexual misconduct trainings throughout Canada.

Murray is a graduate of the University of Richmond, where she received her Bachelor's Degree in Applied Studies in Human Resource Management and of New England College, where she received her Master's Degree in Campus Public Safety Administration. Murray is also a graduate of the 235th session of the prestigious FBI National Academy where she was awarded a graduate certificate in Criminal Justice from the University of Virginia. She has authored numerous journal articles.

Catherine Cocks, M.A.
Consultant, Student Affairs, Title IX, and
Equity Compliance Services



Ms. Cocks has been a higher education professional for over thirty years. Her work with D. Stafford & Associates focuses on Title IX investigations and training; assessment of student affairs policies, practices and services; and behavioral threat assessment. Cathy was the Director of Community Standards for the University of Connecticut for 14 years where she managed the student conduct process, which included managing all Title IX cases involving student respondents and chaired the University's student threat assessment team. Prior to that, she held several positions within Residential Life at the University of Connecticut and Roger Williams University.

She is a faculty member for the Association for Student Conduct Administration's (ASCA) Donald D. Gehring Academy teaching on subjects such as ethics, governance, threat assessment, media relations, and higher education trends. She was an affiliated faculty

member for many years in the University of Connecticut's Higher Education and Student Affairs Master's program teaching "The Law, Ethics, and Decision-Making in Student Affairs."

Cathy has co-authored the "Philosophy of Student Conduct" chapter in the 2nd edition of "Student Conduct Practice" (2020) and was a member of the writing team for CAS Standards' Cross-functional Framework for Identifying and Responding to Behavioral Concerns.

Cathy is a Past President of ASCA. She has also served as a Circuit representative, co-chair of the Public Policy and Legislative Issues Committee, and as a member of the ASCA Expectations of Members Task Force. Cathy has served in a variety of leadership roles in NASPA Region I.

She was the 2015 recipient of ASCA's Donald D. Gehring Award. She is a past recipient of the NASPA Region I Mid-Level Student Affairs Professional Award and the NASPA Region I Continuous Service Award.

She earned her Master's degree in Higher Education Administration from the University of Connecticut and Bachelor's degree in Communications/Media from Fitchburg State University.

Ann Todd
Consultant, Equity Compliance and Civil Rights Investigations



Ann Todd, Esq is a seasoned civil rights investigator in higher education for D. Stafford & Associates (DSA). Ms. Todd is a graduate of Davidson College with a degree in psychology and holds a JD from the University of Nebraska. Prior to joining DSA, she practiced law in Charlotte, NC, specializing in employment and civil rights and worked for a number of non-profit organizations. She returned to her alma mater (Davidson College) in 2008 and worked there through March of 2016 serving as the Assistant Director of Human Resources with the responsibility of managing employee relations and the learning and development function while also serving as the deputy Title IX Coordinator.

Ms. Todd joined the DSA in 2015 and currently serves as the Consultant, Equity Compliance and Civil Rights Investigations. She is the Senior Investigator for the DSA Title IX Investigation Team. She conducts external investigations on behalf of colleges and universities, specializing in investigating student allegations of sex discrimination, sexual assault, intimate partner violence, and stalking. Additionally, she brings a strong Human Resources background to investigating a range of employee misconduct—from performance issues to discrimination.

In addition to conducting investigations, Ms. Todd is a frequent speaker and consultant on Title IX investigations, conducting 20-30 courses every year on best practices for investigating sex discrimination and sex crimes on campus. She works with schools to draft policies and processes that provide equity and fairness to



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Rehoboth Beach, DE 19971
Phone: (202) 438-5929
dolores@dstaffordandassociates.com

all parties involved and is adept at facilitating discussions with institutions to ensure the end product represents the values of the campus community.

Ms. Todd is licensed private investigator and a member of the NC Bar. She is a Certified Clery Compliance Officer through the National Association of Clery Compliance Officers and Professionals (NACCOP) and she is also a certified 360 facilitator through the Center for Creative Leadership. Ms. Todd lives in Davidson, NC where she volunteers on a number of local and town boards.

INVESTIGATION CLASS ACRONYMS

- ASR:** Annual Security Report (often used as a reference to the Annual Security Report and/or the Annual Security and Fire Safety Report) that must be published by each institution of higher education.
- CSA:** Campus Security Authority—Individuals on each campus who have been identified by the Department of Education as persons who are required to report crimes that they become aware of to the Reporting Structure at each institution.
- DCL:** Dear Colleague Letter—this is a formal name of the method of communication from the Department of Education to college campuses. It is like naming their official “memo” to campuses.
- FERPA:** Family Educational Rights and Privacy Act—governs the confidentiality of student records.
- FNE:** Forensic Nurse Examiners
- GO:** General Order—some departments describe their operating procedures as general orders
- HEOA:** Higher Education Opportunity Act—the broader law that contains the Clery Act language and the fire safety and missing person language that is in the law but not contained within the “Clery Act” portion of the law.
- HIPAA:** Health Insurance and Privacy and Portability Act—governs privacy of medical records.
- MOU:** Memorandum of Understanding—an official agreement developed between agencies.
- NIBRS:** National Incident-Based Reporting System. 1 of 2 crime reporting systems developed by the FBI, but not the system that you are required to use for Clery Reporting—the only portion of this system that is used for Clery Act purposes are the 4 forcible and 2 non-forcible sex offense definitions.
- OCR:** Office of Civil Rights—the unit of the Department of Education that oversees Title IX Compliance.
- PD:** Police Department
- PS:** Public Safety
- PNG:** Persona-non-Grata—process used by some campuses not keep students from entering certain areas of the campus or the entire campus (administrative process) versus legal bar notice or trespass warning.
- SACC:** Sexual Assault Crisis Center, also known as Women’s Center.
- SANE:** Sexual Assault Nurse Examiner

SART: Sexual Assault Response Team

SOP: Standard Operating Procedures—some departments describe their operating procedures as Standard Operating Procedures. Some call them General Orders, etc...

SWA: Senior Women's Administrator (Athletics)

TWN: Timely Warning Notice

UCR: Uniformed Crime Report. This is 1 of 2 crime statistics reporting systems developed by the FBI. Institutions are required to use UCR Standards for counting and classifying crimes for reporting the Clery statistics.

VAWA: Violence Against Women Act



TITLE IX

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ISSUANCE OF CERTIFICATES FOR COMPLETION

To receive a certificate, attendees must attend the majority of the class and have paid class invoice in full. This applies to both in-person classes and virtual classes. We understand that attendees may need to miss class for a legitimate reason for longer periods of time or may need to leave the room during a class for a few minutes to take a phone call or attend to other business. If an attendee misses a significant amount of the class (depending on the length of the class) or they miss an attendance poll, they will not be issued a certificate of completion for the class.

Attendees should report each absence using the online form provided (each class has its own unique form that is sent to all attendees via email prior to class). Attendees should complete the form twice for each absence: once to record their departure, and again to record their return. Attendees should complete the form immediately before leaving class and as soon as practicable upon their return. If an attendee signs out but does not sign back in, they will be marked absent for the remainder of the day.

The criteria for receiving a certificate is determined based on missed class time and participation in the Attendance Polls that will be launched throughout each day of class. Attendance polls are left up for approximately 5 minutes and the instructor notifies the attendees that a poll is being launched to ensure that everyone who is present can respond to the poll. If an attendee is unable to respond to the attendance poll, the attendee would need to **immediately post "I am here"** in the chat feature within the Zoom platform. That way we can give the attendee credit for being in attendance for that specific poll. Notifying us after the attendance poll has been closed will not allow us to give the attendee credit for being in class during the poll.

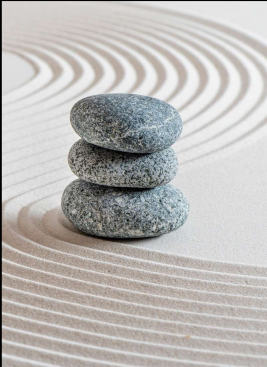
Some of our classes may qualify for credit toward a Master's Degree at New England College (and regardless if you decide to seek credit or not, accreditation requirements mandate that we follow the same standards for all class attendees), so we have strict attendance standards that we follow for issuance of a certificate. For DSA & NACCOP, issuance of a Certificate of Completion is verification of attendance.



INVESTIGATIONS



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COURSE AGENDA

- The Investigator
- Sex-based Harassment
- Unwelcome Conduct & Consent
- Investigative Strategy & Evidence Collection
- Interviewing
- Trauma & The Interview
- Evidence Evaluation
- Reports

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THE INVESTIGATOR



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CONFLICT OF INTEREST OR BIAS

Generally

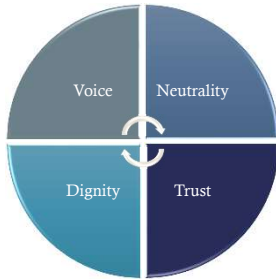


Individually



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PROCEDURAL FAIRNESS



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"The Investigator"



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SEX-BASED HARASSMENT

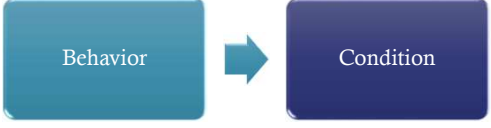


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UNDERSTANDING THE ELEMENTS



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graph LR; Behavior[Behavior] --> Condition[Condition]
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DECISION-MAKER'S PATH

- What was the conduct?
 - Was the conduct on the basis of sex?
 - Was the conduct unwelcome or without consent?
- Does the conduct meet the definition of a violation of institutional policy?

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SAMPLE DEFINITIONS

definitive /dɪˈfɪnɪtɪv/ *adj.*
 clearly defined, not vague, quite
 definitely *adv.* [Latin: *definitus*
firmus]

Usage See note at *definitive*.

definite article *n.* the word
 (English) preceding a noun and
 a specific instance.

definition /defɪˈnɪʃ(ə)n/ *n.* **1 a**
b statement of the meaning of
 etc. **2** distinctness in outline,
 photographic image. [Latin: *defini*
 DEFINE]

definitive /dɪˈfɪnɪtɪv/ *adj.*
 answer, verdict, etc.) decisively
 final **2** (of a book)

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QUID PRO QUO



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QUID PRO QUO - SAMPLE DEFINITION

An employee, agent, or other person authorized to provide an aid, benefit, or service under the recipient’s education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person’s participation in unwelcome sexual conduct.

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QUID PRO QUO INVESTIGATIONS

Respondent

- Is the respondent an employee?
- What is the relationship to the complainant?
- What, if any, perceived or actual power exists?

Aid, Benefit, or Service

- What was offered?
- How was it communicated?

Sexual Conduct

- What was the conduct requested?
- Was it sex-based?
- How was it unwelcome?
- How was it communicated?

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HOSTILE ENVIRONMENT

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HOSTILE ENVIRONMENT - SAMPLE DEFINITION

Unwelcome sex-based conduct that is sufficiently severe or pervasive, that, based on the totality of the circumstances and evaluated subjectively and objectively, denies or limits a person's ability to participate in or benefit from the recipient's education program or activity.

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 **HOSTILE ENVIRONMENT INVESTIGATIONS**

Type, frequency, and duration of the conduct	Location of the conduct, context, and control
Parties' ages, roles, previous interactions, other factors	Impact on ability to access program or activity

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SEXUAL ASSAULT



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 **SEXUAL ASSAULT - SAMPLE DEFINITIONS**

- **Rape** - The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
- **Fondling** - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental incapacity.
- **Incest** - Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** - Sexual intercourse with a person who is under the statutory age of consent.

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 **SEXUAL ASSAULT INVESTIGATIONS**

What was the sexual behavior?

Who was the initiator?


What, if any, were the words or actions to indicate consent?

- Is there an issue of incapacitation or force?

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STALKING



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 **STALKING - SAMPLE DEFINITION**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—


- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.

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STALKING INVESTIGATIONS



What was the course of conduct?



What was the frequency?



What was the impact?

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INTIMATE PARTNER VIOLENCE

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DATING VIOLENCE - SAMPLE DEFINITION

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant.

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DOMESTIC VIOLENCE - SAMPLE DEFINITION

Violence committed—

- By a current or former spouse or intimate partner 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 the jurisdiction in which the crime of violence occurred;
- 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.

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INTIMATE PARTNER VIOLENCE INVESTIGATIONS

Parties

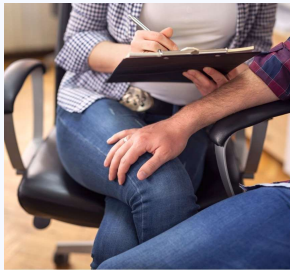
- Type of relationship
- Length of the relationship
- Frequency of interaction between the persons

Behaviors

- Type of violence
- Possible patterns of behaviors
- Other behaviors that may fall under other policy definitions

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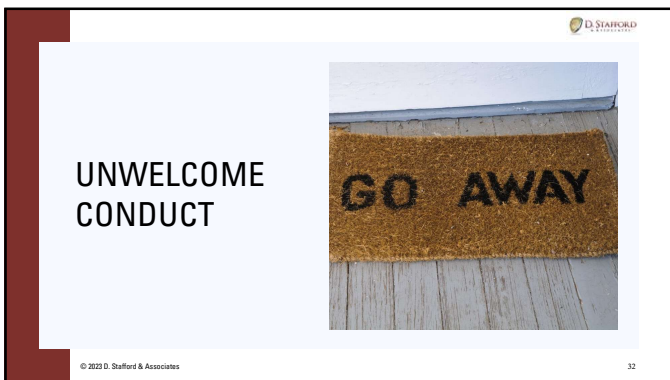
UNWELCOME CONDUCT & CONSENT



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TESTING FOR UNWELCOMENESS

Objective Subjective

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CONSENT

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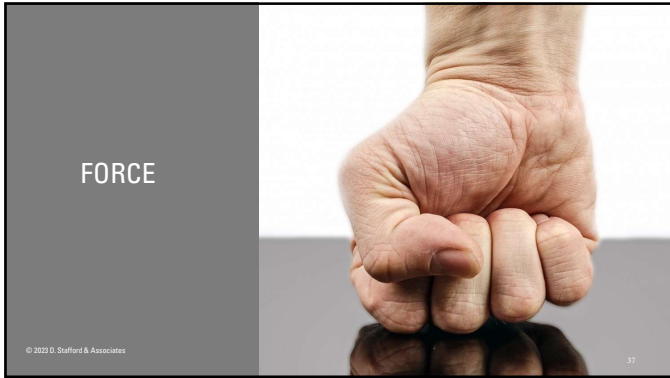
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CONSENT

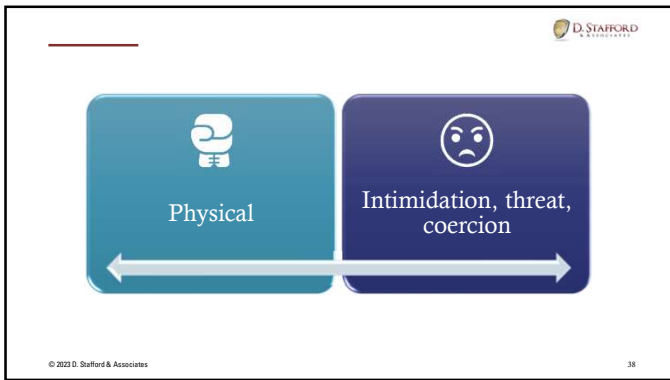
Sexual Permission Verbal or Nonverbal Absent if force or incapacitation

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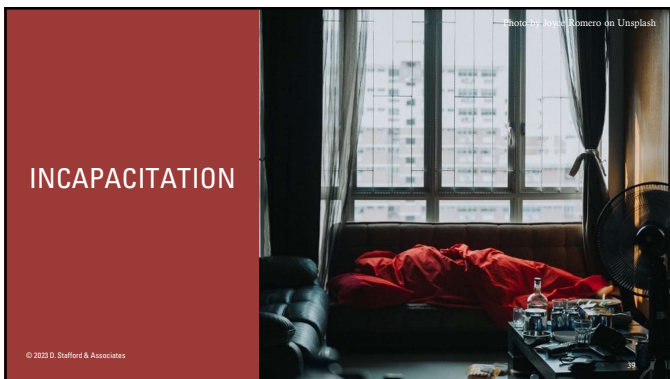
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INCAPACITATION - SAMPLE DEFINITION


Incapacitation is the physical and/or mental inability, whether temporary or permanent, of an individual to make rational, reasonable decisions, or judgments regarding one's well-being or welfare.




Alcohol



Drugs



Disability



Other

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TWO-STEP DETERMINATION

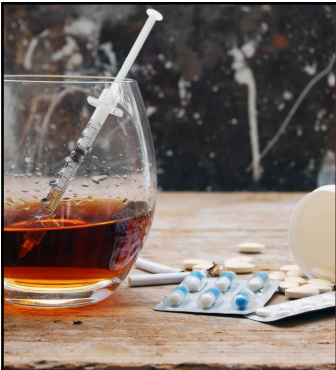
Was the complainant incapacitated?

➔

Did the respondent (or would a reasonable person) know?

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ALCOHOL & OTHER DRUGS

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SUBSTANCE USE AND SEX

“...analysis of SHIFT survey data showed that two-thirds of sexually active students who had sex in the prior three months reported some substance use prior to or during sex.”

Jennifer S. Hirsch & Shamus Khan. "Sexual Citizens: A Landmark Study of Sex, Power, and Assault on Campus."
SHIFT survey = Alexander Wamboldt et al. "Wine Nights, 'Bro-Dinners,' and Jungle Juice: Disaggregating Practices of Undergraduate Binge Drinking." Journal of Drug Issues, 2019, 49(4): 643-67.

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HALLUCINOGENS AND OPIOIDS

Hallucinogens

- Change how the world is perceived
- Colors, sounds, movement and time are all experienced in an altered state of mind

Opioids

- Block pain by sealing off the receptors that trigger the sensation
- Provide a sense of euphoria

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STIMULANTS AND DEPRESSANTS


Stimulants (Uppers)

- Raise levels of physiological or nervous activity in the body
- Enhance alertness, concentration, and energy


Depressants (Downers)

- Inhibit the function of the central nervous system
- Reduce intrusive thoughts, providing a sense of relaxation


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ALCOHOL STANDARD MEASUREMENTS



12 oz. of beer



4-5 oz. of wine



1.5 oz. and 80 proof of liquor

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HOW DO COLLEGE STUDENTS MEASURE THEIR DRINKS?

Hint: They don't!

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Levels of Alcohol/Drug Consumption



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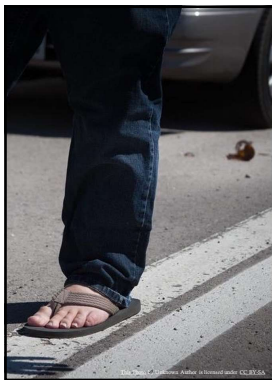
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IMPAIRMENT

- The state of being diminished or weakened due to the consumption of alcohol
- Begins as soon as alcohol enters the bloodstream
- Increases with consumption of alcohol

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INTOXICATION

- An act or instance of inebriation, drunkenness
- Intoxication is legally met when an individual's blood alcohol level reaches .08 or greater

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INCAPACITATION

- So impaired as to be incapable of giving consent
- Lacking the capacity to consent
- If a person cannot understand the nature of the proposed act or cannot understand they have a right to refuse or are otherwise unaware that the activity is occurring

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BLACKOUTS

Fragmentary Blackout

Also known as
"grayout" or
"brownout"

Gaps in memory with
some level of
recollection

En Bloc Blackout

No recollection of
events

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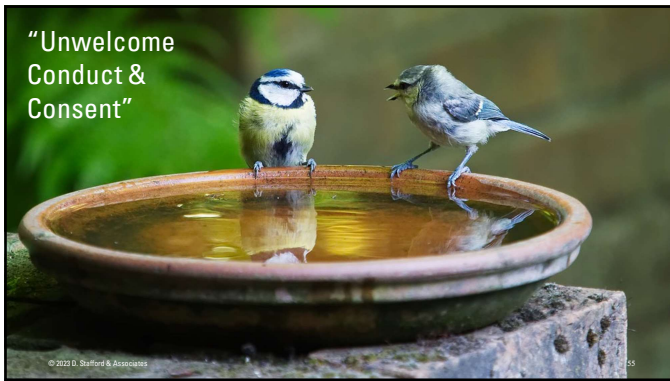
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ASKING ABOUT INCAPACITATION

Context	Alcohol	Behaviors
Timelines Location Respondent's role Witnesses Other factors (e.g., food)	Type(s) of alcohol Alcohol content Quantity Pace	Baseline Presenting behaviors Witness observations Party observations

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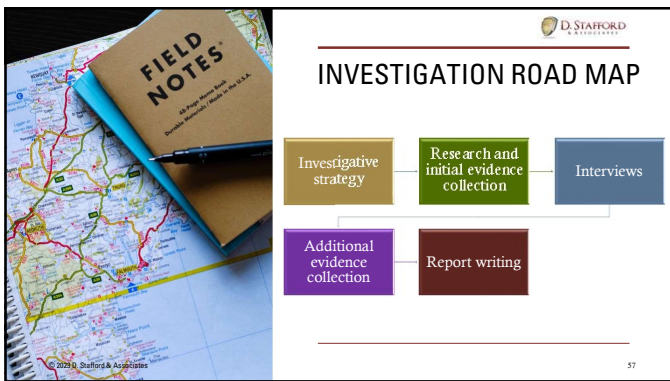
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DEVELOPING AN INVESTIGATIVE STRATEGY

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INVESTIGATIVE STRATEGY

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-  **Scope**
-  **Methodology**
-  **Preparation**
-  **Challenges**





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SCOPE

-  **Notice of Allegation**
-  **Notice of Investigation**
-  **Policy Definitions**
-  **Rights of the Parties**

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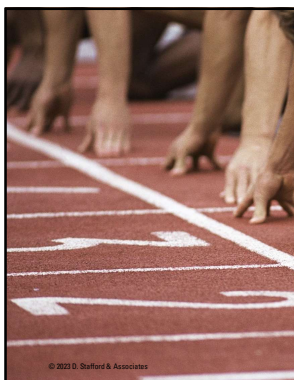


METHODOLOGY

- File Management
- Liaisons
- Logistics
- Internal Communications

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PREPARATION

- Review Complaint
- Research
- Draft Questions
- Initial Evidence Collection

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Investigation Challenges

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SIDEBAR:
INVESTIGATIVE
CASE FILE



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Internal vs. External
Notes and Documents

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ORGANIZE IT!

- Formal complaint
- Communications
- Notices
- Evidence (who provided, when it was received)
- Research
- Interview times/locations/attendees
- Names/nicknames/pronouns/titles/relationships
- Timeline

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EVIDENCE COLLECTION

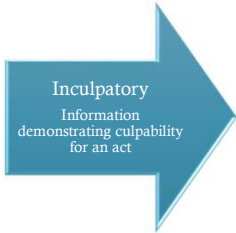


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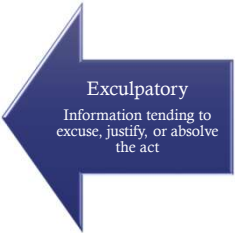
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EVIDENCE



Inculpatory
Information demonstrating culpability for an act



Exculpatory
Information tending to excuse, justify, or absolve the act

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TYPES OF EVIDENCE



Real evidence



Demonstrative




Documentary




Testimonial


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 **PROVIDERS OF EVIDENCE**




Parties



Witnesses




Institution



Investigators

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 **INITIAL EVIDENCE COLLECTION**

Complaint

Other "statements"

Evidence from campus sources

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 **RESEARCH**



Websites



Organizations



Calendars




Schedules



Party
"directory
information"

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OTHER SOURCES OF EVIDENCE

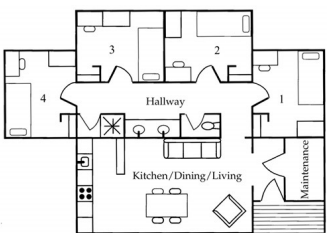
Photographs	Text messages	Social media/dating apps	Documents (memos, letters, notes)
Voicemail	Phone logs	Guest lists	Investigator-created evidence

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FLOORPLANS



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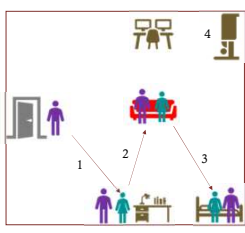
74



INVESTIGATOR-CREATED EVIDENCE

During the Complainant's interview, the Complainant drew a model demonstrating the movements of the parties:

1. The Respondent arrived and went over to the Complainant who was at her desk.
2. The Respondent and Complainant moved to the couch and watched a movie.
3. The Complainant woke up as the Respondent was carrying her to her bed.
4. The roommate was in her bed across the room.

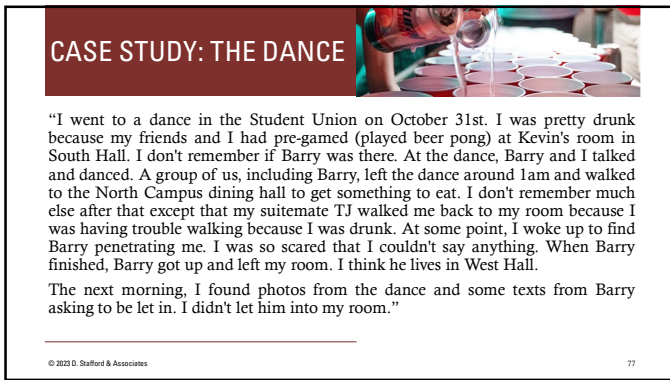


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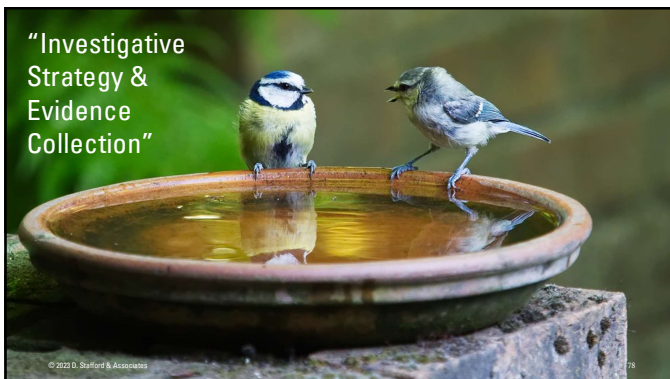
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INTERVIEWING




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INTERVIEWING BASICS



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INTERVIEWS



Testimonial Evidence Conversation Structured

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THE INTERVIEWEES

Complainant

Respondent

Witness

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KEYS TO A GREAT INTERVIEW

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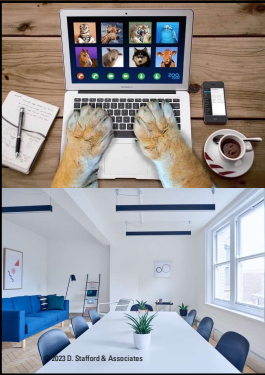
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PREPARATION

Logistics	Procedures (communication, scheduling)
	Notice documents
	Case file
Research	Policy review
	Preliminary evidence
	Topics of inquiry
Pre-drafted questions	Background
	Narrative
	Case specific

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COMFORTABLE ENVIRONMENT

- The space
- Investigative tools
- Coping items
- Safety measures

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HELPFUL PROMPTS


Recreate the Scene



Physical Space




Sensory



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AVOID BAD HABITS

- Interrupting
- Asking two questions at once
- Not listening for the answer
- Avoiding the hard questions
- Not focusing on the elements

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BE FULLY PRESENT

- Treat the interviewee ethically and with dignity
- Be non-judgmental and non-adversarial
- Be objective - you are not “making a case” or pushing a theory
- Adjust and adapt

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THE INTERVIEW

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THE D. STAFFORD INTERVIEW OUTLINE

- Preliminaries _____
- Background _____
- Narrative _____
- Clarification _____
- Case Questions _____
- Closing _____
- Self Evaluation _____

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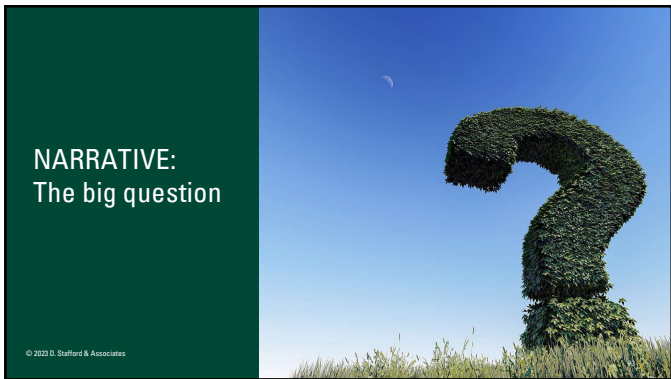
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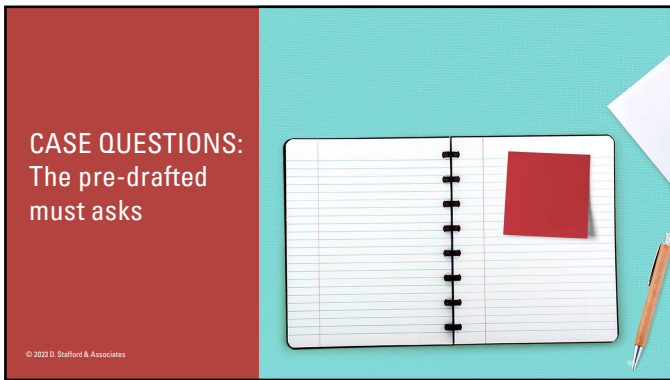
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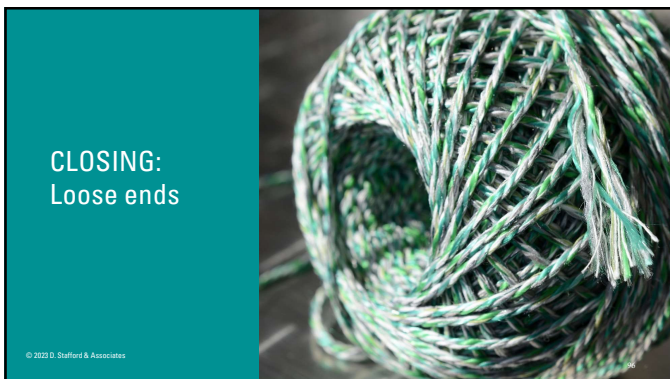
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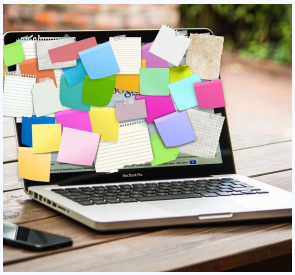
SELF EVALUATION:
How did it go?



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INTERVIEW NOTES



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CAPTURING THE INTERVIEW

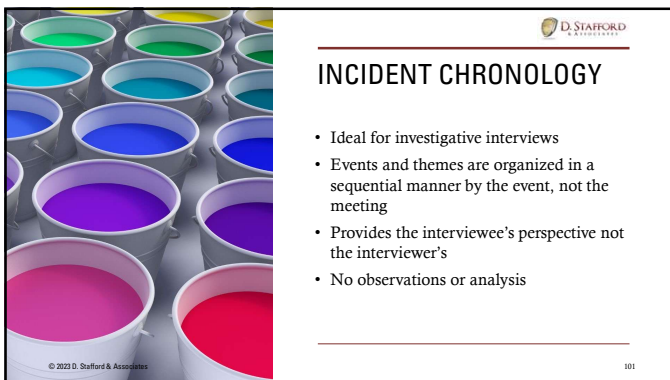


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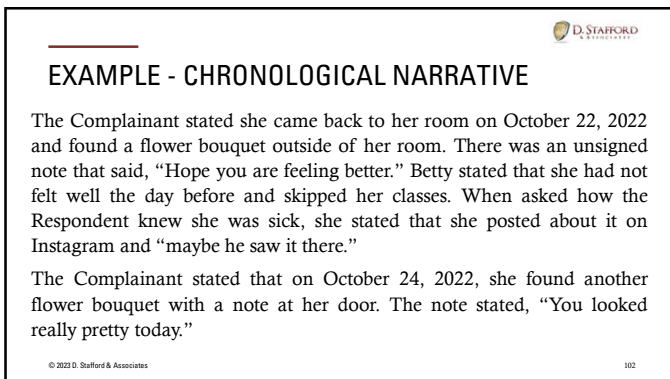
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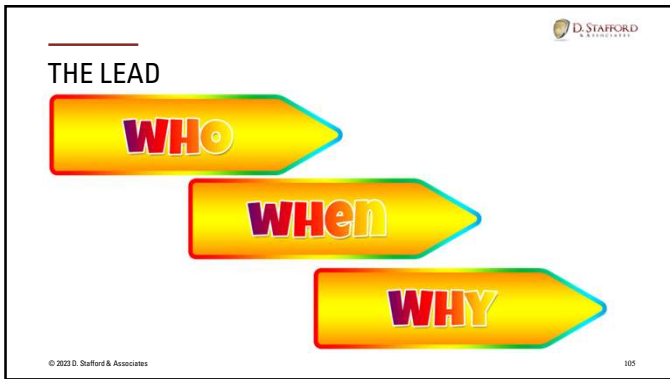
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USING QUOTES

Added Value

- Increases the credibility of your notes
 - demonstrates listening and comprehension
- Provides an opportunity to highlight key points of the meeting
- Gives the interviewees a direct voice on important aspects
- Avoids the appearance of the interviewer having an opinion

Pitfalls

- Quoting for the sake of quoting
- Confuses the reader if there are too many quotes
- Giving importance to something that is irrelevant
- Disrupts the flow or clarity of your notes

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EXAMPLE - THE CONVERSATION



Shelby (interviewer): Tell me about how much alcohol you had that night.

Betty (interviewee): I believe I had four to six shots.

Shelby: Shots of what?

Betty: Pink Whitney Vodka

Shelby: What did you use to drink the shots?

Betty: A shot glass that Riley had

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EXAMPLE - PICK THE BEST OPTION

Version 1

• Betty stated she had four to six shots of Pink Whitney Vodka from Riley's shot glass.

Version 2

• Betty believed she had four to six shots of Pink Whitney Vodka from Riley's shot glass.

Version 3

• Betty stated she "believed" she had four to six shots of Pink Whitney Vodka from Riley's shot glass.

Version 4

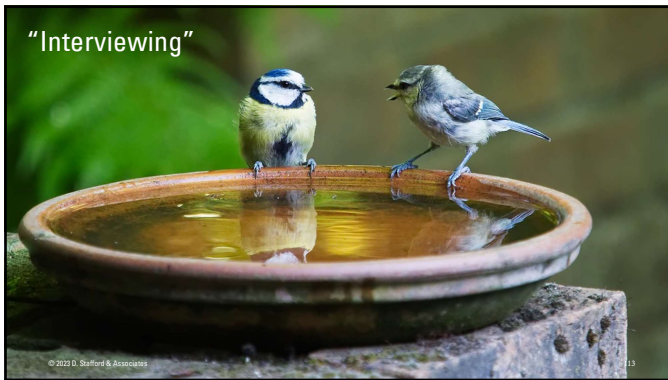
• Betty stated, "I believe I had four to six shots of Pink Whitney Vodka." Betty stated she used one of Riley's shot glass.

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SLANG AND OTHER INFORMAL WORDS

- Quote words or phrases that are slang, informal, or pejorative.
- Examples:
 - Riley stated Betty was “wasted.”
 - Betty stated that she could no longer live with her roommate because “she is unstable.”
 - Riley described Betty’s behavior as “creepy.”
- “Uncommon slang” may need a definition, either in the notes or as a footnote.

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Stress

Trauma

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TYPES OF TRAUMA

Acute

Chronic

Complex

Secondary

Adverse Childhood Experiences (ACE)

Historical/ intergenerational trauma

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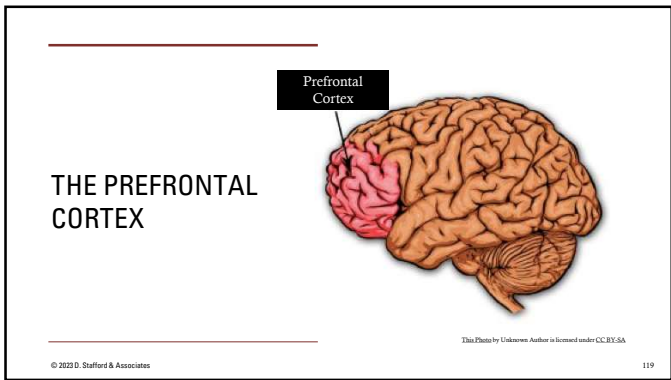
IMPACT OF TRAUMA

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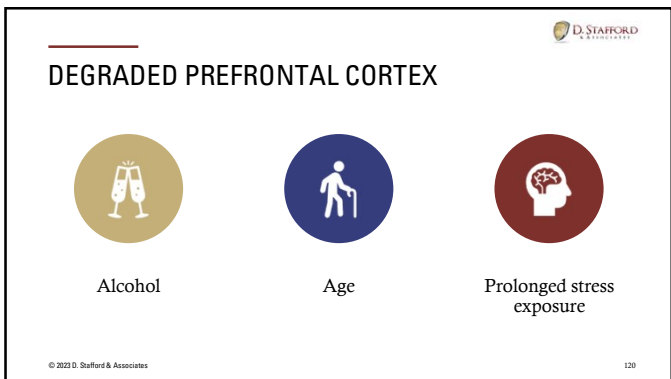
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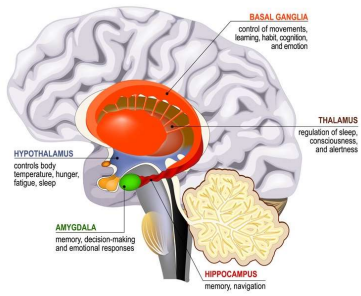


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THE LIMBIC SYSTEM



BASAL GANGLIA
control of movements, learning, habit, cognition, and emotion

THALAMUS
regulation of sleep, consciousness, and alertness

HYPOTHALAMUS
controls body temperature, hunger, fatigue, sleep

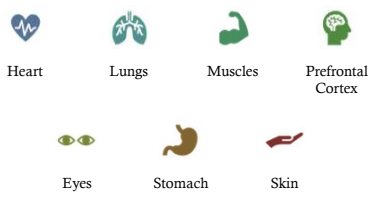
AMYGDALA
memory, decision-making and emotional responses

HIPPOCAMPUS
memory, navigation

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THE BODY'S RESPONSE TO FEAR




Heart **Lungs** **Muscles** **Prefrontal Cortex**

Eyes **Stomach** **Skin**

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RESPONSE



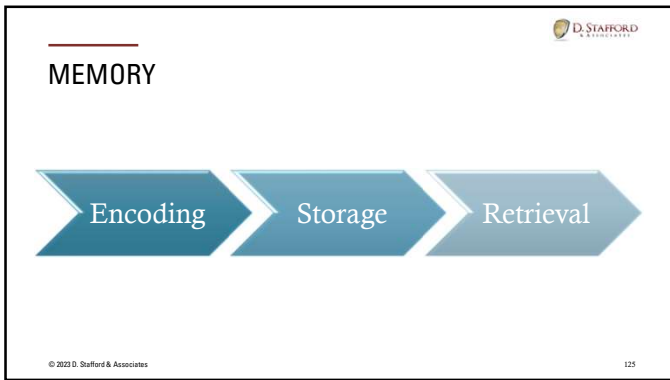
Habit **Reflex**

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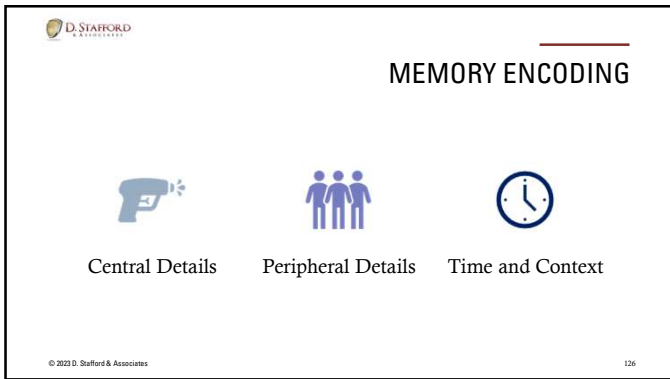
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TRAUMA MEMORY ENCODING



Sensory



Emotional



Flashbulb memories

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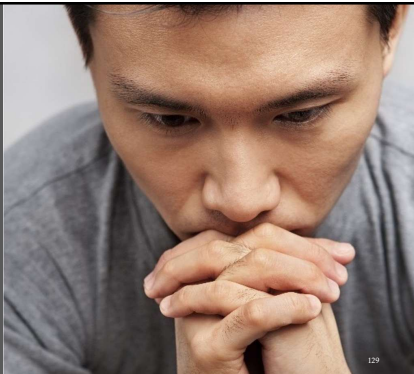


Memory Storage Over Time

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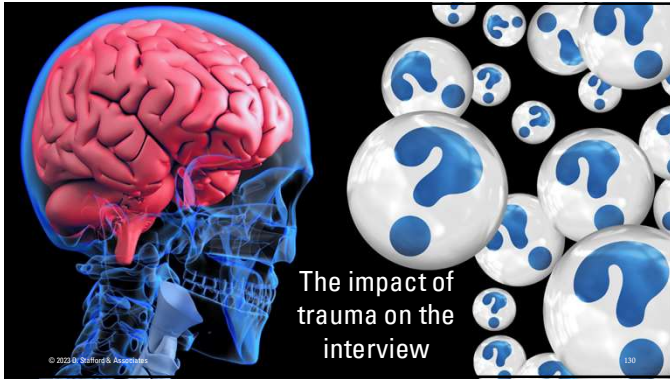
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LONG TERM RESPONSE: IMPACT

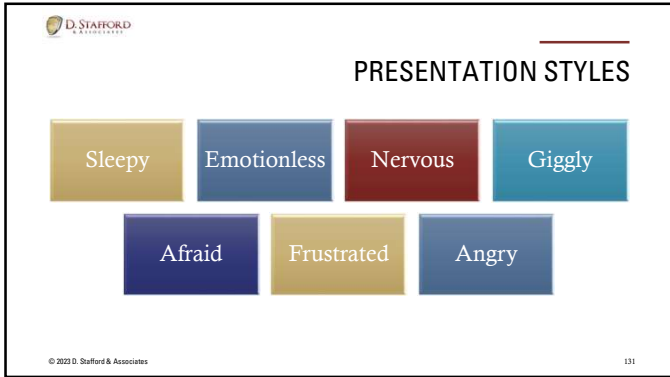


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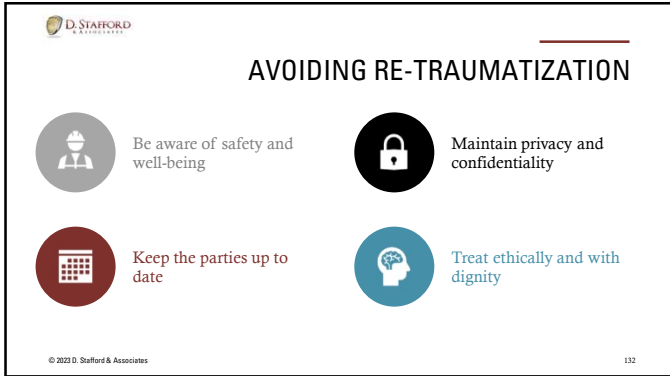
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 **QUESTION FORMAT**



 Tone
  Phrasing
  Open-ended
  Safe
  Judgment-free

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 **INTERVIEW TECHNIQUES**




 Clarify linear information
  Use sensory prompts

 Ask for feelings and emotions
  Understand statement variations

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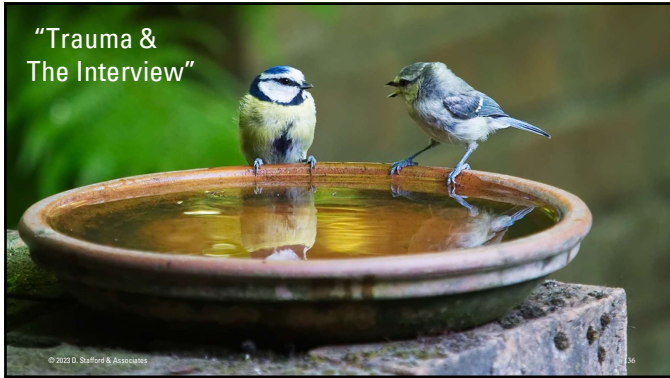
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 **IMPARTIAL INVESTIGATIONS**

 Consistent application
  Ask clarifying questions
  Avoid bias

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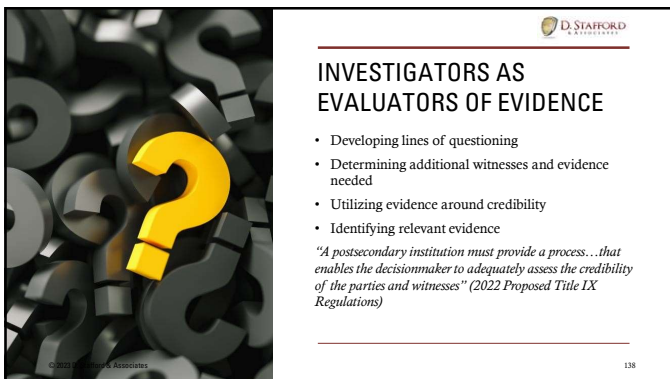
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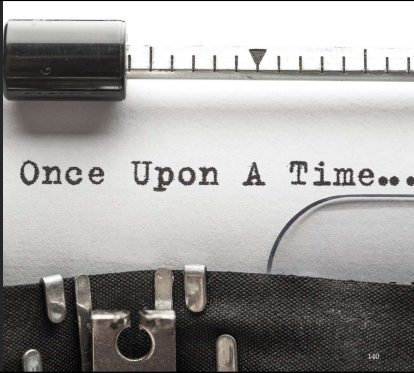
CREDIBILITY



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CREDIBILITY OF THE STORY









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CORROBORATING EVIDENCE

 Physical	 Contemporaneous Documentation	 Personal Documents
 Admissions	 Eyewitness	 Outcry

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PLAUSIBILITY

?

Possible


😊

Believable

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CREDIBILITY OF THE STORYTELLER



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MOTIVATION

Afraid

Pressured

Revenge


History

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BIAS



Past Relationship



Identity




Internal Biases

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ABILITY TO PERCEIVE




Distance



Knowledge



Credentials




Competence

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ABILITY TO REMEMBER




Passage of Time




Alcohol



Trauma



Peripheral Details



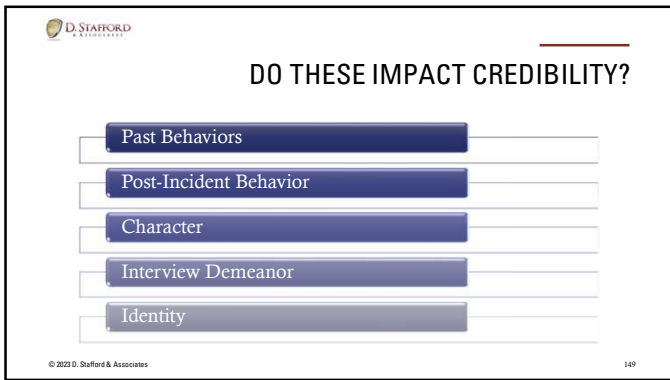
History of Memory

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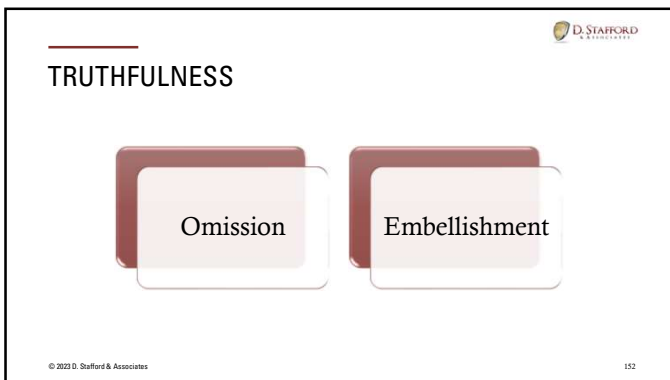
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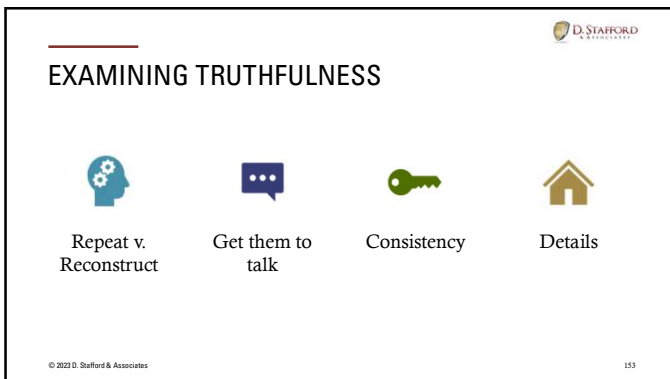
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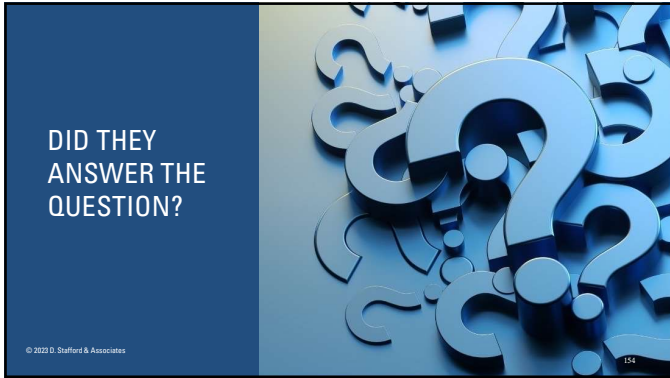
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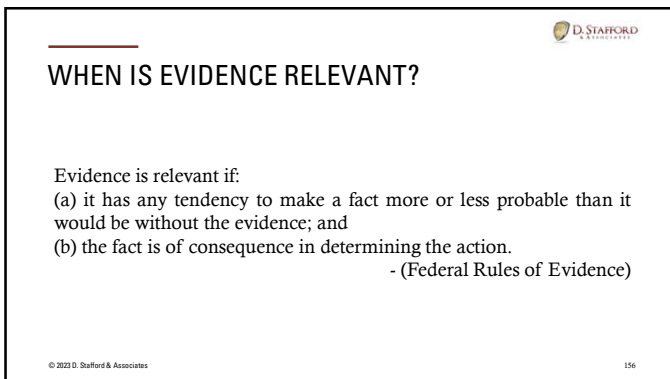
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KEY RELEVANCY POINTS

1

The evidence does not need to be conclusive

2


Is sufficient if it constitutes a link in the chain

3

Enough if in connection with other evidence, helps "a little"

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NOT RELEVANT (PER TITLE IX REGULATIONS)

Past Sexual Behavior

Complainant's sexual predisposition or prior sexual behavior unless...

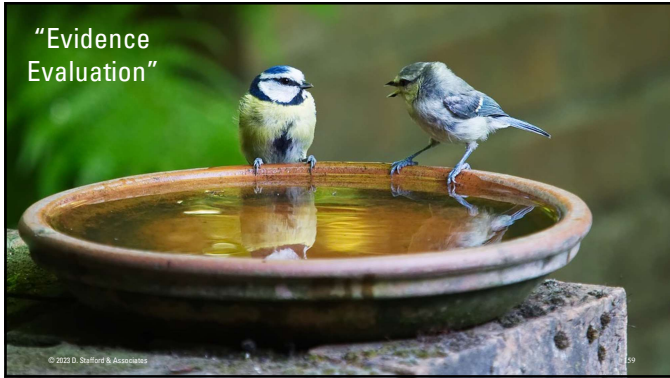
- Offered to prove that someone other than the respondent committed the conduct alleged or
- Complainant's prior sexual behavior with respect to the respondent and are offered to prove consent

Privileged Information

Physician, psychiatrist, psychologist records in connection with the provision of treatment to the party unless there is voluntary, written consent from the party whose record it is

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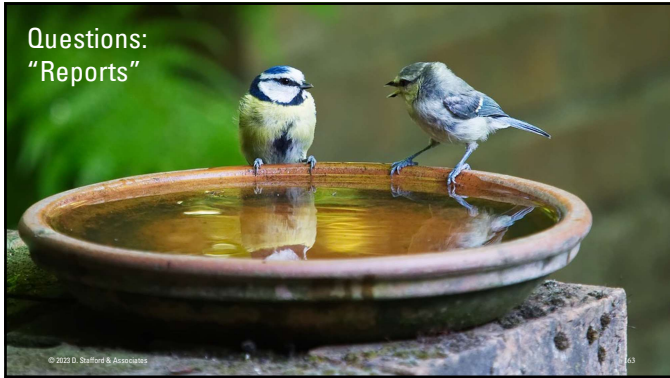


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OTHER D. STAFFORD TRAINING OPPORTUNITIES

Title IX Coordinator Track	Investigator Track	Related Offerings
<ul style="list-style-type: none"> <input type="checkbox"/> Tier 1: Law and Policy <input type="checkbox"/> Tier 2: Sex Discrimination Response <input type="checkbox"/> Tier 3: Safety & Risk Analyses for Sex-Based Harassment Emergency Removals 	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Tier 1: Sex-Based Harassment Investigations <input type="checkbox"/> Tier 2: Dating/Domestic Violence and Stalking (DVDVS) Investigations <input type="checkbox"/> Tier 3: Case Study and Simulation (Interviewing) <input type="checkbox"/> Tier 4: Statement Analysis <input type="checkbox"/> Tier 5: Report Writing <input type="checkbox"/> Tier 6: Technology & Investigations <input type="checkbox"/> Tier 7: Violence Against Men 	<ul style="list-style-type: none"> <input type="checkbox"/> Institutional trainings <input type="checkbox"/> Threat Assessment Teams <input type="checkbox"/> Clery Compliance <input type="checkbox"/> Procedural Justice <input type="checkbox"/> Appellate Officer (www.naccop.org) <input type="checkbox"/> Constructing Resolution Processes (www.naccop.org) <input type="checkbox"/> Title IX Webinars (www.naccop.org)

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THANK YOU



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Bibliography

- ABC. (n.d.). *Schoolhouse Rock - "I'm just a bill"*. YouTube. Retrieved January 21, 2022, from <https://www.youtube.com/watch?v=l6MinvU93kl>
- Alexander, M. (2012). *The New Jim Crow*. New Press.
- American Council on Education. (2020, September 10). *Race and ethnicity of college and university presidents over time*. Race and Ethnicity in Higher Education. Retrieved January 21, 2022, from <https://www.equityinhighered.org/indicators/postsecondary-faculty-and-staff/race-and-ethnicity-of-college-and-university-presidents-over-time/>
- Anderson, M., Vogels, E. A., & Turner, E. (2020, October 2). *The Virtues and Downsides of Online Dating*. Pew Research Center: Internet, Science & Tech. Retrieved from <https://www.pewresearch.org/internet/2020/02/06/the-virtues-and-downsides-of-online-dating/>
- Anderson, N., & Clement, S. (2015, June 12). *Poll shows that 20 percent of women are sexually assaulted in college*. The Washington Post. Retrieved from <https://www.washingtonpost.com/sf/local/2015/06/12/1-in-5-women-say-they-were-violated/>
- Anti-Defamation League. (n.d.). A Brief History of Disability Rights Movement. Retrieved January 17, 2022, from <https://www.adl.org/education/resources/backgrounders/disability-rights-movement>
- Areen, J., & Lake, P. F. (2014). *Higher Education and the Law*. Foundation press.
- Barlow, J. N. (2020, February). *Black women, the forgotten survivors of sexual assault*. American Psychological Association. Retrieved from <https://www.apa.org/pi/about/newsletter/2020/02/black-women-sexual-assault>
- Bedera, N. (2017). Moaning and Eye Contact: College Men's Negotiations of Sexual Consent in Theory and in Practice. <https://doi.org/10.31235/osf.io/eqfya>
- Boyle, K. M. (2015). Social Psychological Processes that Facilitate Sexual Assault within the Fraternity Party Subculture. *Sociology Compass*, 9(5), 386–399. <https://doi.org/10.1111/soc4.12261>
- Brown, J. T. (2012). *The parent's guide to college for students on the autism spectrum*. Autism Asperger Pub. Co.
- Bryant, J. (2021, November 11). *How many Americans have a college degree? BestColleges*. BestColleges.com. Retrieved January 21, 2022, from <https://www.bestcolleges.com/news/analysis/2021/07/01/how-many-americans-have-college-degrees/>

- Campbell, R., Bybee, D., Townsend, S. M., Shaw, J., Karim, N., & Markowitz, J. (2014). The Impact of Sexual Assault Nurse Examiner Programs on Criminal Justice Case Outcomes. *Violence Against Women, 20*(5), 607–625. <https://doi.org/10.1177/1077801214536286>
- Canan, S. N., Jozkowski, K. N., & Crawford, B. L. (2016). Sexual Assault Supportive Attitudes: Rape Myth Acceptance and Token Resistance in Greek and Non-Greek College Students From Two University Samples in the United States. *Journal of Interpersonal Violence, 33*(22), 3502–3530. <https://doi.org/10.1177/0886260516636064>
- Cantor, D., Fisher, B., Chibnall, S., Townsend, R., Lee, H., Bruce, C., & Thomas, G. (2017, October 20). *Report on the AAU Campus Climate Survey on Sexual Assault ...* Retrieved from <https://www.aau.edu/sites/default/files/AAU-Files/Key-Issues/Campus-Safety/AAU-Campus-Climate-Survey-FINAL-10-20-17.pdf>
- Center for Applied Special Technology. (2020, September 25). *Timeline of Innovation*. CAST. Retrieved from <https://www.cast.org/impact/timeline-innovation>
- Center for Applied Special Technology. (n.d.). *UDL On Campus*. UDL On Campus: Home. Retrieved from <http://udloncampus.cast.org/home>
- The Centers for Disease Control and Prevention. (2010). *NISVS: An Overview of 2010 Findings on Victimization by Sexual Orientation*. National Intimate Partner and Sexual Violence Survey (NISVS): 2010 Findings on Victimization by Sexual Orientation. Retrieved from https://www.cdc.gov/violenceprevention/pdf/cdc_nisvs_victimization_final-a.pdf
- Centers for Disease Control and Prevention. (2019). Centers for Disease Control and Prevention. Retrieved from <https://www.cdc.gov/violenceprevention/publichealthissue/social-ecologicalmodel.html>
- Centers for Disease Control and Prevention. (2020, June 1). *Sexual Violence and Intimate Partner Violence Among People with Disabilities | Violence Prevention | Injury Center | CDC*. Centers for Disease Control and Prevention. Retrieved from <https://www.cdc.gov/violenceprevention/datasources/nisvs/svandipv.html>
- Chambers, J. C., Horvath, M. A. H., & Kelly, L. (2010). A Typology of Multiple-Perpetrator Rape. *Criminal Justice and Behavior, 37*(10), 1114–1139. <https://doi.org/10.1177/0093854810377971>
- Cho, H., Seon, J., Choi, G.-Y., An, S., Kwon, I., Choi, Y. J., Hong, S., Lee, J. O., Son, E., & Yun, S. H. (2020). Gender Differences in Intimate Partner Violence Victimization, Help-Seeking, And Outcomes Among College Students. *Advances in Social Work, 20*(1), 22–44. <https://doi.org/10.18060/23675>
- Civil Rights Act of 1964 § 7, 42 U.S.C. § 2000e et seq (1964) (n.d.).
- Coaston, J. (2019, May 20). *The intersectionality wars*. Vox. Retrieved from <https://www.vox.com/the-highlight/2019/5/20/18542843/intersectionality-conservatism-law-race-gender-discrimination>

- Cocks, C. L., & Brown, F. C. L. (2020). The Philosophy of Student Conduct and the Student Conduct Professional. In *Student conduct practice: the complete guide for student affairs professionals* (pp. 23–35). essay, Stylus Publishing.
- Congressional Research Service, & McCallion, G., History of the Clery Act: Fact sheet (2014). Washington, DC; Congressional Research Service.
- Congressional Research Service, & Sacco, L. N., The Violence Against Women Act (VAWA): Historical Overview, Funding, and Reauthorization (2019). Washington, DC; Congressional Research Service.
- Crager, M., Cousin, M., & Hardy, T. (2003, April). *Victim-Defendants: An Emerging Challenge in Responding to Domestic Violence in Seattle and the King County Region*. King County Coalition Against Domestic Violence. Retrieved from <https://endgv.org/wp-content/uploads/2016/03/victimdefendantfinalreport111.pdf>
- Crenshaw, K. (2018). Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory, and Antiracist Politics [1989]. *Feminist Legal Theory*, 57–80. <https://doi.org/10.4324/9780429500480-5>
- Cruz, J. V. (2018, December 24). *Five Things to Know When Working with Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) Sexual Violence Survivors*. Justice Clearinghouse. Retrieved from <https://www.justiceclearinghouse.com/resource/five-things-to-know-when-working-with-lesbian-gay-bisexual-transgender-and-queer-lgbtq-sexual-violence-survivors/>
- Dannells, M. (1997). *From discipline to development: rethinking student conduct in higher education*. EIC Clearinghouse on Higher Education, Institute for Education Policy Studies, Graduate School of Education and Human Development, the George Washington University.
- daSilva, T., Harkins, L., & Woodhams, J. (2013). Multiple perpetrator rape: An international phenomenon. *Handbook on the Study of Multiple Perpetrator Rape*, 30–56. <https://doi.org/10.4324/9780203083406-9>
- daSilva, T., Woodhams, J., & Harkins, L. (2017). “An Adventure That Went Wrong”: Reasons Given by Convicted Perpetrators of Multiple Perpetrator Sexual Offending for Their Involvement in the Offense. *Archives of Sexual Behavior*, 47(2), 443–456. <https://doi.org/10.1007/s10508-017-1011-8>
- Dating App Revenue and Usage Statistics (2021)*. Business of Apps. (2021, January 25). Retrieved from <https://www.businessofapps.com/data/dating-app-market/>
- Davis, D.-M. (2020, December 24). *24 slang words teens and Gen Zers are using in 2020, and what they really mean*. Business Insider. Retrieved from <https://www.businessinsider.com/slang-words-terms-teens-current-2019-8#extra-to-be-extra-is-to-be-unnecessarily-dramatic-and-over-the-top-1>

- DiAngelo, R. J. (2018). *White Fragility: Why It's So Hard for White People to Talk about Racism*. Beacon Press.
- Durham, J. J. (2018, November 27). *The Differences and Similarities of Restorative Justice and Mediation*. Pathways to Restorative Communities. Retrieved from <https://www.pathways2rc.com/news/2018/10/24/the-differences-and-similarities-of-restorative-justice-and-mediation>
- Electronic Privacy Information Center. (n.d.). *Family educational rights and privacy act (FERPA)*. Family Educational Rights and Privacy Act (FERPA). Retrieved January 19, 2022, from <https://epic.org/family-educational-rights-and-privacy-act-ferpa/>
- Federal Register. Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 CFR 106. (2019).
- FIRE. (n.d.). *Campus rights: What we defend*. FIRE. Retrieved January 16, 2022, from <https://www.thefire.org/about-us/campus-rights/>
- Foubert, J. D., Brosi, M. W., & Bannon, R. S. (2011). Pornography Viewing among Fraternity Men: Effects on Bystander Intervention, Rape Myth Acceptance and Behavioral Intent to Commit Sexual Assault. *Sexual Addiction & Compulsivity*, 18(4), 212–231. <https://doi.org/10.1080/10720162.2011.625552>
- Foubert, J. D., Clark-Taylor, A., & Wall, A. F. (2019). Is Campus Rape Primarily a Serial or One-Time Problem? Evidence From a Multicampus Study. *Violence Against Women*, 107780121983382. <https://doi.org/10.1177/1077801219833820>
- Gehring, D. D. (2001). The Objectives of Student Discipline and The Process That's Due: Are They Compatible? *Journal of Student Affairs Research and Practice*, 38(4), 466–481. <https://doi.org/10.2202/1949-6605.1155>
- Gladwell, M. (2019). *Talking to strangers: what we should know about the people we dont know*. Little, Brown and Company.
- Goldman, T., & Chappell, B. (2019, January 10). *How Bernice Sandler, 'godmother of title IX,' achieved landmark discrimination ban*. NPR. Retrieved January 21, 2022, from <https://www.npr.org/2019/01/10/683571958/how-bernice-sandler-godmother-of-title-ix-achieved-landmark-discrimination-ban>
- Gravelin, C. R., Biernat, M., & Bucher, C. E. (2019). Blaming the Victim of Acquaintance Rape: Individual, Situational, and Sociocultural Factors. *Frontiers in Psychology*, 9. <https://doi.org/10.3389/fpsyg.2018.02422>
- Greenhouse, M., BrckaLorenz, A., Hoban, M., Huesman, R., Rankin, S., & Stolzenberg, E. B. (2018, August). *Queer-Spectrum and Trans-Spectrum Student Experiences in American Higher Education*. Tyler Clementi Center for Diversity Education and Bias Prevention. Retrieved from

<https://clementicenter.rutgers.edu/research-insights-and-events/campus-climate-queer-spectrum-and-trans-spectrum-higher-education>

Harris, J. C., & Linder, C. (2017). *Intersections of identity and sexual violence on campus: centering minoritized students experiences*. Stylus Publishing.

Hegji, A. (2021, August 17). The Higher Education Act (HEA): A Primer. Retrieved January 21, 2022, from <https://sgp.fas.org/crs/misc/R43351.pdf>

Hirsch, J. S., & Khan, S. (2020). *Sexual Citizens: A Landmark Study of Sex, Power, and Assault on Campus*. W. W. Norton & Company.

Human Rights Campaign. (n.d.). Sexual Assault and the LGBTQ Community. Retrieved from <https://www.hrc.org/resources/sexual-assault-and-the-lgbt-community>

International Institute for Restorative Practices. (n.d.). Retrieved from <https://www.iirp.edu/>

Interrogation: A Review of the Science HIG Report. (2017, March 23). Retrieved from <https://www.fbi.gov/file-repository/hig-report-interrogation-a-review-of-the-science-september-2016.pdf/view>

Irving, D. (2018). *Waking up White: And Finding Myself in the Story of Race*. Elephant Room Press.

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990, 20 U.S.C. §1092. (n.d.).

Jeanne Shaheen. (2022, January 12). *Shaheen, Hassan introduce Bill to combat sexual violence against students with disabilities*. U.S. Senator Jeanne Shaheen of New Hampshire. Retrieved January 17, 2022, from <https://www.shaheen.senate.gov/news/press/shaheen-hassan-introduce-bill-to-combat-sexual-violence-against-students-with-disabilities>

Johnson, P. A., Widnall, S. E., & Benya, F. F. (2018). *Sexual harassment of women: climate, culture, and consequences in academic sciences, engineering, and medicine*. The National Academies Press.

Judge, J., & O'Brien, T. (2012). *Equity and Title IX in Intercollegiate Athletics: A Practical Guide for Colleges and Universities*. NCAA Publications. Retrieved from www.NCAA.org/gender_equity

Kaplin, W. A., Lee, B. A., Hutchens, N. H., & Rooksby, J. H. (2020). *Law of Higher Education: Student Version* (Sixth). Jossey-Bass.

Kendi, I. X. (2021). *How To Be An Antiracist*. Vintage.

Kidder, R. M. (2006). *Moral courage*. Harper.

Kidder, R. M. (2009). *How good people make tough choices: resolving the dilemmas of ethical living*. Harper.

- Koss, M. P., Dinero, T. E., Seibel, C. A., & Cox, S. L. (1988). Stranger and Acquaintance Rape: Are There Differences In the Victim's Experience? *Psychology of Women Quarterly*, 12(1), 1–24. <https://doi.org/10.1111/j.1471-6402.1988.tb00924.x>
- Krebs, C. P., Lindquist, C. H., Warner, T., Fisher, B. S., & Martin, S. L. (2007, December). The Campus Sexual Assault (CSA) Study. Retrieved from <https://www.ncjrs.gov/pdffiles1/nij/grants/221153.pdf>
- Lacey, A., & Murray, C. (2015). *The Nuts and Bolts of Reauthorization*. Career Education Review. Retrieved from <https://www.thompsoncoburn.com/docs/default-source/publication-documents/the-nuts-and-bolts-of-reauthorization.pdf?sfvrsn=0&sfvrsn=0>
- Lake, P. F. (2009). *Beyond Discipline: Managing the Modern Higher Education Environment*. Hierophant Enterprises, Inc.
- Lake, P. F. (2011). *Foundations of Higher Education Law & Policy: Basic Legal Rules, Concepts, and Principles for Student Affairs*. NASPA.
- Lake, P. F. (2013). *The Rights and Responsibilities of the Modern University: The Rise of the Facilitator University*. Carolina Academic Press.
- Lancaster, J. M. (2006). *Exercising Power with Wisdom: Bridging Legal and Ethical Practice with Intention*. College Administration Publications.
- Legal Momentum. (n.d.). *History of VAWA*. History of VAWA | Legal Momentum. Retrieved January 16, 2022, from <https://www.legalmomentum.org/history-vawa>
- Martin, G. (2020, May 28). *What are Gender Pronouns? Why Do They Matter?* National Institutes of Health. Retrieved from <https://www.edi.nih.gov/blog/communities/what-are-gender-pronouns-why-do-they-matter>
- McClish, M. (2001). *I know you are lying: detecting deception through statement analysis*. Marpa Group, Inc.
- Mcleod, S. (2019, October 24). *Social Identity Theory*. Social Identity Theory | Simply Psychology. Retrieved from <https://www.simplypsychology.org/social-identity-theory.html>
- Mechanic, M. B., Resick, P. A., & Griffin, M. G. (1998). A comparison of normal forgetting, psychopathology, and information-processing models of reported amnesia for recent sexual trauma. *Journal of Consulting and Clinical Psychology*, 66(6), 948–957. <https://doi.org/10.1037/0022-006x.66.6.948>
- Meloy, J. R., Mohandie, K., & Green, M. (2011). The Female Stalker. *Behavioral Sciences & the Law*, 29(2), 240–254. <https://doi.org/10.1002/bsl.976>
- National Council on Disability. (2018, January 30). *Not on the Radar: Sexual Assault of College Students with Disabilities*. National Council on Disability. Retrieved from https://ncd.gov/sites/default/files/NCD_Not_on_the_Radar_Accessible_01292018.pdf

- National District Attorneys Association - Women Prosecutors Section. (2017, July 17). *National Domestic Violence Prosecution Best Practices Guide*. NATIONAL DOMESTIC VIOLENCE PROSECUTION BEST PRACTICES GUIDE. Retrieved from <https://ndaa.org/wp-content/uploads/NDAA-DV-White-Paper-FINAL-revised-July-17-2017-1.pdf>
- National Sexual Violence Resource Center and Pennsylvania Coalition Against Rape. (2012). *Sexual Violence & Individuals Who Identify as LGBTQ*. NSVRC_Research-Brief_Sexual-Violence-LGBTQ. Retrieved from https://www.nsvrc.org/sites/default/files/Publications_NSVRC_Research-Brief_Sexual-Violence-LGBTQ.pdf
- National Women's Law Center. (2000). *A Basic Guide to Title IX*. National Women's Law Center. Retrieved from <https://www.nwlc.org/sites/default/files/pdfs/ABasicGuidetoTitleIX.pdf>
- Natow, R. S. (2017). *Higher education rulemaking: the politics of creating regulatory policy*. Johns Hopkins University Press.
- Ohio Alliance to End Sexual Violence. (n.d.). The Violence Against Women Act of Reauthorization of 2021. Retrieved January 17, 2022, from https://oaesv.org/wp-content/uploads/2021/04/factsheet_vawa_2021.pdf
- Orantes, E., & Sharma, A. (2019, March 4). *Title IX Compliance Creates Hurdles for Collegiate eSports Programs*. JD Supra. Retrieved from <https://www.jdsupra.com/legalnews/title-ix-compliance-creates-hurdles-for-99240/>
- Orcutt, M., Petrowski, P. M., Karp, D. R., & Draper, J. (2020, June). *The Journal of College and University Law*. RESTORATIVE JUSTICE APPROACHES TO THE INFORMAL RESOLUTION OF STUDENT SEXUAL MISCONDUCT. Retrieved from https://jcul.law.rutgers.edu/wp-content/uploads/2020/08/45_jcul_No2_FULL.pdf
- Pacheco, R. (2020, May). Not Online. Not on Campus: Addressing Sexual Violence and Technology-Facilitated Violence on Campuses. Retrieved from <https://ywcacanada.ca/wp-content/uploads/2020/08/Not-Online.-Not-On-Campus.-Report.pdf>
- Paine, L. S. (2014, August 1). *Managing for Organizational Integrity*. Harvard Business Review. Retrieved from <https://hbr.org/1994/03/managing-for-organizational-integrity>
- Partners in Leadership. (2019, May 29). *The Three Values of Organizational Integrity*. Culture Management Experts. Retrieved from <https://www.partnersinleadership.com/insights-publications/the-three-values-of-organizational-integrity/>
- Pew Research Center. (2020, June 5). *Demographics of Social Media Users and Adoption in the United States*. Pew Research Center: Internet, Science & Tech. Retrieved from <https://www.pewresearch.org/internet/fact-sheet/social-media/>
- Practical Psychology. (2020, April 15). *Ebbinghaus Forgetting Curve (Definition + Examples)*. Practical Psychology. Retrieved from <https://practicalpie.com/ebbinghaus-forgetting-curve/>

- The Pregnant Scholar. (2020, September 29). *The Pregnant Scholar Homepage: Tools to support student parents*. The Pregnant Scholar. Retrieved from <https://thepregnantscholar.org/>
- Public policy recommendation: Addressing campus sexual ...* (n.d.). Retrieved from <https://www.atsa.com/pdfs/Policy/Addressing%20Campus%20Sexual%20Misconduct%20FINAL.pdf>
- Rothstein, R. (2018). *The Color of Law: A Forgotten History of How Our Government Segregated America*. Liveright Publishing Corporation, a division of W.W. Norton & Company.
- Seabrook, R. C., Ward, L. M., & Giaccardi, S. (2018). Why is fraternity membership associated with sexual assault? Exploring the roles of conformity to masculine norms, pressure to uphold masculinity, and objectification of women. *Psychology of Men & Masculinity*, 19(1), 3–13. <https://doi.org/10.1037/men0000076>
- Seelye, K. Q. (2019, January 8). *Bernice Sandler, 'godmother of title IX,' dies at 90*. The New York Times. Retrieved January 21, 2022, from <https://www.nytimes.com/2019/01/08/obituaries/bernice-sandler-dead.html>
- Sex Offender Management Assessment and Planning Initiative*. (2017, April). Retrieved from https://smart.gov/SOMAPI/pdfs/SOMAPI_Full%20Report.pdf
- Sloan, J. J., & Fisher, B. (2011). *The Dark Side of the Ivory Tower: Campus crime as a social problem*. Cambridge University Press.
- Stanford Journalism. (2019). *Celebrating 47 Years of Title IX and Bernice Sandler*. YouTube. Retrieved January 21, 2022, from https://youtu.be/F_B7-HwaqP4.
- Stark-Mason, R. (2020, February 26). *Name, Image, Likeness*. NCAA.org - The Official Site of the NCAA. Retrieved from <http://www.ncaa.org/champion/name-image-likeness>
- Steinfeld, E., & Maisel, J. (2012). *Universal Design Creating Inclusive Environments*. John Wiley & Sons.
- Stoner, E. N., & Lowery, J. W. (2004). Navigating Past The “Spirit of Insubordination”: A Twenty-First Century Model Student Conduct Code. *Journal of College and University Law*, 31(1), 1–78.
- Title IX of The Education Amendments of 1972, 20 U.S.C. A§ 1681 Et. (n.d.).
- Toure, K., & Hamilton, C. V. (1992). *Black Power: The politics of liberation in America*. Vintage Books.
- Tracy, C. E., Fromson, T. L., Long, J. G., & Whitman, C. (2012, June 5). *Rape and Sexual Assault in the Legal System*. Women's Law Project. Retrieved from <https://www.womenslawproject.org/wp-content/uploads/2016/04/Rape-and-Sexual-Assault-in-the-Legal-System-FINAL.pdf>

- Tumulty, K. (2004, May 17). *Evaluating the success of the Great Society*. The Washington Post. Retrieved January 21, 2022, from <https://www.washingtonpost.com/wp-srv/special/national/great-society-at-50/>
- U.S. Department of Education (ED). (2020, January 10). *Know Your Rights: Pregnant or Parenting? Title IX Protects You From Discrimination At School*. Home. Retrieved from <https://www2.ed.gov/about/offices/list/ocr/docs/dcl-know-rights-201306-title-ix.html>
- U.S. Department of Education (ED). (2020, January 10). *Students with disabilities preparing for postsecondary education*. Office of Civil Rights. Retrieved January 17, 2022, from <https://www2.ed.gov/about/offices/list/ocr/transition.html>
- U.S. Department of Education (ED). (2021, August 20). *Title IX and sex discrimination*. Title IX. Retrieved January 21, 2022, from https://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html
- U.S. Department of Education. (2002, June 1). *Legislative history of major Ferpa provisions*. Legislative History of Major FERPA Provisions I Protecting Student Privacy. Retrieved January 19, 2022, from <https://studentprivacy.ed.gov/resources/legislative-history-major-ferpa-provisions>
- U.S. Department of Education. (2012, October). *Title IX and access to courses and programs in STEM* Office for Civil Rights, Department of Education Revised October 2012. Office of Civil Rights Presentations. Retrieved from <https://www2.ed.gov/about/offices/list/ocr/presentations/stem-t9-powerpoint.pdf>
- U.S. Department of Education. (n.d.). *The NCES Fast Facts Tool provides quick answers to many education questions (National Center for Education Statistics)*. National Center for Education Statistics (NCES) Home Page. Retrieved January 17, 2022, from <https://nces.ed.gov/fastfacts/display.asp?id=60>
- U.S. Department of Education. (n.d.). *The NCES Fast Facts Tool provides quick answers to many education questions (National Center for Education Statistics)*. National Center for Education Statistics (NCES) Home Page. Retrieved January 21, 2022, from <https://nces.ed.gov/fastfacts/display.asp?id=93>
- U.S. Government. (n.d.). *U.S. Federal Courts Circuit Map - United States Courts*. U.S. Federal Courts Circuit Map. Retrieved January 21, 2022, from https://www.uscourts.gov/sites/default/files/u.s._federal_courts_circuit_map_1.pdf
- University of Buffalo. (2020, February 24). *Universal Design*. IDEA Center. Retrieved from <https://idea.ap.buffalo.edu/about/universal-design/>
- Vallano, J. P., & Schreiber Compo, N. (2015). Rapport-building with cooperative witnesses and criminal suspects: A theoretical and empirical review. *Psychology, Public Policy, and Law*, 21(1), 85–99. <https://doi.org/10.1037/law0000035>
- Varnell, S. (2013). *Statement analysis: an lss course workbook*. Steven Varnell.

- Vector Solutions. (n.d.). Title IX: 5 ways it changed education for the better. Retrieved January 21, 2022, from <https://www.vectorsolutions.com/resources/blogs/title-ix-positive-changes/>
- Wachtel, T. (2016, November). *Defining Restorative*. International Institute for Restorative Practices. Retrieved from <https://www.iirp.edu/defining-restorative/restorative-practices/defining-restorative/>
- Waryold, D. M., & Lancaster, J. M. (2020). *Student Conduct Practice: The Complete Guide for Student Affairs Professionals*. Stylus Publishing.
- Williamsen, D. K. K., Karp, D., & Williamsen, K. (2020, March 12). 5 Things Restorative Justice Sexual Harm. Retrieved from <https://www.naspa.org/report/five-things-student-affairs-administrators-should-know-about-restorative-justice-and-campus-sexual-harm>
- Woodhams, J., Taylor, P. J., & Cooke, C. (2020). Multiple perpetrator rape: Is perpetrator violence the result of victim resistance, deindividuation, or leader–follower dynamics? *Psychology of Violence, 10*(1), 120–129. <https://doi.org/10.1037/vio0000255>
- Yoshino, K. (2006). *Covering: The hidden assault on American civil rights*. Random House.