

INVESTIGATIONS

HOW TO CONDUCT / HOW TO DOCUMENT

INVESTIGATION PROCEDURES

The investigation may consist of:

- Personal interviews with the complainant and the alleged harasser;
 - Personal interviews with witnesses or with persons who may have knowledge of the alleged harassment/ discrimination;
 - Inspection of any other documents or information deemed relevant to the investigator;
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INVESTIGATION PROCEDURES

Take necessary steps to protect the complainant, the accused, and others pending the completion of the investigation

CONSIDER THE FOLLOWING

1. The surrounding circumstances;
 2. The nature of the behavior;
 3. Past incidents or past or continuing patterns of behavior;
 4. The relationship between the parties;
 5. How often the conduct occurred;
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CONSIDER THE FOLLOWING

6. The identity of the alleged perpetrator in relation to the alleged victim (i.e. whether the alleged perpetrator was in a position of power over the alleged victim);
7. The location of the alleged harassment/discrimination;
8. The ages of the parties, and
9. The context in which the alleged incidents occurred

CONSIDER THE FOLLOWING

- Case by case determinations;
 - Determinations based on Facts and Circumstances discovered in the Investigation;
 - Issue a written statement on the findings of your Investigation;
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INTERVIEWING PROCEDURES

- Interview complainant, accused, and witnesses as soon as possible;
 - Interview complainant, accused, and witnesses separately;
 - Interview participants named in the complaint;
 - Interview participants that may have viewed or been in the vicinity of the incident;
 - Interview staff on what they may have witnessed;
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INTERVIEWING PROCEDURES

- If a teacher is accused, do not pull the people you are interviewing from her class;
 - Remind all participants their cooperation and confidentiality is required, retaliation is prohibited, and any retaliation must be reported immediately;
 - Explain to the complainant what is needed to make a determination; if a violation is not found encourage the student to continue reporting the issue;
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INTERVIEWING PROCEDURES

- Interview all witnesses stated in the complaint;
 - Assure the participants of the seriousness of the complaint;
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DOCUMENTATION

- Statements should be in writing;
- Statements should be signed by the person providing the information;
- Written summaries of the information gathered should indicate: name of person collecting the information; name of person providing information; dates of incidences; detailed summary of questions asked and the answers to those questions; the interviewer should sign the documentation

COMPLICATIONS

- One persons word against another;
- Witnesses are needed;
- Absence of physical evidence;
- Parties are likely to withhold, exaggerate, or minimize circumstances;
- Fear that action may not be taken;
- Feeling guilt or blame;
- Possibility of actions in regards to revenge, threatening, derogatory statements

QUESTIONS TO ASK

- Exactly what happened?
 - When did it happen?
 - Where did it happen?
 - How many times did it happen?
 - How did you respond?
 - How did you feel?
 - Were there any witnesses?
 - Did you tell anyone else of the incident?
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