



NAVIGATING CREDIBILITY, RELIABILITY & AUTHENTICITY WHEN ASSESSING EVIDENCE

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Co-Founder & Managing Director

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EVIDENCE: WEIGHING, ANALYZING

Avoiding Common Errors

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EVIDENCE

Testimony

Text Messages

Social Media Posts
and Messages

Emails

Surveillance

Videos

Photographs

Police Body
Camera Footage

Swipe Records

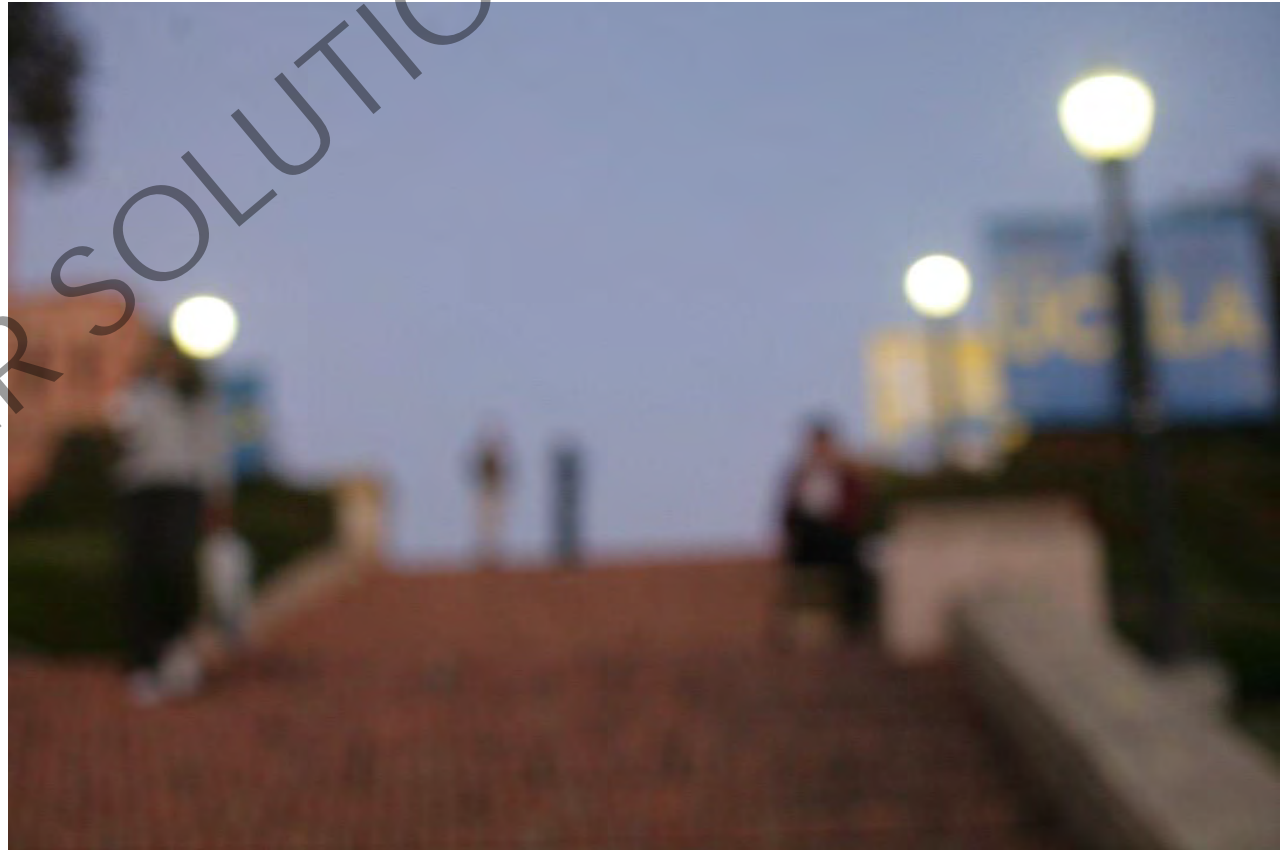
Medical Records

Phone
Records

Audio
Recordings

CAN YOU RELY ON THE EVIDENCE GATHERED?

- Thorough? (Does it tell whole picture?)
- Authenticated?
- Is there an explanation for what was omitted?



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SHE TEXTED ME “ALL THE TIME”

Do you have those texts?

May I have those texts?

Oh, they weren't “texts,” they were DMs?

Who else might have seen them?

Was anyone else copied?



**THE “HARD”
QUESTIONS:
YOU CANNOT
WEIGH IT IF NO
ONE ASKED IT**

Details
About The
Sexual
Contact

Seemingly
Inconsistent
Behaviors

Inconsistent
Evidence/
Information

What They
Were
Wearing

Alcohol
Or Drug
Consumption

Probing Into
Reports Of
Lack Of
Memory

YOU CANNOT WEIGH IT IF NO ONE ASKED

LAY A FOUNDATION FOR THE QUESTIONS

- Explain why you are asking it
- Share the evidence that you are asking about, or that you are seeking a response to

BE DELIBERATE AND MINDFUL IN YOUR QUESTIONS:

- Can you tell me what you were thinking when....
- Help me understand what you were feeling when...
- Are you able to tell me more about...

WEIGHING EVIDENCE

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TYPES OF EVIDENCE

Direct Evidence

- Evidence that is based on personal knowledge or observation and that, if true, proves a fact without inference or presumption.

Circumstantial Evidence

- Evidence based on inference and not on personal knowledge or observation.

Corroborating Evidence

- Evidence that differs from but strengthens or confirms what other evidence shows.

EVALUATING THE EVIDENCE

Is it relevant?

Evidence is relevant if it has a tendency to make a material fact more or less likely to be true.

Is it authentic?

Is the item what it purports to be?

Is it credible/reliable?

Is the evidence worthy of belief?

What weight, if any, should it be given?

Weight is determined by the finder of fact!

AUTHENTICATING EVIDENCE

1. At 1:18 am, Pat captured a video of Elliott and Sam. In the video, Sam had one arm around Elliott's shoulders, and Elliott's head was resting on Sam's shoulder. In the video, both Sam and Elliott, and at least 2 others, were loudly singing Happy Birthday, although the video cut out before the singers said the name of the person to whom they were singing.
2. Elliott alleged that Sam later sent him a threatening message, and the next day showed up at his dorm, uninvited, twice. Elliott stated he did not have the message, because it was on SnapChat, but had kept a screenshot of the message, although the screenshot cut off part of the message. Sam denied sending any threatening message, and also stated that he never used SnapChat.

IS IT AUTHENTIC?

Question The Person Who Offered The Evidence

Request Originals

Obtain Originals From The Source

Have Others Review And Comment On Authenticity

Are There Other Records That Would Corroborate?

CREDIBILITY AND RELIABILITY

- Do you really need to assess either?
- Why they are different
- How to write about it
- When a party attacks credibility of the other, but on a non-issue (delay in reporting, did not go to law enforcement, minimized the report in comments to a friend or family)
- How to ask questions to get to the bottom of it without being offensive
- How to apply your conclusions to the process

YOU BELIEVE ONE PARTY'S VERSION OF EVENTS OVER ANOTHER – WHY?

- Corroboration?
- Plausibility?
- They were convincing when they shared their story?
- They could not have seen what they said they saw?
- That makes no sense?
- They seemed more trustworthy?
- Some combination of the above?

CREDIBILITY: IT IS
CONVINCING

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RELIABILITY: YOU
CAN TRUST IT

CREDIBILITY? OR RELIABILITY?

- **Reliable evidence:**

- I can trust the consistency of the person's account of their truth.
- It is probably true, and I can rely on it.

- **Credibility:**

- I trust their account based on their tone, and reliability.
- They are honest and believable.
- It might not be true, but it is worthy of belief.
- It is convincingly true.
- The witness is sincere and speaking their real truth.

**A CREDIBLE
WITNESS MAY GIVE
UNRELIABLE
TESTIMONY**



RELIABILITY

- Did the witness correctly observe, process, interpret and recall the information?
Is there corroboration?
- vs. Credibility: bias, collusion, motive in outcome, outright (proven) lying, judging the person

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FACTORS WE WERE TAUGHT TO USE: ARE THESE STILL THE RIGHT ONES?

- Corroborating evidence
- Inconsistencies
- Sufficient or insufficient explanation of inconsistencies
- Logic, plausibility
- Pattern or history
- Past record
- Motive to falsify
- Bias for/against a party
- Material omission
- Ability to recollect events

ARE YOU WORTHY?

- *Dyer v. MacDougall*, 201 F.2d 265, 268-69 (2d Cir. 1952) (acknowledging the conduct, manner, and appearance that make up a witness's demeanor).
- *Courtroom Psychology for Trial Lawyers* (1985): People with enlarged pupils are compassionate and those with beady eyes use cold logic; a person who looks up and to the left while thinking is metaphorical . . . a low pitched voice indicates confidence, while a high-pitched voice reduces believability.

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ASSESSING CREDIBILITY AND RELIABILITY

NO FORMULA EXISTS, BUT CONSIDER THE FOLLOWING:

Opportunity to view

Ability to recall

Motive to fabricate

Plausibility

Consistency

Character, background, experience, &
training

Coaching

Bias

CREDIBILITY/RELIABILITY ANALYSIS

STEP BY STEP

1. Determine the material facts – focus only on material facts.
 2. Determine which material facts are:
 - Undisputed – consistent, detailed and plausible, and/or agreed upon by the parties [e.g., Marcy and Jack attended a fraternity party on April 5, 2019]
 - Disputed – unsupported by documentary or other evidence, or are facts about which an element of doubt remains [e.g., Marcy alleged that Jack kissed her without her consent around 1am at the party, and Jack asserted he never kissed Marcy and went home early]
 - State clearly which facts are accepted, and which are rejected, and state the reasons why.
- “While Jack maintained that he never kissed Marcy and went home early, several witnesses corroborated that he was at the party until 3 a.m. In addition, a photo was submitted by a witness showing Jack kissing Marcy. Therefore, I find that Jack’s version of events cannot be credited as being more likely than not to be true.”

PRACTICE ON WEIGHING EVIDENCE

- Expert testimony
- Polygraph examiner's report
- News article that the college has a history of covering up sex assaults
- Case involves DV and allegation of strangulation. Witness discusses respondent's repeated angry outbursts in social situations and class settings.

REMEMBER – CREDIBILITY IS NOT FIRST

Is it relevant?

Evidence is relevant if it has a tendency to make a material fact more or less likely to be true.

Is it authentic?

Is the item what it purports to be?

Is it credible/reliable?

Is the evidence worthy of belief?

What weight, if any, should it be given?

Weight is determined by the finder of fact!

QUESTIONS?

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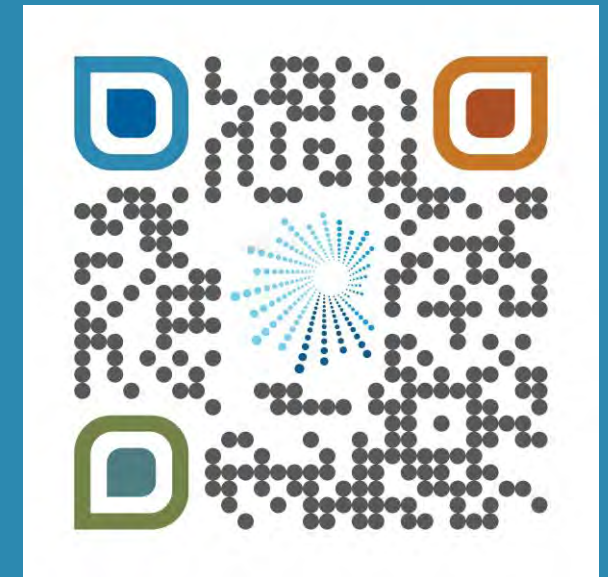
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Demystifying Sanctions

Understanding, Implementing, &
Communicating Campus Disciplinary Actions

Jody Shipper
Co-Founder & Managing Director

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MEET YOUR FACILITATOR



Jody Shipper
Co-Founder & Managing
Director

SANCTIONING

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GOALS OF SANCTIONS/DISCIPLINE



END

End The
Harassment



PREVENT

Prevent The
Recurrence



REMEDY

Remedy The Harm,
Restore Equal Access

WHAT DOES THE SANCTION “SAY”?

Who is valued, who is not?

Community values?

THE SANCTION DOES NOT UNDO THE FINDING



No lesser sanction if you disagree with findings



Sanctioning officer must assume findings are correct

SANCTIONING CONSIDERATIONS

Expulsion/Termination not required

Must be able to articulate why the action taken is reasonably calculated to end the harassment

Must be able to articulate why the action is reasonably calculated to prevent the recurrence

Remedy: To restore or preserve equal access; implemented by Title IX Coordinator.

DETERMINING THE PROPER SANCTION

- Consistency
- Foreseeability of repeated conduct
- Past conduct
- Does bias creep in?
- Remorse?
- Victim impact?

FACTORS TO CONSIDER

Impact

Past Conduct

Multiple violations

Abuse of power/position

Enhancements: filming the act, predation, weapon

THE ROLE OF IMPACT STATEMENTS

Think ahead, and include in your training for sanctioning officers:

- Would the sanctioning officer become convinced that the conduct was worse than, or less than, the findings made by the hearing officer
- Would it create a bias to sanction more, or not at all?
- If it is poorly written, or makes no sense, would that influence the sanctioning officer?

WHAT WOULD YOU DO?

Complainant requested that university appoint “school monitors” to supervise off-campus events at fraternities

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COMPLAINANT'S WISHES TAKEN INTO ACCOUNT?

An institution's remedial measures do not amount to deliberate indifference simply because a reporting individual disagrees with their severity.

Butters v. James Madison Univ., 208 F. Supp. 3d 745, 762 (W.D. Va. 2016). *Kelly v. Yale Univ.*, No. 3:01-cv-1591, 2003 WL 1563424, *4 (D. Conn. Mar. 26, 2003). *Shank v. Carleton Coll.*, No. 16-CV-01154 (ECT/HB), 2019 WL 3974091, at *14 (D. Minn. Aug. 22, 2019), *aff'd*, 2021 WL 1228068 (8th Cir. Apr. 2, 2021).

Complainants do not have right to choose the particular sanction (or remedial measure)

I NEVER WANT TO SEE THEM AGAIN

Following a finding of sexual misconduct, the respondent was sanctioned with a no-contact order and deferred suspension. The complainant sued, alleging deliberate indifference, arguing that respondent should have been removed from campus to prevent any possible future encounters, which was more likely given that both were students in the same program and therefore more likely to access the same campus building.

What did the court say?

WHAT DID THE COURT SAY?

Sanctioning officer asked the respondent to confess to the misconduct, and informed the respondent that the failure to admit to the misconduct would be taken into account as part of the sanction. The student did not admit to the misconduct, in part because he was facing a concurrent criminal investigation. In court, the respondent argued that his due process rights were violated when the sanctioning officer met with him and asked him to confess.

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RESPONDENT'S ADMISSION

- Can sanction take an admission into account?
- Can sanction be more harsh for a respondent who “refuses” to admit to the conduct?
- Should failure to admit to the conduct ever be a part of the sanctioning determination?

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AGGRAVATING CIRCUMSTANCES

Premeditation

Predation

Physical Violence

Multiple policy violations in one incident

Harm to others, impact on complainant and/or community

Did the behavior continue after intervention?

Effort to conceal or hide the incident?

Refusal to attend past trainings

Past failures to comply with directives

ERRORS IN SANCTIONING

- Delays in delivering the sanction
- Using a sanction not listed (in handbook, code of conduct, policy)
- Inconsistent sanctions
- Sanctioning on basis of incidents not in the notice letter

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WHAT WOULD YOU DO?

During the investigation, the respondent was found responsible for sexual assault, and there was considerable evidence gathered that the student was also responsible for underage drinking and providing alcohol to minors. Would you adjust the sanction on sexual assault to also take into account the findings on underage drinking and providing alcohol to minors?

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WHAT DID THE COURT SAY?

A student found responsible for disruptive and harassing behavior received sanction of a written warning and the requirement to write an essay.

In lawsuit, student argued that the college's registration hold (until he turned in the essay) was a denial of his due process rights.

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WHAT WOULD A COURT SAY?

Respondent was found responsible for a sexual assault. Being certain of litigation from the respondent, and wanting to at least “do something” and send a message, the sanctioning officer sanctioned respondent to a three-year restriction on accessing certain campus buildings, including the lab; a three-year ban on holding any paid or volunteer position at the university, including a post-doctoral position for Spring 2015; and a no-contact order with the complainant with no end duration.

In court, the complainant argued this was evidence of gender discrimination.

WHAT DID COURT SAY?

After a finding of sexual assault (rape), the complainant argued that the university had engaged in deliberate indifference because the respondent was sanctioned with “six counseling sessions, a book assignment, completion of an online class on consent that was required of all incoming students, and staying away from the [reporting individual’s] assigned workplace, and a ‘perpetual’ no contact order.” The respondent was also placed on “behavioral probation.” The complainant also noted that the university had never expelled any student for sexual assault.

During sanctioning, the Title IX Coordinator noted that respondent did not understand the meaning of consent and was emotionally immature.

Would your answer change if respondent violated the no contact directive and university did not respond?

TWO STUDENTS FOUND RESPONSIBLE

A male and a female student were each found responsible for sexual assault. The female student was suspended, the male was expelled. The college explained that the difference was that the male student had engaged in a penetrative sex act, and the female student had not, and therefore it was the specific type of misconduct that caused the difference in sanction, and not gender.

What did the court say?

SANCTIONING ON THE BASIS OF “DEGREE” OF HARM

The Sixth Circuit Court of Appeals, which has suggested, without deciding, that a decision-maker’s failure to identify the “degree” of the violation, such as exactly what types of sexual misconduct were the basis for the finding of responsibility, could be a Title IX violation, as it leaves the respondent without a “precise basis for the punishment administered.”

Doe v. Case Western Reserve Univ., No. 19-3520, 2020 WL 1672830, at *3 (6th Cir. Apr. 6, 2020)

TO KEEP IN MIND

01

Suspension - do you assume all is well upon return?

02

Protecting returning person from retaliation

03

Is the respondent forever "marked"? Where is room for rehabilitation?

SANCTIONS AND INTERIM MEASURES DURING APPEAL PROCESS

- Maintaining or changing interim measures during the process
- Communicating and documenting sanctions and interim measures
- Deciding whether to impose sanctions during the process
 - Pros and Cons

CAN A SANCTION INCREASE ON APPEAL

- A. In response to Complainant's appeal
- B. Sua sponte (meaning, just on their own determining it was not sufficient)

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QUESTIONS?

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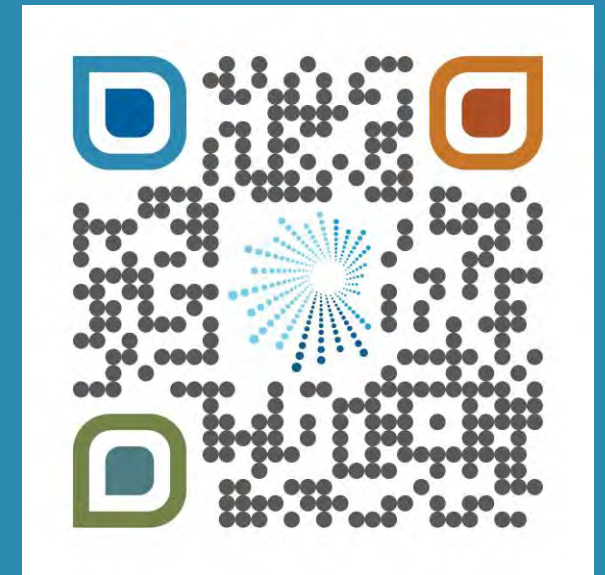
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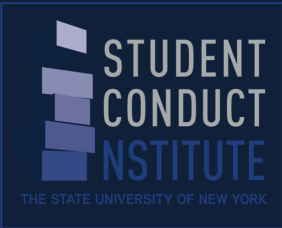
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Name: DeAnn Yocum

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TERM: 2022-2023

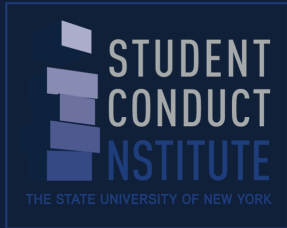
Module	Competencies	Mandated Training Topic	Level	Hours	Date Completed
2022-2023: Student Conduct Quiz Game: New York Edition	Conduct Theory,Foundations of Practice	Federal Legal Requirements*,State Legal Requirements*	Intermediate	0.25	2/22/2023
2022-2023: Employment Lawsuits: Title VII & Title IX	Law	Title IX: Sexual Harassment, Title IX: Jurisdiction,Federal Legal Requirements*	Intermediate	0.35	2/22/2023
2022-2023: Fundamental Issues in Higher Education Employment Investigations	Foundations of Practice,Law	Title IX: Investigation & Grievance Procedures,Investigation Process*,Understanding the Conduct Participant Experience*	Basic	0.6	2/22/2023
2022-2023: What Does Title IX Tell Us About Title VII?	Content Area Expertise,Law	Title IX: Sexual Harassment,Federal Legal Requirements*	Intermediate	0.3	2/22/2023
2022-2023: Labor Law Implications of the 2020 Title IX Regulations	Law	Title IX: Investigation & Grievance Procedures	Intermediate	0.25	2/22/2023
2022-2023: What Does Title VII Require?	Law	Federal Legal Requirements*	Basic	0.35	2/22/2023

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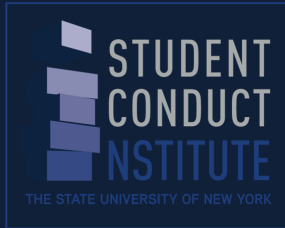
2022-2023: Determining Relevance in Title IX Hearings: Part One	Foundations of Practice, Law	Title IX: Investigation & Grievance Procedures, Title IX: Relevant Evidence, Adjudication Process*, Understanding the Conduct Participant Experience*, Federal Legal Requirements*	Basic	0.5	2/22/2023
2022-2023: Cultural Relevance and Inclusiveness, and Responding to Sexual and Interpersonal Violence on Campus	Content Area Expertise, Foundations of Practice	Cultural Awareness*	Basic	0.6	2/22/2023
2022-2023: Cross-Examination in a Title IX Hearing	Foundations of Practice, Law	Title IX: Investigation & Grievance Procedures, Adjudication Process*, Understanding the Conduct Participant Experience*, Federal Legal Requirements*, Working with Reporting Individuals (NY, MA, IL, NH, MN, OR)*, Working with Accused Individuals (NY, NH)*	Basic	0.5	2/21/2023
2022-2023: Relevance and Decorum in a Title IX Hearing	Foundations of Practice, Law	Title IX: Investigation & Grievance Procedures, Title IX: Relevant Evidence, Adjudication Process*, Understanding the Conduct Participant Experience*, Federal Legal Requirements*, Working with Reporting Individuals (NY, MA, IL, NH, MN, OR)*, Working with Accused Individuals (NY, NH)*	Basic	0.5	2/21/2023
2022-2023: Legal Framework for Understanding Conflicts of Interest and Bias	Foundations of Practice, Law	Title IX: Investigation & Grievance Procedures, Title IX: Conflicts of Interest and Bias, Conflict of Interest & Bias (NY, MA)*	Basic	0.65	2/21/2023

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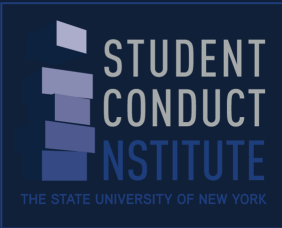
2022-2023: Collecting and Understanding Specialized Evidence	Foundations of Practice, Law	Title IX: Investigation & Grievance Procedures, Title IX: Relevant Evidence, Investigation Process*, Understanding the Conduct Participant Experience*, Federal Legal Requirements*	Intermediate	1	2/21/2023
2022-2023: Neurobiology of Sexual Assault Trauma - Part 1: Introduction	Foundations of Practice	Understanding the Conduct Participant Experience*, Trauma-Informed Practice (NY, IL, MA, NH, CT, MN)*	Basic	0.35	2/21/2023
2022-2023: Law & The Hearing Panel	Foundations of Practice, Law	Title IX: Investigation & Grievance Procedures, Title IX: Conflicts of Interest and Bias, Adjudication Process*, Understanding the Conduct Participant Experience*, Federal Legal Requirements*, Trauma-Informed Practice (NY, IL, MA, NH, CT, MN)*, Conflict of Interest & Bias (NY, MA)*	Basic	0.5	2/21/2023
2022-2023: Decision-Writing Basics for Conduct Hearings	Foundations of Practice	Adjudication Process*	Basic	0.5	2/21/2023
8 Hour Certification – 2022-2023				0	2/18/2023
2022-2023: Appeals in Student Conduct Proceedings	Content Area Expertise, Foundations of Practice	Title IX: Investigation & Grievance Procedures, Adjudication Process*, Federal Legal Requirements*	Basic	0.5	2/17/2023
2022-2023: Disability Law in Student Conduct Proceedings	Foundations of Practice, Law	Adjudication Process*, Understanding the Conduct Participant Experience*, Federal Legal Requirements*, Disability (MA, NH)*	Intermediate	0.4	2/17/2023

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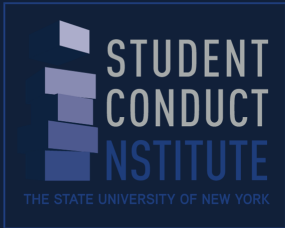
2022-2023: Pre-Hearing Preparations	Content Area Expertise, Foundations of Practice	Title IX: Investigation & Grievance Procedures, Investigation Process*, Understanding the Conduct Participant Experience*, Reporting & Confidentiality (NY, IL, MA)*, Working with Reporting Individuals (NY, MA, IL, NH, MN, OR)*, Working with Accused Individuals (NY, NH)*	Basic	0.5	2/17/2023
2022-2023: CAS Standards; Student Conduct Programs	Foundations of Practice, Law	Federal Legal Requirements*, Reporting & Confidentiality (NY, IL, MA)*	Basic	0.25	2/17/2023
2022-2023: No Contact Orders, Emergency Removals, and Interim Suspensions	Content Area Expertise, Foundations of Practice, Law	Title IX: Investigation & Grievance Procedures, Investigation Process*, Understanding the Conduct Participant Experience*, Federal Legal Requirements*, Working with Reporting Individuals (NY, MA, IL, NH, MN, OR)*, Working with Accused Individuals (NY, NH)*, Remedial Actions (NY, MA, OR)*	Basic	0.5	2/17/2023
2022-2023: Evidence in the Student Conduct Process	Content Area Expertise, Foundations of Practice	Title IX: Investigation & Grievance Procedures, Title IX: Relevant Evidence, Investigation Process*, Adjudication Process*, Federal Legal Requirements*	Basic	0.6	2/17/2023
2022-2023: Privacy, Confidentiality & Privilege in Disclosures of Sexual and Interpersonal Violence	Foundations of Practice, Law	Title IX: Investigation & Grievance Procedures, Understanding the Conduct Participant Experience*, Federal Legal Requirements*, Reporting & Confidentiality (NY, IL, MA)*, Working with Reporting Individuals (NY, MA, IL, NH, MN, OR)*, Working with Accused Individuals (NY, NH)*	Basic	0.5	2/17/2023

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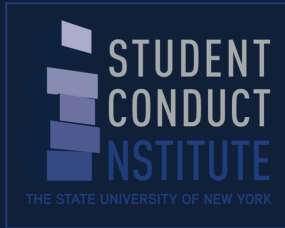
2022-2023: Understanding the Investigative Report Template for Investigations of Title IX Sexual Harassment	Foundations of Practice, Law	Title IX: Investigative Reports, Investigation Process*, Understanding the Conduct Participant Experience*, Federal Legal Requirements*, Working with Reporting Individuals (NY, MA, IL, NH, MN, OR)*, Working with Accused Individuals (NY, NH)*	Basic	0.35	2/15/2023
2022-2023: Title IX Final Rule Quiz Game	Conduct Theory, Foundations of Practice, Law	Federal Legal Requirements*	Intermediate	0.25	2/15/2023
2022-2023: CAS Standards; Sexual Violence Related Programs and Services	Foundations of Practice, Law	Understanding Sexual & Interpersonal Violence*, Consent*, Cultural Awareness*, Understanding the Conduct Participant Experience*, Working with Reporting Individuals (NY, MA, IL, NH, MN, OR)*, Working with Accused Individuals (NY, NH)*	Basic	0.25	2/15/2023
2022-2023: Supportive Measures in Response to Reports of Sexual and Interpersonal Violence	Content Area Expertise, Foundations of Practice, Law	Title IX: Investigation & Grievance Procedures, Understanding the Conduct Participant Experience*, Federal Legal Requirements*, Working with Reporting Individuals (NY, MA, IL, NH, MN, OR)*, Working with Accused Individuals (NY, NH)*	Basic	0.65	2/15/2023
2022-2023: Technology Basics - Information Security, Confidentiality, and Decorum	Law	Title IX: Technology	Basic	0.3	2/15/2023

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2022-2023: Effective Interviewing of Parties and Witnesses	Content Area Expertise,Foundations of Practice,Law	Title IX: Investigation & Grievance Procedures, Title IX: Relevant Evidence, Title IX: Investigative Reports,Investigation Process*,Understanding the Conduct Participant Experience*,Working with Reporting Individuals (NY, MA, IL, NH, MN, OR)*,Working with Accused Individuals (NY, NH)*	Basic	0.85	2/15/2023
2022-2023: What is Severe, Persistent, and Objectively Offensive Title IX Sexual Harassment?	Law	State Legal Requirements*	Basic	0.3	2/15/2023
2022-2023: Title IX Final Rule Basics	Content Area Expertise,Foundations of Practice,Law	Title IX: Sexual Harassment, Title IX: Jurisdiction, Title IX: Investigation & Grievance Procedures, Title IX: Conflicts of Interest and Bias, Title IX: Relevant Evidence,Understanding Sexual & Interpersonal Violence*,Adjudication Process*,Federal Legal Requirements*,Reporting & Confidentiality (NY, IL, MA)*	Basic	0.6	2/15/2023
2022-2023: Making Your Practices More Inclusive: The Intersection of Title IX and LGBTQ+ Support	Foundations of Practice	Cultural Awareness*,Understanding the Conduct Participant Experience*	Basic	0.65	2/15/2023
2022-2023: Sexual Harassment: Legal Definitions	Law	Title IX: Sexual Harassment,Understanding Sexual & Interpersonal Violence*,Federal Legal Requirements*	Basic	0.4	2/14/2023

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2022-2023: Trauma Informed Practice: Legal Compliance Basics	Foundations of Practice, Law	Title IX: Investigation & Grievance Procedures, Adjudication Process*, Understanding the Conduct Participant Experience*, Federal Legal Requirements*, Trauma-Informed Practice (NY, IL, MA, NH, CT, MN)*	Intermediate	0.2	2/14/2023
2022-2023: Title IX Liability for "Deliberate Indifference"	Content Area Expertise, Law	Title IX: Investigation & Grievance Procedures, Federal Legal Requirements*, Working with Reporting Individuals (NY, MA, IL, NH, MN, OR)*	Intermediate	0.85	2/14/2023
2022-2023: What Is Affirmative Consent?	Foundations of Practice, Law	Consent*, State Legal Requirements*	Basic	0.25	2/14/2023
2022-2023: Due Process Part Two: Practical Application	Conduct Theory, Foundations of Practice, Law	Adjudication Process*, Federal Legal Requirements*	Basic	0.25	2/14/2023
2022-2023: Due Process Part One: Theory and History	Conduct Theory, Foundations of Practice, Law	Federal Legal Requirements*	Basic	0.7	2/14/2023

Total: 17.3 Hours



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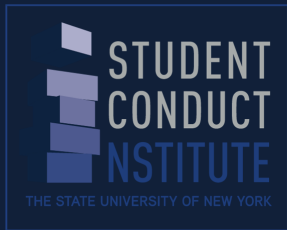
Module	Competencies	Mandated Training Topic	Level	Hours	Date Completed
2021-2022: Live@Distance The Neurobiology of Sexual Assault Training (Fall) - Day 2	Conduct Theory,Content Area Expertise,Foundations of Practice,Law	Understanding the Conduct Participant Experience*,Trauma-Informed Practice (NY, IL, MA, NH, CT, MN)*	Intermediate	3	10/27/2021
2021-2022: Live@Distance The Neurobiology of Sexual Assault Training (Fall) - Day 1	Conduct Theory,Content Area Expertise,Foundations of Practice,Law	Understanding the Conduct Participant Experience*,Trauma-Informed Practice (NY, IL, MA, NH, CT, MN)*	Intermediate	3	10/26/2021
2021-2022: Disability Law in Student Conduct Proceedings	Foundations of Practice,Law	Adjudication Process*,Understanding the Conduct Participant Experience*,Federal Legal Requirements*,Disability (MA, NH)*	Intermediate	0.33	8/18/2021
2021-2022: Accountability	Conduct Theory,Foundations of Practice,Law	Understanding Sexual & Interpersonal Violence*,Understanding the Conduct Participant Experience*,Federal Legal Requirements*,Remedial Actions (NY, MA, OR)*	Basic	0.25	8/18/2021
2021-2022: CAS Standards: Sexual Violence Related Programs and Services	Foundations of Practice,Law	Understanding Sexual & Interpersonal Violence*,Consent*,Cultural Awareness*,Understanding the Conduct Participant Experience*,Working with Reporting Individuals (NY, MA, IL, NH, MN, OR)*,Working with Accused Individuals (NY, NH)*	Basic	0.25	8/18/2021

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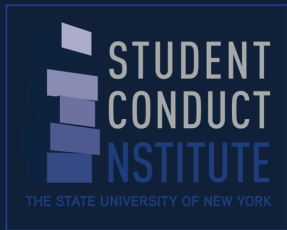
2021-2022: Determining Relevance in Title IX Hearings	Foundations of Practice, Law	Title IX: Investigation & Grievance Procedures, Title IX: Relevant Evidence, Adjudication Process*, Understanding the Conduct Participant Experience*, Federal Legal Requirements*	Basic	0.5	8/17/2021
2021-2022: Live@Distance Clery ASR Workshop #2 - Partial [Summer]	Conduct Theory, Content Area Expertise, Foundations of Practice, Law	Federal Legal Requirements*	Intermediate	2	8/9/2021
2021-2022: Live@Distance Title IX Investigator Training: Summer Cohort (Day 3)	Conduct Theory, Content Area Expertise, Foundations of Practice, Law	Title IX: Investigation & Grievance Procedures, Title IX: Relevant Evidence, Title IX: Investigative Reports, Investigation Process*, Federal Legal Requirements*, Reporting & Confidentiality (NY, IL, MA)*	Intermediate	3	8/5/2021
2021-2022: Live@Distance Title IX Investigator Training: Summer Cohort (Day 2)	Conduct Theory, Content Area Expertise, Foundations of Practice, Law	Investigation Process*, Understanding the Conduct Participant Experience*, Reporting & Confidentiality (NY, IL, MA)*, Working with Reporting Individuals (NY, MA, IL, NH, MN, OR)*, Working with Accused Individuals (NY, NH)*, Trauma-Informed Practice (NY, IL, MA, NH, CT, MN)*	Intermediate	3	8/4/2021
2021-2022: Live@Distance Title IX Investigator Training: Summer Cohort (Day 1 - Part 2)	Conduct Theory, Content Area Expertise, Foundations of Practice, Law	Title IX: Sexual Harassment, Title IX: Jurisdiction, Title IX: Conflicts of Interest and Bias	Intermediate	0.5	8/3/2021
2021-2022: Due Process Part One: Theory and History	Conduct Theory, Foundations of Practice, Law	Federal Legal Requirements*	Basic	0.5	7/17/2021
8 Hour Certification – 2021-2022				0	7/17/2021

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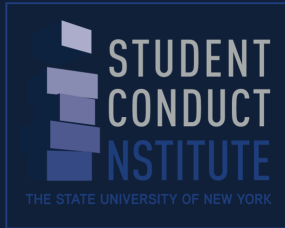
2021-2022: Understanding the Investigative Report Template for Investigations of Title IX Sexual Harassment	Foundations of Practice, Law	Title IX: Investigative Reports, Investigation Process*, Understanding the Conduct Participant Experience*, Federal Legal Requirements*, Working with Reporting Individuals (NY, MA, IL, NH, MN, OR)*, Working with Accused Individuals (NY, NH)*	Basic	0.5	7/17/2021
2021-2022: Virtual Hearing Technology	Foundations of Practice	Title IX: Technology	Basic	0.29	7/16/2021
2021-2022: Relevance and Decorum in a Title IX Hearing	Foundations of Practice, Law	Title IX: Investigation & Grievance Procedures, Title IX: Relevant Evidence, Adjudication Process*, Understanding the Conduct Participant Experience*, Federal Legal Requirements*, Working with Reporting Individuals (NY, MA, IL, NH, MN, OR)*, Working with Accused Individuals (NY, NH)*	Basic	0.5	7/16/2021
2021-2022: Cultural Relevance and Inclusiveness, and Responding to Sexual and Interpersonal Violence on Campus	Content Area Expertise, Foundations of Practice	Cultural Awareness*	Basic	0.75	7/16/2021
2021-2022: Collecting and Understanding Specialized Evidence	Foundations of Practice, Law	Title IX: Investigation & Grievance Procedures, Title IX: Relevant Evidence, Investigation Process*, Understanding the Conduct Participant Experience*, Federal Legal Requirements*	Intermediate	0.67	7/16/2021
2021-2022: What is Affirmative Consent?	Foundations of Practice, Law	Consent*, State Legal Requirements*	Basic	0.25	7/16/2021

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2021-2022: What is Severe, Persistent, and Objectively Offensive Title IX Sexual Harassment?	Law	Title IX: Sexual Harassment	Basic	0.5	7/16/2021
2021-2022: Privacy, Confidentiality & Privilege in Disclosures of Sexual and Interpersonal Violence	Foundations of Practice, Law	Title IX: Investigation & Grievance Procedures, Understanding the Conduct Participant Experience*, Federal Legal Requirements*, Reporting & Confidentiality (NY, IL, MA)*, Working with Reporting Individuals (NY, MA, IL, NH, MN, OR)*, Working with Accused Individuals (NY, NH)*	Basic	0.5	7/16/2021
2021-2022: Neurobiology of Sexual Assault Trauma (Part 3 of 3) - Reflexes and Habits	Foundations of Practice	Understanding the Conduct Participant Experience*, Trauma-Informed Practice (NY, IL, MA, NH, CT, MN)*	Basic	0.25	7/16/2021
2021-2022: Live@Distance Title IX Investigator for HR Professionals [Summer] Day 2	Conduct Theory, Content Area Expertise, Foundations of Practice, Law	Title IX: Sexual Harassment, Title IX: Investigation & Grievance Procedures, Title IX: Investigative Reports, Investigation Process*, Adjudication Process*, Federal Legal Requirements*	Intermediate	2	7/15/2021
2021-2022: Neurobiology of Sexual Assault Trauma (Part 2 of 3) - When Attack Is Detected or Stress Kicks In	Foundations of Practice	Understanding the Conduct Participant Experience*, Trauma-Informed Practice (NY, IL, MA, NH, CT, MN)*	Basic	0.25	7/14/2021
2021-2022: Neurobiology of Sexual Assault Trauma (Part 1 of 3) - Introduction	Foundations of Practice	Understanding the Conduct Participant Experience*, Trauma-Informed Practice (NY, IL, MA, NH, CT, MN)*	Basic	0.25	7/14/2021

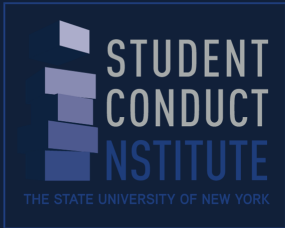
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2021-2022: Cross-Examination in a Title IX Hearing	Foundations of Practice, Law	Title IX: Investigation & Grievance Procedures, Adjudication Process*, Understanding the Conduct Participant Experience*, Federal Legal Requirements*, Working with Reporting Individuals (NY, MA, IL, NH, MN, OR)*, Working with Accused Individuals (NY, NH)*	Basic	0.5	7/14/2021
2021-2022: No Contact Orders, Emergency Removals, and Interim Suspensions	Content Area Expertise, Foundations of Practice, Law	Title IX: Investigation & Grievance Procedures, Investigation Process*, Understanding the Conduct Participant Experience*, Federal Legal Requirements*, Working with Reporting Individuals (NY, MA, IL, NH, MN, OR)*, Working with Accused Individuals (NY, NH)*, Remedial Actions (NY, MA, OR)*	Basic	0.5	7/14/2021
2021-2022: Live@Distance Title IX Investigator for HR Professionals [Summer] Day 1	Conduct Theory, Content Area Expertise, Foundations of Practice, Law	Title IX: Sexual Harassment, Title IX: Jurisdiction, Title IX: Investigation & Grievance Procedures, Title IX: Relevant Evidence, Investigation Process*, Adjudication Process*, Federal Legal Requirements*	Intermediate	2	7/14/2021
2021-2022: Title IX Final Rule Basics	Content Area Expertise, Foundations of Practice, Law	Title IX: Sexual Harassment, Title IX: Jurisdiction, Title IX: Investigation & Grievance Procedures, Title IX: Conflicts of Interest and Bias, Title IX: Relevant Evidence, Understanding Sexual & Interpersonal Violence*, Adjudication Process*, Federal Legal Requirements*, Reporting & Confidentiality (NY, IL, MA)*	Basic	0.75	7/7/2021



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Previously Completed Topic – TIX Investigation & Grievance Procedures	Title IX: Investigation & Grievance Procedures	0	5/13/2021
Previously Completed Topic – TIX Investigative Reports	Title IX: Investigative Reports	0	5/11/2021
Previously Completed Topic – TIX Relevant Evidence	Title IX: Relevant Evidence	0	5/11/2021
Previously Completed Topic – TIX Technology	Title IX: Technology	0	5/11/2021
Previously Completed Topic – TIX Conflicts of Interest & Bias	Title IX: Conflicts of Interest and Bias	0	5/6/2021
Previously Completed Topic – TIX Jurisdiction □□	Title IX: Jurisdiction	0	5/6/2021
Previously Completed Topic – TIX Sexual Harassment	Title IX: Sexual Harassment	0	5/4/2021

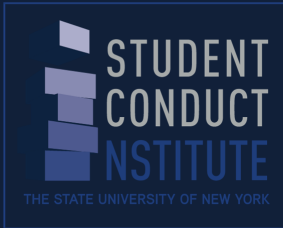
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TERM: 2020-2021

Module	Competencies	Mandated Training Topic	Level	Hours	Date Completed
2020-2021: Live@Distance Basic Compliance Training: Cohort #5 - Decision & Appeals [Day 4]	Conduct Theory, Content Area Expertise, Foundations of Practice, Law	[2018-2021] Accountability*, [2018-2021] Evidence*, Title IX: Investigation & Grievance Procedures	Basic	2	5/13/2021



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2020-2021: Live@Distance
Basic Compliance Training:
Cohort #5 - Investigations &
Hearing [Day 3]

Conduct Theory,Content Area
Expertise,Foundations of Practice,Law

[2018-2021] Laws, Policies, and
Procedures*,[2018-2021] Working with
Reporting Individuals*,[2018-2021] Working
with Witnesses and Bystanders*,[2018-
2021] Standard of Review*,[2018-2021]
Consent*,[2018-2021] Evidence*,[2018-
2021] Trauma-Informed Practice*,[2018-
2021] Working with Accused Persons*, Title
IX: Investigation & Grievance
Procedures, Title IX: Technology, Title IX:
Relevant Evidence, Title IX: Investigative
Reports

Basic

2

5/11/2021

2020-2021: Relevance and
Decorum in a Title IX Hearing

Foundations of Practice,Law

[2018-2021] Working with Reporting
Individuals*,[2018-2021] Working with
Witnesses and Bystanders*,[2018-2021]
Working with Accused Persons*, Title IX:
Investigation & Grievance Procedures,
Title IX: Relevant Evidence

Basic

0.5

5/7/2021

2020-2021: Respondents –
Foundational Elements
Regarding What's Known,
What Works, and What Can
Be Done to Enhance the
Efficacy of Interventions

Foundations of Practice,Law

[2018-2021] Evidence*,[2018-2021]
Working with Accused Persons*, Title IX:
Investigation & Grievance Procedures

Basic

0.5

5/6/2021

2020-2021: Live@Distance
Basic Compliance Training:
Cohort #5 - Incident Reported
& Conduct Process [Day 2]

Conduct Theory,Content Area
Expertise,Foundations of Practice,Law

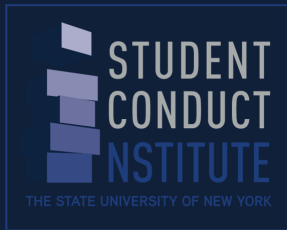
[2018-2021] Working with Reporting
Individuals*,[2018-2021] Remedial Actions*,
[2018-2021] Confidentiality*,[2018-2021]
Cultural Awareness*,[2018-2021] Working
with Accused Persons*, Title IX:
Jurisdiction, Title IX: Conflicts of Interest
and Bias

Basic

2

5/6/2021

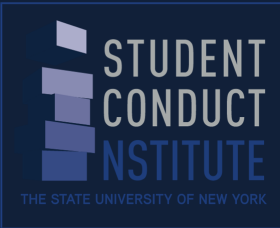
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2020-2021: Live@Distance Basic Compliance Training: Cohort #5 - Legal Fundamentals [Day 1]	Conduct Theory,Content Area Expertise,Foundations of Practice,Law	[2018-2021] Laws, Policies, and Procedures*,[2018-2021] Due Process-Fair Process*,[2018-2021] Types of Sexual and Interpersonal Violence*, Title IX: Sexual Harassment, Title IX: Jurisdiction, Title IX: Conflicts of Interest and Bias	Basic	2	5/4/2021
2020-2021: Live@Distance The Neurobiology of Sexual Assault Training (Session 3 - Day 2 - Hour 2)	Conduct Theory,Content Area Expertise,Foundations of Practice,Law	[2018-2021] Trauma-Informed Practice*	Intermediate	1	4/7/2021
2020-2021: Live@Distance The Neurobiology of Sexual Assault Training (Session 3 - Day 2 - Hour 3)	Conduct Theory,Content Area Expertise,Foundations of Practice,Law	[2018-2021] Trauma-Informed Practice*	Intermediate	1	4/7/2021
2020-2021: Live@Distance The Neurobiology of Sexual Assault Training (Session 3 - Day 1)	Conduct Theory,Content Area Expertise,Foundations of Practice,Law	[2018-2021] Trauma-Informed Practice*	Intermediate	3	4/6/2021
2020-2021: Title IX Final Rules Quiz	Foundations of Practice,Law	[2018-2021] Laws, Policies, and Procedures*, Title IX: Investigation & Grievance Procedures	Intermediate	0.5	12/10/2020
8 Hour Certification – 2020- 2021				0	12/9/2020
2020-2021: California Law Regarding Sexual Misconduct (Students)	Law	[2018-2021] Laws, Policies, and Procedures*,[2018-2021] Standard of Review*,[2018-2021] Consent*	Basic	0.5	12/8/2020
2020-2021: Trauma-Informed Practice - Legal Compliance Basics	Foundations of Practice,Law	[2018-2021] Trauma-Informed Practice*	Intermediate	0.25	12/8/2020

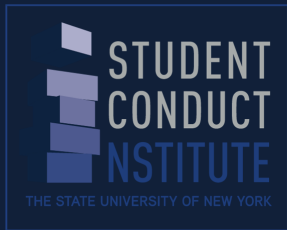


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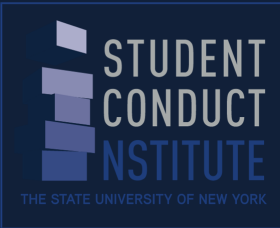
2020-2021: Virtual Hearing Technology	Foundations of Practice	Title IX: Investigation & Grievance Procedures, Title IX: Technology	Basic	0.29	12/8/2020
2020-2021: Title IX Final Rule Basics	Content Area Expertise, Foundations of Practice, Law	[2018-2021] Laws, Policies, and Procedures*, [2018-2021] Types of Sexual and Interpersonal Violence*, [2018-2021] Standard of Review*, [2018-2021] Confidentiality*, Title IX: Sexual Harassment, Title IX: Jurisdiction, Title IX: Investigation & Grievance Procedures, Title IX: Conflicts of Interest and Bias, Title IX: Relevant Evidence	Basic	0.5	12/6/2020
2020-2021: Title IX Liability for "Deliberate Indifference"	Content Area Expertise, Law	[2018-2021] Laws, Policies, and Procedures*	Basic	0.8	12/6/2020
2020-2021: Social Media Part 1: Apps	Content Area Expertise	[2018-2021] Working with Reporting Individuals*, [2018-2021] Evidence*	Intermediate	0.5	12/5/2020
2020-2021: The Neurobiology of Trauma	Content Area Expertise, Foundations of Practice	[2018-2021] Trauma-Informed Practice*	Basic	0.29	12/4/2020
2020-2021: Recognizing and Responding to Stalking: Trauma Informed Best Practices	Content Area Expertise, Foundations of Practice	[2018-2021] Working with Reporting Individuals*, [2018-2021] Working with Witnesses and Bystanders*, [2018-2021] Types of Sexual and Interpersonal Violence*, [2018-2021] Accountability*, [2018-2021] Remedial Actions*, [2018-2021] Trauma-Informed Practice*, [2018-2021] Cultural Awareness*, [2018-2021] Working with Accused Persons*	Intermediate	0.5	12/4/2020
2020-2021: Online Harassment	Content Area Expertise, Law	[2018-2021] Laws, Policies, and Procedures*, Title IX: Sexual Harassment	Basic	0.29	12/4/2020

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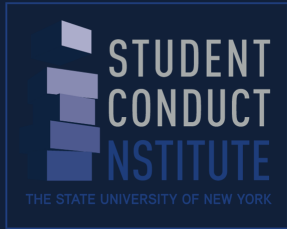
2020-2021: Privacy, Confidentiality, and Privilege in Disclosures of Sexual and Interpersonal Violence	Foundations of Practice, Law	[2018-2021] Laws, Policies, and Procedures*, [2018-2021] Working with Reporting Individuals*, [2018-2021] Confidentiality*	Basic	0.5	12/4/2020
2020-2021: Due Process Part Two: Application	Conduct Theory, Foundations of Practice, Law	[2018-2021] Due Process-Fair Process*	Basic	0.25	12/4/2020
2020-2021: Evidence in the Student Conduct Process	Content Area Expertise, Foundations of Practice	[2018-2021] Evidence*, Title IX: Relevant Evidence	Basic	0.5	12/4/2020
2020-2021: No Contact Orders, Emergency Removal, and Interim Suspensions	Content Area Expertise, Foundations of Practice, Law	[2018-2021] Working with Reporting Individuals*, [2018-2021] Remedial Actions*, [2018-2021] Working with Accused Persons*, Title IX: Investigation & Grievance Procedures	Basic	0.5	12/4/2020
2020-2021: Understanding the Investigative Report Template for Investigations of Title IX Sexual Harassment	Foundations of Practice, Law	[2018-2021] Working with Reporting Individuals*, [2018-2021] Working with Witnesses and Bystanders*, [2018-2021] Evidence*, [2018-2021] Working with Accused Persons*, Title IX: Investigation & Grievance Procedures, Title IX: Relevant Evidence, Title IX: Investigative Reports	Basic	0.5	12/3/2020
2020-2021: Legal Framework for Understanding Conflicts of Interest and Bias	Foundations of Practice, Law	Title IX: Investigation & Grievance Procedures, Title IX: Conflicts of Interest and Bias	Basic	0.5	12/3/2020
2020-2021: Sexual Harassment: Legal Definitions	Law	[2018-2021] Laws, Policies, and Procedures*, [2018-2021] Types of Sexual and Interpersonal Violence*, Title IX: Sexual Harassment	Basic	0.5	12/3/2020

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2020-2021: Disability Law in Student Conduct Proceedings	Foundations of Practice, Law	[2018-2021] Working with Reporting Individuals*, [2018-2021] Working with Accused Persons*	Basic	0.25	12/3/2020
2020-2021: Collecting and Understanding Specialized Evidence	Foundations of Practice, Law	[2018-2021] Evidence*, Title IX: Investigation & Grievance Procedures, Title IX: Relevant Evidence	Intermediate	0.67	12/3/2020
2020-2021: Due Process Part One: Theory and History	Conduct Theory, Foundations of Practice, Law	[2018-2021] Due Process-Fair Process*	Basic	0.5	12/3/2020
2020-2021: Supportive Measures in Response to Reports of Sexual and Interpersonal Violence	Content Area Expertise, Foundations of Practice, Law	[2018-2021] Working with Reporting Individuals*, [2018-2021] Remedial Actions*, [2018-2021] Working with Accused Persons*, Title IX: Investigation & Grievance Procedures	Basic	0.5	12/3/2020
2020-2021: Cross-Examination in a Title IX Hearing	Foundations of Practice, Law	[2018-2021] Working with Reporting Individuals*, [2018-2021] Working with Witnesses and Bystanders*, [2018-2021] Working with Accused Persons*, Title IX: Investigation & Grievance Procedures	Basic	0.5	12/3/2020
2020-2021: Cultural Relevance, Inclusiveness, and Responding to Sexual and Interpersonal Violence on Campus	Foundations of Practice	[2018-2021] Cultural Awareness*	Intermediate	0.75	12/2/2020
2020-2021: Accountability	Conduct Theory, Foundations of Practice, Law	[2018-2021] Laws, Policies, and Procedures*, [2018-2021] Accountability*	Basic	0.25	8/18/2020

Total: 25.09



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