

EXPLANATION OF THE INVESTIGATION INTERVIEW

Equity and Access Services (EAS) investigates alleged violations of VCU's [Title IX Sexual Harassment Policy – Interim](#) and/or [Sex-Based Misconduct Policy-Interim](#) (“Policy”). This document summarizes the interview for those who have been invited to participate in an investigation. If you have additional questions, please contact the Investigator who invited you to interview.

Role of Investigator: EAS investigators do not represent any parties or witnesses involved in this investigation, they serve as a neutral fact-finder whose job is to conduct a prompt, thorough, fair, and impartial investigation of the allegations.

The person who invited you to schedule an interview is the assigned investigator. All parties to an investigation have the opportunity to request a different investigator if there are concerns about the assigned investigator's ability to be fair and impartial. To report any concerns related to the assigned investigator, contact titleix@vcu.edu.

1. **Adviser:** Parties (the Complainant and the Respondent) to an investigation have the right to have an adviser present during the interview and any other step in the investigation. Witnesses to an investigation are not entitled to an adviser. The role of the adviser is to provide support and advice; an adviser may not speak on your behalf or otherwise take part in an interview. Parties who wish to bring an adviser to their interview must notify the investigator in advance.
2. **Participation:** You are not required to take part in the university's investigation and resolution process. The investigator will not draw any adverse inference from a decision not to take part; however, the investigation may proceed without your participation. You may still offer evidence or written statements if you do not wish to participate in an investigation interview.
3. **Purpose:** The purpose of the investigative interview is to gather information related to the reported incident. EAS has not yet made any determinations regarding whether the Respondent engaged in conduct that would violate the Policy.

The university's investigation is separate from any criminal investigation or proceeding, though EAS may request and include information gathered by law enforcement. EAS records can be released as required or authorized by law, including by subpoena from law enforcement agencies.

4. **Follow-up Interview:** The investigator may request one or more follow-up interviews with you to discuss your previous statements or evidence gathered in the investigation. Follow-up interviews provide you the opportunity to clarify, explain, or respond to evidence collected.
5. **Recording:** All interviews are recorded and will be transcribed. You will have an opportunity to review the transcript for accuracy.
6. **Accuracy of Information:** This is your opportunity to share your perspective and factual account. If there is something you do not remember, do not know, or that you are unsure of, please make that clear to the investigator. After an interview, if you remember something that you forgot to tell the investigator, or if you believe you need to make a correction or clarification, immediately contact the investigator to follow up.

Making statements in bad faith or deliberately providing false information to the investigator during the interview is prohibited. If the investigator has concerns regarding statements made in bad faith or false information shared, these concerns may be reported for further investigation under the applicable Code of Conduct.

7. Breaks During Interviews: If you need a break at any point during an interview, please let the investigator know.
8. Privacy: The information you share during your interview is private, but is not confidential. The transcript will only be shared with a limited number of people on a “need to know” basis to assist in the review, investigation, and resolution of this matter. Although every case is different, the following individuals likely fall into that “need to know” category:
 - EAS staff, VCU administrators, and/or hearing panelists.
 - If you are an employee accused of engaging in Prohibited Conduct, those individuals who fall into the “need to know” category may include your supervisor, Human Resources administrators, Integrity and Compliance Office administrators, your department chair, college dean, division vice president, and/or the Provost. While not bound by confidentiality, these individuals will be discreet and respect your privacy throughout the investigation and/or the resolution of this matter.
 - Parties to an investigation (the Complainant and the Respondent) receive redacted copies of all interview transcripts as a part of the evidence review portion of the grievance process.

Except as outlined above, information will not be shared with a third party unless you have released the information to that third party in writing, or, an exception to the Family Educational Rights and Privacy Act (FERPA) applies (such as a concern for your immediate health or safety).

PROHIBITION AGAINST RETALIATION:

VCU supports an environment free from unlawful retaliation. Retaliation against any individual who brings forth a good-faith concern, assists in any manner in an investigation or grievance process, or participates in (or refuses to participate in) an investigation is prohibited. If you believe that retaliation has occurred or is occurring at any time *because of your role in this investigation*, please notify the investigator or the Title IX Coordinator (titleix@vcu.edu).

Please refer to the Policy for a detailed description of the investigation and resolution process. If you have questions about the interview that were not addressed here, please contact the assigned investigator.