I.

Initial Incident Report Received by EAS

- Community based report
- Email
- VCUPD
- Direct report
Unaffiliated Respondent

EAS will send a support letter to the Complainant and a copy of the VAWA Resource and Reporting Guide for Students.
I.
Initial Incident Report Received by EAS

- Community based report
- Email
- VCUPD
- Direct report
Intake Request and the VAWA Resource and Reporting Guide are sent to Complainant.

Intake Meeting - Complainant and IES Staff meet to discuss options, resources and next steps.
I.

**Initial Incident Report Received by EAS**

- Community based report
- Email
- VCUPD
- Direct report

1.a
Unaffiliated Respondent

1.b
Affiliated Respondent

2.
Formal Complaint

3.
Allegation Assessment

4.
Notice of Investigation
Complainant has filed a Formal Complaint alleging prohibited conduct under one of the policies.

A "Warm Hand Off" takes place connecting the Complainant with the assigned investigator to continue the process.
I.
Initial Incident Report Received by EAS

- Community based report
- Email
- VCUPD
- Direct report
Allegation Assessment

The investigator meets with the Complainant to review the allegations and identify potential policy violations that would be the subject of the investigation.

The investigator prepares an Assessment of Allegations document outlining the specific allegations to be investigated that is sent to the Complainant for them to review and approve.
1. Initial Incident Report Received by EAS

- Community based report
- Email
- VCUPD
- Direct report
Notice of Investigation

Once the completed Assessment of Allegations has been received, the investigator drafts the Notice of Investigation which is sent to both parties, formally commencing the investigation.
I.

Initial Incident Report Received by EAS

- Community based report
- Email
- VCUPD
- Direct report
Equity and Access Services

Intake and Investigation Review

Intake

Investigation

Reporting
EAS Investigation

Investigations are conducted under the Title IX or Sex-Based Misconduct policies as determined by:
- Where the incident happened
- When the incident happened
- Party affiliation to VCU
- Other criteria designated by the Final Rule
Pre-Investigation Meeting

The Investigator(s) and Title IX Coordinator to strategize the investigation process, establish deadlines and discuss potential roadblocks.
EAS Investigation

Investigations are conducted under the Title IX or Sex-Based Misconduct policies as determined by:

- Where the incident happened
- When the incident happened
- Party affiliation to VCU
- Other criteria designated by the Final Rule
Interviews

The investigator schedules in-person, phone or Zoom interviews with the involved parties and witnesses.

Follow-up interviews will be conducted to allow parties to clarify or reconcile any disputed facts, review any evidence that has been collected, or pose questions to others involved in the investigation.

Transcripts are provided to each person interviewed for review and correction.
EAS Investigation

Investigations are conducted under the Title IX or Sex-Based Misconduct policies as determined by:
- Where the incident happened
- When the incident happened
- Party affiliation to VCU
- Other criteria designated by the Final Rule
Evidence Collection

Various forms of evidence, such as phone records, photos, videos and screenshots of texts and messaging are collected and reviewed to determine their relevance to the incident being investigated.
Evidence is generally considered relevant if it has value in proving or disproving a fact at issue, and relevance means the evidence will be relied upon by the investigator or decision-maker regarding alleged policy violation(s) and/or a party or witness’s credibility.
Evidence Collection

Various forms of evidence, such as phone records, photos, videos and screenshots of texts and messaging are collected and reviewed to determine their relevance to the incident being investigated.
Evidence is directly related when it is connected to the complaint but is neither inculpatory nor exculpatory and will not be relied upon in the investigation report.
Evidence Collection

Various forms of evidence, such as phone records, photos, videos and screenshots of texts and messaging are collected and reviewed to determine their relevance to the incident being investigated.
Evidence that has no relation to the investigation. Parties/Advisers/Decision-makers don't get to know about it.

Evidence should be maintained by the Investigator(s) but disregarded for purposes of the process.
Evidence Collection

Various forms of evidence, such as phone records, photos, videos and screenshots of texts and messaging are collected and reviewed to determine their relevance to the incident being investigated.
EAS Investigation

Investigations are conducted under the Title IX or Sex-Based Misconduct policies as determined by:
- Where the incident happened
- When the incident happened
- Party affiliation to VCU
- Other criteria designated by the Final Rule
Reporting

Once the investigator is confident they have gathered sufficient information, a Preliminary Investigation Report will be prepared, reviewed and submitted to the parties for review. Evidence gathered during the investigation that is relevant or directly related is made available for the parties to review.

After the parties have reviewed the preliminary report and submitted responses, the investigator prepares a Final Investigation Report.
Report Review Process

The Preliminary and Final Investigation Reports go through a series of internal reviews by EAS team members, the Title IX Coordinator and VCU legal counsel before they are released to the parties.

When the reports are released, the evidence associated with the investigation is provided to each party through secure web links that allow "view only" access to the items. The parties are provided with PDF versions of each report.
Reporting

Once the investigator is confident they have gathered sufficient information, a Preliminary Investigation Report will be prepared, reviewed and submitted to the parties for review. Evidence gathered during the investigation that is relevant or directly related is made available for the parties to review.

After the parties have reviewed the preliminary report and submitted responses, the investigator prepares a Final Investigation Report.
The investigator updates the preliminary investigation report with any new information of evidence provided by the parties.

The Title IX Final Report is different from the Sex-Based Misconduct Final Report primarily in that it does not contain any findings of fact or policy analysis regarding whether or not there is a preponderance of the evidence to sustain the allegations under investigation.

Once the final report is completed and approved by the Title IX Coordinator, the matter goes to a hearing panel.
Once the investigator is confident they have gathered sufficient information, a Preliminary Investigation Report will be prepared, reviewed and submitted to the parties for review. Evidence gathered during the investigation that is relevant or directly related is made available for the parties to review.

After the parties have reviewed the preliminary report and submitted responses, the investigator prepares a Final Investigation Report.
Sex-Based Misconduct Final Report

The investigator updates the preliminary investigation report with any new information of evidence provided by the parties. The Sex-Based Misconduct Final Report contains findings of fact and a policy analysis regarding whether or not there is a preponderance of the evidence to sustain the allegations under investigation.

The investigator makes findings on whether the Respondent’s is responsible or not responsible for the alleged conduct.
Reporting

Once the investigator is confident they have gathered sufficient information, a Preliminary Investigation Report will be prepared, reviewed and submitted to the parties for review. Evidence gathered during the investigation that is relevant or directly related is made available for the parties to review.

After the parties have reviewed the preliminary report and submitted responses, the investigator prepares a Final Investigation Report.