**GETTING STARTED WITH THE INTERVIEW**

Scripting the opening of your interview is a great way to anticipate concerns and questions the interviewee may have, deliver important policy and process disclosures, and provide information to place the interviewee at ease regarding your role and the purpose of the interview.

You can create your own interview opening document using the considerations outlined below as a guide. Bring that document, a copy of the Notice of Investigation and Allegations (NOIA), and a copy of the applicable policies/procedures with you to the interview.

**Explain** **the process**

* Your role –
  + You are a neutral fact-gatherer/factfinder. You do not represent the complainant, the respondent, or the school.
  + You do not decide whether or not a policy was violated. When the investigation is complete, an independent decision-maker will determine if there is enough evidence to support a policy violation.
  + You don’t have a stake in the outcome; your goal is to develop the most accurate understanding of all the facts and circumstances by interviewing each party and witness and collecting additional evidence as available.
* The advisor’s role –
  + Parties have the right to an advisor of their choice to accompany them to all interviews, meetings, and hearings (if applicable).
  + You need to hear directly from the interviewee, so the advisor should not answer any questions on behalf of the parties. Note that this may vary for an interviewee with a disability.
  + Review the advisor rights and responsibilities as outlined in policy and/or the NOIA.
* During the interview –
  + You will ask questions. Some of those questions may be very personal and/or specific.
  + Acknowledge the discomfort the interviewee may have when speaking with an adult about a personal situation.
  + The interviewee can choose not to respond to a question.
  + You will answer any questions the interviewee or advisor has, if you can.
  + You need the best and most honest answers.
  + You will take notes/record and transcribe/some combination of both.
  + The interviewee may ask to take a break at any time.
* If the interviewee is a witness –
  + Note that the witness was identified as someone who may have relevant information to share regarding the allegations/conduct.
  + The interviewee is asked to share any information they have related to the allegations, including providing any relevant evidence in their possession.
  + Information they provide will be shared with the parties.
* After the interview –
  + You will provide the notes for the interviewee to review.
  + The notes and responses (after review) will become part of the investigation file.
  + You will ultimately share your investigation file with the parties (including interviewee identity) and the parties will have an opportunity to review and respond.
  + The interviewee may be asked to answer written questions from the parties and/or participate during a live hearing at a future date (if applicable).

**Discuss the need for complete, honest answers**

* Encourage the interviewee to give the most complete, honest response they can for each question. If they are unsure of, or don’t know, the answer to a question, it is okay to say that.
* Ask the interviewee to let you know if they don’t understand a question you ask so that you can rephrase the question.
* Ask the interviewee to clarify their level of certainty in their responses to your questions – they know it for a fact, they “think” or are they “kind of sure,” they heard about it from another source, it is something they would have “expected” but don’t actually know, etc.
* Ask the interviewee to describe facts, circumstances, and experiences using the language they are most comfortable with – they don’t need to try to clean it up or sanitize it – they won’t get in trouble for using certain types of language. You will ask for clarification if there is something that you do not understand.
* Assure the interviewee that you have experience in these types of investigations, and nothing they say or describe will shock or surprise you, and that you are not judging them.

**Review other relevant policies**

* Discuss and review any applicable privacy and/or confidentiality protections that may apply.
  + Discuss rights to share information and the importance of discretion.
* Review any applicable amnesty policies –
  + Set the interviewee at ease if the circumstances also describe any low-level policy infractions (e.g., drug/alcohol use, sexual activity, curfew restrictions, visitation, etc.).
  + Stick to the language in your policy and don’t “create” any amnesty that doesn’t already exist.
* Discuss any anti-retaliation provisions in policy –
  + Explain what retaliation means and use relevant examples.
  + Discourage the interviewee from engaging in any potential retaliation against any other participant in the investigation.
  + Encourage the interviewee to report any potential retaliation they experience to the Title IX Coordinator.

**Ask the interviewee and advisor (if applicable) if they have any questions of you before you begin your interview.**

**Begin with the allegations and/or circumstances**

* For the Parties:
  + Begin the interview with a review of the allegations –
    - Reference the setting, circumstances, or incident in question, including time, date, and location.
    - Ask the interviewee to begin at the place that feels most appropriate to them.
    - This is a holistic, “start at the start” prompt for a narrative response.
* For Witnesses:
  + Begin the interview by asking the interviewee to explain why they believe they have been identified as someone with relevant information.
    - Seek to understand the nature of relationships between the interviewee and the parties and/or other witnesses.
    - Clarify the portion(s) of the reported allegations about which the interviewee is believed to have information.
    - If the interviewee was not physically present during the reported incident, determine how the interviewee became aware of the incident.
    - Ask the interviewee to begin at the place that feels most appropriate to them to share information.