



Investigation – Response to Draft Report Form

Name of Party Completing Form:

Date Submitted:

Prior to the conclusion of the investigation, the parties and their advisors (if so desired by the parties) will be provided access to an electronic copy of the Draft Investigative Report, as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct. This directly related evidence will include evidence, if any, which the Investigator(s) do not believe is relevant and do not intend to include in the finalized investigative report for the Review Panel to rely on in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source.

The Draft Investigative Report will include the following: the names of the Investigator(s), a list of involved parties and witnesses, policies applicable to the matter, an overview of the allegations, the charges placed in the matter, summaries of the interviews with the parties and the available relevant witnesses, and other information as deemed relevant by the Investigator(s). Appendices will include relevant physical or documentary evidence, questions asked by the Investigator(s) and suggested by the parties, and a comprehensive timeline of the investigation. An investigator may redact personally identifiable information or protected information from the evidence obtained during the investigation.

The Investigator(s) gather, assess, and synthesize evidence, but make no conclusions, engage in no policy analysis, and render no recommendations as part of their Draft Investigative Report. The Draft Investigative Report and directly related evidence will be available to the parties and their advisors of choice for a ten (10) business day review and comment period so that each party may meaningfully respond to the evidence in writing. The written response will be included as an addendum to the “Investigative File,” which the Investigator(s) will consider prior to completion of the “Investigative Report.”

The parties will have an opportunity to review the Investigative File; meet with the Investigator(s); submit additional comments and information to the Investigator(s); identify any additional witnesses or evidence for the Investigator(s) to pursue; and submit any further questions that they believe should be directed by the Investigator(s) to the other party or to any witness. The parties may elect to waive the full ten days. The parties may elect to provide additional evidence or identify additional witnesses in response to the Draft Investigative Report but should understand that doing so at this point of the investigation may delay the completion of the grievance process.

An investigator will then provide each party’s responses to the Draft Investigation Report to the other party. Parties have three (3) business days to reply to the other party’s response.

Parties who choose to file a response to the Draft Report may use this form and submit it to the Title IX Investigator mandi.hurley@marshall.edu electronically.



Title IX™

Response to Draft Report [Attach additional sheets if necessary and indicate below how many additional pages will be attached to ensure complete receipt of your request. If necessary, there is an additional box on the next page.]



Continuation of Response to Draft Report if needed:

Party Signature¹

¹ Signature may be electronic.