



Investigation – Response to Final Report Form

Name of Party Completing Form:

Date Submitted:

Unless there are significant additional investigative steps requested by the parties or identified by the Investigator after the review of the Draft Investigation Report after receipt and consideration of any additional comments, questions, and/or information submitted by the parties during the designated review and response period, the Investigator(s) will prepare a Final Investigative Report.

If the parties submit written responses to the Draft Investigative Report and directly related evidence, the Investigator(s) will incorporate relevant elements of those written responses into the Final Investigative Report, include any additional relevant evidence, make any necessary revisions, and finalize the report.

The Final Investigative Report will:

- i. Fairly summarize and analyze the relevant information and evidence gathered;*
- ii. Outline the contested and uncontested information;*
- iii. Outline the corroborated and uncorroborated information;*
- iv. Include a credibility assessment; however, the credibility assessment must not be a determination regarding responsibility; and*
- v. Include a recommendation as to whether there is sufficient evidence, by a Preponderance of the Evidence, which could support a finding of responsibility for a violation of the Policy (and, where applicable, the Code of Student Conduct).*

The Investigator may make a recommendation as to mandatory or discretionary dismissal to the Title IX Coordinator based upon a review of the Title IX jurisdiction on a case-by-case matter. The Investigator will deliver the Final Investigative Report to the Title IX Coordinator. The parties will also be provided access to a file of any directly related evidence that was not deemed relevant and was, therefore, not included in the report.

Upon receipt of the Final Investigation Report, the Title IX Coordinator will distribute the Final Investigative Report to each party and each party's Advisor. The parties will have ten (10) business days to review the Final Investigation Report and submit a written response. If the parties provide new evidence after the Final Investigation Report is distributed, the Title IX Coordinator may delay the hearing so that the investigation may be reopened to consider that evidence. The Investigator(s) shall set a timeframe for how long the reopening of the investigation shall cover, and such shall be provided to the parties and their advisors in writing. Any extension of that timeframe shall require written notice to the parties.

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



Response to Final 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 Final Report if needed:

Party Signature¹

¹ Signature may be electronic.