

ADVANCED INVESTIGATOR WORKSHOP

A Practical and Experiential Approach to Navigating Complex Investigations

GRAND RIVER | SOLUTIONS

MEET YOUR FACILITATOR



Pari Le Golchehreh

Pari Le Golchehreh is a distinguished professional with a wealth of expertise in Title IX and Title VII investigations. She is a certified mediator and has skillfully facilitated alternative resolutions and mediated conversations. Pari has become a trusted authority in the field, renowned for her unwavering commitment to fairness and dedication to helping other practitioners navigate investigations efficiently and effectively.

As a seasoned Title IX and Title VII investigator, Pari has navigated complex cases with precision and integrity, ensuring that all parties involved are heard and respected throughout the investigation process. She possesses a deep understanding of the regulatory frameworks and nuances surrounding discrimination and harassment issues in educational and workplace settings.

In addition to her investigative prowess, Pari holds certification as a mediator, bringing a unique skill set to the table. She excels in facilitating constructive dialogues and finding amicable resolutions to disputes, earning her a reputation as a bridge-builder.

ABOUT US

Vision

We exist to create safe and equitable work and educational environments.

Mission

To bring systemic change to how school districts and institutions of higher education address their Clery Act & Title IX obligations.

Core Values

- Responsive Partnership
- Innovation
- Accountability
- Transformation
- Integrity

AGENDA

- Preparing for Complex Assignments
- Evidence Gathering
- Investigation Writing
- The Analysis



COMPLEX ASSIGNMENTS



COMMON COMPLEXITIES

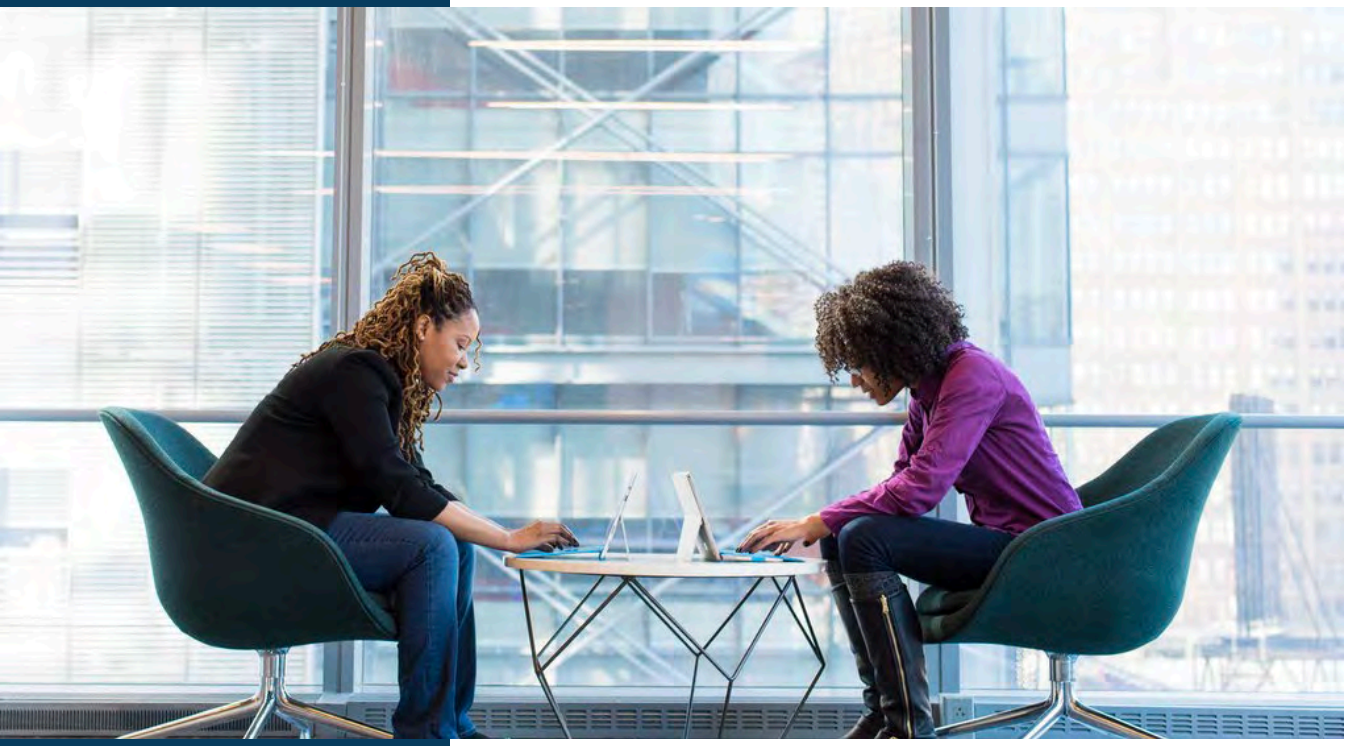


General / non-specific Notices

Party variances

Multiple policies triggered

GENERAL OR NON-SPECIFIC NOTICES



What to do: **ACT**

- Assess and evaluate
- Communicate
- Touch-base

GENERAL OR NON-SPECIFIC NOTICES (CONT.)

01

Assess and Evaluate

- Review materials
- Organize the information
- Identify what needs to be gathered
- Create a plan

02

Communicate

- Confer with the coordinator
- Ask questions for clarity
- Confirm understanding and scope

03

Touch-base

- Meet with the party
- Confirm your understanding of the allegations
- Inform the Coordinator

PARTY VARIANCES



- More than one Complainant and / or Respondent
- Uncooperative or non-participatory
- Group party

Any others?

PARTY VARIANCES: WHAT TO KEEP IN MIND

More than one Complainant and/or Respondent

- Privacy
- Incident cross-overs
- Different allegations
- Different policies

Uncooperative or Non-Participatory

- Sufficiency of information
- Other sources for information
- Pestering v. Keeping informed

Group Party

- Leadership structure
- Functional control
- Representatives
- Bylaws / Agreements
- Group recognition

MULTIPLE POLICIES: CONSIDERATIONS

What is your role?

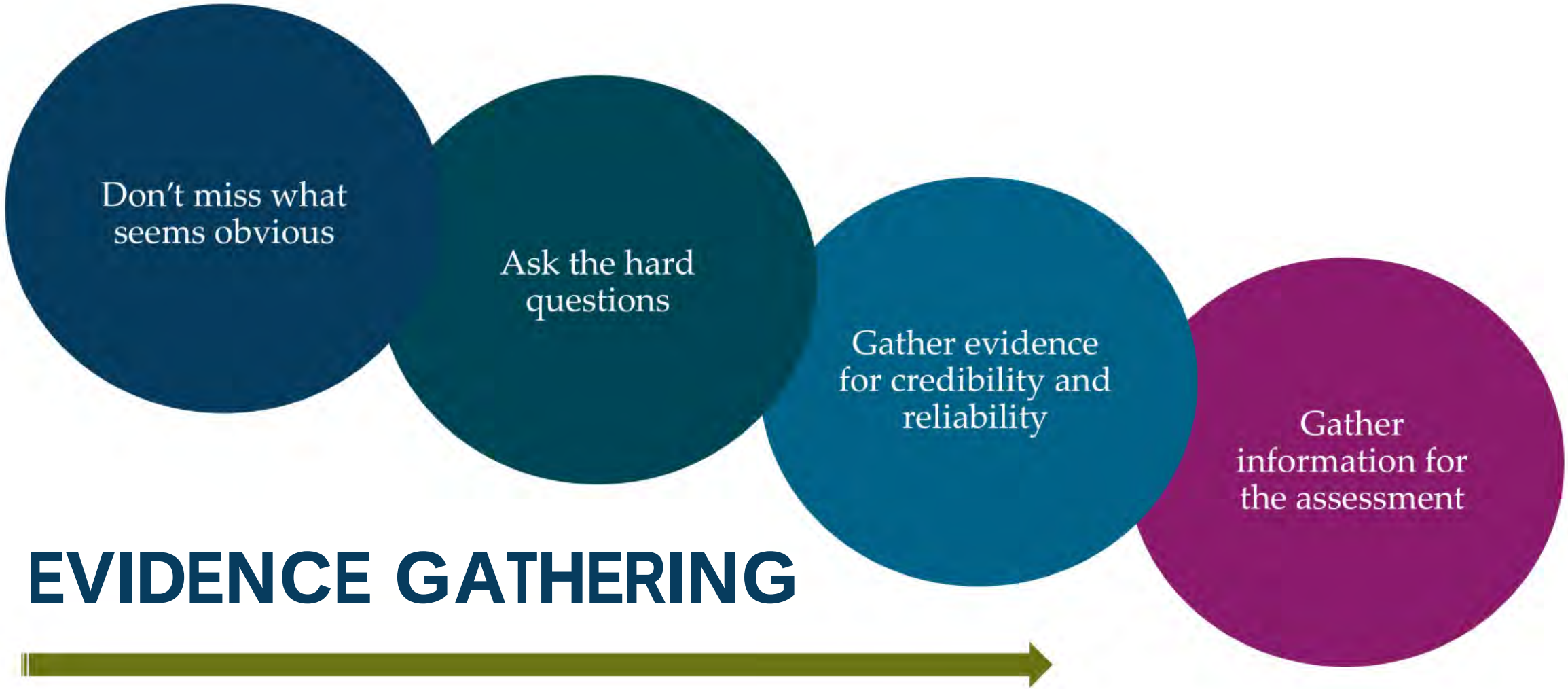
Fact gathering?
Fact finding?
Policy analysis?

One incident, multiple policies triggered?

Do the elements overlap?

Redundancy?

What's the best way to organize the information without being repetitive?



EVIDENCE GATHERING

EVIDENCE GATHERING: INTERVIEWS

Don't miss the obvious

- **Identity verification:** Confirm the identity that the party believes has been targeted.
- **Identify the precise conduct:** Simply stating something was "hostile" does not make it so.

REMEMBER! Face value is insufficient!

Ask the hard questions

- **Define terminology:** What something means to you may differ from others.
- **Seek clarification always:** Make it make sense.
- **Be comfortable with sensitive subjects:** This is a non-negotiable.

The answers to hard questions are usually what the matter stands on.

EVIDENCE GATHERING (CONT.)

Credibility and Reliability assessments are key components of any investigation, regardless of who is making the policy determination.

- Understand the factors
- Be prepared to identify appropriate factors per participant
- Establish foundation for the information
- Go beyond the evidence
- Have a plan for issues with evidence
- Utilize multiple sources
- Seek confirmation



ACTIVITY 1

Review the Notice of Investigation, Incident Report, Intake Form, and Interview Transcript. In your group,

(1) Decide on the best structure for the report

(2) Identify any follow-up questions you may have for participants

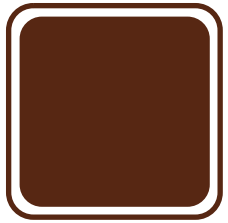
(3) Determine what questions you have for Respondent

INVESTIGATION WRITING

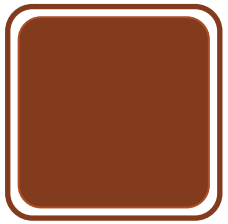


INVESTIGATION WRITING

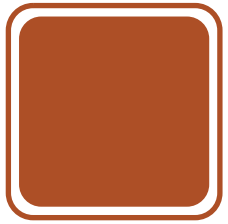
INTERVIEW SUMMARIES BEST PRACTICES



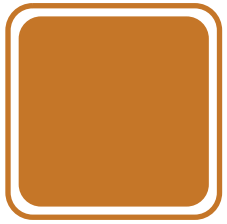
Timing



Comprehensive

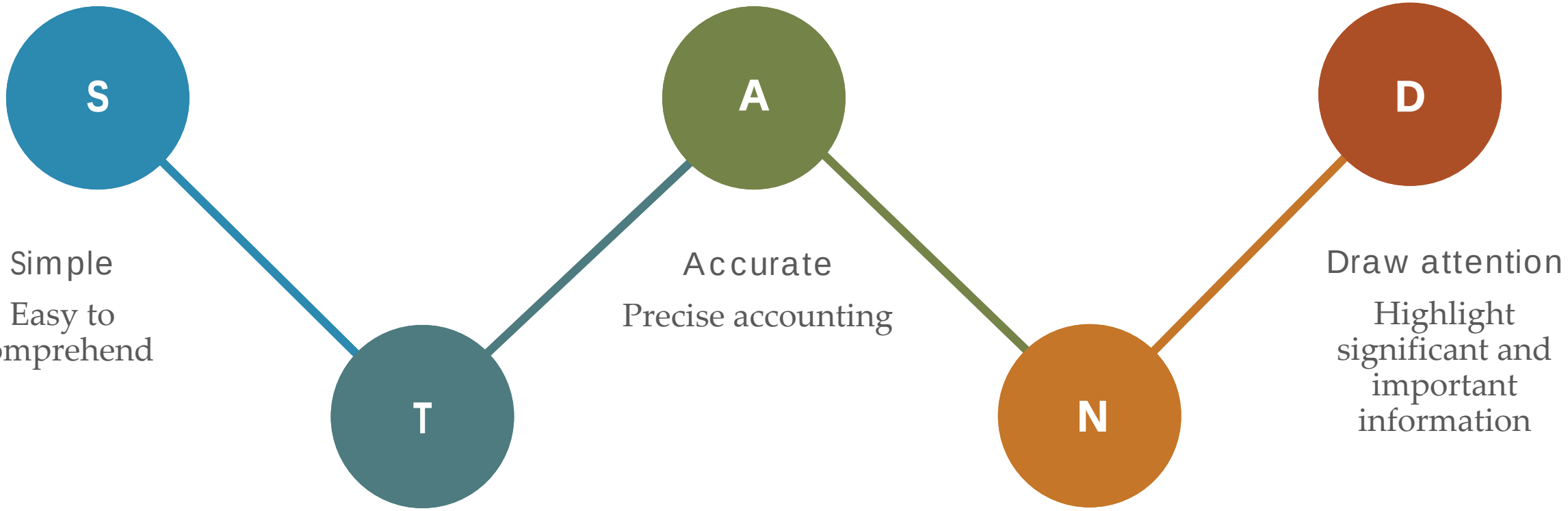


Consistent structure



Unbiased and neutral

S.T.A.N.D. REVIEW





ACTIVITY 2

In your group, review the assigned interview summary. Using tracked changes, revise the summary to ensure it meets the STANDard.

THE ANALYSIS



ANALYSIS STRUCTURE OPTIONS

Two-Part Structure

Harassment matters

Integrated Structure

Disparate Treatment or Retaliation matters

TWO-PART STRUCTURE

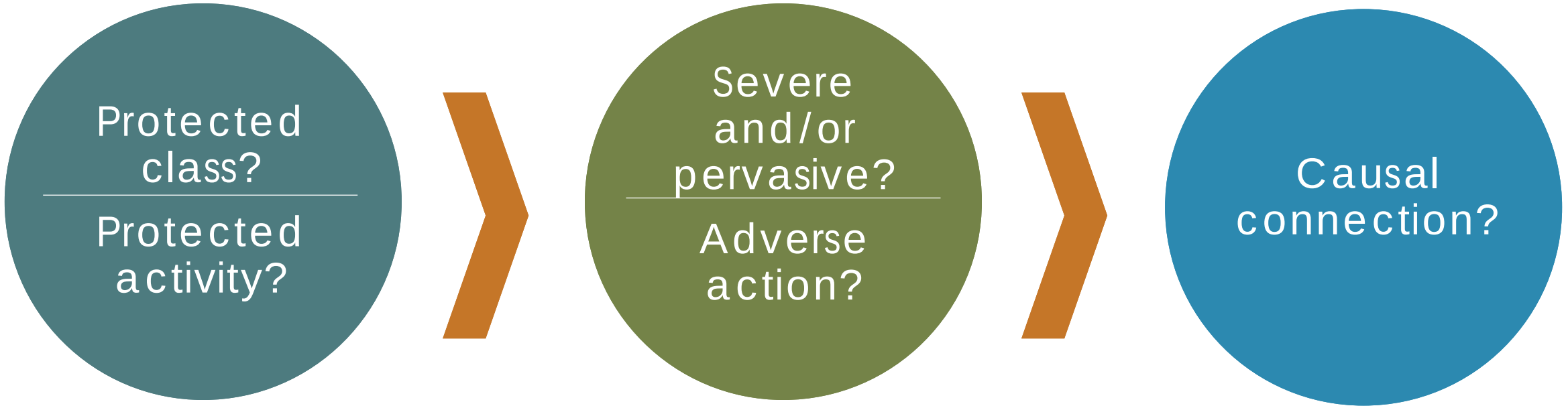
Findings of Fact

- Presents undisputed material facts
- Focuses on material facts still in dispute
- Does not address policy-related questions
- Includes credibility and reliability assessments

Policy analysis

- Facts found to be more likely than not to be true applied to the elements of the prohibited conduct definition

INTEGRATED STRUCTURE



Step One **Step Two** **Step Three**



ACTIVITY 3

Review the mock case file Finster v. Pickles. In your group, determine which analysis structure would be best.

CREDIBILITY AND RELIABILITY ASSESSMENTS

Credibility and reliability are not one in the same

Focus on the evidence that is provided

Not a character assessment

Incorporate considerations for the weight of particular information/evidence

CREDIBILITY & RELIABILITY ACTIVITY:
WHICH IS BETTER?

A

P1 was unable to provide specific examples. Therefore, they were unreliable.

B

P1 was unable to provide specific examples. This diminished their reliability.

CREDIBILITY & RELIABILITY ACTIVITY: WHICH IS BETTER (CONT.)?

A

W1 corroborated P1's story and denied P2's version. Therefore, P1 was found to be credible and reliable.

B

W1 corroborated P1's statements, counter to P2's account, thus, strengthen P1's reliability.



QUESTIONS?

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info@grandriversolutions.com

/Grand-River-Solutions

/GrandRiverSolutions

/GrandRiverSolutions

/GrandRiverSolutions.com

@titleixandequity.bsky.social

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