

Notice of Investigation & Allegation Template

**May also be used for initial Interview Request*

Date

Addressee (Respondent)

Mailing Address OR Delivered via e-mail to: e-mail address

Dear Addressee:

The Title IX Team has received a formal complaint from **Complainant** alleging that you may have engaged in behavior(s) that potentially violate(s) institutional policy, including misconduct alleged on incident date(s) at incident location(s).

Specifically, it is alleged that you ... insert appropriately detailed description here

This letter serves as formal notice that West Virginia Northern Community College will be conducting a prompt, thorough, and impartial investigation of these allegations pursuant to the procedures detailed in the Title IX Policy and Procedures Manual. West Virginia Northern Community College's grievance process is compliant with applicable federal and state law, including the 2020 Title IX implementing regulations. A copy of this notice has also been provided to the Complainant.

Specifically, you are alleged to have violated the following provision(s) of the **policy name**:

Insert all potentially applicable policy sections

Insert all potentially applicable sanctions that could result

You are considered "not responsible" for violating West Virginia Northern Community College policy, unless and until a preponderance of the evidence proves that a violation of policy has occurred. The burden is on West Virginia Northern Community College to gather evidence, investigate the allegations, summarize all relevant evidence in a final investigation report, and hold a hearing at which a final determination is made, subject to appeal. No determination of responsibility will be made until the conclusion of the process and after the parties have been given an opportunity to inspect, review, and respond to all directly related and/or relevant evidence obtained by West Virginia Northern Community College.

Should additional allegations emerge over the course of this investigation, this office will provide you with an updated and revised Notice of Investigation and Allegations.

Below, you will find details included to ensure that West Virginia Northern Community College's process is transparent to you, so that you fully understand your rights and West Virginia Northern Community College's procedures.

- West Virginia Northern Community College's applicable procedures can be found online at <https://www.wvncc.edu/>. If you need a hardcopy or accessible copy of these procedures, you should direct a request to Stephanie Kappel, Title IX Coordinator, President's Office, Room 126, B & O Building (skappel@wvncc.edu) or 304.214.8801.

- You are expected to preserve any evidence in your possession related to the allegations. Examples include, but are not limited to, screenshots of social media posts or electronic conversations (e.g., Snapchat, Facebook Messenger, WhatsApp, TikToks, text messages, etc.), written communication, audio or video recordings, photos, receipts, call logs, or any other relevant information.
- Please plan to bring all evidence, documents, and items that you believe will be helpful to the investigator(s) to your interview or provide them beforehand. Originals are preferred to copies, and all materials should be in unaltered form. Expect that you will be asked to verify the accuracy and authenticity of evidence you provide. If information is stored on an electronic device (e.g., cell phone) it is recommended that you be able to show the device itself to the investigator(s) during the interview.
- The College/University will record or transcribe proceedings, and those recordings or transcriptions will be made available to you.
- Breaks are permitted during the interview, upon request.
- You should plan to be available for the interview for at least an hour.
- You may bring materials into the interview that are relevant to the investigation, but no other materials, bags, backpacks or personal items are permitted. Phones should be silenced if you will have one with you.
- You will be permitted to ask questions of the investigator(s), and should be prepared for them to ask many questions of you. Your honesty and cooperation are expected. You are expected to maintain decorum during the interview and to respect the serious nature of the proceedings.
- West Virginia Northern Community College cannot obligate you to participate in the interview. If you do not intend to attend, please notify Stephanie Kappel, Title IX Coordinator, President's Office, Room 126, B & O Building (skappel@wvncc.edu) or 304.214.8801.
- Your rights in the process are detailed throughout West Virginia Northern Community College's procedures. Additionally, a section of the procedures details specific rights accorded to you <https://www.wvncc.edu/offices-and-services/title-ix-/5251>.

Investigation & Interview

Investigator name(s) have been assigned to this matter. The investigator(s) are neutral professionals whose role is to objectively collect and compile all available information relevant to the allegations and compose a thorough, detailed investigation report. They will be taking notes and/or recording during the interview. A summary or transcript of your interview will be provided to you following the interview and you will be asked to verify its accuracy, in writing, to the investigator(s).

If you have any questions regarding the qualifications or training of the investigator, please feel free to contact me directly. Similarly, if you have a concern that the investigator is potentially biased or has a conflict of interest, you must raise that issue with me prior to your scheduled interview.

At this time, we ask you to schedule an interview with West Virginia Northern Community College investigator(s) for an interview. Two suggested times that work for an appointment to interview you are below, and we have already checked to make sure that these times work with your class schedule. Please contact the investigator(s) at **contact** to confirm which of these times work best for you.

- Option 1
- Option 2

Specify any meeting procedures/conditions if the student/employee has been subject to emergency removal.

Advisors

You have the right to an advisor of your choosing to accompany you to all meetings, interviews, and hearings and to assist you in this process; you will find a copy of West Virginia Northern Community College's advisor policy at this [https://www.wvncc.edu/offices-and-services/laws-policies-and-procedures-\(under-construction\)/5400](https://www.wvncc.edu/offices-and-services/laws-policies-and-procedures-(under-construction)/5400). **If you would prefer that the institution appoint a West Virginia Northern Community College-trained advisor for you, please let me know as soon as possible.** Although I strongly encourage you to be accompanied by an advisor (who can be an attorney) for all meetings, should you proceed without an advisor, and should this matter proceed to a hearing under the policy name, then an advisor designated by West Virginia Northern Community College will be provided to you for purposes of conducting questioning during the hearing. This is required by federal regulations.

Upon request, a pre-interview meeting between you, your advisor, and the investigator(s) to explain the West Virginia Northern Community College process and answer any questions may be arranged by contacting the investigator.

Retaliation

This letter also serves as a reminder that West Virginia Northern Community College policy prohibits retaliation, as defined at <https://www.wvncc.edu/offices-and-services/definitions/5401>. Retaliation exists when an individual harasses, intimidates, or takes other adverse actions against a person because of that person's participation in an investigation or because of their support of someone involved in an investigation.

West Virginia Northern Community College will impose sanctions on any faculty, student, or staff member found to be engaging in retaliation, or on individuals who encourage third parties to retaliate on their behalf.

If you experience any retaliation, please contact me immediately.

False Statements and/or False Information

Please also be reminded that applicable policy and section prohibits making false statements and/or knowingly providing false information in the course of a West Virginia Northern Community College grievance process, including an investigation and hearing pursuant to the insert applicable policy name.

Please do not suggest to any witness that they distort or align their accounts, to ensure that the investigator(s) can obtain as much accurate and objective information about this matter as possible.

Should it be alleged that you have violated these rules, West Virginia Northern Community College reserves the right to address those allegations inside of this process or to address the allegations as a separate matter pursuant to the policy name and associated procedures.

Confidentiality

You have the right to discuss this matter with your advisor and others, but the institution will conduct this investigation confidentially, meaning that it will only share information as permitted or required by law. West Virginia Northern Community College asks for your discretion in what you choose to share

and hope that you will respect the private and sensitive nature of these allegations. The Complainant has been provided with the same information.

Campus Resources

I understand that receiving this notice may result in many questions and potential distress. I encourage you to avail yourself of any of the following resources that you may find helpful as you work to resolve this matter.

Disability Services

If you or another individual needs reasonable accommodations due to a qualifying disability in order to fully and meaningfully participate in this process, please contact CJ Farnsworth, Director of Academic Student Support at 304.214.8853 prior to any meeting or interview in which reasonable accommodations may be needed.

Should you have any questions about the process and/or the interview, please contact your investigator(s) for this matter at phone number or e-mail address. Information summarizing all relevant College/University policies, procedures, supports, and resources can be found at <https://www.wvncc.edu/offices-and-services/title-ix-/5251>.

Sincerely,

Title IX Coordinator or Deputy Coordinator