

# Title IX InvestigatorViolence Against Men (Tier 7)

**Presented by DSA Associates:** 

# Cathy Cocks Adrienne Murray

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#### Violence Against Men

- Prevalence of male victimization
- Definitions (Centers for Disease Control and Title IX/VAWA)
- Barriers to reporting
- Common tactics used by abusers towards male victims
- Commonly reported impacts on male victims
- Interviewing strategies with male victims
- Investigator considerations when working with male victims



#### Adrienne Meador Murray, Vice President, Equity Compliance and Civil Rights Services



In January 2014, Adrienne Meador Murray joined D. Stafford & Associates where she currently serves as the Vice President, Equity Compliance and Civil Rights Services after having been affiliated with D. Stafford & Associates as a part-time Associate since 2012 and the National Association of Clery Compliance Officers & Professionals (NACCOP) where she currently serves as Director of Training and Compliance Activities. Murray began her career in municipal law enforcement as a civilian employee with the City of Richmond Police Department (Virginia). She graduated from the Virginia Commonwealth University Police Training Academy and began her career as a sworn police officer for the University of Richmond (UR) Police Department (Virginia). At UR, Murray progressed through the ranks from a night shift patrol officer to Operations Lieutenant (overseeing criminal investigations, crime prevention and patrol) over the span of a decade before becoming the Chief of Police at Davidson

College in North Carolina. Most recently, Murray served as Chief of Police at Trinity Washington University (in Washington, D.C.).

As the Executive Director, Equity Compliance and Civil Rights Services for DSA, Murray builds on her 17-year career in law enforcement in which she became a nationally recognized expert in the field of best practice postsecondary institutional response to the sexual victimization of college women in the United States and in Canada. She is also a trained civil rights investigator and is well respected throughout the country for her ability to aid institutions in understating how to do best practice criminal and civil rights investigations concurrently. She is well known for her work in having provided support, advocacy and criminal investigative services for victims of sexual assault, stalking and intimate partner violence and is a sought-out speaker and investigator. She has expertise in the construction of best practice law enforcement standard operating procedures and training police officers to respond in best practice and trauma-informed ways to victims of sexual assault and intimate partner violence. In her current role, Murray coordinates curriculum development and instruction for national classes, including basic and advanced sexual misconduct investigation classes; an investigation of dating violence, domestic violence and stalking class; and a Title IX Coordinator/Investigator class offered through D. Stafford & Associates. To date, Murray has trained more than 3,500 criminal and civil rights investigators throughout the U.S.

Drawing on her experiences as a trained criminal and civil rights investigator, Murray also oversees independent investigations of complex sexual misconduct cases; conducts audits of Title IX/VAWA



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Compliance; drafts institutional sexual misconduct policies and procedures; and conducts campus-based trainings pertaining to the resolution of sexual misconduct offenses on college and university campuses. Murray frequently presents at regional and national conferences on topics such as the *Sexual Victimization of College Women, Understanding Consent and Incapacitation*, and *Responding to Sexual Assault on Campus: Clery Act and Title IX Implications*. Murray also conducts provincially specific sexual misconduct trainings throughout Canada.

Murray is a graduate of the University of Richmond, where she received her Bachelor's Degree in Applied Studies in Human Resource Management and of New England College, where she received her Master's Degree in Campus Public Safety Administration. Murray is also a graduate of the 235th session of the prestigious FBI National Academy where she was awarded a graduate certificate in Criminal Justice from the University of Virginia. She has authored numerous journal articles.

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# Catherine Cocks, M.A. Consultant, Student Affairs, Title IX, and Equity Compliance Services



Ms. Cocks has been a higher education professional for over thirty years. Her work with D. Stafford & Associates focuses on Title IX investigations and training; assessment of student affairs policies, practices and services; and behavioral threat assessment. Cathy was the Director of Community Standards for the University of Connecticut for 14 years where she managed the student conduct process, which included managing all Title IX cases involving student respondents and chaired the University's student threat assessment team. Prior to that, she held several positions within Residential Life at the University of Connecticut and Roger Williams University.

She is a faculty member for the Association for Student Conduct Administration's (ASCA) Donald D. Gehring Academy teaching on subjects such as ethics, governance, threat assessment, media relations, and higher education trends. She was an affiliated faculty

member for many years in the University of Connecticut's Higher Education and Student Affairs Master's program teaching "The Law, Ethics, and Decision-Making in Student Affairs."

Cathy has co-authored the "Philosophy of Student Conduct" chapter in the 2nd edition of "Student Conduct Practice" (2020) and was a member of the writing team for CAS Standards' Cross-functional Framework for Identifying and Responding to Behavioral Concerns.

Cathy is a Past President of ASCA. She has also served as a Circuit representative, co-chair of the Public Policy and Legislative Issues Committee, and as a member of the ASCA Expectations of Members Task Force. Cathy has served in a variety of leadership roles in NASPA Region I.

She was the 2015 recipient of ASCA's Donald D. Gehring Award. She is a past recipient of the NASPA Region I Mid-Level Student Affairs Professional Award and the NASPA Region I Continuous Service Award.

She earned her Master's degree in Higher Education Administration from the University of Connecticut and Bachelor's degree in Communications/Media from Fitchburg State University.

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Attendees should report each absence using the online form provided (each class has its own unique form that is sent to all attendees via email prior to class). Attendees should complete the form twice for each absence: once to record their departure, and again to record their return. Attendees should complete the form immediately before leaving class and as soon as practicable upon their return. If an attendee signs out but does not sign back in, they will be marked absent for the remainder of the day.

The criteria for receiving a certificate is determined based on missed class time and participation in the Attendance Polls that will be launched throughout each day of class. Attendance polls are left up for approximately 5 minutes and the instructor notifies the attendees that a poll is being launched to ensure that everyone who is present can respond to the poll. If an attendee is unable to respond to the attendance poll, the attendee would need to **immediately post "I am here"** in the chat feature within the Zoom platform. That way we can give the attendee credit for being in attendance for that specific poll. Notifying us after the attendance poll has been closed will not allow us to give the attendee credit for being in class during the poll.

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# **VIOLENCE AGAINST MEN**







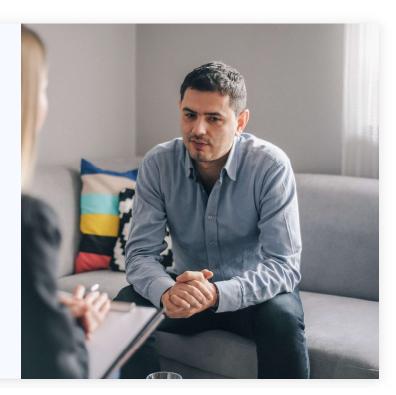


The U.S. Centers for Disease Control found that men experience a high prevalence of intimate partner violence, sexual violence, and stalking. Most first-time victimizations occur before the age 25, with many victims first experiencing violence before age 18.

This short course will examine the important and unique challenges facing men who are victims of sexual assault, dating violence, domestic violence, and stalking and is designed to provide a comprehensive understanding of considerations, strategies, and investigative considerations when responding to a male victim of a VAWA offense.

# TOPICS TO DISCUSS

- •Prevalence of male victimization
- •Definitions (Centers for Disease Control and Title IX/VAWA)
- •Barriers to reporting
- •Common tactics used by male and female abusers towards male victims
- •Commonly reported impacts on male victims
- •Interviewing strategies with male victims
- •Investigator considerations when working with male victims



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# PREVALENCE OF MALE VICTIMIZATION: BACKGROUND OF THE PROBLEM





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# DEFINITIONS (ACCORDING TO THE CDC-UPON WHICH THE DATA IS BASED)

**Intimate Partner Violence (IPV)** – Physical violence, sexual violence, stalking, psychological aggression, and control of reproductive or sexual health by a current or former intimate partner.

**Sexual Violence (SV)** – Sexual activity when consent is not obtained or given freely.

**Contact Sexual Violence** – Includes rape (penetration of the victim), being made to penetrate someone else, sexual coercion, and/or unwanted sexual contact.

**Stalking** – Occurs when someone repeatedly harasses or threatens someone else, causing fear or safety concerns.

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#### DID YOU KNOW?

- 1 in 7 men have been severely physically abused (hit with a fist or hard object, kicked, slammed against something, choked, burned, etc.) by an intimate partner at some point in their lifetime.
- Nearly 1 in 10 men in the United States has experienced rape, physical violence, and/or stalking by an intimate partner and reported at least one measured impact related to experiencing these or other forms of violent behavior in the relationship (e.g., being fearful, concerned for safety, post-traumatic stress disorder (PTSD) symptoms, need for healthcare, injury, contacting a crisis hotline, need for housing services, need for victim's advocate services, need for legal services, missed at least one day of work or school).
- 1 in 18 men are severely injured by intimate partners in their lifetimes.

National Intimate Partner and Sexual Violence Survey, 2010. (cdc.gov)

## DID YOU KNOW?

• Male rape victims and male victims of non-contact unwanted sexual experiences reported <u>predominantly male perpetrators</u>. Nearly half of stalking victimizations against males were also perpetrated by males. Perpetrators of other forms of violence against males were mostly female.

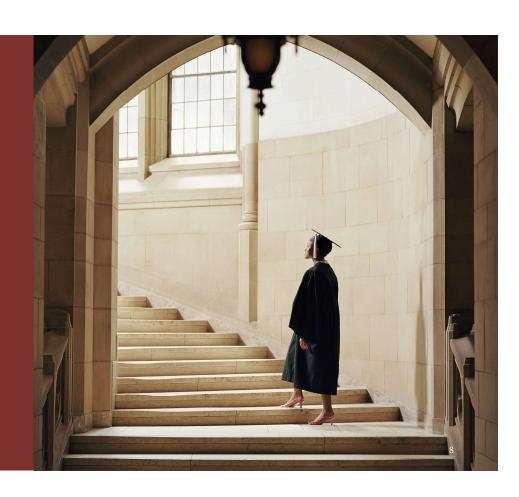
• From 1994 to 2011, the rate of serious violence (rape, sexual assault, robbery and aggravated assault) committed by an intimate partner declined 64% for males

• During the most recent 10-year period (2002-11) for which data is available, nonfatal serious violence accounted for more than a third of intimate partner violence against males (39 percent).

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# DEFINITIONS-HIGHER ED







#### SEXUAL ASSAULT — CLERY ACT-VAWA

- **Rape -** The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental incapacity.
- **Incest** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** Sexual intercourse with a person who is under the statutory age of consent.

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#### STALKING - CLERY ACT/VAWA

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.



## STALKING (CONTINUED)

- (ii) For the purposes of this definition -
  - (A) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
  - (B) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
  - (C) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

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#### DATING VIOLENCE - CLERY ACT/VAWA

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.



#### DOMESTIC VIOLENCE - CLERY ACT/VAWA

#### Violence committed—

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

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# LARGE GROUP DISCUSSION

A staff member in your office lets you know a student is coming into your office to meet with you in 15 minutes to report a sexual assault.

#### Close your eyes.

- 1-Describe the student-what do they look like? What race are they? What year are they? When sex are they?
- 2-When did this occur? Hours ago, days ago, weeks ago, months ago, years ago?
- 3-Where did the assault occur?



#### **HAZING**

\*The imposition of strenuous, often humiliating, tasks as part of a program of rigorous physical training and initiation. (dictionary.com)

\*An initiation process involving harassment. (Miriam Webster)

\*The National Federation defines hazing as any humiliating or dangerous activity expected of a student to belong to a group, regardless of their willingness to participate.

Some practices associated with high school hazing carry the potential for serious bodily harm or even death. These practices may include: tattooing, piercing, head-shaving, branding, sleep deprivation, physical punishment (paddling and "red-bellying"), "kidnapping," consuming unreasonable/unacceptable foods or beverages, being deprived of personal hygiene and/or inappropriate sexual behavior.

Coerced sexual activity, in addition to being classified as sexual assault and/or rape, is another form of hazing. Such activity puts victims at risk for injuries, sexually transmitted diseases, and pregnancy.

Alcohol abuse is another significant factor in hazing incidents that feature forced consumption of large amounts of alcohol.

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#### RAPE VS. MADE TO PENETRATE (MTP)

MTP is a form of sexual violence that some in the practice field consider similar to rape. CDC measures rape and MTP as separate concepts and views the two as distinct types of violence with potentially different consequences. Given the burden of these forms of violence in the lives of Americans, it is important to understand the difference in order to raise awareness.

•Where Rape entails any completed or attempted unwanted penetration of the victim through the use of physical force or when the victim was unable to consent due to being too drunk, high, or drugged (e.g., incapacitation, lack of consciousness, or lack of awareness) from their voluntary or involuntary use of alcohol or drugs.

•Being MTP occurs when the victim was made to, or there was an attempt to make them, sexually penetrate someone without consent as a result of physical force or when the victim is unable to consent due to being too drunk, high, or drugged, (e.g., incapacitation, lack of consciousness, or lack of awareness) from their voluntary or involuntary use of alcohol or drugs.

https://www.cdc.gov/violenceprevention/intimatepartnerviolence/menipvsvandstalking.html

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#### TEEN DATING VIOLENCE

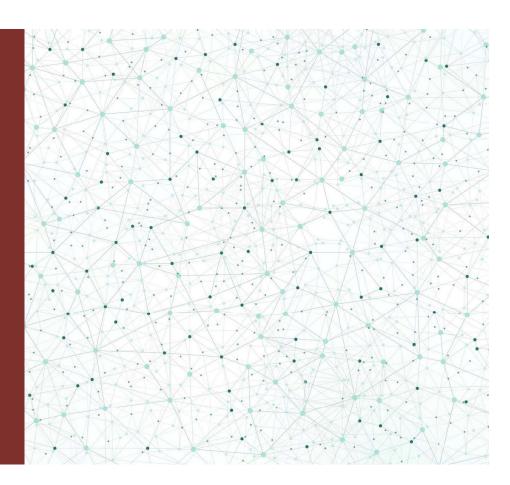
- 13.4% of male high school students report being physically or sexually abused by a dating partner.<sup>1</sup>
- 48.8% of men have experienced at least one psychologically aggressive behavior (being kept track of by demanding to know his whereabouts, insulted or humiliated, or felt threatened by partner's actions) by an intimate partner in their lifetime.<sup>2</sup>
- 4 in 10 men have experienced at least one form of coercive control (isolation from friends and family, manipulation, blackmail, deprivation of liberty, threats, economic control and exploitation) by an intimate partner in their lifetime.<sup>2</sup>

<sup>1</sup>-Vagi, K. J., O'Malley Olson, E., Basile, K. C., & Vivolo-Kantor, (2015). Teen dating violence (physical and sexual) among US high school students: Findings from the 2013 national youth risk behavior survey. JAMA Pediatrics, 169(5), 474-482.

 $^2$ -Breiding, M. J., Chen, J. & Black, M. C. (2014). Intimate partner violence in the United States – 2010. Retrieved from http://www.cdc.gov/violenceprevention/pdf/cdc\_nisvs\_ipv\_report\_2013\_v17\_single\_a.pdf.

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TYPE AND SEX OF PERPETRATORS OF IPV, SV, AND STALKING OF MALE VICTIMS





#### **SEXUAL VIOLENCE:**

- •87% of male victims of (completed or attempted) rape reported only male perpetrators.
- •79% of male victims of being MTP reported only female perpetrators.
- •82% of male victims of sexual coercion reported only female perpetrators.
- •53% of male victims of unwanted sexual contact reported only female perpetrators.
- •48% of male victims of lifetime non-contact unwanted sexual experiences reported only male perpetrators.

https://www.cdc.gov/violenceprevention/intimatepartnerviolence/men-ipvsvandstalking.html

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#### **STALKING**

- •46% of male victims reported being stalked by only female perpetrators.
- •43% of male victims reported being stalked by only male perpetrators.
- •8% of male victims reported being stalked by both male and female perpetrators.

#### INTIMATE PARTNER VIOLENCE

•97% of men who experienced rape, physical violence, or stalking by an intimate partner had only female perpetrators.



#### THOSE IN THE LGBTQ COMMUNITY

A 2015 survey by the National Center for Transgender Equality found <u>nearly half of</u> <u>respondents</u> were sexually assaulted at some point in their lifetime and one in 10 was sexually assaulted in the past year. Overall, people who identify as LGBTQ are at greater risk of sexual violence, according to the Centers for Disease Control and Prevention:

- 44 percent of lesbians and 61 percent of bisexual women experience rape, physical violence, and/or stalking by an intimate partner, compared with 35 percent of heterosexual women.
- 37 percent of bisexual men experience rape, physical violence and/or stalking by an intimate partner, compared with 29 percent of heterosexual men.
- 40 percent of gay men and 47 percent of bisexual men have experienced sexual violence other than rape, compared to 21 percent of heterosexual men.

 $\underline{https://www.cdc.gov/violence prevention/pdf/cdc\_nisvs\_victimization\_final-a.pdf}$ 

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# BARRIERS TO REPORTING



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## "SNITCHES GET STICHES"



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# LARGE GROUP DISCUSSION:

Identify the barriers to reporting discussed in the prior video.

What do you believe could be additional barriers to reporting for men? Why?





# COMMON TACTICS USED BY ABUSERS TOWARDS MALE VICTIMS



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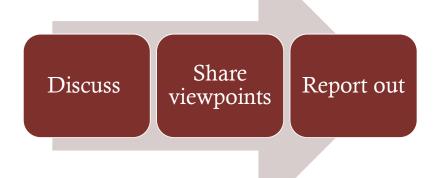






## ANDREW'S STORY-SMALL GROUP DISCUSSION

- 1. Describe what tactics Andrew's abuser used to gain access.
- 2. What societal stereotypes helped aid this abuser in successfully victimizing Andrew?
- 3. Did Andrew say anything about how the perpetrator accessed him that struck you?



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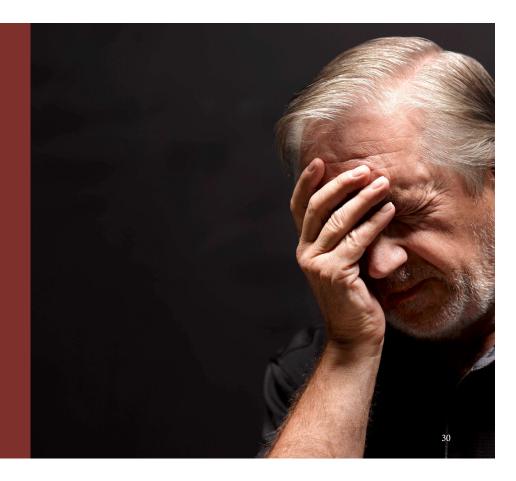
## **VICTIM #4-SMALL GROUP DISCUSSION**

- 1. Describe what tactics Sandusky used to gain access.
- 2. What societal stereotypes helped aid this abuser in successfully victimizing the boys at the University, in his charity, and at his home?
- 3. Was anything in particular said about how the perpetrator accessed the victim that struck you?

Discuss Share viewpoints Report out

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# COMMONLY REPORTED IMPACTS ON MALE VICTIMS





# **TRAUMA**



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#### **Stress**



## Trauma





## TYPES OF TRAUMA







Chronic



Complex



Secondary



Adverse Childhood Experiences (ACE)



Historical/ intergenerational trauma

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# IMPACT OF TRAUMA

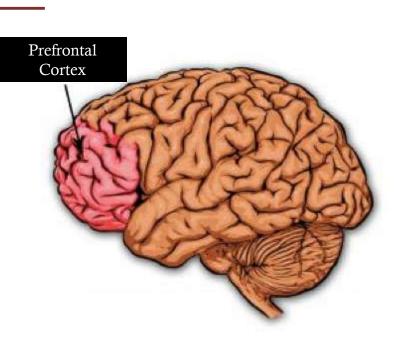


# DURING THE TRAUMATIC EVENT: NEUROBIOLO GY



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# THE PREFRONTAL CORTEX



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## **DEGRADED PREFRONTAL CORTEX**







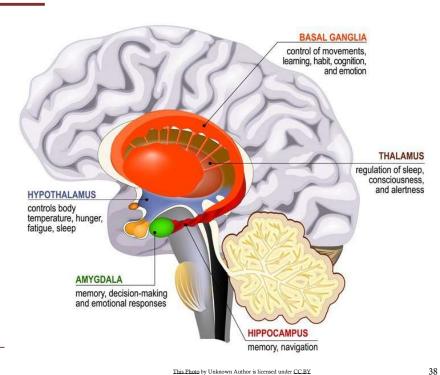
Age



Prolonged stress exposure

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# THE LIMBIC SYSTEM



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## THE BODY'S RESPONSE TO FEAR









Heart

Lungs

Muscles

Prefrontal Cortex







Eyes

Stomach

Skin

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# **RESPONSE**









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## **MEMORY**

Encoding

Storage

Retrieval



## **MEMORY ENCODING**







Central Details

Peripheral Details Time and Context

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## TRAUMA MEMORY ENCODING







**Emotional** 

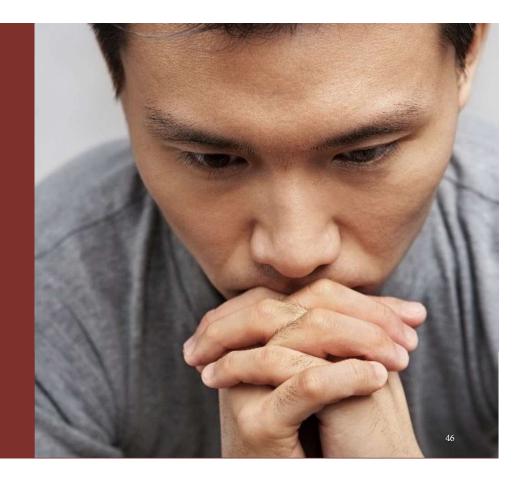


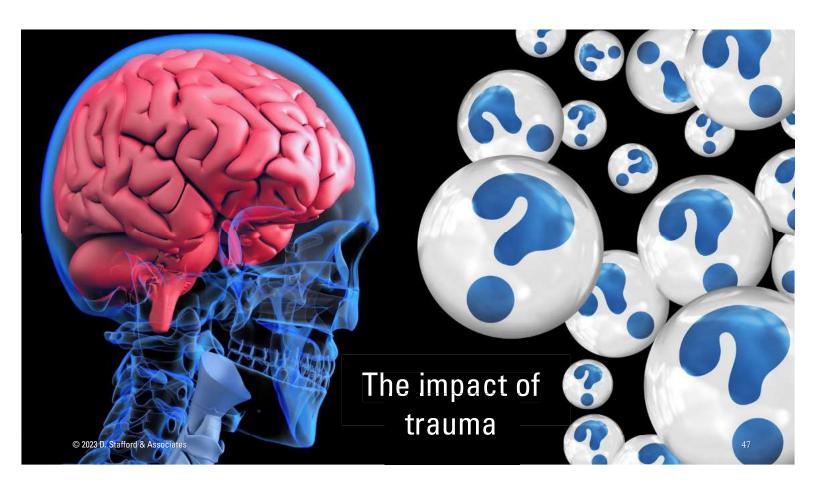
Flashbulb memories











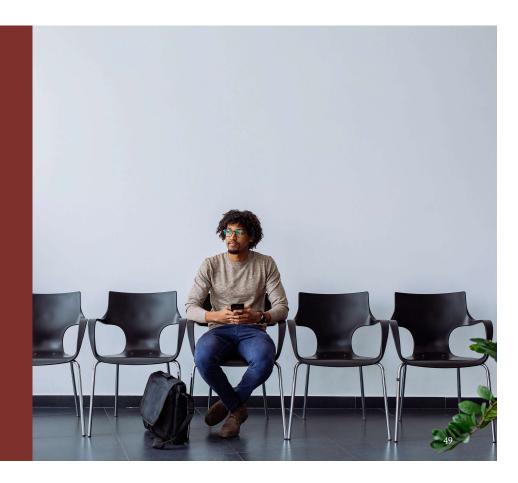
# THE PSYCHOLOGICAL EFFECTS OF SEXUAL TRAUMA

The American Psychological Association notes that "the effects of abuse don't end when the abuse stops." Children who experience abuse are also at a higher risk of:

- •abusing their own families.
- •using violence to solve their problems.
- •having trouble learning.
- •having emotional difficulties.
- •attempting suicide.
- •using alcohol or other drugs.

 $\underline{https://www.psychologytoday.com/us/blog/the-race-good-health/201905/boys-and-sexual-abuse-the-untold-stories-traumant-sexual-abuse-the-untold-stories-th$ 

# INTERVIEWING STRATEGIES WITH MALE VICTIMS



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# PRESENTATION STYLES

Sleepy Emotionless Nervous Giggly

Afraid Frustrated Angry



# **AVOIDING RE-TRAUMATIZATION**



Be aware of safety and well-being



Maintain privacy and confidentiality



Keep the parties up to date



Treat ethically and with dignity

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# **QUESTION FORMAT**











Tone

Phrasing

Open-ended

Safe

Judgmentfree



# **INTERVIEW TECHNIQUES**



Clarify linear information



Use sensory prompts



Ask for feelings and emotions



Understand statement variations

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# **IMPARTIAL INVESTIGATIONS**



Consistent application



Ask clarifying questions



Avoid bias



# **INTERVIEWS**







Testimonial Evidence

Conversation

Structured

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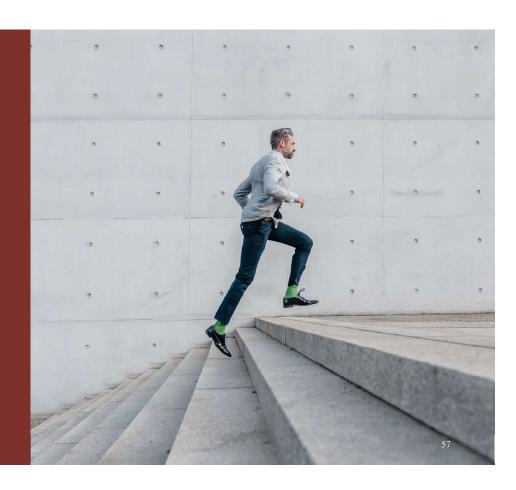
# THE INTERVIEWEES

| Complainant | Respondent | Witness |

# THE PATHWAY FOR A GREAT INTERVIEW



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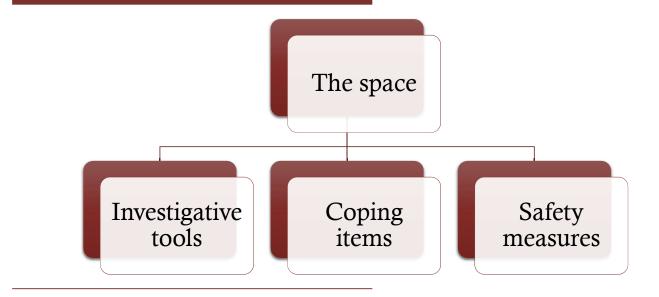




# **PREPARATION**

Logistics	Procedures (communication, scheduling)		
	Notice documents		
	Case file		
Research	Policy review		
	Preliminary evidence		
	Topics of inquiry		
Pre- drafted questions	Background		
	Narrative		
	Case specific		
-			

# COMFORTABLE ENVIRONMENT



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# **HELPFUL PROMPTS**

Recreate the Scene

**Physical Space** 

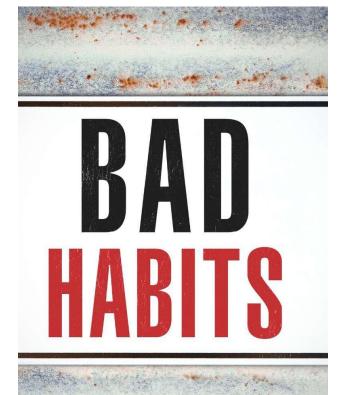
**Sensory** 











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# **AVOID BAD HABITS**

- Interrupting
- Asking two questions at once
- Not listening for the answer
- Avoiding the hard questions
- Not focusing on the elements
- Bias

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# **BE FULLY PRESENT**

- Treat the interviewee ethically and with dignity
- Be non-judgmental and non-adversarial
- Be objective you are not "making a case" or pushing a theory
- Adjust and adapt



# THE INTERVIEW



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# THE D. STAFFORD INTERVIEW OUTLINE



#### **Preliminaries**

Background

Narrative

Clarification

**Case Questions** 

Closing

Self Evaluation



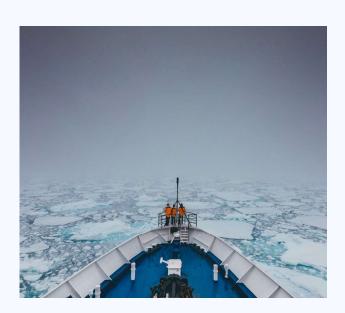
# PRELIMINARIES: YOU DO THE TALKING



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# BACKGROUND: BUILD THE RAPPORT





# NARRATIVE: THE BIG QUESTION



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# CLARIFICATIONS: FILLING IN THE HOLES





# CASE QUESTIONS: THE PREDRAFTED MUST ASKS



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# CLOSING: LOOSE ENDS





# SELF EVALUATION: HOW DID IT GO?



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# INTERVIEW NOTES

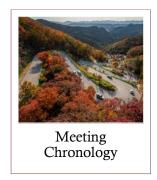


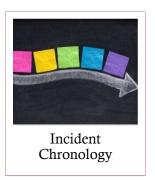


# **CAPTURING THE INTERVIEW**





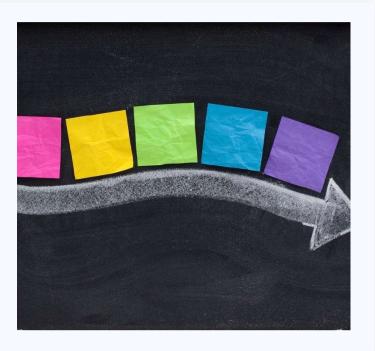




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# INCIDENT CHRONOLOGY





# INCIDENT CHRONOLOGY

- Ideal for investigative interviews
- Events and themes are organized in a sequential manner by the event, not the meeting
- Provides the interviewee's perspective not the interviewer's
- No observations or analysis

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## **USING QUOTES**

#### **Added Value**

- Increases the credibility of your notes
   demonstrates listening and comprehension
- Provides an opportunity to highlight key points of the meeting
- Gives the interviewees a direct voice on important aspects
- Avoids the appearance of the interviewer having an opinion

#### **Pitfalls**

- Quoting for the sake of quoting
- Confuses the reader if there are too many quotes
- Giving importance to something that is irrelevant
- Disrupts the flow or clarity of your notes

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## SLANG AND OTHER INFORMAL WORDS

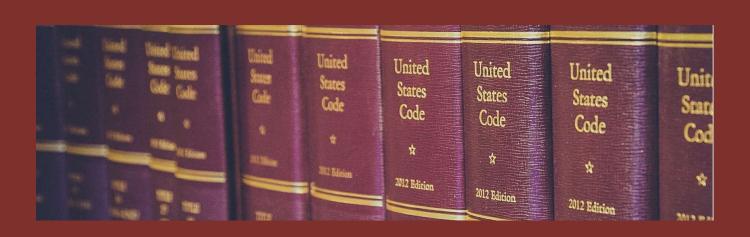
- Quote words or phrases that are slang, informal, or pejorative.
- Examples:
  - Riley stated Betty was "wasted."
  - Betty stated that she could no longer live with her roommate because "she is unstable."
  - Riley described Betty's behavior as "creepy."
- "Uncommon slang" may need a definition, either in the notes or as a footnote.

# CLOSING REMARKS AND QUESTIONS



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# THANK YOU





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# **NACCOP Title IX & Equity Alliance**

The Alliance is a dedicated affinity group through which Title IX and Equity Professionals, and the practitioners who support and/or supervise them, can benefit from NACCOP's expertise in complying with the Clery Act, Title IX, and other civil rights laws that affect their work.

#### BENEFITS OF JOINING THE ALLIANCE

- Access to NACCOP's annual 9 on IX webinar series at no additional cost (a \$710 value)
  - These 60-minute succinct webinars will offer legal insight and practical guidance on Title IX topics from experts who have served or are currently serving as active practitioners on college and university campuses.
- Alliance-Exclusive Professional Development Opportunities such as the Title IX & Equity Open House Discussion Series
  - An Alliance-exclusive virtual open house will be held bi-monthly (every other month, 6 sessions annually) to engage with experts from NACCOP's partner organization, D. Stafford & Associates, as well as other invited guests, to discuss current trends and issues. Each open house will focus on a specific topic for discussion and participants will be encouraged to engage in the conversation.
- · Access to Alliance-Exclusive Whitepapers regarding Title VI, VII, and IX
- Connect and collaborate with other Title IX and Equity Professionals via an Alliancerestricted Listserv
- Discounted Professional Development Opportunities
  - Coffee and Conversations webinar series and individual webinars focused on Title IX & Equity compliance issues
- A 50% discount on the Title IX Notice Document Library developed by NACCOP's Partner Organization, D. Stafford & Associates (a \$335 value)

#### Join the Alliance

Eligible individuals must have Institutional, Professional, or Committee Membership with NACCOP.

Cost: \$425 for 1 year subscription

(The first year of enrollment will be pro-rated to match the NACCOP membership expiration date.)

Request to Join: <a href="https://naccop.memberclicks.net/join-the-alliance">https://naccop.memberclicks.net/join-the-alliance</a>

Questions? Contact us at <a href="mailto:info@naccop.org">info@naccop.org</a> or 302-344-1068.