

# INTERVIEWING THE VICTIM

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Should anyone else be present when the victim is interviewed?	<ul style="list-style-type: none"> <li>• Allow the complainant to bring a support person to the interview if she wishes</li> <li>• If the complainant is a student, he or she should not be allowed to bring another student to the interview</li> <li>• If the complainant is a student, consider contacting the parents and inviting them to be present</li> </ul>
Begin with an explanation	<ul style="list-style-type: none"> <li>• The district is committed to creating a fair, nondiscriminatory, harassment-free environment in which to learn and work</li> <li>• Describe the step-by-step procedures that the investigation will follow</li> <li>• The role of the investigator is neutral, rather than an advocate for either side</li> <li>• Indicate that the responding party will be asked for a written response and that to prepare that, the respondent will have the right to see the complaint</li> <li>• The investigation will end with a written investigation report that will be forwarded to the administrator responsible for making any decisions</li> <li>• The final decision will be communicated to the complainant and respondent</li> <li>• Take care to avoid making any promises about confidentiality</li> <li>• Indicate whether the parties will be given the opportunity to review the report</li> </ul>
Respond in a fair, nonbiased and objective manner	<ul style="list-style-type: none"> <li>• Try to build rapport with the complainant</li> <li>• Avoid interruptions and allow pauses that encourage communication</li> <li>• Avoid conclusive questions and editorial comments that convey judgment and disapproval</li> <li>• Avoid inflammatory words and phrases such as “victim,” “perpetrator,” “dirtbag,” etc.</li> <li>• Demonstrate concern for the complainant without committing to her/his version of the story</li> <li>• Let the lid off of emotions. Complainants may need to express feelings that include fear, anger, humiliation, apprehension, mistrust, etc. Don’t assume that expressing these feelings is negative or to be avoided</li> </ul>
What should the complaint include	<ul style="list-style-type: none"> <li>• Who, what, when, where, why</li> <li>• Gather enough information to thoroughly complete the Complaint Form</li> <li>• Consider using the interview questions suggested with this training</li> </ul>
What is the harm	<ul style="list-style-type: none"> <li>• Emotionally upset</li> <li>• Prompted to talk to a counselor</li> <li>• Physical illness</li> <li>• Medical care received</li> <li>• Missed school or work</li> <li>• Effects on studies or job performance</li> <li>• Effects on other aspects of complainant’s life</li> </ul>
What remedy is sought	<ul style="list-style-type: none"> <li>• Cease and desist</li> <li>• Special assistance</li> <li>• Credit or grade change</li> <li>• Temporary or permanent transfer</li> <li>• Reinstatement</li> <li>• Compensation</li> </ul>

What discipline is sought	<ul style="list-style-type: none"> <li>• Reprimand</li> <li>• Transfer</li> <li>• Suspension or expulsion</li> <li>• Mandatory training</li> <li>• Mandatory counseling</li> <li>• [Note that seeking a particular remedy does not confer authority on the victim to determine the discipline imposed on the alleged perpetrator. All remedies, including any disciplinary action, are within the exclusive authority and sole discretion of the School District]</li> </ul>
Discuss interim measures	<ul style="list-style-type: none"> <li>• The goal of interim measures is to stabilize the situation</li> <li>• Separating complainant and respondent</li> </ul>
Asses the complainant's credibility	<ul style="list-style-type: none"> <li>• Answered all questions</li> <li>• Motive to lie</li> <li>• Believability</li> <li>• Note non-verbal signals such as body language and demeanor, but recognize cultural differences</li> </ul>
Discuss retaliation	<ul style="list-style-type: none"> <li>• Define and give examples</li> <li>• Have the complainant promise to immediately report</li> <li>• Caution the complainant not to attempt to influence potential witnesses</li> <li>• Explain that retaliation protections prohibit negative treatment but should not result in undeserved benefits</li> </ul>