



Untying Knots: Navigating Complicated, Unwieldy Title IX and Civil Rights Matters

November 19, 2025

DAN SCHORR, LLC

OUR SERVICES

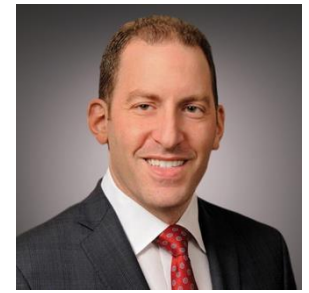
- Title IX, Civil Rights, and Misconduct Investigations
- Decision Makers and Hearing Officers
- Hearing and Process Advisors
- Trainings
- Policy and Program Reviews
- Interim Title IX Coordinator Coverage
- Mediations and Informal Resolution Facilitation
- Expert Witness Testimony

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DAN SCHORR

President

New York



Dan Schorr is a former criminal prosecutor and municipal inspector general with more than 25 years of legal and investigative experience. He manages a variety of complex assignments, including investigations into sexual misconduct, Civil Rights, and fraud allegations at educational institutions, corporations, and government entities. In addition to specializing in Title IX investigations, Dan assists higher education and K-12 schools by conducting policy and program reviews, training personnel on all aspects of Title IX and Civil Rights compliance, and serving in hearing officer and Decision Maker roles. Dan is a pre-approved Sexual Misconduct Investigator for the United Educators ProResponse Expert Services Benefit.

ALYSSA-RAE MCGINN

Vice President

Boston



Alyssa-Rae McGinn has extensive experience serving as an investigator, decision maker, hearing chair, mediator/informal resolution facilitator, and interim Title IX Coordinator, with particular expertise in applying regulatory requirements and best practices in complex matters of sexual misconduct and identity-based harassment at educational institutions. Alyssa-Rae balances a compassionate understanding of the difficulty parties face being involved in such matters with the importance of remaining compliant with relevant law and policy.

JENNA FARRELL

Investigator

Albany



Jenna Farrell specializes in investigations of sexual misconduct and discrimination allegations based on sex, gender, and race. She was previously an intern in Kroll's Business Investigations & Intelligence practice where she worked on a wide array of investigations including due diligence, fraud investigations, and pro bono human rights matters. Prior to Kroll, Jenna interned at the Washington County District Attorney's Office in New York State focusing on cases of sexual misconduct and domestic violence. She is a pre-approved Sexual Misconduct Investigator for the United Educators ProResponse Expert Services Benefit.

Specific Challenges of Complex Cases

- Multiple complainants / respondents
- Multiple types of alleged misconduct
- Overlapping policies
- Long timelines of conduct
- Community-wide implications
- Finding the balance between efficiency and thoroughness
- Remember, complex \neq unmanageable

Report Intake

- First, listen – give the reporting party space to discuss all the issues before filtering for policy violations
- Identify any immediate safety concerns
- Identify other potential complainants
- Flag any time-sensitive evidence
- Communicate transparently with the reporter about process, next steps, and expectations

After Intake

- Begin a simple case map or timeline to visualize scope
- Identify potential policies implicated, including policies under the authority of other offices (i.e., student conduct, HR)
- Conduct any needed preliminary inquiries, including with potential complainants
- Inform internal stakeholders and relevant offices
- Be efficient and timely
- Document steps and rationales

Determining Scope

- Who are the individual parties, if any?
- Which policies were potentially violated?
- Of those policies, which procedures should be used?
- Should this be one case or multiple cases?
- Which offices should be involved in managing the investigation(s)?
- Who will conduct the investigation?
- How will you transfer the information you already have to the investigators?

Notifying Parties

- Notify identified individual parties according to the applicable procedures
- If there are no identified parties, notify reporting parties about next steps
- Be transparent and share as much information as you can
- Respect the rights of the parties, even if no party has been identified yet

Conducting a Thorough Investigation

- Draft a general investigative plan
 - What are the key fact issues?
 - Who needs to be interviewed? In what order?
 - What evidence needs to be collected?
- Use organizational tools to track parties, witnesses, and incidents
- Memorize what information you have already gathered (loosely) or make sure you have important points accessible
 - Identify any gaps in the interviewee's account and with their account compared to other evidence
 - Identify individuals or groups who may be able to provide information that either supports or undermines the information already collected

Staying Organized Throughout the Investigation

- Maintain organized communication with parties and witnesses
- Develop a system to manage and keep track of evidence
- Sometimes it's helpful to begin writing the report, synthesizing
 - Can help with identifying a missing piece of the timeline, a detail, a source, or a document
- Follow up on any identified gaps
- A thorough investigation increases the likelihood of decision-maker reaching correct conclusion and lowers chance that correct result will be overturned in appeal or litigation

Dealing with New Information

- During the investigation, you may learn about new parties, allegations, or contextual information
- Maintain regular and clear communication with stakeholders, offices involved in managing the matter, and investigators
- Continually re-assess scope
- Issue revised notices if needed
- Keep parties informed, especially if new information will extend the timeline

Hearings in Complex Cases

- Clarify the scope of the hearing well before the end of the investigation
- Identify who should attend as a party, who needs an advisor, and which witnesses are needed
- Consider separate or joint hearings
- Manage timelines to allow decision-makers time to understand the matter, relevant context, and what allegations are under consideration
- Anticipate scheduling issues

Determinations Regarding Violations

- Draft clear, logical, and well-reasoned written decisions
- Keep determinations focused on the charges under consideration
- Do not rely on inadmissible or irrelevant information, including information about concurrent, related issues
- Tie findings directly to evidence
- Provide credibility assessments
- Avoid unnecessary legal jargon but maintain accuracy

Managing Community Impact

- Complicated cases often affect groups beyond the parties, even sometimes the entire community
- Case closure \neq the matter's impact ends
- Managing fallout: rumors, media, campus climate
- Coordinate with leadership around communications, safety measures, and rumor management
- Stay in contact with those impacted, especially to explain confidentiality rules and monitor potential retaliation
- Regardless of the outcome of the case, we can provide anyone with support and resources

Common Pitfalls and How to Avoid Them

- Losing track of overlapping evidence
- Failing to clarify scope early
- Allowing bias or appearance of bias to affect procedural decisions
- Rushing notice letters or report drafting
- Letting timeline pressure override thoroughness
- Not documenting rationale for key decisions

THE TITLE IX AND CIVIL RIGHTS

PODCAST



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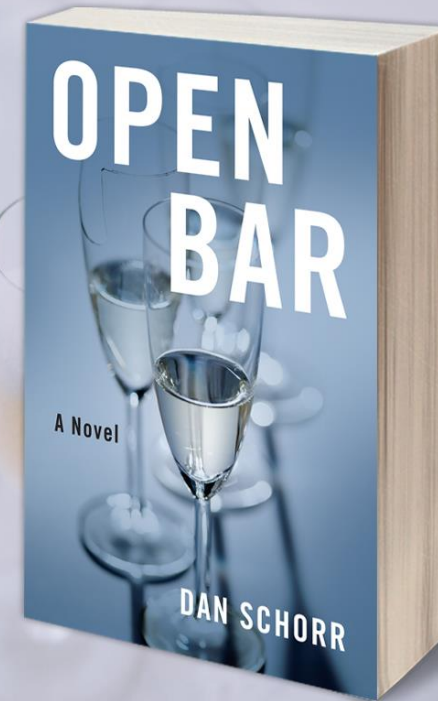
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"Dan Schorr taps his years of real-world experience investigating sexual misconduct allegations to deliver a suspenseful, propulsive, and heart-wrenching novel – *Open Bar*."

—Gretchen Carlson, Journalist, co-founder Lift Our Voices, Female Empowerment Advocate, Author



DAN SCHORR

President

dan@danschorrllc.com

477 Madison Avenue, 6th Floor

New York, NY 10022

+1.914.625.6270 Mobile

ALYSSA-RAE MCGINN

Vice President

alyssarae@danschorrllc.com

Boston, MA

+1.516.382.3043 Mobile

JENNA FARRELL

Investigator

jenna@danschorrllc.com

Albany, NY

+1.315.632.8056 Mobile

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