

Prejudgment of the Facts

 To judge beforehand without possessing adequate evidence. (https://www.thefreedictionary.com/prejudgement)

• To pass judgment on prematurely or without sufficient reflection or investigation. (https://www.dictionary.com/browse/prejudgement)

7

Prejudgment of the Facts

Investigators and decision-makers should not immediately assume they know what happened in a case, despite "signs" that suggest one side or the other is telling the truth.

OSSBA

OSSBA

8

Prejudgment of the Facts

- Prejudgment often occurs when investigators and decision-makers adhere to sex-based stereotypes about males and females.
- Decisions should be made based on individual facts, not stereotypical notions of what males and females do or do not do.

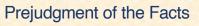
OSSBA

Prejudgment of the Facts

Example:

An investigator immediately assumes a female complainant is lying because she is not outwardly displaying emotion.

10

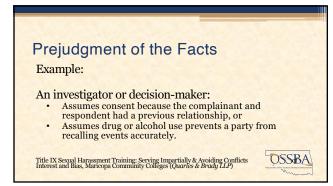


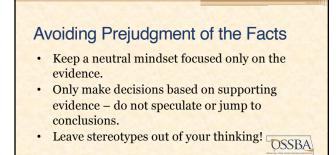
Studies show that human beings are not good at spotting deception based on body language, especially when we do not spend much time around the individual.

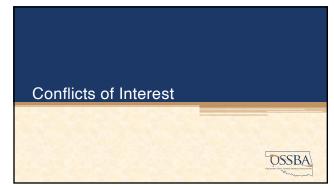
OSSBA

OSSBA









Conflict of Interest - Definition

https://www.merriam-webster.com/dictionary/conflict%20of%20interest

A conflict between the private interests and the official responsibilities of a person in a position of trust

16

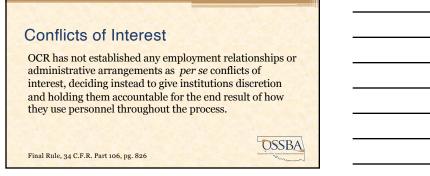
Conflict of Interest - Definition

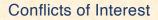
When an employee's personal interests or relationships conflict with the ability of such employee to act in a neutral manner with regard to a complaint against a faculty member, staff member or student.

https://www.grinnell.edu/sites/default/files/documents/Conflict%200f%20Interest%20for%20Title %20IX%2002.24.2017_0.pdf

OSSBA

OSSBA





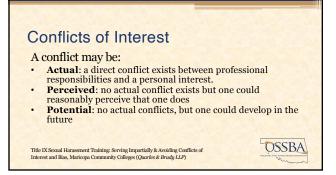
Even specific professional affiliations (such as being affiliated with a women's rights group) do not automatically constitute a conflict.

OSSBA

Final Rule, 34 C.F.R. Part 106, pg. 826

Conflicts of Interest A conflict of interest arises when an individual working on a particular Title IX matter is prevented from being impartial impartial.

20



Conflicts of Interest

Conflicts can come from a variety of situations:

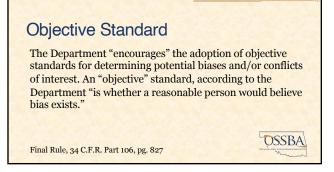
- Family relationships •
- Close friendships or dating relationships
- Adversarial relationship in or out of the workplace .

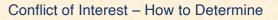
OSSBA

OSSBA

- Legal disputes •
- **Business relationships** .
- Possibly some employment relationships .

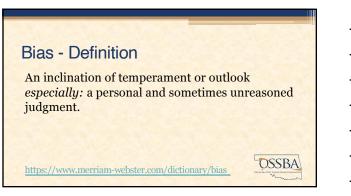
22

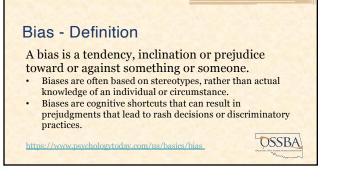


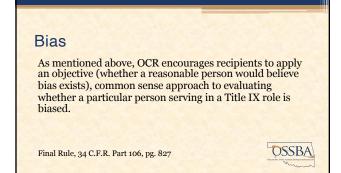


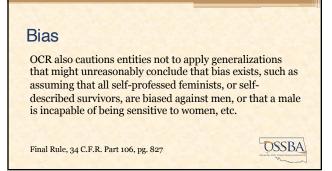
- Do I have anything to personally gain or lose from this set of
- Would I feel comfortable if both parties knew about my relationship, and the nature of my relationship, with this person? Would I be comfortable with these circumstances if I were one of
- the parties?
- Could a reasonable person question my impartiality in this set of circumstances?











29

Avoiding Bias

- Treat people as individuals and not members of a class.
- Do not make assumptions based on the race, national origin, religion, sex, age or disability status of an individual.
- Think about your own biases and do your best to leave them out of your thought process.

OSSBA

Avoiding Bias

- Consider the language you use. Does it include sex stereotypes?
- Do not automatically make assumptions when drugs or alcohol is involved.

OSSBA