



You have your choice of firms to assist with internal investigations, so why rely on INCompliance?

We know your campus.

Higher Education Services

Every campus has its own culture and its own institutional ethic of care. When we begin working for a new investigative client, we take the time to learn about the campus community and the values they hold highest, so we can treat parties and witnesses in an ethical manner consistent with their high expectations.

We are knowledgeable, experienced and well-trained — particularly in situations involving sexual misconduct.

Not everyone can be an investigator for our consulting firm. All of our investigators are required to complete a one- or two-day investigator workshop, half of which involves a live-acted audition that requires them to ask questions and analyze evidence in front of our senior consultants in an appropriate and thorough way. Once they pass our initial review, our investigators go through additional targeted training on policies and procedures for new clients. And they annually undergo refresher training on investigative techniques that fulfills Clery Act training requirements.

An investigator for a particular case is selected from a combination of availability, experience, knowledge and expertise. For example, some of our investigators have more experience handling faculty cases, while others are especially equipped to handle cases involving disabilities and the intersection with other protected traits. Many of our investigators have 10 to 20 years' experience working with educational entities on civil rights investigations. We try to make sure every investigator is a good fit for the particular investigation.

We are thorough and impartial.

Our investigators know that the parties — and the community — will not trust the outcome of the investigation unless we are systematic and comprehensive. We train our investigators to focus in on the elements of each charge, as well as the details that will help with credibility analysis. We look for evidence that may be unknown to the parties, such as security footage, card swipe information and other data. All of the evidence gathered comes together in a detailed report that shows what information was collected, how disputed facts are resolved and how the ultimate result was obtained.

With regard to impartiality, we run conflicts checks for every case, so you and your community members can be sure we are unbiased in any particular case. If we believe we are unable to be impartial for any reason, we will refer you to other investigative services. If an institution attempts to exert pressure for a particular outcome, we may choose to end our investigative relationship rather than compromise the integrity of the investigation.

We rely on evidence, not our “gut.”

A good investigator typically has a good “gut read” on people, but that’s not all it takes to be a good investigator. We train our investigators to use their “gut” to inform the questions they ask and the evidence they seek and to be mindful of the emotional response of the party or witness, so they can keep them engaged and sharing information. In the end, we want our gut to help get all of the relevant evidence on the table. Then, our investigators can rely on that evidence to complete the investigation.

We are transparent about the process.

Parties are often anxious about the process itself. What will happen next? What information is being shared with others? As the investigation unfolds, we work with parties to understand their next steps and our next steps, and, when appropriate and permissible under the policy, we allow parties to review evidence and provide feedback, suggest questions, and submit additional evidence and statements. We provide regular updates to the parties and the institution to help build trust and ensure that all are appropriately informed. We not only want parties to feel heard, but we also try to help them feel in control when the process permits.

We strive to be equitable and supportive to all parties.

Civil rights laws are fundamentally intended to promote equity for all. Our investigators have all undergone trauma-informed training, but they also recognize that the existence or absence of trauma symptoms does not prove a case one way or the other. Just as a sexual assault can be emotionally devastating, so can being accused of one. We recognize this and try to ensure, to the extent within our authority, that parties are connected with the resources they need to continue accessing programs and services through their educational institution. We start every investigation by believing both parties and letting the evidence lead our questions. Then, we can make a well-reasoned decision.

Conclusion

INCompliance investigators are standing by to assist. Please let us know how we can help meet the needs of your institution.

Key Contacts



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Melissa has nearly 10 years of civil rights experience and regularly works with institutions of higher education on civil rights and Clery Act compliance and conducts frequent training workshops for investigators, adjudicators and other administrators involved in the conduct process. She also works with institutions on managing safety issues and addressing climate concerns during civil rights investigations. She has particular experience with Title IX and Section 504 investigations, conducting parallel investigations with law enforcement, and handling employment investigations. Melissa speaks frequently on Title IX at both the state and national level.



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With almost 20 years of experience working as a college administrator and as legal counsel representing higher education institutions and nonprofit organizations, Josh is an experienced civil rights investigator who focuses on Title IX and hazing investigations. He trains campus constituents across the country on best investigative practices, conducting student conduct hearings, complying with Title IX, and adhering to VAWA and Clery Act requirements.