

Preliminary Inquiry of Allegations of Employee Misconduct

Interview Tips

- Turn off all cell phones.
- Give a brief description for the reason for the interview.
- Inform the interviewee that you will be taking notes while he/she speaks.
- Ask for as much detail as possible.
- None of the parties being interviewed have the right to know all of the information regarding the inquiry. Use discretion when revealing those parts of the inquiry that you believe the interviewee must know in order to answer the questions.
- Refer to the complainant(s) and accused by his/her/their name(s) if necessary. AVOID referring to anyone as "victim," "suspect," "perpetrator," etc., but.
- Interview each party individually; do not conduct group interviews.
- Have interviewees wait in separate rooms/areas; multiple interviewees should not have an opportunity to discuss the allegation as their responses may be influenced by others' recollection of the incident.
- If the interviewee does not complete a sentence, repeat or rephrase the question. Do not complete the interviewee's sentence.
- Give the interviewee ample time to answer. Do not feel obligated to fill the pauses in the conversation. Ask if he/she needs clarification, but allow the interviewee to answer each question.
- Do not promise confidentiality.
- Avoid the use of acronyms.
- Avoid any physical contact aside from a handshake.
- Avoid correcting an interviewee's statement.
- Concentrate the questioning on who did what, when, where, and how.
- For older students, most of the questions should generally be open-ended:
 - E.g., "Describe a typical day in your classroom."
- Use closed-ended questions at the end of the interview to confirm the information provided:
 - E.g., "So are you stating that you have never been alone with student X?"
- Only ask one questions at a time; don't combine multiple issues in one question:
 - E.g., "Do you know Teacher X? If so, how do you know him/her?"
- Avoid leading questions:
 - E.g., "You don't remember when Mr. X touched your buttocks, do you?"
- Avoid vague questions:
 - E.g., "Has Mr. X ever touched you inappropriately?"
- Avoid confrontational or accusatory questions:
 - E.g., "Where were you when you touched Sally's buttocks?"
- Avoid empathetic/sympathetic statements:
 - E.g., "I know what you are going through and I know it's tough."
- Avoid making judgments:
 - "Do you think it's right for a young lady to ...?"
- Use the interviewee's answers to your questions to form new questions:
 - E.g., "You said that you saw Mr. X hit Sally. Where were you sitting when you saw this?"

Preliminary Inquiry of Allegations of Employee Misconduct

- Ask interviewees about corroborating witnesses. Get full names and contact information if possible.
- Periodically review the information that the interviewee has provided to make sure you understand it correctly.

Preparing interview questions

- Arrange questions in chronological order.
- Specific questions should address each specific allegation.
- Highlight key questions.
- Give your interview partner a copy of the questions (DO NOT give a copy to the interviewee).
- Check off questions only after you have received a satisfactory answer, going back to past questions if needed.
- Review the questions list before concluding the interview.

Potential questions for Local District inquiries

Baseline questions – Staff (used to establish rapport and encourage dialogue)

- What is your position?
- What are some of your typical duties?
- Take me through a typical day in your classroom.
- How long have you worked for the District?
- How long have you worked for this school?
- Who is your supervisor? Who was your prior supervisor?
- Where did you work before you came to the District?

Staff Members (non-accused employee or witness)

- In what capacity do you know Teacher X?
- How long have you worked with him/her?
- What work hours/class periods are you assigned to his/her class? What days?
- What are the school's procedures for taking children to the restroom?
- Are adults ever left alone with students? If so, when?
- Have you ever seen Teacher X alone with students? If so, when and with whom?
- Have you ever seen Teacher X act inappropriately with students? If so what was it? When? With whom?
- Describe student X's usual behavior in class.
- Describe student X's usual behavior on the yard.
- Has student X ever gotten in trouble with Teacher X? If so, for what? Do you know if the parent was notified? What was the outcome?
- Have you ever observed Teacher X take Student X to the restroom? If so, when?
- Has Student X ever said the Teacher X touched her/him inappropriately? If so, when? What did Student X say?
- Is there any other information you want to provide to me today regarding Teacher X?

Preliminary Inquiry of Allegations of Employee Misconduct

Accused Employee

- Tell me about a typical day in your classroom.
- What are the steps you take when a student is being disruptive?
- Have you ever taken a different approach? What was it?
- Please explain the type of typical physical contact you have with the students.
- Do you take students to the bathroom? Does anyone else go with you? Who?
- Do you know Student X? How do you know him/her?
- Please explain what you were doing on [date of alleged misconduct].

General Questions

- When did the (alleged incident) occur? Time? Place?
- Who else was present?
- Can anyone corroborate the information?
- Is there anything else you would like to say that was not asked or discussed?

Baseline questions – Students (used to establish rapport and encourage dialogue)

- What's your name?
- How old are you?
- I would like to find out more about you. Tell me about...
- Who is the nicest child you know? Why is this child nice?
- Who is the nicest adult you know? Why is this adult nice?
- Who is your best friend at school? What do you like to do with your best friend?
- What do you like to do when you're at school?
- Who is your favorite teacher?
- What's your favorite class/subject?
- Do you have a pet? Tell me about it.
- What do you like to do when you are not at school?
- Tell me about a time that you were really happy in class/school.
- What is your favorite TV show? Sport? Hobby?
- What are your plans after high school?

Establishing Truthful Statements (generally for children under 11 years old)

- Do you know the difference between the truth and a lie (or "pretend," or "made-up story")?
 - Can you tell me what that difference is?
 - Can you tell me what a lie is? Can you give me an example?
 - Can you tell me what the truth is? Can you give me an example?
- If I told you that this pen was a cat, would that be true or would it be a lie?
- If I told you that I am a bunny rabbit, would that be a lie or would it be true?
- Can you tell me a lie about this chair? (Provide your own example if necessary)
- Can you tell me a truth about this chair? (Provide your own example if necessary)
- Do you promise me that you will tell me the truth? Will you tell me any lies?

Preliminary Inquiry of Allegations of Employee Misconduct

Young Students (Witnesses and/or alleged victim)

- Do you know the names of all of your teachers? Can you tell them to me?
- What do you think of Teacher X?
- Did Student X ever get in trouble with Teacher X?
- What does Teacher X say or do when you or someone in your class gets in trouble?
- Do you know Teacher X?
- How does Teacher X treat you?
- How does Teacher X treat the other girls and boys in your classroom?
- Has Teacher X ever done anything bad to you? If so, what and where?
- Why do you think he/she did that to you?
- Did you tell anyone? If so, whom?
- Take me through a normal day that you are in Teacher X's class.
- Do you think he/she is mean/nice?
- Why do you think he/she is mean/nice?
- When you have to use the restroom does anyone go with you? If so, who?
- What is something mean/nice that he/she did?
- Have you ever been alone with Teacher X?
- Tell me about the time you were alone with Teacher X.
- I understand that something may have happened to you, would you tell me about it?
- Have you ever been touched by an adult at school?
 - Where did that person touch you?
- Have you ever been asked to touch somebody?
 - Who?
- Tell me about things that happened when you were with Teacher X.
- Tell me what happened, from the beginning to the end.
- Were there things that you liked?
 - What were they?
- Were there things that you didn't like?
 - What were they?
- Was anyone else around when those things happened?
- Were there any games that you would play with Teacher X?
 - What were they?
- Have you ever been scared to be around an adult?
 - Who?
 - Why?
- Have you ever told someone about what happened with Teacher X?
 - Can you tell me what you told them?
- Do you remember seeing what happened with your own eyes or do you remember someone telling you about it?

Preliminary Inquiry of Allegations of Employee Misconduct

- I sometimes make mistakes when I answer questions, have you ever done that?
 - Can you think of any mistakes you made when answering the questions today?
 - What were those mistakes?
- Is there anything else you would like to tell me?