# Virtual Investigation Best Practices

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Virtual School

▶ March 2020 – most schools closed and transitioned to virtual learning

▶ Pace of sex-based discrimination lawsuits and OCR inquiries continued unabated

▶ No reduction in pace of investigations

▶ Increase in virtual bullying, "Zoom bombing," other behaviors

▶ Requests for advice/assistance with investigations
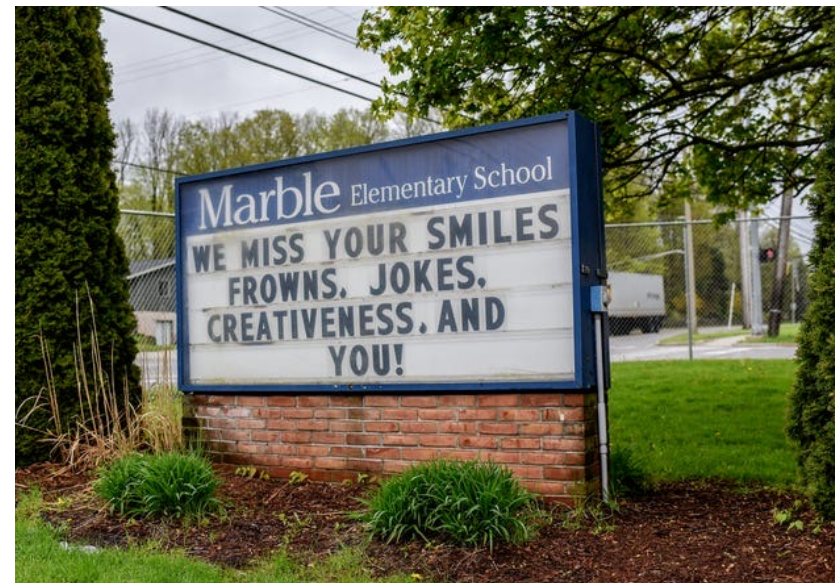
Virtual Investigations

Opportunities

- Time zones are not an obstacle
- Physical meeting locations are much less of a limiter
- Easier to exchange information/evidence
- Less emphasis on suitable meeting space
- Simplicity of recording

Virtual Investigations

Challenges

▶ Tech savvy and accessibility – not only for you but for interviewees, advisors, guardians, etc.

▶ Present distinct challenges for accomplishing primary investigation objectives

  ▶ Setting the environment

  ▶ Developing rapport

  ▶ Safeguarding privacy

  ▶ Managing advisors

  ▶ Identifying/vetting/collecting evidence

Tech Savvy

Know your technology

- ▶ Setting up a meeting
  - ▶ Unique meeting IDs
- ▶ What do attendees see when they join?
- ▶ How do you see all attendees?
- ▶ Recording feature
- ▶ Screen sharing
- ▶ Separate rooms for interviewees/advisors
- ▶ Troubleshooting/assistance

Setting the Environment

- ▶ Your interview space
  - ▶ Adequate lighting
  - ▶ Appropriate background
  - ▶ Visible privacy
- ▶ Interview dress
  - ▶ Similar considerations to in-person
- ▶ Expectations for interviewee/advisors
  - ▶ Communicate ahead of time

Developing Rapport

- Rapport depends on creating a level of comfort
  - Active listening (for example, eye contact)
- Anticipate obstacles ahead of time
  - Accessibility services
  - Contingency for dropped signal
  - Awkwardness of virtual setting
  - Guarantee of privacy
  - Availability of breaks, breakout rooms
- Be prepared and organized

Developing Rapport

- Trauma-infused techniques
  - More difficult to read expressions, nonverbals
  - When in doubt, stop and ask
- Demeanor observations
  - Less ability to read body language
  - More plausible explanations for distractedness
- Full-face vs. large room
- Multiple participants

Safeguarding Privacy

Your interview space

- Inside, not outside

- In an enclosed space

- Explain potential noises or interruptions

- Headphones when necessary

- Video on – don't mute without explanation

- Notifications, phone calls, other computer sounds

- Similar considerations for interviewee, advisor, other attendees

Managing Advisors

- Ensure they have a private way to communicate with advisee
  - Warn about embedded chat – private vs. broadcast
- Explain breakout rooms or breaks upon request
- Similar limitations to in-person interviews
- Don't unilaterally use "mute" or "kick" options
- May ask advisors, advocates, others to mute at beginning
- Video on, similar expectations for privacy
- Interviewee, advisor, others in the same room?

Evidence Collection

- Visually vet information by holding up to the camera
- Ability to email information instantaneously?
- Screen-sharing
- Secure sharing via network drive

Questions?

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