

WAC 132S-110-040 Initiation of hearing. (1) Upon receiving the Title IX investigation report the Title IX coordinator or designee will review the report to determine whether there are sufficient grounds to proceed with a live hearing.

(2) If the Title IX coordinator or designee determines that there are sufficient grounds to proceed, the Title IX coordinator or designee will initiate a live hearing by filing a written notice with the chair of the Title IX student hearing panel and serving the notice on the respondent and the complainant, and their respective advisors. The notice must:

- (a) Set forth the basis for Title IX jurisdiction;
- (b) Identify the alleged Title IX violation(s);
- (c) Set forth the facts underlying the allegation(s);
- (d) Identify the range of possible sanctions that may be imposed if the respondent is found responsible for the alleged violation(s); and

(e) Explain that the parties are entitled to be accompanied by their chosen advisors during the hearing and that:

- (i) The advisors will be responsible for questioning all witnesses on the party's behalf;
- (ii) An advisor may be an attorney; and
- (iii) If the party does not have an advisor, the college will provide a list of available advisors for the party to choose from at no cost to the party.

(3) Explain that if a party fails to appear at the hearing, a decision of responsibility may be made in their absence.

[Statutory Authority: RCW 28B.50.140 and 20 U.S.C. § 1092(f) and Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 20-23-031, § 132S-110-040, filed 11/10/20, effective 12/11/20.]