

**WAC 132R-04-325 Rights of parties.** (1) The college's student conduct procedures, WAC 132R-04-010 through 132R-04-200, and this supplemental procedure shall apply equally to all parties.

(2) The college bears the burden of offering and presenting sufficient testimony and evidence to establish that the respondent is responsible for a Title IX violation by a preponderance of the evidence.

(3) The respondent will be presumed not responsible until such time as the disciplinary process has been finally resolved.

(4) During the hearing, each party shall be represented by an advisor. The parties are entitled to an advisor of their own choosing and the advisor may be an attorney. If a party does not choose an advisor, then the Title IX coordinator will appoint an advisor of the college's choosing on the party's behalf at no expense to the party.

[Statutory Authority: Chapter 34.05 RCW; and RCW 28B.50.140(13) and 34 C.F.R. Part 106; Nelson v. Spokane Community College, 14 Wn. App.2d 40, 469 P.3d 317 (2020). WSR 21-08-012, § 132R-04-325, filed 3/26/21, effective 4/26/21.]