

WAC 516-21-294 Initiation of discipline under Title IX. (1)

Upon receiving the Title IX final investigation report from the Title IX coordinator, the conduct officer will independently review the report to determine whether there are sufficient grounds to pursue a disciplinary action against the respondent for engaging in prohibited conduct under Title IX and determine if other prohibitions of the code were violated.

(2) If the conduct officer determines that there are sufficient grounds to proceed under these supplemental procedures, the conduct officer will initiate a written disciplinary notice and serve 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);
- (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) Western Washington University will appoint the party an advisor of Western Washington University's choosing at no cost to the party, if the party fails to do so.

(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.35.120(12). WSR 24-21-105, s 516-21-294, filed 10/18/24, effective 11/18/24. Statutory Authority: RCW 28B.35.120(12) and 20 U.S.C. 1681-1688. WSR 22-01-075, § 516-21-294, filed 12/10/21, effective 12/11/21.]