

Chapter 132I-300 WAC

GRIEVANCE PROCEDURES—TITLE IX—HANDICAPPED

WAC

132I-300-010	Statement of policy.
132I-300-020	Discrimination and sexual harassments complaints— Procedure.

WAC 132I-300-010 Statement of policy. It is the policy of Highline Community College not to discriminate on the basis of sex, disability, sexual orientation, race, color, national origin, or age in admission and access to, or treatment or employment in its programs or activities as required by Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964, the Age Discriminating Act and their implementing regulations.

Sexual harassment is a form of sex discrimination. It occurs in a variety of situations which share a common element: The inappropriate introduction of sexual activities or comments into the work or learning situation, the creation of relationships of unequal power and/or elements of coercion, such as requests for sexual favors as a criterion for granting work, study, or grading benefits. Sexual harassment may also involve relationships among peers of repeated sexual advances or demeaning verbal behavior resulting in a harmful effect on a person's ability to study or work in the academic setting.

[Statutory Authority: Chapter 34.05 RCW et seq., RCW 28B.50.100 and 28B.50.140. 92-15-115, § 132I-300-010, filed 7/21/92, effective 8/21/92.]

WAC 132I-300-020 Discrimination and sexual harassments complaints—Procedure. (1) Any student or employee who believes that he or she has been the subject of discrimination or sexual harassment, should report the incident or incidents to one of the following college representatives: Title IX officer, coordinator of health services, director of the women's programs, director of continuing education. The college encourages the timely reporting of any incident(s) of discrimination or sexual harassment.

(2) All reports of incident(s) will be forwarded to the Title IX officer for coordination and a determination on how to process the complaint.

(3) The Title IX officer shall be an employee designated as such by the president. The president shall communicate his or her designation of the Title IX officer to the community college as part of the president's statement as set forth in Section I, Part 1.

(4) The student or employee who files a complaint alleging discrimination or sexual harassment (the complainant) may submit a brief written statement of facts through one of the college representatives to the Title IX officer. If the complainant does not submit a written statement, the Title IX officer shall prepare a statement of facts which is approved by the complainant.

(5) The Title IX officer shall appoint one of the college representatives to investigate the complaint. The Title IX officer shall inform the complainant of the appointment.

(6) The college representative shall conduct an investigation based upon the written statement submitted by the complainant. If the complainant did not file a written statement, the representative shall conduct an investigation based upon the statement prepared by the Title IX officer. The Title IX officer will notify the person who is alleged to have committed the discrimination, or the harassment (respondent) of the complaint.

(7) The college representative shall conduct a thorough investigation. The investigation shall include, but is not limited to, providing the complainant and the respondent the opportunity to state their positions and interviewing witness. The investigation shall be concluded within a reasonable time, normally thirty days.

(8) At the conclusion of the investigation the college representative shall set forth his or her findings and recommendations in writing. The representative shall send a copy of the findings and recommendations to the complainant, the respondent, and the Title IX officer.

(9) The Title IX officer shall consider the findings and recommendations of the representative. The Title IX officer shall determine whether disciplinary action is appropriate. The Title IX officer shall advise the complainant and respondent of his or her decision.

(10) If the Title IX officer determines that disciplinary actions should be instituted against an employee the applicable provisions of employee rights and responsibilities shall be followed. These provisions include but are limited to, state and federal constitutional and statutory provisions, rules of the higher education personnel board, collective bargaining agreements, and college policies.

(11) If the Title IX officer determines that disciplinary action should be instituted against a student, the applicable provisions of the college student code shall be followed.

(12) If the Title IX officer determines that disciplinary action is not appropriate and the complainant disagrees, the complainant may appeal, in writing, to the president.

(13) The procedures regarding complaints of discrimination shall be published and distributed as determined by the Title IX officer. Any person who believes he or she has been subjected to sexual harassment will be provided a copy of this policy and procedure.

[Statutory Authority: Chapter 34.05 RCW et seq., RCW 28B.50.100 and 28B.50.140. 92-15-115, § 132I-300-020, filed 7/21/92, effective 8/21/92.]