

WAC 132U-305-030 Initiation of investigation. Any employee, student, applicant, or visitor who believes that he or she has been the subject of discrimination or harassment should report the incident or incidents to the college's Title IX coordinator identified below. If the complaint is against that coordinator, the complainant should report the matter to the president's office for referral to an alternative designee.

The college encourages the timely reporting of any incidents of discrimination or harassment. Complaints may be submitted in writing or verbally. For complainants who wish to submit a written complaint, a formal complaint form is available online at <http://www.whatcom.edu/home/showdocument?id=360>. Hardcopies of the complaint form are available in the Human Resource Office, Laidlaw Center (LDC) 235.

The following college officials are designated to handle inquiries regarding this policy:

Name: Benjamin Reed
Title: Title IX & ADA Coordinator
Office: Laidlaw Center (LDC) 208
Contact: breed@whatcom.edu
Address: 237 W. Kellogg Rd., Bellingham, WA 98226

Name: Becky Rawlings
Title: Executive Director for Human Resources, Title IX/EEO Coordinator
Office: Laidlaw Center (LDC) 235
Contact: brawlings@whatcom.edu
Address: 237 W. Kellogg Rd., Bellingham, WA 98226

The Title IX coordinator(s) or designee:

- Will accept all complaints and referrals from college employees, applicants, students, and visitors;
- Will make determinations regarding how to handle requests by complainants for confidentiality;
- Will keep accurate records of all complaints and referrals for the required time period;
- May conduct investigations or delegate and oversee investigations conducted by a designee;
- May impose interim remedial measures to protect parties during investigations of discrimination or harassment;
- May recommend specific corrective measure to stop, remediate, and prevent the recurrence of inappropriate conduct.

Any employee, applicant, student, or visitor of Whatcom Community College may file a complaint. Complaints may be submitted in writing or verbally. The college encourages the timely reporting of any incidents of discrimination or harassment. Complaints may be submitted in writing or verbally. For complainants who wish to submit a written complaint, a formal complaint form is available online at <http://www.whatcom.edu/home/showdocument?id=360>. Hardcopies of the complaint form are available in the Human Resource Office, Laidlaw Center (LDC) 235. Any person submitting a discrimination complaint shall be provided with a written copy of the college's antidiscrimination policies and procedures, as well as a copy of this policy.

Upon receiving a discrimination complaint, and determining that the requirements of WAC 132U-305-020 (1)(a) through (c) have been met, the college shall commence an impartial investigation. The Title IX

coordinator/designee shall be responsible for overseeing all investigations. Investigations may not be conducted by the Title IX coordinator, and the college may contract with a third-party as investigator. Once the investigation is assigned to someone other than the Title IX coordinator, the Title IX coordinator shall inform the complainant and respondent(s) of the appointment of an investigator.

(1) **Supportive measures:** The Title IX coordinator/designee will promptly contact all necessary parties to coordinate supportive measures.

(2) **Interim measures:** The Title IX coordinator/designee may impose measures to protect the complainant and/or respondent pending the conclusion of the investigation. Interim measures may include, but are not limited to, imposition of no contact orders, rescheduling classes, temporary work reassignments, referrals for counseling or medical assistance, and imposition of summary discipline on the respondent consistent with the college's student conduct code or the college's employment policies and collective bargaining agreements.

(3) **Investigation:** Complaints shall be thoroughly and impartially investigated. The investigation shall include, but is not limited to, interviewing the complainant and the respondent, relevant witnesses, and reviewing relevant documents. The investigation shall be concluded within a reasonable time, normally ninety days barring exigent circumstances. At the conclusion of the investigation, the investigator shall set forth his or her findings and recommendations in writing. The investigator shall send a copy of the findings and recommendations to the Title IX coordinator/designee. The Title IX coordinator/designee shall send that final investigation report to the decision maker.

(4) **Written notice of conclusion:** The Title IX coordinator/designee will provide each party and the appropriate student services administrator or appointing authority with written notice of investigative findings, along with access to the report. All parties will have up to ten days to submit, in writing, a meaningful response to the findings of fact in the report.

(5) **Final investigation report:** Ten days after the written notice of conclusion, the investigator will submit the final investigation report, with findings of fact using a preponderance of evidence standard, to the Title IX coordinator.

[Statutory Authority: Chapter 28B.50 RCW. WSR 21-18-098, § 132U-305-030, filed 8/31/21, effective 10/1/21.]