

WAC 132S-09-050 Responsible employees and reporting responsibilities. (1) The college is obligated to address acts of sex-based misconduct (including sexual harassment and/or retaliation) of which a responsible employee knew or should have known occurred. A "responsible employee" is any employee who:

(a) Has the authority to take action to redress sex-based misconduct;

(b) Has been given the duty of reporting incidents of sex-based misconduct or any other misconduct by students; or

(c) A student could reasonably believe has this authority or duty.

For student complainants where the alleged offender is another student, "responsible employees" includes administrators (directors, deans, vice presidents, etc.), athletic director/assistant athletic director, ASCBC director/assistant director, resource center staff, completion coaches, hawk central staff members, security officers, and executive assistants and secretarial staff reporting to positions designated above.

(2) A responsible employee must report to the Title IX/EEO coordinator all relevant details about alleged sex-based misconduct (including sexual harassment and/or retaliation) that the student or other person has shared and that the college will need to determine what occurred and resolve the situation. This includes the names of the alleged respondent, if known, the student complainant or other person who experienced the alleged sex-based misconduct, others involved in the alleged sex-based misconduct, as well as relevant facts, including the date, time and location. If the complaint is against the Title IX/EEO coordinator, or his or her relative attending or working for the college, the complainant should report the matter directly to the president's office for referral to an alternate designee.

(3) A responsible employee should provide the following information to a complainant:

(a) The reporting obligations (discussed above) of the responsible employee;

(b) Complainant's option to request confidentiality and available confidential resources;

(c) Complainant's right to file a Title IX complaint with the college; and

(d) Complainant's right to report a crime to local law enforcement.

For convenience of student complaint reporting, there are college-designated responsible employees and contact information noted on the college's web page, with all reports referred by the designated responsible employees to the Title IX/EEO coordinator.

For a staff complaint of sex-based misconduct (including sexual harassment and/or retaliation) by a student or another staff member, the staff complaint may be reported to the immediate supervisor, with the supervisor report/referral to the Title IX/EEO coordinator or the human resources director. A direct report to the Title IX/EEO coordinator or human resources director will be more expeditious in terms of processing the complaint. If the complaint is against the Title IX/EEO coordinator, or his or her relative attending or working for the college, the complainant should report the matter directly to the president's office for referral to an alternate designee.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-09-050, filed 5/25/16, effective 6/25/16.]