

**WAC 495A-300-070 Investigation notices.** Upon receiving a formal complaint and determining that allegations comport with Title IX complaints, the college will provide the parties with the following notices containing the following information:

(1) Notice of formal and informal resolution processes. A description of the college's grievance resolution procedures, including the informal resolution procedure.

(2) The investigator will serve the respondent and the complainant with a notice of investigation in advance of the initial interview with the respondent to allow the respondent sufficient time to prepare a response to the allegations and to inform the complainant that the college has commenced an investigation. The investigation notice will:

(a) Include the identities of the parties if known, a description of the conduct alleged constituting Title IX sexual harassment, and the time and location of the incident if known.

(b) Confirm that the respondent is presumed not responsible for the alleged conduct and that the college will not make a final determination of responsibility until after the grievance and disciplinary processes have been completed.

(c) Inform parties that they are both entitled to have an advisor of their own choosing, who may be an attorney.

(d) Inform parties they have a right to review and inspect evidence.

(e) Inform parties about student conduct code provisions and employment policies that prohibit students and employees from knowingly submitting false information during the grievance and disciplinary processes.

(3) Amended investigation notice. If during the course of the investigation, the college decides to investigate Title IX sexual harassment allegations about the complainant or respondent that are not included in the investigation notice, the college will issue an amended notice of investigation to both parties that includes this additional information.

(4) Interview and meeting notices. Before any interviewing or meeting with a party about Title IX allegations, the college shall provide the party at least forty-eight hours in advance with a written notice identifying the date, time, location, participants, and purpose of the interview or meeting with sufficient time for the party to prepare for the interview or meeting.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140(13); and 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-196, § 495A-300-070, filed 12/22/20, effective 1/22/21.]