

WAC 495E-300-030 Formal procedure. Employees and students may make a written complaint concerning discriminatory behavior to the affirmative action officer or his/her designee.

(1) Complaints will be held in confidence to the extent this is reasonably possible. No action against the person accused will ordinarily be taken on behalf of the complainant unless the complainant consents to be identified to the accused, although the college reserves all rights to take appropriate corrective measures regardless of the actions of the complainant.

(2) The complainant or accused may bring a person of his or her choice to any meetings about the complaint.

(3) The affirmative action officer or designee shall give a copy of these regulations and any applicable board policy to the person making the written complaint and to the accused.

(4) The affirmative action officer will meet, consult, and investigate as he/she deems appropriate. An informal hearing may be substituted for or added to an investigation if the complainant and the accused agree. The affirmative action officer or designee will be responsible for conducting any such hearing.

(5) The affirmative action officer or designee shall promptly communicate his/her findings to both the complainant and the accused, and then shall make a written report of those findings and a recommendation to the appropriate disciplinary authority or other college official (but not one who would hear any appeal).

(6) Appropriate corrective measures, if any, will be decided by the appropriate disciplinary authority or official. If an accused employee or student disagrees with the determination or appropriateness of the corrective measures, that individual may contest those measures through any available faculty or classified grievance procedures, if they are covered by a bargained agreement, or the student code appeal procedure.

(7) Information will be entered in a personnel or student file only to the extent that a formal reprimand or other disciplinary action has been taken. If no disciplinary action is taken, the affirmative action officer will keep a record of the investigation for a period of three years and then that record will be destroyed. If a complaint is filed with an outside state or federal agency, files will be maintained until that complaint is resolved. When such files are used, written notice will be placed in the file indicating the person using the file and the date used.

[Statutory Authority: RCW 28B.50.140. WSR 93-13-116, § 495E-300-030, filed 6/21/93, effective 7/22/93.]