

Title IX Overview

Introduction:

Every member of the Highline community has the right to learn and work in an environment free from sex and gender-based violence and harassment. Sexual assault, relationship or intimate partner violence, stalking and other forms of harassment and discrimination can profoundly affect people of any gender, sexual orientation, race, religion, ability, citizenship, or socioeconomic status.

What is Title IX

Title IX is a federal civil rights law that prohibits discrimination on basis on sex, sexual orientation, gender, gender expression, pregnant or parenting status and LGBTQ identity.

What Constitutes Title IX Sexual Harassment Prohibited Conduct

The full definition of Title IX prohibited conduct can be found on the [Student Conduct Code website \(132I-126\)](#).

1. *Quid pro quo harassment.*
2. *Hostile environment.*
3. *Sexual Violence.* Sexual violence includes the following conduct:
 1. Nonconsensual sexual intercourse
 2. Nonconsensual sexual contact
 3. Incest
 4. Statutory rape
 5. *Domestic violence*
 6. *Dating violence*
 7. *Stalking*

Receiving a Letter of Investigation

A Respondent is someone alleged to have been involved in an incident prohibited under Title IX. Receiving a Notice of Allegations and Formal Investigation letter indicates that a complainant has alleged you of Title IX violation, that the formal Student Conduct Code Proceedings (132I-126-200) is being initiated, which includes a formal investigation.

Title IX Process: What to expect during the investigation and adjudication process

State and federal law impose complex and specific requirements which must be incorporated into College investigations and adjudications of sex- and gender-based

violence and harassment. The information below provides a general overview of these procedures at Highline College.

Formal Complaint Filed: A formal complaint is filed by the complainant or issued by the Title IX Coordinator.

Determination that the alleged violation falls under Title IX: The Title IX Coordinator reviews the alleged conduct to determine if it falls under Title IX provisions. If it does, the Title IX Coordinator is to move forward with an investigation.

Initial Notification of Investigation: If an investigation is initiated, the complainant and the respondent will be notified in writing of the allegations and other information about the proceedings

Presumption of non-responsibility,: At the time a formal complaint is made, a respondent is presumed to be not responsible for violating Title IX policy. Though a respondent is presumed to be not responsible during the time the formal complaint is made, a summary suspension and/or no contact order may be issued by the Student Conduct Officer.

- **Summary Suspension:** Summary suspension is a temporary exclusion from specified college premises or denial of access to all activities or privileges for which a respondent might otherwise be eligible while an investigation and/or formal disciplinary procedure is pending ([WAC 132I-126-350](#)). The student conduct officer may impose a summary suspension if there is probable cause to believe that the respondent:
 - Has violated any provision of the code of conduct; and
 - Presents an immediate danger to the health, safety or welfare of members of the college community; or
 - Poses an ongoing threat of substantial disruption of, or interference with, the operations of the college
- **No Contact Order:** An order directing a student to have no contact with a specified student, college employee, a member of the college community, or a particular facility. ([WAC-132I-126-125](#))

Standard of Proof: The determination as to whether a respondent is responsible is based on a preponderance of evidence standard (i.e. “more likely than not”).

Investigation: The investigator will thoroughly interview both parties and any witnesses; they will also ask everyone they interview to provide relevant evidence and information, including documents, emails, texts, or social media communications. The investigator will assess and analyze the evidence and information provided by the parties and witnesses. This process can take weeks or months, depending on the complaint and availability of witnesses. If you’re working with an advisor, they can help you prioritize your self-care during this time.

An attorney representing a party must enter a notice of appearance with the Title IX Coordinator and the Investigator at least five (5) days before the initial interview or meeting they plan to attend, so that the College can secure its own legal representation, if necessary.

Concluding the investigation ([WAC 132I-126-200](#)): After thoroughly reviewing the information gathered during the fact finding, the investigator concludes the investigation. The investigator will share with the complainant, the respondent, and their respective advisors (if any) the evidence that directly relates to the allegations. The investigator will also send a draft investigative report that summarizes the evidence the investigator finds relevant. The complainant and respondent will have a brief period during which they may respond to the draft report and state any position about the relevance of additional evidence. The investigator will then issue a final investigative report and send that report to the complainant, the respondent, and their respective advisors (if any). The complainant, respondent, and any advisors may be required to maintain confidentiality with respect to the report and evidence. Upon receiving the Title IX investigation report from the Title IX coordinator, the student conduct officer shall review the investigation report, and determine whether, by a preponderance of the evidence, there was a violation of the student conduct code; and if so, what disciplinary sanction(s) and/or remedies will be recommended. The student conduct officer shall, within five (5) business days of receiving the investigation report, serve respondent, complainant, and the Title IX Coordinator with a written recommendation, setting forth the facts and conclusions supporting their recommendation. The time for serving a written recommendation may be extended by the student conduct officer for good cause.

1. The complainant and respondent may either accept the student conduct officer's recommended disciplinary sanction(s) or request a hearing before a student conduct committee.

Hearing: If a hearing occurs, an advisor and support person may accompany you. The way they may participate will be explained before the hearing. Both parties must have advisors who will orally ask questions of the other party and of witnesses.

Sanctions and disciplinary action: If it is determined that code or policy was violated, sanctions for student respondents are: reprimand, loss of privileges, probation, suspension, and dismissal from the college.

Appeals: All Parties, including the student conduct officer in their capacity as a representative of the College, have the right to appeal from the determination of

responsibility and/or from a dismissal, in whole or part, of a formal complaint during the investigative or hearing process. Appeals must be in writing and filed with the President's Office within twenty-one (21) calendar days of the initial order or notice of dismissal. Appeals must identify the specific findings of fact and/or conclusions of law in the initial order or dismissal that the appealing party is challenging and must contain arguments as to why the appeal should be granted. Failure to file a timely appeal constitutes a waiver of the right to appeal and the initial order or dismissal shall be deemed final.

More information about the Title IX Procedures:

- [Human Resources Title IX Webpage](#)
- Student Conduct Code ([WAC-132I-126](#))

Advisor Role

Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith. Advisors may request to meet with the Title IX Coordinator in advance of any meeting to clarify and understand their role and the college's policies and procedures.

Should a complaint proceed to a hearing, each party's Advisor is required to ask questions on behalf of their advisee. The parties are not permitted to directly question each other or any witnesses. If the party's Advisor will not conduct questioning, the college will appoint an Advisor who will do so thoroughly, regardless of the participation or non-participation of the advised party in the hearing itself. Extensive questioning of the parties and witnesses may also be conducted by the Hearing Officer(s) during the hearing.

All Advisors are subject to the same college policies and procedures, whether they are attorneys or not. Advisors are expected to advise their advisees without disrupting proceedings. Advisors should not address college officials in a meeting or interview unless invited to (e.g., asking procedural questions). The Advisor may not make a presentation or represent their advisee during any meeting or proceeding and may not speak on behalf of the advisee to the Investigator(s) or Hearing Officer(s) except as required during the hearing.

Although the Advisor generally may not speak on behalf of their advisee, the Advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any resolution process meeting or interview. For longer or more involved discussions, the parties and their Advisors should ask for breaks to allow for private consultation.

Confidential Resources and Supportive Measures

Title IX Sexual Harassment Formal Complaint Investigation and Resolution

Supportive measures are available whether or not a formal complaint is made or an investigation is launched. Supportive measures might include a request for a mutual no contact directive, services you access, changes you request, or adjustments to your work or academic schedule. With the exception of mutual no contact directives, the College generally cannot impose restrictions on a student or employee respondent – the person accused of the misconduct - until and unless a formal complaint is made or an investigation is initiated. Any restrictions implemented may not place an unreasonable burden on the complainant or the respondent with the exception of the [summary suspension \(WAC-132I-126-350\)](#). College staff such as the Title IX Coordinator, can assist you in seeking supportive measures.

Informal dispute resolution shall not be used to resolve sexual misconduct complaints without written permission from both the complainant and the respondent.

[The Counseling Center](#)

The Counseling Center mission is to help students and the greater community to reach their goals through personal, career, and educational counseling. They deliver culturally competent innovative outreach programs and individualized services to support the campus and community.

To make an appointment or learn more, follow the options at this link:

<https://counseling.highline.edu/contact-us/> or call 206-592-3353

[Access Services](#)

Academic and employment accommodations can be made for a temporary health condition or injury as well as for a permanent disability such as an acute stress disorder developed or triggered as a result of trauma.

Access Services provides reasonable accommodations for qualified students in accordance with the Americans with Disabilities Act (ADA) and the Federal Rehabilitation Act. [Current Students](#) can request Letters of Accommodation to assist in their learning. Contact Access Services via phone 206-592-3857 or send a message to access@highline.edu to get started.

Title IX Staff

- Title IX Coordinator: Danielle Slota, dslota@highline.edu, 206-592-3600
- Student Conduct Officer & Deputy Title IX Coordinator, conduct@highline.edu, 206-592-3303