WAC 172-125-030 Reporting, resources, and supportive measures. (1) **Reporting.** Individuals who believe a student or student organization has engaged in discrimination, harassment, sexual assault, sexual misconduct, or retaliation may report such concerns to any of the following offices:

(a) Civil rights office (www.inside.ewu.edu/civilrights);

(b) Title IX coordinator (www.inside.ewu.edu/titleix); or

(c) Student rights and responsibilities (www.inside.ewu.edu/srr).

This code refers to people who were directly negatively impacted by conduct in violation of this code as "complainants" regardless of whether or not they file a formal complaint with EWU.

(2) **Initial meeting.** After receiving a report, the Title IX coordinator, student accommodations and support services, or their designees will promptly reach out to the complainant, which may or may not be the same as the reporting party, to provide information about EWU's process, their rights, reporting options, resources, and available supportive measures. This will include information about:

(a) **Reporting options:** EWU encourages people to report incidents of discrimination, discriminatory harassment, interpersonal violence, sexual assault, sexual misconduct or retaliation. Complainants have the choice as to whether or not they would like to file a complaint with EWU and/or law enforcement. People can file a complaint, with the help of the Title IX coordinator upon request, with EWU or with local law enforcement, or both, using one of the following options:

(i) EWU process: Complaints may be filed with the Title IX coordinator. This includes complaints against EWU students, employees, contractors, vendors, volunteers, and visitors.

(ii) Criminal: Criminal complaints can be filed with the EWU police department or any law enforcement agency that has jurisdiction over the location where the incident occurred.

(iii) Both: A complainant may report an incident to both EWU and law enforcement.

(b) **Resources:** Complainants will be provided with information about university and community resources relevant to the particular concern, including:

(i) A list of resources for obtaining protective, no contact, restraining, or similar orders;

(ii) How to seek medical treatment, the importance of preserving evidence relevant to the alleged conduct or that may be helpful in obtaining a protective order, and procedures to follow to preserve such evidence; and

(iii) A list of existing on and off campus counseling, health care services, mental health services, victim advocacy, financial aid, legal assistance, visa and immigration assistance, and other services for complainants and respondents;

(c) **Overview of EWU's discrimination and Title IX processes:** Information will also be provided about EWU's process for responding to complaints under this code, including:

(i) Importance of preserving evidence that may assist in investigation of the incident or that may be helpful in obtaining a protection order;

(ii) EWU's policies regarding the confidentiality of complaints;

(iii) How to request supportive measures;

(iv) EWU's investigative and hearing process, including who will receive a copy of the investigative report;

(v) Options for informal resolution; and

(vi) EWU's prohibition against retaliation and how to report retaliation.

(3) **Supportive measures.** After receiving a report of discrimination, the Title IX coordinator or designee will review the complaint and determine whether or not supportive measures or interim restrictions are needed. Supportive measures are available for all students and employees regardless of whether someone wants to file a complaint. Requests for supportive measures may be directed to student accommodations and support services or the Title IX coordinator. Supportive measures may be in place before a complaint is filed, during the investigation and decision-making process, informal resolution process, and/or after the final determination of responsibility. Supportive measures are also available for both complainants and respondents.

Supportive measures are provided by EWU free of charge and may include, but are not limited to, safety planning with EWU, mutual restrictions on contact between the parties, academic or workplace modifications, leaves of absence, increased security, counseling options on campus, or campus housing modifications. Supportive measures are designed to restore or preserve equal access to EWU's educational programs or activities without unreasonably burdening either party, including protecting the safety of all parties and EWU's educational environment, or deterring sexual misconduct or discrimination. Supportive measures may be provided for a specific period of time or throughout the remainder of a student's time at EWU.

If a complainant or respondent disagrees with the supportive measures determination, they may file a written appeal with the dean of students within 10 calendar days of the determination by emailing dos@ewu.edu. The dean of students, or designee, may affirm, modify, or reverse the supportive measures determination. Such decision shall be served on the appealing party in writing. If a student's circumstances change materially, they may request new or additional supportive measures.

Supportive measures are confidential and will only be shared with those people who need to know such information to enable EWU to provide the supportive measures. The Title IX coordinator or designee is responsible for coordinating the effective implementation of supportive measures. All supportive measures should be documented and retained for seven years.

(4) **Confidentiality.** Information gathered during an investigation and adjudication of a complaint under this code will be maintained in a confidential manner to the extent permitted by law. During an investigation, complaint information will be disseminated only on a need-to-know basis. If the complainant wishes to remain anonymous, the university will take all reasonable steps to investigate the allegation without disclosing the name of the complainant to the extent allowed by state and federal law. If the complainant wishes to remain anonymous, the university shall inform them that its ability to investigate and respond to the allegation will be limited. The university cannot ensure confidentiality, as its legal obligations under federal or state law may require investigation of the allegation and possible disclosure of the complainant's name. Reports of crime to the campus community, timely warnings, and EWU's annual security report shall not include the names of the complainants or victims. Files subject to public disclosure will be released to the extent required by law.

The university will not require a complainant or respondent to abide by a nondisclosure agreement that would prevent the redisclosure

of information related to an investigation or disciplinary action under this policy.

[Statutory Authority: RCW 28B.35.120(12). WSR 25-14-092, s 172-125-030, filed 7/1/25, effective 8/1/25. Statutory Authority: RCW 28B.35.120(12), Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq., Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq., section 504 of the Rehabilitation Act of 1973, Americans with Disability Act of 1990, 42 U.S.C. § 12101 et seq., and chapter 28B.112 RCW. WSR 24-22-048, s 172-125-030, filed 10/28/24, effective 11/28/24.]