CCR Procedural Guidelines

Procedural Guidelines for Responding to Allegations Implicating: WSU Executive Policy #15, the Policy Prohibiting Discrimination and Harassment

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1.0 Purpose

Compliance and Civil Rights (CCR) is WSU’s central authority for intake, investigation, and response to allegations that implicate the WSU Policy Prohibiting Discrimination and Harassment, Executive Policy #15 (EP 15). These procedural guidelines are flexible and may be adapted on a case-by-case basis to promote a prompt, impartial, thorough, and effective process.

Consistent with Executive Policy #26, CCR has the sole jurisdiction to investigate matters concerning EP 15 and other civil rights compliance requirements, including: Title IX Compliance, Americans with Disabilities Act (ADA)/Section 504 (Rehabilitation Act of 1973) Compliance, Clery Act (34 CFR 669.46) Compliance, Affirmative Action/EEO Compliance, Washington Law Against Discrimination (WLAD) (RCW 49.60) Compliance, unless specifically delegated or assigned to another office or individual by the President or the CCR Director. Generally, these processes will apply to matters implicating any policy within the purview of CCR.

If a complaint extends beyond CCR’s jurisdiction, CCR may refer the complaint to another WSU office and/or collaborate with that office to complete the investigation or to take steps with their policies and procedures in response to concerns. If the complaint does not involve WSU community members or have sufficient nexus to WSU’s operation, activities, or mission, CCR may refer the matter to an outside entity or agency, as appropriate and consistent with applicable privacy laws. WSU community members may include, but are not limited to, employees, students, volunteers, vendors, contractors, affiliates, visitors, and any other person connected to the university.

CCR may elect to contract with an external investigator to complete an investigation or informal resolution process under EP 15 and these Procedural Guidelines. In such cases, the external investigator or facilitator will follow WSU policies and procedures and may consult with CCR for questions about WSU policies, processes, precedent, and resources, as appropriate.

3.0 Intake Consultation

CCR offers intake consultations for individuals who may have a concern implicating EP 15. During these intake consultations, individuals can share as much or as little information as they feel comfortable sharing. Intake consultations are intended to be a low-pressure environment in which individuals can learn about university policies, procedures, and resources. Individuals may choose to ask hypothetical questions or change/not provide names to protect their privacy. Anonymous consultations are also available. Where an anonymous consultation is desired, individuals can call 509-335-8288 or visit CCR’s office and request to meet with someone anonymously either over the phone or in person.
During an intake consultation, CCR will generally share the following information:

- Options for anonymous reporting and consultation
- Availability of Supportive Measures
- Process for filing a complaint for conduct implicating EP 15 Part A or EP 15 Part B
- CCR’s role as a neutral investigator and/or facilitator for informal or alternative resolutions.
- Investigative, hearing, and appeals process for complaints, and informal resolution process, where available
- Alternative resources, reporting options, and resolution paths, as appropriate
- Limitations on confidentiality as described in EP 15 Section 6.0

4.0 Case Documentation

CCR documents case related information. For intake consultations, where a complainant prefers CCR to take limited notes to preserve privacy and/or confidentiality, CCR will typically limit note-taking and record-keeping to basic information. Where a grievance process has been initiated, CCR documents interviews and evidence to the extent possible. In order to best protect the privacy of participants and to prevent further harm to participants through unnecessary dissemination, CCR does not maintain audio and/or video recordings of interviews. If CCR utilizes audio and/or video recording devices, it is for the purpose of creating a transcription, and the audio and/or video recording will be destroyed after the transcript is completed (as per Disposition Authority Number 50012).

5.0 Engagement with CCR

CCR treats participants with care and respect and expects the same in return. Participants in CCR’s processes who engage in abusive or disruptive communications with CCR may be asked to leave or may be required to limit communication to writing only.

Employees may have additional rights beyond those described in EP 15 and these Procedural Guidelines through their Collective Bargaining Agreement.

6.0 Response to Reports

As described in EP 15, individuals can report conduct implicating EP 15 to CCR. CCR typically responds to reports within 1 business day.

CCR engages with the individual who is identified as the complainant. Third party reports generally lead to outreach from CCR to the identified complainant, although CCR may also consult with the third party reporter, as appropriate.

When CCR is made aware of a concern implicating EP 15, CCR will provide the complainant with:

- The WSU Policy Prohibiting Discrimination and Harassment, EP 15
- CCR Procedural Guidelines
- The availability of supportive measures, which are available with or without filing a complaint, and may include alternative resolution options
• How to file a complaint to initiate a grievance process
• Additional resources available to the complaint, including confidential resources
• Offer to schedule an intake consultation to learn more about the process
• An opportunity to ask questions and receive answers from CCR
• The right to have an advisor, which may be a support person or attorney, assist them through their engagement with CCR

Whether or not a complainant engages with CCR, CCR will document the concern and will consider whether it is appropriate to:

• Implement supportive measures
• Facilitate university response
• Implement alternative resolution paths
• Initiate a complaint process where a complainant has chosen not to

7.0 Informal Resolution

Where appropriate, CCR facilitates an informal resolution between parties. Informal resolutions are voluntary processes and require the consent of both parties to proceed. To request an informal resolution:

• A party submits an oral or written request for an informal resolution to CCR at ccr@wsu.edu;
• CCR will assign the informal resolution request to a staff member. The staff member cannot be assigned to an investigation arising from the same allegations.
• CCR will determine whether or not it is appropriate to proceed with the informal resolution request. CCR considers legal compliance, community safety, academic and work environments, and whether or not conduct has already been addressed in determining whether to proceed.
• The CCR facilitator will notify both parties of the request to proceed with an informal resolution. The notice will include:
  o The allegations which the informal resolution request is based on;
  o Notice that participation is voluntary and can be revoked at any stage prior to an agreed resolution;
  o The informal resolution process,
  o Potential terms that may be included,
  o An opportunity for both parties to provide feedback on resolution terms,
  o CCR’s documentation and retention of records, and
  o Notice that an agreed resolution precludes parties from initiating or resuming grievance procedures arising from the same allegations.

• The CCR facilitator will work with both parties to determine if there are satisfactory resolution terms. Once final terms are identified, CCR will send an email to both parties outlining the terms, and the parties can choose to respond in writing with their agreement to the terms. CCR will notify parties of the final outcome in writing. This final outcome is considered a university order.

If a party violates a resolution, or where CCR has a compelling reasons to do so, the informal resolution may be voided. CCR will notify parties where a resolution is voided and provide an opportunity to
resume the grievance process. Specific violations of an informal resolution can result in disciplinary process for failing to follow a university order.

Where circumstances change, parties may request CCR modify an existing informal resolution.

Parties may opt to engage in the Informal Resolution process in lieu of an initiated investigation.

8.0 Complaints

A complaint initiates a formal grievance process. Complaints may be filed 24/7 to CCR at:

- Online: [https://ccr.wsu.edu/file-a-complaint/](https://ccr.wsu.edu/file-a-complaint/)
- Email: ccr@wsu.edu
- Phone: 509-335-8288
- In person: Monday – Friday, 8am-5pm, French Administration Building 220, WSU Pullman

Complaints may be filed by:

- A complainant (the person who experienced the alleged misconduct and was participating in WSU’s programs and activities at the time the alleged misconduct occurred),
- A complainant who is not affiliated with WSU who alleges misconduct to which WSU’s disciplinary authority extends,
- A parent, guardian, or other authorized legal representative with the legal right to act on behalf of the complaint,
- The CCR Director/Title IX Coordinator or designee; or
- For allegations of sex discrimination (not including sex-based harassment), any student or employee, or any person other than a student or employee, who is participating or attempting to participate in a WSU education program or activity at the time of the alleged sex discrimination.

Complaints may be made orally or in writing.

9.0 Complaint Assessment

When a complaint is submitted to CCR, it is assigned to an investigator who will review the complaint and determine whether to proceed with a grievance procedure or dismiss a complaint within 10 calendar days of receiving the complaint or 10 calendar days after receiving relevant clarifying information for the complaint. CCR may dismiss a complaint where:

- Even if true the complaint does not constitute EP 15 violations;
- The conduct is outside CCR’s scope of authority to investigate;
- CCR is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in WSU’s education program or activity and is not employed by WSU;
• The complainant voluntarily withdraws any or all of the allegations in the complaint, and any remaining conduct does not constitute an EP 15 violation, and CCR determines a dismissal is appropriate;
• The parties voluntarily resolved their matter through an Informal Resolution process; or
• For EP15 Part A allegations, CCR may also dismiss a complaint where specific circumstances prevent an investigator from gathering evidence sufficient to make a determination.

If one of the above factors is present, CCR may dismiss the complaint. CCR will provide the basis for the dismissal in writing to the complainant (and to the respondent if an investigation was already initiated). For matters involving EP15 Part B allegations, complaint dismissals may be appealed per section 10.0. For all other matters, CCR’s dismissal is final.

If one of the above factors is not present, CCR will initiate an investigation.

10.0 Appeal of a Complaint Dismissal for matters involving EP15B allegations

Complaint dismissals regarding EP15 Part B sex discrimination and sex-based harassment allegations may be appealed to the WSU Title IX Coordinator or trained designee. Appeals must satisfy the following requirements:

• It must be filed in writing within 15 calendar days of the complaint dismissal to the ccr@wsu.edu.
  o The complainant or respondent may request an extension of the 15 calendar day deadline, which the appeals reviewer will grant only for a showing of good cause.
• It must articulate a basis for the appeal consistent with the following:
  o Procedural irregularity that would change the outcome;
  o New evidence exists that would change the outcome and that was not reasonably available when the complaint was dismissed; or
  o A conflict of interest or bias existed for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

Upon receipt of an appeal, the following occurs:

• CCR will assign the appeal to the Title IX Coordinator or trained designee where there is a conflict;
• The assigned appeals reviewer will first determine if the appeal meets the minimum requirements of the appeals process as described above.
  o If the appeal does not meet the minimum requirements of the appeals process, the appeals reviewer will inform the appellant that the appeal is not accepted within 7 calendar days of receipt of the appeal.
  o If the appeal does meet the minimum requirements of the appeals process, the appeals reviewer will notify relevant parties of the appeal within 7 calendar days of receipt of the appeal.

The notification of the appeals process to the relevant parties will include:
• The name, official title, and WSU department of the appeals reviewer;
• The scope of the review;
• A copy of the Appeal
• An opportunity for relevant parties to submit a written statement in support of or challenging the outcome. Statements must be submitted within 7 calendar days of receiving this notice.
• Any request for supporting documentation or clarifications.
• The timeline for the review, which typically will not exceed 15 calendar days, although extensions are permitted for good cause.

The appeals reviewer will review the appeal, CCR case file, and any supporting documents submitted by the parties. The appeals reviewer has the discretion to invite the parties and/or CCR investigator for an interview. The appeals reviewer shall give substantial deference to the credibility and factual determinations made by the CCR investigator.

The appeals reviewer will issue a decision letter within 30 calendar days from the date of the notice described above or from the date of receipt of supporting documentation, clarifications, or additional party statements. The decision letter will include:

• A short summary of the procedural history and stated grounds for the appeal;
• A list of the documents reviewed and any additional supporting information relied upon in the decision
• A summary of the outcome of the appeal review with supporting rationale
• If the appeal has validity, a requirement for further action, which may include remanding back to the CCR investigator for additional preliminary assessment, investigation, or review.

11.0 Investigation

After CCR accepts a complaint, CCR can initiate the investigation. For all stages of a complaint investigation, hearings, and appeals, parties will be provided with written notice of the date, time, location, participants, and purpose of any meetings or proceedings with sufficient time to prepare.

The investigation will proceed as described in the below sections.

11.1 Notification of Investigation

CCR will notify the parties simultaneously of the investigation within 10 calendar days of accepting a complaint (notice may be delayed due to safety concerns or other good reason). The notice will include:

• A brief summary of the allegations
• WSU’s grievance procedures for responding to the alleged conduct
• CCR’s role as a neutral investigator and its investigative process
• A statement that retaliation, interference, and knowingly making a false statement is prohibited
• A statement that the respondent is presumed not responsible, and that a determination regarding responsibility is made at the conclusion of the grievance process.
• Notice that the parties may have an advisor, who may be a support person or attorney, participate during the investigation
• Notice that supportive measures are available to both parties
• Limitations on confidentiality
• Notice that WSU will not restrict either party from discussing the allegations under investigation or gathering or presenting relevant evidence.
  o This provision does not immunize the parties from the prohibition on retaliation or interference, and does not prohibit WSU from imposing reasonable, non-punitive requirements on parties to prevent disruption in an academic or work setting.
• Information on how to request an informal resolution, which may be offered at the discretion of CCR where appropriate
• A brief description of the disciplinary process, including information on the relevant student or employee code or manual
• Notice that in order to participate in the investigation, the respondent must submit their written statement and/or participate in an investigative interview within 30 calendar days of the date of notice or 30 calendar days after the parties have determined they do not want to proceed with an informal resolution, whichever is later. Requests for extension may be granted on a limited basis by the investigator for a showing of good cause; any such requests will be considered in light of the need to complete the investigation in a timely fashion.

11.2 Additional Notice Provisions

If during the course of an investigation, CCR decides to investigate additional allegations about the complainant or the respondent, CCR will provide additional notice to the parties. CCR may also consolidate complaints regarding allegations against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations arise out of the same facts or circumstances.

11.3 Investigation Process

After notifying parties of an investigation, the CCR investigator will generally complete an investigation within 60 calendar days. Where an investigation extends beyond 60 calendar days, CCR will inform the parties in writing of the delay and reason for the delay. During an investigation, the CCR investigator will generally do the following:

• Treat all witnesses, complainant(s), and respondent(s) with care, dignity, and respect, and provide information on available resources, supportive measures, and informal resolutions, where appropriate.
• Provide both parties with an opportunity to present witnesses and evidence. Parties may submit to an investigative interview and/or provide a written statement.
• Gather all reasonably available fact evidence, including inculpatory and exculpatory evidence, from witness or party interviews and available documentary evidence, statements, video/audio recordings, treatment records, police reports, etc.
  o If treatment records are relevant, the CCR investigator must request a party’s voluntary, written consent to obtain and use as evidence their treatment records (e.g., records maintained by a medical provider). Parties will be informed that if provided, treatment records will become part of the investigative evidence file and may be reviewed and inspected by both parties.
• Maintain name and contact information of witnesses
• Allow advisors to participate throughout the process. However, CCR will direct all communications to the party directly, and interview questions will be asked of the party directly.
• Provide for sufficient opportunity for the investigator to question parties and witnesses to adequately assess a party’s or witness’s credibility

After an investigation is completed, the next steps (decision-making, appeals, and disciplinary process are dependent on the respondent classification (e.g. student respondent, administrative professional respondent, faculty respondent, etc). The following sections identify these procedures. Note, where conduct includes allegations spanning EP 15 Part A and EP 15 Part B conduct, the more extensive procedures apply.

12.0 Non-faculty employee respondents or non-student/non-employee respondents

12.1 Determination of responsibility for matters

Upon completion of an investigation, a determination of responsibility process will ensue which is dependent on the type of alleged conduct.

For matters involving allegations of (1) EP15 Part A Discrimination and Discriminatory Harassment, (2) EP 15 Part B Sex Discrimination, or (3) EP15 Part B Sex-based harassment involving an employee or non-WSU complainant, CCR will serve as the decision maker upon the completion of an investigation. CCR will assess evidence and draft an investigation report which will include findings under EP 15. This report will typically be issued within 30 calendar days of the completion of the investigation, although extensions are available for good cause. The investigation report is issued to the parties and to the relevant supervisors and/or administrators to initiate the employee disciplinary process, if appropriate. Upon issuing the investigation report, CCR will also provide parties with access to the relevant evidence upon request to prepare for an appeal or employee disciplinary proceeding.

For matters involving allegations of EP15 Part B sex-based harassment involving a student complainant, CCR will assess evidence and issue an investigation report with recommended findings. This report will typically be issued within 30 calendar days of the completion of the investigation, although extensions are available for good cause. The investigation report is issued to the parties and to the relevant supervisors and/or administrators to initiate the hearing process. This report is provided to help the parties prepare for the hearing process. CCR will also provide parties with access to the relevant evidence. Upon receipt of CCR’s investigation report, the hearing process described in the Employee Title IX Hearing Process will be initiated, and the Appointing Authority, Administrative Law Judge, or designee will make a determination of responsibility pursuant to that policy.

12.2 Appeals

Appeals of a determination of responsibility can be submitted by the parties to the CCR Appeals Committee (see Appendix A), an independent committee operated out of the Office of the WSU President. An appeal of a decision must satisfy the following requirements:

• It must be filed within 15 calendar days of the decision
  • The party may request an extension, which the CCR Appeals Committee will grant only for showing of good cause.
• It must be in writing and submitted to president@wsu.edu
• It must articulate a basis for appeal consistent with the following:
  o Procedural irregularity that would change the outcome
  o New evidence that would change the outcome and that was not reasonably available when the determination was made whether EP 15 conduct occurred
  o A conflict of interest or bias existed against complainants or respondents generally or the individual complainant or respondent that would change the outcome.
  o For matters involving EP15 Part B allegations, the decision was incorrectly decided.
• The CCR Appeals Committee chair will conduct an initial review of all timely filed appeals to determine if they meet the minimum requirements of the appeals process as described above.
• If the appeal meets these minimum requirements, the Chair will convene the Committee and send notice to the complainant, the respondent, and CCR within 7 calendar days. The notice will include the following:
  o The name, official title, and WSU department of each of the Committee members who will be reviewing the appeal;
  • The scope of the review, which is limited to insufficient investigation, substantial procedural error, and/or new information as defined above.
  • A copy of the Appeal;
  • An opportunity for both parties to submit a written statement in support of or challenging the outcome;
  • Any request for supporting documentation or clarifications;
  • The timeline for the review.
  o The CCR Appeals Committee has the discretion to invite the Complainant, the Respondent, and/or the CCR investigator for an interview.
• The CCR Appeals Committee will issue a decision within 30 calendar days of accepting the appeal. The decision timeline may be extended for good cause. If extended, the Chair will send notice of the extension to the complainant and the respondent.
• The decision letter shall include the following:
  • A short summary of the procedural history and stated grounds for the appeal;
  • A list of the documents reviewed by the Committee and any interviews conducted by the Committee;
  • A summary of the Committee’s findings and their rationale; and
  o For matters involving EP15 Part A allegations: A conclusion as to whether the appeal warrants remanding the investigation report for additional investigation by CCR. A conclusion that remand is warranted shall also include specific recommendations to CCR such as, but not limited to the following:
    • Specific witnesses to be interviewed
    • Specific questions of fact left to be determined; and/or
    • Clarifying details sought.
  o For matters involving EP15 Part B allegations: The final university decision, which may:
    ▪ Affirm the hearing officer’s decision
    ▪ Modify the hearing officer’s decision
    ▪ Vacate the hearing officer’s decision
  • Further action: The committee’s decision is final with respect to the investigation, unless the committee determines that additional investigation by CCR is warranted.
12.3 Disciplinary Process

Upon receipt of a determination of responsibility and after appeals are exhausted, a supervisor or administrator may initiate further employee disciplinary proceedings as available through the WSU Faculty Manual, the Administrative Professional Handbook, applicable collective bargaining agreements, or WAC 357-40 (civil service employees).

13.0 Matters involving Faculty Respondents

13.1 Determination of Responsibility and Disciplinary Process

Upon completion of an investigation, CCR will assess evidence and issue an investigation report with recommended findings. This report will typically be issued within 30 calendar days of the completion of the investigation, although extensions are available for good cause. The investigation report is issued to the parties and to the relevant supervisors and/or administrators to initiate the disciplinary process outlined in the Faculty Manual. This report is provided to help the parties prepare for the hearing. CCR and/or the Office of the Provost will also provide parties with access to the relevant evidence.

Upon receipt of CCR’s investigation report, the Office of the Provost will review to determine whether to utilize the informal or formal discipline processes outlined in the Faculty Manual, except the formal discipline process will always be used where the alleged conduct constituted EP15 Part B sex-based harassment involving a student.

13.2 Appeals

Upon completion of the decision-making process outlined in the Faculty Manual, parties may have an opportunity to appeal.

For matters involving EP15 Part A discrimination and discriminatory harassment, the appeal to the Office of the WSU President described in the Faculty Manual applies.

For matters involving EP15 Part B sex discrimination and sex-based harassment allegations, an appeal can be submitted by the parties to the CCR Appeals Committee (see Appendix A), an independent committee operated out of the Office of the WSU President. An appeal of a decision must satisfy the following requirements:

- It must be filed within 15 calendar days of the decision.
  - The party may request an extension, which the CCR Appeals Committee will grant only for showing of good cause.
- It must be in writing and submitted to president@wsu.edu.
- It must articulate a basis for appeal consistent with the following:
  - Procedural irregularity that would change the outcome;
  - New evidence that would change the outcome and that was not reasonably available when the determination whether EP 15 Part B conduct occurred;
  - A conflict of interest or bias existed against complainants or respondents generally or the individual complainant or respondent that would change the outcome.
  - The decision was incorrectly decided.
• The CCR Appeals Committee chair will conduct an initial review of all timely filed appeals to determine if they meet the minimum requirements of the appeals process as described above.

• If the appeal meets these minimum requirements, the Chair will convene the Committee and send notice to the complainant, the respondent, and CCR within 7 calendar days. The notice will include the following:
  o The name, official title, and WSU department of each of the Committee members who will be reviewing the appeal;
  • The scope of the review, which is limited to insufficient investigation, substantial procedural error, and/or new information as defined above.
  • A copy of the Appeal;
  • An opportunity for both parties to submit a written statement in support of or challenging the outcome;
  • Any request for supporting documentation or clarifications;
  • The timeline for the review.
  o The CCR Appeals Committee has the discretion to invite the Complainant, the Respondent, and/or the CCR investigator for an interview.

• The CCR Appeals Committee will issue a decision within 30 calendar days of accepting the appeal. The decision timeline may be extended for good cause. If extended, the Chair will send notice of the extension to the complainant and the respondent.

• The decision letter shall include the following:
  • A short summary of the procedural history and stated grounds for the appeal;
  • A list of the documents reviewed by the Committee and any interviews conducted by the Committee;
  • A summary of the Committee’s findings and their rationale; and
  o For matters involving EP15 Part B allegations: The final university decision, which may:
    ▪ Affirm the hearing officer’s decision
    ▪ Modify the hearing officer’s decision
    ▪ Vacate the hearing officer’s decision
  • Further action: The committee’s decision is final with respect to the investigation, unless the committee determines that additional investigation by CCR is warranted.

14.0 Matters involving Student Respondents

14.1 Determination of Responsibility

Upon completion of an investigation, CCR will notify parties and the Center for Community Standards, and will submit all relevant evidence to the Center for Community Standards. The Center for Community Standards will provide parties with an opportunity to review the collected evidence, and initiate the hearing process as documented in the WSU Standards of Conduct for Students, Washington Administrative Code Chapter 504-26.

14.2 Appeals

After the hearing process is completed, parties have an opportunity to appeal as documented in the WSU Standards of Conduct for Students, Washington Administrative Code Chapter 504-26.
15.0 Supportive Measures

15.1 Requests and Modifications

Supportive measures, as described in EP 15, can be requested by any individual engaging with CCR. CCR may partner with HRS, Student Affairs, campus police or security, or other relevant departments to facilitate supportive measures or may delegate responsibility for supportive measures to such a department. Requests can be in writing or verbal. CCR will review requests and identify appropriate supportive measures, pursuant to EP 15. CCR will inform individuals of any available or assigned supportive measures.

Participant needs may vary throughout their engagement with WSU. As such, CCR welcomes requests to modify or change supportive measures, and will review such requests in light of the goals of EP 15. CCR may also modify or terminate supportive measures at any time for good reason. CCR’s decision as it relates to supportive measures is final.

For matters involving EP15 Part B sex discrimination and sex-based harassment, individuals may appeal decisions relating to supportive measures applicable to them utilizing the process described in 15.2.

15.2 Appeal of a Supportive Measure for Matters involving Allegations of Sex Discrimination and Sex-based Harassment

Decisions to provide, deny, modify, or terminate supportive measures can be appealed to the Title IX Coordinator or trained designee. Appeals are only accepted for supportive measures that apply to the appellant. Appeals must be in writing and submitted within 15 calendar days of the supportive measures decision to ccr@wsu.edu. The Title IX Coordinator will review the appeal and provide a decision in writing to the party within 10 calendar days of receipt of the appeal. The Title IX Coordinator has the authority to modify or reverse the decision, and may also assign specific additional supportive measures or terminate existing supportive measures if deemed necessary. The Title IX Coordinator’s decision is final for the specific circumstances. If circumstances should change, parties retain the right to request modification to supportive measures or appeal anew.

16.0 Additional Review

In limited circumstances, as warranted by the facts and at the discretion of the CCR Director or designee, CCR may reopen a matter or conduct additional review after an investigation or hearing process is completed. CCR will notify the Center for Community Standards, relevant supervisors and administrators, and/or relevant parties of any additional review.
Appendix A: CCR Appeals Committee

The CCR Appeals Committee (the Committee) is an independent reviewing committee operated out of the WSU Office of the President. The WSU President’s standing CCR Appeals Committee (the Committee) will consist of the Committee Chair (the Chair) and two regular committee members, one of whom will be the Committee Vice Chair (Vice Chair). At least two alternate committee members shall be trained in the event that the Chair or one of the committee members is unable to serve on the Committee. The Chair, committee members, and alternate committee members shall be collectively referred to as Members.

Member Requirements

Members will serve for a term of up to three years. Each member will receive appropriate training, as determined by the CCR Director, prior to serving on the committee and at least annually thereafter, related to, but not limited to, the following:

- Due Process and Investigation Procedures;
- Sex and Gender Based Violence;
- 1st Amendment Protected Speech;
- Discrimination & Sexual Harassment;
- Title IX Regulations;
- Disability Accommodations and Access concerns;
- Neutral Assessment and Impartial Judgment;
- Implicit Bias and Cultural Competency; and
- Conflict of Interest or Bias.

Conflicts of Interest or Bias

Committee members shall promptly disclose to the Chair any potential conflict of interest or bias. If the Chair has the potential conflict of interest or bias, they shall disclose it to the Vice Chair.

After consultation with the Attorney General’s Office, the Chair (or Vice Chair, if applicable) shall determine whether recusal is warranted.

The complainant and the Respondent may also request recusal by sending the request in writing to the Chair (or Vice Chair, if applicable) within seven (7) calendar days of receiving the notice described in Section IX(I)(3)(ii), above. The request shall explain why the party believes recusal is warranted.

If a regular Committee member is recused, the Chair (or Vice Chair, if applicable) shall select one of the alternate Committee members to fill the vacancy.