



# **Title IX Sex-Based Harassment & Discrimination Policy**

Revised August 1, 2024

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Reed is committed to complying with state and federal law. The following policy and procedures are intended to comply with the 2024 Title IX regulations. In the event that the 2024 policy and procedures cannot take effect due to Court order, Reed will revert to and enforce prior versions of its Title IX and DHSM policies.

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## Preamble

Reed College is committed to providing a workplace and educational environment that is free from discrimination and harassment on the basis of sex and/or gender.

To ensure compliance with federal and state laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of its education programs and activities, the College has developed policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of sex-based discrimination or harassment, as well as for related allegations of retaliation.

This policy defines and explicitly prohibits discrimination on the basis of sex, including sexual harassment. When the College receives a report of sex-based discrimination or harassment that is alleged to have occurred within the scope of this policy, as described below, it responds according to the procedures detailed in the [Title IX Sex-Based Harassment & Discrimination Procedures](#).

## I. Introduction

Reed College is committed to maintaining an academic community in which the free exchange of ideas and expression is rigorously protected. The Reed College Mission Statement and the Constitution and Bylaws of the Faculty express the College's deep commitment to academic freedom and to the free exchange of ideas, wherein students and faculty should have the broadest possible latitude to speak, write, listen, challenge, and learn. These freedoms are central to the College's values, and sometimes, discomfort may be an inevitable result of the exercise of those freedoms and the pursuit of the mission of the College. However, these protections are bounded by prohibitions against the types of discrimination and harassment defined in this policy. Expression that constitutes sex-based discrimination or sex-based harassment does not contribute to the free exchange of ideas supported by the College, but rather, denies others the ability to fully access the College's educational programs and activities.

Reed College acknowledges and complies with its legal responsibilities in all its programs and activities. This policy is required by, and is, as a whole, intended to be consistent with Title IX of the Education Amendments of 1972, and any other applicable state and federal law or regulation that prohibits discrimination on the basis of sex, including the reporting responsibilities of the Clery Act, 34 CFR § 668.46. If any provisions of this policy are contrary to or interfere with any applicable law, that law will

supersede the inconsistent policy provisions. Behavior violating this policy may also separately violate other federal, state, or local law.

This policy is overseen by Reed's Title IX Coordinator. Please see the [Title IX web page](#) for current contact information for Reed's Title IX Coordinator and Deputy Title IX Coordinators. Those in need of disability-related accommodations or with questions about accessibility should contact the Title IX Coordinator ([title-ix@reed.edu](mailto:title-ix@reed.edu)).

Note: Alleged behaviors prohibited by the Reed College Title IX Policy (last revised on April 13, 2021) that took place prior to August 1, 2024 will be addressed under that policy and associated procedures.

## II. Definitions

The following definitions apply where the defined terms are used in this policy:

**Coercion:** Compelling another individual, through unreasonable pressure, to participate in sexual activity in a manner that makes the participation involuntary. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure can be coercive. Coercion accounts for a wide range of behaviors that may override the voluntary nature of participation. Examples include, but are not limited to, threatening to disclose personal sexual information, or threatening to harm oneself if the other party does not engage in the sexual activity. Consent cannot be obtained by coercion.

**Complainant:** A student or employee who is alleged to be the victim of conduct prohibited by the Title IX Sex-Based Harassment & Discrimination Policy; or any other individual who is alleged to be the victim of conduct prohibited by the Title IX Sex-Based Harassment & Discrimination Policy and who was participating or attempting to participate in the College's education program or activity when the alleged behaviors occurred.

**Complaint:** Oral or written communication to the College that can be objectively understood as a request for the College to investigate and make a determination about alleged conduct prohibited by the Title IX Sex-Based Harassment & Discrimination Policy. This request will initiate the Title IX Sex-Based Harassment & Discrimination Procedures.

**Consent:** Affirmative, conscious, relevantly informed, and fully voluntary agreement or permission to engage in a sexual act by a person age 18 or older.

Each participant in a sexual encounter is expected to obtain and give consent to each act of sexual activity in order for the activity to be considered consensual. Consent to one form of sexual activity does not constitute consent to engage in all forms of sexual activity.

Consent consists of a mutually understood outward demonstration indicating that an individual has freely chosen to engage in sexual activity. While consent can be given by words or non-verbal actions, non-verbal consent is more ambiguous than explicitly stating one's wants and limitations. A person who does not physically resist or verbally refuse sexual activity is not necessarily giving consent. Consent may not be inferred from silence, passivity, lack of resistance, or lack of an active response. For these reasons, relying on non-verbal communication can lead to misunderstandings and is,

therefore, discouraged. An incapacitated person cannot give consent. Consent may not be obtained by coercion or force.

Any party may withdraw consent prior to the completion of a sexual act. Withdrawal of consent should be outwardly demonstrated by words or actions that clearly indicate a desire to end sexual activity. Once withdrawal of consent has been expressed, sexual activity must cease.

Individuals with a previous or current intimate relationship do not automatically give either initial or continued consent to sexual activity. Even within the context of a relationship, there must be mutually understandable communication that clearly indicates a willingness to engage in sexual activity each time.

**Education Program or Activity:** Locations, events, programs, activities, or circumstances over which the College exercises substantial control, including over the Respondent. Includes any building owned or controlled by a student organization that is officially recognized by the College.

**Force:** The use or threat of physical violence or intimidation to overcome an individual's freedom of will to choose whether or not to participate in sexual activity. There is no requirement that a party resists the sexual advance or request in order for there to have been force. Consent cannot be obtained by force.

**Incapacitation:** The state in which a person lacks the ability to make informed, rational judgments and therefore lacks the capacity to give consent (e.g., to understand the "who, what, when, where, why, and how" of the sexual interaction). An individual may be incapacitated because they are mentally and/or physically helpless, asleep, unconscious, or unaware, including due to alcohol or other drug consumption.

Evaluating incapacitation also requires an assessment of whether a Respondent knew or should have known of the Complainant's incapacitation based on objectively and reasonably apparent indications of impairment when viewed from the perspective of a sober, reasonable person in the Respondent's position.

Being intoxicated or impaired by drugs or alcohol is not a defense for any of the prohibited behaviors of this policy and does not diminish one's responsibility to obtain informed and freely given consent.

**Obligated Reporters:** Persons required to notify the Title IX Coordinator when they have knowledge that conduct that reasonably may constitute sex discrimination under this policy may have occurred.

**Respondent:** A person who has been alleged to violated the Title IX Sex-Based Harassment & Discrimination Policy.

**Student:** A person who has gained admission to the College.

**Supportive Measures:** Individualized services that are appropriate, reasonably available, free of charge, not unreasonably burdensome to a Complainant or Respondent, and not for punitive or disciplinary reasons, designed to restore or preserve access to the College's education program or activities, protect safety or the educational environment, or provide support during grievance procedures.

### **III. Scope and Jurisdiction**

This policy applies to the College's education program and activities in the United States, to conduct that takes place on property owned or controlled by the College,

at College-sponsored events, and in buildings owned or controlled by the College's recognized student organizations. Additionally, the College may also extend its jurisdiction under this policy when it is determined that the conduct affects a substantial College interest. There may be a substantial College interest in activities, conduct, or situations that take place outside of the United States and/or outside of a College education program or activity. A substantial College interest typically includes: (1) any action that constitutes a criminal offense as defined by local, state, or federal law; (2) any situation in which it is determined that the Respondent poses an immediate threat to the physical health or safety to any member of the College community; (3) any situation that significantly impinges upon the rights, property, or achievements of others; (4) any situation that substantially interferes with the educational interests or mission of the College.

If the Respondent is unknown or is not a member of the College community, the Title IX Coordinator will assist the Complainant in identifying appropriate institutional and local resources and support options. Supportive Measures, remedies, and resources may also be provided in instances when the Respondent is not a member of the College community. If criminal conduct is alleged, the College can assist in contacting law enforcement if the individual would like to file a police report.

All vendors serving the College through third-party contracts are subject to Reed College policies (including this Title IX Policy) and the procedures of their employers.

When the Respondent is enrolled in or employed by another institution, the Title IX Coordinator can assist the Complainant in communicating with the appropriate individual at that institution.

## **IV. Notice of Non-discrimination**

Reed College does not discriminate on the basis of protected classes including race, color, national origin, shared ancestry and/or ethnicity, religion, sex, sexual orientation, gender, gender identity, gender expression, age, marital status, military status, veteran status, genetic information, physical or mental disability, pregnancy, status as a parent, family relationship, or on the basis of any other category protected by law. Reed College prohibits discrimination on the bases of any protected class in any activity, operation, or education program of the College including in administration of its employment policies, educational policies, admission policies, scholarship and loan programs, housing policies, and athletic and other school-administered programs.

Reed College also complies with applicable provisions of local, state, and federal civil rights laws, including Title VI and Title VII of the 1964 Civil Rights Act, Title IX of the 1972 Education Amendments Act, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), the Uniformed Services Employment and Reemployment Rights Act (USERRA), Oregon Revised Statutes (ORS), the Clery Act of 1990 and its amendments, and any other applicable law.

Reed College also prohibits retaliation against any individual who engages in protected activity under antidiscrimination laws or the College's antidiscrimination policies.

The following offices and positions have been designated to handle inquiries regarding the College's non-discrimination policies:

- Director of Human Resources | [hr@reed.edu](mailto:hr@reed.edu)
- Dean of the Faculty | [deanofthefaculty@reed.edu](mailto:deanofthefaculty@reed.edu)

- Title IX and Section 504 Coordinator | [titleix@reed.edu](mailto:titleix@reed.edu)
- Dean for Institutional Diversity | [institutional.diversity@reed.edu](mailto:institutional.diversity@reed.edu)

Inquiries may also be directed to the U.S. Department of Education, Western Region, Office for Civil Rights at 206-607-1600 and [ocr.seattle@ed.gov](mailto:ocr.seattle@ed.gov).

## **V. Reporting and Resource Provisions**

The College encourages prompt reporting of prohibited conduct. To make a report about possible conduct prohibited by this policy, including retaliation, an individual should contact the Title IX office. This may be done at any time, by anyone, and by various means including in person, by telephone, by mail, by email, using the contact information listed for the Title IX Coordinator, or by completing the online reporting form (which may be submitted anonymously).

Reporting carries no obligation to initiate a Complaint, and in most situations, the College is able to respect a Complainant's request to not initiate one. However, there may be circumstances, such as a pattern behavior, allegations of severe misconduct, or a compelling threat to health and/or safety, where the College may need to initiate the grievance procedures. If a Complainant does not wish to file a Complaint, the College will maintain the privacy of information to the extent possible.

The College requires that all Obligated Reporters notify the Title IX Coordinator when they have knowledge that conduct that reasonably may constitute sex discrimination under this policy may have occurred. Obligated Reporters are all staff and faculty (except medical and counseling staff and Confidential Advocates), Housing Advisors, Judicial Board members, Student Senate members, and student workers who supervise other student workers. (Obligated Reporters are not required to report incidents of sexual misconduct that they have personally experienced.)

Confidential resources such as counselors and Confidential Advocates with knowledge that conduct that reasonably may constitute sex discrimination under this policy may have occurred must, at minimum, provide the Title IX Coordinator's contact information and information about how to make a Complaint.

### ***Pregnancy and Related Conditions***

An exception to the above is made for Obligated Reporters' response in regard to pregnancy and related conditions. When a student notifies any employee of their pregnancy or related conditions, the employee is required to promptly provide that person with the Title IX Coordinator's contact information and inform them that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to education.

### ***Mandatory Reporting***

Any employee of Reed College, regardless of position or classification, who has reasonable cause to believe that any child (according to Oregon law, a person under the age of 18) with whom the employee has come in contact has suffered physical or sexual abuse, or that any person with whom the employee has come in contact has abused a child, is required by law to report to the Department of Human Services or law enforcement, unless otherwise exempt under state law (ORS § 419B.010). Additionally, Oregon state law considers persons under the age of 18 to be "incapable of consenting

to a sexual act” (ORS § 163.315) and states that all such behavior must be reported to the Oregon Department of Human Services or law enforcement (ORS § 419B.010). This duty to report is separate and distinct from any procedures that the College may have for reporting this information internally; an employee does not satisfy the employee’s legal obligations by making only an internal report.

Certain medical and mental health professionals are required by law to report allegations of the abuse of an elderly person to the Oregon Department of Human Services or law enforcement (ORS § 124.060).

## VI. Confidential Resources

Confidential resources are available to students and may be particularly helpful when a student is unsure whether they want to make a report or file a Complaint. Confidential resources are not required to notify the Title IX Coordinator when they have knowledge of conduct that may reasonably constitute sex discrimination under this policy but must provide Title IX Coordinator contact information and information about how to file a Complaint. These confidential resources are:

- [Counselors](#) (housed in the Health and Counseling Center)
- [Confidential Advocate](#) (also serves as the Director of Sexual Health, Advocacy and Relationship Education program)

Faculty and staff may undertake confidential discussions with a counselor through the [Employee Assistance Program](#) or with the Confidential Advocate.

## VII. Prohibited Behaviors

The following behaviors are prohibited by this policy.

**Sex-Based Discrimination:** Differential treatment on the basis of sex. For purposes of this policy, the term “sex-based discrimination” includes discrimination based on gender, gender identity, gender expression, sexual orientation, sex stereotypes, sex characteristics, pregnancy or related conditions. Sex-based discrimination includes, but is not limited to, the following conduct:

**Sex-Based Harassment:** A form of sex discrimination and means sexual harassment and other harassment on the basis of sex that satisfies one or more of the following:

- *Quid pro quo harassment:* An employee, agent, or other person authorized by the College to provide an aid, benefit, or service under the College’s education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person’s participation in unwelcome sexual conduct.
- *Hostile environment harassment:* Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person’s ability to participate in or benefit from the College’s education program or activity.
  - # Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
    - # The degree to which the conduct affected the Complainant’s ability to access the College’s education program or activity;
    - # The type, frequency, and duration of the conduct;

- # The parties' ages, roles within the College's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
  - # The location of the conduct, the context in which the conduct occurred, and the control the College has over the Respondent; and
  - # Other sex-based harassment in the College's education program or activity.
- # Hostile environment harassment also includes sexual harassment (unwelcome conduct of a sexual nature). Sexual harassment can include "unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal or physical conduct of a sexual nature where such conduct is sufficiently severe or pervasive that it has the effect, intended or unintended, of unreasonably interfering with an individual's work or academic performance or it has created an intimidating, hostile or offensive environment and would have such an effect on a reasonable person." ORS § 350.330(2)(a).

**Sexual Assault:** Engaging or attempting to engage in one of the following directed against a Complainant without their consent or in instances in which the Complainant cannot give consent because of age or temporary or permanent incapacity:

- *Non-consensual sexual intercourse:* Penetration or attempted penetration of the vagina or anus or being made to penetrate another's vagina or anus by a penis, object, tongue or finger, or oral copulation (contact between a mouth and the genital area), no matter how slight or momentary the penetration or contact.
- *Non-consensual sexual contact:* Touching, with any part of one's body or an object, in a sexual context or manner, however slight or momentary, another person's chest or breast, buttock, groin, mouth, or genitals; or physically causing another person to touch, with any part of their body or an object, themselves or another on the chest or breast, buttocks, groin, mouth, or genitals.
- *Incest:* Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Oregon law.
- *Statutory rape:* Non-forcible sexual intercourse with a person who is under the age of 18, which is the statutory age of consent in Oregon.

**Dating Violence:** Violence committed by a person:

(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- (i) The length of the relationship.
- (ii) The type of relationship.
- (iii) The frequency of interaction between the persons involved in the relationship.

**Domestic Violence:** Includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Oregon,



or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Oregon (ORS § 135.230).

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- (A) fear for their safety or the safety of others; or
- (B) suffer substantial emotional distress.

**Retaliation:** Intimidation, threats, coercion, or discrimination against any individual by the College, a student, an employee, or any other person authorized by the College to provide aid, benefit, or service under the College's education program or activity, for the purpose of interfering with any right or privilege secured by this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, hearing, or grievance procedures under this policy.

### Other Sex-Based Harassment Offenses

In addition to the forms of sex-based harassment described above, the College additionally prohibits the following offenses as forms of sex-based harassment prohibited by this policy:

- **Sexual exploitation:** Taking non-consensual or abusive sexual advantage of another for one's own benefit or for the benefit of anyone other than the person being exploited, when that conduct does not otherwise constitute sex-based harassment under this policy.

Examples of sexual exploitation include, but are not limited to:

- # Taking pictures, video, or audio recording of another in a sexual act, or in any other sexually related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity; or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity; or disseminating sexual pictures without the photographed person's consent), including the making or posting of non-consensual pornography (including, but not limited to, Artificial Intelligence ("AI")-created or -assisted imagery, video, or audio featuring a non-consenting person's likeness).
- # Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually transmitted disease (STD) or infection (STI), without informing the other person of the virus, disease, or infection.
- # Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity.
- # Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image (including content created by or with the assistance of AI) that depicts the person's nudity or sexual activity.
- # Knowingly creating, possessing, or disseminating child pornography (including content created by or with the assistance of AI, and regardless of whether

the pornographic material features an actual child or computer- or human-generated fictional child).

- *Relationship abuse*: Verbal, emotional, psychological, or economic abuse by a current or former romantic or intimate partner that threatens or endangers the health or safety of any person, when that conduct does not otherwise constitute sex-based harassment under this policy.

## **VIII. Response and Interventions**

When the College has knowledge that conduct that reasonably may constitute sex discrimination under this policy may have occurred, it will offer the Complainant Supportive Measures and describe the process for filing a Complaint. In some circumstances, the College may impose emergency removal or administrative leave during the grievance process. A discussion of all these responses follows.

### ***Supportive Measures***

When Supportive Measures, as defined in this policy, are offered, the College strives to maintain the confidentiality of the Supportive Measures to the greatest extent possible while still effectively implementing them (e.g., notifying a faculty member of a request for an assignment deadline extension). Supportive Measures may include, but are not limited to:

- Referral to counseling or medical services;
- Referral to the Employee Assistance Program;
- Referral to community-based service providers;
- Student Financial Aid counseling;
- Extensions of deadlines and other course-related adjustments;
- Campus escort services or other safety planning;
- Increased security and monitoring of certain areas of the campus;
- Restrictions on contact applied to one or more parties;
- Class schedule modifications, withdrawals, or leaves of absence;
- Changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and
- Training and education programs related to sex-based harassment.

Complainants and Respondents have a right to seek modification or reversal of any decision to provide, deny, modify, or terminate Supportive Measures. Requests for Supportive Measure modifications or reversals should be made in writing within five business days to the Title IX Coordinator. The Title IX Coordinator will forward the request to a Deputy Title IX Coordinator who is not otherwise involved in the case for the purpose of garnering an unbiased decision and response to the request.

The College has discretion to modify or terminate Supportive Measures as appropriate at the conclusion of grievance procedures or the informal resolution process.

### ***Filing a Complaint***

As defined above, a Complaint is a request for the College to investigate and make a determination about alleged conduct prohibited by this policy. A Complaint initiates the

Title IX Sex-Based Harassment & Discrimination Procedures. Complaints may be made in writing or verbally and should be directed to the Title IX office.

In cases of sex-based harassment, those able to file a Complaint are the Complainant (the person alleged to be the victim of prohibited conduct) and the Title IX Coordinator.

In all other cases of sex discrimination other than sex-based harassment, the Complainant, Title IX Coordinator, or any student, employee, or person who was participating or attempting to participate in the College's education program or activity at the time the alleged sex discrimination took place may file a Complaint.

Circumstances in which the Title IX Coordinator may file a Complaint include those of misconduct that is a pattern of behavior, severe, or a compelling threat to health and/or safety, when no one else has made a Complaint to initiate the grievance procedures.

When the College receives a Complaint, it will perform an initial evaluation and, if not dismissed, subsequently provide notice to the Complainant and Respondent, offer Supportive Measures to both parties, and initiate a prompt and equitable grievance process. The complete response procedures may be found in the Title IX Sex-Based Harassment & Discrimination Procedures.

### ***Emergency Removal***

In situations that arise from allegations of sex discrimination where the College undertakes an individualized safety and risk analysis and determines that a Respondent poses an immediate and serious threat to the health or safety of any student, employee, or other individual, the College may remove the Respondent from the College's education programs or activities pending the outcome of a grievance procedure initiated under the Title IX Sex-Based Harassment & Discrimination Procedures. A Respondent who has been removed may appeal their removal immediately after the removal. Instructions regarding the appeal of such a removal will be provided at the time of the removal.

### ***Administrative Leave***

The College may place an employee Respondent on administrative leave during a pending grievance procedure if the College perceives an immediate threat of harm to anyone in the community or if remaining present would have a sufficiently negative impact on the Complainant.

## **IX. Confidentiality**

Except as may be permitted or required by FERPA or other state or federal law, or as necessary to conduct the grievance process, for the purposes of this Title IX Policy, the College endeavors to keep confidential the identities of:

- any individual who has made a report or filed a Complaint of sex-based discrimination or harassment;
- any Complainant;
- any Respondent; and
- any witness.

Parties and Advisors are not authorized to disclose information and evidence obtained solely through the Title IX Sex-Based Harassment & Discrimination Procedures unless it is being used for administrative proceedings or litigation related to the complaint of sex discrimination.

There may be circumstances in which acts that constitute violations of this policy are handled externally (in addition to or separate from internal handling) and, as a result, the College may not always have control over confidentiality. For example, acts that constitute violations of this policy may also lead to criminal proceedings or civil actions, in which affected or knowledgeable individuals may be required to provide information or testimony.

## **X. Amnesty**

Amnesty is intended to support the practice of reporting incidents of prohibited sex-based discrimination and sex-based harassment and to protect student safety. Individuals experiencing or witnessing violations of this policy while themselves violating another College policy (for example, policy concerning alcohol and other drug use) are encouraged to report the violations of this policy that they experienced or witnessed.

Normally, the College will not impose disciplinary sanctions for the other policy violation(s), provided those violations did not put the health and safety of any other person at risk. The Title IX Coordinator is responsible for determining whether amnesty applies in any given circumstance.

## **XI. Standard of Evidence**

The standard of evidence used to determine responsibility for violations under this policy is the preponderance of the evidence standard (more likely than not).

## **XII. Records**

As required by law, the College maintains records of all reports, Complaints, Supportive Measures, investigations, evidence, Informal Resolutions, Hearings, hearing records, hearing outcomes, sanctions, remedies, and appeals governed by this policy. Such records will be maintained by the Title IX Coordinator for a period of at least seven years after the last Complainant or Respondent graduates, leaves employment of the College, or otherwise is no longer engaged in a College program or activity. Records are accessible only to the extent permissible under applicable records confidentiality and disclosure laws, including FERPA and the Clery Act.

The College also maintains all materials used to train Title IX Coordinators, investigators, decisionmakers, and any person who facilitates an informal resolution process for a period of at least seven years. These materials are available upon request made to the Title IX Coordinator.

## **XIII. Policy Maintenance**

The College will review the Title IX Sex-Based Harassment & Discrimination Policy at minimum on an annual basis. Non-substantive changes or changes required by law will be made by the Title IX & Section 504 Office. Other changes will be presented to the community for review and comment and will be implemented in accordance with College governance policies.

## **XIV. External Remedies**

This policy and its grievance processes supplement, and do not replace, other remedies that may be available for acts that constitute violations of this policy. Students and employees have the option at all times to file a criminal complaint with law enforcement or to seek a civil remedy, in addition to or in place of using the College's procedures.

Individuals also have the right to file a Complaint related to Title IX with the United States Department of Education:

U.S. Department of Education  
Office for Civil Rights  
Lyndon Baines Johnson Department of Education Bldg  
400 Maryland Avenue, SW  
Washington, DC 20202-1100  
Telephone: 800-421-3481  
FAX: 202-453-6012; TDD: 800-877-8339  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)  
Website: [www.ed.gov/ocr](http://www.ed.gov/ocr)

Or

Seattle Office  
Office for Civil Rights  
U.S. Department of Education  
915 Second Avenue Room 3310  
Seattle, WA 98174-1099  
Telephone: 206-607-1600  
FAX: 206-607-1601; TDD: 800-877-8339  
Email: [OCR.Seattle@ed.gov](mailto:OCR.Seattle@ed.gov)