

Information for Witnesses in Title IX Process

What Does a Witness Do?

Witnesses are a very important part of the Title IX Process. A witness is someone who has information about an alleged incident or situation that is being investigated. This information can be either direct knowledge, secondary knowledge, or serving as an expert witness.

Either party (the Complainant and/or the Respondent), the Investigator, and/or the Hearing Panel can request individuals to serve as witnesses. If someone names you as a witness, you will be asked by a Title IX Administrator to participate in the process.

Your role as a witness in a Title IX process is incredibly important. You can provide information that allows the investigators and decision makers to piece together facts regarding the alleged sexual harassment incident. It is important for you to be honest and upfront in order for administrators to find the facts of the alleged incident.

How Will I Participate in the Title IX Process

The Title IX Process has several steps, listed below.

1. A notice to be interviewed will be provided to you by a Title IX Administrator. This notice will go through your Evergreen email, and provide you with either a date/time/location of the interview, or ask you to contact the investigator to set up an interview.
2. The interview will be conducted between you and the investigator. During the interview, you will be asked questions regarding your knowledge of the alleged incident, and you will also have the opportunity to submit any information you would like. This may include text messages, emails, social media communication, documents like syllabus or job descriptions, etc.
3. Interviews are audio recorded for the interviewer's notes. Any evidence submitted will be available to both the Complainant and the Respondent, and your identity will be known by the Complainant and the Respondent.
4. The Investigator may ask for additional interviews as needed.
5. During a Title IX Process, a Live Hearing in front of a hearing panel will occur. You will be called as a witness to speak at the Hearing.
6. You will receive a notification from the Panel Chair with the date, time, and location of the Live Hearing, and your expectations of attending.
7. During the Live Hearing, you will be asked to provide information in front of the Hearing Panel, the Complainant and their Advisor, and the Respondent and their Advisor.
8. You will answer questions (called "cross examination") that are asked of you by the Advisor of both the Complainant and the Respondent. Note that if you choose not to participate in the cross examination, any information you have provided during the process cannot be used to make a determination.

After the Live Hearing, the Hearing Panel will make a determination of responsibility based on the facts of the alleged incident. Note that as a witness, you are not privy to knowing the outcome.

Do I have to Participate?

It is important that you assist in the Title IX process at Evergreen. You can provide valuable information related to the alleged incident, and contribute to fact finding of the investigation. However, you are not mandated to participate, but your participation is appreciated.

What Resources are Available to Me?

The Title IX Coordinator (titleixcoordinator@evergreen.edu) can provide you with supportive measures, resources, and information regarding the process and your rights in this process. Title IX can be reached at Library Building 3216, titleixcoordinator@evergreen.edu, or 360-867-5240.

This can also be an emotional process for witnesses. Please know Student Wellness Services is available for students to at any point in the process. Student Wellness Services can be reached at Seminar Building 1, 2100, studentwellnessservices@evergreen.edu, or 360-867-6200.

For employees, EAP is available at any point as well. Washington State Employee Assistance Program: 1-877-313-4455 or <https://des.wa.gov/services/hr-finance/washington-state-employee-assistance-program-eap>.

Additional Information for Witnesses

- Retaliation is strictly prohibited by any party involved in a Title IX process. If you feel you are being retaliated against, contact the Title IX Coordinator immediately.
- The health and safety of the Evergreen community is the most important thing. If you are a student witness and feel like disclosing accurate information regarding the alleged incident may also disclose that you were in violation of a violation of the Code of Student Rights and Responsibilities, know that we are looking at the larger concern (sexual harassment claims), and you may be granted amnesty from minor Code violations including alcohol and drugs.
- If you need accommodations during the Title IX process, students should contact Access Services at accessservices@evergreen.edu, and employees should contact humanresourceservices@evegreen.edu. Title IX will work with these departments to provide reasonable accommodations throughout the process for you.

For additional information, please contact the Title IX Coordinator at titleixcoordinator@evergreen.edu.