

## Agenda Items

## Information/Action/Presenter

### I. STUDY SESSION

**1:00 P.M.**

1. Call to Order  
Chair Jessica Norouzi
2. Public Comments  
*Public comments are limited to three (3) minutes. Public comments sent to [president@rtc.edu](mailto:president@rtc.edu) will be forwarded to the Board. Please e-mail [president@rtc.edu](mailto:president@rtc.edu) before 1:00 P.M. on Wednesday, May 21 to sign up for virtual public comments.*
3. Student Conduct Code  
Dean Anthony Covington
4. Strategic Equity Plan Implementation Update  
Executive Director Doris Martinez
5. Trustee Recruitment Discussion  
President Yoshiko Harden
6. Meetings  
Information
  - A. Regular Board Meeting – May 21, 2025 at 3:00 P.M.
7. Adjournment  
Action

### II. REGULAR BOARD MEETING

**3:00 P.M.**

1. Call to Order  
Chair Norouzi
  - A. Notation of Quorum
2. Adoption of Minutes  
A. April 16, 2025 – Special Session and Regular Meeting  
Action
3. Communications  
Information
  - A. Resolution No. 25-05-29  
President Harden
  - B. General Information/Introductions
  - C. Correspondence
  - D. Public Comments from the Audience  
*Public comments are limited to three (3) minutes. Public comments sent to [president@rtc.edu](mailto:president@rtc.edu) will be forwarded to the Board. Please e-mail [president@rtc.edu](mailto:president@rtc.edu) before 3:00 P.M. on Wednesday, May 21 to sign up for virtual public comments.*
  - E. Student Leadership
  - F. Renton Federation of Teachers
  - G. Written (and video) Communication Reports

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| 4. Action Items                                      | Action                                 |
| A. Student Conduct Code                              | Vice President Jessica Gilmore English |
| 5. Discussion/Reports                                | Information                            |
| A. President's Report                                | President Harden                       |
| B. Financial/Budget Status                           | VP Jackson                             |
| 6. Board of Trustees                                 |  |
| A. Foundation Liaison Report                         | Trustee Frieda Takamura                |
| B. Legislative Action Liaison Report                 | Trustee Bob Zappone                    |
| C. Community Advisory Committee Liaison Report       | Chair Norouzi                          |
| 7. Meetings  |  |
| A. Special Board Meeting – June 11, 2025             |  |
| B. Special and Regular Board Meeting – June 18, 2025 |  |
| 8. Adjournment                                       | Action                                 |

Renton Technical College  
Board of Trustees Meeting  
**May 21, 2025**

**AGENDA ITEM:      1. CALL TO ORDER**

**SUBJECT:**

**BACKGROUND:**

<b>BOARD CONSIDERATION</b>
<b>X</b> Information
Action

Board Chair Norouzi will carry out the Notation of Quorum and call the meeting to order.

**RECOMMENDATION:**

None.

Renton Technical College  
Board of Trustees Meeting  
**May 21, 2025**

**AGENDA ITEM: 2. ADOPTION OF MINUTES**

**SUBJECT:**

**BACKGROUND:**

The following meeting minutes are attached for approval by the Board of Trustees.

- A. April 16, 2025 Special and Regular Meetings

<b>BOARD CONSIDERATION</b>
Information
<b>X    Action</b>

**RECOMMENDATION:**

Approval as presented.

## I. STUDY SESSION

### 1. Call to Order

Chair Jessica Norouzi called the meeting to order at 1:21 P.M. and noted a quorum.

There was a Zoom outage, which delayed the start of the meeting. A Teams alternative was offered, and the meeting commenced in-person as usual.

### 2. Public Comments

There were no public comments.

### 3. Program Fees

Vice President Jacob Jackson briefed the group on program fees. The Program Fees Committee looked at comparable local colleges. Some fees will be raised, reduced, or eliminated. VP Jackson walked the group through an in-depth breakdown of each fee and reasoning behind any proposed changes. Some programs will have fee increases due to supply costs. These fees are per quarter. Ampersands on VP Jackson's sheet indicate transfer-level courses. The increase for medical fees is due to more robust data on consumable materials needed for student practice. Executive Director Carrie Shaw noted that students can apply scholarships to fees and tuition, as well as a grant that covers book and lab fees and equipment. VP Jackson stated that fee increases don't outprice RTC when compared to other local colleges. Chair Norouzi asked about revenue gain. Revenue will increase, but the overall consumable fee will be largely static. Fee review is every other year to provide consistency to students. Chair Norouzi thanked VP Jackson and the committee for their due diligence.

### 4. Health Sciences Building Naming

ED Shaw noted that about two years ago, Denny and Bernadene Dochnahl approached the Foundation and stated that they had named the RTC Foundation in their will as the recipient of commercial property title. Once realized, this bequest will represent one of the largest gifts to a community or technical colleges in the state and is the largest gift that RTC has received. The bequest is currently a pledge, as outlined in the RTC and Foundation Naming Policy. The Dochnahls have been strong advocates for RTC and instrumental in reestablishing major donor relationships and successful fundraising events. Denny was a founding member of the RTC Foundation in 1994 and currently serves as a Board member emeritus. When Bernie passed away in January 2025, Denny revisited the idea of a naming opportunity tied to their bequest. With Bernie's many leadership roles and work in healthcare, RTC's new health science complex he welcomed the idea to honor

Bernie's legacy and love for the college. Trustee Frieda Takamura stated that "this is Renton history" and thanked ED Shaw to her work on these relationships.

President Harden stated that Bernie was passionate about nursing, access to healthcare, and community. Trustee Takamura commented that the Dochnahls fostered many students of color. President Harden noted the naming policy and shared that Denny plans to attend the regular meeting. Trustee Takamura said that a great hesitance she has had was in naming buildings. However, she is in support of this naming. Chair Norouzi said that she has some questions around naming, but when we have opportunities to use naming to showcase people who have been instrumental to the RTC community and have worked to increase access to education, this can be a good thing. The Board asked questions about Foundation policy and ED Shaw walked the group through the Foundation's gift policy and valuation.

5. Building D Tour

A. Executive Director Doris Martinez took the Board on a tour of the Unity Center.

6. Meetings

A. Regular Board Meeting – April 16, 2025 at 3:00 P.M.

The next regular Board meeting is scheduled for April 16, 2025 at 3:00 P.M.

7. Adjournment

There being no further business, Trustee Frieda Takamura motioned to adjourn the Board of Trustees meeting 2:38 P.M. Trustee Bob Zappone seconded, and the motion carried.

## **II. REGULAR BOARD MEETING**

1. Call to Order

Chair Norouzi called the meeting to order at 3:03 P.M. and noted a quorum.

2. Adoption of Minutes

A. March 14, 2025 – Special Session

Trustee Zappone introduced a motion to approve the minutes for the special and regular meeting held on March 14, 2025. Trustee Takamura seconded, and the motion carried

B. March 19, 2025 – Special Session and Regular Meeting

Trustee Takamura introduced a motion to approve the minutes for the special and regular meeting held on March 19, 2025. Trustee Zappone seconded, and the motion carried

3. Communications

A. General Information/Introductions

There were no introductions.

B. Correspondence

There was no correspondence.

C. Public Comments from the Audience

There were no public comments.

D. Student Leadership

Leo Ragual from the Associated Student Government (ASG) provided a report, including activities around campus. Yesterday, there was a game day, which students reported enjoying. There will be a ASG Luau on May 13 from 12:30 P.M.-2:00 P.M. in the Cafeteria. This will include dancers, activities, and food. The Graduation Fair Celebration will be May 28 with cap decorations, applying for graduation, RSVPing for Commencement, distribution of cords, cap and gown pick up, and colleges and employers tabling. There will also be a barbeque, t-shirt tie dying, and more! Last week was a Coffee and Chill and a mascot vote with more than 300 votes. The Raven won as the RTC mascot.

*Trustee Frieda Takamura introduced a motion to approve the Raven as the RTC mascot. Trustee Bob Zappone seconded. The motion carried.*

The 35<sup>th</sup> Annual Student of Color Conference, a three-day experience that focuses on identify development, awareness of others, skills development, social justice and social activism, and personal development. Jullian Rocha reported out about his African American/Black identity, and how he feels happy and proud knowing that he is comfortable in his own identity. Leo attended the Men of Culture Academy, that included singing a 4,000-year-old Muckleshoot song and discussed service, their journey, and their identities as men. Angel De La Garza attended Saul Flores' The Walk, which was a session about where we come from, what our parents sacrificed, and what more they could do for their communities. Not only should we see the sacrifices we made, but this session helped the attendees see what sacrifices others made. Chair Norouzi thanked the group for sharing what they learned and the impact this experience made.

E. Renton Federation of Teachers

Donna Maher, President of the RFT, greeted the group and gave thanks for the time. She stated that the state has not yet passed a budget, and there is a lot of pressure to get the budget through. RFT would like to see a more progressive tax. RFT has met with Vice President Stephanie Delaney about teach outs, and mandatory training for adjunct faculty. The quarter is going well. There was a Zoom outage today and it was fixed quickly. Thank you to CTS. Trustee

Takamura asked how many adjuncts are at RTC. President Harden stated that there are about 150 adjunct faculty. Donna Maher stated that she does not know how many adjunct faculty are in RFT because some adjunct faculty belong to other unions.

F. Written (and video) Communication Reports

The Board received written and video communication reports. Trustee Takamura thanked the group for their reports. Trustee Takamura asked about the mismatch for the Building I construction. VP Jackson stated that the plans RTC had to provide to the architect were incomplete. ED Martinez noted that the DEIC Listening Session Results are on the campus climate page.

4. Action Items

A. Health Sciences Building Naming

President Harden introduced the Health Sciences Building naming in honor of Bernadene Dochnahl. The Board learned about “Bernie” and her legacy during the study session. ED Shaw thanked the Board and stated that it is her honor to talk about the Dochnahls. Their impact on this college is immeasurable. Denny Dochnahl is an emeritus member of the RTC Foundation Board and is a founding member who helped establish the Foundation with “seed funding.” Bernie was known as a pillar in the community who believed strongly in the transformative power of education. She was a glass ceiling breaker for woman, serving as the first vice president for Puget Sound Energy and on the boards of Harborview, Valley Medical Center and UW Medicine. Bernie and Denny have created a bequest of commercial property to the RTC Foundation. Denny embodies generosity and a successful entrepreneur and started buying property at age 18. Bernie graduated from Renton High School and the couple have always lived in Renton. It is a distinct honor to receive this bequest. This will be the largest gift to the college and one of the largest gifts to a community or technical college in the state.

*In recognition of Bernadene Dochnahl's leadership in the healthcare sector, her commitment to the Renton community, advocacy on behalf of Renton Technical College and Legacy bequest with her husband Denny Dochnahl through the Renton Technical College Foundation, Trustee Zappone moved to posthumously name the new allied healthcare building the Bernadene Dochnahl Health Sciences Complex. Trustee Takamura seconded, and the motion carried.*

Chair Norouzi thanked Denny for keeping Bernie’s legacy alive and continue to spread the impact of the work they’ve done. We’ve had a lot of bad news, and it is a joy and an honor to see people doing such inspiring and good work to lift up the community. Trustee Takamura stated that the students who joined the group are the embodiment of what the Dochnahls have done for RTC, and the

Dochnahls also embody the Strategic Equity Plan. Thank you, from the bottom of our hearts. Trustee Zappone offered condolences and gratitude. He stated that he is so impressed by the Dochnahls and their trust in the leadership of the college.

Denny stated that he has been investing in real estate since he was a kid. The Dochnahls made their money in this community and are putting their money back into the community. The gift is unrestricted because they trust the leadership. The Dochnahls have been involved with the college for over 30 years and investing in the community for over 60 years.

President Harden thanked Denny and ED Shaw for their good work. She remembered meeting Denny at President McCarthy's retirement party, where he embraced her leadership. We will make good returns on the investment. Chair Norouzi thanked the Dochnahls for being an inspiration.

B. Student Fees

President Harden stated that fee review occurs every other year. VP Jackson commented that the course fees help offset the costs of consumable materials, specialized software. Fees were compared to other colleges, and proposed increases are still below what other colleges are proposing for similar programs.

*After considering the recommendation of the fee revenue committee and all other recommendations, Trustee Takamura moved to approve the updated program fee schedule as presented. Trustee Norouzi seconded, and the motion carried.*

President Harden thanked the Fee Committee to their work. Chair Norouzi thanked the Fee Committee for their due diligence.

5. Discussion/Reports

A. President's Report

President Harden greeted the group and gave an update on activities since the last Board meeting.

Diversity, Equity, and Inclusion

The first Equity Symposium was March 26, 2025. Thank you to ED Martinez and the planning committee. Trustee Takamura was in attendance and commented that she has known Erin Jones for years. She found the experience valuable and appreciated that she built on work from previous years. President Harden attended the Black Male Research Institute Symposium at Morehouse on Black Fatherhood. The SEP Implementation Taskforce work continues and the strategic indicators are going to be a topic at the April 30 All-College meeting. Be Culture will be facilitating upcoming listening sessions.

### Workforce development/partnerships

The Renton Chamber of Commerce Retreat was last month, as was the Executive Cabinet Retreat which was facilitated by Be Culture. In the Executive Cabinet Retreat, the group focused on moving from survival to thrival. President Harden, Vice President Jessica Gilmore-English, and Representative Steve Bergquist presented to the Renton City Council. The House Bill expanding the Washington State Opportunity Scholarship (WSOS) criteria for Renton Promise is in the legislature. This expands the funding with matching WSOS dollars.

### Enrollment

Spring enrollment is up 11% year-over-year and 20% for tuition-paying. For the year, enrollment is up 12% for the year and 20% for tuition-paying. It's great that enrollment has improved, but we are still in a very difficult state financial spot. The I-214 Enrollment Services project is mostly complete and is awaiting furniture. It will be exciting for Student Services staff to have permanent space. The Bookstore space is continuing to move forward.

### Legislative

The House and Senate budgets came out and both reduced funding for community and technical colleges. Community and technical college leadership has an idea that there will need to be more reductions. The State Board is estimating another 3% of cuts on top of the claw back. President Harden and VP Jackson were in Olympia last week. VP Jackson stated that the difference between the house and the senate bill is that the senate bill addresses the claw back at the beginning of next calendar year, whereas the house sets a claw back for mid-year. The two bills approach allocations very differently. Cybersecurity and career launch enrollment allocations are expected to be down, as well as June enrollments. Uncertainty around Medicaid and Medicare will have impacts on the state budgets.

Next week is the All-advisory Committee Dinner. Thursday is the Foundation Scholar and Donor event. President Harden and Leo will be at the All-Washington Scholarship Event.

### B. Financial/Budget Status

VP Jackson stated that we are 75% through the fiscal year with revenue collections at about 85%. Catering is a bit behind in revenue collections and is likely turning a corner. Construction is being done in Building I and Building C and the chiller is being replaced. Chair Norouzi noted that campus looks beautiful. Trustee Takamura thanked Director Matt Vielbig for his robust report.

6. Board of Trustees

A. Foundation Liaison Report

Trustee Frieda Takamura thanked ED Shaw for her work. Trustee Takamura noted that this year was the largest amount of contributions and over 90% of students were awarded. Healthcare, advanced manufacturing, technology, and business were all areas of high awards. The student demographics of the bridge grants were largely woman-identified and of color. Please attend the Scholar and Donor Reception on April 24. There is a joint proposal to Congress on behalf of the Kent Valley Air and Space.

B. Legislative Action Liaison Report

Trustee Bob Zappone expressed appreciation for President Harden and VP Jackson's visit to Olympia.

C. Community Advisory Committee Liaison Report

Chair Norouzi will be meeting with President Harden and ED Shaw on what an advisory committee will look like for the RTC President's Office. Mayor Armando Pavone and Be Culture have so far agreed to be on this committee. The design is not to replicate the advisory committees, but rather to form a committee of thought partners who will help set direction.

7. Meetings

A. Special and Regular Board Meeting – May 21, 2025

The next regular Board meeting is scheduled for May 21, 2025, at 3:00 P.M.

8. Adjournment

There being no further business, Trustee Zappone motioned to adjourn the Board of Trustees meeting at 4:17 P.M. Trustee Takamura seconded, and the motion carried.

Renton Technical College  
Board of Trustees Meeting  
**May 21, 2025**

**AGENDA ITEM:      3. COMMUNICATIONS**

**SUBJECT:**

**BACKGROUND:**

- A. Resolution 25-05-29
- B. General Information/Introductions
- C. Correspondence
- D. Public Comments from the Audience
- E. Associated Student Government
- F. Renton Federation of Teachers
- G. Written (and video) Communication Reports

**BOARD CONSIDERATION**

**X**    Information

Action

**RECOMMENDATION:**

None.



**RESOLUTION IN RECOGNITION OF MS. MICHELE LESMEISTER**

NO. 29

WHEREAS, Michele Lesmeister served as one of Renton Technical College's illustrious College and Career Pathways Instructors from March 1990 through this academic year of 2025; and,

WHEREAS, Michele has served Renton Technical College with exceptional dedication, exemplifying a steadfast commitment to academic excellence, integrity, and high standards of instruction; and

WHEREAS, Michele's leadership in shared governance, her precision in practice, and her ingenuity in curriculum/course design have challenged deficit-based structures, purposefully blurring the lines between "basic skills" and "college-level" students—advancing more integrated, equitable models of student learning; and,

WHEREAS, Michele's nationally-recognized work in adult literacy through the Reading Apprenticeship trainings brought added recognition to the college through her leadership in establishing the Reading Apprenticeship Training conferences; and,

WHEREAS, Michele's legacy of leadership extends beyond the classroom and includes serving as a Renton Technical College Foundation Board member from 1997 until 2002 and as the Foundation Board president in 2000; and,

WHEREAS, Michele's impact as a major donor to the Renton Technical College Foundation through the establishment of a scholarship and an endowment in memory of her late mother Thresa Smart-Benjamin, continues to reduce financial barriers for students and affirms the college's commitment to access and opportunity; and,

NOW, THEREFORE, BE IT RESOLVED, that the members of the Renton Technical College Board of Trustees, in their regular session meeting on this 21 of May 2025, express their individual and collective gratitude and respect for Michele Lesmeister. The Board recognizes and commends Michele for her lasting contributions to Renton Technical College, her pursuit of institutional excellence, and the enduring impact of her work on students, faculty, and the broader mission of equitable education.

AND, be it further resolved that this statement of appreciation be appropriately inscribed and conveyed to Michele Lesmeister with a copy to be included in the official minutes of the May 21, 2025 meeting of the Board of Trustees.

ADOPTED by the Board of Trustees at the May 21, 2025 regular board meeting.

**BOARD OF TRUSTEES, Renton Technical College**

\_\_\_\_\_  
Jessica Norouzi, Board Chair

\_\_\_\_\_  
Tim Cooper, Board Vice Chair

\_\_\_\_\_  
Bob Zappone, Trustee

\_\_\_\_\_  
Frieda Takamura, Trustee

\_\_\_\_\_  
Debra Entenmann, Trustee

Attest: \_\_\_\_\_  
Dr. Yoshiko Harden, President



**Administration and Finance Report**  
**Renton Technical College Board of Trustees**  
**May 21, 2025**

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## **Financial Report**

For month ending March, we are about 83 percent through the year. Revenue collection is about 95 percent. This is mainly due to the timing of tuition collection and the drawdown of our state allocation. Revenues are up about \$6.4M this year compared to last year. This is due to state allocation, tuition and fees, and scholarships. Tuition and fees are up by \$2.5M from April 2024. It should be noted that tuition and fee collection is still well below our enrollment/tuition/fees prior to the pandemic 19-20 and enrollment is still well below our District Enrollment Allocation Base. Scholarship and Student Loan Received is up \$4.8M from last year. We have drawn down \$30.4M this year compared to \$23.6M in state allocation last year. Interest income is \$536k this year compared to only \$159k last year at this time. Another bright spot is that our revenue from the bookstore is 120K this year compared to only \$15K last year at this time.

Expenses are about 84 percent. Expenses are about \$58.9M through April compared to this time last year of \$45.5M last year. Salary and benefits are about \$5.7M higher than last year at this time. Goods and Other Services is also about \$3.2M higher for month ending April compared to last year. Financial Aid is also about 4.3M higher this year compared to last year at this time.

Our ending cash and investment balances are about \$22.5M.

## **Business Office**

- Working on conversion cleanup for the State Board conversion to OneWA.

## **Food Services & Rentals**

- Year-to-Date (July–April)
  - FY25 Revenue to Date: \$579,665
  - FY24 Revenue to Date: \$569,112
  - YTD Gain: \$10,554 (↑ 1.85%)
- Observations
  - April continued the downward monthly trend, with sharp drops in Bakery, Culinaire, and Food Services.
  - Catering softened the blow with stable sales and lower costs.
  - YTD revenue still outpaces last year, but margin is tightening.
  - Likely reflects ongoing reductions in consumer spending.

## Facilities & Grounds

- Open positions
  - There are three Custodian 1 positions
  - One maintenance mechanic position
- All Campus Clean-up Day went as planned with no issues.
- Building G chiller is still off-line. MacDonald-Miller technicians have replaced the controller, but discovered two more issues with the chiller. The unit needs two expansion valves and a refrigerate sight glass. These parts are 4-6 weeks out.
- Building C boiler is down. Staff are rebuilding the tri-way valve and the pump assembly. The expected time is 4-6 weeks out due to the availability of parts.
- Building I one of the exhaust fans needs a new motor. Another exhaust fan needs a new contactor. Parts have been ordered parts and both units should be operational in a week or two.
- The monument sign on the SW corner of campus sustained damage when a car collided with it.

## Capital

Minor Capital Projects for Current Biennium (2023-2025):

- **2025-240 – Building J Second and Third Floor Remodel Study (SWL Architects)**
  - Interviews with the top 3 architectural firms are scheduled for the week of May 19.
- **2024-980 - Elevator upgrade for Building I**
  - Work is expected to be completed by May 28.
- **2024-981 – Building B Restroom Upgrades**
  - This work has been completed.
  - RTC staff will be painting the restrooms before they reopen

### Other Projects

- **2025-045 - Replace and Expand Colleges Vehicle Charging Stations (EVCS)**
  - They are working.
- **2024-718 - Room 214A Building I – Remodeling**
  - There were issues with the size of the cubicles. We are working with the furniture vendor on a fix.
- **CBPS – SBCTC Utility submeters for Clean Buildings Act 40000878**
  - Were installed the week of May 5.



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**College Technology Services**  
**Renton Technical College Board of Trustees**  
**May 21, 2025**

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**Spring Quarter**

CTS saw another quarter of declining service desk tickets to start a new term. With active new student orientation (NSO) as well as multi factor authentication (MFA), students have a great start and self-service options to access RTC resources. CTS is delighted that students are navigating their studies at RTC with fewer technology challenges.

**Technology News & Updates**

CTS welcomes David Sooter as our new Technology Support Services Manager (TSSM). David's role includes managing the help desk and serves as the college's IT Accessibility Coordinator.

CTS also welcomes Max Reiter to the team as our newest Technical Support Analyst (TSA).

A recent phishing campaign completed and RTC's prone rate beats industry averages. For those who may have had challenges with the phishing exercise, supplemental training has been assigned to help strengthen our knowledge base and help provide tools to spot suspected malicious emails, attachments and hyperlinks.

I would like to recognize Michelle O'Connor (Interim Director of IT) for facilitating a cyber security tabletop exercise for the RTC All Leadership team. There was meaningful engagement and lots of great feedback!

**Technology Improvements**

CTS is upgrading hardware in the Student Success Center in I-214 and I-214A to help support the remodel.

H301 classroom has new classroom PCs.

J101 additional technology deployed

**Upcoming**

H Building PC replacements (120)

Default pages for web browsers

SharePoint Relaunch

**Communications and Marketing Report**  
**Renton Technical College Board of Trustees**  
**May 21, 2025**

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## **ENROLLMENT MARKETING**

Multi-platform marketing campaigns continue to outperform industry standards. Campaigns plus targeted CRM communications have resulted in a 25 percent yield from inquiries attributed to marketing to enrolled students.

The strong push for fall enrollment begins in mid-May, when new student enrollment begins, and will continue throughout the summer.

## **COMMUNICATIONS and PROJECTS**

C&M staff collaborated with the Office of the President and Human Resources to send postcards and emails to retirees, inviting them to a reception honoring their service; promotion and support of the Renton Career Fair, the High School Partners Breakfast, and the Spring Open House.

The creative team designed new wall decals with updated branding and student photos, which will be installed at RTC Downtown in June/

## **SOCIAL MEDIA**

A new social media policy is in the final approval stages. It adds procedures for moderating comments in compliance with public records laws.

Highlights from recent weeks:

### **Content resonates.**

- A 3× jump in engagement rate means the smaller audience (due to platform algorithm changes) that sees posts is far more likely to react, comment, share, or click.

### **LinkedIn remains the star with the highest engagement rates**

- Career-Launch Scholarship and Rivian-program posts topped the engagement chart (279 interactions on LinkedIn alone).

### **Instagram quietly contributes.**

- 2.7 % engagement rate — highest of the “visual” channels. Reels and carousel reminders (open house, scholarships) scored the strongest saves and shares.

### **Facebook video still pulls views.**

- 7,884 plays in April—91 % of all video views—kept awareness high even as organic reach dropped.



**Diversity, Equity and Inclusion**  
**Renton Technical College Board of Trustees**  
**May 21, 2025**

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**Diversity, Equity & Inclusion Council (DEIC)**

The Diversity, Equity & Inclusion Council (DEIC) concluded general monthly meetings for the 2024-25 academic year on May 5<sup>th</sup>. DEIC meetings will resume October 2025.

Below are DEIC highlights for May 2025:

Committee & Action Team Updates:

*Accessibility Advisory Committee (AAC)*

The Accessibility Advisory Committee joined the DEIC in the 2024-2025 academic year. Previously a committee in the Technology Council, the Accessibility Advisory Committee evaluates the accessibility of RTC and develops plans, training, and resources to address needed accessibility improvements. Accessibility concerns are identified by committee members and the campus community. AAC reports on its work to the Diversity, Equity, and Inclusion Council and advises cabinet-level leadership and other campus stakeholders on access compliance.

Below are current committee project updates:

- Accessibility Advisory Committee
  - Cross campus collaboration: representation from instruction, library, human resources, student services, CTS, communications, security, facilities
  - Creation of AAC Bios to help members get to know each other and help the committee identify areas of interest and expertise
  - Creation of ADA Reporting form – goal to publish/promote in Fall 2025 allowing campus to anonymously report access barriers at RTC
  - Co-Created work groups focused on achievable outcomes around accessibility projects (Wayfinding & Resource Library)
- [Accessibility Resource Library](#) Project Team
  - **Goal:** Create a Sharepoint library that campus colleagues can use to learn about and improve their accessibility practices.
  - Library will initially have information about accessibility practices in the following categories: Web Accessibility, RTC Library Resources, Instructional Resources, How to Create Accessible Events
  - Library will be published by the end of the academic year with plans for work to continue and resources added on an ongoing basis.
  - Next year, campus will be invited to contribute accessibility resources and best practices to the library.
- Campus Wayfinding Project Team

- **Goal:** Identify navigation barriers that our campus community may encounter.
- Assessed exterior and interior signage around to identify out-of-date, confusing, or incomplete information. Findings for each building were documented in spreadsheet and via pictures.
  - This assessment guided the team's work and can be a resources for other units across campus.
- Findings of the assessment are being used to develop standardized signage templates in collaboration with Communications & Marketing.
- The team is also working with facilities to remove out-of-date directional signs around campus and replace them with correct, temporary signage until permanent signs can be installed.
- Next year, campus feedback on signage and navigation barriers will be gathered through a survey and scavenger hunt.

### *Campus Climate & Data Equity Committee*

The Campus Climate Date Equity Committee concluded the Campus Climate Listening Sessions on May 8<sup>th</sup>. In alignment with requirements from [RCW 28B.10.147](#), all Washington State Community & Technical Colleges are required to conduct campus climate assessments and listening sessions for students, faculty and staff.

The Listening Sessions ground RTC's DEI priorities and initiatives in current and transparent data, shed light on the existing state of the college, and reveal equity gaps. Facilitated by Be Culture, each Listening Session were hosted virtually on Zoom from 3:00 – 4:30 p.m. on the following days:

- Monday, April 28<sup>th</sup>—Students
- Thursday, May 1<sup>st</sup>—Faculty
- Monday, May 5<sup>th</sup>—Staff
- Thursday, May 8<sup>th</sup>—All Campus

Next step includes a completed report by Be Culture, which will be shared with the campus community and posted on the [Campus Climate Assessment](#) website.

## **Diversity, Equity & Inclusion (DEI) – Unit Updates**

### **Asian American Pacific Islander Month Luau Celebration**

In celebration of Asian American and Pacific Islander Heritage Month, Associated Student Government will host the AAPI Luau Celebration on Tuesday, May 13, from 12:30 PM to 2:00 PM in the Cafeteria.

The campus-wide event will feature:

- Luau-style cuisine
- Live dance performances

- Karaoke
- Outdoor activities
- And more festive surprises!

The AAPI Luau is curated to provide an opportunity for our college community to honor and uplift the rich cultural traditions of Asian American and Pacific Islander communities.

### **Hispanic Serving Institution (HSI) Symposium**

Eight RTC staff and faculty will be attending the inaugural Hispanic Serving Institution Symposium, May 13-15 at Skagit Valley College. RTC is currently considered an emerging HSI with approx. 20% FTE identified Latinx students. The b Symposium will an excellent opportunity to learn more about HSIs, Latinx student landscape across Washington State and how to better support our students.

### **2025 Graduation Fair Celebration**

As a build-up to the Commencement ceremony, the Associated Student Government (ASG), in collaboration with several campus departments, will host Grad Fair on Tuesday, May 28, from 10:00 AM to 3:00 PM. Join us in the Cafeteria (10:00 AM–12:00 PM) for tabling support, then head outdoors (12:00 PM–3:00 PM) for fun activities and celebration.

The campus-wide event will feature:

- Graduation application assistance for students
- Commencement RSVP station for students
- Honor cords pick-up
- Student caps and gown purchasing
- University transfer guidance
- Employer networking opportunities
- Candy lei making
- Cap decorating station
- Campus barbecue
- Funnel cakes
- T-shirt tie-dyeing
- 360 photobooth
- Live DJ
- Yard games and outdoor fun



## Foundation

### Renton Technical College Board of Trustees

May 21, 2025

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## Scholarships and Events

### Fall 2025 Scholarship Cycle

The Fall scholarship application opened May 5<sup>th</sup> and students can submit applications through June 2<sup>nd</sup>. Margo Ikegami, Scholarship & Development Manager, is working with the RTC Navigators to schedule workshops for students who have limited computer access and marketing the Fall cycle through email, social media, and campus flyers.

### Career Launch Scholarship

The scholarship application was extended to the end of April and all 25 scholarships were awarded on a first come, first served basis. There were 41 applicants in total and students who were not awarded can still access the Renton Promise grant. All applicants must be high school seniors from the Renton School District, have taken Career Training Education courses (CTE), and plan to continue their professional technical education at RTC. The top high school was Hazen (56%) followed by Renton (32%). Top areas of study were healthcare (28%) followed by Business (20%) and Automotive (16%). Students who listed “don’t know” was the second highest area selected.

### Massage Therapy grant

For the fourth year in a row, a donor has provided funds for massage students who are about to graduate. The license test is \$500 and can be a barrier for students to launch their careers. The Foundation matches the donation, and six grants are available on a first come, first served bases.

### April 24<sup>th</sup> Annual Scholar & Donor Reception

Exceeded goal with 115 funders, staff, and students attending – the largest number for this event. Speakers included RTC president Yoshiko Harden, Foundation president Lori Inman, representatives from SPEEA, Providence Swedish, and retiring RTC Faculty member and former Foundation Board member Michele Lesmeister. Andy Rottler, president of Rottler Manufacturing, accepted the 2025 Partnership Generosity Spotlight Award. A compilation video of student success stories and testimony in Spanish from Construction Management student, Rosa Ocequeda, was a highlight of the evening. Students enjoyed meeting funders and building their network for future job opportunities.

### May 16<sup>th</sup> Exceptional Employee Awards

The Foundation hosted a special breakfast and presentation of employee recognition and service awards. The event is sponsored by First Financial NW Bank and includes monetary awards. The Foundation manages the nomination and selection process with oversight

from the Cabinet and a Select Committee of past awardees and a member of the Foundation Board.

### May 22<sup>nd</sup> Connell Family Scholar meet & greet

The second meet and greet for the 2024-2025 academic year is scheduled for the west wing of the cafeteria. The gathering includes a pizza lunch for all Connell scholars, staff, and the Connell family. For spring quarter, 80 students were awarded the \$2,000 Connell scholarship.

### Development & Community Engagement:

- The PACCAR Foundation awarded the RTC Foundation \$250,000 to support the expansion of the mechatronics lab and training equipment. A formal PR announcement is pending. The original proposal included funds for a remodel of the L Building which was not included in the grant award.
- **The Society of Professional Engineering Employees in Aerospace (SPEEA)** has renewed their annual scholarship commitment with a \$15,000 grant for the 2025-2026 academic year. This is the fifth year in a row SPEEA has partnered with the Foundation.
- **Boeing representatives** joined staff for a campus tour and update on Boeing's workforce development goals. Boeing plans to remain a partner through scholarships and event sponsorships and is looking to expand the pipeline to work for certain RTC program graduates.
- **Alumni Relations** – currently 161 alumni registered through the LinkedIn page. Two RTC faculty members have been selected to feature in the inaugural alumni newsletter. Meetings planned around an engagement letter for graduates and the Alumni Page is being linked via the Graduate Exit Survey, the Graduation and the RTC Commencement webpages.

### Finance Committee Q1 Review

The committee met with the Badgley Phelps team to review and discuss year-end and Q1 Report graphics and data. The data did not reflect Market responses to the tariffs, but volatility has occurred and was addressed. The Foundation's investment policy is designed to reduce risk over the long term with an emphasis on value stocks and bonds.



## Human Resources

### Renton Technical College Board of Trustees

#### April 2025 Report

The following personnel actions occurred during April 2025 and are presented for the Board of Trustees' information

AFT	Effective Date	Position	Department
<b>-Hires</b>			
Steven Philpot	4/1/2025	Custodial Supervisor / Swing Shift ( <i>position change</i> )	Custodial
<b>-Separations</b>			
Adrian Martinez	4/8/2025	Custodian I / Swing Shift	Custodial
<b>WFSE</b>	<b>Effective Date</b>	<b>Position</b>	<b>Department</b>
<b>-Separations</b>			
Shanteal Valteau	4/17/2025	Workfirst Service Specialist	Workforce Education & Grants
<b>Prof Tech</b>	<b>Effective Date</b>	<b>Position</b>	<b>Department</b>
<b>-Hires</b>			
Naimo Yusuf	4/16/2025	Student Benefits Navigator	Workforce Education & Grants
<b>-Separations</b>			
Joshua Allen	4/11/2025	Library Coordinator	Library
Edwin Lucero	4/25/2025	Campus Security Officer	Security
<b>Exempt</b>	<b>Effective Date</b>	<b>Position</b>	<b>Department</b>
<b>-Hires</b>			
David Sooter	4/28/2025	Technology Support Services Manager	College Technology Services
<b>-Separations</b>			
Nia Williams	4/29/2025	HR Talent Acquisition & Development Manager	Human Resources
<b>RFT</b>	<b>Effective Date</b>	<b>Position</b>	<b>Department</b>
<b>-Hires</b>			
Adam Anderson	4/9/2025	Adjunct Faculty – Automotive	Automotive
Vishek Kumar	4/24/2025	Continuing Education Instructor – Phlebotomy	Allied Health
Stephanie O’Brine	4/30/2025	Adjunct Faculty – Pharmacy Tech	Allied Health
<b>-Separations</b>			
Lynn Dee Spencer	4/2/2025	Full-Time Faculty – Pharmacy Tech	Allied Health

	Monthly Total Hires	% of Diverse Hires YTD
<b>Full-Time</b>	2	61%
<b>Part-Time</b>	3	48%



## **Institutional Planning and Effectiveness**

### Strategic Equity Plan (SEP) Implementation & Accreditation

- Strategic indicators for the SEP were presented at the all-college meeting on April 30. The [RTC SEP webpage](#) has since been updated to include the indicators and the accompanying scorecard dashboard.
- Progress on strategic projects is being tracked and supported by members of the SEP Implementation Task Force. Currently, 23 out of 72 tasks have been completed.

### Unit/Budget Planning

- FY26 budget requests are being reviewed by Cabinet.

### Campus Climate

- In accordance with RCW 28B.10.147, a series of campus climate listening sessions were held in late April and early May. Four sessions were conducted, each tailored to a specific group: students, faculty, staff, and the broader college community. The sessions were facilitated by Be Culture, who will provide a summary report to the Campus Climate and Data Equity Committee for review and next steps.

## **Student Learning and Assessment**

### Learning Outcomes Assessment

- The Assessment Committee has begun planning spring reflection activities to be held during the Professional Development Day on June 26.

## **Data and Reporting**

### Federal Reporting

- On April 29, the House Committee on Education and the Workforce approved the “Student Success and Taxpayer Savings Plan,” which proposes significant changes to student financial aid policy—particularly regarding Pell Grant eligibility. Impact data have been collected to inform and support legislative advocacy efforts.

### Institutional Reporting

- The [2023–2024 Strategic Plan Monitoring Report](#)—marking the final monitoring cycle of the 2017–2024 Strategic (Bridge) Plan—has been published.

- A Strategic Partnership inventory dashboard has been published on the Strategic Partnerships Task Force SharePoint site.

## Surveys

- Data analysis and summary of the Evening Services Survey has been completed.
- Data analysis and summary of the Washington Student Experience Survey is in progress.

## ctcLink

### State-Wide Process Alignment

- Progress continues on the cross-college and SBCTC task force focused on aligning ctcLink processes for travel and expense. Led by RTC, the task force includes representatives from eight colleges and the SBCTC. Weekly meetings have concluded, and findings were presented to the colleges on May 14. Later this month, ctcLink representatives from each college will vote on proposed recommendations affecting institutional processes and system configurations.

### RTC Process Improvement

- A presidential task force on process improvement related to adjunct faculty contracts at RTC is in progress.
- A new Student Financial Responsibility Agreement functionality in ctcLink is being tested and implemented across the system that will impact some enrollment processes. RTC is reviewing its internal enrollment processes across all student populations to better serve students with this new compliance measure.

## Other

### Projects

- IR&E staff continue to work on EAB Navigate configurations and EAB CRM implementation.
- Ad hoc projects this month included ctcLink webpage tutorials, tuition reports, Renton School District data sharing, Running Start data, and foundation reports.



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## **Instruction**

### **Renton Technical College Board of Trustees**

**May 21, 2025**

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## **Instruction May Report**

### Highlights from CCP and Culinary

This month, you have short but insightful reports from Ali Cohen, Dean of College and Career Pathways and from Associate Dean of Culinary Tim O'Donnell.

Additionally, in Instruction, we've onboarded the new dean of Nursing, whom you will get to meet at the May Meeting.

We also had a wonderful Campus Cleanup Day. I shared photos from the day in my [VPI Update of May 2](#).

[CCP Update from Dean Ali Cohen](#)

[Culinary Update from Associate Dean Tim O'Donnell](#)



## **Student Services**

### **Renton Technical College Board of Trustees**

**May 21, 2025**

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#### **Student Conduct Code and Title IX revisions**

The proposed changes to our Student Conduct Code and Hearings Procedures are completed. This is in response to a January District Court decision which vacated the 2024 Title IX final rule which amended the Title IX Education Amendments of 1972. We had only just completed the 2024 revisions in November. Those revisions included updating the full conduct code to match the model code created by the Attorney General's Office in collaboration with the Student Services Commission.

Once again, RTC needs to make changes to its code to match the requirements set by Title IX as it was amended in 2020. However, we will be preserving non-Title IX related updates as well as modifying some of our own procedures to ensure both respondents and complainants can benefit from an equal, fair, and compassionate process. We made these revisions working closely with our Assistant Attorney General, Michael Hemker, and the Attorney General's Office and thank them for their support.

Highlight of significant changes:

- Title IX jurisdiction: In the 2024 rule, Title IX jurisdiction covered any sex discrimination regardless of location so long as it occurred during activity related to the college, even outside of the US. This will be narrowed to only locations where RTC exercises substantial control such as on campus. Incidents that occur outside this jurisdiction can still be adjudicated through the conduct code, but under the same procedures as any other kind of conduct violation. We have added clarification in the code when that would apply.
- Narrowing of the definition of sex discrimination to exclude sexual orientation, gender identity, and pregnancy from the definitions: Discrimination based on these characteristics would still constitute a violation of the student conduct code as "discriminatory harassment" as Washington State Law protects against those forms of discrimination. However, those cases would be adjudicated according to the standard procedure rather than the Title IX procedure.
- Procedural changes in Title IX cases: A finding of fault and the imposition of sanctions will now be determined solely during a live hearing by the student conduct committee.
  - For the hearing itself, cross-examination will be changed so that parties' advisors will ask the other party questions rather than the committee chair. We will be keeping language that mandates the chair receive training prior to the hearing on applying relevancy to questions and evidence that was not in our conduct code prior to 2024.

- Change to the appeal process from the pre-2024 code concerning a scenario where a complainant's complaint is dismissed by the student conduct officer: We have added clarity to this language including allowing the complainant to choose to be represented by an advisor in a brief adjudicative hearing when outside of Title IX jurisdiction.

#### Rule-Making process:

Changes will be adopted using two concurrent processes, emergency and permanent rule-changing. With Board approval at the regular May Board meeting, we will file the emergency rule to take effect immediately to comply with federal law as it stands after the 2024 rule was vacated. Emergency rules last for 120 days before expiring, so we will ask the Board to renew the Emergency rule when the Board reconvenes in September. That will allow enough time for the full permanent rulemaking process to complete.

We formally began the permanent process in April by filing our preproposal statement of inquiry in the Washington State Register, and in the beginning of May, we filed our proposed rulemaking notice which includes the code changes in full and the details of the public hearing. We chose our hearing date for early Fall to maximize the potential for student participation and feedback. It will be held on Monday, October 6<sup>th</sup> at 2pm in C-110 and on Zoom. A summary of the proposed changes will be presented to our Associated Student Government this month and again closer to the hearing date. The changes to the code and a notice for the public hearing can be found on our website's Rule-Making page, and closer to the date, an all-campus email will be sent and flyers posted around campus advertising the hearing.

A hearing summary will be compiled and made available to the campus community by email and on the website, as well as provided to the Board of Trustees. We expect to ask the Board to approve the permanent rule change during the October regular meeting the week after the hearing.

Renton Technical College  
Board of Trustees Meeting  
**May 21, 2025**

**AGENDA ITEM: 4. ACTION**

**SUBJECT:**

**BACKGROUND:**

A. Student Conduct Code

Vice President Jessica Gilmore English will present revisions to the Student Conduct Code for vote on adoption.

**BOARD CONSIDERATION**

Information

**X Action**

**RECOMMENDATION:**

Approve as requested.



**Memorandum**  
Office of Student Services

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To: Renton Technical College Board of Trustees

From: Jessica Gilmore English, Vice President of Student Services  
Lesley Hogan, Vice President of Human Resources, Title IX & ADA Coordinator

Date: May 21, 2025

RE: 2025 Title IX Changes to Student Conduct Code Emergency Rule Adoption

The District Court decision of *Tennessee, et al v. Cardona*, issued on January 9, 2025, vacated the Final Rule released by the United States Department of Education Office for Civil Rights under the Title IX Education Amendments of 1972 on April 19, 2024. This emergency rule will revise the Student Conduct Code and Hearing Procedures to comply with the Title IX Education Amendments of 1972 as before the now-vacated 2024 Final Rule while preserving changes made to update the code to the model code provided by the Washington State Office of the Attorney General.

**Highlight of significant changes**

- Narrows definition of sex discrimination back to the definitions in the 2020 Title IX changes, removing sexual orientation, gender identity, and pregnancy from the definitions.
  - Washington State Law protects against discrimination based on sexual orientation, gender identity, and pregnancy. While not part of the Title IX procedures, discrimination against students based on sexual orientation, gender identity, and pregnancy are prohibited in the Student Code of Conduct as “Discriminatory Harassment.”
- Reduces jurisdiction to behavior that occurred during an educational program or activity where the college exercises substantial control.
  - Sex discrimination cases that fall outside of Title IX discrimination must follow the same procedure as other conduct violations.
- Requires live hearings to determine whether allegations of Title IX violations have merit and impose sanctions. Previously, the student conduct officer would issue a finding of fault and sanctions which both parties could appeal to be heard in a live hearing.
- Cross examination in Title IX hearings must be conducted by parties’ advisors. Previously, the conduct committee Chair would ask parties questions or allow advisors to question directly.

**Next Steps**

The Emergency Rule will take effect May 21<sup>st</sup>. 2025, and will be renewed on September 17<sup>th</sup>, 2025 with Board approval. Renton Technical College has already begun the permanent rule change process with a public hearing scheduled for October 6<sup>th</sup>, 2025, from 2:00pm-3:00pm in C-110 and on Zoom.

Therefore, Student Services provides the suggested motion below:

I move that the Renton Technical College Board of Trustees approve the changes, as presented in the Board materials, to the Student Conduct Code and Hearing Procedures in Chapter 495E-110 WAC, and that these rules shall become effective on May 21, 2025, because these rule changes are necessary to comply with federal Title IX law and related federal regulations.

Attachments (1):

RTC 2025 Title IX Conduct Code Changes

AMENDATORY SECTION (Amending WSR 24-24-035, filed 11/25/24, effective 11/30/24)

**WAC 495E-110-010 Authority.** The board of trustees, acting pursuant to RCW 28B.50.140(14), delegates to the president of the college the authority to administer disciplinary action. Administration of the disciplinary procedures is the responsibility of the vice president of student services or their designee. Except in cases involving allegations of (~~sex discrimination, including sex-based harassment,~~) sexual misconduct, the student conduct officer, or delegate, shall serve as the principal investigator and administrator for alleged violations of this code.

[Statutory Authority: RCW 28B.50.140(13). WSR 24-24-035, s 495E-110-010, filed 11/25/24, effective 11/30/24. Statutory Authority: Title IX of Education Amendments of 1972 and RCW 28B.50.140. WSR 21-10-038, § 495E-110-010, filed 4/28/21, effective 5/29/21. Statutory Authority: RCW 28B.50.140(13), Violence Against Women Act of 1994, and Title IX of Education Amendments of 1972. WSR 15-11-013, § 495E-110-010, filed 5/8/15, effective 6/8/15.]

AMENDATORY SECTION (Amending WSR 24-24-035, filed 11/25/24, effective 11/30/24)

**WAC 495E-110-030 Prohibited student conduct.** The college may impose disciplinary sanctions against a student or student group, who commits, attempts to commit, aids, abets, incites, encourages or assists another person to commit, an act(s) of misconduct, which include, but are not limited to, the following:

(1) **Abuse of others.** Assault, physical abuse, verbal abuse, threat(s), intimidation, or other conduct that harms, threatens, or is reasonably perceived as threatening the health or safety of another person or another person's property unless otherwise protected by law.

(2) **Abuse in later life.**

(a) Neglect, abandonment, economic abuse, or willful harm of an adult aged 50 or older by an individual in an ongoing relationship of trust with the victim; or

(b) Domestic violence, dating violence, sexual assault, or stalking of an adult aged 50 or older by any individual; and

(c) Does not include self-neglect.

(3) **Academic dishonesty.** Any act of academic dishonesty including, but not limited to, cheating, plagiarism, and fabrication.

(a) Cheating includes any attempt to give or obtain unauthorized assistance relating to the completion of an academic assignment.

(b) Plagiarism includes taking and using as one's own, without proper attribution, the ideas, writings, or work of another person, or artificial intelligence, in completing an academic assignment. Prohibited conduct may also include the unauthorized submission for credit of academic work that has been submitted for credit in another course.

(c) Fabrication includes falsifying data, information, or citations in completing an academic assignment and also includes providing false or deceptive information to an instructor concerning the completion of an assignment.

(d) Deliberate damage includes taking deliberate action to destroy or damage another's academic work or college property in order to gain an advantage for oneself or another.

(e) Academic consequences for academic dishonesty or abetting in academic dishonesty may be imposed at the discretion of a faculty member up to and including a failing grade for the course. Students should refer to each faculty course syllabus. Further academic consequences may follow consistent with the provisions in any program handbook. Incidents of academic dishonesty may also be referred to the

student conduct officer for disciplinary action consistent with this chapter in addition to the academic consequences identified above.

(4) **Other dishonesty.** Any other acts of dishonesty. Such acts include, but are not limited to:

(a) Forgery, alteration, submission of falsified documents, or misuse of any college document, record, or instrument of identification;

(b) Tampering with an election conducted by or for college students; or

(c) Furnishing false information or failing to furnish correct information, in response to the request or requirement of a college officer or employee.

(d) Knowingly making a false statement or submitting false information in relation, or in response, to a college academic or disciplinary investigation or process.

(5) **Obstruction or disruptive conduct.** Conduct, not otherwise protected by law, that interferes with, impedes, or otherwise unreasonably hinders:

(a) Instruction, research, administration, disciplinary proceeding, or other college activities, including the obstruction of

the free flow of pedestrian or vehicular movement on college property or at a college activity; or

(b) Any activity that is authorized to occur on college property, whether or not actually conducted or sponsored by the college.

(6) **Cyber misconduct.** Cyberstalking, cyberbullying or online harassment. Use of electronic communications including, but not limited to, electronic mail, instant messaging, electronic bulletin boards, applications (apps), and social media sites, to harass, abuse, bully, or engage in other conduct which harms, threatens, or is reasonably perceived as threatening the health or safety of another person. Prohibited activities include, but are not limited to, unauthorized monitoring of another's email communications directly or through spyware, sending threatening emails, disrupting electronic communications with spam or by sending a computer virus, sending false messages to third parties using another's email identity, nonconsensual recording of sexual activity, and nonconsensual distribution of a recording of sexual activity.

(7) **Property violation.** Damage to, misappropriation of, unauthorized use or possession of, vandalism, or other nonaccidental damaging or destruction of college property or the property of another person. Property for purposes of this subsection includes computer

passwords, access codes, identification cards, personal financial account numbers, other confidential personal information, intellectual property, and college trademarks.

(8) **Failure to comply with directive.** Failure to comply with the directive of a college officer or employee who is acting in the legitimate performance of their duties, including failure to properly identify oneself to such a person when requested to do so.

(9) **Weapons.** Possession, holding, wearing, transporting, storage or presence of any firearm, dagger, sword, knife or other cutting or stabbing instrument, club, explosive device, or any other weapon apparently capable of producing bodily harm is prohibited on the college campus and during college programming and activities, subject to the following exceptions:

(a) Commissioned law enforcement personnel or legally authorized military personnel while in performance of their duties;

(b) A student with a valid concealed weapons permit may store a pistol in their vehicle parked on campus in accordance with RCW 9.41.050 (2) or (3), provided the vehicle is locked and the weapon is concealed from view; or

(c) The president may grant permission to bring a weapon on campus upon a determination that the weapon is reasonably related to a

legitimate pedagogical purpose. Such permission shall be in writing and shall be subject to such terms or conditions incorporated in the written permission.

(d) This policy does not apply to the possession and/or use of disabling chemical sprays when possessed and/or used for self-defense.

(10) **Hazing.**

(a) Hazing is any act committed as part of:

(i) A person's recruitment, initiation, pledging, admission into, or affiliation with a student group; or

(ii) Any pastime or amusement engaged in with respect to such a student group;

(iii) That causes, or is likely to cause, bodily danger or physical harm, or serious psychological or emotional harm, to any student.

(b) Examples of hazing include, but are not limited to:

(i) Causing, directing, coercing, or forcing a person to consume any food, liquid, alcohol, drug, or other substance which subjects the person to risk of such harm;

(ii) Humiliation by ritual act;

(iii) Striking another person with an object or body part;

(iv) Causing someone to experience excessive fatigue, or physical and/or psychological shock; or

(v) Causing someone to engage in degrading or humiliating games or activities that create a risk of serious psychological, emotional, and/or physical harm.

(c) "Hazing" does not include customary athletic events or other similar contests or competitions.

(d) Consent is not a valid defense against hazing.

(11) **Alcohol.** The use, possession, manufacture, delivery, sale, or distribution of alcoholic beverages or paraphernalia (except as permitted by federal, state, and local laws and applicable college policies), or being observably under the influence of any alcoholic beverage or public intoxication on college premises or at college-sponsored events. Alcoholic beverages may not, in any circumstance, be used by, be possessed by, or distributed to any person not of legal age.

(12) **Cannabis, drug, and tobacco violations.**

(a) **Cannabis.** The use, possession, growing, delivery, sale, or being visibly under the influence of cannabis or the psychoactive compounds found in cannabis and intended for human consumption, regardless of form, or the possession of cannabis paraphernalia on

college premises or college-sponsored events. While state law permits the recreational use of cannabis, federal law prohibits such use on college premises or in connection with college activities.

(b) **Drugs.** The use, possession, production, delivery, sale, or being observably under the influence of any legend drug including, anabolic steroids, androgens, or human growth hormones as defined in chapter 69.41 RCW, or any other controlled substance under chapter 69.50 RCW, except as prescribed for a student's use by a licensed practitioner.

(c) **Tobacco, electronic cigarettes, and related products.** The use of tobacco, electronic cigarettes, and related products in any building owned, leased, or operated by the college or in any location where such use is prohibited, including 25 feet from entrances, exits, windows that open, and ventilation intakes of any building owned, leased, or operated by the college. The use of tobacco, electronic cigarettes, and related products on the college campus is restricted to designated smoking areas. "Related products" include, but are not limited to, cigarettes, pipes, bidi, clove cigarettes, waterpipes, hookahs, chewing tobacco, vaporizers, and snuff. There are designated smoking areas on campus.

(13) **Discriminatory harassment.**

(a) Unwelcome and offensive conduct, including verbal, nonverbal, or physical conduct, not otherwise protected by law, that is directed at a person because of such person's protected status and that is sufficiently severe, persistent, or pervasive so as to:

(i) Limit the ability of a student to participate in or benefit from the college's educational and/or social programs and/or student housing;

(ii) Alter the terms of an employee's employment; or

(iii) Create an intimidating, hostile, or offensive environment for other campus community members.

(b) Protected status includes a person's race; color; creed/religion; national origin; presence of any sensory, mental or physical disability; use of a trained service animal; sex, including pregnancy; marital status; age; genetic information; sexual orientation; gender identity or expression; veteran or military status; HIV/AIDS and hepatitis C status; or membership in any other group protected by federal, state, or local law.

(c) Discriminatory harassment may be physical, verbal, or nonverbal conduct and may include written, social media, and electronic communications not otherwise protected by law.

(14) **Harassment or bullying.** Conduct unrelated to a protected class that is unwelcome and sufficiently severe, persistent, or pervasive such that it could reasonably be expected to create an intimidating, hostile, or offensive environment, or has the purpose or effect of unreasonably interfering with a person's academic or work performance, or a person's ability to participate in or benefit from the college's programs, services, opportunities, or activities.

(a) Harassing conduct may include, but is not limited to, physical, verbal, or nonverbal conduct, including written, social media, and electronic communications not otherwise protected by law.

(b) For purposes of this code, "bullying" is defined as repeated or aggressive unwanted behavior not otherwise protected by law when a reasonable person would feel humiliated, harmed, or intimidated.

(c) For purposes of this code, "intimidation" is an implied threat. Intimidation exists when a reasonable person would feel threatened or coerced even though an explicit threat or display of physical force has not been made. Intimidation is evaluated based on the intensity, frequency, context, and duration of the comments or actions.

(15) **Retaliation.** Harming, threatening, intimidating, coercing, or other adverse action taken against any individual for reporting,

providing information, exercising one's rights or responsibilities, participating, or refusing to participate, in the process of responding to, investigating, or addressing allegations or violations of federal, state, or local law, or college policies.

(16) (~~(**Sex discrimination.** The term "sex discrimination" includes sex-based harassment, and may occur when a respondent causes more than "de minimis" harm to an individual by treating them different from a similarly situated individual on the basis of: Sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. Conduct that prevents an individual from participating in an education program or activity consistent with the person's gender identity subjects a person to more than "de minimis" (insignificant) harm on the basis of sex.~~

~~(a) **Sex-based harassment.** "Sex-based harassment" is a form of sex discrimination and means sexual harassment or other harassment on the basis of sex, including the following conduct:~~

~~(i) **Quid pro quo harassment.** A student, 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.~~

~~(ii) **Hostile environment.** 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 recipient's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:~~

~~(A) The degree to which the conduct affected the complainant's ability to access the college's education program or activity;~~

~~(B) The type, frequency, and duration of the conduct;~~

~~(C) 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;~~

~~(D) The location of the conduct and the context in which the conduct occurred; and~~

~~(E) Other sex-based harassment in the college's education program or activity.~~

~~(iii) **Sexual violence.** "Sexual violence" includes nonconsensual sexual intercourse, nonconsensual sexual contact, domestic violence,~~

~~incest, statutory rape, domestic violence, dating violence, and stalking.~~

~~(A) **Nonconsensual sexual intercourse** is any sexual intercourse (anal, oral, or vaginal), however slight, with any object, by a person upon another person, that is without consent and/or by force. Sexual intercourse includes anal or vaginal penetration by a penis, tongue, finger, or object, or oral copulation by mouth to genital contact or genital to mouth contact.~~

~~(B) **Nonconsensual sexual contact (fondling)** is any actual or attempted sexual touching, however slight, with any body part or object, by a person upon another person that is without consent and/or by force. Sexual touching includes any bodily contact with the breasts, groin, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner.~~

~~(C) **Incest** is sexual intercourse or sexual contact with a person known to be related to them, either legitimately or illegitimately, as an ancestor, descendant, brother, or sister of either wholly or half related. Descendant includes stepchildren and adopted children under the age of 18.~~

~~(D) **Statutory rape (rape of a child)** is nonforcible sexual intercourse with a person who is under the statutory age of consent.~~

~~(E) **Domestic violence** is physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, coercive control, damage or destruction of personal property, stalking or any other conduct prohibited under RCW 10.99.020, committed 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, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the state of Washington, 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 the state of Washington.~~

~~(F) **Dating violence** is physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and 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; and~~

~~(III) The frequency of interaction between the persons involved in the relationship.~~

~~(C) **Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or to suffer substantial emotional distress.~~

~~(b) **Consent.** For purposes of this code, "consent" means knowing, voluntary and clear permission by word or action, to engage in mutually agreed upon sexual activity.~~

~~(i) Each party has the responsibility to make certain that the other has consented before engaging in the activity.~~

~~(ii) For consent to be valid, there must be at the time of the act of sexual intercourse or sexual contact actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact.~~

~~(iii) A person cannot consent if they are unable to understand what is happening or are disoriented, helpless, asleep, or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has engaged in nonconsensual conduct.~~

~~(iv) Intoxication is not a defense against allegations that an individual has engaged in nonconsensual sexual conduct.~~

~~(c) **Title IX retaliation** means intimidation, threats, coercion, or discrimination against any person by a student, for the purpose of interfering with any right or privilege secured by Title IX, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in a sex discrimination investigation, proceeding, or hearing under this part, including during an informal resolution process, during a Title IX investigation, or during any disciplinary proceeding involving allegations of sex discrimination.))~~ **Sexual misconduct.** The term "sexual misconduct" includes sexual harassment, sexual intimidation, and sexual violence. Sexual harassment prohibited by Title IX is defined in the supplemental procedures to this code. (Supplemental Title IX student conduct procedures.)

(a) **Sexual harassment.** The term "sexual harassment" means unwelcome sexual or gender-based conduct, including unwelcome sexual advances, requests for sexual favors, quid pro quo harassment, and other verbal, nonverbal, or physical conduct of a sexual or a gendered nature that is sufficiently severe, persistent, or pervasive as to:

(i) Deny or limit the ability of a student to participate in or benefit from the college's educational program;

(ii) Alter the terms or conditions of employment for a college employee(s); and/or

(iii) Creates an intimidating, hostile, or offensive environment for other campus community members.

Sexual harassment does not need to be sexual in nature and can include offensive remarks about a person's gender. There are two types of sexual harassment:

(A) Hostile environment sexual harassment occurs when the conduct is sufficiently severe and/or pervasive and so objectively offensive that it has the effect of altering the terms or conditions of employment or substantially limiting the ability of a student to participate in or benefit from the college's educational and/or social programs and/or student housing.

(B) Quid pro quo harassment occurs when an individual, in a position of real or perceived authority, conditions the receipt of a benefit upon granting of sexual favors.

(b) **Sexual intimidation.** The term "sexual intimidation" incorporates the definition of "sexual harassment" and means threatening or emotionally distressing conduct based on sex including, but not limited to, nonconsensual recording of sexual activity or the distribution of such recording.

(c) **Sexual violence.** "Sexual violence" is a type of sexual discrimination and harassment. Nonconsensual sexual intercourse, nonconsensual sexual contact, domestic violence, dating violence, and stalking are all types of sexual violence.

(i) Nonconsensual sexual intercourse. Any actual or attempted sexual intercourse (anal, oral, or vaginal), however slight, with any object or body part, by a person upon another person, that is without consent and/or by force. Sexual intercourse includes anal or vaginal penetration by a penis, tongue, finger, or object, or oral copulation by mouth to genital contact or genital to mouth contact.

(ii) Nonconsensual sexual contact. Any actual or attempted sexual touching, however slight, with any body part or object, by a person upon another person that is without consent and/or by force. Sexual touching includes any bodily contact with the breasts, groin, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner.

(iii) Incest. Sexual intercourse or sexual contact with a person known to be related to them, either legitimately or illegitimately, as an ancestor, descendant, brother, or sister of either wholly or half related. Descendant includes stepchildren and adopted children under the age of 18.

(iv) Statutory rape. Consensual intercourse between a person who is 18 years of age or older, and a person who is under the age of 16.

(v) Domestic violence. Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed 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, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the state of Washington, 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 the state of Washington, RCW 26.55.010.

(vi) Dating violence, physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking 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; and

(III) The frequency of interaction between the persons involved in the relationship.

(vii) Sexual exploitation. Taking nonconsensual or abusive sexual advantage of another for the respondent's own advantage or benefit, or to benefit or take advantage of anyone other than the one being exploited, when the behavior does not otherwise constitute one of the other sexual misconduct offenses described herein. Examples of sexual exploitation may include, but are not limited to:

(A) Invading another person's sexual privacy;

(B) Prostituting another person;

(C) Nonconsensual photography and digital or video recording of nudity or sexual activity, or nonconsensual audio recording of sexual activity;

(D) Unauthorized sharing or distribution of photographs or digital or video recording of nudity or sexual activity, or audio recording of sexual activity, unless otherwise protected by law;

(E) Engaging in voyeurism. A person commits voyeurism if they knowingly view, photograph, record, or film another person, without that person's knowledge and consent, while the person being viewed, photographed, recorded, or filmed is in a place where the person has a reasonable expectation of privacy;

(F) Knowingly or recklessly exposing another person to a significant risk of sexually transmitted disease or infection; or

(G) Causing the nonconsensual indecent exposure of another person.

(viii) 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 substantive emotional distress.

(d) For purposes of this chapter, "consent" means knowing, voluntary, and clear permission by word or action, to engage in mutually agreed upon sexual activity. Each party has the responsibility to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be at the time of the act of sexual intercourse or sexual contact actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact.

A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know,

that the other person is physically or mentally incapacitated has engaged in nonconsensual conduct.

(17) **Indecent exposure.** The intentional or knowing exposure of a person's genitals or other private body parts when done in a place or manner in which such exposure is likely to cause affront or alarm. Breastfeeding or expressing breast milk is not indecent exposure.

(18) **Misuse of electronic resources.** Theft or other misuse of computer time or other electronic information resources of the college. Such misuse includes, but is not limited to:

(a) Unauthorized use of such resources or opening of a file, message, or other item;

(b) Unauthorized duplication, transfer, or distribution of a computer program, file, message, or other item;

(c) Unauthorized use or distribution of someone else's password or other identification;

(d) Use of such time or resources to interfere with someone else's work;

(e) Use of such time or resources to send, display, or print an obscene or abusive message, text, or image;

(f) Use of such time or resources to interfere with normal operation of the college's computing system or other electronic information resources;

(g) Use of such time or resources in violation of applicable copyright or other law;

(h) Adding to or otherwise altering the infrastructure of the college's electronic information resources without authorization; or

(i) Failure to comply with the college's electronic use policy.

(19) **Unauthorized access.** Unauthorized possession, duplication, or other use of a key, keycard, or other restricted means of access to college property, or unauthorized entry onto or into college property.

(20) **Safety violations.** Nonaccidental, reckless, or unsafe conduct that interferes with or otherwise compromises any college policy, equipment, or procedure relating to the safety and security of the campus community, including tampering with fire safety equipment and triggering false alarms or other emergency response systems.

(21) **Violation of other laws or policies.** Violation of any federal, state, or local law, rule, or regulation or other college rules or policies, including college housing, traffic, and parking rules.

(22) **Ethical violation.** The breach of any generally recognized and published code of ethics or standards of professional practice that governs the conduct of a particular profession for which the student is taking a course or is pursuing as an educational goal or major.

[Statutory Authority: RCW 28B.50.140(13). WSR 24-24-035, s 495E-110-030, filed 11/25/24, effective 11/30/24. Statutory Authority: 2022 c 209 § 4(1) and RCW 28B.50.140. WSR 23-22-005, § 495E-110-030, filed 10/18/23, effective 10/19/23. Statutory Authority: Title IX of Education Amendments of 1972 and RCW 28B.50.140. WSR 21-10-038, § 495E-110-030, filed 4/28/21, effective 5/29/21. Statutory Authority: RCW 28B.50.140(13), Violence Against Women Act of 1994, and Title IX of Education Amendments of 1972. WSR 15-11-013, § 495E-110-030, filed 5/8/15, effective 6/8/15.]

AMENDATORY SECTION (Amending WSR 24-24-035, filed 11/25/24, effective 11/30/24)

**WAC 495E-110-040 Corrective action, disciplinary sanctions, and terms and conditions.** (1) One or more of the following disciplinary sanctions may be imposed upon students or upon college-sponsored

student organizations, athletic teams, or living groups found to have violated the student conduct code.

(a) **Warning.** A verbal or written statement to a student that there is a violation and that continued violation may be cause for further disciplinary action. Warnings are corrective actions, not disciplinary, and may not be appealed.

(b) **Written reprimand.** Notice in writing that the student has violated one or more terms of this code of conduct and that continuation of the same or similar behavior may result in more severe disciplinary action.

(c) **Disciplinary probation.** Formal action placing specific conditions and restrictions upon the student's continued attendance depending upon the seriousness of the violation and which may include a deferred disciplinary sanction. If the student subject to a deferred disciplinary sanction is found in violation of any college rule during the time of disciplinary probation, the deferred disciplinary sanction which may include, but is not limited to, a suspension or a dismissal from the college, shall take effect immediately without further review. Any such sanction shall be in addition to any sanction or conditions arising from the new violation. Probation may be for a

limited period of time or may be for the duration of the student's attendance at the college.

(d) **Disciplinary suspension.** Dismissal from the college and from the student status for a stated period of time. There will be no refund of tuition or fees for the quarter in which the action is taken.

(e) **Dismissal.** The revocation of all rights and privileges of membership in the college community and exclusion from the campus and college-owned or controlled facilities without any possibility of return. There will be no refund of tuition or fees for the quarter in which the action is taken.

(2) Disciplinary terms and conditions that may be imposed in conjunction with the imposition of a disciplinary sanction include, but are not limited to, the following:

(a) **Restitution.** Reimbursement for damage to or misappropriation of property, or for injury to persons, or for reasonable costs incurred by the college in pursuing an investigation or disciplinary proceeding. This may take the form of monetary reimbursement, appropriate service, or other compensation.

(b) **Professional evaluation.** Referral for drug, alcohol, psychological, or medical evaluation by an appropriately certified or

licensed professional may be required. The student may choose the professional within the scope of practice and with the professional credentials as defined by the college. The student will sign all necessary releases to allow the college access to any such evaluation. The student's return to college may be conditioned upon compliance with recommendations set forth in such a professional evaluation. If the evaluation indicates that the student is not capable of functioning within the college community, the student will remain suspended until future evaluation recommends that the student is capable of reentering the college and complying with the rules of conduct.

(c) **Not in good standing.** A student may be deemed "not in good standing" with the college. If so, the student shall be subject to the following restrictions:

(i) Ineligible to hold an office in any student organization recognized by the college or to hold any elected or appointed office of the college;

(ii) Ineligible to represent the college to anyone outside the college community in any way, including representing the college at any official function, or any forms of intercollegiate competition or representation.

(d) **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 college facility.

(e) **Education.** Participation in or successful completion of an educational assignment designed to create an awareness of the student's misconduct.

(f) **Loss of privileges.** Denial of specified privileges for a designated period of time.

(g) **Trespass or restriction.** A student may be restricted from any or all college premises and/or college-sponsored activities based on the violation.

(3) If a student withdraws from the college or fails to reenroll before completing a disciplinary sanction or condition, the disciplinary sanction or condition must be completed either prior to or upon the student's reenrollment, depending on the nature of the sanction, condition, and/or the underlying violation. Completion of disciplinary sanctions and conditions may be considered in petitions for readmission to the college.

[Statutory Authority: RCW 28B.50.140(13). WSR 24-24-035, s 495E-110-040, filed 11/25/24, effective 11/30/24. Statutory Authority: Title IX of Education Amendments of 1972 and RCW 28B.50.140. WSR 21-10-038, §

495E-110-040, filed 4/28/21, effective 5/29/21. Statutory Authority: RCW 28B.50.140(13), Violence Against Women Act of 1994, and Title IX of Education Amendments of 1972. WSR 15-11-013, § 495E-110-040, filed 5/8/15, effective 6/8/15.]

AMENDATORY SECTION (Amending WSR 24-24-035, filed 11/25/24, effective 11/30/24)

**WAC 495E-110-060 Definitions.** The following definitions shall apply for purpose of this student conduct code:

(1) "Business day" means a weekday, excluding weekends and college holidays.

(2) "College premises" shall include all campuses of the college, wherever located, and includes all land, buildings, facilities, vehicles, equipment, and other property owned, used, or controlled by the college.

(3) (~~"Complainant" means the following individuals who are alleged to have been subjected to conduct that would constitute sex discrimination:~~

~~(a) A student or employee; or~~

~~(b) A person other than a student or employee who was participating or attempting to participate in the college's education program or activity at the time of the alleged discrimination.))~~ A "complainant" is an alleged victim of misconduct.

(4) "Conduct review officer" is the vice president of student services or other college administrator designated by the president to be responsible for receiving and for reviewing or referring appeals of student disciplinary actions in accordance with the procedures of this code.

(5) "Disciplinary action" is the process by which the student conduct officer imposes discipline against a student for a violation of the student conduct code. A written or verbal warning is not disciplinary action.

(6) "Disciplinary appeal" is the process by which an aggrieved party can appeal the discipline imposed or recommended by the student conduct officer. Disciplinary appeals from a suspension in excess of 10 instructional days or a dismissal are heard by the student conduct committee. Appeals of all other appealable disciplinary action shall be reviewed through brief adjudicative proceedings.

(7) "Filing" is the process by which a document is officially delivered to a college official responsible for facilitating a

disciplinary review. Unless otherwise provided, filing shall be accomplished by:

(a) Hand delivery of the document to the specified college official or college official's assistant; or

(b) By sending the document by email and first-class mail to the specified college official's office and college email address.

Papers required to be filed shall be deemed filed upon actual receipt during office hours at the office of the specified college official.

(8) "Pregnancy or related conditions" means:

(a) Pregnancy, childbirth, termination of pregnancy, or lactation;

(b) Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or

(c) Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

(9) "Program" or "programs and activities" means all operations of the college.

(10) "Relevant" means related to the allegations of (~~sex discrimination~~) misconduct under investigation. Questions are relevant when they seek evidence that may aid in showing whether the

alleged ((~~sex discrimination~~)) misconduct occurred, and evidence is relevant when it may aid a decision maker in determining whether the alleged ((~~sex discrimination~~)) misconduct occurred.

(11) "Remedies" means measures provided to a complainant or other person whose equal access to the college's educational programs and activities has been limited or denied by ((~~sex discrimination~~)) misconduct. These measures are intended to restore or preserve that person's access to educational programs and activities after a determination that ((~~sex discrimination~~)) misconduct has occurred.

(12) "Respondent" is a student who is alleged to have violated the student conduct code.

(13) "Service" is the process by which a document is officially delivered to a party. Unless otherwise provided, service upon a party shall be accomplished by:

(a) Hand delivery of the document to the party; or

(b) Sending the document by email and by certified mail or first-class mail to the party's last known address.

Service is deemed complete upon hand delivery of the document or upon the date the document is emailed and deposited in the mail, whichever is first.

(14) "Student" includes all persons taking courses at or through the college, whether on a full-time or part-time basis, and whether such courses are credit courses, noncredit courses, online courses, or otherwise. Persons who withdraw after allegedly violating the code, who are not officially enrolled for a particular term but who have a continuing relationship with the college, or who have been notified of their acceptance for admission are considered "students" for purposes of this chapter.

(15) "Student conduct officer" is a college administrator designated by the president or vice president of student services to be responsible for implementing and enforcing the student conduct code.

(16) "Student employee" means an individual who is both a student and an employee of the college. When a complainant or respondent is a student employee, the college must make a fact-specific inquiry to determine whether the individual's primary relationship with the college is to receive an education and whether any alleged student conduct code violation including, but not limited to, ~~((sex-based))~~ sexual harassment, occurred while the individual was performing employment-related work.

(17) "Student group" for purposes of this code, is a student organization, athletic team, or living group including, but not limited to, student clubs and organizations, members of a class or student cohort, student performance groups, and student living groups within student housing.

(18) "Supportive measures" means reasonably available, individualized and appropriate, nonpunitive and nondisciplinary measures offered by the college to the complainant or respondent without unreasonably burdening either party, and without fee or charge for purposes of:

(a) Restoring or preserving a party's access to the college's educational program or activity, including measures that are designed to protect the safety of the parties or the college's educational environment; or providing support during the college's investigation and disciplinary procedures, or during any informal resolution process; or

(b) Supportive measures may include, but are not limited to: Counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of campus; restriction on contact applied to one or more parties; a leave of absence; change 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~~)).

(19) "The president" is the president of the college. The president is authorized to:

(a) Delegate any of their responsibilities as set forth in this chapter as may be reasonably necessary; and

(b) Reassign any and all duties and responsibilities as set forth in this chapter as may be reasonably necessary.

(20) "Title IX coordinator" is the administrator responsible for processing complaints of ((~~sex discrimination~~)) sexual misconduct, including ((~~sex-based~~)) sexual harassment, overseeing investigations and informal resolution processes, and coordinating supportive measures, in accordance with college policy.

[Statutory Authority: RCW 28B.50.140(13). WSR 24-24-035, s 495E-110-060, filed 11/25/24, effective 11/30/24. Statutory Authority: 2022 c 209 § 4(1) and RCW 28B.50.140. WSR 23-22-005, § 495E-110-060, filed 10/18/23, effective 10/19/23. Statutory Authority: Title IX of Education Amendments of 1972 and RCW 28B.50.140. WSR 21-10-038, § 495E-110-060, filed 4/28/21, effective 5/29/21. Statutory Authority: RCW 28B.50.140(13), Violence Against Women Act of 1994, and Title IX

of Education Amendments of 1972. WSR 15-11-013, § 495E-110-060, filed 5/8/15, effective 6/8/15.]

AMENDATORY SECTION (Amending WSR 24-24-035, filed 11/25/24, effective 11/30/24)

**WAC 495E-110-070 Initiation of disciplinary actions.** (1) Any member of the college community may file a complaint against a student or student group for possible violations of the student conduct code.

(2) The student conduct officer, or designee, may review and investigate any complaint to determine whether it appears to state a violation of the student conduct code.

(a) ((~~Sex discrimination~~)) **Sexual misconduct**, including ((~~sex-based~~)) **sexual harassment**. The college's Title IX coordinator or designee shall review, process, and, if applicable, investigate complaints or other reports of ((~~sex discrimination~~)) **sexual misconduct**, including ((~~sex-based~~)) **sexual harassment** that occurs during an "educational program or activity" as defined in WAC 495E-110-250. Allegations of ((~~sex discrimination~~)) **non-Title IX sexual misconduct**, including ((~~sex-based~~)) **sexual harassment**, by a student shall be addressed through the student conduct code. Allegations

involving employees or third parties associated with the college will be handled in accordance with college policies.

(b) **Hazing by student groups.** A student conduct officer, or designee, may review and investigate any complaint or allegation of hazing by a student group. A student group will be notified through its named officer(s) and address on file with the college. A student group may designate one representative who may speak on behalf of a student group during any investigation and/or disciplinary proceeding. A student group will have the rights of a respondent as set forth below.

(3) Investigations will be completed in a timely manner and the results of the investigation shall be referred to the student conduct officer for disciplinary action.

(4) If a student conduct officer determines that a complaint appears to state a violation of the student conduct code, the student conduct officer will consider whether the matter might be resolved through agreement with the respondent or through alternative dispute resolution proceedings involving the complainant and the reporting party.

~~((a) Informal dispute resolution shall not be used to resolve sex-based harassment complaints without written permission from both the complainant and the respondent.~~

~~(b))~~ If the parties elect to mediate a dispute through informal dispute resolution, either party shall be free to discontinue mediation at any time.

(5) If the student conduct officer has determined that a complaint has merit and if the matter is not resolved through agreement or informal dispute resolution, the student conduct officer may initiate disciplinary action against the respondent.

(6) Both the respondent and the complainant in cases involving allegations of ~~((sex discrimination))~~ non-Title IX sexual misconduct shall be provided the same procedural rights to participate in student discipline matters, including the right to participate in the disciplinary process and to appeal any disciplinary decision.

(7) All disciplinary actions will be initiated by the student conduct officer. If that officer is the subject of a complaint initiated by the respondent, the president shall, upon request and when feasible, designate another person to fulfill any such disciplinary responsibilities relative to the complainant.

(8) The student conduct officer shall initiate disciplinary action by serving the respondent with written notice directing them to attend a disciplinary meeting. The notice shall briefly describe the factual allegations, the provision(s) of the conduct code the respondent is alleged to have violated, the range of possible sanctions for the alleged violation(s), and specify the time and location of the meeting.

(9) At the meeting, the student conduct officer will present the allegations to the respondent and the respondent shall be afforded an opportunity to explain what took place. If the respondent fails to attend the meeting, the student conduct officer may take disciplinary action based upon the available information.

(10) Within 10 business days of the initial disciplinary meeting, and after considering the evidence in the case, including any facts or argument presented by the respondent, the student conduct officer shall serve the respondent with a written decision setting forth the facts and conclusions supporting their decision, the specific student conduct code provisions found to have been violated, the discipline imposed, if any, and a notice of any appeal rights with an explanation of the consequences of failing to file a timely appeal. Except in cases of sexual misconduct falling under Title IX jurisdiction, this

period may be extended at the sole discretion of the student conduct officer, if additional information is necessary to reach a determination. The student conduct officer will notify the parties of any extension period and the reason therefore.

(11) The student conduct officer may take any of the following disciplinary actions:

(a) Exonerate the respondent and terminate the proceedings.

(b) Impose a disciplinary sanction(s), with or without conditions, as described in WAC 495E-110-040.

(c) Refer the matter directly to the student conduct committee for such disciplinary action as the committee deems appropriate. Such referral shall be in writing, to the attention of the chair of the student conduct committee, with a copy served on the respondent.

(12) In cases involving allegations of ~~((sex discrimination, the student conduct officer shall review the investigation report provided by the Title IX coordinator, 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 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.~~

~~(a) 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.~~

~~(b) The complainant and respondent shall have 21 calendar days from the date of the written recommendation to request a hearing before a student conduct committee.~~

~~(c) The request for a hearing may be verbal or written, but must be clearly communicated to the student conduct officer.~~

~~(d) The student conduct officer shall promptly notify the other party of the request.~~

~~(e) In cases involving sex discrimination, the student conduct officer may recommend dismissal of the complaint if:~~

~~(i) The college is unable to identify respondent after taking reasonable steps to do so;~~

~~(ii) The respondent is not participating in the college's educational programs or activities;~~

~~(iii) The complainant has voluntarily withdrawn any or all of the allegations in the complaint, and the Title IX coordinator has declined to initiate their own complaint;~~

~~(iv) The college determines that, even if proven, the conduct alleged by the complainant would not constitute sex discrimination; or~~

~~(v) The conduct alleged by the complainant falls outside the college's disciplinary jurisdiction.~~

~~(f) In cases involving allegations of sex-based harassment, the college must obtain the complainant's voluntary withdrawal in writing before the matter can be dismissed.~~

~~(g) If no request for a full hearing is provided to the student conduct officer, the student conduct officer's written recommendation shall be final and implemented immediately following the expiration of 21 calendar days from the date of the written recommendation.~~

~~(h) Upon receipt of the student conduct officer's written recommendation, the Title IX coordinator or their designee shall review all supportive measures and, within five business days, provide written direction to the complainant and respondent as to any supportive measures that will be implemented, continued, modified, or terminated. If either party is dissatisfied with the supportive~~

~~measures, the party may seek review in accordance with the college's Title IX investigation procedure.~~

~~(i) If the respondent is found responsible for engaging in sex discrimination, the Title IX coordinator shall also take prompt steps to coordinate and implement any necessary remedies to ensure that sex discrimination does not recur and that complainant has equal access to the college's programs and activities))~~ sexual misconduct, the student conduct officer, on the same date that a disciplinary decision is served on the respondent, will serve a written notice informing the complainant whether the allegations of sexual misconduct were found to have merit and describing any disciplinary sanctions and/or conditions imposed upon the respondent for the complainant's protection, including disciplinary suspension or dismissal of the respondent. The notice will also inform the complainant of their appeal rights.

[Statutory Authority: RCW 28B.50.140(13). WSR 24-24-035, s 495E-110-070, filed 11/25/24, effective 11/30/24. Statutory Authority: Title IX of Education Amendments of 1972 and RCW 28B.50.140. WSR 21-10-038, § 495E-110-070, filed 4/28/21, effective 5/29/21. Statutory Authority: RCW 28B.50.140(13), Violence Against Women Act of 1994, and Title IX of Education Amendments of 1972. WSR 15-11-013, § 495E-110-070, filed 5/8/15, effective 6/8/15.]

AMENDATORY SECTION (Amending WSR 24-24-035, filed 11/25/24, effective 11/30/24)

**WAC 495E-110-080 Appeal from disciplinary action.** (1) (~~Except as specified for cases involving allegations of sex discrimination, as set forth in WAC 495E-110-070(12),~~) The respondent may appeal a disciplinary action by filing a written notice of appeal with the conduct review officer within 21 calendar days of service of the student conduct officer's decision. Failure to timely file a notice of appeal constitutes a waiver of the right to appeal, and the student conduct officer's decision shall be deemed final.

(2) The notice of appeal must include a brief statement explaining why the respondent is seeking review.

(3) The parties to an appeal shall be the respondent, complainant, if any, and the student conduct officer.

(4) A respondent, who timely appeals a disciplinary action or whose case is referred to the student conduct committee, has a right to a prompt, fair, and impartial hearing as provided for in these procedures.

(5) On appeal, the college bears the burden of establishing the evidentiary facts underlying the imposition of a disciplinary sanction by a preponderance of the evidence.

(6) Imposition of disciplinary action for violation of the student conduct code shall be stayed pending appeal, unless respondent has been summarily suspended.

(7) The student conduct committee shall hear appeals from:

(a) The imposition of disciplinary suspensions in excess of 10 instructional days;

(b) Dismissals; and

(c) ~~((Sex discrimination, including sex-based harassment cases;~~  
~~and~~

~~(d)))~~ Discipline cases referred to the committee by the student conduct officer, the conduct review officer, or the president.

(8) A conduct review officer shall conduct a brief adjudicative proceeding for appeals of:

(a) Suspensions of 10 instructional days or less;

(b) Disciplinary probation;

(c) Written reprimands; and

(d) Any conditions or terms imposed in conjunction with one of the foregoing disciplinary actions.

(9) Except as provided elsewhere in these rules, warnings and dismissals of disciplinary actions are final action and are not subject to appeal.

(10) In cases involving allegations of non-Title IX sexual misconduct, the complainant has the right to appeal the following actions by the student conduct officer following the same procedures as set forth above for the respondent:

(a) The dismissal of a non-Title IX sexual misconduct complaint;  
or

(b) Any disciplinary sanction(s) and conditions imposed against a respondent for a sexual misconduct violation, including a warning.

(11) If the respondent timely appeals a decision imposing discipline for a sexual misconduct violation, the college shall notify the complainant of the appeal and provide the complainant an opportunity to intervene as a party to the appeal.

(12) Except as otherwise specified in this chapter, a complainant who timely appeals a disciplinary decision or who intervenes as a party to the respondent's appeal of a disciplinary decision shall be afforded the same procedural rights as are afforded the respondent.

[Statutory Authority: RCW 28B.50.140(13). WSR 24-24-035, s 495E-110-080, filed 11/25/24, effective 11/30/24. Statutory Authority: Title IX

of Education Amendments of 1972 and RCW 28B.50.140. WSR 21-10-038, § 495E-110-080, filed 4/28/21, effective 5/29/21. Statutory Authority: RCW 28B.50.140(13), Violence Against Women Act of 1994, and Title IX of Education Amendments of 1972. WSR 15-11-013, § 495E-110-080, filed 5/8/15, effective 6/8/15.]

AMENDATORY SECTION (Amending WSR 24-24-035, filed 11/25/24, effective 11/30/24)

**WAC 495E-110-090 Brief adjudicative proceedings—Initial**

**hearing.** (1) Brief adjudicative proceedings shall be conducted by a conduct review officer. The conduct review officer shall not participate in any case in which he or she is a complainant or witness, or in which they have direct or personal interest, prejudice, or bias, or in which they have acted previously in an advisory capacity.

(2) The parties to a brief adjudicative proceeding are the respondent (~~(and)~~), the student conduct officer, and in cases involving sexual misconduct, the complainant. If the complainant chooses, a nonattorney advisor may attend in their place. Before

taking action, the conduct review officer shall conduct an informal hearing and provide each party:

(a) An opportunity to be informed of the agency's view of the matter; and

(b) An opportunity to explain the party's view of the matter.

(3) The conduct review officer shall serve an initial decision upon the respondent and the student conduct officer within 10 business days of consideration of the appeal. The initial decision shall contain a brief written statement of the reasons for the decision and information about how to seek administrative review of the initial decision. If no request for review is filed within 21 calendar days of service of the initial decision, the initial decision shall be deemed the final decision.

(4) In cases involving allegations of sexual misconduct, the conduct review officer, on the same date as the initial decision is served on the respondent, will serve a written notice upon the complainant informing the complainant whether the allegations of sexual misconduct were found to have merit and describing any disciplinary sanctions and/or conditions imposed upon the respondent for the complainant's protection. The notice will also inform the complainant of their appeal rights.

(5) If the conduct review officer upon review determines that the respondent's conduct may warrant imposition of a disciplinary suspension in excess of 10 instructional days or dismissal, the matter shall be referred to the student conduct committee for a disciplinary hearing.

[Statutory Authority: RCW 28B.50.140(13). WSR 24-24-035, s 495E-110-090, filed 11/25/24, effective 11/30/24. Statutory Authority: Title IX of Education Amendments of 1972 and RCW 28B.50.140. WSR 21-10-038, § 495E-110-090, filed 4/28/21, effective 5/29/21. Statutory Authority: RCW 28B.50.140(13), Violence Against Women Act of 1994, and Title IX of Education Amendments of 1972. WSR 15-11-013, § 495E-110-090, filed 5/8/15, effective 6/8/15.]

AMENDATORY SECTION (Amending WSR 24-24-035, filed 11/25/24, effective 11/30/24)

**WAC 495E-110-100 Brief adjudicative proceedings—Review of an initial decision.** (1) An initial decision is subject to review by the president, provided the respondent files a written request for review with the conduct review officer within 21 calendar days of service of the initial decision.

(2) The president shall not participate in any case in which they are a complainant or witness, or in which they have direct or personal interest, prejudice, or bias, or in which they have acted previously in an advisory capacity.

(3) During the review, the president shall give each party an opportunity to file written responses explaining their view of the matter and shall make any inquiries necessary to ascertain whether the sanctions should be modified or whether the proceedings should be referred to the student conduct committee for a formal adjudicative hearing.

(4) The decision on review must be in writing and must include a brief statement of the reasons for the decision and must be served on the parties within 20 calendar days of the initial decision or of the request for review, whichever is later. The decision on review will contain a notice that judicial review may be available. A request for review may be deemed to have been denied if the president does not make a disposition of the matter within 20 calendar days after the request is submitted.

(5) If the president upon review determines that the respondent's conduct may warrant imposition of a disciplinary suspension of more

than 10 instructional days or dismissal, the matter shall be referred to the student conduct committee for a disciplinary hearing.

(6) In cases involving allegations of sexual misconduct, the president, on the same date as the final decision is served on the respondent, will serve a written notice upon the complainant informing the complainant whether the allegations of sexual misconduct were found to have merit and describing any disciplinary sanctions and/or conditions imposed upon the respondent for the complainant's protection, including suspension or dismissal of the respondent. The notice will also inform the complainant of their appeal rights.

[Statutory Authority: RCW 28B.50.140(13). WSR 24-24-035, s 495E-110-100, filed 11/25/24, effective 11/30/24. Statutory Authority: Title IX of Education Amendments of 1972 and RCW 28B.50.140. WSR 21-10-038, § 495E-110-100, filed 4/28/21, effective 5/29/21. Statutory Authority: RCW 28B.50.140(13), Violence Against Women Act of 1994, and Title IX of Education Amendments of 1972. WSR 15-11-013, § 495E-110-100, filed 5/8/15, effective 6/8/15.]

AMENDATORY SECTION (Amending WSR 24-24-035, filed 11/25/24, effective 11/30/24)

**WAC 495E-110-110 Student conduct committee.** (1) The student

conduct committee shall consist of five members:

(a) Two full-time students appointed by the student government;

(b) Two faculty members appointed by the president; and

(c) One faculty member or administrator (other than an administrator serving as a student conduct or conduct review officer) appointed by the president at the beginning of the academic year.

(2) The faculty member or administrator, appointed on a yearly basis, shall serve as the chair of the committee and may take action on preliminary hearing matters prior to convening the committee.

(3) Hearings may be heard by a quorum of three members of the committee so long as the chair, one faculty member, and one student are included on the hearing panel. Committee action may be taken upon a majority vote of all committee members attending the hearing.

(4) Members of the student conduct committee shall not participate in any case in which they are a party, complainant, or witness, in which they have direct or personal interest, prejudice, or bias, or in which they have acted previously in an advisory capacity. Any party may petition for disqualification of a committee member.

(5) For cases involving allegations of ((sex-discrimination)) sexual misconduct, including ((sex-based)) sexual harassment, members

of the student conduct committee must receive training on serving impartially, avoiding prejudgment of facts at issue, conflicts of interest, and bias. The chair must also receive training on the student conduct process for ((~~sex discrimination~~)) sexual misconduct cases, as well as the meaning and application of the term "relevant," in relations to questions and evidence, and the types of evidence that are impermissible(~~(, regardless of relevance in accordance with 34 C.F.R. §§ 106.45 and 106.46))~~).

(6) The college may, in its sole discretion, contract with an administrative law judge or other qualified person to act as the presiding officer, authorized to exercise any or all duties of the student conduct committee and/or committee chair.

[Statutory Authority: RCW 28B.50.140(13). WSR 24-24-035, s 495E-110-110, filed 11/25/24, effective 11/30/24. Statutory Authority: Title IX of Education Amendments of 1972 and RCW 28B.50.140. WSR 21-10-038, § 495E-110-110, filed 4/28/21, effective 5/29/21. Statutory Authority: RCW 28B.50.140(13), Violence Against Women Act of 1994, and Title IX of Education Amendments of 1972. WSR 15-11-013, § 495E-110-110, filed 5/8/15, effective 6/8/15.]

AMENDATORY SECTION (Amending WSR 24-24-035, filed 11/25/24, effective 11/30/24)

**WAC 495E-110-120 Student conduct committee—Prehearing. (1)**

Proceedings of the student conduct committee shall be governed by the Administrative Procedure Act, chapter 34.05 RCW.

(2) The student conduct committee chair shall serve all parties with written notice of the hearing not less than seven calendar days in advance of the hearing date. The chair may shorten this notice period if both parties agree, and also may continue the hearing to a later time for good cause shown. The notice must include:

- (a) A copy of the student conduct code;
- (b) The basis for jurisdiction;
- (c) The alleged violation(s);
- (d) A summary of facts underlying the allegations;
- (e) The range of possible sanctions that may be imposed; and
- (f) A statement that retaliation is prohibited.

(3) The committee chair is authorized to conduct prehearing conferences and/or to make prehearing decisions concerning the extent and form of any discovery, issuance of protective decisions, and similar procedural matters.

(4) Upon request filed at least five calendar days before the hearing by any party or at the direction of the committee chair, the parties shall exchange, no later than the third day prior to the hearing, lists of potential witnesses and copies of potential exhibits that they reasonably expect to present to the committee. Failure to participate in good faith in such a requested exchange may be cause for exclusion from the hearing of any witness or exhibit not disclosed, absent a showing of good cause for such failure.

(5) The committee chair may provide to the committee members in advance of the hearing copies of (a) the conduct officer's notification of imposition of discipline (or referral to the committee), and (b) the notice of appeal (or any response to referral) by the respondent. If doing so, however, the chair should remind the members that these "pleadings" are not evidence of any facts they may allege.

(6) The parties may agree before the hearing to designate specific exhibits as admissible without objection and, if they do so, whether the committee chair may provide copies of these admissible exhibits to the committee members before the hearing.

(7) The student conduct officer shall provide reasonable assistance to the respondent and complainant in procuring the presence

of college students, employees, staff, and volunteers to appear at a hearing, provided the respondent and complainant provide a witness list to the student conduct officer no less than three business days in advance of the hearing. The student conduct officer shall notify the respondent and complainant no later than 24 hours in advance of the hearing if they have been unable to contact any prospective witnesses to procure their appearance at the hearing. The committee chair will determine how to handle the absence of a witness and shall describe on the record their rationale for any decision.

(8) Communications between committee members and other hearing participants regarding any issue in the proceeding, other than procedural communications that are necessary to maintain an orderly process, are generally prohibited without notice and opportunity for all parties to participate, and any improper "ex parte" communication shall be placed on the record, as further provided in RCW 34.05.455.

(9) In cases heard by the committee, each party may be accompanied at the hearing by an assistant of their choice, which may be an attorney retained at the party's expense.

(10) The committee will ordinarily be advised by an assistant attorney general or their designee. If the respondent and/or the

complainant is represented by an attorney, the student conduct officer may be represented by an assistant attorney general.

(11) Attorneys for students must file a notice of appearance with the committee chair at least four business days before the hearing. Failure to do so may, at the discretion of the committee chair, result in a waiver of the attorney's ability to represent the student at the hearing, although an attorney may still serve as an advisor to the student.

~~((12) In cases involving allegations of sex discrimination, the complainant has a right to participate equally in any part of the disciplinary process, including appeals. Respondent and complainant both have the following rights:~~

~~(a) **Notice.** The college must provide a notice that includes all information required in subsection (2) of this section, and a statement that the parties are entitled to an equal opportunity to access relevant and permissible evidence, or a description of the evidence upon request.~~

~~(b) **Advisors.** The complainant and respondent are both entitled to have an advisor present, who may be an attorney retained at the party's expense.~~

~~(c) **Extensions of time.** The chair may, upon written request of any party and a showing of good cause, extend the time for disclosure of witness and exhibit lists, accessing and reviewing evidence, or the hearing date, in accordance with the procedures set forth in subsection (13)(b) of this section.~~

~~(d) **Evidence.** In advance of the hearing, the student conduct officer shall provide reasonable assistance to the respondent and complainant in accessing and reviewing the investigative report and relevant and not otherwise impermissible evidence that is within the college's control.~~

~~(e) **Confidentiality.** The college shall take reasonable steps to prevent the unauthorized disclosure of information obtained by a party solely through the disciplinary process, which may include, but are not limited to, directives by the student conduct officer or chair pertaining to the dissemination, disclosure, or access to evidence outside the context of the disciplinary hearing.~~

~~(13) In cases involving allegations of sex-based harassment, the following additional procedures apply:~~

~~(a) **Notice.** In addition to all information required in subsection (2) of this section, the notice must also inform the parties that:~~

~~(i) The respondent is presumed not responsible for the alleged sex-based harassment;~~

~~(ii) The parties will have an opportunity to present relevant and not otherwise impermissible evidence to a trained, impartial decision maker;~~

~~(iii) They may have an advisor of their choice, who may be an attorney, to assist them during the hearing;~~

~~(iv) They are entitled to an equal opportunity to access relevant and not otherwise impermissible evidence in advance of the hearing; and~~

~~(v) The student conduct code prohibits knowingly making false statements or knowingly submitting false information during a student conduct proceeding.~~

~~(b) **Extensions of time.** The chair may, upon written request of any party and a showing of good cause, extend the time for disclosure of witness and exhibit lists, accessing and reviewing evidence, or the hearing date. The party requesting an extension must do so no later than 48 hours before any date specified in the notice of hearing or by the chair in any prehearing conference. The written request must be served simultaneously by email to all parties and the chair. Any party may respond and object to the request for an extension of time no~~

~~later than 24 hours after service of the request for an extension. The chair will serve a written decision upon all parties, to include the reasons for granting or denying any request. The chair's decision shall be final. In exceptional circumstances, for good cause shown, the chair may, in their sole discretion, grant extensions of time that are made less than 48 hours before any deadline.~~

~~(c) **Advisors.** The college shall provide an advisor to the respondent and any complainant, if the respondent or complainant have not otherwise identified an advisor to assist during the hearing.~~

~~(d) **Evidence.** In advance of the hearing, the student conduct officer shall provide reasonable assistance to the respondent and complainant in accessing and reviewing the investigative report and relevant and not otherwise impermissible evidence that is within the college's control.~~

~~(e) **Confidentiality.** The college shall take reasonable steps to prevent the unauthorized disclosure of information obtained by a party solely through the disciplinary process, which may include, but are not limited to, directives by the student conduct officer or chair issuing directives pertaining to the dissemination, disclosure, or access to evidence outside the context of the disciplinary hearing.~~

~~(f) **Separate locations.** The chair may, or upon the request of any party, must conduct the hearing with the parties physically present in separate locations, with technology enabling the committee and parties to simultaneously see and hear the party or the witness while that person is speaking.~~

~~(g) **Withdrawal of complaint.** If a complainant wants to voluntarily withdraw a complaint, they must provide notice to the college in writing before a case can be dismissed.))~~

[Statutory Authority: RCW 28B.50.140(13). WSR 24-24-035, s 495E-110-120, filed 11/25/24, effective 11/30/24. Statutory Authority: Title IX of Education Amendments of 1972 and RCW 28B.50.140. WSR 21-10-038, § 495E-110-120, filed 4/28/21, effective 5/29/21. Statutory Authority: RCW 28B.50.140(13), Violence Against Women Act of 1994, and Title IX of Education Amendments of 1972. WSR 15-11-013, § 495E-110-120, filed 5/8/15, effective 6/8/15.]

AMENDATORY SECTION (Amending WSR 24-24-035, filed 11/25/24, effective 11/30/24)

**WAC 495E-110-130 Student conduct committee hearings—**

**Presentations of evidence.** (1) Upon the failure of any party to

attend or participate in a hearing, the student conduct committee may either:

(a) Proceed with the hearing and issuance of its decision; or

(b) Serve a decision of default in accordance with RCW 34.05.440.

(2) The hearing will ordinarily be closed to the public. However, if all parties agree on the record that some or all of the proceedings be open, the chair shall determine any extent to which the hearing will be open. If any person disrupts the proceedings, the chair may exclude that person from the hearing room.

(3) The chair shall cause the hearing to be recorded by a method that he/she (~~select~~) selects, in accordance with RCW 34.05.449. That recording, or a copy, shall be made available to any party upon request. The chair shall assure maintenance of the record of the proceeding that is required by RCW 34.05.476, which shall also be available upon request for inspection and copying by any party. Other recording shall also be permitted, in accordance with WAC 10-08-190.

(4) The chair shall preside at the hearing and decide procedural questions that arise during the hearing, except as overridden by majority vote of the committee.

(5) The student conduct officer (unless represented by an assistant attorney general) shall present the case for imposing disciplinary sanctions.

(6) All testimony shall be given under oath or affirmation. Evidence shall be admitted or excluded in accordance with RCW 34.05.452.

(7) In cases involving allegations of ~~((sex-based harassment))~~ non-Title IX sexual misconduct, the complainant and respondent may not directly question one another or other witnesses. In such circumstances, the chair will determine whether questions will be submitted to the chair, who will then ask questions of the parties and witnesses ~~((τ))~~ or allow questions to be asked directly of any party or witnesses by a party's attorney ~~((or advisor))~~. The committee chair may revise this process if, in the chair's determination, the questioning by any party, attorney, or advisor, becomes contentious or harassing.

(a) Prior to any question being posed to a party or witness, the chair must determine whether the question is relevant and not otherwise impermissible; and must explain any decision to exclude a question that is deemed not relevant ~~((τ))~~ or is otherwise

impermissible. The chair will retain for the record copies of any written questions provided by any party.

(b) The chair must not permit questions that are unclear or harassing; but shall give the party an opportunity to clarify or revise such a question.

(c) The chair shall exclude and the committee shall not consider legally privileged information unless the individual holding the privilege has waived the privilege. Privileged information includes, but is not limited to, information protected by the following:

(i) Spousal/domestic partner privilege;

(ii) Attorney-client communications and attorney work product privilege;

(iii) Clergy privileges;

(iv) Medical or mental health providers and counselor privileges;

(v) Sexual assault and domestic violence advocate privileges; and

(vi) Other legal privileges set forth in RCW 5.60.060 or federal law.

(d) The chair shall exclude and the committee shall not consider questions or evidence that relate to the complainant's sexual interests or prior sexual conduct, unless such question or evidence is offered to prove someone other than the respondent committed the

alleged conduct, or is evidence of specific instances of prior sexual conduct with the respondent that is offered to prove consent to the alleged ~~((sex-based harassment))~~ sexual misconduct. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged ~~((sex-based harassment))~~ sexual misconduct or preclude determination that ~~((sex-based harassment))~~ sexual misconduct occurred.

(e) The committee may choose to place less or no weight upon statements by a party or witness who refuses to respond to questions deemed relevant and not impermissible. The committee must not draw an inference about whether ~~((sex-based harassment))~~ sexual misconduct occurred based solely on a party's or witness's refusal to respond to such questions.

(8) Except in cases involving allegations of ~~((sex-based harassment))~~ sexual misconduct, the chair has the discretion to determine whether a respondent may directly question any witnesses; and if not, to determine whether questions must be submitted to the chair to be asked of witnesses, or to allow questions to be asked by an attorney or advisor for the respondent.

[Statutory Authority: RCW 28B.50.140(13). WSR 24-24-035, s 495E-110-130, filed 11/25/24, effective 11/30/24. Statutory Authority: Title IX of Education Amendments of 1972 and RCW 28B.50.140. WSR 21-10-038, § 495E-110-130, filed 4/28/21, effective 5/29/21. Statutory Authority: RCW 28B.50.140(13), Violence Against Women Act of 1994, and Title IX of Education Amendments of 1972. WSR 15-11-013, § 495E-110-130, filed 5/8/15, effective 6/8/15.]

AMENDATORY SECTION (Amending WSR 24-24-035, filed 11/25/24, effective 11/30/24)

**WAC 495E-110-140 Student conduct committee—Initial decision.**

(1) At the conclusion of the hearing, the student conduct committee shall permit the parties to make closing arguments in whatever form it wishes to receive them. The committee also may permit each party to propose findings, conclusions, and/or a proposed decision for its consideration.

(2) Within 20 calendar days following the later of the conclusion of the hearing or the committee's receipt of closing arguments, the committee shall issue an initial decision in accordance with RCW 34.05.461 and WAC 10-08-210. The initial decision shall include

findings on all material issues of fact and conclusions on all material issues of law, including which, if any, provisions of the student conduct code were violated. Any findings based substantially on the credibility of evidence, or the demeanor of witnesses, shall be so identified.

(3) The committee's initial order shall also include a determination on appropriate discipline, if any. If the matter was referred to the committee by the student conduct officer, the committee shall identify and impose disciplinary sanction(s) or conditions (if any) as authorized in the student code. If the matter is an appeal by the party, the committee may affirm, reverse, or modify the disciplinary sanction and/or conditions imposed by the student conduct officer and/or impose additional disciplinary sanction(s) or conditions as authorized herein.

(4) The committee chair shall cause copies of the initial decision to be served on the parties and their attorneys, if any. The notice will inform all parties of their appeal rights. The committee chair shall also promptly transmit a copy of the decision and the record of the committee's proceedings to the president.

(5) In cases involving ~~((sex-based harassment, the initial decision shall be served on all parties simultaneously, as well as the~~

~~Title IX coordinator~~) ) allegations of non-Title IX sexual misconduct,  
the chair of the student conduct committee, on the same date as the  
initial decision is served on the respondent, will serve a written  
notice upon the complainant informing the complainant whether the  
allegations of sexual misconduct were found to have merit and  
describing any disciplinary sanctions and/or conditions imposed upon  
the respondent for the complainant's protection, including suspension  
or dismissal of the respondent. The complainant may appeal the student  
conduct committee's initial decision to the president subject to the  
same procedures and deadlines applicable to other parties. The notice  
will also inform the complainant of their appeal rights.

[Statutory Authority: RCW 28B.50.140(13). WSR 24-24-035, s 495E-110-140, filed 11/25/24, effective 11/30/24. Statutory Authority: Title IX of Education Amendments of 1972 and RCW 28B.50.140. WSR 21-10-038, § 495E-110-140, filed 4/28/21, effective 5/29/21. Statutory Authority: RCW 28B.50.140(13), Violence Against Women Act of 1994, and Title IX of Education Amendments of 1972. WSR 15-11-013, § 495E-110-140, filed 5/8/15, effective 6/8/15.]

AMENDATORY SECTION (Amending WSR 24-24-035, filed 11/25/24, effective 11/30/24)

**WAC 495E-110-150 Appeal from student conduct committee initial**

**decision.** (1) Any party, including a complainant in ((~~sex-based harassment~~)) sexual misconduct cases, may appeal the committee's initial decision to the president by filing a notice of appeal with the president's office within 21 calendar days of service of the committee's decision. Failure to file a timely appeal constitutes a waiver of the right and the decision shall be deemed final.

(2) The written appeal must identify the specific findings of fact and/or conclusions of law in the decision that are challenged and must contain argument why the appeal should be granted. Appeals may be based upon, but are not limited to:

(a) Procedural irregularity that would change the outcome;

(b) New evidence that would change the outcome and that was not reasonably available when the initial decision was made; and

(c) The investigator, decision maker, or Title IX coordinator had a conflict of interest or bias for or against a respondent or complainant individually or respondents or complainants generally.

(3) Upon receiving a timely appeal, the president or a designee will promptly serve a copy of the appeal on all nonappealing parties, who will have 10 business days from the date of service to submit a written response addressing the issues raised in the appeal to the

president or a designee((7)) and serve it on all parties. Failure to file a timely response constitutes a waiver of the right to participate in the appeal.

(4) If necessary to aid review, the president may ask for additional briefing from the parties on issues raised on appeal. The president's review shall be restricted to the hearing record made before the student conduct committee and will normally be limited to a review of those issues and arguments raised in the appeal.

(5) The president shall serve a written decision on all parties and their attorneys, if any, within 20 calendar days after receipt of the appeal. The president's decision shall be final and subject to judicial review pursuant to chapter 34.05 RCW, Part V.

(6) In cases involving allegations of ~~((sex-based harassment, the president's decision must be served simultaneously on the complainant, respondent, and Title IX coordinator))~~ non-Title IX sexual misconduct, the president, on the same date that the final decision is served upon the respondent, shall serve a written notice informing the complainant of the final decision. This notice shall inform the complainant whether the sexual misconduct allegation was found to have merit and describe any disciplinary sanctions and/or conditions imposed upon the

respondent for the complainant's protection, including suspension or dismissal of the respondent.

(7) The president shall not engage in an ex parte communication with any of the parties regarding an appeal.

[Statutory Authority: RCW 28B.50.140(13). WSR 24-24-035, s 495E-110-150, filed 11/25/24, effective 11/30/24. Statutory Authority: Title IX of Education Amendments of 1972 and RCW 28B.50.140. WSR 21-10-038, § 495E-110-150, filed 4/28/21, effective 5/29/21. Statutory Authority: RCW 28B.50.140(13), Violence Against Women Act of 1994, and Title IX of Education Amendments of 1972. WSR 15-11-013, § 495E-110-150, filed 5/8/15, effective 6/8/15.]

AMENDATORY SECTION (Amending WSR 24-24-035, filed 11/25/24, effective 11/30/24)

**WAC 495E-110-160 Summary suspension.** (1) 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 procedures are pending.

(2) The student conduct officer may impose a summary suspension if there is probable cause to believe that the respondent:

(a) Has violated any provision of the code of conduct; and

(b) Presents an immediate danger to the health, safety or welfare of members of the college community; or

(c) Poses an ongoing threat of substantial disruption of, or interference with, the operations of the college.

(3) Notice. Any respondent who has been summarily suspended shall be served with oral or written notice of the summary suspension. If oral notice is given, a written notification shall be served on the respondent within two calendar days of the oral notice.

(4) The written notification shall be entitled "Notice of Summary Suspension" and shall include:

(a) The reasons for imposing the summary suspension, including a description of the conduct giving rise to the summary suspension and reference to the provisions of the student conduct code or the law allegedly violated;

(b) The date, time, and location when the respondent must appear before the conduct review officer for a hearing on the summary suspension; and

(c) The conditions, if any, under which the respondent may physically access the campus or communicate with members of the campus community. If the respondent has been trespassed from the campus, a notice against trespass shall be included warning the respondent that their privilege to enter into or remain on college premises has been withdrawn, and that the respondent shall be considered trespassing and subject to arrest for criminal trespass if they enter the college campus other than to meet with the student conduct officer or conduct review officer, or to attend a disciplinary hearing.

(5) The conduct review officer shall conduct a hearing on the summary suspension as soon as practicable after imposition of the summary suspension.

(a) During the summary suspension hearing, the issue before the conduct review officer is whether there is probable cause to believe that the summary suspension should be continued pending the conclusion of disciplinary proceedings and/or whether the summary suspension should be less restrictive in scope.

(b) The respondent shall be afforded an opportunity to explain why summary suspension should not be continued while disciplinary proceedings are pending or why the summary suspension should be less restrictive in scope.

(c) If the respondent fails to appear at the designated hearing time, the conduct review officer may order that the summary suspension remain in place pending the conclusion of the disciplinary proceedings.

(d) As soon as practicable following the hearing, the conduct review officer shall issue a written decision which shall include a brief explanation for any decision continuing and/or modifying the summary suspension and notice of any right to appeal.

(e) To the extent permissible under applicable law, the conduct review officer shall provide a copy of the decision to all persons or officers who may be bound or protected by it.

(6) In cases involving allegations of (~~sex discrimination~~) sexual misconduct, the complainant shall be notified that a summary suspension has been imposed on the same day that the summary suspension notice is served on the respondent. The college will also provide the complainant with timely notice of any subsequent changes to the summary suspension order.

[Statutory Authority: RCW 28B.50.140(13). WSR 24-24-035, s 495E-110-160, filed 11/25/24, effective 11/30/24. Statutory Authority: Title IX of Education Amendments of 1972 and RCW 28B.50.140. WSR 21-10-038, § 495E-110-160, filed 4/28/21, effective 5/29/21. Statutory Authority:

RCW 28B.50.140(13), Violence Against Women Act of 1994, and Title IX of Education Amendments of 1972. WSR 15-11-013, § 495E-110-160, filed 5/8/15, effective 6/8/15.]

AMENDATORY SECTION (Amending WSR 21-10-038, filed 4/28/21, effective 5/29/21)

**WAC 495E-110-225 Sexual misconduct proceedings.** Both the respondent and the complainant in cases involving allegations of sexual misconduct subject to Title IX jurisdiction shall be provided the same procedural rights to participate in student discipline matters, including the right to participate in the initial disciplinary decision-making process and to appeal any disciplinary decision.

[Statutory Authority: Title IX of Education Amendments of 1972 and RCW 28B.50.140. WSR 21-10-038, § 495E-110-225, filed 4/28/21, effective 5/29/21.]

AMENDATORY SECTION (Amending WSR 21-10-038, filed 4/28/21, effective 5/29/21)

**WAC 495E-110-240 Prohibited conduct under Title IX.** Pursuant to

RCW 28B.50.140(13) and Title IX of the Education Amendments Act of 1972, 20 U.S.C. Sec. 1681, the college may impose disciplinary sanctions against a student who commits, attempts to commit, or aids, abets, incites, encourages, or assists another person to commit, an act(s) of "sexual harassment."

For purposes of this supplemental procedure, "sexual harassment" ~~((encompasses the following conduct))~~ means conduct on the basis of sex that satisfies one or more of the following:

(1) Quid pro quo harassment. A college employee conditioning the provision of an aid, benefit, or service of college on an individual's participation in unwelcome sexual conduct.

(2) Hostile environment. Unwelcome conduct ~~((that))~~ determined by a reasonable person ((would find)) to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the college's educational programs or activities, or changes the terms of their employment.

(3) Sexual assault. Sexual assault includes the following conduct:

(a) Nonconsensual sexual intercourse. Any actual or attempted sexual intercourse (anal, oral, or vaginal), however slight, with any

object or body part, by a person upon another person, that is without consent and/or by force. Sexual intercourse includes anal or vaginal penetration by a penis, tongue, finger, or object, or oral copulation by mouth to genital contact or genital to mouth contact.

(b) Nonconsensual sexual contact. Any actual or attempted sexual touching, however slight, with any body part or object, by a person upon another person that is without consent and/or by force. Sexual touching includes any bodily contact with the breasts, groin, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner.

(c) Incest. Sexual intercourse or sexual contact with a person known to be related to them, either legitimately or illegitimately, as an ancestor, descendant, brother, or sister of either wholly or half related. Descendant includes stepchildren and adopted children under the age of ~~((eighteen))~~ 18.

(d) Statutory rape. ~~((Consensual))~~ Nonforcible sexual intercourse between someone who is ~~((eighteen))~~ 18 years of age or older and someone who is under the age of ~~((sixteen))~~ 16.

(4) Domestic violence. Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed 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, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the state of Washington, 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 the state of Washington, RCW ((~~26.50.010~~)) 26.55.010.

(5) Dating violence. Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking 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; and

(iii) The frequency of interaction between the persons involved in the relationship.

(6) Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress.

[Statutory Authority: Title IX of Education Amendments of 1972 and RCW 28B.50.140. WSR 21-10-038, § 495E-110-240, filed 4/28/21, effective 5/29/21.]

AMENDATORY SECTION (Amending WSR 21-10-038, filed 4/28/21, effective 5/29/21)

**WAC 495E-110-260 Initiation of discipline.** (1) Upon receiving ((the)) a Title IX investigation report from the Title IX coordinator, the student conduct officer will independently review the report to determine whether there are sufficient grounds to pursue a disciplinary action against the respondent for engaging in prohibited conduct under Title IX.

(2) If the student conduct officer determines that there are sufficient grounds to proceed under these supplemental procedures, the student conduct officer will initiate a Title IX disciplinary proceeding by filing a written disciplinary notice with the chair of the student conduct committee and serving the notice on the respondent and the complainant, and their respective advisors. The notice must:

(a) Set forth the basis for Title IX jurisdiction;

(b) Identify the alleged Title IX violation(s);

(c) Set forth the facts underlying the allegation(s);

(d) Identify the range of possible sanctions that may be imposed if the respondent is found responsible for the alleged violation(s);  
(~~and~~)

(e) Explain that the parties are entitled to be accompanied by their chosen advisors during the hearing and that:

(i) The advisors will be responsible for questioning all witnesses on the party's behalf;

(ii) An advisor may be an attorney; and

(iii) The college will appoint (~~the party~~) an advisor of the college's choosing at no cost to the party, if the party fails to do so(~~(-)~~); and

(~~(3)~~) (f) Explain that if a party fails to appear at the hearing, a decision of responsibility may be made in their absence.

[Statutory Authority: Title IX of Education Amendments of 1972 and RCW 28B.50.140. WSR 21-10-038, § 495E-110-260, filed 4/28/21, effective 5/29/21.]

AMENDATORY SECTION (Amending WSR 21-10-038, filed 4/28/21, effective 5/29/21)

**WAC 495E-110-280 Rights of parties.** (1) The college's student conduct procedures, WAC 495E-110-120, and this supplemental procedure shall apply equally to all parties.

(2) The college bears the burden of offering and presenting sufficient testimony and evidence to establish that the respondent is responsible for a Title IX violation by a preponderance of the evidence.

(3) The respondent will be presumed not responsible until such time as the disciplinary process has been finally resolved.

(4) During the hearing, each party shall be represented by an advisor. The parties are entitled to an advisor of their own choosing, and the advisor may be an attorney. If a party does not choose an advisor, then the Title IX coordinator will appoint an advisor of the college's choosing on the party's behalf at no expense to the party.

[Statutory Authority: Title IX of Education Amendments of 1972 and RCW 28B.50.140. WSR 21-10-038, § 495E-110-280, filed 4/28/21, effective 5/29/21.]

AMENDATORY SECTION (Amending WSR 21-10-038, filed 4/28/21, effective 5/29/21)

**WAC 495E-110-290 Evidence.** The introduction and consideration of evidence during the hearing is subject to the following procedures and restrictions:

(1) Relevance: The committee chair shall review all questions for relevance and shall explain on the record their reasons for excluding any question based on lack of relevance.

(2) Relevance means that information elicited by the question makes facts in dispute more or less likely to be true.

(3) Questions or evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant and must be excluded, unless such question or evidence:

(a) Is asked or offered to prove someone other than the respondent committed the alleged misconduct; or

(b) Concerns specific incidents of prior sexual behavior between the complainant and the respondent, which are asked or offered on the issue of consent.

(4) ~~((Cross examination required: If a party or witness does not submit to cross examination during the live hearing, the committee must not rely on any statement by that party or witness in reaching a determination of responsibility.))~~ Complainant and respondent may not

ask questions directly of one another. The advisors will be responsible for questioning all witnesses on the party's behalf.

(5) No negative inference: The committee may not make an inference regarding responsibility solely on a witness's or party's absence from the hearing or refusal to answer questions.

(6) Privileged evidence: The committee shall not consider legally privileged information unless the holder has effectively waived the privilege. Privileged information includes, but is not limited to, information protected by the following:

- (a) Spousal/domestic partner privilege;
- (b) Attorney-client and attorney work product privileges;
- (c) Privileges applicable to members of the clergy and priests;
- (d) Privileges applicable to medical providers, mental health therapists, and counselors;
- (e) Privileges applicable to sexual assault and domestic violence advocates; and
- (f) Other legal privileges identified in RCW 5.60.060.

[Statutory Authority: Title IX of Education Amendments of 1972 and RCW 28B.50.140. WSR 21-10-038, § 495E-110-290, filed 4/28/21, effective 5/29/21.]

AMENDATORY SECTION (Amending WSR 21-10-038, filed 4/28/21, effective 5/29/21)

**WAC 495E-110-300 Initial order.** In addition to complying with WAC 495E-110-140, the student conduct committee will be responsible for conferring and drafting an initial order that:

- (1) Identifies the allegations of sexual harassment;
- (2) Describes the ~~((grievance and disciplinary procedures, starting with filing of the formal complaint through the determination of responsibility, including notices))~~ procedural steps taken from receipt of the formal complaint through the determination, including any notifications to parties, interviews with witnesses and parties, site visits, methods used to gather evidence, and hearings held;
- (3) Makes findings of fact supporting the determination ~~((of responsibility))~~;
- (4) Reaches conclusions ~~((as to whether the facts establish whether the respondent is responsible for engaging in sexual harassment in violation of Title IX))~~ regarding responsibility by applying the conduct code to the facts;

(5) Contains a statement of, and rationale for, the ~~((committee's determination of responsibility for each allegation))~~ result as to each allegation, including a determination regarding responsibility;

(6) Describes any disciplinary sanction or conditions imposed against the respondent, ~~((if any))~~ rising from the committee's determination that the respondent violated the conduct code;

(7) ~~((Describes to what extent, if any, complainant is entitled to))~~ Determines whether remedies designed to restore or preserve complainant's equal access to the college's educational programs or activities will be provided by the college;

(8) Describes the process for appealing the initial order to the college president; and

(9) The committee chair will serve the initial order on the parties simultaneously.

[Statutory Authority: Title IX of Education Amendments of 1972 and RCW 28B.50.140. WSR 21-10-038, § 495E-110-300, filed 4/28/21, effective 5/29/21.]

AMENDATORY SECTION (Amending WSR 21-10-038, filed 4/28/21, effective 5/29/21)

**WAC 495E-110-310 Appeals.** (1) (~~(The parties shall have the~~

~~right to appeal from the initial order's determination of responsibility and/or dismissal of an allegation(s) of sexual harassment in a formal complaint. The right to appeal will be subject to the same procedures and time frames set forth in WAC 495E-110-150.~~

~~(2) The president or their delegate will determine whether the grounds for appeal have merit, provide the rationale for this conclusion, and state whether the disciplinary sanction and condition(s) imposed in the initial order are affirmed, vacated, or amended, and, if amended, set forth any new disciplinary sanction and/or condition(s).~~

~~(3)) 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 21 calendar days of service of the initial order or notice of dismissal that the appealing party is challenging and must contain argument 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 notice of dismissal shall be deemed final.

(2) Upon receiving a timely appeal, the president's office will serve a copy of the appeal on all parties, who will have 10 business days from the date of service to submit written responses to the president's office addressing issues raised in the appeal. Failure to file a timely response constitutes a waiver of the right to participate in the appeal. Upon receipt of written responses, the president's office shall serve copies of the responses to the other parties.

(3) Parties receiving a copy of the responses shall have five business days in which to submit a written reply addressing issues raised in the responses to the president's office.

(4) The president or their delegate, based on their review of parties' submissions and the hearing or investigative record, will determine whether the grounds for appeal have merit, provide the rationale for this conclusion, and state whether a dismissal is affirmed or denied, or if the disciplinary sanctions and conditions imposed in the initial order are affirmed, vacated, or amended, and, if amended, set forth the new disciplinary sanctions and conditions.

(5) President's office shall serve the final decision on the parties simultaneously.

(6) All administrative decisions reached through this process may be judicially reviewed pursuant to applicable provisions of chapter 34.05 RCW including, but not limited to, the timelines set forth in RCW 34.05.542.

[Statutory Authority: Title IX of Education Amendments of 1972 and RCW 28B.50.140. WSR 21-10-038, § 495E-110-310, filed 4/28/21, effective 5/29/21.]

Renton Technical College  
Board of Trustees Meeting  
**May 21, 2025**

**AGENDA ITEM: 5. DISCUSSION/REPORTS**

**SUBJECT:**

**BACKGROUND:**

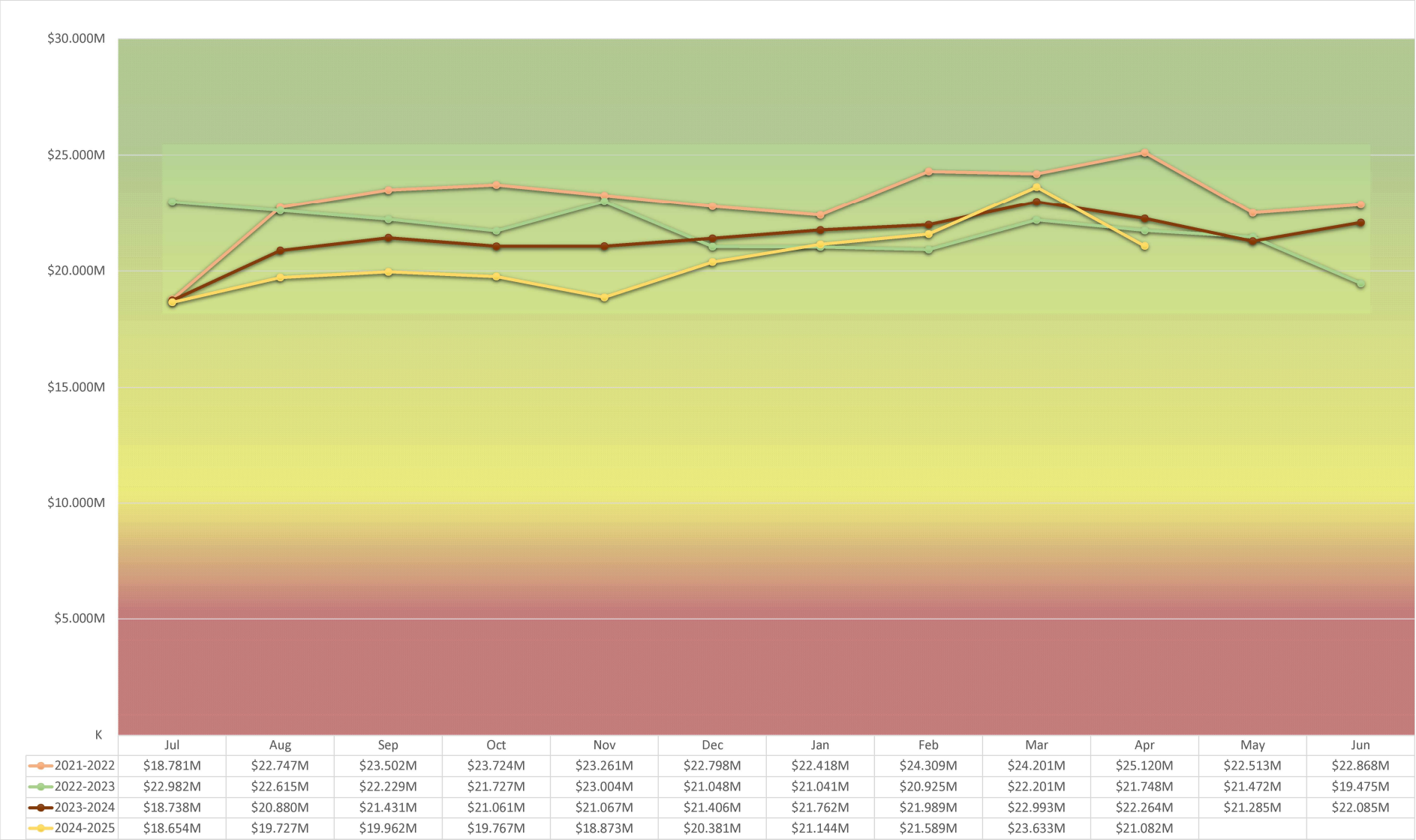
- A. President's Report  
Dr. Harden will provide a report subsequent to the April 16, 2025 Board meeting.
- B. Financial/Budget Status  
Vice President Jackson will provide a report of the budget.

<b>BOARD CONSIDERATION</b>	
<b>X</b>	Information
	Action

**RECOMMENDATION:**

None.

RTC Month End Cash and Reserves Balances - FYR 2122 to 2425



**RENTON TECHNICAL COLLEGE**  
**MONTHLY OPERATIONS REPORT**  
**FISCAL YEAR 2024-25**  
**For the Month of April 2025**

	April 2025 - Actual	Year to Date - April 2025 - Actual	Prior Year to Date - April 2024 - Actual	Variance - Increase (Decrease)
Beginning Cash Balance	5,978,043	9,427,232	19,248,178	(9,820,946)
Add - Revenues:				
Tuition & Fees - Funds 060 148 149 561	(3,544)	10,730,560	8,180,679	2,549,881
Grants and Contracts	877,694	5,827,592	4,077,157	1,750,435
Donation Received	-	-	-	-
Student Government	(3,303)	878,074	589,605	288,468
Bookstore	8,523	120,027	15,443	104,584
Security/Parking	(1,332)	238,730	79,758	158,972
Culinary Arts - Food Services	75,040	721,086	584,369	136,717
Housing	-	-	32,196	(32,196)
Interest Income	49,866	536,306	159,915	376,391
Rental Income - Excluding 569	4,561	220,157	198,352	21,805
Scholarship and Student Loan Funds Received	2,925,358	11,625,774	6,749,219	4,876,555
CRRSA	-	-	-	-
CARES Deferred FY20	-	-	-	-
Net Operating Revenues	<b>3,932,862</b>	<b>30,898,304</b>	<b>20,666,693</b>	<b>10,231,612</b>
Add - State Allocation				
State Allocation - VPA Expenses	4,375,696	30,445,508	23,629,290	6,816,218
Capital Allocation Fund 057	569,189	1,115,962	1,180,085	(64,123)
Capital Allocation Fund 060	323,900	344,236	251,360	92,876
Total State Funding	<b>5,268,785</b>	<b>31,905,706</b>	<b>25,060,735</b>	<b>6,844,971</b>
Total Revenues	<b>9,201,647</b>	<b>62,804,010</b>	<b>45,727,428</b>	<b>17,076,582</b>
Less - Expenses:				
Salaries	2,810,916	26,293,829	21,608,170	4,685,659
Benefits	836,685	8,172,717	7,038,301	1,134,415
Contracts	-	-	-	-
Goods and Other Services	866,558	9,970,960	6,803,624	3,167,335
Cost of Goods Sold	19,206	233,117	146,114	87,003
Travel	17,193	132,527	113,978	18,548
Equipment	34,218	94,613	81,250	13,363
Computer Equipment	-	-	-	-
Financial Aid	3,992,573	13,891,434	9,613,386	4,278,049
Debt Service	-	129,806	45,340	84,467
Bad Debt	-	-	-	-
Total Expenses	<b>8,577,349</b>	<b>58,919,002</b>	<b>45,450,164</b>	<b>13,468,839</b>
Net Operating Surplus (Deficit)	<b>624,298</b>	<b>3,885,008</b>	<b>277,264</b>	<b>3,607,744</b>
Other Sources (Applications) of Cash:				
Changes in Petty Cash; Accts. Receivable & Accts. Payable; Inventory	924,085.55	(2,692,614)	(37,874)	(2,654,740)
Decrease/ (Increase) in Investments & Bond Amortization	(44,632)	(2,447,792)	(8,375,716)	5,927,924
Payment of Bldg, Innovation Fee, and VPA Advance to State	(73,368)	(800,936)	(830,754)	29,818
Land Purchase	-	-	-	-
Total Other Sources (Applications) of Cash	<b>806,085</b>	<b>(5,941,342)</b>	<b>(9,244,344)</b>	<b>3,303,003</b>
Adjustments to Cash	-	-	-	-
Ending Cash Balance	<b>7,408,426</b>	<b>7,370,899</b>	<b>10,281,099</b>	<b>(2,910,200)</b>
Add College Reserves:				
Local Government Investment Pool (LGIP)	12,405,022	12,405,022	9,380,574	3,024,448
Investment Bonds held in trust by US Bank	2,698,552	2,698,552	2,625,743	72,809
Total Reserves	<b>15,103,574</b>	<b>15,103,574</b>	<b>12,006,317</b>	<b>3,097,257</b>
Total Cash and College Reserves	<b>22,512,001</b>	<b>22,474,473</b>	<b>22,287,416</b>	<b>187,057</b>
	Actual %	Year to Date	Prior Year to Date	Variance
Total Current State Allocation	100%	31,560,828	28,997,513	2,563,315
Allocation Used - Year to Date	96%	30,445,508	25,060,735	5,384,773
Remaining State Allocation	4%	1,115,320	3,936,778	(2,821,458)

Renton Technical College  
Board of Trustees Meeting  
**May 21, 2025**

**AGENDA ITEM: 6. BOARD OF TRUSTEES**

**SUBJECT: TRUSTEE REPORTS**

**BOARD CONSIDERATION**

X Information

Action

**BACKGROUND:**

- A. Foundation Liaison Report  
Foundation Liaison, Trustee Takamura, will provide an update from the Foundation Board.
- B. Legislative Action Liaison Report  
Legislative Action Liaisons, Trustees Entenman and Zappone, will provide an update on legislative action meetings and activity.
- C. Community Advisory Committee  
Community Advisory Committee Liaison, Chair Norouzi, will provide an update from the Community and Partnerships Council.

**RECOMMENDATION:**

None.

Renton Technical College  
Board of Trustees Meeting  
**May 21, 2025**

**AGENDA ITEM: 7. MEETINGS**

**SUBJECT:**

<b>BOARD CONSIDERATION</b>
X Information
Action

**BACKGROUND:**

- A. A special Board of Trustees meeting is scheduled on June 11, 2025.
- B. The next regularly scheduled meeting of the Board of Trustees will be June 18, 2025.

**RECOMMENDATION:**

None.

Renton Technical College  
Board of Trustees Meeting  
**May 21, 2025**

**AGENDA ITEM: 8. ADJOURNMENT**

**SUBJECT:**

**BACKGROUND:**

<b>BOARD CONSIDERATION</b>
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Information
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<b>X    Action</b>
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**RECOMMENDATION:**

Motion required.