

I. STUDY SESSION

1. Call to Order

Chair Tim Cooper called the meeting to order at 12:02 P.M. and noted a quorum.

2. Public Comments

There were no public comments

3. Update on Federal Funding

President Yoshiko Harden welcomed the group. This meeting to provide the Board with a general update on language around assurances and what Renton Technical College (RTC) is implementing in response to changes in assurances.

Vice President Jacob Jackson briefed the group on grants. Grants received a new grant award notification (GAN) about two weeks ago. Last week, Aileen Miller Assistant Attorney General (AAG) to the State Board of Community and Technical Colleges (SBCTC), held a meeting for the college chancellors, presidents, and business partners. In addition to the Perkins GAN, Adult Basic Education also has a revised GAN which appears to have similar language to the Perkins GAN. The GAN has many links to other documents with embedded terms.

Trustee Frieda Takamura asked about amount of funding these grants could impact. VP Jackson responded that, RTC receives about \$600,000 in Perkins; \$600,000 in Basic Education for Adults (BEA); \$300,000 in Basic Food and Training (BFET); and \$900,000 in Work First. There are some small National Science Foundation (NSF) grants (between \$20,000-100,000). Both BFET and Work First are substantial grants that benefit students with tuition dollars, wrap-around service, housing and food costs. In total, the potential amount in grants is around \$2M.

The initial assurance is signed by the Workforce Training Board, which then distributes funds to the State Board, which then distributes funds to the colleges. It doesn't appear that there is an option to decline dollars. Chair Cooper asked how the loss of dollars translates to impact on the college. Perkins dollars are used for staffing, professional development, and more. BFET partially funds some staff members. Work First funds three positions.

Attorney General Michael Hemker stated that Executive Orders are not new. What is new is having to carefully look at Executive Orders for compliance. In the previous administration, Executive Orders encouraged diversity, equity, and inclusion (DEI). However, the current Executive Orders have rolled those previous orders back and

do not provide definitions. Executive Orders are not a law nor are they a change in law. The Department of Justice (DOJ) is charged with overseeing the administration's policies. While memos have been labeled as "guidance", they include language that implies a more forceful look at institutions. The memo does not include definitions. DEI, on its face, is not unlawful or unconstitutional or discriminatory. However, the memo indicates that DEI is discriminatory. Affirmative Action has been banned in Washington state for quite some time. Additionally, Washington prohibits hiring practices based on gender or race. Currently, the memo states that there will be deeper scrutiny around questions eliciting information on gender, race, geographic location, and more. The DOJ is viewing questions such as "describe a challenging time" to be discriminatory. Advice at this stage is to do a close examination of any areas that deal with race, equity, or diversity. The goal is to be able to honestly and thoughtfully give a response to the State Board that these programs have been evaluated and are not discriminatory and are compliant with federal law. The State Board will then give assurances to the federal government. The Attorney General's Office (AGO) is working on advice for those who sign assurances. At this point, discussion should occur before any assurances are given to the State Board. There should be review on programs.

President Harden stated that RTC met with AAG Hemker immediately after the memo was released. AAG Hemker stated that there has been federal case law that a good faith review and belief of compliance is a defense against criminal action. It doesn't prevent the DOJ from bringing an action, but it does help to have these records of compliance. AAG Hemker cannot represent college staff under criminal actions. The initial impact of declining funds could be more attention brought to Title IV funding.

Trustee Debra Entenman asked about Washington's I-200 law against discrimination in light of the Executive Orders and memo that has been issued. I-200 is a constitutional law, meaning that it is in line with both the state and federal constitution. I-200 is more protective than the constitution. In terms of law, complying with I-200 should make an institution in line with the constitution. However, the difference in the memo is that if an institution gives a privilege to any group, that is a form of discrimination under civil rights laws.

Trustee Entenman asked about the Board's and RTC's legal responsibility and liability. Review of programs and processes is RTC's responsibility. The liability could be a difference in opinion with the federal memo which could lead to a civil rights investigation. The likelihood of the DOJ immediately pursuing criminal action is small. The DOJ has currently shifted their interest to public 4-year institutions.

Washington is a target because it is more of a sanctuary state, but an area of focus remains transgendered individuals and sports.

Trustee Frieda Takamura asked about individual liabilities and how much individual liability could come back to the college. It is possible to go after an institution for criminal charges. If there is a blatant charge that is out of compliance with state and federal laws, an institution could face fines. The current investigations against the University of California—Los Angeles (UCLA) are not in the phase of charges. However, the likelihood of a similar investigation to RTC appears small because the DOJ is going after UCLA on charges of antisemitism. Without encampments or large actions on campus, it's unlikely that RTC will be on the DOJ's radar.

Trustee Takamura asked about loss of federal grants. AAG Hemker responded that the DOJ could pull one grant and then use that to investigate pulling other grants. VP Jackson noted that most of RTC's grants come from the Department of Health and Human Services.

President Harden stated that VP Jackson and Executive Director Doris Martinez are pulling together a taskforce that will review and document how programs are in compliance as well as ensure that those signing off on assurances have contacted the appropriate person(s) prior to signing. Nate Humphrey, the new State Board Executive Director, is pulling together guidance to ensure that each college is acting uniformly. Trustee Takamura thanked President Harden to bringing the college together and speaking about this matter with transparency.

AAG Hemker stated that if, for some reason, the college decides not to take federal funding, it's important that the college talk to the State Board about possible ramifications. Chair Cooper asked if the college is not taking federal funding. President Harden stated that the college plans to accept federal funding.

Trustee Entenman commented that it's important for the college to stand together and it's naïve to believe that community colleges will not be a target. Once members of the administration realize that community and technical colleges train a significant number of people color, community and technical colleges will become a target. These are interesting times. Do not underestimate the power of intolerance. President Harden stated that the colleges are all in their particular contexts, and each is assessing their full context. The guidance has been that each college must make their own risk assessments.

Chair Cooper asked if there will be another update. President Harden stated that there will be another update at the next Board meeting or study session unless there is news before then..

4. Meetings

A. Special and Regular Board Meeting – September 17, 2025

The next regular Board meeting is scheduled for September 17, 2025, at 3:00 P.M.

5. Adjournment

There being no further business, Trustee Takamura motioned to adjourn the Board of Trustees meeting at 12:48 P.M. Trustee Entenman seconded, and the motion carried.

TIM COOPER, Board Chair
Board of Trustees

A handwritten signature in blue ink, appearing to read "Tim Cooper", is written over a horizontal line.

YOSHIKO HARDEN, President
Renton Technical College

A handwritten signature in blue ink, appearing to read "Yoshiko Harden", is written over a horizontal line.