



MEETING MINUTES

SPECIAL MEETING

1. CALL TO ORDER

- A. Board Chair Kirby Unti called the meeting to order at 3:01 p.m. A notation of quorum was made.

2. ACTION

- A. **Public Comments from the Audience** There were no public comments.

- B. **Title IX Emergency Rules**

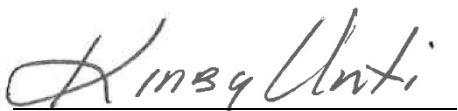
Vice President Gilmore English noted that Anthony Covington, has been selected to fill the vacant position of Dean of Student Success. Dean Covington is also our conduct officer, and will be joining the meeting. Vice President Gilmore English provided context that Higher Ed was anticipating proposed changes by the current administration for Title IX. All colleges have worked closely with the Attorney General's (AG) office, regarding the student conduct code, as this will require the new rules to be WAC'd replacing old rules. The community and technical college system was hoping for an injunction, and today we learned that will not happen. This emergency filing needs to be filed by Friday, August 14. To ensure due process, there is emphasis on respondent's due process and rights. The new rules are intended to balance but gives unprecedented rights to employees as it relates to disciplinary actions. It also gives more rights to a Title IX complaint than any other complaint. Trustee Takamura questioned the process of this if the violation happens off-campus and seeps onto campus. There is a limiting scope of authority of the college and college activities. This does exclude situations take place on a non-campus jurisdiction. It was further questioned how we support students whose jurisdiction is off-campus, and is there anything that RTC can include in policies that would mitigate these concerns. Vice President Hogan commented that policies and WAC's are written legally but the nice thing about a model policy is that there is no ambiguity from college to college. This is Federal law that we are obligated to follow. We could risk federal funding if we do not approve. Vice President Gilmore English added that we are in a better position now to support students - both claimant and respondent, with the addition of our Behavioral Health services on our campus. As it relates to the employee policy, we are still working on that piece. We have been in discussions with a few other colleges to share resources. It is the AG's position that the colleges need to implement the rules and modify the WAC's for sexual assault violations. The Faculty contract actually parallels the additional hearing process. All employees who have findings against them relating to Title IX, will get to avail themselves of a hearing should they choose. Anyone, student or employee would get this extra level of hearing opportunity. We

will have a robust training module for training through EverFi. Some may also avail themselves with an attorney as an advocate during the investigation and disciplinary process. We have no sports or residence halls, and our Title IX reports are much lower than most. Trustee Page inquired as a general principle when the college is represented by the AG office, if there was issue of legal counsel, RTC would continue to be represented by them as well? The AG office would not represent plaintiff or respondent, as that office is reserved to represent the College in any legal action. The long-term approval process for student conduct code is that we will go through regular process through the code reviser for proposed language with time to review and approve before final code is set. We will work toward revising the entire code to include these rules. We are required to enact these by August 14, 2020.

Trustee Page moved to adopt the emergency rules for Title IX which impacts the college's current Student Conduct Code and Hearing Procedures WACs in order to be in compliance with the United States Department of Education Office for Civil Rights' Final Rules. Trustee Palmer seconded and the motion carried

3. ADJOURNMENT

There being no further business, it was moved by Board Chair Unti to adjourn the Board of Trustees' meeting at 3:31p.m. Motion carried.



KIRBY UNTI, Board Chair
Board of Trustees



KEVIN D. MCCARTHY, President
Renton Technical College