

## Agenda Items

## Information/Action/Presenter

### I. SPECIAL MEETING

**1:00 P.M.**

1. Call to Order Board Chair Tim Cooper
2. Public Comments  
*Public comments are limited to three (3) minutes. Written public comments sent to [president@rtc.edu](mailto:president@rtc.edu) will be read aloud at the meeting. Please e-mail [president@rtc.edu](mailto:president@rtc.edu) before 1:00 P.M. on Wednesday, October 15 to sign up for virtual public comments.*
3. Board of Trustees Board Chair Tim Cooper
  - A. 2024-2025 Board Goals
    - i. President's Draft Goals
    - ii. Establish Board Goals
  - B. 2025-2026 Board Budget

### II. EXECUTIVE SESSION

- A. An Executive Session will be called to review the performance of a public employee (RCW 42.30.110).
- B. Announcement of time Executive Session will conclude.

### III. REGULAR BOARD MEETING

## Information/Action/Presenter

1. Call to Order 3:00 P.M.
  - A. Notation of Quorum
2. Adoption of Minutes
  - A. September 17, 2025 – Special and Regular Meeting Action
  - B. October 9, 2025 – Special Meeting Action
3. Communications Information
  - A. General Information/Introductions
  - B. Correspondence
  - C. Public Comments from the Audience  
*Public comments are limited to three (3) minutes. Written public comments sent to [president@rtc.edu](mailto:president@rtc.edu) will be read aloud at the meeting. Please e-mail [president@rtc.edu](mailto:president@rtc.edu) before 3:00 P.M. on Wednesday, October 15 to sign up for virtual public comments.*
  - D. Student Leadership

- E. Renton Federation of Teachers
- F. Written Communication Reports

4. Action Items

- A. President's Contract Addendum
- B. Annual Board Meeting Schedule 2025—Draft
- C. Student Conduct Emergency Rule Renewal

President Yoshiko Harden  
Chair Cooper  
Vice President Jessica  
Gilmore English

5. Discussion/Reports

- A. President's Report
- B. Financial/Budget Status

Information  
President Harden  
Vice President Jacob Jackson

6. Board of Trustees

7. Meetings

- A. Regular Board Meeting – November 19, 2025

8. Adjournment

Action

Renton Technical College  
Board of Trustees Meeting  
**October 15, 2025**

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

**SUBJECT:**

**BACKGROUND:**

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

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

**RECOMMENDATION:**

None.

Renton Technical College  
Board of Trustees Meeting  
**October 15, 2025**

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

**SUBJECT:**

**BACKGROUND:**

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

- A. September 17, 2025 – Special and Regular Meetings
- B. October 9, 2025 – Special Meeting

**BOARD CONSIDERATION**

Information

**X Action**

**RECOMMENDATION:**

Approval as presented.

## **I. SPECIAL MEETING**

### **1. Call to Order**

Board Chair Tim Cooper called the meeting to order at 1:09 P.M. and noted a quorum.

### **2. Public Comments**

There were no public comments.

### **3. Board of Trustees**

#### **A. 2023-2024 Board Self-Evaluation**

Chair Cooper opened the discussion for the Board self-evaluation. Based on responses, one area for consideration is Board participation. Chair Cooper noted that he was unable to attend some campus events (item 5). Trustee Norouzi commented that there is much to learn, and it can be challenging to be able to convey the breadth of the programs when she's talking with others. She reported that program visits help her deeply understand programs. Vice Chair Bob Zappone stated that he asked Dean Warren Takata to set up a meeting with apprenticeship programs to get a better understanding of them. He agreed that the program tours are helpful and asked for more program visits. President Yoshiko Harden agreed and also noted that the compressed timeline of study sessions can be difficult. She suggested that programs could present to the Board either during Study Sessions or the regular meetings. The group agreed that this is a good idea. Trustees Takamura and Norouzi requested hearing from more student voices on student experience. Chair Cooper asked to spotlight programs when there are no large business items, such as tenure and annual budget updates. Trustee Takamura asked for on-site visits. Trustee Norouzi asked for an Automotive Program visit. Chair Cooper requested a Welding Program visit.

Vice Chair Zappone asked about supporting fundraising goals for the College. Trustee Norouzi stated that there is an opportunity for the Board to help support the Foundation. Trustee Takamura noted that she would appreciate more relationship-building between the Foundation Board and the Board of Trustees. She would like a better understanding of roles between the Foundation Board and the Board of Trustees. In previous years, the Foundation Board and the Board of Trustees would meet for a meal after separate retreats. The group discussed the functions of the two boards. Chair Cooper stated that the trustees' presence at Foundation events and leading by example may be the

best extent of support the trustees can offer. President Harden suggested that the trustees can attend a Foundation Board meeting to introduce themselves. She also provided some context about the history of the Foundation and Executive Director Carrie Shaw's work building legacy donors and the Foundation. Trustee Takamura expressed appreciation for ED Shaw's decision to bring in Be Culture for help with the Foundation Strategic Plan. Trustee Norouzi stated that she would like to hear what support is needed from the Foundation Board. President Harden suggested that the Board could invite the Foundation Board President and ED Shaw to part of the next Board of Trustees Retreat.

Trustee Takamura emphasized the importance of revisiting the Board policies. Chair Cooper stated that this could be a good topic for the next Board Retreat.

B. 2024-2025 Board Goals

i. President's Draft Goals

President Yoshiko introduced her draft goals. Some of the goals are a continuation from previous years. Focusing on innovation, campus climate, and strengthening relationships with faculty and staff are all priorities for the coming year.

President Harden noted a widening gap between some student groups that she would like to work to address. She is working on Associated Student Government (ASG) experience and developing a cabinet-to-cabinet annual event. President Harden stated that having more student spaces and developing the student funding hub are both priorities. The Learning Resource and Career Center (LRCC) needs updating due to changes in tutoring necessitated by COVID. Vice President Jessica Gilmore English is working with Lisa Sandoval, Director of the LRCC, on a proposal for the LRCC space.

Financial stewardship will continue to be a priority, as is diversifying revenue streams. President Harden noted that growing enrollment needs to continue and will trigger various changes. The waitlist feature is now being utilized. Executive Director Doris Martinez and Vice President Jacob Jackson are leading the Federal Compliance Taskforce. Workforce development and strategic partnerships are being revived by the Office of Innovation and Strategic Partnerships (OISP), as well as work that President Harden is engaged in around King County. President Harden is also looking at revamping college relations. Trustee Norouzi asked if there is a government relations position. There is currently no government relations employee at RTC, although some other colleges do have an employee dedicated to government relations.

Trustee Takamura stated that she is reassured and fulfilled at President Harden's direction. When the Board hired President Harden, this is the exact direction they wanted the college to go in. Trustee Takamura personally thanked President Harden for her work. Trustee Norouzi stated that it is very fulfilling to be on the Board at this time. President Harden's ability to balance vision with implementation, hard decision-making with empathy and care, and her other leadership qualities such as confidence and good decision-making make Trustee Norouzi feel excited about the direction RTC is going. Vice Chair Zappone noted that President Harden has been engaged in a lot of work. Chair Cooper asked about building and strengthening relationships with staff and faculty. President Harden stated that she would add language around establishing a strong relationship with Renton Federation of Teachers Union leadership. Vice Chair Zappone requested a meeting between the Board and Renton Federation of Teachers leadership. Trustee Norouzi commented that President Harden needs a strong leadership team. Trustee Takamura stated confidence in President Harden's decision. The Board is here to support President Harden, and, in turn, President Harden will act with transparency with the Board.

Chair Cooper asked for quarterly review of items with metrics. Trustee Takamura suggested reviewing Board goals in tandem with a progress review of the President's goals. Trustee Norouzi noted that this will be a good recurring conversation to see if goals are still relevant.

ii. Establish Board Goals

The group reviewed the 2024-2025 Board Goals and discussed 2025-2026 Board Goals. The group agreed that goal one could likely stay the same. Regarding goal two, Chair Cooper stated that the Board has an incredibly strong relationship with President Harden and so goal two is a rollover goal. In discussing goal three, Chair Cooper stated that meetings with Be Culture have been extremely meaningful, and he has referred to his notes from meetings with Be Culture several times. The group then discussed goal four. Chair Cooper noted that the group is in the process of seeking new Board members. Trustee Norouzi acknowledged that the Board is losing two trustees with deep historical knowledge. Chair Cooper added that work ahead of the Board is not only successfully onboarding new trustees, but it is also the successful navigation of these transitions. Vice Chair Zappone acknowledged that Trustee Takamura has put a lot of time and effort into supporting campus community members and helping people feel heard. Trustee Takamura emphasized moving forward and remarked that the Board's responsibility to new Board members is moving the campus to the future. Chair Cooper stated that Trustee Takamura's presence on the Board

has shown students that education can open doors for them. Trustee Norouzi noted that there is a need to align the Board goals with the President's goals to support the President. The 2024-2025 Board Goals are:

Goal 1: Provide guidance for the Be The Place Strategic Equity Plan (BTP SEP) and stay apprised of progress towards BTP SEP outcomes.

Goal 2: Continue to strengthen the Board-President relationship through ongoing communication and transparency.

Goal 3: Continue professional development for the Board and deepen knowledge of RTC's programs and role in the community.

Goal 4: Deepen connections to the community in support of the College's mission to advance Board succession planning and support a pipeline of Board members and friend- and fund-raising.

C. 2025-2026 Board Budget

The Board deferred this item until the October regular meeting due to time.

## II. EXECUTIVE SESSION

1. At 2:31 P.M., an Executive Session was called for twenty (20) minutes to review the performance of a public employee (RCW 42.30.110) in accordance with the Open Public Meetings Act.
2. The Executive Session concluded at 2:51 P.M.
3. Return to Open Session.

## III. MEETINGS

A. Regular Board Meeting – September 17, 2025

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

## IV. ADJOURNMENT

There being no further business, Trustee Norouzi motioned to adjourn the Board of Trustees meeting 2:51 P.M. Trustee Takamura seconded, and the motion carried.

## V. REGULAR BOARD MEETING

1. Call to Order

Board Chair Tim Cooper called the meeting to order at 3:07 P.M. and noted a quorum.



## 2. Adoption of Minutes

- A. June 11, 2025 – Special Meeting
- B. June 18, 2025 – Regular Meeting
- C. July 24, 2025 – Special Meeting
- D. August 11, 2025 – Special Meeting

Trustee Takamura introduced a motion to approve the minutes for the special and regular meetings held on June 11, June 18, July 24, and August 11, 2025. Trustee Norouzi seconded, and the motion carried.

## 3. Communications

### A. General Information/Introductions

President Harden thanked Trustee Takamura for her 10 years of service to the RTC community. Vice President Stephanie Delaney presented Trustee Takamura with a hand-knit shawl in RTC colors. Trustee Takamura stated that RTC is a jewel in the Renton community and thanked the group for all that they do each day. She will miss all the RTC community members. Chair Cooper thanked Trustee Takamura for being the first person he met as part of the RTC Board. He thanked her for her legacy. Trustee Norouzi shared that Trustee Takamura was the first person she met with as well, and she admired Trustee Takamura's leadership and advocacy prior to joining the RTC Board. She stated that it's been an honor to learn from Trustee Takamura.

Dean Anthony Covington introduced Dr. Ashe Brown, the newest academic faculty advisor. Program assignments for academic counselors are going to be sent out today. President Harden introduced Executive Director Wade Parrott III who is leading the Office of Innovation and Strategic Partnerships. ED Parrott will be leading Continuing Education, the President's Community Advisory Committee, and Partnerships. ED Parrott has been at RTC For 8 years and is excited to venture into a new role.

### B. Correspondence

Chair Cooper expressed appreciation for the program review information and noted that there were two retirements of individuals, Mark Daniels and Robert Coggin, of RTC employees of 30-40 years of service.

### C. Public Comments from the Audience

There was one public comment from Andre Betita on the Student Financial Responsibility Agreement.

President Harden stated that the compounding interest has not come to the WACTC President's group. The Student Financial Responsibility Agreement is a mandate.

D. Student Leadership

Dr. Mica Hunter, Director of Student Life, introduced Odessa Paule, Ruby Pocasangre, Mirella Valle, and Afonso Vaituma, the new Associated Student Government (ASG). There is a full ASG Executive team and ASG Senate this year. Student Leadership took 14 students to the Student Leadership Conference this year. Welcome Back week programming will include tables to help students navigate to classes, Pizza with the President, a Latin Heritage Celebration, and Latin Dancing. ASG welcomes faculty and staff to these events. ASG had a student panel today that helped students connect with instructors on what it is to be a student. It was great to have contact with faculty. Thank you to faculty participating. The ASG wants to make changes for future students and is looking for perspectives to help shape these changes. The first Senate meeting was yesterday. This is going to be a great year.

E. Renton Federation of Teachers

Dr. Huma Mohibullah, President of the Renton Federation of Teachers (RFT) gave a quick introduction. Rick Giest and Elisa Westcrook are continuing on the RFT Executive Board (E-Board). Marty Cooksey is the treasurer, JR Hudspeth, Dr. Elizabeth Flannigan, Fatih Killi, and Glenda Hansen are the E-Board.

RFT asked about the state of emergency and pushed for the end of the state of emergency. The chilling effect is worse on those with little protections, such as an unwillingness to participate in certain projects due to fear of retaliation. When asked, Assistant Attorney General Michael Hemker responded that he would need to research how long a state of emergency could be in place, but so long as the conditions are still in place that necessitated the state of emergency it can persist.

RFT stated that there was confusion around Professional Development Day. RFT stated that the agenda was not aligned with state or federal guidelines and may not be in the spirit of what is negotiation. There is a negotiation on tenured faculty counselor lines. Two tenured faculty counselors have been replaced by one none-tenured counselor.

AG Hemker stated that the financial health of the state of Washington is part of what determines whether there is a state of emergency at the college.

## F. Written Communication Reports

### 4. Action Items

#### A. Student Conduct Emergency Rule Renewal

Vice President Jessica Gilmore English presented a request to revise the emergency rule, which are per the Title IX rules. These were first presented in May. Next, there will be a public hearing on October 6. Nothing has changed since the last time this was presented. Trustee Norouzi acknowledged the work that has been put into these changes.

*After considering the recommendation presented to the Board, Trustee Norouzi move to approve the extension, 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 September 18, 2025, because the rule extension is necessary to comply with federal Title IX law and related federal regulations. Trustee Takamura seconded, and the motion passed.*

#### B. President's Contract Addendum

This topic was deferred to the next Board meeting due to time constraints.

### 5. Discussion/Reports

#### A. President's Report

President Harden greeted the group. This has already been a busy month. Several staff were at the City's proclamation for Workforce Development Month. Yesterday was Fall Kick-Off, which highlighted payroll giving and featured a keynote by Dr. Maria Harper-Marinick gave. Employees have been engaged in professional development. President Harden expressed congratulations to the new RFT Board.

Summer highlights: There were 770 graduates at Commencement in June. Trustee Takamura noted that many students stayed for the entire ceremony and Trustee Norouzi remarked positively on the DJ. President Harden stated that last year ended with awareness of two trustee vacancies. Summer was spent meeting with people who expressed interest in the trustee roles.

There was an invitation-only Adam Smith Town Hall event on mental health. The event was interrupted by a protest of ICE that was also in favor of Palestine. There is a protest zone on campus, and the protesters declined to move to the designated protest area. Police told the protestors that they needed to leave if they would not move to the protest zone, or they would be trespassed. The

protestors appeared to leave, however two protesters who left returned which is when police arrested them. There is an ask with Senator Murray's Office for funding around Workforce. Currently, allocations and federal dollars are in flux. President Harden met with Loria Yeadon, the President of the YMCA of Greater Seattle. President Harden also met with Suzanne Walsh the new President of City University of Seattle (CityU). CityU uses one of RTC's buildings. President Harden, Vice President Stephanie Delaney, and Executive Director Wade Parrott III met with the Mayor of SeaTac, Mohamed Egal, to help un- or under-employed residents seek education that could allow them to move out of the gig economy. President Harden attended the Convergent Technologies opening, where she collected fund for a scholarship and an individual donation. Kudos to Outreach for creating a welcoming and engaging table at this event.

Enrollment: Summer quarter was a strong quarter at 112% of the FTE target. General Education is up 12%, Prof Tech is up 21%, and CCP is 15% up when compared to last year. Retention strategies continue to be a priority at the college.

Finance: Recent construction updates include the selection of two architects. President Harden and her team have been following economic and revenue forecasts. Slower growth is anticipated.

Partnerships: In two weeks, traveling to Renton's sister city, Nishiwaki, on a culinary partnership.

Trustee Takamura asked how other colleges are dealing with the fiscal crisis. President Harden reported that enrollment seems fairly strong on the western side of the state. Other colleges are reporting some elimination of federal dollars. International enrollments are declining for four-year institutions. Each college was impacted differently and has been advised to address campus-specific issues accordingly.

#### B. Financial/Budget Status

Vice President Jacob Jackson gave an overview of the college's financial and budget status. The financial impacts are ongoing. Many colleges waited until after the legislature adjourned in April to begin budgeting. Several colleges are having some very serious financial issues.

VP Jackson briefed the group on where the college ended up last year. Tuition has gone up substantially, Enterprise and Running Start are up. Revenue was

about \$51M. Expenditures came in at or above the budgeted numbers, with a total of about \$51M. The year finished with expenditures being slightly better than revenue.

For August revenue, RTC is trending ahead of what was expected for tuition. Fees are also up due to changes in the fee schedule. Revenue is strong. There is no money to pull from variance this year, and so hopefully the forecasts hold.

The Building I Funding Hub, Building J second and third floor remodels, and Building L remodel are planned for this year. The Funding Hub will be a one-stop-shop for student funding that shares space with the bookstore. The second and third floor Building J remodel will include campus listening sessions, as this will be both faculty and student space. Building L is where NW Carpenters was located for about three decades. Thank you to Maintenance and Facilities staff for all their work cleaning up Building L. HVAC, Commercial Engineering, and space for a future electronics program is being made available in Building L. There will be minor works around campus.

Turning to investments, there are about \$4.2M in bonds. The average yield rate is about 4.08%. The college has about \$20M tied up in various accounts and has less than \$1M available as a buffer. Chair Cooper asked for the best strategies to build a buffer in the long run. VP Jackson will do some research and report back in November.

President Harden stated that the State Board has a budget relations team that is currently in Washington D.C. lobbying.

## 6. Board of Trustees

### A. Annual Board Meeting Schedule 2025—Draft

The Board reviewed the draft meeting schedule. One of the topics of conversation was continuing to engage programs and spend more time out visiting classrooms to help build knowledge. The Board would like to create further connection with faculty and staff. Chair Cooper stated that the Board would love to have program highlights to celebrate work being done.

## 7. Meetings

### A. Regular Board Meeting – October 15, 2025

The next regular Board meeting is scheduled for 3:00 P.M. on October 15, 2025.

8. Adjournment

There being no further business, Trustee Norouzi moved to adjourn the Board of Trustees meeting 4:13 P.M. Trustee Takamura seconded, and the motion carried.

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## **I. SPECIAL BOARD MEETING**

### **1. Call to Order**

Board Chair Tim Cooper called the meeting to order at 1:33 P.M. and noted a quorum.

### **2. Public Comments**

There were no public comments.

## **III. MEETINGS**

### **A. Regular Board Meeting – October 15, 2025**

The next regular Board meeting is scheduled for October 15, 2025 at 3:00 P.M.

## **IV. ADJOURNMENT**

There being no further business, Trustee Entenman motioned to adjourn the Board of Trustees meeting 1:37 P.M. Vice Chair Zappone seconded, and the motion carried.

Renton Technical College  
Board of Trustees Meeting  
**October 15, 2025**

**AGENDA ITEM:      3. COMMUNICATIONS**

**SUBJECT:**

**BACKGROUND:**

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

**BOARD CONSIDERATION**

**X**    Information

Action

**RECOMMENDATION:**

None.





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**Administration and Finance Report**  
**Renton Technical College Board of Trustees**  
**October 15, 2025**

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**Financial Report**

For month ending September, we are about 25% through the year. Revenue collection is about 26%. Tuition and fees are up by \$845k from September 2024. It should be noted that tuition and fee collection is still well below our enrollment/tuition/fees prior to the pandemic (2019-2020) and enrollment is still well below our District Enrollment Allocation Base. Scholarship and Student Loan Received is up \$640k from last year. We have drawn down \$6.2M this year compared to \$6.8M in state allocation last year. This is due to the reduction in state allocation from the Legislature.

Expenses are about 18%. Expenses are about \$8.8M through September compared to this time last year of \$10.7M last year. Salary and benefits are about \$6.5, which is \$335K less than this time last year. This is mainly due to the timing of layoffs, vacation and sick leave buyouts, as well as retirement incentives. We should start to see the salary savings next month.

Our ending cash and investment balances are about \$19.7M.

**Business Office**

- Interviewing for the Accounting Manager position.
- We received notification that our long-time grants accountant, Susie Rather, is retiring.

**Food Services & Rentals**

- September 2025 total revenue \$56,979.93
- September 2024 total revenue \$73,508.51
  - Decreased in revenue -\$16,528.88
  - percentage decrease -22.49%

**Context and Analysis**

While we experienced a 22.49% decrease in sales compared to the same period last year, this decline was largely due to budget cuts and the loss of significant business from student leadership programs. These factors had a notable impact on our overall performance. However, we view this as a valuable opportunity to reassess our strategies, diversify our client base, and strengthen existing partnerships. We are

actively exploring new avenues for growth and are confident that the steps we are taking now will position us for a strong recovery moving forward.

## **Facilities & Grounds**

- Hired positions
  - Facilities & Grounds Services Manager
    - Nick Zier
- Open position
  - Custodian III

## **Capital**

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

- **2025-555 - Building L Conversion**
  - Mechatronics is using their assigned space.
  - Flooring has been ordered for the study area.
- **2024-551 - Transformer Replacement project**
  - Bidding has closed and American Electrical Services Inc, was the lowest bidder.
- **2025-551 - Bookstore Conversion**
  - Wood Harbinger will need to conduct a 30-day electrical metering survey.
- **Building B Inclined Platform Lift**
  - Installation is now expected to be at the beginning of January.
- **2026-255 - Building A Feasibility Study**
  - A PWR for \$10k was issued and assigned state project number 2026-255 to have Rolluda conduct a study to determine feasibility study to evaluate the building's structural integrity, mechanical systems, plumbing, and other core components.
- **Parking Lot Lighting Project**
  - Total Electrical Services has been contacted to provide us with a quote to replace the single head parking lot lights with dual head LED lights in the lots.



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**College Technology Services**  
**Renton Technical College Board of Trustees**  
**October 15, 2025**

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## **College Technology Services**

### **Fall Quarter**

CTS provided effective support to both new and returning students, contributing to a significant reduction in Week One ticket volume. Compared to last year's Fall term, ticket submissions dropped by over 28%, indicating that more users were well-prepared and required less IT assistance at the start of the quarter.

### **Technology News & Updates**

CTS introduces Microsoft Copilot Chat as the supported AI tool at RTC. This resource is provided by Microsoft as a part of the education license RTC subscribes to. The groundwork has been laid with the RTC Generative Artificial Intelligence (Gen AI) policy and the Data Classification Standard policy, to help guide responsible use.

October is Cybersecurity Awareness month and CTS has IT training assigned to all employees beginning October 6, 2025. The timing is great for RTC's Password Protection Policy update and updates are in progress to refresh this policy.

### **Technology Improvements**

CTS is excited to announce the technology in the Building L is up and running beginning of the Fall term. This helps support instruction with networking, computers and wireless internet connectivity in the newly remodeled space.

The completion of the instructor monitor upgrade/replacement project is scheduled to complete by the end of October. This helps support CTS' unit plan focused on new technology for instructors in all classrooms, including the downtown Burnett location.

### **Upcoming**

Infrastructure upgrades for the IT Data Center

Annex and downtown Burnett location network upgrades

SharePoint Relaunch

**Communications and Marketing Report  
Renton Technical College Board of Trustees  
October 15, 2025**

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## ENROLLMENT MARKETING

Communications and Marketing team members played a significant role in the afternoon sessions at the all-campus Professional Development Day. Executive Director Katherine Hedland Hansen and Communications & Marketing staff members conducted workshops on several topics related to Strategic Enrollment and Equity Management, including "Using the CRM to Drive Enrollment Growth" and "How Communications and Marketing Supports the Campus."

## COMMUNICATIONS and PROJECTS

Several projects created by the C&M Marketing team are finalists for Medallion Awards from the National Council for Marketing and Public Relations District 7. Winners will be announced at the NCMPR conference on October 14. Katherine Hedland Hansen will also deliver a presentation at the conference.

## NEWS and Web

New content included:

[Unity Center opens on campus](#)

[RTC awarded federal TRIO grant](#)

[Student Financial Responsibility](#)

RTC in the news included follow-up coverage of the arrests of protesters who appeared at the August Town Hall meeting at the college.

## SOCIAL MEDIA

Driven by on-trend videos, impressions, and engagements exploded in August, up 700% across platforms compared to the same period last year.

**Diversity, Equity, and Inclusion Report**  
**Renton Technical College Board of Trustees**  
**October 15, 2025**

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

The DEIC is preparing for a robust academic year. The council will continue with the four committees as the 2024-2025 academic year. Council Chair Doris Martinez is currently placing members to their committee of choice. Members are to select their committee by October 8, 2025. The first meeting of the year is scheduled for October 13, 2025.

DEIC meetings are held the second Monday of each month in FLEX format on Zoom and C-111 from 2:30 P.M. – 4:00 P.M.

2025-2026 DEIC Meeting Schedule

- Monday, October 13, 2025
- Monday, November 10, 2025
- Monday, January 12, 2026
- Monday, February 2, 2026
- Monday, April 13, 2026
- Monday, May 4, 2026

2025-26 DEIC Committees

- **Accessibility Advisory Committee** (co-led by Jake Swanke)
  - The Accessibility Advisory Committee develops, reviews, and evaluates the College-wide Accessibility Plan and advises the Executive Director of CTS, President and senior leadership regarding technology and access compliance. The committee is representative of the commitment and collaboration of RTC's efforts toward access and inclusion.
- **Campus Climate & Data Equity** (co-led by Lia Homeister)
  - The Campus Climate & Data Equity Action team will be charged with ensuring that DEI priorities and deliverables are supported by current and transparent data that illustrates the current state of the college and identify equity gaps in order to effectively implement institutional change. In alignment with requirements from RCW 28B.10.147 (formally Senate Bill 5227), all Washington State Community & Technical Colleges are required to conduct campus climate assessments and listening sessions for all students, faculty and staff. This team will be responsible for organizing these efforts across the college.

- **Professional Development & Training** (co-led by Doris Martinez)
  - The Professional Development & Training Action Committee will focus on curating quarterly equity centered training and comprehensive professional development opportunities for all faculty and staff. This is in alignment with RCW 28B.10.145 (formally Senate Bill 5227) and the requirement to provide anti-racist training to all faculty, staff and students.
- **Empowering Indigenous Voices** (co-led by Teresa Woods and Jean Munro)
  - Established in Summer 2023, the Empowering Indigenous Voices Committee was created to address and enhance RTC tribal relations, partnerships and curate programming and trainings centering indigenous experiences.

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

- **Unity Center Grand Opening:** After nearly 2.5 years of planning, designing and community input, the Division of DEI hosting the Unity Center Grand Opening on Tuesday, October 14 from 2:00 P.M. – 5:00 P.M. The event is open to all students, staff, faculty and community as we commemorate this exciting new chapter in RTC history.
- **Upcoming Events at the Unity Center** include:
  - Film Screening during Disability Justice Week on Thursday, October 23.
  - Dia de los Muertos Ofrendas will start on Monday, October 27 through Tuesday, November 4. This weeklong celebration will invite the RTC community to celebrate in honoring their dead and culminate in a reflection activity on November 4.
  - Kati Ortiz from Ortiz Law Office will be on-campus on October 28 to discuss current immigration law and answer general questions.
- **Associated Student Government Presents:**  
**Wicked Wednesday (Annual Halloween Event)** on October 29, 2025 from 5:00 P.M. – 8:00 P.M. in RTC Cafeteria  
 Festivities will include:
  - Fashion Show Costume contests with prizes
  - Haunted house vibes
  - Music, dancing, and treats
  - Games, giveaways, and more!
 Whether you're rocking a scary costume or just coming for the fun, this is the ultimate fall celebration.

**RTC Foundation Report**  
**Renton Technical College Board of Trustees**  
**October 15, 2024**

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## **Scholarships and Events**

Executive Director, Carrie Shaw is on vacation for the first week of October and with the RTC Foundation Board meeting occurring at the end of September, this report covers a small window of activity for the Foundation.

### **Winter 2026 Scholarship Cycle**

Applications are open September 29 through October 27. Workshops have been scheduled throughout the month. Peer tutors and navigators are available to support students with their application process. The application includes a new feedback question for students as a tool to gather data around how to make the application more accessible and where support for students can be strengthened. This was a priority activity under the Strategic Equity Plan (SEP) for the Foundation's Unit Plan.

Staff are finalizing procedures and policies around the Career Launch Scholarship for 2026 with plans to engage the Renton School District CTE leadership before the end of the year for feedback and planning for 2026.

### **New Board Members**

For the first Board meeting of the academic year, the RTC Board appointed the following new members. This brings the total of voting members to 16 which is one of the Foundation's SEP goals for 2025-2026:

- Colleen Day, RTC Faculty for Cybersecurity
- Priscilla Manickam, RTC Faculty for Medical Assistant
- Cathy Cugini O'Neill, longtime community leader, daughter of Foundation founder Norma Cugini
- Andy Rottler, President, Rottler Manufacturing and RTC alumnus
- Afonso Vaituma, ASG student representative
- Mirella Valle, ASG student representative

### **FY24-25 Audit and bookkeeper transition**

The Foundation has contracted with Brantley Janson to conduct the annual independent audit. This is the sixth year Brantley Janson has performed this service. Review work has begun with a goal to finalize the audit by January. The transition of bookkeeping and certain accounting duties has been scheduled with contracted team of Clifton Larson Allen.

### Finance Committee Q3 review

The committee is set to meet on October 14 with investment managers from Badgley Phelps to review the Foundation's investment portfolio performance from June through September 2025.

### Development & Community Engagement

- The IAM District 751 and Boeing representatives toured RTC's advanced manufacturing programs and met scholarship recipients. IAM funds an endowment for machining student scholarships.
- A Microsoft grant application was submitted to support the cybersecurity program during 2026.





## Human Resources

### Renton Technical College Board of Trustees

October 15, 2025 Report

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

<b>AFT</b>	<b>Effective Date</b>	<b>Position</b>	<b>Department</b>
<b>-Separations</b>			
Torsen Etscheid	9/5/2025	Storeroom Clerk	Food Services
<b>WFSE</b>	<b>Effective Date</b>	<b>Position</b>	<b>Department</b>
<b>-Separations</b>			
Lisa Marie Carper	9/22/2025	Enrollment Services Specialist	Enrollment Services
<b>Prof Tech</b>	<b>Effective Date</b>	<b>Position</b>	<b>Department</b>
<b>-Separations</b>			
Sarah Garcia Lopez	9/11/2025	College & Career Pathways Navigator	Entry Services
<b>Exempt</b>	<b>Effective Date</b>	<b>Position</b>	<b>Department</b>
<b>-Hires</b>			
David Sooter	9/1/2025	Associate Director of Technology Support Services ( <i>position change</i> )	College Technology Services
<b>-Separations</b>			
Mark Daniels	9/2/2025	Facilities & Grounds Services Director	Facilities
Nicollete Roe	9/29/2025	Associate Dean of High School Programs	College & Career Pathways
<b>RFT</b>	<b>Effective Date</b>	<b>Position</b>	<b>Department</b>
<b>-Hires</b>			
Yueh Chun Chang	9/9/2025	Instructor - Yoga	Continuing Education
Patrick Williams	9/11/2025	Adjunct Faculty	Property Maintenance
Heaven Lane	9/11/2025	Adjunct Faculty	College & Career Pathways
Kandy Hernandez	9/12/2025	Adjunct Faculty	Nursing
Sharnae St. Clair	9/15/2025	Full-Time Faculty	Advanced Manufacturing
Derrick Garcia	9/15/2025	Full-Time Faculty ( <i>position change</i> )	HVAC
Sharmim Barrera Plata	9/15/2025	Full-Time Faculty ( <i>position change</i> )	Early Childhood Education
Aishwarya Fadnavis	9/15/2025	Full-Time Faculty	Construction Management
Osure Brown	9/15/2025	Academic Career Counselor	Student Services
Alissa Stebbins	9/25/2025	Adjunct Faculty	Nursing

	Monthly Total Hires	% of Diverse Hires YTD
Full-Time	5	88%
Part-Time	5	57%



**Innovation and Strategic Partnerships Report**  
**Renton Technical College Board of Trustees**  
**October 18, 2025**

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## **Progress to Date**

The Office of Innovation and Strategic Partnerships has continued building momentum this quarter through intentional outreach, program development, and collaborative planning. Our efforts remain focused on three key areas: Community Partnerships, Continuing Education (CE), and the President's Community Advisory Committee (CAC).

### **Community Partnerships**

This fall, RTC outreach efforts included a meeting initiated by Eva Juarez, RTC's Director of Outreach, with Renton School District leadership to explore possible collaborations. The focus was on identifying ways to connect families and siblings of students with RTC's career and technical education opportunities.

Pathway development will emphasize:

- Encouraging families to explore RTC's for-credit programs and technical degrees.
- Offering try-a-trades courses as an accessible entry point for older siblings and parents interested in career exploration.

In addition, I had the privilege of attending the Renton Chamber of Commerce Startup425 event, hosted in collaboration with the FIFA World Cup organization. The event focused on preparing local businesses, agencies, and institutions for the upcoming 2026 FIFA World Cup, which will be hosted in Renton and the surrounding region. Organizers anticipate between 750,000 to 1 million visitors converging in the greater Renton, Seattle, Bellevue, and Eastside areas from June through July of next year. This represents a significant opportunity for community and workforce engagement that RTC will continue to track and explore partnerships moving forward.

## **Continuing Education (CE)**

RTC's Continuing Education department has successfully launched its Fall course offerings, with the Boiler Course continuing to lead as the highest-enrolled program. We also resumed evening Yoga courses after a long hiatus, with modest enrollment but very positive student feedback.

Key goals for Fall include:

- Standardizing CE instructor onboarding and offboarding.
- Updating student enrollment and refund policies.
- Strengthening marketing strategies to expand reach.

These actions are designed to position RTC CE for sustainable growth, guided by clear local and national indicators of demand.

Looking ahead, the team is especially excited to explore new offerings in Artificial Intelligence, Gaming, and Digital Arts, all of which align with workforce trends and community interest.

Additionally, the RTC CE team will attend the annual State Board-funded CE Conference at Clark College next month. This year's theme will focus on strategies for CE departments statewide to manage the new B&O Tax implementation.

## **President's Community Advisory Committee (CAC)**

The goals, outline, and membership list for the President's Community Advisory Committee have been finalized with input from Trustee Norouzi and RTC Foundation Director Carrie Shaw. The first quarterly meeting will be tentatively scheduled for late October to early November.

The CAC's membership will include local business leaders, agency partners, philanthropy representatives, corporate voices, trades and union leaders, and regional educators, ensuring a broad perspective across sectors.

The mission of the CAC is to:

- Serve as a strategic advisory body to the President of Renton Technical College.
- Strengthen and expand partnerships that support RTC's mission and strategic priorities.

- Provide insight into emerging economic development trends, workforce shifts, and community priorities.
- Help RTC anticipate and respond to future opportunities through partnerships and program innovation.
- Support career-connected learning, workforce development, and regional economic vitality.
- Act as a thought partner and external advisory resource.
- Foster partnership opportunities and consortiums that benefit both RTC and its collaborators.
- Promote reciprocal relationships where RTC anchors education and training, while partners contribute expertise and resources.



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**Institutional Research and Effectiveness**  
**Renton Technical College Board of Trustees**  
**October 15, 2025**

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### **Strategic Planning & Accreditation**

- The **NWCCU Ad Hoc Visit** is scheduled for October 21 (virtual). The Accreditation Team is preparing materials to support college participants.
- Fall Professional Development Day provided all employees the opportunity to engage in **assessment activities**, supporting both accreditation efforts and institutional reflection/planning.
- **Non-academic Unit Assessment** is underway, with one-third of college units formally evaluating their outcomes this fall to monitor advancement toward team goals.
- College leaders engaged in **strategic planning** discussions to identify potential strategic priorities for the year. These conversations will help inform unit-level planning and budgeting for the current and upcoming year.
- **College governance** sites and resources have been established to facilitate meetings across the academic year.

### **Equity & Campus Climate**

- A key priority this year is conducting a **college-wide climate survey** to strengthen equity and inclusion efforts.
- The **Campus Climate and Data Equity Committee** will convene in November to begin planning logistics for the survey.

### **Student Learning & Assessment**

- Faculty participated in an **assessment workshop** during Fall Professional Development Day, reflecting on past efforts and preparing for assessment activities in the year ahead.
- The **Annual Academic Program Review** process launched in late September. Faculty will continue work on program reviews through October 22 (Advising Day).

### **Data & Reporting**

- **FVT/GE** federal reports have been submitted.
- **IPEDS** reporting remains on schedule to meet fall deadlines.
- **Renton Promise** annual report has been submitted.
- **FISAP data** have been verified for Financial Aid submission.

### **ctcLink & Process Improvements**

- The college has implemented the new **Student Financial Responsibility Agreement (SFRA)** functionality in ctcLink, which informs students of their financial obligations. Communications and process refinements are ongoing.
- The college has committed to adopt **global processes** related to **fraud account management** and **travel and expense** processes.

### **Ongoing Projects**

- Institutional Research & Effectiveness (IR&E) has completed its tasks on **EAB Navigate and CRM configurations**, supporting improvements in student success and engagement.
- IR&E continues its collaboration with **Renton School District** and **GEAR UP (UW)** to enhance college transition support for students.

**Instruction Report**  
**Renton Technical College Board of Trustees**  
**October 15, 2025**

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## **Accreditation**

RTC has an Ad Hoc accreditation visit coming up on October 21. An Ad Hoc visit is one that is outside of the normal cycle of accreditation visits. Ad Hoc visits are a new tool being used by the NWCCU to help keep colleges on track and, hopefully, ensure successful Year 6 (2027) and Year 7 (2028) visits.

The need for this visit arose from our Mid-Cycle visit, when the visiting team expressed concerns about our Strategic Equity Plan (which was not complete at the time of the visit). Because the concerns are relatively modest, the visit is a virtual one rather than in person. The two-person visiting team has been named and the schedule determined. There is no specific role for the Board of Trustees members, but there will be a faculty and staff forum that you can attend if you would like.

Huge thanks to Dr. Sarah Wakefield who, once again, has skillfully told our story for the [Ad Hoc Visit Report](#).

## **Shared Governance**

One item that emerged from the Mid-cycle visit was a lack of full engagement by the college community in our shared governance process, leading to some confusion about the Strategic Equity Plan. The shared governance structure at RTC is relatively new (2012) and is still maturing. One area for improvement is how we train people to participate in Shared Governance. As part of my participation in the inaugural cohort of the AI Fellows program for the League for Innovation, I had to do a project. My project was to create a shared governance training that would help people be able to understand their role in shared governance and to better communicate with their constituencies about what is happening across the college. While it still needs polishing, the key content – created through creative and thoughtful use of AI – is available for you to see.

[Shared Governance Training](#)





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## **Student Services**

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

**October 15, 2025**

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### **Testing Center Highlights**

Shelley Heath, Testing Center Manager, provides an overview of the Testing Center in this [short video](#). Her team also created a short [virtual tour](#) of the Testing Center space and staff (from left to right: Lori Newton, Shelley Heath, Morenika Jacobs, Tee Nguyen).

Renton Technical College  
Board of Trustees Meeting  
**October 15, 2025**

**AGENDA ITEM: 4. ACTION**

**SUBJECT:**

**BOARD CONSIDERATION**

Information

**X Action**

**BACKGROUND:**

A. President's Contract Addendum

President's contract addendum or other action items that may be necessary to be taken as a result of matters considered in the Executive Session.

B. Annual Board Meeting Schedule 2026

The Trustees will review the 2026 Board meeting calendar and vote on adoption.

C. Student Conduct Emergency Rule Change

Vice Presidents Jessica Gilmore English and Lesley Hogan will present changes to the Student Conduct Code Emergency Rule as required to comply with Title IX.

**RECOMMENDATION:**

Approve as requested.

## BOARD OF TRUSTEES MEETING SCHEDULE – 2025-2026

Date	Week/Day of the Month	Meeting Begins	Deadline for Materials
September 17, 2025	Third Wednesday	3:00 p.m.	Monday, Sept. 8
October 15, 2025	Third Wednesday	3:00 p.m.	Monday, Oct. 6
November 19, 2025	Third Wednesday	3:00 p.m.	Monday, Nov. 10
December 17, 2025	Third Wednesday	3:00 p.m.	Monday, Dec. 8
January 21, 2026	Third Wednesday	3:00 p.m.	Monday, Jan. 5
February 18, 2026	Third Wednesday	3:00 p.m.	Monday, Feb. 9
March 18, 2026	Third Wednesday	3:00 p.m.	Monday, Mar. 9
April 15, 2026	Third Wednesday	3:00 p.m.	Monday, Apr. 6
May 20, 2026	Third Wednesday	3:00 p.m.	Monday, May 4
June 17, 2026	Third Wednesday	3:00 p.m.	Monday, June 8
<b>No Scheduled Meetings in July and August</b>			
September 16, 2026	Third Wednesday	3:00 p.m.	Monday, Sept. 7
October 21, 2026	Third Wednesday	3:00 p.m.	Monday, Oct. 12
November 18, 2026	Third Wednesday	3:00 p.m.	Monday, Nov. 9
December 16, 2026	Third Wednesday	3:00 p.m.	Monday, Dec. 7

## BOARD OF TRUSTEES MEETING SCHEDULE – 2025-2026

DATE	MEETING SUBJECT	ACTION STUDY/EXECUTIVE SESSION	RESPONSIBLE
Sept. 17, 2025	Meeting - <u>Budget Update=PUBLIC</u> <u>Goals/Evaluations</u> <b>Executive Session: President Eval</b>	<b>ACTION</b> <b>STUDY SESSION</b> <b>EXEC SESSION</b>	Board Members/ <u>J. Jackson</u> Board Members/Y. Harden
Oct. 15, 2025	Monthly Financials <b>Board Goals/Budget</b> <b>President Eval</b>	<b>STUDY SESSION</b> <b>EXEC SESSION</b>	J. Jackson Board Members Board Members/Y. Harden
Nov. 19, 2025	Monthly Financials  <b>Budget Update: Buffer Strategies</b> <b>Title IX/Student Conduct</b> <b>Quarterly review of President and Board Goals</b>	<b>STUDY SESSION</b> <b>STUDY SESSION</b> <b>STUDY SESSION</b>	J. Jackson J. Jackson Student Services Board Members/Y. Harden
Dec. 17, 2025	<b>Tenure Review/Executive Sessions</b>  Tenure Advancements Monthly Financials	<b>EXEC SESSION</b>  <b>ACTION</b>	Board Members  S. Delaney/Board Members J. Jackson
Jan. 21, 2026	Legislative Advocacy Monthly Financials <b>Welding Program Tour?</b>	<b>STUDY SESSION</b>	Y. Harden/RFT J. Jackson
Feb. 18, 2026	Monthly Financials and mid-year Summary <b>Automotive Program Tour</b> <b>Quarterly review of President and Board Goals</b>	<b>STUDY SESSION</b> <b>STUDY SESSION</b>	J. Jackson Board Members/Y. Harden Board Members/Y. Harden

## BOARD OF TRUSTEES MEETING SCHEDULE – 2025-2026

Mar 18, 2026	<b>Tenure Review/Executive Session</b> <b>Begin @ 1:00pm</b> Tenure Advancements Monthly Financials Trustee Recruitment/Succession= MOVE TO STANDING	<b>EXEC SESSION</b>  <b>ACTION</b>	Board Members  S. Delaney/Board Members J. Jackson Board Members
Apr. 15, 2026	Monthly Financials Trustee Recruitment/Succession <b>Strategic Equity Plan Implementation</b> <b>Quarterly review of President and Board Goals</b>	<b>STUDY SESSION</b> <b>STUDY SESSION</b>	J. Jackson Trustees L. Homeister/D. Martinez Y. Harden/Board Members
May 20, 2026	Prelim FY25 Budget Share ASG Budget Approval Trustee Recruitment/Succession <b>Campus Climate Survey Update</b>	<b>FIRST READ</b>  <b>STUDY SESSION</b>	J. Jackson W. Parrott Board Members L. Homeister/D. Martinez
June 17, 2026	<b>Tenure Review/Executive Session</b> Tenure Advancements <b>FY26 Budget Approval</b> <b>Board Elections</b> Monthly Financials Trustee Recruitment/Succession	<b>EXEC SESSION</b>  <b>ACTION</b> <b>ACTION</b>	Board Members S. Delaney/Board Members J. Jackson/Board Members <b>Board Members</b> J. Jackson Board members

### Suggestions from 2023/24:

Resume Program Tours	Campus Climate Survey	
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### Suggestions from 2022/23:

GP Pres. From Areas of Study	Program Tours: BAS, Nursing (others?)	<b>Review Board Policy &amp; By Laws = STUDY SESSION</b>
Policy Alignment with Agendas	Board Governance intent and interpretation	Open Public Meetings Act (Review)
<b>Onboarding New Trustees</b> <b>FOLLOW-UP AND CHECK IN</b>	Disability Resources	Facilities Updates



## 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, Deputy Title IX Coordinator  
Lesley Hogan, Vice President of Human Resources, Title IX & ADA Coordinator

Date: October 15, 2025

RE: 2025 Title IX Changes to Student Conduct Code Permanent 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 permanent rule change 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. Renton Technical College adopted these rules as an emergency rule in May 2025 and renewed them on September 17<sup>th</sup>, 2025. A public hearing took place on October 6<sup>th</sup>, 2025, where students, staff, faculty, and community members were invited to provide comment. No comments were received.

Therefore, Student Services provides the suggested motion below:

I move that the Renton Technical College Board of Trustees approve the permanent rule change, 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 November 15, 2025, because the rule's adoption is necessary to comply with federal Title IX law and related federal regulations.

Attachments (1):

RTC 2025 Title IX Conduct Code Changes

WAC\_495E-110\_Rulemaking\_Summary October 2025

## **RENTON TECHNICAL COLLEGE RULEMAKING SUMMARY**

**Proposed Rules Under Consideration:** Revision of Chapter 495E-110 WAC (Student Conduct Code and Hearing Procedures)

**Authority:** RCW 34.05.325 requires state agencies and institutions to provide for oral and written comments in response to proposed rules and to provide a summary of those comments to the Board of Trustees.

WAC 131-12-060 requires college districts to involve students in the promulgation, amendment and revocation of rules defining student rights and responsibilities. At a minimum, students should be afforded a reasonable opportunity to review and express opinions regarding a college's proposed exercise of rule-making authority.

The College held a rulemaking hearing on October 6<sup>th</sup>, 2025, and received 0 oral comments and 0 written comments.

**Summary:** The purpose of this rulemaking hearing was to solicit comment on changes relating to the Student Conduct Code and Hearing Procedures. The proposed revisions would:

1. Update the definition of sex discrimination to remove sexual orientation, gender identity, and pregnancy.
2. Reduces jurisdiction to only behavior that occurred during an educational program or activity where the college exercises substantial control.
3. Requires live hearings to determine whether allegations of Title IX violations have merit and impose sanctions.
4. Cross examination in Title IX hearings must be conducted by parties' advisors rather than through the Student Conduct Committee Chair.

**Recording:** [Zoom recording](#)

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)) they select, 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  
**October 15, 2025**

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

**SUBJECT:**

**BACKGROUND:**

A. President's Report

Dr. Harden will provide a report subsequent to the September 17, 2025 Board meeting.

B. Financial/Budget Status

Vice President Jackson will provide a report of the budget.

**BOARD CONSIDERATION**

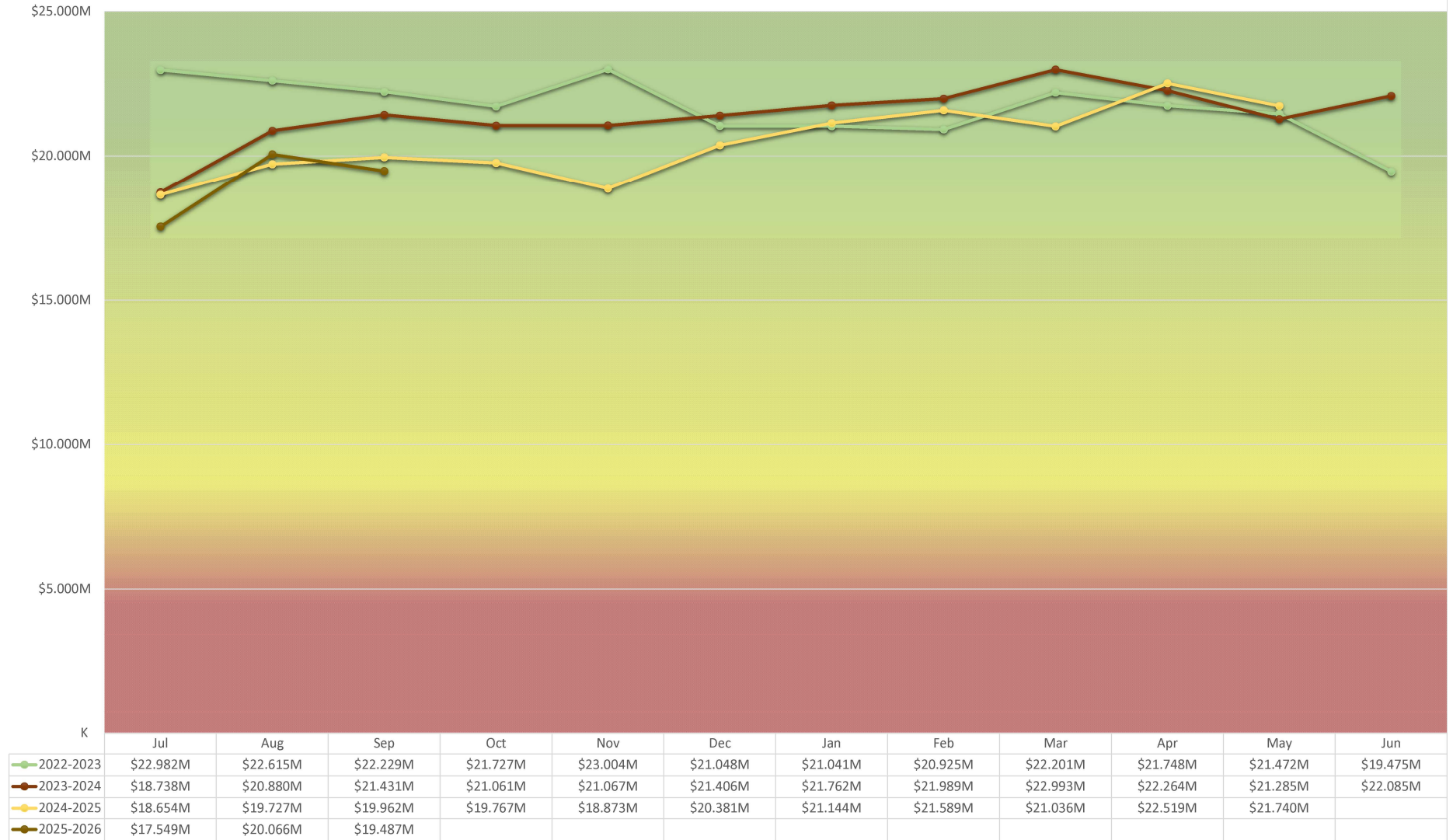
**X** Information

Action

**RECOMMENDATION:**

None.

### RTC Month End Cash and Reserves Balances - FYR 2223 to 2526



**RENTON TECHNICAL COLLEGE**  
**MONTHLY OPERATIONS REPORT**  
**FISCAL YEAR 2025-26**  
**For the Month of September 2025**

	September 2025 - Actual	Year to Date - September 2025 - Actual	Prior Year to Date - September 2024 - Actual	Variance - Increase (Decrease)
Beginning Cash Balance	4,293,564	3,533,343	9,427,232	(5,893,889)
Add - Revenues:				
Tuition & Fees - Funds 060 148 149 561	222,633	5,140,402	4,294,737	845,665
Grants and Contracts	276,710	1,876,200	1,418,933	457,266
Donation Received	-	-	-	-
Student Government	16,447	407,142	344,603	62,540
Bookstore	548	3,406	4,717	(1,311)
Security/Parking	5,467	142,893	95,510	47,382
Culinary Arts - Food Services	50,898	152,389	177,328	(24,939)
Housing	-	-	-	-
Interest Income	28,668	105,140	176,675	(71,535)
Rental Income - Excluding 569	19,814	111,107	84,391	26,716
Scholarship and Student Loan Funds Received	2,694,293	4,260,911	3,620,824	640,087
CRRSA	-	-	-	-
CARES Deferred FY20	-	-	-	-
Net Operating Revenues	<b>3,315,478</b>	<b>12,199,590</b>	<b>10,217,717</b>	<b>1,981,873</b>
Add - State Allocation				
State Allocation - VPA Expenses	1,478,682	6,253,237	8,035,371	(1,782,134)
Capital Allocation Fund 057	177,432	180,824	158,944	21,880
Capital Allocation Fund 060	-	4,650	2,025	2,625
Capital Allocation Fund 26C	155,762	155,762	-	155,762
Total State Funding	<b>1,811,876</b>	<b>6,594,473</b>	<b>8,196,340</b>	<b>(1,601,867)</b>
Total Revenues	<b>5,127,353</b>	<b>18,794,064</b>	<b>18,414,058</b>	<b>380,006</b>
Less - Expenses:				
Salaries	2,444,685	6,556,722	6,893,117	(336,396)
Benefits	782,589	2,242,024	2,238,093	3,932
Contracts	-	-	-	-
Goods and Other Services	618,168	1,941,612	3,064,691	(1,123,078)
Cost of Goods Sold	24,716	56,675	56,429	246
Travel	7,787	16,252	14,924	1,328
Equipment	108,596	126,968	17,978	108,991
Computer Equipment	-	-	-	-
Financial Aid	3,732,643	5,402,183	4,533,615	868,568
Debt Service	-	-	859	(859)
Bad Debt	-	-	-	-
Total Expenses	<b>7,719,184</b>	<b>16,342,436</b>	<b>16,819,706</b>	<b>(477,270)</b>
Net Operating Surplus (Deficit)	<b>(2,591,830)</b>	<b>2,451,627</b>	<b>1,594,351</b>	<b>857,276</b>
Other Sources (Applications) of Cash:				
Changes in Petty Cash; Accts. Receivable & Accts. Payable; Inventory	2,337,339	(1,768,738)	(3,565,500)	1,796,762
Decrease/ (Increase) in Investments & Bond Amortization	579,069	499,873	(150,199)	650,072
Payment of Bldg, Innovation Fee, and VPA Advance to State	(96,335)	(194,299)	(152,221)	(42,078)
Land Purchase	-	-	-	-
Total Other Sources (Applications) of Cash	<b>2,820,073</b>	<b>(1,463,164)</b>	<b>(3,867,920)</b>	<b>2,404,756</b>
Adjustments to Cash	-	-	-	-
Ending Cash Balance	<b>4,521,806</b>	<b>4,521,806</b>	<b>7,153,664</b>	<b>(2,631,858)</b>
Add College Reserves:				
Local Government Investment Pool (LGIP)	11,568,030	11,568,030	10,121,142	1,446,888
Investment Bonds held in trust by US Bank	3,625,159	3,625,159	2,687,125	938,034
Total Reserves	<b>15,193,189</b>	<b>15,193,189</b>	<b>12,808,267</b>	<b>2,384,923</b>
Total Cash and College Reserves	<b>19,714,995</b>	<b>19,714,995</b>	<b>19,961,930</b>	<b>(246,935)</b>
	<b>Actual %</b>	<b>Year to Date</b>	<b>Prior Year to Date</b>	<b>Variance</b>
Total Current State Allocation	100%	31,463,688	28,926,488	2,537,200
Allocation Used - Year to Date	20%	6,253,237	6,766,206	(512,969)
Remaining State Allocation	80%	25,210,451	22,160,282	3,050,169

Renton Technical College  
Board of Trustees Meeting  
**October 15, 2025**

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

**SUBJECT: TRUSTEE REPORTS**

**BOARD CONSIDERATION**

X Information

Action

**BACKGROUND:**

A. Foundation Liaison Report

The Foundation Liaison position is currently vacant.

B. Legislative Action Liaison Report

Legislative Action Liaisons, Vice Chair Zappone, will provide an update on legislative action meetings and activity.

C. Community Advisory Committee

Community Advisory Committee Liaison, Trustee Norouzi, will provide an update from the Community Advisory Council.

**RECOMMENDATION:**

None.

Renton Technical College  
Board of Trustees Meeting  
**October 15, 2025**

**AGENDA ITEM: 7. MEETINGS**

**SUBJECT:**

**BOARD CONSIDERATION**

X Information

Action

**BACKGROUND:**

- A. The next regularly scheduled meeting of the Board of Trustees will be November 19, 2025.

**RECOMMENDATION:**

None.

Renton Technical College  
Board of Trustees Meeting  
**October 15, 2025**

**AGENDA ITEM:      8. ADJOURNMENT**

**SUBJECT:**

**BACKGROUND:**

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

**RECOMMENDATION:**

Motion required.