

RESOLUTION #24-7-1
APPROVAL OF WASHINGTON ADMINISTRATIVE CODE CHANGES:
132Y-125 - STUDENT CODE OF CONDUCT;
132Y-300 - NON-DISCRIMINATION AND HARASSMENT

WHEREAS, the U.S. Department of Education revised regulations governing campus sexual assault under Title IX, the law prohibiting sex discrimination at federally funded institutions; and

WHEREAS, Washington Administrative Code (WAC) is a source of primary law in Washington State and in order to clarify, apply or enforce state laws, state agencies may propose and adopt a rule, sometimes referred to as a regulation, known as the Washington Administrative Code (WAC); and

WHEREAS, to comply with Federal Title IX policy by the deadline of August 1, 2024; and

WHEREAS, the Washington State Attorney General's office supplied language for changes to WAC 132Y-125 and WAC 132Y-300; and

WHEREAS, the changes to WAC 132Y-125 and WAC 132Y-300 involve:

- Protections for pregnancy, gender identity and retaliation (does not currently address transgender student participation in athletics)
- Training and reporting requirements for all employees
- Enhancements to the role of the Title IX Coordinator and Title IX personnel and definitions
- Expanded Scope - College's must address sex discrimination that occurs at non-campus locations, including international locations.
- Students, employees, and others can file complaints of discrimination/harassment.
- Provisions for informal complaint resolution.
- Mandatory supportive measures for those involved in a complaint to ensure they can continue their education, even if no formal complaint is filed.
- Prohibition of discrimination against any person on the basis of current, past, or potential pregnancy or related conditions and must treat pregnancy or related conditions like any other temporary medical condition. Colleges must make reasonable changes for pregnant or lactating individuals and provide private spaces for lactation.
- New notification rules in their Title IX training for employees.
- Cross-examination of parties during live hearings in cases of sex-based harassment involving students is no longer required.

WHEREAS, these changes will bring Edmonds College into compliance with with Federal Title IX policy; and

WHEREAS, under this emergency rule-making these changes will take effect for 120 days, ending November 26, 2024; and

WHEREAS, Edmonds College administration will subsequently start the necessary permanent rule-making process, taking input from the public; and

