

MINUTES OF THE BOARD OF TRUSTEES SPECIAL MEETING
COMMUNITY COLLEGE DISTRICT NO. 4 - SKAGIT VALLEY COLLEGE
Tuesday, August 4, 2020 – 4:30 p.m.

BOARD MEMBERS IN ATTENDANCE:

Ms. Flora Perez-Lucatero, Vice-Chair
Ms. Lindsay Fiker
Ms. Megan Scott O'Bryan
Mr. Christon Skinner

Dr. Thomas Keegan, President & Executive Secretary to the Board

I. CALL TO ORDER:

The meeting was called to order at 4:31 p.m. on August 4, 2020.

II. ROLL CALL AND DECLARATION OF A QUORUM:

The Vice-Chair recognized that a quorum of Board members were present.

III. ACTION ITEM

1. Recommendation of Emergency Rule for WAC 132D-150, Code of Student Conduct

Dr. Keegan reported that in May the U.S. Department of Education announced changes to Title IX enforcement that will become effective August 14, 2020. The changes require colleges to hold live hearings and allow cross-examination when adjudicating sexual-misconduct complaints. The new regulations also narrow the scope of complaints that colleges are required to investigate. The changes are currently under litigation, however, at this point, colleges must comply with the new regulations.

A Washington State Assistant Attorney General workgroup developed model wording to address the new regulations. Kerena Higgins, Assistant Attorney General; Carolyn Tucker, Associate Vice President of Human Resources; and Claire Peinado, Vice President of Student Services, have worked on incorporating the recent changes, as well as related changes from 2017, to SVC's existing WAC 132D-150, Code of Student Conduct. The changes require Board action before submission to the Code Reviser's Office. It is recommended that the Board approve the revisions to WAC 132D-150 for submission to the Code Reviser's Office.

It was moved by Megan Scott O'Bryan and seconded by Christon Skinner to approve WAC 132D-150, Code of Student Conduct, as presented for submission to the Washington State Code Reviser. The Board's approval is subject to the federal regulations going into effect on August 14, 2020, as anticipated. Should it become clear that the regulations will go into effect at a later date, the College will not be required to seek Board approval again in order to file the CR 103(E) with the Code Reviser's office, so long as the emergency rules being submitted are unchanged from those being approved today.

Kerena reported that her office formed a task force to help schools with language updates in order for them to be compliant by August 14, 2020. She stated that she has reviewed the WAC revisions and is supportive of their adoption at this time.

MOTION PASSED.

Dr. Keegan thanked Carolyn Tucker, Kerena Higgins, Claire Peinado, and Sandy Jordan, Deputy Title IX Coordinator, for their work on the WAC revisions.

Dr. Keegan introduced audience member Joe Buenaventura, IT Network/Telecommunications and SVC's WPEA Lead Shop Steward. Joe will provide the Board with the monthly WPEA report in 2020-2021.

Carolyn Tucker introduced Sandy Jordan, who is now in a new role as SVC's Deputy Title IX Coordinator.

Vice-Chair, Flora Perez-Lucatero, announced that the Board would convene into Executive Session to discuss to discuss litigation or potential litigation and anticipated that the discussion would take 15 minutes. She stated that the Board did not plan to take action when they returned to open session.

IV. EXECUTIVE SESSION

Adjourned in Executive Session at 4:39 p.m.

Reconvened into Open Session at 5:12 p.m.

V. ADJOURNMENT:

There being no further business, and no action taken following the Executive Session, this meeting was adjourned at 5:13 p.m.

Flora Perez-Lucatero, Vice-Chair

Dr. Thomas A. Keegan, President
Executive Secretary to the Board