

## College to College Revenue Comparison

Revenue per SIR FTEs				
College	2015-16	2016-17	2017-18	2018-19
Seattle Central	100.0%	100.0%	100.0%	100.0%
Seattle North	85.1%	86.6%	95.6%	98.4%
Seattle South	77.2%	74.4%	79.6%	85.1%

## College to College Revenue Comparison

Revenue per SIR FTEs				
College	2015-16	2016-17	2017-18	2018-19
Seattle Central	9,292.12	8,858.97	8,523.72	8,392.74
Seattle North	7,905.55	7,672.38	8,145.98	8,260.34
Seattle South	7,173.02	6,591.47	6,787.73	7,144.94

**Summary of Major Decision Points**  
(from 3/31/21 Special Board Meeting)

1. We will use **consistent and common methods to** build and present the FY 21-22 district budget immediately and thereafter.
2. The proposed framework of additional degrees of budget integration is not yet fully vetted. Further discussions are warranted. However, the Board and the Executive Team agree that the **final district budget will need to reflect of district values and commitment to improving student completion and eliminating achievement gaps that are existent today.**
3. Giving the current reserve balance, the availability of federal stimulus funds, and the projected nearly \$15 million deficit, the district will endeavor to **balance the budget in three years (by July 2024).** This means that we will continue to draw from the existing reserve to balance the budget in the coming years.
4. For the Board to approve this 3-year transitional plan, the chancellor and the Executive Team is expected to develop a plan for achieving a balanced budget in the time frame. This plan will include **reduction in force, a rebalance of program mix, investment in enrollment growth.** This work needs to start immediately.
5. The trustees asked the Board's Fiscal Subcommittee, the chancellor, and vice chancellor Halladay **to review the current Reserve Policy.**

# Seattle Colleges Reserve as of July 1, 2020

Reserve Snapshot for FY21						
Category of Reserve	District Total	District Office	District-Wide	Central	North	South
Operating Reserve Requirement	13,892,687	2,141,442		4,867,008	3,673,980	3,210,257
Board Policy Restricted	6,979,184			6,979,184		
Unrestricted	28,476,394	7,160,805	2,089,349	2,717,191	14,823,047	1,686,002

## SEATTLE COLLEGES DISTRICT BOARD OF TRUSTEES

April 8, 2021

STUDY SESSION	1:30 p.m.	Zoom
REGULAR SESSION	3:00 p.m.	Zoom

### STUDY SESSION AGENDA

#### **1:30 p.m. EXECUTIVE SESSION**

- A. Litigation Update  
*Exception (3) To discuss with legal counsel litigation or potential litigation to which the college is, or is like to become, a party, when public knowledge of the discussion would likely result in adverse consequence to the district;*
- B. Negotiations Update  
*Exception (6) To plan or adopt the strategy or position to be taken during collective bargaining, professional negotiations, or grievance or mediation proceedings, or to review proposals made in on-going negotiations or proceedings.*

#### **1:45 p.m. OPEN SESSION**

- A. Budget Retreat Review, continuation of discussion

**Tab 1**

**REGULAR MEETING AGENDA**

**3:00 p.m. CALL TO ORDER**

**3:00 p.m. LAND ACKNOWLEDGMENT**

**3:00 p.m. ACTION / Approval of Agenda** **Tab 2**

**3:05 p.m. PUBLIC COMMENTS**

*Seattle Colleges Board of Trustees welcomes students, employees, and community partners to address the Board during the Public Comment period before the Board conducts its official business. As the Governance body, the Board functions at the policy level. Daily administrative matters are delegated to the district and college leadership team. It is, therefore, not the practice of the Board to respond directly to questions or comments during this portion of the meeting.*

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*In addition, written statements are accepted by Rebecca Hansen at any time. All written statements received by noon on the Friday before the Regular Board of Trustees meeting will be published in the public packet. Written statements received after that date and time will be added to the Board packet and transmitted to the Board for the following Board meeting.*

**3:20 p.m. PRESENTATION** **Tab 3**

Mathematics Co-requisite Redesign & Implementation  
*Presenter:* John Toutonghi, Math Faculty Coordinator, South Seattle College

**3:35 p.m. ACTION ITEMS**

A. Minutes from March 11, 2021 **Tab 4**

B. Minutes from March 31, 2021 **Tab 5**

- C. Emeritus Status: Faculty **Tab 6**
- D. Emeritus Status: Administrators **Tab 7**
- E. WAC 132F-121, Student Activities, Rights, and Discipline- Second Reading **Tab 8**
- F. Public Comment Protocol – Second Reading **Tab 9**

**4:00 p.m. INFORMATION ITEM**

- A. Enrollment and ctcLink

**4:10 p.m. ORAL REPORTS Written Reports-Tab 10**

- A. Student Board Representatives
  - 1. Maryam Nuraliyeva, Seattle Central College
  - 2. Leah Scott, North Seattle College
  - 3. Mahsa Mohajeri, South Seattle College
- B. Labor Union Representatives
  - 1. Annette Stofer, AFT Seattle Community Colleges
  - 2. Diane Ellis, WFSE
  - 3. Cody Hiatt, AFT-SPS
- C. Chancellor's Report
- D. Chair's Report
- E. Trustees
- F. College Presidents, Vice Chancellors
  - 1. Chemene Crawford, Interim President of North Seattle College
  - 2. Sheila Edwards Lange, President of Seattle Central College
  - 3. Rosie Rimando-Chareunsap, President of South Seattle College
  - 4. Kurt Buttleman, Vice Chancellor of Academic and Student Success
  - 5. Jennifer Dixon, Vice Chancellor of Human Resources
  - 6. Choi Halladay, Vice Chancellor of Finance and Operations
  - 7. Kerry Howell, Vice Chancellor of Advancement
  - 8. Cindy Riche, Associate Vice Chancellor and Chief Information Officer

**5:00 p.m. ADJOURNMENT**

The next meeting of the Board of Trustees will be held on Thursday, April 8 2020 at South Seattle College. There will be a Study Session at 1:30 p.m., and the Regular Meeting will follow at 3:00 p.m.

**EXECUTIVE SESSIONS**

*An executive session may be held for one or more of the following purposes: (1) To receive and evaluate complaints against a public officer or employee; (2) To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee; (3) To discuss with legal counsel litigation or potential litigation to which the college is, or is like to become, a party, when public knowledge of the discussion would likely result in adverse consequence to the district; (4) To consider, as a quasi-judicial body, a quasi-judicial matter between named parties; (5) To consider matters governed by the administrative procedure act, chapter 34.05 RCW; and/or (6) To plan or adopt the strategy or position to be taken during collective bargaining, professional negotiations, or grievance or mediation proceedings, or to review proposals made in on-going negotiations or proceedings.*



SOUTH SEATTLE  
COLLEGE



*Mathematics*  
*Corequisite Redesign*  
**South Seattle College**  
*Spring 2021*



## *Goals of the Corequisite Redesign*

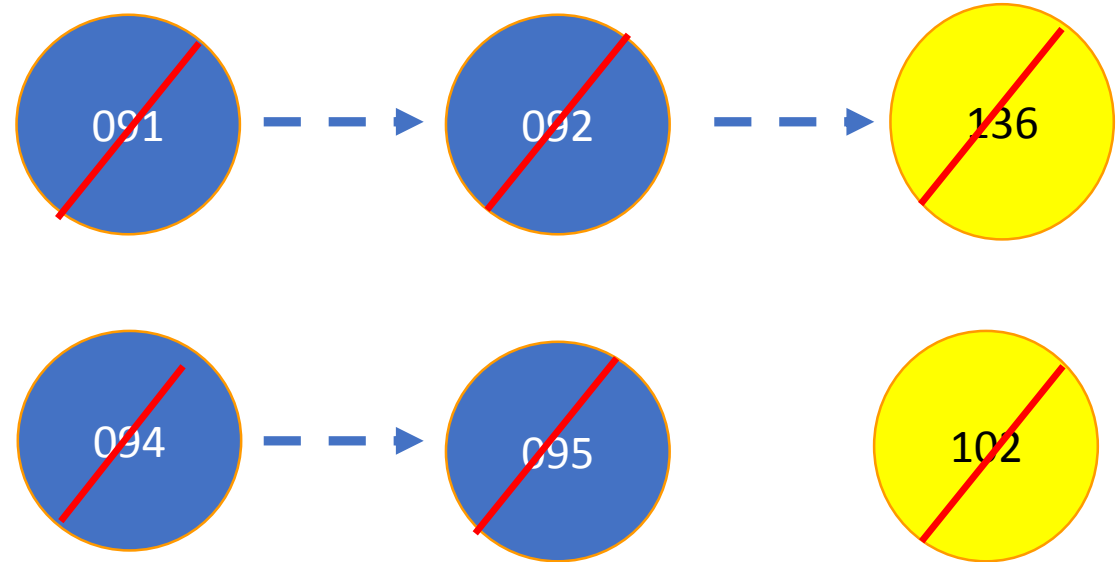
- Increase the rate at which developmental mathematics students complete their college-level math within one year
- Improve rates of success in math for traditionally underrepresented students, decreasing the racial equity gap
- Simplify the complexity of the mathematics' pathways, to the overall benefit of the South Seattle College community

## *College Spark Grant Recipients*

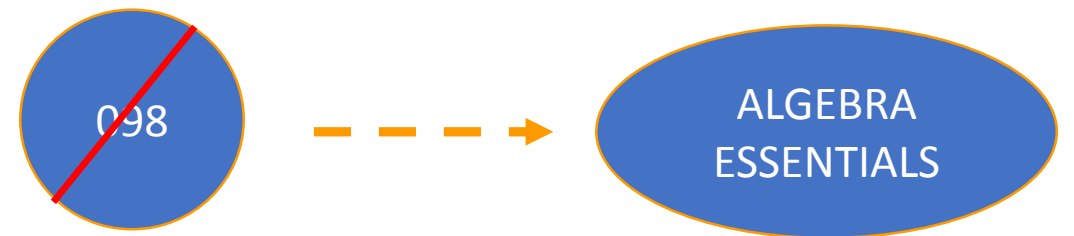
- Mathematics Corequisite Team applied for and received a community grant from College Spark
- We were awarded a three-year, \$150,000 grant for this corequisite redesign work
- Currently we are about half-way thru grant period, covering academic years 2019-20, 2020-21, 2021-22

## *Simplify the Pathways*

Eliminate Six Courses:



Modify One Course:



## *Two Eliminated Pathways*

### **Traditional Algebra Pathway**

ALGEBRA I

ALGEBRA II

100-Level  
Course

### **StatWay Pathway**

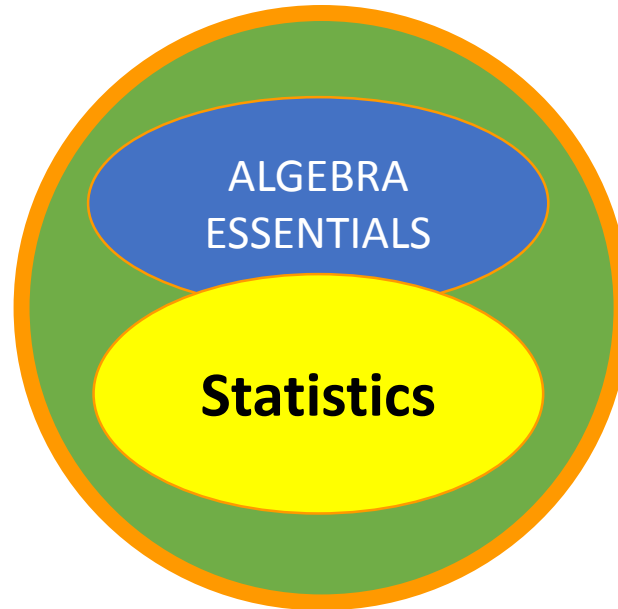
STATWAY 1

STATWAY 2

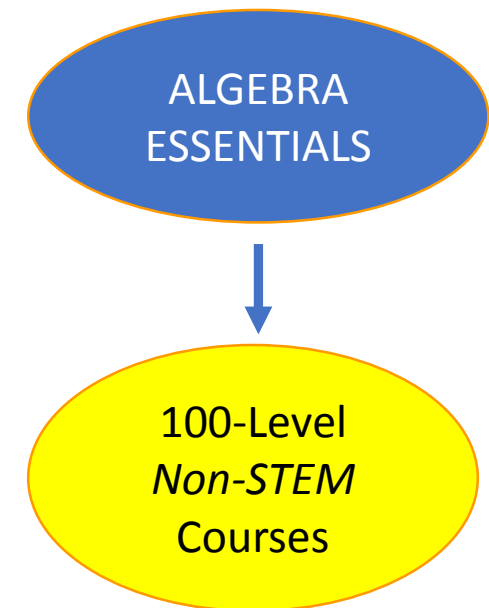
STATWAY  
(100-Level)

## *Non-STEM Pathway*

### Statistics Corequisite Bundle:



### Sequential Pathway:



## *Pathway Pass Rates*

**Assuming a 70% Pass Rate in each course:**

Three Course sequence:

$$(0.70) \times (0.70) \times (0.70) = 34.3\%$$

Two Course sequence:

$$(0.70) \times (0.70) = 49.0\%$$

Single Course (corequisite):

$$(0.70) = 70.0\%$$

## *Statistics Corequisite Bundle Pass Rates*

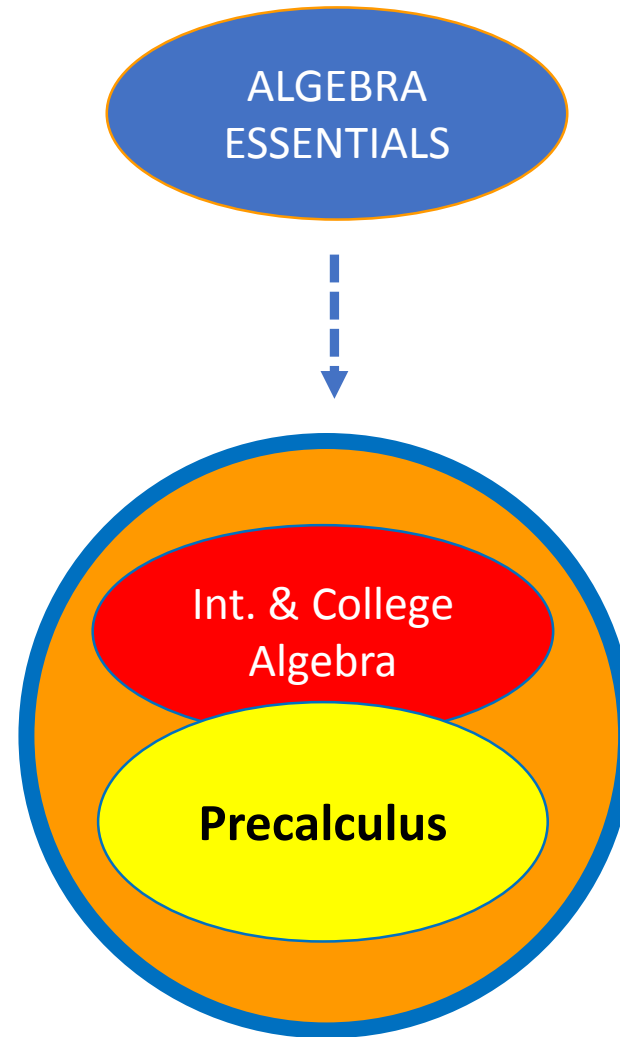
### ***Statistics with Algebra Essentials:***

- Five 10-credit bundles offered thru winter 2021
- 98 of 114 students successfully passed with a 2.0 or higher
- ***86% of students in the statistics corequisite bundle are completing college-level math within a single quarter!***

# *STEM Pathway*

## Precalculus

## Corequisite Bundle:





## *Precalculus Corequisite Bundle Pass Rates*

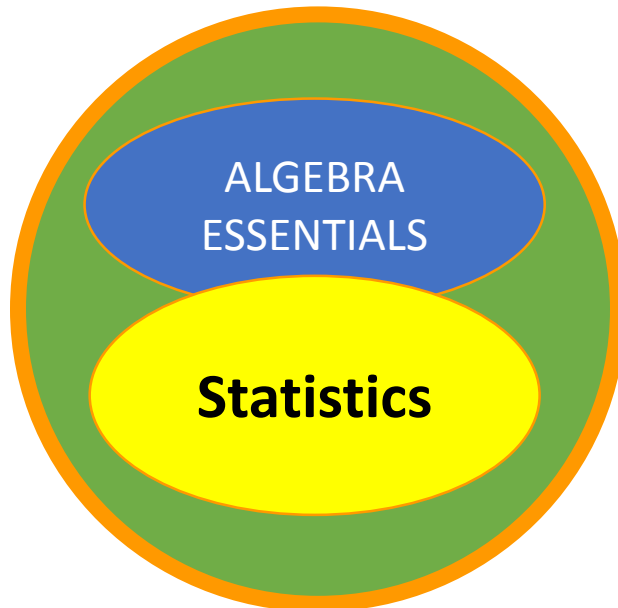
### ***Precalculus with Intermediate & College Algebra:***

- Initial two 10-credit bundles offered in winter 2021
- 35 of 50 students successfully passed with a 2.0 or higher
- ***70% of students in the precalculus corequisite completed college-level math within a single quarter!***

# *The Two New Corequisite Bundles*

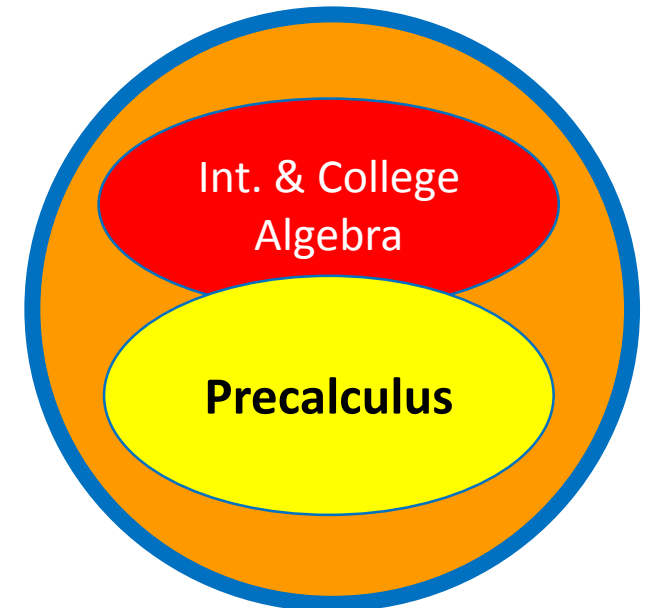
## **Statistics:**

*(86% success rate)*



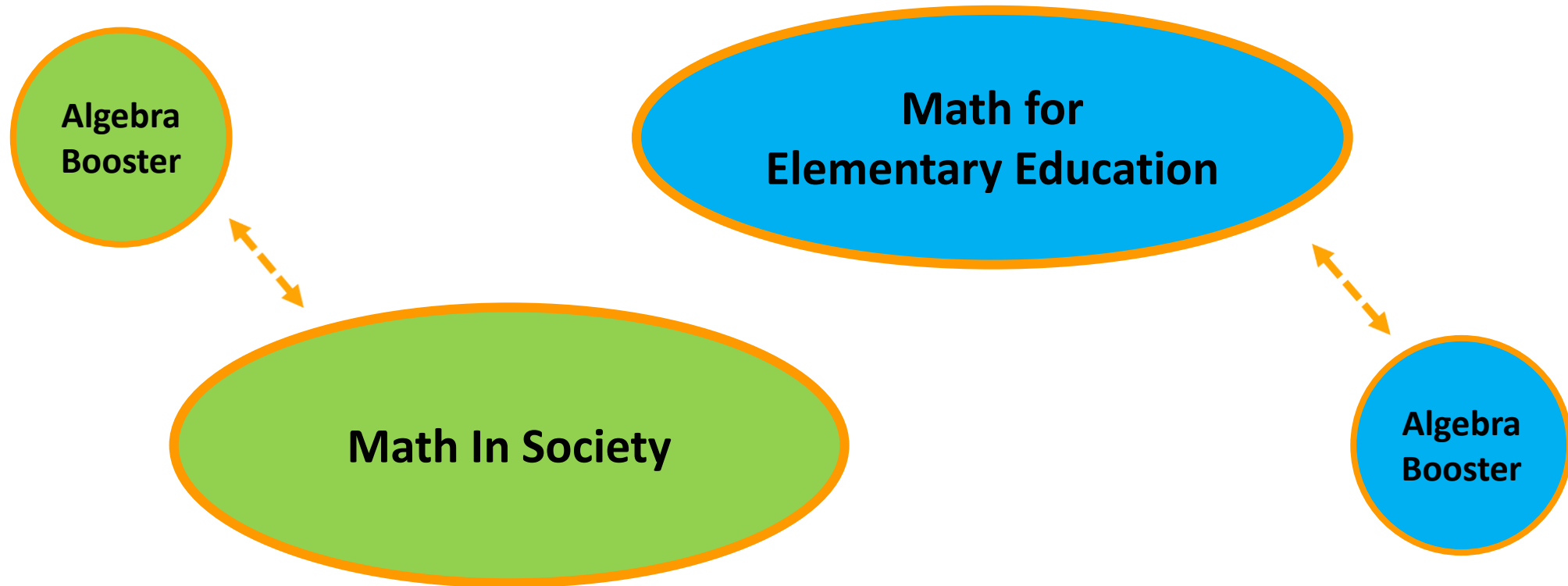
## **Precalculus:**

*(70% success rate, small sample)*



# Algebra “Booster” Corequisites

*(In Development)*



## *Moving Forward*

- Develop corequisite “*Algebra Boosters*” for several new 100-level courses
- Work to evolve course numbering to greater simplify the remaining mathematics’ pathways
- Expand promotion and educational measures to ensure continued enrollment and greater student access

## *Sharing Out*

- Share our successes within the district, encouraging adaptation of corequisite model(s) at our sister colleges North and Central
- Present our corequisite redesign work with our state-wide mathematics' colleagues
- Continue to adapt, learning from our experiences and the experience of others doing similar corequisite work

## *Contact Information*

For additional information, questions or comments,  
please contact:

***John Toutonghi***

Mathematics' Corequisite Redesign Lead  
South Seattle College

[john.toutonghi@seattlecolleges.edu](mailto:john.toutonghi@seattlecolleges.edu)

## SEATTLE COLLEGES DISTRICT BOARD OF TRUSTEES

March 11, 2021

### MINUTES

STUDY SESSION	1:30 p.m.	Zoom
REGULAR SESSION	3:00 p.m.	Zoom

### STUDY SESSION

#### EXECUTIVE SESSION

Chair Hill called an executive session at 1:34PM.

A. Litigation Update

*Exception (3) To discuss with legal counsel litigation or potential litigation to which the college is, or is like to become, a party, when public knowledge of the discussion would likely result in adverse consequence to the district.*

B. Negotiations Update

*Exception (6) To plan or adopt the strategy or position to be taken during collective bargaining, professional negotiations, or grievance or mediation proceedings, or to review proposals made in on-going negotiations or proceedings.*

C. Tenure

*Exception (2) To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee.*

The executive session ended at 2:24PM.

#### OPEN SESSION

Chair Hill welcomed participants to open session at 2:28PM.

A. Budget Development parameters

Chancellor Pan introduced the topic of establishing a set of parameters for building the FY21-22 budget, per the established Board Goals. VC Halladay provided an update on the district budget, including enrollment trends, changes in revenues and expenditures, and district reserve balances.

Trustees held discussions on the proper balance of reserve for Seattle Colleges and the

timeframe needed to balance the budget. Chair Hill suggested that we look at achieving a balanced budget in 3-5 years, with the caveat that we move quickly on addressing structural issues, including administrative overheads.

### **REGULAR MEETING**

#### **CALL TO ORDER**

**Chair Hill called the meeting to order at 3:20PM.**

Chair Hill informed participants that Trustee Robert Williams resigned from the Board of Trustees. Dr. Pan is leading an effort to nominate candidates to fill that role with the Governor's Office.

#### **ATTENDANCE**

Shouan Pan, Louise Chernin, Steve Hill, Teresita Batayola, Cindy Riche, Kurt Buttleman, Cody Hiatt, Sandy Long, Derek Edwards, Bradley Lane, Sayumi Irey, Aimee Goodwin, Jennifer Dixon, Pete Lortz, Earnest Phillips, erin lewis, Malcolm Grothe, Steve Leahy, Choi Halladay, Diane Ellis, Chemene Crawford, Sheila Edwards Lange, Rosie Rimando-Chareunsap, Rebecca Hansen, Leah Scott, Kerry Howell, Bryan Rullan, Betsy Berger, Alissa Agnello, Caroline Conley, Cooper Sealy, Annette Stofer, Jill Lane, Cristobal Borges, Helena Ribeiro, Tracy Lai, Abigail Wachter, Marcia Horton, Bryce Walb, Chad Miles, Chuck McKeever, Dave Ellenwood, Emily Castillo, Henry Olson, Jean Fallow, Albert Engel, Cat Gribos, Aaron Korngiebel, Jan Johnson, Caitlin Carle, Windy Proctor, Kimberly Tate-Malone, Carolina Forero, Emily Castillo, Steve Leone, Alyssa Jocson Porter, Angel Kim, Paula Rebsom, William White, Vero Barrera-Kolb, Trish Root, Toni Anderson, Tania Hino, Steve Leone, Soroush Maleki, Sharon Spence-Wilcox, Sarka Faltinova, Samantha Dolan, Rick Downs, Rebecca Yedlin, Peggy Baldwin, Noris Daniel, Ninder Gill, Mike Steffancin, Melody McMillan, Kent Young, Kerry Howell, Julianne DeGeyter, Ila de Leon, Erin Steinke, Elinor Appel, Kimberly McRae, Dr Jay, Deanna Li, D'Andre Fisher, Erin Gibbons, Maryam Nuraliyeva, Erin Gibbons, Annie Kelley-Kamp, Annie Garrett, Anna Saradeth, Leo Spizzirri, Terence Hsiao, D'Andre Fisher, Akemi Fujimoto, Kelda Martensen, Yvonna Chandler, Marla Lockhart, Daniel Cordas,

#### **LAND ACKNOWLEDGMENT**

Lilia Fomai read the land acknowledgement.

#### **ACTION / Approval of Agenda**

**Trustee Batayola made a motion to approve the agenda. Trustee Chernin seconded. The motion passed 3-0.**

#### **PUBLIC COMMENTS**

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Trustee Hill outlined the process for receiving oral and written public comment. He thanked the seven people who submitted written comments.

Helena Ribiero is English Faculty at Central. She also spoke on behalf of Althea Lazarro. She shared reactions to things she heard at a recent meeting and spoke against single Accreditation and in support of a reduction in district leadership.

Zahra Alavi shared her experience from recent check-ins during regular meetings. She spoke in support of a living wage for faculty and staff.

Veronica Barrera-Kolb teaches at Seattle Central College. She spoke about the impact of clubs on student success.

Tracy Lai, Caroline Conley and Erin Gibbons also addressed the board, sharing concerns over single accreditation and support for faculty contract demands.

## **PRESENTATION**

### *Early Childhood Education - NSC*

*Presenters: Noris Daniel, Faculty and Mentor; Ninder Gill, Faculty coordinator; Anna Saradeth, AAS and Certificate Advisor, Alumni; Dr. Samantha Dolan, Interim Associate Director of ECE Initiatives; Dr. William White, Faculty and director of My Brother's Teacher; Dr. Angel Kim, Faculty and lead on Equity and Social Justice emphasis; Annie Garrett, BAS Program Manager.*

Team members presented on the Early Childhood Education program at North Seattle College. This program has been in the community for 50 years. Early Childhood Education houses many diverse programs like Language Immersion, My Brothers Teacher as well as collaborations with the University of Washington. The Noris E Daniel fellowship supports racially and linguistically diverse alumni who are working on master's degrees. In 6 years, enrollment has more than

quintupled and grown from \$25,000 in grants to \$1.4 million today. Student services needs more language access in general education classes and additional resources.

## **ACTION ITEMS**

### **A. Minutes from February 11, 2021**

**Trustee Chernin made a motion to approve the minutes. Trustee Batayola seconded. The motion passed 3-0.**

### **B. Tenure**

#### **North Seattle College**

Sarka Faltinova, ESL  
Ninder Gill, Early Childhood Education  
Tania Hino, Parent Education  
Jill Lane, Political Science  
Anna Schindler, Mathematics  
Jae Suk, Mathematics

#### **Seattle Central College**

Craig Hetherington, Culinary Arts  
Marla Robinson, Biology  
Nazanin Ruppender, Chemistry  
Shaan Shahabuddin, Psychology  
Bryson Walb, Counseling  
Krysta Walia, Counseling

#### **South Seattle College**

Stephanie Hankinson, English  
Paul Kikuchi, Music  
Henry Olson, Biology  
Amanda Vega, Biology

The qualifications of sixteen Faculty were reviewed during the Executive Session. **Trustee Batayola made a motion to approve Tenure. Trustee Chernin seconded. The motion passed 3-0.**

### **C. Policy 390, Research at Seattle Colleges – Second Reading**

**Trustee Batayola made a motion to approve the revised policy. Trustee Chernin seconded. The motion passed 3-0.**

### **D. NSC Affordable Housing Exclusive Negotiation Agreement**

**Trustee Chernin made a motion to approve the ENA. Trustee Batayola seconded. The motion passed 3-0.** The ENA will go to the State Board for their approval next.

## INFORMATION ITEMS

### A. WAC 132F-121, Student Activities, Rights, and Discipline- First Reading

Derek Edwards has reviewed the changes to this WAC. The changes would make the language more inclusive and include gender neutral terms. This will be brought back to the Board at the April meeting for formal adoption.

### B. Public Comment Protocol – First Reading

The protocol change is proposed to make sure trustees hear stakeholder feedback but also allow adequate time in the meeting to conduct formal Board business. Trustee Chernin suggested ways that the Board can have ongoing open dialogues with staff and faculty, perhaps quarterly or bi-annually. Trustee Batayola reminded the Board that it should not get involved in labor disputes but that it is important to strike a balance and be able to communicate with staff and faculty.

### C. Budget Report

Choi Halladay summarized the budget report. He noted that revenue for Running Start is starting to fall but there is still time to catch up. Now that we are officially live in ctcLink, recording systems are not ready for us to do much analysis and reporting. This could impact the reporting at the April meeting.

### D. ctcLink update

Kurt Buttleman and Daniel Cordas reported that during the ctcLink conversion there were some GL balance errors but those were quickly fixed. About half of all current students have activated their ctcLink accounts. Payroll was run successfully. While things have gone relatively smoothly, it was reported that it will take about 6-9 months to stabilize the system.

## ORAL REPORTS

### A. Student Board Representatives

Maryam Nuraliyeva, Seattle Central College, reported that some students had problems when trying to register for spring quarter. With the help of the advisors and instructors, those issues are being resolved.

### B. Labor Union Representatives

Annette Stofer reported that AFT is wrapping up negotiations with the mediator and is putting finishing touches on the final contract. The contract will be presented to faculty for a ratification vote in April.

Cody Hiatt reported that he is thankful for the finance huddles Choi Halladay has led to quickly deal with any problems the department is experiencing. Cody Hiatt also thanked Jennifer Dixon for jointly facilitating supervisors training on mandatory subjects of bargaining. He congratulated the district on a successful ctcLink conversion and reminded the group that the high percentage of conversion rates showed how well this has been implemented.

C. Chancellor's Report

Chancellor Pan reported that the updated board goals scorecard can be found in his written report. Steve Leahy gave a legislative update, highlighting recent student meetings with legislators. The capital budget and operating budget will be in the forefront in the coming weeks.

D. Chair's Report

Chair Hill reported he has been very impressed with the Seattle Colleges Foundations finance committee and with the high caliber of community leaders on the campaign advisory committee. He is looking forward to the launch of the Equity Can't Wait campaign.

E. Trustees

Trustee Chernin thanked Steve Leahy for responding to legislative needs, She also thanked Rosie Rimando-Chareunsap for her work on ACT EDI Task Force. Trustee Chernin reported the Task Force has offered a proposal to update the SBCTC by-laws to increase diversity on ctc boards across the state. The Task Force will be meeting with the Governor's staff soon to discuss how trustees are selected.

F. College Presidents, Vice Chancellors

Chemene Crawford reported that the NSC executive team met with the VP of Government Relations for The Seattle Kraken. The two parties are looking into a partnership to provide ESL courses for international players. More information on the potential partnership will be reported in April.

In honor of women's history month and International Women's day, Rosie Rimando-Chareunsap sent a note to the South community highlighting statistics about female-identifying students: female identifying students are more likely to be people of color and are more likely to self-report economic disadvantages Female identified students also have higher rates of completing Math and English in the first year, and also have a slightly higher GPA than male-identifying students.

Kurt Buttleman reported that the eLearning consolidation is being done in alignment with the strategic plan. Seattle Promise staff will be offering FAFSA/WAFSA workshops for diverse communities.

Jennifer Dixon reported being thankful that payroll processing worked well.

Choi Halladay thanked all employees helping with the ctcLink conversion throughout district.

Kerry Howell reported on the countdown to the launch of the Equity Can't Wait campaign. She reported the campaign has received a \$1 million commitment from the Gates Foundation and a \$2 million commitment from an anonymous donor. The Foundation has raised \$13 million toward their \$50 million goal.

Cindy Riche thanked the IT staff who have worked on the ctcLink conversion. The IT team continues to work hard supporting faculty and staff that work remotely.

## **ADJOURNMENT**

**Chair Hill adjourned meeting at 5:17PM.**

The next meeting of the Board of Trustees will be held on Thursday, April 8, 2020 at South Seattle College. There will be a Study Session at 1:30 p.m., and the Regular Meeting will follow at 3:00 p.m.

## **EXECUTIVE SESSIONS**

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## **SEATTLE COLLEGES DISTRICT BOARD OF TRUSTEES**

**March 31, 2021**

**SPECIAL MEETING**

**3:00 p.m.**

**Georgetown Building C Conference Room  
and Zoom**

**\*Please note that capacity at Georgetown is limited by the Governor's Proclamation and faculty, staff, students and members of the public are encouraged to participate on Zoom.**

### **FINANCIAL PLANNING RETREAT MINUTES**

#### **CALL TO ORDER**

**Chair Hill called the meeting to order at 3:03pm.**

#### **ATTENDANCE**

Shouan Pan, Steve Hill, Teresitat Batayola, Louise Chernin, Rosa Peralta, Chemene Crawford, Sheila Edwards Lange, Rosie Rimando-Chareunsap, Kurt Buttlerman, Jennifer Dixon, Choi Halladay, Rebecca Hansen, Lilia Fomai, Barbara DIngfield, Daniel Cordas, Julianne DeGeyter, Annette Stofer, Natalie Simmons, Cindy Riche, Sayumi Irey, Yoshiko Harden, Natalie Simmons, Becca Chen, Johnny Hu, Derek Edwards, Bradley Lane, erin lewis, Maureen Shadair, Jenn Awe, Pete Lortz, Lincoln Ferris, Cody Hiatt, Adair Dammann, Toni Castro, Terence Hsiao, Soroush Maleki, Earnest Phillips, Lela Cross, Brianne Sanchez,

#### **APPROVAL OF AGENDA**

**Louise Chernin made a motion to approve the agenda. Trustee Batayola seconded. The motion passed 4-0.**

#### **PUBLIC COMMENTS**

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Natalie Simmons commented on the impact of austerity measures on PT Faculty. She also shared concerns about ctclink and its impact on enrollment.

## **INFORMATION ITEMS**

### **A. FY21-22 Budget Parameters and Future Planning**

Chair Hill began by thanking faculty and staff for adapting during remote operations, committing to equity and persevering through the ctclink transition. He acknowledged various departments that have been leaders in integration projects across the district.

Shouan Pan welcomed participants and introduced the facilitator, Barbara Dingfield.

Choi Halladay presented high-level data on the current budget situation.

The group discussed degrees of budget integration and what an integrated budget means. They also discussed the reserve policy.

## **ADJOURNMENT**

**The meeting adjourned at 5:38pm.**

The next meeting of the Board of Trustees will be held on Thursday, April 8 2020 at South Seattle College. There will be a Study Session at 1:30 p.m., and the Regular Meeting will follow at 3:00 p.m.

**MEMORANDUM**

**TO:** Board of Trustees

**FROM:** Shouan Pan, Ph.D.  
Chancellor

**DATE:** April 8, 2021

**SUBJECT:** Emeritus Status Recognition

**Background**

The AFT/SCD Agreement (Article 5.16, Special Retirement Privileges) provides for the granting of emeritus status recognition to eligible faculty who have made significant contributions to the District's mission of student success and organizational excellence. The following individuals have been recommended for emeritus status by the Executive Board of AFT Seattle and are being forwarded to the Board of Trustees for consideration:

North Seattle College	Vince Offenback, Computer Science & Engineering Lidya Minatoya, Counseling Julia (Judy) Learn, Math & Science Karen Stuhldreher, AHSS Larry Hopt, Workforce
Seattle Central College	Lawrence Silverman, AHSS Andre Loh, Basic & Transitional Studies Andrea Levy, STEM Rebecca Boon, Basic & Transitional Studies Esmaeel Naemi, STEM
South Seattle College	Donald Howard, Counseling Michael Thompson, College Transfer Dorrienne Chinn, Basic & Transitional Studies Robert Dela-Cruz, College Transfer Timothy Walsh, College Transfer Arleen Williams, Basic & Transitional Studies Karl Su, Justice Involved Solutions Heidi Lyman, College Transfer

There is one posthumous nomination, submitted to honor the faculty member who passed away in late 2020.



North Seattle College

Daniel Jinguji, Computer Science

**Recommended Action**

In recognizing the long-term meritorious services of the above listed faculty members and in accordance with the AFT/SCCD Agreement, I am pleased to recommend that the Board of Trustees grant emeritus status recognition to the above worthy individuals of Seattle Colleges District VI.

Submitted by and transmitted to the Board with a  
favorable recommendation,

A handwritten signature in black ink, appearing to read "Shouan Pan", with a stylized flourish extending to the right.

Shouan Pan, Ph.D.  
Chancellor



February 17, 2021

To: Chancellor Shouan Pan and Seattle Colleges Board of Trustees

From: Annette Stofer, AFT Seattle Local 1789 President

Re: Emeritus Nominees

It is with great pleasure that the AFT Seattle Executive Board recommends Emeritus Faculty Status for the following 2020 retirees:

Donald Howard, South Seattle College, Counseling

Michael Thompson, South Seattle College, College Transfer

Dorrienne Chinn, South Seattle College, Basic & Transitional Studies

Robert Dela-Cruz, South Seattle College, College Transfer

Timothy Walsh, South Seattle College, College Transfer

Arleen Williams, South Seattle College, Basic & Transitional Studies

Karl Su, South Seattle College, Justice Involved Solutions

Heidi Lyman, South Seattle College, College Transfer

Lawrence Silverman, Seattle Central College, AHSS

Andre Loh, Seattle Central College, Basic & Transitional Studies

Andrea Levy, Seattle Central College, STEM

Rebecca Boon, Seattle Central College, Basic & Transitional Studies

Esmaeel Naemi, Seattle Central College, STEM

Vince Offenback, North Seattle College, Computer Science & Engineering

Lidya Minatory, North Seattle College, Counseling

Julia (Judy) Learn, North Seattle College, Math & Science

Karen Stuhldreher, North Seattle College, AHSS

Larry Hopt, North Seattle College, Workforce Instruction

There is one posthumous nomination, submitted to honor a colleague tragically lost in late 2020.

Daniel Jinguji, North Seattle College, Computer Science

Please accept AFT Seattle's recommendation to honor these faculty members who served with dedication to their students and colleges.

## MEMORANDUM

**TO:** Board of Trustees  
**FROM:** Shouan Pan, Ph.D.  
Chancellor  
**DATE:** April 8, 2021  
**SUBJECT:** Emeritus Status Recognition

### **Background**

In accordance with Seattle Colleges Policy 478, the following retired Administrators are being recommended for Emeritus Status.

The purpose of such recognition is to publicly recognize the administrative employee's significant contributions to the District community's educational goals through excellence of service and leadership.

To be eligible for consideration of such recognition, the retiring administrative employee must have served the District for at least five years in an administrative capacity and made significant contributions to its values of service excellence, diversity, and effective leadership.

Chancellor's Executive Cabinet has reviewed nominations for the following individuals and the chancellor is forwarding these names to the Board of trustees for approval:

Mike Lock, Seattle Colleges District  
Betty Lunceford, Seattle Colleges District  
Lisa Sever, South Seattle College  
Wendy Nagasawa, South Seattle College

### **Recommended Action**

In recognizing the long-term meritorious services of the above listed administrators, I am pleased to recommend that the Board of Trustees grant emeritus status recognition to the above worthy individuals of Seattle Colleges District VI.

Submitted by and transmitted to the Board with a favorable recommendation,



Shouan Pan, Ph.D.  
Chancellor

**MEMORANDUM**

**TO:** Board of Trustees

**FROM:** Shouan Pan, Chancellor

**DATE:** April 8, 2021

**SUBJECT:** WAC 132F-121, Student Activities, Rights, and Discipline, Second Reading

**Background**

WAC 132F-121 was updated to use gender neutral pronouns.

In compliance with federal regulations, Title IX Supplemental Procedures were added as new sections in WAC 132F-121-270 to 132F-121-350. Supplemental hearing procedures are now required under the new Title IX rules that came out in 2020. Derek Edwards (AAG) has reviewed the new sections, as they are modeled after language proposed by the Attorney General's Office.

This proposed rule was subject to a public rulemaking hearing on January 26, 2021 via Zoom. No comments were received.

**Recommended Action**

It is recommended that the Seattle Colleges Board of Trustees approve the updates to WAC 132F-121.

Submitted by and transmitted to the Board with a favorable recommendation,



Dr. Shouan Pan,  
Chancellor

AMENDATORY SECTION (Amending WSR 16-04-025, filed 1/25/16, effective 2/25/16)

**WAC 132F-121-005 Statement of values.** The Seattle College District is a diverse and dynamic learning community. As such, the college district maintains a strong commitment to our values. We value students: We promote programs, services and activities that address students' needs and interests; student success through accessibility and support services; and student development through activities both inside and outside the classroom. We value diversity: We promote respect for the abilities and interests of each individual; awareness and understanding of all people; and appreciation of the unique cultures of our campuses. We are committed to the concept and practice of equal opportunity for all, and do not tolerate discrimination or retaliation against any member of the college community because of (~~her/his~~) their race; color; national origin; sensory, mental or physical disability; use of a service animal; gender, including pregnancy; marital status, religion; creed; genetic information; sexual orientation; age; gender identity; gender expression; veteran's status; or any other legally protected classification, in accordance with WAC 132F-121-110(1).

AMENDATORY SECTION (Amending WSR 16-04-025, filed 1/25/16, effective 2/25/16)

**WAC 132F-121-010 Definitions and general provisions.** For purposes of this chapter(~~(+)~~), except for the Title IX supplemental procedures, the following definitions apply. The definition of "consent," however, will apply to the whole chapter.

(1)(a) **Bullying.** Bullying is defined as the repeated use by one or more students of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at another student or staff that:

(i) Intentionally causes physical or emotional imminent harm to the student or damage to the student's property;

(ii) Places the student in reasonable fear of harm to (~~herself or himself~~) themselves or of damage to the student's property;

(iii) Creates an unlawful hostile environment at school for the student;

(iv) Infringes on the rights of the student at school; or

(v) Is conduct that is sufficiently severe or pervasive to cause material disruption to the ability of a student to participate or benefit in the education program.

(b) **Cyber misconduct.** Cyberstalking, cyberbullying or online harassment. Use of electronic communications including, but not limited to, electronic mail, instant messaging, electronic bulletin boards, 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

er's email identity, nonconsensual recording, including images or videos of a sexual nature, and nonconsensual distribution of such material.

(c) **Stalking.** Stalking is intentional and repeated following of another person, which places that person in reasonable fear that the perpetrator intends to injure, intimidate or harass that person. Stalking also includes instances where the perpetrator knows or reasonably should know that person is frightened, intimidated or harassed, even if the perpetrator lacks such an intent.

(2) **Sexual misconduct.** The term "sexual misconduct" includes sexual harassment, sexual intimidation, sexual violence, and domestic violence.

(a) Sexual harassment. The term "sexual harassment" means unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature that is sufficiently serious as to deny or limit, and that does deny or limit, based on sex, the ability of a student to participate in or benefit from the college's educational program or that creates an intimidating, hostile, or offensive environment for other campus community members.

(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 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.

(ii) Nonconsensual sexual contact is any intentional sexual touching, however slight, with any 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) Domestic violence as defined in (d) of this subsection.

(iv) Dating violence means violence by a person who has been in a romantic or intimate relationship with the victim, and includes conduct that causes emotional, psychological, physical, and sexual trauma. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

(v) Stalking as defined in subsection (1)(c) of this section.

(vi) Consent: 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 (~~he or she is~~) 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.

Intoxication is not a defense against allegations that an individual has engaged in nonconsensual sexual conduct.

(d) Domestic violence. Domestic violence includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law, and, includes conduct that causes emotional, psychological, physical, and sexual trauma.

(3) The terms "college" and "campus" are used interchangeably, and each refers to any of the district's three colleges, North Seattle College, Seattle Central College, and South Seattle College. The Seattle Vocational Institute is considered to be part of Seattle Central College.

(4) "Day" means calendar day, unless specified otherwise, and deadlines shall be computed in accordance with WAC 10-08-080.

(5) "District" means the sixth state college district, the district administrative offices (Siegal Center), North Seattle College, Seattle Central College, South Seattle College, (~~the Seattle Vocational Institute,~~) and/or every other District VI educational facility, each separately and all together.

(6) "District community" includes, but is not limited to, the district itself and all enrolled students, employees, officers, and invitees of the district.

(7) "District property" includes all real property, buildings, and other facilities that are owned, leased, or controlled by the district or by the state for district purposes.

(8) "Vice president for student services" means the person whom a college president has appointed to that position or has otherwise designated to perform the functions ascribed to that position in this chapter.

(9) An action or activity that may be authorized or taken by the district chancellor, a vice chancellor, a campus president, or a campus vice president may also be authorized or taken by any other person whom that officer has specifically designated to perform that function on (~~his/her~~) their behalf, but this officer retains responsibility for the function.

(10) After the adoption of these rules, if a statute or rule to which they refer is renumbered or otherwise amended, these rules shall be interpreted to the fullest extent possible to incorporate such amendment while still giving effect to their original purposes.

(11) Service of any document, notice, or copy under this chapter shall be made (a) by personal delivery, (b) by mailing to the recipient's last known address, which service shall be regarded as complete upon deposit in the U.S. mail properly stamped and addressed, or (c) as otherwise authorized by law or rule.

(12) The term "student" includes all persons taking courses at the district, either full-time or part-time. Persons who withdraw after allegedly violating the student code, who are not officially enrolled for a particular term but who have a continuing relationship with the district, or who have been notified of their acceptance for admission are considered "students" as are persons who are living in district resident halls, although not enrolled at the district.



**WAC 132F-121-020 Student rights, freedoms, and responsibilities.**

(1) Statement of student rights. As members of the academic community, students are encouraged to develop the capacity for critical judgment and to engage in an independent search for truth. Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students should exercise their freedom with responsibility. The responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the college community.

The following enumerated rights are guaranteed to each student within the limitations of statutory law and college policy which are deemed necessary to achieve the educational goals of the college:

(a) Academic freedom.

(i) Students are guaranteed the rights of free inquiry, expression, and assembly upon and within college facilities that are generally open and available to the public.

(ii) Students are free to pursue appropriate educational objectives from among the college's curricula, programs, and services, subject to the limitations of RCW 28B.50.090 (3)(b).

(iii) Students shall be protected from academic evaluation which is arbitrary, prejudiced, or capricious, but are responsible for meeting the standards of academic performance established by each of their instructors.

(iv) Students have the right to a learning environment which is free from unlawful discrimination, inappropriate and disrespectful conduct, and any and all harassment, including sexual harassment.

(b) Due process.

(i) The rights of students to be secure in their persons, quarters, papers, and effects against unreasonable searches and seizures is guaranteed.

(ii) No disciplinary sanction may be imposed on any student without notice to the accused of the nature of the charges.

(iii) A student accused of violating this code of student conduct is entitled, upon request, to procedural due process as set forth in this chapter.

(iv) Sexual misconduct investigations. Both the respondent and the ((complainant)) claimant in cases involving allegations of sexual misconduct 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.

(2) Classroom freedom of expression. The district recognizes the rights of students to freedom of discussion and free expression of views. However, students' rights of classroom expression do not include expressions or conduct which create a hostile educational environment or violate chapter 49.60 RCW or other applicable law. It is the responsibility of the instructor to insure and encourage the realization not only of the fact but of the spirit of free inquiry. Instructors have the responsibility to maintain order, but this authority shall not be used to inhibit the expression of views contrary to their own. Students have the right to take reasoned exception to the data or views offered in any course of study and to reserve judgment

about matters of opinion, but they cannot do so in a disruptive manner that interferes with the educational process. Students are responsible for learning the content of any course of study for which they are enrolled. It also is the responsibility of the student to comply with the instructor's efforts to assure freedom of expression and to maintain order.

(3) Protection against improper evaluation. Instructors shall give their students fair and consistent evaluations of the students' course performance. Toward this end, instructors are also responsible for establishing appropriate standards of academic performance for each course. Fair and consistent grading is a legitimate classroom experience.

(4) Protection against improper disclosure. Information about student views, beliefs, and political associations which is acquired by instructors in the course of their work as faculty or advisors, under circumstances which clearly indicate that it is intended to be confidential, shall be treated as confidential and shall not be disclosed to others, unless it relates to the apparent or intended commission of a crime or disclosure is required by law. Protection against improper disclosure of student education record information is a serious professional obligation incurred by the teaching profession and district administrators. However, evaluations of student ability and character may be provided to third parties with the student's consent or in accordance with applicable law.

(5) Nonacademic expression and inquiry. Students and student organizations are free to examine and to discuss all questions of interest to them and to express opinions publicly and privately, in accordance with law. They are free to support causes by orderly and lawful means which do not disrupt the operation of the institution and which comply with the district's policies regarding these activities.

(6) The district shall respect students' right to privacy. It will not inquire into the off-campus activities of its students without legal justification.

AMENDATORY SECTION (Amending WSR 13-11-127, filed 5/21/13, effective 6/21/13)

**WAC 132F-121-030 Student organizations.** (1) Student organizations may be established and recognized whether their aims are educational, cultural, recreational, social, athletic, religious, political, or economic. Affiliation with an external organization shall not in and of itself disqualify a campus-based student organization from recognition. Membership in a student organization shall be open to any student who subscribes to the stated aims of the organization. To operate as such, a student organization must be recognized by the approved student government organization. The student organization shall abide by all governing federal and state laws and district and campus rules, policies and procedures.

(2) A college may require, as a condition of access to campus funds and/or facilities, demonstration or proof of the student enrollments of a student organization's members. However, any list of members compiled for such purposes shall not be publicly disclosed except in accordance with applicable law. A college may, in its discretion,

permit others, such as students' spouses, to participate in a student organization's activities under appropriate conditions.

(3) Each year, before a student organization may be recognized or function as such, or may use services and activities funds, a college employee must be identified to serve as its advisor and ~~((his/her))~~ their name must be approved by the vice president for student services or designee.

(4) Where funds are allocated to a student organization, financial accountability is required. Student organizations' funds shall be maintained at the college, in college accounts. The organizations shall keep detailed written records of their income and expenditures and shall assure that these can be reconciled with the campus budget and accounting system. Student organizations' financial records must be made available upon request to the student government organization and to any administrative officer designated by the college president.

(5) A college president may withdraw a student organization's recognition and funding for good cause. Such cause shall include, but not be limited to, (a) failure to comply with this rule or other district requirements or (b) hazing.

AMENDATORY SECTION (Amending WSR 13-11-127, filed 5/21/13, effective 6/21/13)

**WAC 132F-121-050 Student use of the district/college name. (1)**

No individual student, student group, or student organization may act or make any representation in the name of the district or of any campus without specific authorization from the vice president for student services or designee.

(2) No individual student, student group or student organization shall falsely indicate or represent that ~~((his, her, or its))~~ their own position on any policy or issue is that of the district or of any campus.

AMENDATORY SECTION (Amending WSR 13-11-127, filed 5/21/13, effective 6/21/13)

**WAC 132F-121-080 Formal processing of complaints. (1)**

To be considered under the formal process, a complaint must be filed in writing with the campus complaints officer by the final day of the quarter following the quarter in which the problem occurred, except as otherwise provided in WAC 132F-121-090 for a grade complaint. For purposes of complaints, the quarter which follows spring quarter is fall quarter. The written document should fully specify the facts and other grounds on which the complaint is based, and should include copies of relevant supporting documents when feasible. The complaints officer may extend any deadline herein for good cause.

(2) If the complaints officer determines that the complaint does not qualify to be addressed through the formal process, that officer must inform the student, explaining the reasons in writing within five working days. The student complainant may obtain review of that notice

of complaint disqualification by filing a written request with the complaints officer under subsection (9) of this section.

(3) If the complaints officer determines that the complaint does qualify as such, that officer must serve copies of the complaint and the supporting documents on the individual named in the complaint (the respondent) and the respondent's supervisor, within five working days.

(4) The respondent, upon receiving notice of the formal complaint, shall provide a response in writing to the complaints officer, and to the respondent's supervisor, within ten working days.

(5) The complaints officer must forward the written response, or the information that no response was received, to the student complainant within five working days of receipt of the response, or five working days from when a response was due.

(6) If the student complainant finds that the response or lack thereof is unsatisfactory she/he has five working days in which to submit a written request for the complaints officer to schedule a conference with the respondent to discuss the matter.

(7) Upon receipt of such request, the complaints officer has five working days to schedule the conference which must be convened within ten working days of receipt of the students' request or as soon thereafter as feasible. This conference will include the student, the respondent, and (~~his or her~~) their supervisor, and be moderated by the complaints officer.

(8) During this conference the complaints officer shall try to facilitate resolution. The complaints officer shall produce a written statement summarizing the conference and provide copies to all parties within ten working days of the conference.

(9) The student complainant may request a review of the outcome of the complaint conference (or of a complaint disqualification) by submitting a written request for administrative review to the complaints officer within five working days of receiving the conference summary.

(10) The complaints officer shall forward, within five working days, the request for administrative review, the complaint, supporting documents, and the conference summary either to the vice president of instruction (if the officer determines that the complaint is predominantly an instructional matter), or to the vice president for student services (if the officer determines that the complaint is predominantly noninstructional in nature).

(11) This administrator shall review the complaint and documentation, and may also interview knowledgeable persons as appropriate. The administrator should render a written decision within ten working days after receiving the complaint and documents, or as soon thereafter as feasible. The administrator may accept, reject, or modify any of the previous action(s) in the matter, and/or take other action(s). This decision shall be in writing and shall be served on the student complainant and others deemed appropriate.

(12) This decision of the reviewing administrator shall be the final decision of the district on that complaint.

**WAC 132F-121-110 Student misconduct.** Misconduct for which the campuses may impose sanctions includes, but is not limited to, any of the following:

(1) Discriminatory conduct. Discriminatory conduct which harms or adversely affects any member of the college community because of ((her/his)) their race; color; national origin; sensory, mental or physical disability; use of a service animal; gender, including pregnancy; marital status; religion; creed; genetic information; sexual orientation; age; gender identity; gender expression; veteran's status; or any other legally protected classification.

(2) Sexual misconduct. The term "sexual misconduct" includes sexual harassment, sexual intimidation, and sexual violence as defined in WAC 132F-121-010(2).

(3) Harassment. Unwelcome and offensive conduct, including verbal, nonverbal, or physical conduct, that is directed at a person because of such person's protected status and that is sufficiently serious as to deny or limit, and that does deny or limit, the ability of a student to participate in or benefit from the college's educational program or that creates an intimidating, hostile, or offensive environment for other campus community members. Protected status includes a person's race; color; national origin; sensory, mental or physical disability; use of a service animal; gender, including pregnancy; marital status; age; religion; creed; genetic information; sexual orientation; gender identity; gender expression; veteran's status; or any other legally protected classification, and includes sexual harassment. Harassing conduct may include, but is not limited to, physical conduct, verbal, written, social media and electronic forms of communication.

(4) Any act of course-related dishonesty, including but not limited to cheating or plagiarism.

(a) Cheating includes, but is not limited to, using, or attempting to use, any material, assistance, or source which has not been authorized by the instructor to satisfy any expectation or requirement in an instructional course, or obtaining, without authorization, test questions or answers or other academic material that belong to another.

(b) Plagiarism includes, but is not limited to, using another person's ideas, words, or other work in an instructional course without properly crediting that person.

(c) Academic dishonesty also includes, but is not limited to, submitting in an instructional course either information that is known to be false (while concealing that falsity) or work that is substantially the same as that previously submitted in another course (without the current instructor's approval).

(5) Any other act of college-related dishonesty. Such acts include, but are not limited to:

(a) Forgery, alteration, or misuse of any district document, record, or instrument of identification;

(b) Tampering with an election conducted by or for district students; or

(c) Furnishing false information, or failing to furnish correct information, in response to the request or requirement of a district officer or employee.

(6) Obstruction or disruption of (a) any instruction, research, administration, disciplinary proceeding, or other district activity, whether occurring on or off district property, or (b) any other activity that is authorized to occur on district property, whether or not actually conducted by the district.

(7) Assault, physical abuse, verbal abuse, threat(s), intimidation, harassment, bullying, cyberbullying, stalking or other conduct which harms, threatens, or is reasonably perceived as threatening the health or safety of another person or another person's property.

(8) Attempted or actual damage to, or theft or misuse of, real or personal property or money of (a) the district or state, (b) any student or district officer, employee, or organization, or (c) any other person or organization lawfully present on district property, or possession of such property or money after it has been stolen.

(9) Failure to comply with the direction of a district officer or employee who is acting in the legitimate performance of (~~(his or her)~~) their duties, or failure to properly identify oneself to such a person when requested to do so.

(10) Participation in any activity which unreasonably disrupts the operations of the district or infringes on the rights of another member of the district community, or leads or incites another person to engage in such an activity.

(11) Weapons. Carrying, holding, wearing, exhibiting, displaying or drawing 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, 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 firearm in (~~(his or her)~~) their vehicle parked on campus in accordance with RCW 9.41.050, provided the vehicle is locked and the weapon is concealed from view; or

(c) The president or the president's designee may authorize possession of a weapon on campus upon a showing 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 therein.

This policy does not apply to the possession and/or use of disabling chemical sprays when possessed and/or used for self-defense.

(12) Hazing. Hazing includes, but is not limited to, any initiation into a student organization or any pastime or amusement engaged in with respect to such an organization that causes, or is likely to cause, bodily danger or physical harm, or serious mental or emotional harm, to any student.

(13) Alcohol. The use, possession, delivery, or sale of any alcoholic beverage, except as permitted by law, applicable college policies, or authorized by chancellor or a college president, or being observably under the influence of alcohol.

(14) Drugs.

(a) Marijuana. The use, possession, delivery, or sale of marijuana or the psychoactive compounds found in marijuana and intended for human consumption, regardless of form. While state law permits the recreational use of marijuana, federal law prohibits such use on college premises or in connection with college activities.

(b) Drugs. The use, possession, delivery, sale or being 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.

(15) Obstruction of the free flow of pedestrian or vehicular movement on district property or at a district activity.

(16) Conduct which is disorderly, lewd, or obscene.

(17) Breach of the peace, or aiding, abetting, or procuring a breach of the peace.

(18) The use of tobacco, electronic cigarettes, and related products is prohibited in any building owned, leased or operated by the college, including twenty-five feet from entrances, exits, windows that open, and ventilation intakes of such buildings, and where otherwise prohibited. "Related products" include, but are not limited to, cigarettes, pipes, bidi, clove cigarettes, water pipes, hookahs, chewing tobacco, and snuff.

(19) Theft or other misuse of computer time or other electronic information resources of the district. 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 district'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 district's electronic information resources without authorization; or

(i) Failure to comply with the district's electronic use policy.

(20) Unauthorized possession, duplication, or other use of a key, keycard, or other restricted means of access to district property, or unauthorized entry onto or into district property.

(21) Abuse or misuse of any of the procedures relating to student complaints or misconduct including, but not limited to:

(a) Failure to obey a subpoena;

(b) Falsification or misrepresentation of information;

(c) Disruption, or interference with the orderly conduct, of a proceeding;

(d) Interfering with someone else's proper participation in a proceeding;

(e) Destroying or altering potential evidence, or attempting to intimidate or otherwise improperly pressure a witness or potential witness;

(f) Attempting to influence the impartiality of, or harassing or intimidating, a student conduct committee member; or

(g) Failure to comply with any disciplinary sanction(s) imposed under this student conduct code.

(22) Safety violations. The operation of any motor vehicle on district property in an unsafe manner or in a manner which is reasonably perceived as threatening the health or safety of another person.

Safety violation includes any nonaccidental 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.

(23) Violation of any other district rule, requirement, or procedure including, but not limited to, any that is posted in electronic form, the district's traffic and parking rules, or the requirements for carpool parking.

(24) Violation of any federal, state, or local law, rule, or regulation, including any hate crime.

(25) 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.

In addition to initiating discipline proceeding for violation of the student conduct code, the college may refer any violations of federal, state or local laws to civil and criminal authorities for disposition. The college shall proceed with student disciplinary proceedings regardless of whether the underlying conduct is subject to civil or criminal prosecution.

(26) Aiding, abetting, inciting, encouraging, or assisting another person to commit any of the foregoing acts of misconduct.

(27) Retaliation. Retaliation against any individual for reporting, providing information, exercising one's rights or responsibilities, or otherwise being involved in the process of responding to, investigating, or addressing allegations or violations of federal, state or local law, or college policies including, but not limited to, student conduct code provisions prohibiting discrimination and harassment.

AMENDATORY SECTION (Amending WSR 03-16-015, filed 7/28/03, effective 8/28/03)

**WAC 132F-121-120 Instructor sanctions for course work dishonesty or classroom misconduct.** (1) An instructor need not give credit for course work that is the product of cheating, plagiarism, or other dishonesty. For any act of dishonesty that occurs during an instructional course, the instructor may adjust the student's grade accordingly for the particular examination, paper, or other work product where that dishonesty occurred. Any such grade adjustment shall not limit or preclude disciplinary sanction(s) for the same act of dishonesty.

(2) An instructor may take appropriate action to maintain order and proper conduct in the classroom and to maintain the effective cooperation of students in fulfilling the objectives of the course. If a student is so disorderly or disruptive that it is difficult or impossible to maintain classroom decorum, that action may include removing that student from that day's class session.

(3) With regard to any act of course-related dishonesty, classroom misconduct, or other academic misconduct, the faculty member involved may notify ((his/her)) their dean, with supporting documentation. The dean shall then determine whether to refer the matter to the vice president for student services for possible disciplinary action.



(4) A student who has received a grade adjustment by the instructor on the basis of dishonesty may grieve that adjustment under the student complaint procedure. However, any disciplinary sanction that is imposed instead of or in addition to an instructor's grade adjustment may be imposed and reviewed only under the student disciplinary procedure.

AMENDATORY SECTION (Amending WSR 13-11-127, filed 5/21/13, effective 6/21/13)

**WAC 132F-121-140 Initiation of discipline.** (1) The vice president for student services or designee at each campus is responsible for investigating possible violations of this student conduct code at that campus and initiating any appropriate disciplinary actions. If that officer is a respondent in a complaint initiated by the subject student, the college president shall, upon request and when feasible, designate another person to fulfill any such disciplinary responsibilities relative to the complainant.

(2) Any member of the district community may make a complaint against a student whom she/he believes has violated this student conduct code. Such a complaint should ordinarily be filed in writing with the vice president for student services. However, no such complaint is required in order for that vice president to take action on any matter that comes to ((his/her)) their attention.

AMENDATORY SECTION (Amending WSR 16-04-025, filed 1/25/16, effective 2/25/16)

**WAC 132F-121-170 Appeals and referrals generally.** (1) Except as otherwise provided herein, a respondent who has received notice of disciplinary sanction(s) imposed by the vice president for student services may appeal such sanction(s) by filing a written notice of appeal with that officer within ten days. The notice of appeal may include any statement that the respondent wishes to make of the grounds for ((her/his)) their appeal.

(2) If the vice president has referred the matter to the student conduct committee for action, no appeal is required, but the student may file a written response with the vice president within twenty days of service of that referral.

(3) Except for conduct matters referred for brief adjudicative proceedings, the vice president shall promptly transmit any notice of appeal or response to referral, together with a copy of any notification of discipline, to the chair of the student conduct committee, described below. The vice president should serve a copy of that transmittal on the respondent.

(4) Except through a summary suspension under WAC 132F-121-250, a respondent's enrollment status and rights as an enrolled student shall not be altered, on the basis of a disciplinary sanction imposed by the vice president, until (a) the appeal period has run without a proper appeal being filed or (b) if there is an appeal, either that appeal has been withdrawn or the final order has been entered.

(5) If a respondent files a timely appeal of a probation or suspension that includes restrictions on contacts, communications, or campus access, the vice president will ordinarily modify those restrictions as necessary to facilitate the respondent's preparation for the hearing.

AMENDATORY SECTION (Amending WSR 13-11-127, filed 5/21/13, effective 6/21/13)

**WAC 132F-121-180 Student conduct committee.** (1) A student conduct committee at each college will hear all disciplinary cases at that college which are referred to it by the vice president for student services or appealed to it by a student. For purposes of WAC 132F-108-020 and any other requirements, the district trustees and chancellor and each college president designate (a) the committee provided for herein to serve as presiding officer to hear the described student disciplinary matters and (b) the committee chair both to handle and decide procedural matters (as provided herein) and to preside at the hearing.

(2) This committee shall be composed of the following three members:

(a) One administrator or exempt employee, appointed by the college president;

(b) One member of the faculty, appointed by the college president; and

(c) One student, appointed by the president of the recognized student government organization.

(3) Each appointment shall be accompanied by the appointment of two alternates. Each member and alternate shall serve for the academic year or until a replacement is appointed, whichever is longer. When a member is not available for a hearing, the committee chair shall designate an alternate to replace ((him/her)) them for that hearing. If a member or alternate ceases to serve, a successor shall be promptly appointed. A member or alternate may be reappointed in any role.

(4) The administrator or exempt employee shall be the committee chair.

(5) A committee member is subject to disqualification for bias, prejudice, interest, or as further provided in RCW 34.05.425.

AMENDATORY SECTION (Amending WSR 13-11-127, filed 5/21/13, effective 6/21/13)

**WAC 132F-121-190 Student conduct committee hearings—In general.**

(1) A respondent student has a right to a prompt, fair, and impartial hearing before the student conduct committee on a referral for, or timely appeal of, a disciplinary sanction, except as otherwise provided in these rules.

(2) Chapter 34.05 RCW and chapter 10-08 WAC govern committee proceedings and control in the event of any conflict with these rules.

The district's chapter 132F-108 WAC also governs committee proceedings.

(3) The chair of the committee shall give not less than seven days advance written notice of the hearing to all parties, as further specified in RCW 34.05.434 and WAC 10-08-040 and 10-08-045. The chair may shorten this notice period if both parties agree, and also may continue the hearing to a later time for good cause.

(4) The committee chair may provide to the committee members in advance of the hearing copies of (a) the vice president for student service'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.

(5) The committee chair is authorized to conduct prehearing conferences and/or to make prehearing decisions, except as overridden by majority vote of the committee, concerning the extent and forms of any discovery, issuance of protective orders, and similar procedural matters.

(6) Upon request made at least five days before the hearing by either the respondent or the vice president, the two of them 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 in their respective cases, except impeachment or rebuttal evidence. 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.

(7) The respondent and the vice president 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.

(8) The vice president shall provide reasonable assistance to the respondent, upon request, in obtaining relevant and admissible evidence that is within the college's control.

(9) Communications between committee members and other persons 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.

(10) Each party may be accompanied at the hearing by a nonattorney assistant of ((his/her)) their choice. A respondent may elect to be represented by an attorney, but will be deemed to have waived that right unless, at least four days before the hearing, written notice of the attorney's identity and participation is served on both the chair and the vice president. If the respondent is represented by an attorney, the vice president may also be represented by an attorney. If both the respondent and vice president have counsel, the committee will ordinarily be advised by a separate assistant attorney general.

(11) Minor disciplinary actions imposing probation or suspension of ten instructional days or less and any conditions or terms placed on the student may be conducted by a brief adjudicative proceeding in accordance with RCW 34.05.482 through 34.05.494.

AMENDATORY SECTION (Amending WSR 03-16-015, filed 7/28/03, effective 8/28/03)

**WAC 132F-121-220 President's review and final college order.**

(1) The college president shall review the record and enter the final college order, in accordance with RCW 34.05.461(2) and 34.05.464.

(2) If either the respondent or the vice president for student services wishes to file written argument with the president, she/he must file that argument and serve a copy on the other within fifteen days after service of the committee's order. Within seven days after service of any such argument, the other party may file and serve a written response. The president shall have discretion to modify these deadlines and/or to allow oral arguments. However no new evidence, not already part of the record, may be introduced in any argument, except as expressly authorized by the president upon a showing of compelling legal justification and after any appropriate fact-finding.

(3) The president shall personally consider the whole record or such portions of it as may be cited by the parties. A party's failure to present any argument shall mean that the party is citing "none" of the record.

(4) If the committee's order includes a provision for expulsion, the president must consult with and obtain the agreement of the district chancellor. If the committee's order includes a provision for suspension from any other college(s) of the district, the president must consult with and obtain the agreement of the president(s) of such college(s).

(5) Within ninety days following the later of the conclusion of the hearing or the committee's receipt of closing arguments, the president shall either remand the matter for further proceedings, with instructions to the committee, or enter a final order in the matter. The president shall have all of decision-making power that he/she would have had if presiding over the hearing, including the power to affirm, reverse, or modify any disciplinary sanction.

(6) The president's final order shall include, or incorporate by reference to the committee's initial order, all matters required by RCW 34.05.461, in accordance with RCW 34.05.464. It shall also include notice to the respondent of (~~his/her~~) their right to seek judicial review under RCW 34.05.510 et seq.

(7) Copies of the final order shall be served on the respondent, the vice president, any legal counsel who have appeared, and the committee chair.

(8) The decision of the president shall be the final district action in the matter.

AMENDATORY SECTION (Amending WSR 03-16-015, filed 7/28/03, effective 8/28/03)

**WAC 132F-121-230 Reestablishment of academic standing after successful appeal.** When a student has missed classes and/or course work due to a disciplinary suspension or expulsion, but that disciplinary sanction was appealed and not upheld, the student shall be given a reasonable opportunity to reestablish (~~his/her~~) their academic standing and the alternative of a withdrawal and refund of tuition and

fees. Depending on the circumstances, reestablishing academic standing may include opportunities to take examinations and otherwise complete course offerings that were missed due to the disciplinary sanction or to retake the class(es).

AMENDATORY SECTION (Amending WSR 13-11-127, filed 5/21/13, effective 6/21/13)

**WAC 132F-121-250 Summary suspensions.** (1) A summary suspension is a temporary exclusion from specified college premises or denial of access to all activities or privileges for which the student might otherwise be eligible, during which an investigation and/or formal disciplinary procedures are pending.

Suspension may be imposed, if the vice president for student services or ((his/her)) their designee(s) has cause to believe that any student:

- (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) If the student poses an ongoing threat of disruption of, or interference with, the operations of the college, that student may be summarily suspended.

(2) Notice. Any student who has been summarily suspended shall be served with written notice or verbal notice of the summary suspension. If such notice is made in writing, it shall be provided by certified mail and first class mail delivered to the student's last known address.

(3) The oral or written notice to the student shall include the reasons for summary suspension, duration of the summary suspension, and any possible additional disciplinary or corrective action that may be taken. The notification shall indicate that the student must appear before the vice president of student services or designee for a summary suspension hearing at a time specified in the notice. If oral notice is given, written notice shall follow within two calendar days. In addition, the vice president for student services or designee shall set a date for summary suspension hearing as soon as practicable.

(4) The student shall be given the opportunity to present written and/or oral evidence. The issue before the vice president for student services or designee shall be whether probable cause exists to support and to continue the summary suspension.

(5) The vice president for student services or designee shall issue a written order within two days of the informal hearing, including a brief statement of findings of fact, conclusions of law, and policy reasons for the decision to justify the determination of an immediate danger and the vice president's decision to take the specific action.

(6) If a student who has been summarily suspended fails to appear for a summary suspension hearing, the vice president for student services may order the suspension to remain in place pending the final disposition of the disciplinary process as provided in this section.

(7) The student may request a de novo review of the informal hearing decision before the student conduct committee. The review will be scheduled promptly. Either party may request the review to be consolidated with any other disciplinary proceeding arising from the same matter.

(8) Nothing herein shall prevent faculty members from taking summary action as may be reasonably necessary to maintain order in the classroom and/or prevent substantial disruption to the educational process. Such summary action in the form of removal from the classroom may not exceed one day per episode. Any such summary action may be appealed to the vice president for student services for a brief adjudicative proceeding.

#### NEW SECTION

**WAC 132F-121-270 Order of precedence.** This supplemental procedure applies to allegations of sexual harassment subject to Title IX jurisdiction pursuant to regulations promulgated by the United States Department of Education. See 34 C.F.R. Part 106. To the extent these supplemental hearing procedures conflict with the Seattle Colleges' standard disciplinary procedures, WAC 132F-121-110 through 132F-121-260, these supplemental procedures shall take precedence.

#### NEW SECTION

**WAC 132F-121-280 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 Seattle Colleges 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:

(1) Quid pro quo harassment. A Seattle Colleges' student conditioning the provision of an aid, benefit, or service of the Seattle Colleges on an individual's participation in unwelcome sexual conduct.

(2) Hostile environment. Unwelcome conduct that a reasonable person would find to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Seattle Colleges' educational programs or activities, or 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.

(d) Statutory rape. Consensual sexual intercourse between someone who is eighteen years of age or older and someone who is under the age of sixteen.

(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.

(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.

## NEW SECTION

**WAC 132F-121-290 Title IX jurisdiction.** (1) This supplemental procedure applies only if the alleged misconduct:

(a) Occurred in the United States;

(b) Occurred during a Seattle Colleges' educational program or activity; and

(c) Meets the definition of sexual harassment as that term is defined in this supplemental procedure.

(2) For purposes of this supplemental procedure, an "educational program or activity" is defined as locations, events, or circumstances over which the Seattle Colleges exercised substantial control over both the respondent and the context in which the alleged sexual harassment occurred. This definition includes any building owned or controlled by a student organization that is officially recognized by the Seattle Colleges.

(3) Proceedings under this supplemental procedure must be dismissed if the decision maker determines that one or all of the requirements of subsection (1)(a) through (c) of this section have not been met. Dismissal under this supplemental procedure does not prohibit the Seattle Colleges from pursuing other disciplinary action based on allegations that the respondent violated other provisions of the Seattle Colleges' student conduct code, WAC 132F-121-110.

(4) If the student conduct officer determines the facts in the investigation report are not sufficient to support Title IX jurisdiction and/or pursuit of a Title IX violation, the student conduct officer will issue a notice of dismissal in whole or part to both parties explaining why some or all of the Title IX claims have been dismissed.

#### NEW SECTION

**WAC 132F-121-300 Initiation of discipline.** (1) Upon receiving the 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 Seattle Colleges will appoint the party an advisor of the Seattle Colleges' choosing at no cost to the party, if the party fails to do so.
- (3) Explain that if a party fails to appear at the hearing, a decision of responsibility may be made in their absence.

#### NEW SECTION

**WAC 132F-121-310 Prehearing procedure.** (1) Upon receiving the disciplinary notice, the chair of the student conduct committee will send a hearing notice to all parties, in compliance with WAC 132F-121-180. In no event will the hearing date be set less than ten days after the Title IX coordinator provided the final investigation report to the parties.

(2) A party may choose to have an attorney serve as their advisor at the party's own expense. This right will be waived unless, at least five days before the hearing, the attorney files a notice of appearance with the committee chair with copies to all parties and the student conduct officer.



(3) In preparation for the hearing, the parties will have equal access to all evidence gathered by the investigator during the investigation, regardless of whether the Seattle Colleges intends to offer the evidence at the hearing.

#### NEW SECTION

**WAC 132F-121-320 Rights of parties.** (1) The Seattle Colleges' student conduct procedures, WAC 132F-121-110, and this supplemental procedure shall apply equally to all parties.

(2) The Seattle Colleges 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 Seattle Colleges' choosing on the party's behalf at no expense to the party.

#### NEW SECTION

**WAC 132F-121-330 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.

(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.

#### NEW SECTION

**WAC 132F-121-340 Initial order.** (1) In addition to complying with WAC 132F-121-210 the student conduct committee will be responsible for conferring and drafting an initial order that:

- (a) Identifies the allegations of sexual harassment;
  - (b) Describes the grievance and disciplinary procedures, starting with filing of the formal complaint through the determination of responsibility, including notices to parties, interviews with witnesses and parties, site visits, methods used to gather evidence, and hearings held;
  - (c) Makes findings of fact supporting the determination of responsibility;
  - (d) Reaches conclusions as to whether the facts establish whether the respondent is responsible for engaging in sexual harassment in violation of Title IX;
  - (e) Contains a statement of, and rationale for, the committee's determination of responsibility for each allegation;
  - (f) Describes any disciplinary sanction or conditions imposed against the respondent, if any;
  - (g) Describes to what extent, if any, complainant is entitled to remedies designed to restore or preserve complainant's equal access to the Seattle Colleges' education programs or activities; and
  - (h) Describes the process for appealing the initial order to the Seattle Colleges' president.
- (2) The committee chair will serve the initial order on the parties simultaneously.

#### NEW SECTION

**WAC 132F-121-350 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 132F-121-170.

(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) President's office shall serve the final decision on the parties simultaneously.

**MEMORANDUM**

**TO:** Board of Trustees  
**FROM:** Chancellor Shouan Pan  
**DATE:** April 8, 2021

**SUBJECT:** Public Comment Protocol – Second Reading

**Background**

The board seeks to adopt a public comment protocol in compliance with the Open Public Meetings Act and First Amendment. The attached protocol outlines the process for acceptance of written and oral comments. This protocol was reviewed as a First Reading in March 2021 and now comes before the board for approval.

**Recommendation**

It is recommended that the board adopt the attached protocol.

Submitted by:



Shouan Pan  
Chancellor

*Seattle Colleges Board of Trustees welcomes students, employees, and community partners to address the Board during the Public Comment period before the Board conducts its official business. As the Governance body, the Board functions at the policy level. Daily administrative matters are delegated to the district and college leadership team. It is, therefore, not the practice of the Board to respond directly to questions or comments during this portion of the meeting.*

*The oral public comment period will be limited to 15 minutes, and may be extended at the Chair's discretion, dependent upon the meeting schedule and business on the agenda. Speakers will be limited to 2 minutes per person. Advance sign-up for oral comments is requested by emailing [Rebecca.hansen@seattlecolleges.edu](mailto:Rebecca.hansen@seattlecolleges.edu) . Additional commenters will only be called upon during the meeting as time allows. If there is not enough time for all speakers, commenters will be encouraged to submit a written statement or be put on the list for oral comment at the next public meeting.*

*In addition, written statements are accepted by Rebecca Hansen at any time. All written statements received by noon on the Friday before the Regular Board of Trustees meeting will be published in the public packet. Written statements received after that date and time will be added to the Board packet and transmitted to the Board for the following Board meeting.*

## MEMORANDUM

**TO:** Board of Trustees  
**FROM:** Shouan Pan, Chancellor  
**DATE:** April 8, 2021  
**SUBJECT:** Report to the Board of Trustee

### **I. Student Success**

#### **Seattle Colleges Held Its First Virtual Transforming Lives Celebration**

WA ACT decided not to hold its annual in-person Transforming Live Celebration Event because of the pandemic-related health guidelines. Seattle Colleges Board of Trustees and executive leadership decided to hold a celebration via zoom on March 30, 2021. The event was successful.

Over 75 faculty, staff, administrators, trustees, and community leaders, and supporters gathered to hear the inspiring stories of three Transforming Lives Nominees and celebrate their success. Allegra Keys of South Seattle College, Sarah Fenton of North Seattle College, and Camila Chtistensen of Seattle Central College, shared their individual stories of how they each overcame obstacles of physical and mental challenges, biases, and failure and persisted in schoolwork and complete their academic goals.

Trustees Hill presented awards to the three students on behalf of the Board. Trustees Chernin and Peralta, chancellor Pan, and several CEC members attended the event to applaud the three student awardees.

### **II. Organizational Excellence**

#### **Special Board Meeting Held to Discuss Budget Planning**

Building FY21-22 Budget is different and more challenging than previous because of the projected budget shortfall and a great deal of uncertainties. Trustees decided to hold a special Board hybrid meeting, with the trustees, chancellor Pan, college presidents and three vice chancellors participating in person while the meeting was streamed online. The meeting was facilitated by Barbara Dingfield and held on the afternoon of March 31, 2021 at the Georgetown Campus.

After open, frank, and difficult deliberations, several important agreements emerged:

1. Seattle Colleges will use common and consistent methods to build and present the FY 21-22 district budget immediately and thereafter.
2. The proposed framework of additional degrees of budget integration is not fully vetted at this point. Further deliberation and discussions are warranted. However, the Board and the executive team all agree that district budget will need to reflect of established values and long-held commitment to improving student completion and eliminating achievement gaps that are existent today.

3. Giving the current reserve balance, the availability of federal stimulus funds, and the projected nearly \$15 million deficit, the district will endeavor to balance the budget in three years (by July 2024). This means that we will continue to draw from the existing reserve to balance the budget in the coming years.
4. In order for the Board to approve this 3-year transitional plan, the chancellor and the executive leadership team is expected to develop and present a plan for achieving a balanced budget in this time frame. This plan will include reduction in force, a rebalance of program mix, investment in enrollment growth. This work needs to start immediately.
5. The trustees asked the Board's Fiscal Subcommittee, the chancellor, and vice chancellor Halladay to review the current Reserve Policy.

### **Recruiting Viable Candidates for Vacant Seats on the Board of Trustees**

With the immediate vacancy and another projected vacancy on the District Board of Trustees this fall, chancellor Pan has been working with the current trustees and community leaders in identifying and recruiting recognized community leaders. Chancellor Pan is proceeding the community outreach with specific intentionality: identifying viable candidates from the African American and Latinx communities and candidates whose professional background and experiences can help enrich and strengthen the current Board of Trustees. To date, chancellor Pan has reached out to over 17 individuals and interviewed 8 of them. This work will continue for another week or two.

### **Seattle Colleges 2020 Financial Audit Concluded with No Recommendations**

A State Audit Staff team conducted an audit of Seattle Colleges financial statement over the past few weeks. An exit conference was held on March 25, 2021 to discuss the results of the audit. Trustee Rosa Peralta, chancellor Pan, vice chancellor Halladay, Executive Director Strother, and Director Dresser attended the audit exit conference. We were informed that the auditors did not discover any material misstatement. Hence, the audit was concluded with no recommendation.

Jennifer Strother, Susan Dresser, Choi Halladay, and all Financial Services staff deserve special commendations for their quality work and professionalism throughout the past year

### **Equity Can't Wait Campaign Launched**

The Equity Can't Wait Campaign successfully launched with a kickoff event (virtual) on Thursday, March 25th. Thanks to the generosity of attendees and sponsors, we far surpassed our event goal of \$500,000 raising \$4.7M as of 3/29/21 with contributions continuing to arrive.

Event sponsors included BECU, Heartsprung Fund WA, American Financial Solutions, Costco, Google, WSECU, Bill & Melinda Gates Foundation, Amazon, JPMorgan, Microsoft, Premera, Seattle Bank, Mike & Becky Hughes, Seattle Foundation, The Donald Family Foundation, Barnes & Noble, Kaiser Permanente, Safeco/Liberty Mutual, UWKC, Verity CU, WPI Real Estate, McKinstry, and U.S. Bank.

More than 500 people registered for the event; 360 attended.

### **Accreditation Assessment Task Force Convened for the First Meeting**

Twenty-three members of the Accreditation Assessment Task Force met for the first time on March 29. The meeting was devoted to affirming the purpose and tasks of the Task Force. After a great deal discussion and debate, the timelines for assessment activities are pushed back. The primary reason for adjusting the timelines was to ensure an equitable and full participation by internal and external stakeholders.

**Spring 2021:** a) Selecting the External Consultant, b) Meeting with the Consultant to finalize stakeholders and specific methods for data collection.

**Fall 2021 and Spring 2022:** a) initiating data collection in late September/early October, collecting as much data as feasible in the Fall Quarter. Winter Quarter may be used if deemed necessary for complete and equitable data collection.

**June 30, 2022:** Data will be compiled, organized, and submitted to Board decision making by the end of June 2022.

## **III. Partnerships**

### **Meeting with Seattle Sr. Deputy Mayor Fong to Further Partnerships**

On March 16, chancellor Pan met with, Michael Fong, Senior Deputy Mayor and discussed issues of mutual interest and explored ways to further expand partnerships. Dr. Malcolm Grothe is working with Seattle Fire Chief Harold Scoggins, to launch a new Fire Sciences Program at NSC this fall. In addition, the chancellor learned Mayor Durkan's interest in expanding and sustaining the progress and success that has been achieved with Seattle Promise. In the coming months, we will explore finding resources to provide expanded support to Promise students who are placed in developmental courses, students who need more time beyond the current 90 credits limits, and students who participate in summer internship programs.

## **IV. Legislative Report**

Friday, April 2, 2021 was the fiscal committee cut-off for bills from the opposite chamber. All bills will now need to move through the Rules Committees and be brought to either the House or Senate floor for a vote by Sunday, April 11<sup>th</sup>. After 5:00 p.m. on April 11<sup>th</sup> (the 91<sup>st</sup> day of the 105-day session), only initiatives or alternatives necessary to implement the budget, matters that affect state revenue, matters of differences between the two chambers, and matters related to the Interim between sessions may be considered before adjournment on Sunday, April 25<sup>th</sup>

House budget writers released their version of the operating budget. Like the Senate's version of the operating budget, the House proposal funds all parts of the Workforce Education



Investment Act, including funding for nursing faculty salaries, salary increases for faculty in high-demand fields, and support for enrollments in Career Launch and high-demand programs. It also includes funding for:

- student emergency assistance grants
- Job Skills Program
- Guided Pathways
- anti-racist curriculum reviews
- technology improvements

The **Senate** version of the 2021-2023 operating budget funds all elements provided in the Workforce Education Investment Act, including funding for nursing faculty salaries, salary increases for faculty in high-demand fields, and support for enrollments in Career Launch and high-demand programs. If the bills are passed, the budget also provides funding for [E2SSB 5194](#), the equity and access in community and technical colleges bill, and [E2SSB 5227](#), the bill requiring diversity, equity, inclusion and anti-racism training at colleges and universities.

#### A few other notes on the Operating Budget proposals:

- There are some indications that the Senate budget would use federal relief funds for ongoing programs. A major example is child care. Sec. 229(5) notes the “substantial additional funding” the federal government has provided in the pandemic relief bills for child care. It adds that the Legislature intends to “implement these federal purposes” by passing [E2SSB 5237](#). “The legislature finds that the state lacked the fiscal capacity to make these investments and the additional federal funding has provided the opportunity to supplement state funding to expand and accelerate child care access, affordability, and provider support as the state navigates the COVID-19 pandemic and its aftermath.
- The House proposal would appropriate the rainy day fund (the budget stabilization account, or BSA) balance [to a new account without the BSA’s withdrawal restrictions](#). The Senate would do something similar by transferring the \$1.820 billion from the BSA to the general fund–state (GFS) in FY 2021, and then transferring \$800.0 million from the GFS to the disaster response account for FY 2022 “to be available for appropriation in case of unanticipated disaster and recovery efforts.”

House and Senate Capital Budget Proposals will need reconciliation in bicameral Conference Committee:

The Capital Budget proposals from the Senate (\$535 million) and the House (\$290 million) were crafted with very different foundations and assumptions about the state's total bond limits. House Capital Budget Committee Chair, Rep. Steve Tharinger, has explained that he looks forward to working with Senate Capital Budget Leader, Sen. David Frockt, to negotiate a mutually acceptable capital budget that addresses the critical CTC capital priorities that would include construction funding for the renovation of the North Seattle College Library which ranks #19 on the SBCTC Priority List. We will continue our advocacy efforts until that funding is assured.



## MEMORANDUM

**TO:** Board of Trustees  
**FROM:** North Seattle College Interim President, Dr. Chemene Crawford  
**DATE:** March 25, 2021  
**SUBJECT:** Report to the Board of Trustees

### I. Student Success

- **SLMP Reimagines Student Life Participation Under Remote Operations**

NSC's Student Leadership and Multicultural Programs (SLMP) has reimagined events and partnerships during remote operations to help NSC students feel supported while keeping them engaged. Black Heritage Month was celebrated in February with virtual events and celebrations, and the Black Student Union hosted discussions and speakers. The Asian Student Affinity group partnered with faculty on discussions and a blog about the anniversary of Executive order 9066, and how this forced Japanese Americans into internment camps. A new student affinity group, the Pacific Islander Student Affinity group, was formed. Spring events are being planned, including Spring Fest and graduation celebrations.

### II. External Affairs

- **Spring 2021 Campus Mural Artist Chosen**

The NSC Art Council reviewed the mural call submissions, and Paige Pettibon's design has been chosen for the 2021 campus mural. The mural call sought an Indigenous Artist to create a design that would center our Indigenous student and staff population. Pettibon is an artist based in Tacoma, and her studio practice highlights the perspectives of Indigenous folks and their relations. In step with the mural call, her goal for the mural was to create a design that creates a sense of pride and respect for the land we occupy. Pettibon is black, white, and Salish, from the Confederated Salish and Kootenai Tribes. Pettibon's design will be painted by students in ART 204 Mural Art, led by instructor Kelda Martensen.

### III. Pride Points

- **NSC 50<sup>th</sup> Anniversary Web Pages Unveiled**

With NSC's 50<sup>th</sup> Anniversary celebration underway, the [50<sup>th</sup> Anniversary web pages](#) were launched and unveiled to the NSC community. The web pages contain a timeline, past NSC presidents, photo and video galleries, a give now page, information about honoring our people, stories and land, events and celebrations, and an invitation for people to share a memory. Looking ahead, future plans for the 50<sup>th</sup> Anniversary include a time capsule reveal and a community mural to be painted, both in spring quarter 2021.



## MEMORANDUM

**TO:** Board of Trustees  
**FROM:** Sheila Edwards Lange, Ph.D., President  
**DATE:** March 25, 2021  
**SUBJECT:** Seattle Central College monthly report

### ORGANIZATIONAL EXCELLENCE

Seattle Central will offer students a brief window to apply for admission, register for classes, get academic advice, or meet with a financial aid specialist in person at the Broadway Edison building. Staff will be on site to help students from 10 a.m. to 1 p.m. on March 30, April 1, April 6, and April 8.

### STUDENT SUCCESS

Last year, Seattle Central College partnered with the solar technology company Omnidian to provide a paid internship for a Seattle Central student. The six-month internship offered not only experience and knowledge about the solar technology sector, but also the possibility for renewal and transition to full-time hire upon graduating from SCC. Fatima Laghari, a computer science student at Central, is the first student to have gone through the internship. She shared her experiences with us in this [Q & A in SCC's Newscenter](#).

### EQUITY, DIVERSITY, AND INCLUSION

Brook Spotted Eagle, the current UW Center for American Indian and Indigenous Studies (CAIIS) Fellow and SCC Lecturer, President Edwards Lange, Exec. VP Bradly Lane, and Dean Jaime Cardenas participated in a one-day summit on pathways for Native students through higher education hosted by the CAIIS. The Zoom event was held on March 19, and President Edwards Lange, Spotted Eagle, and J. Cardenas offered presentations about the UW's partnership with SCC to offer American Ethnic Studies/Anthropology classes at Central this past fall centered on indigenous people and the United States. The class is offered again this spring, and Spotted Eagle is currently designing a new course on indigenous feminisms, to be offered as both an American Ethnic Studies and a Women Studies course.

### PARTNERSHIPS

The City of Seattle, the Port of Seattle and Sound Transit will invest \$1.75 million to provide construction careers for historically underserved communities. Under the partnership, Seattle will contract with seven organizations to provide training and support, including Seattle Central's Pre-Apprenticeship Construction Training program.

### PRIDE POINTS

Dr. Nathaniel Parker Weston, a history instructor at Central, just published an article in the Humanities journal titled "[Memoirs in Miniature: CM/1 Forms and Fragmentary Understandings of the Holocaust.](#)" The article examines the Care and Maintenance (CM/1) form of Paula Bettauer for what it reveals about her memories of surviving the Holocaust and her husband's murder in Auschwitz.

Brian Partido, executive director of dental programs, was awarded a \$2,000 research grant from the International Federation of Dental Hygiene (IFDH) to support his dissertation research. The IFDH grant program promotes experience in the research process and dissemination of findings contributing to the dental hygiene body of knowledge.

The Creative Academy's "Send Love" postcard exchange between alumni and current students has wrapped up and the graphics produced by students and alumni [are now available in this Instagram story](#).

## MEMORANDUM

**TO:** Board of Trustees  
**FROM:** Rosie Rimando-Chareunsap, President  
**DATE:** April 8, 2021  
**SUBJECT:** Report to the Board of Trustees

### I. Student Success

- **Airplane Donation:** SSC's Aviation Maintenance Technology (AMT) program finalized the donation of a Cessna 310Q airplane on March 19. The donation comes from an anonymous donor in the aviation industry who let the college know he has seen several of his people go through South's AMT program to further their career, was impressed by what those students learned, and wanted to donate the aircraft to support our efforts. The aircraft will arrive at the main campus hangar in the near future.

### II. Financial Health

- **Rental/Catering Website Launched:** Facilities and Communications staff collaborated to launch a new college website section about rental and catering services available to external community groups at affordable rates. The resource was built in preparation for bringing these services (and a revenue stream) back when public safety conditions allow.

### III. External Affairs

- **Advocating for West Seattle Bridge Repair:** President Rimando-Chareunsap submitted a letter to U.S. Department of Transportation Secretary Pete Buttigieg on March 19 to support the Seattle Department of Transportation's application to receive a federal INFRA grant for high and low West Seattle Bridge repairs. The bridge, closed one year ago due to safety concerns, is a vital transportation route to and from SSC's main campus.

### IV. Pride Points

- **Artist Series Launched:** Four SSC faculty members (Amiko Matsuo, Denise Grollmus, Paul Kikuchi and Steph Hankinson) organized and are hosting a virtual speaker series titled [Artist as Storyteller: Adaptation, Resiliency, and Environmental Justice](#), running from March to June. The series, supported by the Seattle Colleges Performing Arts Fund, welcomes BIPOC (Black, Indigenous and People of Color) artists, performers, and activists to share their work and explore what it means to be an artist in today's social and cultural climate. All events are free, open to the public and hosted virtually on Zoom.



To: SCD Board of Trustees

From: Annette Stofer, President, AFT Seattle Local 1789

Re: Report for April 2021 BOT meeting

This report comes to you just as Winter quarter has ended and we watch the enrollments for Spring quarter with some panic. As of today, March 25, enrollments have reached only 33% of expectation. Students are facing multiple barriers to switching to ctcLink and getting registered for classes. Faculty are monitoring progress, or lack thereof, on class numbers, with growing concerns that even the classes of full-time faculty will not fill. When you meet on April 8, we hope the outlook has greatly improved. We acknowledge that staff are working tirelessly to correct glitches in the system and get students into classes. We appreciate that the VPIs and deans are being more flexible about enrollment levels and waiting longer to give classes time to fill. Even so, we fear the impacts on part-time faculty jobs and the loss of educational opportunities to students. This situation piles hurt on top of so much suffering people have already experienced. Those who required us to launch ctcLink during a pandemic and at a time of year when it disrupted every important timeline should know the extent of the damage of their decisions.

AFT Seattle leaders and members have expressed to the trustees over the last many months the need to open communication with your various constituency groups. You make decisions which greatly impact all of us, but you are quite far-removed from those of us on the front lines. Hearing from faculty and staff is the way that you know how your actions and decisions look to us and how they might impact us if you move ahead with an idea. At the March meeting you spoke to a willingness to hold conversations with employee groups. We hope to see that happen on a regular basis.

As pandemic conditions improve, we need to be planning for returning more students, faculty and staff to campus. There has been some surveying of faculty to learn what they see as essential for building confidence that it will be safe to return to in-person learning. Faculty have also told us how they feel about various modes of delivery of instruction. We have a lot more listening to do, and we need to put a solid plan into place in the near future.

In AFT Seattle news for Spring 2021, we will hold the ratification vote on the negotiated CBA in late April. We hold officer elections in Spring quarter as well. A new executive board will be installed in September.

**MEMORANDUM**

**TO:** Board of Trustees  
**FROM:** Mahsa Mohajeri, President  
**DATE:** April 9, 2021  
**SUBJECT:** United Student Association (USA) REPORT – INFORMATION ONLY

**Solidarity:**

As a team, we are aware of the heightened anti-Asian hate crimes and harassment. As always, we are striving to become an anti-racist institution and stand in solidarity with our Asian communities. As a team, we will spread awareness on the seriousness of the issue at-hand and hope to educate and support our students about white supremacy.

**USA Meeting with Dr. Irey and Academic Deans:**

On February 25<sup>th</sup>, the USA team hosted a meeting with Dr. Sayumi Irey, VP of Instruction, and the Deans of various academic programs to discuss remote learning in hopes of providing a platform for students to address their issues and concerns directly to the VP of Instruction and her team. The meeting was extremely successful with good open dialogue. We discussed ways to improve online exams, and create more understanding about mental health concerns during a pandemic. We also talked about the need for more support for science labs, and part-time teachers hosting office hours. We were concerned when informed that only full-time faculty are required to have office hours. We will schedule a follow-up meeting next quarter to continue our discussion on improving remote learning and student success in hopes of making this a ritual. The meeting was also recorded to share with students.

**USA Meeting with President Rosie and VP of Student Services Joe Barrientos:**

On March 4<sup>th</sup>, the USA hosted our quarterly meeting with President Rosie and VP of Student Services Joe Barrientos. At this meeting students were given the opportunity to address any questions and address any issues and concerns directly to our administration. Topics ranged from going back to campus, budget cuts for next year and their effects on students, the Wellness Center, the need for more fulltime faculty, and graduation. President Rosie and VP Joe answered all questions asked and followed up with any unanswered questions the next day. As a team, we really appreciate their time and dedication to hear student voices. The meeting was recorded to share with other students.

**USA Budget Committee:**

The USA Budget Committee which includes the Treasurer Allegra Keys, President Mahsa Mohajeri, and Marketing Officer Tiffany Sampson, have met and prepared the budget request for 2021-22 to the S&A Committee. We hope to hear soon from them and not have to cut our budget any more than we already have. Allegra Keys is serving as the SA Fee Board Chair and has met with Advisor Dean Dan Johnson. The allocation process will begin once S&A projections for 2021-22 are received.

**USA Bylaws Committee:**

The Bylaws Committee which includes the President Mahsa Mohajeri, VP Ruzeda Fields, and Sustainability Officer Bowie Hichens, have held meetings and are working on editing the bylaws for the hiring team. Some adjustments to all position responsibilities will be made.

**USA Selection Committee:**

The Selection Committee which includes the Communications Officer Zain Mohamed, Marketing Officer Tiffany Sampson, and Treasurer Allegra Keys have started discussing the process of hiring next year's team. They are currently planning meetings to create a new application, set all the deadlines, and advertise. We hope to hire the 2021-2022 team before the end of the Spring Quarter to provide shadowing opportunities.

**Students serving on Faculty Tenure & Campus-wide Committees:**

All officers are scheduling and meeting with their faculty tenure committees to complete their winter quarter tenure committee requirements. Many officers have already begun working on their class observations and will be scheduling their meetings soon. We also have officers working on the College Council, Wellness Committee, Transportation, Safety and others.