

WSR 24-16-114
PREPROPOSAL STATEMENT OF INQUIRY
BATES TECHNICAL COLLEGE
[Filed August 5, 2024, 12:24 p.m.]

Subject of Possible Rule Making: To bring Bates Technical College's (college) student conduct code (code) into compliance with a new final rule governing sex discrimination grievance procedures recently adopted by the United States Department of Education and to update the code to ensure its prohibited conduct and procedures adequately protect the interests of the college community and the constitutional and procedural rights of individual students.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140(13).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: On April 19, 2024, the United States Department of Education released its final rule under Title IX. This rule requires institutions of higher education to adopt student disciplinary procedures addressing sex discrimination, including sex-based harassment. The deadline for implementing this new rule is August 1, 2024.

In addition to complying with the new final rule, the college is updating its student conduct code to address inconsistencies and clarity issues created by the revisions necessary to comply with the final rule as well as recently enacted state law. These new definitions of prohibited behavior and updated procedures are necessary to address conduct that may pose a threat to the general welfare of the college community and/or college operations and to protect the constitutional and procedural rights of individual students.

Process for Developing New Rule: Full rule-making process. Consultation with stakeholders such as student government and employee representatives.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Hannah Herber, 1101 South Yakima Avenue, Tacoma, WA 98405, phone 253-680-6100, email Hannah.herber@batestech.edu; or Tina Muller, 1101 South Yakima Avenue, Tacoma, WA 98405, phone 256-680-7007, email tina.muller@batestech.edu.

August 5, 2024
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