

WSR 21-09-083

PROPOSED RULES

PENINSULA COLLEGE

[Filed April 21, 2021, 8:23 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 20-22-097.

Title of Rule and Other Identifying Information: Title IX, sexual harassment, student conduct code.

Hearing Location(s): On May 25, 2021, at 4:00 p.m., Zoom virtual meeting, <https://pencol.edu.zoom.us/j/83786784962?pwd=V21STjhBOUZzU0huSjB3SDR2WURuQY09>.

Date of Intended Adoption: May 26, 2021.

Submit Written Comments to: Kelly Griffith, Rules Coordinator, 1502 East Lauridsen Boulevard, Port Angeles, WA 98382, email kgriffith@pencol.edu, by Friday, May 21, 2021.

Assistance for Persons with Disabilities: Contact Cathy Engle, phone 360-417-6347, email ssd@pencol.edu, by May 21, 2021.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: On May 19, 2020, the Federal Register printed amendments to Title IX regulations (85 F.R. 30575). The new regulations address the grievance process for formal complaints of sexual harassment and were scheduled to take effect on August 14, 2020. An emergency update to the college's student conduct code was filed to be compliant with the federal regulations. WAC 132A-350-020 and 132A-350-015 are being repealed in their entirety.

Reasons Supporting Proposal: Amendments mandated and printed in the Federal Register.

Statutory Authority for Adoption: Chapter 34.05 RCW; and RCW 28B.50.140(13); 20 U.S.C. Section 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. Section 1681 et seq.

Statute Being Implemented: Not applicable.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Peninsula College, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Krista Francis, 1502 East Lauridsen Boulevard, Peninsula College, 360-417-6212.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328.

The proposed rule does not impose more-than-minor costs on businesses. Following is a summary of the agency's analysis showing how costs were calculated. It does not impact businesses.

April 20, 2021
Kelly Griffith
Code Reviser
Assistant to the President

OTS-3029.1

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 132A-350-015 Nondiscrimination and antiharassment policy.
- WAC 132A-350-020 Discrimination and harassment complaint procedure.