



# PROPOSED RULE MAKING

**CR-102 (June 2024)**  
**(Implements RCW 34.05.320)**  
Do **NOT** use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: May 05, 2025**

**TIME: 3:00 PM**

**WSR 25-10-070**

**Agency:** Renton Technical College

☒ **Original Notice**

☐ **Supplemental Notice to WSR** \_\_\_\_\_

☐ **Continuance of WSR** \_\_\_\_\_

☒ **Preproposal Statement of Inquiry was filed as WSR 25-07-063 ; or**

☐ **Expedited Rule Making--Proposed notice was filed as WSR** \_\_\_\_\_; or

☐ **Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or**

☐ **Proposal is exempt under RCW** \_\_\_\_\_.

**Title of rule and other identifying information:** (describe subject) The College is amending rules to Chapters 495E-110-010, 495E-110-030, 495E-110-140, 495E-110-060, 495E-110-070, 495E-110-080, 495E-110-090, 495E-110-100, 495E-110-110, 495E-110-120, 495E-110-130, 495E-110-140, 495E-110-150, 495E-110-160, 495E-110-225, 495E-110-240, 495E-110-260, 495E-110-280, 495E-110-290, 495E-110-300, 495E-110-310 WAC Student Conduct Code and Hearing Procedure in accordance to the April 19, 2024 Final Rule under Title X by the U.S. Department of Education.

**Hearing location(s):**

<b>Date:</b>	<b>Time:</b>	<b>Location: (be specific)</b>	<b>Comment:</b>
10/6/2025	2:00pm-3:00pm	C-110, C Building, Renton Technical College, 3000 NE 4 <sup>th</sup> St, Renton, WA 98056 And on Zoom. Zoom link: <a href="https://rtcedu.zoom.us/j/89132223860?pwd=zKEGi9a69naJBdCLaIPa9JEyao8SCU.1">https://rtcedu.zoom.us/j/89132223860?pwd=zKEGi9a69naJBdCLaIPa9JEyao8SCU.1</a> Meeting ID: 891 3222 3860 Passcode: 297551 One tap mobile +12532050468,,89132223860# US +12532158782,,89132223860# US (Tacoma)	Please contact Kendra Van Beek, Human Resources Manager, 425-235-7874 as soon as possible for disability accommodation requests.

**Date of intended adoption:** 10/15/2025 (Note: This is **NOT** the effective date)

**Submit written comments to:**

Name Matt Wurz, Executive Assistant, VP of Student

Services & Dean of Student Success

Address 3000 NE 4<sup>th</sup> St, Renton, WA 98056

Email mgwurz@rtc.edu

Fax

Other

Beginning (date and time) 9:00am 5/22/2025

By (date and time) 12:00pm 10/6/2025

**Assistance for persons with disabilities:**

Contact Kendra Van Beek, Human Resources Manager

Phone 425-235-7874

Fax

TTY Washington relay service 711 or 800-833-6388

Email kvanbeek@rtc.edu

Other

By (date) 5:00pm 9/26/2025

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** On April 19, 2024, the U.S. Department of Education released its Final Rule under Title IX. This rule required institutions of higher education to adopt student disciplinary procedures addressing sex discrimination, including sex-based harassment based on gender identity, and Renton Technical College adopted those changes in the permanent rule process on November 30th, 2024. On January 9th, 2025, a U.S. District Court vacated the Final Rule. This CR-102 notice is notice that Renton Technical College will adopt the previous student conduct and hearing procedures as it pertains to Title IX that Renton Technical College put

into effect in 2021. In addition, sections of the non-Title IX Student Conduct Code are being updated to distinguish Title IX sexual misconduct and non-Title IX sexual misconduct..

**Reasons supporting proposal:** New rules are necessary to be in compliance with the District Court decision of *Tennessee, et al. v. Cardona* issued on January 9, 2025, which struck down the 2024 U.S. Department of Education Final Rule issued by the previous Presidential administration. These new rules will accomplish bringing the college's student conduct code (the code) into compliance with the 2020 Title IX requirements that are now controlling regarding Title IX. The updates to the Student Conduct Code will make it clearer which procedures are applying to various forms of misconduct. .

**Statutory authority for adoption:** RCW 28B.50.140(13)

**Statute being implemented:**

**Is rule necessary because of a:**

Federal Law? ☒ Yes ☐ No

Federal Court Decision? ☒ Yes ☐ No

State Court Decision? ☐ Yes ☒ No

If yes, CITATION: The United States Department of Education regulates Title IX of the Education Amendments of 1972, *Tennessee, et al v. Cardona*

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:** None

**Name of proponent:** (person or organization) Renton Technical College

**Type of proponent:** ☐ Private. ☒ Public. ☐ Governmental.

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting	Jessica Gilmore English	3000 NE 4th St, Renton WA, 98056	425-235-2463
Implementation	Jessica Gilmore English	3000 NE 4th St, Renton WA, 98056	425-235-2463
Enforcement	Jessica Gilmore English	3000 NE 4th St, Renton WA, 98056	425-235-2463

**Is a school district fiscal impact statement required under [RCW 28A.305.135](#)?** ☐ Yes ☒ No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name

Address

Phone

Fax

TTY

Email

Other

**Is a cost-benefit analysis required under [RCW 34.05.328](#)?**

☐ Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name

Address

Phone

Fax

TTY

Email

Other

☒ No: Please explain: A cost-benefit analysis is not required under RCW 34.05.328 and does not apply to college rules

**Regulatory Fairness Act and Small Business Economic Impact Statement**

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

**(1) Identification of exemptions:**

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

☐ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

☐ This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

☐ This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570](#)(2) because it was adopted by a referendum.

☒ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025](#)(3). Check all that apply:

☐ [RCW 34.05.310](#) (4)(b)  
(Internal government operations)

☐ [RCW 34.05.310](#) (4)(c)  
(Incorporation by reference)

☐ [RCW 34.05.310](#) (4)(d)  
(Correct or clarify language)

☐ [RCW 34.05.310](#) (4)(e)  
(Dictated by statute)

☐ [RCW 34.05.310](#) (4)(f)  
(Set or adjust fees)

☒ [RCW 34.05.310](#) (4)(g)  
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

☒ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025](#)(4). (Does not affect small businesses).

☐ This rule proposal, or portions of the proposal, is exempt under RCW \_\_\_\_\_.

Explanation of how the above exemption(s) applies to the proposed rule: Revisions impact college-specific internal policies

**(2) Scope of exemptions:** *Check one.*

☒ The rule proposal: Is fully exempt. (*Skip section 3.*) Exemptions identified above apply to all portions of the rule proposal.

☐ The rule proposal: Is partially exempt. (*Complete section 3.*) The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):

☐ The rule proposal: Is not exempt. (*Complete section 3.*) No exemptions were identified above.

**(3) Small business economic impact statement:** *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

☐ No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. \_\_\_\_\_

☐ Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name  
Address  
Phone  
Fax  
TTY  
Email  
Other

**Date:** 5/5/2025

**Name:** Lesley Hogan

**Title:** Vice President of Human Resources

**Signature:**

