

Concise Explanatory Statement

Supplementary Olympic College Title IX Student Conduct Rules and Repeal of Grievance Procedures (Chapter 132C-285 WAC)

Reasons for Adopting the Rules: On August 14, 2020, amendments to federal Title IX regulations [85 FR 30575] took effect. The new regulations address the grievance process for formal complaints of sexual harassment, requiring the addition of supplemental Title IX rules in the Olympic College Student Conduct Code. The Repeal of the Grievance Procedures (Chapter 132C-285 WAC) enables the College to maintain Discrimination and Harassment Grievance Procedures as agency policy applicable to sexual misconduct that falls outside of the parameters of Title IX.

Differences Between the Text of the Proposed Rule as Published and the Text of the Rule Adopted and the Reasons for the Differences: None.

Summary of Comments: No comments were received regarding the proposed Supplemental Title IX Student Conduct rules. Two of the three comments addressed the Discrimination and Harassment Grievance Procedures (200-30), adopted August 14, 2020 as a matter of agency policy, which are outside the scope of rulemaking. The third questioned what is meant by “repeal.” None of the comments specified changes to the proposed rules or repeal.

Comment Number	Commenter Name	Date Received	Source	Comment Topic	Response
1	Rosa Buss	2/23/21	Verbal	Concerned that the grievance procedure being repealed, which applied to employees as well as students, has been replaced with one that may exclude employees.	The revised grievance procedure (Discrimination and Harassment Grievance Procedure) still applies to students and employees.
2	Rosa Buss	2/23/21	Verbal	What is meant by repeal?	Clarified that in order to make revisions that harmonize the grievance procedure with the new Title IX rules, it had to be repealed from WAC, and that the revised version has been implemented as a College policy.
3	Rosa Buss	2/23/21	Verbal	Has anything been removed in the revised grievance procedure that will change its applicability to employees?	No.