

1 **MEMORANDUM OF UNDERSTANDING**

2 **BETWEEN**

3 **THE STATE OF WASHINGTON,**
4 **THE COALITION OF COMMUNITY COLLEGES**

5 **AND**

6 **WASHINGTON FEDERATION OF STATE EMPLOYEES**

7
8 **Title IX Changes**

9 **Title IX of the Education Act Amendments of 1972 provides:**

10 No person in the United States shall, on the basis of sex, be excluded from
11 participation in, be denied benefits of, or be subjected to discrimination
12 under any education program or activity receiving Federal financial
13 assistance. 20 U.S.C. 1681(a).

14 Regulations to enforce the Act are promulgated by the United States Department of
15 Education. *See* 34 C.F.R. § 106. The parties recognize that the subject of Title IX
16 and the new requirements of federal regulations requiring investigations of
17 complaints pursuant to that law should be accurately reflected in the collective
18 bargaining agreement (CBA) between the parties. The parties further acknowledge
19 that there is still a dispute between them as to what is required specific to just cause
20 protections for represented employees who may be the subject of a Title IX
21 complaint.

22 At this time, further legal exploration of the subject is needed before any provisions
23 can be included in the successor CBA being bargained for the 2021-2023
24 agreement. Therefore, the parties agree to continue bargaining over this issue
25 pursuant to this MOU until we can either reach agreement or impasse. If an

1 agreement is reached, an MOU will be entered into to reflect the understanding of
2 the parties and be incorporated into the completed 2021-2023 agreement.

3 OFM will negotiate on behalf of all of the represented coalition colleges to reach a
4 conclusion or impasse on this issue. The parties agree that there is no economic
5 component to these on-going negotiations and that the conclusion is not dependent
6 upon legislative funding.

7 **Notification**

8 Bargaining will commence in February 2021, or sooner if the parties can receive
9 an understanding on the legal ramifications of the law before then. Either party can
10 initiate the bargaining with a notice of intent to bargain shared at least 21 days in
11 advance of a suggested date to begin bargaining.

12 **Precedence**

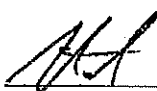
13 This agreement is not precedent setting and does not establish a practice.

14

15

TENTATIVE AGREEMENT REACHED

16 **FOR THE UNION:**

17  9/16/2020

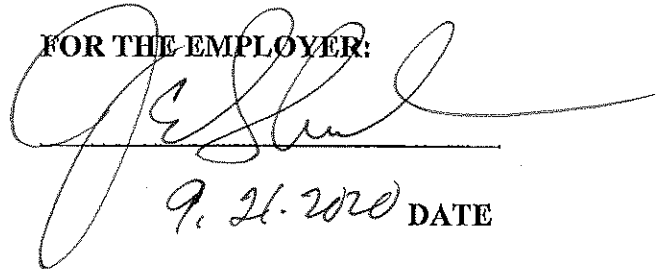
18 DATE

19 **MARK HAMILTON**

20

21

FOR THE EMPLOYER:


9.21.2020

DATE

JANETTA SHEEHAN