



**Council on Postsecondary Education Special Meeting  
Wednesday, August 12, 2020 5:30 p.m.**

**PURSUANT TO GOVERNOR RAIMONDO'S EXECUTIVE ORDER  
20-53, THIS MEETING WAS HELD REMOTELY.**

**MINUTES**

Chair Timothy DelGiudice called this remote meeting to order at 5:33 p.m. and acknowledged that a quorum was present via the Zoom webinar platform. He thanked everyone for attending this special meeting.

Chair DelGiudice recognized Council members participating remotely:

Timothy DelGiudice, Chair, Council on Postsecondary Education  
Barbara Cottam, Chair, Board of Education  
Dennis Duffy  
Rachelle Green  
Thomas Izzo  
Michael Mello  
Marianne Monte

Council member Jeffery Williams was absent.

Also present for the remote meeting were staff members of the Rhode Island Office of the Postsecondary Commissioner:

Ronald Cavallaro, Esq., Acting Commissioner, General Counsel  
Anne Marie Coleman, Esq., Director of Labor Relations  
Kristine Zayko, Husch Blackwell, outside legal counsel  
Jhanay Davis, Public Information and Communications Specialist  
Lynn Owens, Assistant to the Commissioner

Community College of Rhode Island remote participants:

Meghan Hughes, President  
Alix Ogden, Associate Vice President, Administration

Rhode Island College remote participants:

Frank Sánchez, President  
Margaret A. Lynch-Gadaleta, Title IX Coordinator

## 1. Acceptance of the Agenda

Chair DelGiudice called for a motion that the Council on Postsecondary Education accept the agenda for this meeting.

On a motion duly made by Ms. Green and seconded by Mr. Mello, it was

VOTED:	THAT	The Council on Postsecondary Education accept the agenda for the meeting of August 12, 2020.
	VOTE:	7 members voted in the affirmative and 0 members voted in the negative.
	YEAS:	Timothy DelGiudice, Barbara Cottam, Dennis Duffy, Rachelle Green, Thomas Izzo, Michael Mello, and Marianne Monte.
	NAYS:	0
	ABSTAINS:	0

## 2. Action Items

### A. Approval/adoption of the Council's Title IX Sexual Harassment Policy and Procedures.

Chair DelGiudice stated that the recommended revisions to the Council's Title IX Sexual Harassment Policy and Procedures were reviewed and discussed at the August 5<sup>th</sup> Council meeting.

Acting Commissioner Cavallaro responded to Council member inquiries concerning continued use of the "preponderance of evidence" standard, and remedy guidelines.

Responding to Council inquiry, Kristine Zayko confirmed that the federal regulations mandate that the Title IX coordinator dismiss the complaint in certain situations. She noted that the complaint may be considered under the Nondiscrimination Policy and Complaint Procedures.

Acting Commissioner Cavallaro notified the Council that a federal judge recently ruled that he would not grant an injunction to delay/extend the deadline for compliance with the new Title IX regulations; however, the lawsuit moves forward.

Chair DelGiudice called for a motion that the Council on Postsecondary Education approve and adopt the Title IX Sexual Harassment Policy and Procedures.

On a motion duly made by Mr. Mello and seconded by Ms. Monte, it was

VOTED: THAT The Council on Postsecondary Education approve and adopt the Title IX Sexual Harassment Policy and Procedures.

VOTE: 7 members voted in the affirmative and 0 members voted in the negative.

YEAS: Timothy DelGiudice, Barbara Cottam, Dennis Duffy, Rachelle Green, Thomas Izzo, Michael Mello, and Marianne Monte.

NAYS: 0

ABSTAINS: 0

B. Approval/adoption of the Council's Nondiscrimination Policy and Complaint Procedures.

Chair DelGiudice stated that the recommended revisions to the Council's Nondiscrimination Policy and Complaint Procedures were reviewed and discussed at the August 5<sup>th</sup> Council meeting.

Chair DelGiudice called for a motion that the Council on Postsecondary Education approve and adopt the Nondiscrimination Policy and Complaint Procedures.

Acting Commissioner Cavallaro noted that Anne Marie Coleman's address will be updated in the document.

On a motion duly made by Mr. Mello and seconded by Ms. Monte, it was

VOTED: THAT The Council on Postsecondary Education approve and adopt the Nondiscrimination Policy and Complaint Procedures.

VOTE: 7 members voted in the affirmative and 0 members voted in the negative.

YEAS: Timothy DelGiudice, Barbara Cottam, Dennis Duffy, Rachelle Green, Thomas Izzo, Michael Mello, and Marianne Monte.

NAYS: 0

ABSTAINS: 0

**3. Adjourn**

Chair DelGiudice called for a motion to adjourn tonight's meeting.

On a motion duly made by Ms. Green and seconded by Mr. Mello, it was

VOTED: THAT The Council on Postsecondary Education adjourn the meeting of August 12, 2020.

VOTE: 7 members voted in the affirmative and 0 members voted in the negative as follows:

YEAS: Timothy DelGiudice, Barbara Cottam, Dennis Duffy, Thomas Izzo, Rachelle Green, Michael Mello, and Marianne Monte.

NAYS: 0

ABSTAINS: 0

This meeting adjourned at 5:44 p.m.