



Special Board of Education Meeting Agenda

Date: Wednesday, February 19, 2025

TBCC Special Board Meeting: Zoom – 5:00pm – 6:00pm

<u>Item</u>	<u>Description</u>	<u>Resource</u>
1.	Call to Order • Acknowledge Guests	Chair Bell
2.	Consent Agenda:	(Action) Chair Bell
	a. Approval of Agenda	
3.	Invitation for Public Comment	Chair Bell
	Available at the beginning of the meeting is an opportunity for the public to comment on any issue within the jurisdiction of the Tillamook Bay Community College Board of Education. The Board Chair may determine reasonable time, space and manner limitations. At the conclusion of public comment, individual members of the Board may respond to comments made by those who have addressed the Board, may ask staff to review a matter, or may ask that a matter be put on a future agenda.	
4.	New Business and/or focused policy discussions	
	a. Interviews for Zone 3 Board Position	Chair Bell
	b. Discussion of Zone 3 Board Position Applicants.....	Chair Bell
	c. Selection of Zone 3 Board Positions	(ACTION) Chair Bell
	d. Swear in New Zone 3 Board Member	(ACTION) Chair Bell
5.	Information-Only Items (Board members may request any item be placed on the discussion agenda)	
	a. President’s Report	President Jarrell
6.	Board Member Discussion Items	Chair Bell
7.	Adjournment	(Action) Chair Bell

Per Oregon HB 2560 and HB 2459, all TBCC Board meetings are open for remote public participation via Zoom and are recorded for the purpose of transcribing minutes.

Call to Order

RECOMMENDATION

CALL THE BOARD MEETING TO ORDER & ACKNOWLEDGE GUESTS

BACKGROUND INFORMATION.....Chair Bell

Approval of the Consent Agenda

RECOMMENDATION

ACTION ITEM

BACKGROUND INFORMATION-----(Action) Chair Bell
MOTION TO APPROVE THE CONSENT AGENDA FOR THE SPECIAL FEBRUARY MEETING.

Approval of the Agenda

RECOMMENDATION

MOTION TO APPROVE THE AGENDA FOR THE SPECIAL FEBRUARY MEETING

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Invitation of Public Comment

RECOMMENDATION

AVAILABLE AT BOTH THE BEGINNING AND END OF THE MEETING IS AN OPPORTUNITY FOR THE PUBLIC TO COMMENT ON ANY ISSUE WITHIN THE JURISDICTION OF THE TILLAMOOK BAY COMMUNITY COLLEGE BOARD OF EDUCATION. THE BOARD CHAIR MAY DETERMINE REASONABLE TIME, SPACE AND MANNER LIMITATIONS. AT THE CONCLUSION OF PUBLIC COMMENT, INDIVIDUAL MEMBERS OF THE BOARD MAY RESPOND TO COMMENTS MADE BY THOSE WHO HAVE ADDRESSED THE BOARD, MAY ASK STAFF TO REVIEW A MATTER, OR MAY ASK THAT A MATTER BE PUT ON A FUTURE AGENDA.

BACKGROUND INFORMATION.....Chair Bell

NEW BUSINESS AND/OR FOCUSED POLICY DISCUSSIONS

RECOMMENDATION

BACKGROUND INFORMATION----- Chair Bell

Interviews for Zone 3 Board Position

RECOMMENDATION

Information Only

BACKGROUND INFORMATION Chair Bell

Two applications has been received for the open Board position in Zone 3. The Board will interview the candidates using the questions below.

1. Describe your experience of working on a board or as an elected official. It would be helpful if you included experience you may have with developing policy.
2. Being a member of TBCC’s board of education is a commitment of your time. Do you feel you have the time available to meet these obligations? Some of the responsibilities of board members that would require time each month include:
 - i. Preparation for attendance at monthly board meetings.
 - ii. Involvement in professional organizations, like Oregon Community College Association (OCCA), which may involve local travel as well as overnight travel out of county monthly if acting as the Board representative on the OCCA Board.
 - iii. Legislative activities and civic events.
 - iv. Serving on the TBCC Budget Committee to approve the college budget. This typically involves one extra meeting in April each year, along with preparation by reading through the budget document.
3. What aspects of serving on the Board intrigue you the most?
4. What do you believe are the most important roles TBCC has in our community?
5. TBCC is an open access institution. What does that mean to you? How would you ensure that Tillamook Bay Community College remains a welcoming and supportive environment for all students, regardless of their background or circumstances?
6. What do you feel are some of the key challenges to community colleges in this country?
7. What steps will you take to ensure that the constituents of your district are well represented on the TBCC board of education?
8. Under normal circumstances, people are elected to the board of education. Are you prepared to run for election in the May 2025 Special Election to continue in this position.
9. Do you have any questions for us?

Discussion of Zone 3 Board Position Applicants

RECOMMENDATION
INFORMATION ONLY

BACKGROUND INFORMATION Chair Bell

The Board members will discuss the results of the two interviews for Zone 3 for open Board positions.

Selection of Zone 3 Board Position

RECOMMENDATION

ACTION ITEM

BACKGROUND INFORMATION Chair Bell

The Board will vote to approve one of the candidates to fill the open Board position in Zone 3.

This is an ACTION ITEM.

Swear in New Zone 3 Board Member

RECOMMENDATION

ACTION ITEM to swear in a new Board Member

BACKGROUND INFORMATION Chair Bell

The newly appointed TBCC Board member for Zone 3 will be sworn into the open Board position. This person will serve on the TBCC Board through June 2025, and will need to run in the May 2025 election to be elected into the position for the 2026-2029 term.

Swearing in language:

“I, _____, do solemnly swear to support the laws of the United States and of the State of Oregon, and faithfully discharge any duties which shall become my responsibility as a member of Tillamook Bay Community College Board of Education.”

Information Only Items

RECOMMENDATION
INFORMATION ONLY

BACKGROUND INFORMATION----- Chair Bell

President's Report

RECOMMENDATION

INFORMATION ONLY

BACKGROUND INFORMATIONPresident Jarrell

Updates:

- Recent federal actions and potential impacts on higher education and TBCC

Upcoming Dates:

- Regular Board meeting, March 3rd, 2025, 5pm
- North Coast Throwdown, March 22nd



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

THE ACTING ASSISTANT SECRETARY

February 14, 2025

Dear Colleague:

Discrimination on the basis of race, color, or national origin is illegal and morally reprehensible. Accordingly, I write to clarify and reaffirm the nondiscrimination obligations of schools and other entities that receive federal financial assistance from the United States Department of Education (Department).¹ This letter explains and reiterates existing legal requirements under Title VI of the Civil Rights Act of 1964,² the Equal Protection Clause of the United States Constitution, and other relevant authorities.³

In recent years, American educational institutions have discriminated against students on the basis of race, including white and Asian students, many of whom come from disadvantaged backgrounds and low-income families. These institutions' embrace of pervasive and repugnant race-based preferences and other forms of racial discrimination have emanated throughout every facet of academia. For example, colleges, universities, and K-12 schools have routinely used race as a factor in admissions, financial aid, hiring, training, and other institutional programming. In a shameful echo of a darker period in this country's history, many American schools and universities even encourage segregation by race at graduation ceremonies and in dormitories and other facilities.

¹ Throughout this letter, "school" is used generally to refer to preschool, elementary, secondary, and postsecondary educational institutions that receive federal financial assistance from the Department.

² Title VI provides that: "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." 42 U.S.C. § 2000d, *et seq.*; 34 C.F.R. § 100, *et seq.*

³ This document provides significant guidance under the Office of Management and Budget's Final Bulletin for Agency Good Guidance Practices, 72 Fed. Reg. 3432 (Jan. 25, 2007). This guidance does not have the force and effect of law and does not bind the public or create new legal standards. This document is designed to provide clarity to the public regarding existing legal requirements under Title VI, the Equal Protection Clause, and other federal civil rights and constitutional law principles. If you are interested in commenting on this guidance, please email your comment to OCR@ed.gov or write to the following address: Office for Civil Rights, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202. For further information about the Department's guidance processes, please visit the Department's webpage [here](#).

Educational institutions have toxically indoctrinated students with the false premise that the United States is built upon “systemic and structural racism” and advanced discriminatory policies and practices. Proponents of these discriminatory practices have attempted to further justify them—particularly during the last four years—under the banner of “diversity, equity, and inclusion” (“DEI”), smuggling racial stereotypes and explicit race-consciousness into everyday training, programming, and discipline.

But under any banner, discrimination on the basis of race, color, or national origin is, has been, and will continue to be illegal.

The Supreme Court’s 2023 decision in *Students for Fair Admissions v. Harvard*⁴ (*SFFA*), which clarified that the use of racial preferences in college admissions is unlawful, sets forth a framework for evaluating the use of race by state actors and entities covered by Title VI. The Court explained that “[c]lassifying and assigning students based on their race” is lawful only if it satisfies “strict scrutiny,” which means that any use of race must be narrowly tailored—that is, “necessary”—to achieve a compelling interest.⁵ To date, the Supreme Court has recognized only two interests as compelling in the context of race-based action: (1) “remediating specific, identified instances of past discrimination that violated the Constitution or a statute”; and (2) “avoiding imminent and serious risks to human safety in prisons, such as a race riot.”⁶ Nebulous concepts like racial balancing and diversity are not compelling interests. As the Court explained in *SFFA*, “an individual’s race may never be used against him” and “may not operate as a stereotype” in governmental decision-making.⁷

Although *SFFA* addressed admissions decisions, the Supreme Court’s holding applies more broadly. At its core, the test is simple: If an educational institution treats a person of one race differently than it treats another person because of that person’s race, the educational institution violates the law. Federal law thus prohibits covered entities from using race in decisions pertaining to admissions, hiring, promotion, compensation, financial aid, scholarships, prizes, administrative support, discipline, housing, graduation ceremonies, and all other aspects of student, academic, and campus life. Put simply, educational institutions may neither separate or segregate students based on race, nor distribute benefits or burdens based on race.

Although some programs may appear neutral on their face, a closer look reveals that they are, in fact, motivated by racial considerations.⁸ And race-based decision-making, no matter the form, remains impermissible. For example, a school may not use students’ personal essays, writing samples, participation in extracurriculars, or other cues as a

⁴ *Students for Fair Admissions, Inc. v. President & Fellows of Harvard Coll.*, 600 U.S. 181 (2023).

⁵ *Id.* at 207.

⁶ *Ibid.*

⁷ *Id.* at 218.

⁸ *Village of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 265 (1977).

means of determining or predicting a student's race and favoring or disfavoring such students.⁹

Relying on non-racial information as a proxy for race, and making decisions based on that information, violates the law. That is true whether the proxies are used to grant preferences on an individual basis or a systematic one. It would, for instance, be unlawful for an educational institution to eliminate standardized testing to achieve a desired racial balance or to increase racial diversity.

Other programs discriminate in less direct, but equally insidious, ways. DEI programs, for example, frequently preference certain racial groups and teach students that certain racial groups bear unique moral burdens that others do not. Such programs stigmatize students who belong to particular racial groups based on crude racial stereotypes. Consequently, they deny students the ability to participate fully in the life of a school.¹⁰

The Department will no longer tolerate the overt and covert racial discrimination that has become widespread in this Nation's educational institutions. The law is clear: treating students differently on the basis of race to achieve nebulous goals such as diversity, racial balancing, social justice, or equity is illegal under controlling Supreme Court precedent.

All students are entitled to a school environment free from discrimination. The Department is committed to ensuring those principles are a reality.

This letter provides notice of the Department's existing interpretation of federal law. Additional legal guidance will follow in due course. The Department will vigorously enforce the law on equal terms as to all preschool, elementary, secondary, and postsecondary educational institutions, as well as state educational agencies, that receive financial assistance.

The Department intends to take appropriate measures to assess compliance with the applicable statutes and regulations based on the understanding embodied in this letter beginning no later than 14 days from today's date, including antidiscrimination requirements that are a condition of receiving federal funding.

All educational institutions are advised to: (1) ensure that their policies and actions comply with existing civil rights law; (2) cease all efforts to circumvent prohibitions on the use of race by relying on proxies or other indirect means to accomplish such ends; and (3) cease all reliance on third-party contractors, clearinghouses, or aggregators that are being used by institutions in an effort to circumvent prohibited uses of race.

⁹ *Students for Fair Admissions*, 600 U.S. at 230 (“[U]niversities may not simply establish through application essays or other means the regime we hold unlawful today.”).

Institutions that fail to comply with federal civil rights law may, consistent with applicable law, face potential loss of federal funding.

Anyone who believes that a covered entity has unlawfully discriminated may file a complaint with OCR. Information about filing a complaint with OCR, including a link to the online complaint form, is available [here](#).

Thank you in advance for your commitment to providing our Nation's students with an educational environment that is free of race, color, or national origin discrimination.

Sincerely,

/s/

Craig Trainor
Acting Assistant Secretary for Civil Rights
United States Department of Education

Board Member Discussion Items

RECOMMENDATION
INFORMATION ONLY

BACKGROUND INFORMATION.....Chair Bell

Adjournment

RECOMMENDATION
ACTION ITEM

BACKGROUND INFORMATION..... (Action) Chair Bell
MOTION TO ADJOURN THE MEETING