

WAC 132J-126-150 Appeal from disciplinary action. (1) Except in cases involving allegations of sexual harassment prohibited under Title IX, as set forth in WAC 132J-126-140 (2)(a), the respondent may appeal a disciplinary action by filing a written notice of appeal with the student conduct officer within 21 calendar days of service of the student conduct officer's decision. Failure to timely file a notice of appeal constitutes a waiver of the right to appeal and the student conduct officer's decision shall be deemed final.

(2) The notice of appeal must include a brief statement explaining why the respondent is seeking review.

(3) The parties to an appeal shall be the respondent, complainant if any, and the student conduct officer.

(4) A respondent, who timely appeals a disciplinary action or whose case is referred to the student conduct committee, has a right to a prompt, fair, and impartial hearing as provided for in these procedures.

(5) On appeal, the college bears the burden of establishing the evidentiary facts underlying the imposition of a disciplinary sanction by a preponderance of the evidence.

(6) Imposition of disciplinary action for violation of the student conduct code shall be stayed pending appeal, unless respondent has been summarily suspended.

(7) A conduct review officer shall conduct a brief adjudicative proceeding for appeals of:

(a) Suspensions of 10 instructional days or less;

(b) Disciplinary probation;

(c) Written reprimands; and

(d) Any conditions or terms imposed in conjunction with one of the foregoing disciplinary actions.

(8) The student conduct committee shall hear appeals from:

(a) Disciplinary suspensions in excess of 10 instructional days; or, for disciplinary suspensions from a student group, suspensions in excess of two academic terms;

(b) Dismissals; or, for dismissals from a student group, deprivation of recognition or approval granted by the college;

(c) Sexual harassment prohibited under Title IX cases; and

(d) Disciplinary cases referred to the committee by the student conduct officer, a conduct review officer, or the president.

(9) Except as provided elsewhere in these rules, disciplinary warnings and dismissals of disciplinary actions are final action and are not subject to appeal.

[Statutory Authority: RCW 28B.50.140(13). WSR 25-21-097, s 132J-126-150, filed 10/17/25, effective 11/17/25. Statutory Authority: RCW 28B.50.140(13) and P.L. 113-4. WSR 14-24-129, § 132J-126-150, filed 12/3/14, effective 1/3/15.]