Chapter 504-26 WAC
STANDARDS OF CONDUCT FOR STUDENTS

Last Update: 4/20/26

WAC

PART I
GENERAL MATTERS

504-26-001 Preamble.
504-26-010 Definitions.
504-26-015 Jurisdiction and applicability—Relationship to other proceedings.
504-26-020 Advisors and representatives.
504-26-025 Confidentiality and participation in student conduct hearings.
504-26-030 Consolidation.
504-26-035 Service and notification.
504-26-040 Presumptions and standard of proof.
504-26-045 Evidence.
504-26-050 Supportive and interim measures.

PART II
OFFICERS AND BOARDS

504-26-100 Presiding officers.
504-26-105 Recruitment, appointment, and term of community standards board members.
504-26-110 Composition of community standards board.
504-26-112 Community standards board chairs.
504-26-115 Composition of university appeals board.
504-26-117 Composition of academic integrity hearing board.
504-26-120 Training.
504-26-125 Recusal.

PART III
PROHIBITED CONDUCT

504-26-201 Misconduct—Rules and regulations.
504-26-202 Acts of dishonesty.
504-26-203 Disruption or obstruction.
504-26-204 Physical harm or threat.
504-26-205 Theft or damage to property.
504-26-206 Hazing.
504-26-207 Failure to comply with university officials or law enforcement officers.
504-26-208 Unauthorized keys or unauthorized entry.
504-26-209 Violation of university policy, rule, or regulation.
504-26-210 Violation of law.
504-26-211 Drugs and drug paraphernalia.
504-26-212 Alcohol.
504-26-213 Weapons.
504-26-217 Unauthorized use of electronic or other devices.
504-26-218 Computer abuses or theft.
504-26-219 Abuse of the student conduct system.
504-26-220 Discriminatory harassment.
504-26-221 Sexual assault.
504-26-222 Harassment (other than sex-based harassment or discriminatory harassment).
504-26-223 Stalking.
504-26-224 Reckless endangerment.
504-26-225 Trespassing.
504-26-227 Title IX sexual harassment.
504-26-230 Retaliation.
504-26-231 Intimate partner violence.

PART IV
PROCEDURES

504-26-401 Initiating conduct proceedings.
504-26-402 Brief adjudications.
504-26-403 Full adjudications.
504-26-409 Emergency suspension.
504-26-415 Procedure for academic integrity violations.
504-26-420 Appeals.
504-26-425 Sanctions.

PART V
ADMINISTRATION AND RECORDS

504-26-504 Interpretation—Policies, procedures, and guidelines.
504-26-510 Good faith exemptions.
504-26-515 Periodic review and assessment.
504-26-520 Conduct hold on student record.
504-26-525 Good standing.
504-26-530 Recordkeeping and confidentiality.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

504-26-005 Good standing. [Statutory Authority: RCW 28B.30.150. WSR 15-01-080, § 504-26-005, filed 12/15/14, effective 1/15/15; WSR 08-05-001, § 504-26-005, filed 2/6/08, effective

3/8/08.] Repealed by WSR 18-23-083, filed 11/19/18, effective 12/20/18. Statutory Authority: RCW 28B.30.150.

504-26-101 Convening boards. [Statutory Authority: RCW 28B.30.150. WSR 11-11-031, § 504-26-101, filed 5/11/11, effective 6/11/11; WSR 06-23-159, § 504-26-101, filed 11/22/06, effective 12/23/06.] Repealed by WSR 18-23-083, filed 11/19/18, effective 12/20/18. Statutory Authority: RCW 28B.30.150.

504-26-102 Policies. [Statutory Authority: RCW 28B.30.150. WSR 11-11-031, § 504-26-102, filed 5/11/11, effective 6/11/11; WSR 06-23-159, § 504-26-102, filed 11/22/06, effective 12/23/06.] Repealed by WSR 18-23-083, filed 11/19/18, effective 12/20/18. Statutory Authority: RCW 28B.30.150.

504-26-103 Decisions. [Statutory Authority: RCW 28B.30.150. WSR 15-01-080, § 504-26-103, filed 12/15/14, effective 1/15/15; WSR 11-11-031, § 504-26-103, filed 5/11/11, effective 6/11/11; WSR 06-23-159, § 504-26-103, filed 11/22/06, effective 12/23/06.] Repealed by WSR 18-23-083, filed 11/19/18, effective 12/20/18. Statutory Authority: RCW 28B.30.150.

504-26-200 Jurisdiction of the standards of conduct for students. [Statutory Authority: RCW 28B.30.150. WSR 16-08-014, § 504-26-200, filed 3/28/16, effective 4/28/16; WSR 15-11-041, § 504-26-200, filed 5/14/15, effective 6/14/15; WSR 15-01-080, § 504-26-200, filed 12/15/14, effective 1/15/15; WSR 14-11-025, § 504-26-200, filed 5/12/14, effective 6/12/14; WSR 11-11-031, § 504-26-200, filed 5/11/11, effective 6/11/11; WSR 08-05-001, § 504-26-200, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-200, filed 11/22/06, effective 12/23/06.] Repealed by WSR 18-23-083, filed 11/19/18, effective 12/20/18. Statutory Authority: RCW 28B.30.150.

504-26-214 Disruptive activity. [Statutory Authority: RCW 28B.30.150. WSR 18-23-083, § 504-26-214, filed 11/19/18, effective 12/20/18; WSR 06-23-159, § 504-26-214, filed 11/22/06, effective 12/23/06.] Repealed by WSR 22-23-142, filed 11/21/22, effective 1/1/23. Statutory Authority: RCW 28B.30.150.

504-26-215 Obstruction. [Statutory Authority: RCW 28B.30.150. WSR 15-01-080, § 504-26-215, filed 12/15/14, effective 1/15/15; WSR 06-23-159, § 504-26-215, filed 11/22/06, effective 12/23/06.] Repealed by WSR 22-23-142, filed 11/21/22, effective 1/1/23. Statutory Authority: RCW 28B.30.150.

504-26-216 Disorderly conduct. [Statutory Authority: RCW 28B.30.150. WSR 15-01-080, § 504-26-216, filed 12/15/14, effective 1/15/15; WSR 06-23-159, § 504-26-216, filed 11/22/06, effective 12/23/06.] Repealed by WSR 22-23-142, filed 11/21/22, effective 1/1/23. Statutory Authority: RCW 28B.30.150.

504-26-226 Violation of a disciplinary sanction. [Statutory Authority: RCW 28B.30.150. WSR 06-23-159, § 504-26-226, filed 11/22/06, effective 12/23/06.] Repealed by WSR 22-23-142, filed 11/21/22, effective 1/1/23. Statutory Authority: RCW 28B.30.150.

504-26-301 Malicious intent. [Statutory Authority: RCW 28B.30.150. WSR 11-11-031, § 504-26-301, filed 5/11/11, effective 6/11/11; WSR 06-23-159, § 504-26-301, filed 11/22/06, effective 12/23/06.] Repealed by WSR 18-23-083, filed 11/19/18, effective 12/20/18. Statutory Authority: RCW 28B.30.150.

504-26-302 Responsibility for guests. [Statutory Authority: RCW 28B.30.150. WSR 06-23-159, § 504-26-302, filed 11/22/06, effective 12/23/06.] Repealed by WSR 18-23-083, filed 11/19/18, effective 12/20/18. Statutory Authority: RCW 28B.30.150.

504-26-303 International and national exchange programs. [Statutory Authority: RCW 28B.30.150. WSR 15-01-080, § 504-26-303, filed 12/15/14, effective 1/15/15; WSR 11-11-031, § 504-26-303, filed 5/11/11, effective 6/11/11; WSR 06-23-159, § 504-26-303, filed 11/22/06, effective 12/23/06.] Repealed by WSR 18-23-083, filed 11/19/18, effective 12/20/18. Statutory Authority: RCW 28B.30.150.

504-26-304 Recognized student organization conduct. [Statutory Authority: RCW 28B.30.150. WSR 15-11-041, § 504-26-304, filed 5/14/15, effective 6/14/15; WSR 15-01-080, § 504-26-304, filed 12/15/14, effective 1/15/15; WSR 11-11-031, § 504-26-304, filed 5/11/11, effective 6/11/11; WSR 08-05-001, § 504-26-304, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-304, filed 11/22/06, effective 12/23/06.] Repealed by WSR 18-23-083, filed 11/19/18, effective 12/20/18. Statutory Authority: RCW 28B.30.150.

504-26-305 Violation of law and university discipline. [Statutory Authority: RCW 28B.30.150. WSR 06-23-159, § 504-26-305, filed 11/22/06, effective 12/23/06.] Repealed by WSR 18-23-083, filed 11/19/18, effective 12/20/18. Statutory Authority: RCW 28B.30.150.

504-26-4031 Procedure for formal (full) adjudicative proceedings. [Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-26-4031, filed 6/15/17, effective 7/16/17.] Repealed by WSR 18-23-083, filed 11/19/18, effective 12/20/18. Statutory Authority: RCW 28B.30.150.

504-26-404 Procedure for academic integrity violations. [Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-26-404, filed 6/15/17, effective 7/16/17; WSR 16-08-014, § 504-26-404, filed 3/28/16, effective 4/28/16; WSR 11-11-031, § 504-26-404, filed 5/11/11, effective 6/11/11; WSR 08-05-001, § 504-26-404, filed 2/6/08, effective 3/8/08; WSR 07-11-030, § 504-26-404, filed 5/8/07, effective 6/8/07; WSR 06-23-159, § 504-26-404, filed 11/22/06, effective 12/23/06.] Repealed by WSR 18-23-083, filed 11/19/18, effective 12/20/18. Statutory Authority: RCW 28B.30.150.

504-26-405 Sanctions. [Statutory Authority: RCW 28B.30.150. WSR 16-08-014, § 504-26-405, filed 3/28/16, effective 4/28/16; WSR 15-11-041, § 504-26-405, filed 5/14/15, effective 6/14/15; WSR 15-01-080, § 504-26-405, filed 12/15/14, effective 1/15/15; WSR 12-04-049, § 504-26-405, filed 1/30/12, effective 3/1/12; WSR 11-11-031, § 504-26-405, filed 5/11/11, effective 6/11/11; WSR 08-05-001, § 504-26-405, filed 2/6/08, effective 3/8/08; WSR 07-11-030, § 504-26-405, filed 5/8/07, effective 6/8/07; WSR 06-23-159, § 504-26-405, filed 11/22/06, effective 12/23/06.] Repealed by WSR 18-23-083, filed 11/19/18, effective 12/20/18. Statutory Authority: RCW 28B.30.150.

504-26-406 Interim suspension. [Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-26-406, filed 6/15/17, effective 7/16/17; WSR 16-08-014, § 504-26-406, filed 3/28/16, effective 4/28/16; WSR 15-01-080, § 504-26-406, filed 12/15/14, effective 1/15/15; WSR 11-11-031, § 504-26-406, filed 5/11/11, effective 6/11/11; WSR 06-23-159, § 504-26-406, filed

11/22/06, effective 12/23/06.] Repealed by WSR 18-23-083, filed 11/19/18, effective 12/20/18. Statutory Authority: RCW 28B.30.150.

504-26-407 Review of decision in brief adjudications. [Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-26-407, filed 6/15/17, effective 7/16/17; WSR 16-08-014, § 504-26-407, filed 3/28/16, effective 4/28/16; WSR 15-11-041, § 504-26-407, filed 5/14/15, effective 6/14/15; WSR 15-01-080, § 504-26-407, filed 12/15/14, effective 1/15/15; WSR 12-04-049, § 504-26-407, filed 1/30/12, effective 3/1/12; WSR 11-11-031, § 504-26-407, filed 5/11/11, effective 6/11/11; WSR 08-05-001, § 504-26-407, filed 2/6/08, effective 3/8/08; WSR 07-11-030, § 504-26-407, filed 5/8/07, effective 6/8/07; WSR 06-23-159, § 504-26-407, filed 11/22/06, effective 12/23/06.] Repealed by WSR 18-23-083, filed 11/19/18, effective 12/20/18. Statutory Authority: RCW 28B.30.150.

504-26-408 Interim measures. [Statutory Authority: RCW 28B.30.150. WSR 15-01-080, § 504-26-408, filed 12/15/14, effective 1/15/15.] Repealed by WSR 18-23-083, filed 11/19/18, effective 12/20/18. Statutory Authority: RCW 28B.30.150.

504-26-501 Records. [Statutory Authority: RCW 28B.30.150. WSR 16-08-014, § 504-26-501, filed 3/28/16, effective 4/28/16; WSR 15-11-041, § 504-26-501, filed 5/14/15, effective 6/14/15; WSR 15-01-080, § 504-26-501, filed 12/15/14, effective 1/15/15; WSR 11-11-031, § 504-26-501, filed 5/11/11, effective 6/11/11; WSR 06-23-159, § 504-26-501, filed 11/22/06, effective 12/23/06.] Repealed by WSR 18-23-083, filed 11/19/18, effective 12/20/18. Statutory Authority: RCW 28B.30.150.

504-26-601 Interpretations. [Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-26-601, filed 6/15/17, effective 7/16/17; WSR 06-23-159, § 504-26-601, filed 11/22/06, effective 12/23/06.] Repealed by WSR 18-23-083, filed 11/19/18, effective 12/20/18. Statutory Authority: RCW 28B.30.150.

504-26-602 Periodic review. [Statutory Authority: RCW 28B.30.150. WSR 16-08-014, § 504-26-602, filed 3/28/16, effective 4/28/16; WSR 15-01-080, § 504-26-602, filed 12/15/14, effective 1/15/15; WSR 06-23-159, § 504-26-602, filed 11/22/06, effective 12/23/06.] Repealed by WSR 18-23-083, filed 11/19/18, effective 12/20/18. Statutory Authority: RCW 28B.30.150.

PART I
GENERAL MATTERS

WAC 504-26-001 Preamble. Students have the responsibility to read and be familiar with the standards of conduct, to abide by them, and to understand that violations of these standards, if the student is found responsible, will result in educational sanctions and/or remedies for cases in which executive policy 15 is implicated. The dean of students or designee is the person designated by the university president to be responsible for the administration of the standards of conduct.

Washington State University has a long-standing commitment to providing students with a holistic learning experience both in and out of the classroom. Students are expected to uphold and be accountable to our standards of conduct to foster a safe, healthy, and inclusive campus community. The basic philosophy behind the standards of conduct and processes is one of education, centered on student learning through personal development and accountability. Therefore, the student conduct process is designed to support students, guide and correct behaviors, challenge students to make better choices, protect the rights of all students, and support a safe environment for students, the university, and the community at large.

The university strives to provide a fair process for every student without bias or favor regardless of socioeconomic status, personal or social connections, sex, sexual orientation, gender identity, race, religion, age, color, creed, national or ethnic origin, marital status, genetic information, status as an honorably discharged or protected veteran or member of the military, physical, mental, or sensory disability, including the use of a trained service animal, or immigration or citizenship status, except as authorized by federal or state law, regulation, or government contract. It also has responsibility to inform and educate the university community, parents, and the public at large on these standards, uphold them, and exercise the authority to take educational and/or disciplinary action accordingly.

[Statutory Authority: RCW 28B.30.150. WSR 25-20-053, s 504-26-001, filed 9/25/25, effective 10/26/25; WSR 24-23-093, s 504-26-001, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-001, filed 11/21/22, effective 1/1/23; WSR 18-23-083, § 504-26-001, filed 11/19/18, effective 12/20/18; WSR 17-13-049, § 504-26-001, filed 6/15/17, effective 7/16/17; WSR 15-11-041, § 504-26-001, filed 5/14/15, effective 6/14/15; WSR 15-01-080, § 504-26-001, filed 12/15/14, effective 1/15/15; WSR 11-11-031, § 504-26-001, filed 5/11/11, effective 6/11/11; WSR 06-23-159, § 504-26-001, filed 11/22/06, effective 12/23/06.]

WAC 504-26-010 Definitions. Words and phrases used in the standards of conduct regardless of their associated gender identity include all genders. Words and phrases used in the standards of conduct in the singular or plural encompass both the singular and the plural, unless the context clearly indicates otherwise. For purposes of the standards of conduct, the following definitions apply:

(1) Academic integrity hearing board. Faculty, staff, or students authorized, in accordance with WAC 504-26-105, to consider appeals submitted in cases that involve alleged WAC 504-26-202 violations.

(2) University appeals board. Empaneled faculty, staff, or students authorized by WAC 504-26-105 and empowered to convene and make decisions on conduct matters that involve alleged violations listed in this chapter.

(3) Brief adjudication. The process by which a conduct officer or community standards board may adjudicate student conduct matters. Brief adjudication is not permissible for matters that:

(a) Would constitute Title IX sexual harassment as defined in the university's UPPM 10.60; or

(b) Where possible sanctions include expulsion, loss of recognition, or revocation of degree.

(4) CCR. The university's office of compliance and civil rights.

(5) CCS. The university's center for community standards.

(6) Community standards boards. Empaneled faculty, staff, or students authorized by WAC 504-26-105 and empowered to convene and make decisions on conduct matters that involve alleged WAC violations listed in this chapter.

(7) Complainant. Any person who is the alleged victim of prohibited student conduct, whether or not such person has made an actual complaint.

(8) Conduct hearing. The process in which a decision is made regarding a student or registered student organization's responsibility for alleged behavior and assignment of applicable sanctions and/or remedies, where appropriate. (Remedies may be considered for matters implicating UPPM 10.60 part B.) Conduct hearings include brief adjudications and full adjudications.

(9) Conduct officer. A university official authorized by the dean of students or their designee to initiate, manage, and/or adjudicate certain student conduct matters in accordance with WAC 504-26-401 and 504-26-402.

(10) Conduct officer hearing. A brief adjudicative hearing in which a conduct officer determines responsibility, and assigns sanctions when applicable, in student conduct matters.

(11) *University Policies and Procedures Manual 10.60*. The university's policy prohibiting discrimination and harassment. Also referred to as "UPPM 10.60."

(12) Faculty. For purposes of this chapter, any person hired by the university to conduct classroom or teaching activities or who is otherwise considered by the university to be a member of its faculty.

(13) Full adjudication.

(a) The process for adjudicating matters involving:

(i) Title IX sexual harassment, or retaliation stemming from those as underlying complaint, as defined in UPPM 10.60; and

(ii) Possible sanction including expulsion, loss of recognition, revocation of degree, or otherwise utilized at the discretion of the CCS when deemed appropriate, in accordance with WAC 504-26-401(4).

(b) In a full adjudication, the presiding officer is also the decision maker.

(14) Gender identity. Having or being perceived as having a gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to the person at birth.

(15) Member of the university community. Includes any person who is a student, faculty, staff, university official, any person employed by the university, or any person with a relationship with the university, including guests of and visitors to the university. A person's status in a particular situation is determined by the dean of students or designee.

(16) Parties and parties' rights.

(a) Parties to a brief adjudicative hearing include the respondent and the university. The respondent and university in brief adjudicative hearings have party rights.

(b) Parties to a full adjudicative hearing include the respondent and university. Complainants are also parties in full adjudicative hearings when allegations are related to Title IX. Any party in full adjudicative hearings has party rights.

(c) The university can determine if party status or party rights are extended to other individuals not outlined in (a) or (b) of this subsection.

(d) The dean of students or their designee determines party status.

(17) Registered student organization. A group of students, collectively, that has complied with the formal requirements for university recognition.

(18) Respondent. A student or registered student organization alleged to have violated these standards of conduct.

(19) Staff. Individuals employed by the university of any rank or classification who are not considered faculty members as defined in subsection (12) of this section.

(20) Standards of conduct. The standards of conduct for students outlined in this chapter.

(21) Student. For the purposes of this chapter, any person who:

(a) Is enrolled in at least one undergraduate, graduate, or professional studies course at the university;

(b) Has been notified of their acceptance for admission but has not yet registered for their course(s);

(c) Is eligible to reenroll in classes without reapplying.

(22) Title IX. Title IX of the Education Amendments Act of 1972, 20 U.S.C. 1681 and its implementing 34 C.F.R. Part 106.

(23) University. Washington State University.

(24) University official. Any person employed by the university, performing assigned administrative or professional responsibilities.

(25) University premises. All land, buildings, facilities, vehicles, websites, and other property in the possession of or owned, used, or controlled by the university (including adjacent streets and sidewalks), including its study abroad program sites, as well as university-sponsored or hosted online platforms.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-010, filed 4/20/26, effective 8/1/26; WSR 25-20-053, s 504-26-010, filed 9/25/25, effective 10/26/25; WSR 24-23-093, s 504-26-010, filed 11/19/24, effective 12/20/24; WSR 24-10-031, § 504-26-010, filed 4/23/24, effective 5/24/24; WSR 22-23-142, § 504-26-010, filed 11/21/22, effective 1/1/23; WSR 21-07-057, § 504-26-010, filed 3/15/21, effective 4/15/21; WSR 18-23-083, § 504-26-010, filed 11/19/18, effective 12/20/18; WSR 17-13-049, § 504-26-010, filed 6/15/17, effective 7/16/17; WSR 16-08-014, § 504-26-010, filed 3/28/16, effective 4/28/16; WSR 15-01-080, § 504-26-010, filed 12/15/14, effective 1/15/15; WSR 11-11-031, § 504-26-010, filed 5/11/11, effective 6/11/11; WSR 07-11-030, § 504-26-010, filed 5/8/07, effective 6/8/07; WSR 06-23-159, § 504-26-010, filed 11/22/06, effective 12/23/06.]

WAC 504-26-015 Jurisdiction and applicability—Relationship to other proceedings. (1) General. The standards of conduct apply to conduct that occurs on university premises or in connection with university sponsored activities, including transit to or from the activity.

(2) Off-campus conduct. In addition to subsection (1) of this section, the standards of conduct may apply to conduct that occurs off university premises and not in connection with university-sponsored activities, if the conduct adversely affects the health and/or safety of the university community or the pursuit of the university's vision, mission, or values.

The university has sole discretion to make this determination. In making this determination, the conduct officer considers whether the alleged conduct:

(a) Requires the university to exercise jurisdiction under law or as required by federal or state agencies or policies including, but not limited to, allegations of Title IX sexual harassment;

(b) Negatively impacted the reputation of the university or its students;

(c) Occurred on the property of registered student organizations;

(d) Caused physical, mental, or emotional harm to another; or

(e) Was recognized by onlookers, complainants, or witnesses as being carried out by a student or registered student organization.

(3) Online conduct - Electronic communications. These standards of conduct may be applied to behavior conducted online, via electronic mail, text message, or other electronic means.

(4) Time frame for applicability. Each student is responsible and accountable for their conduct from the time of application for admission through the actual conferral of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment.

These standards apply to a student's conduct during that time frame, even if the student withdraws from school, takes a leave of absence, or graduates.

(5) Group accountability. Registered student organizations that violate university policies and the standards of conduct are subject to sanctions. A registered student organization may be held accountable for the behavior of its officers, members, or guests when the university demonstrates that:

(a) The organization or its officers should have foreseen that behavior constituting a violation was likely to occur, yet failed to take reasonable precautions against such behavior;

(b) A policy or practice of the organization was responsible for a violation; or

(c) The behavior constituting a violation was committed by, condoned by, or involved a number of organization officers, members, or guests.

(6) International and national study programs. Students who participate in any university-sponsored or sanctioned international or national study program must observe the following rules and regulations:

(a) The laws of the host country and/or state;

(b) The academic and disciplinary regulations of the educational institution or residential housing program where the student is studying;

(c) Any other agreements related to the student's study program; and

(d) These standards of conduct.

(7) Academic and professional standards. Nothing in these standards of conduct is to be construed as limiting academic action that may be taken by a program or other academic unit against a respondent who, based on an established violation of these standards or otherwise, demonstrates a failure to meet the academic and/or professional standards of the program.

(8) Relationship between student conduct process and other legal processes. The university is not required to stay a conduct hearing pending any criminal or civil proceeding, nor must the disposition of any such criminal or civil proceeding control the outcome of any conduct hearing. Respondents may choose to remain silent during conduct proceedings, in accordance with WAC 504-26-045.

[Statutory Authority: RCW 28B.30.150. WSR 25-20-053, s 504-26-015, filed 9/25/25, effective 10/26/25; WSR 24-23-093, s 504-26-015, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-015, filed 11/21/22, effective 1/1/23; WSR 21-07-057, § 504-26-015, filed 3/15/21, effective 4/15/21; WSR 18-23-083, § 504-26-015, filed 11/19/18, effective 12/20/18.]

WAC 504-26-020 Advisors and representatives. (1) Advisors. Any party may have an advisor of their choice, provided that person agrees to:

(a) Serve as an advisor; and

(b) Be present during all stages of the conduct process as requested.

(2) A list of university employees who are trained advisors is provided upon a party's request. University advisors can provide support at no cost to the party.

(3) Advisors may assist any party engaged in the conduct process and attend meetings and hearings.

(4) Advisors must not be witnesses to the alleged behavior.

(5) Advisors must not be employed in CCS.

(6) Advisors in brief adjudications. Breaks may be taken during the hearing, within reason, to allow a party to consult with their advisor. Advisors are not permitted to speak on behalf of parties in hearings.

(7) Advisors in full adjudications. Breaks may be taken during the hearing, within reason, to allow a party to consult with their advisor. Advisors are not permitted to speak on behalf of parties in hearings; however, advisors must directly question witnesses and engage in cross-examination when there are allegations related to Title IX.

(8) Representatives. A party may choose to be represented during a full adjudication at their own expense. Only persons currently admitted to practice law, including licensed legal interns, are permitted to act as representatives. Representatives are not permitted in brief adjudications; however, persons currently admitted to practice law may participate as advisors in brief adjudications.

(9) As a condition of participation in the conduct process, CCS may require advisors and representatives to sign a statement agreeing to comply with legal requirements and university rules including, but not limited to, requirements related to confidentiality of student information.

(10) Questions regarding logistical and administrative issues are to be directed to the conduct officer, community standards board chair, or presiding officer, as applicable, who may impose reasonable conditions upon participation of advisors and representatives.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-020, filed 4/20/26, effective 8/1/26; WSR 25-20-053, s 504-26-020, filed 9/25/25, effective 10/26/25; WSR 24-23-093, s 504-26-020, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-020, filed 11/21/22, effective 1/1/23; WSR 21-07-057, § 504-26-020, filed 3/15/21, effective 4/15/21; WSR 18-23-083, § 504-26-020, filed 11/19/18, effective 12/20/18.]

WAC 504-26-025 Confidentiality and participation in student conduct hearings. Student conduct meetings and hearings are closed to public observation. The parties and their advisors or representatives may attend the entire hearing, excluding deliberations. Admission of any other person to the hearing is at the discretion of the conduct officer, community standards board chair, or presiding officer, as applicable. For convenience, or to accommodate concerns for the personal safety, well-being, or fears of confrontation of any party or witness, the conduct officer, community standards board chair, or presiding officer may allow participation remotely, in separate rooms, or by other means.

[Statutory Authority: RCW 28B.30.150. WSR 24-23-093, s 504-26-025, filed 11/19/24, effective 12/20/24; WSR 18-23-083, § 504-26-025, filed 11/19/18, effective 12/20/18.]

WAC 504-26-030 Consolidation. In any student conduct matter in which there are common issues or parties, the conduct officer, community standards board chair, or presiding officer, as applicable, may decide to consolidate the proceedings. This decision is within the sole discretion of the conduct officer, community standards board chair, or presiding officer.

[Statutory Authority: RCW 28B.30.150. WSR 24-23-093, s 504-26-030, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-030, filed 11/21/22, effective 1/1/23; WSR 18-23-083, § 504-26-030, filed 11/19/18, effective 12/20/18.]

WAC 504-26-035 Service and notification. Service of all university notices under this chapter is sent by electronic mail addressed to the party's university-issued email address or, if the party does not have a university-issued email address, to the email address on record with the university. Service is complete when the email is sent to the email address. Service may also be accomplished by personal delivery or regular U.S. mail. Notifications via regular U.S. mail are sent to the party's last known address or the address on file with the university registrar, and service is complete on the date the notice is placed in the mail. The student is responsible for maintaining an updated mailing address on file with the registrar. Registered student organizations are responsible for updating their mailing address on file with the center for fraternity and sorority life, university recreation, or student engagement services. Deadlines described in this chapter begin the date the notification is sent via email, personally delivered, or placed in regular U.S. mail.

[Statutory Authority: RCW 28B.30.150. WSR 24-23-093, s 504-26-035, filed 11/19/24, effective 12/20/24; WSR 18-23-083, § 504-26-035, filed 11/19/18, effective 12/20/18.]

WAC 504-26-040 Presumptions and standard of proof. Respondents are presumed "not responsible" for alleged violations. Any violation must be proven by a preponderance of the evidence, meaning that it is more likely than not that the violation occurred.

[Statutory Authority: RCW 28B.30.150. WSR 22-23-142, § 504-26-040, filed 11/21/22, effective 1/1/23; WSR 18-23-083, § 504-26-040, filed 11/19/18, effective 12/20/18.]

WAC 504-26-045 Evidence. (1) Evidence, including hearsay evidence, is admissible in student conduct proceedings if, in the judgment of the conduct officer or presiding officer, it is the kind of evidence that reasonably prudent persons are accustomed to rely on in the conduct of their affairs. The conduct officer or presiding officer determines the admissibility and relevance of all information and evidence.

(2) A complainant's sexual interests or prior sexual conduct is not relevant and not admissible in a conduct hearing unless such evidence is offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual

behavior with respect to the respondent and are offered to prove consent. The fact of prior consensual sexual conduct between a complainant and a respondent does not by itself demonstrate or imply the complainant's consent to the alleged conduct or preclude determination that the conduct occurred.

(3) For matters involving conduct implicating UPPM 10.60, evidence that was provided to a confidential employee is not admissible, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality.

(4) Parties may choose to remain silent during conduct proceedings, recognizing that they give up the opportunity to explain their version of events and that the decision is made based on the information presented at the hearing. No party must be compelled to give self-incriminating evidence, and no negative inference will be drawn from a party's refusal to participate in any stage of the conduct proceeding. If either party does not attend or participate in a hearing, the decision maker may resolve the matter based on the information available at the time of the hearing.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-045, filed 4/20/26, effective 8/1/26; WSR 24-23-093, s 504-26-045, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-045, filed 11/21/22, effective 1/1/23; WSR 22-07-043, § 504-26-045, filed 3/14/22, effective 4/14/22; WSR 21-07-057, § 504-26-045, filed 3/15/21, effective 4/15/21; WSR 18-23-083, § 504-26-045, filed 11/19/18, effective 12/20/18.]

WAC 504-26-050 Supportive and interim measures. (1) While a student conduct matter is pending, the university may take a number of supportive measures on an interim basis to ensure the preservation of the educational experience and the overall university environment of the parties.

(a) These actions may include, but are not limited to:

(i) A no-contact directive assigned to any party;

(ii) University housing room change for one or more involved parties; and/or

(iii) Changes in academic schedules or assignments for one or more involved parties.

(b) These actions for registered student organizations may include, but are not limited to:

(i) Loss of recognition;

(ii) Restriction of specified operational activities.

(2) University departments implementing supportive measures must coordinate with CCS or CCR, as applicable, which advises the parties of the supportive measures and the process for challenging them. For matters involving UPPM 10.60, CCR or its designee facilitates supportive measures. For all other alleged standards of conduct violations, CCS facilitates supportive measures. Supportive measures are not sanctions and do not imply or assume responsibility for a violation of the standards of conduct.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-050, filed 4/20/26, effective 8/1/26; WSR 24-23-093, s 504-26-050, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-050, filed 11/21/22, effective 1/1/23; WSR 21-07-057, § 504-26-050, filed

3/15/21, effective 4/15/21; WSR 18-23-083, § 504-26-050, filed 11/19/18, effective 12/20/18.]

PART II
OFFICERS AND BOARDS

WAC 504-26-100 Presiding officers. Full adjudicative proceedings are conducted by a presiding officer/decision maker who is designated by the university in accordance with WAC 504-04-020.

(1) The presiding officer's role is to:

(a) Ensure a fair and impartial process;

(b) Make procedural and evidentiary rulings;

(c) Handle logistical and other matters related to facilitating the proceedings;

(d) Ensure compliance with legal requirements; and

(e) Deliver a decision letter to the parties in accordance with WAC 504-26-403.

(2) The presiding officer must transmit a full and complete record of the proceedings to CCS, including such comments upon demeanor of witnesses as the presiding officer deems relevant, in accordance with RCW 34.05.461.

[Statutory Authority: RCW 28B.30.150. WSR 24-23-093, s 504-26-100, filed 11/19/24, effective 12/20/24; WSR 24-10-031, § 504-26-100, filed 4/23/24, effective 5/24/24; WSR 22-23-142, § 504-26-100, filed 11/21/22, effective 1/1/23; WSR 18-23-083, § 504-26-100, filed 11/19/18, effective 12/20/18; WSR 17-13-049, § 504-26-100, filed 6/15/17, effective 7/16/17; WSR 15-11-041, § 504-26-100, filed 5/14/15, effective 6/14/15; WSR 15-01-080, § 504-26-100, filed 12/15/14, effective 1/15/15; WSR 12-04-049, § 504-26-100, filed 1/30/12, effective 3/1/12; WSR 06-23-159, § 504-26-100, filed 11/22/06, effective 12/23/06.]

WAC 504-26-105 Recruitment, appointment, and term of community standards board members. (1) A hearing board selection committee convened by the dean of students and comprised of students, staff, and/or faculty selects community standards board members from the university community.

(2) Community standards board members selected by the hearing board selection committee are appointed by the university president or designee and must be in good standing with the university.

(3) Community standards board members serve a maximum term of four calendar years. After the maximum term is served, community standards board members may reapply to serve for an additional term.

(4) CCS cannot be voting members on the hearing board selection committee.

(5) CCS facilitates the recruitment process for community standards board members.

(6) If a community standards board member fails to meet established expectations, their appointment may be terminated in writing by the university president or designee or hearing board selection committee.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-105, filed 4/20/26, effective 8/1/26; WSR 24-23-093, s 504-26-105, filed 11/19/24, effective 12/20/24; WSR 24-10-031, § 504-26-105, filed 4/23/24, effective 5/24/24; WSR 22-23-142, § 504-26-105, filed 11/21/22, effective 1/1/23; WSR 18-23-083, § 504-26-105, filed 11/19/18, effective 12/20/18.]

WAC 504-26-110 Composition of community standards board. A community standards board may consist of one person or multiple persons selected from the pool of appointed university community members in accordance with WAC 504-26-105. No community standards board member may serve on a case if the member previously served on a community standards board in a case involving the same complainant or respondent.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-110, filed 4/20/26, effective 8/1/26; WSR 24-23-093, s 504-26-110, filed 11/19/24, effective 12/20/24; WSR 24-10-031, § 504-26-110, filed 4/23/24, effective 5/24/24; WSR 22-23-142, § 504-26-110, filed 11/21/22, effective 1/1/23; WSR 20-07-075, § 504-26-110, filed 3/16/20, effective 4/16/20; WSR 18-23-083, § 504-26-110, filed 11/19/18, effective 12/20/18.]

WAC 504-26-112 Community standards board chairs. (1) The chair is responsible for ensuring:

(a) A fair and impartial process for all parties named in the hearing; and

(b) A written letter representing the decision of the board is provided to CCS for distribution to the parties.

(2) One member of the community standards board is designated as the chair of the board. The chair is a voting member of the community standards board.

[Statutory Authority: RCW 28B.30.150. WSR 24-23-093, s 504-26-112, filed 11/19/24, effective 12/20/24.]

WAC 504-26-115 Composition of university appeals board. (1) A university appeals board may consist of:

(a) The director of CCS or designee;

(b) The director of CCR or designee; or

(c) A panel of one or more individuals in accordance with WAC 504-26-110.

(d) The appeals board is the university's reviewing officer as that term is defined under RCW 34.05.464(4).

(2) No university appeals board member may serve on a case if the member previously served on any community standards board in a case involving the same complainant or respondent.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-115, filed 4/20/26, effective 8/1/26; WSR 24-23-093, s 504-26-115, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-115, filed 11/21/22, effective 1/1/23; WSR 18-23-083, § 504-26-115, filed 11/19/18, effective 12/20/18.]

WAC 504-26-117 Composition of academic integrity hearing board. An academic hearing board may consist of:

(1) A panel of one or more individuals in accordance with WAC 504-26-110.

(a) To the extent possible, reasonable attempts are made to have graduate student(s) and/or graduate faculty as board members, in accordance with WAC 504-26-110, when respondents in cases are graduate students.

(b) To the extent possible, reasonable attempts are made to have at least one faculty board member, in accordance with WAC 504-26-110.

(2) No academic integrity hearing board member may serve on a case if the member previously served on any community standards board for the same respondent.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-117, filed 4/20/26, effective 8/1/26; WSR 24-23-093, s 504-26-117, filed 11/19/24, effective 12/20/24.]

WAC 504-26-120 Training. (1) Community standards board members. All community standards board members appointed in accordance with WAC 504-26-105 must complete the following training before participating on any community standards board:

(a) Student development;

(b) Student conduct philosophies, including the educational component of the student conduct process;

(c) Fair and equitable decision making, including:

(i) Due process;

(ii) Standards of proof;

(iii) Relevant and admissible evidence;

(iv) Conflict of interest; and

(v) Identifying bias;

(d) Sexual assault and gender-based violence;

(e) Alcohol and drug prevention;

(f) Sanctioning principles and guidelines; and

(g) Title IX regulatory definitions, jurisdiction, and grievance processes.

(2) Conduct officers. Conduct officers must not participate in any student conduct matter until, at a minimum, training in the following areas has been completed:

(a) Alternative dispute resolution;

(b) Restorative justice; and

(c) All training required of community standards board members (see subsection (1) of this section).

(3) Presiding and reviewing officers. Presiding and reviewing officers must not participate in any student conduct matter until, at a minimum, training in the following areas has been completed:

(a) Student development;

(b) Student conduct philosophies, including the educational component of the student conduct process; and

(c) Title IX regulatory definitions, jurisdiction, and grievance processes.

(4) Renewal of training. Training must be renewed on a biennial basis, except for decision makers who hear Title IX matters, who are required to take Title IX regulatory training annually.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-120, filed 4/20/26, effective 8/1/26; WSR 25-20-053, s 504-26-120, filed 9/25/25, effective 10/26/25; WSR 24-23-093, s 504-26-120, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-120, filed 11/21/22, effective 1/1/23; WSR 21-07-057, § 504-26-120, filed 3/15/21, effective 4/15/21; WSR 18-23-083, § 504-26-120, filed 11/19/18, effective 12/20/18.]

WAC 504-26-125 Recusal. (1) Notification of names of conduct officers and board members. All parties must be notified of the names of conduct officers and/or community standards board members assigned to their case no later than seven calendar days prior to the hearing date.

(2) Requesting recusal of conduct officers and board members. A party requesting recusal of a conduct officer or community standards board member must demonstrate good cause including, but not limited to, conflict of interest or bias. For brief adjudicative proceedings, the dean of students or designee is responsible for granting or denying requests.

(3) Presiding officer. Requests for recusal of the presiding officer are governed by the model rules of procedure, WAC 10-08-050(2).

(4) Reviewing officer. A party requesting recusal of a reviewing officer must demonstrate good cause including, but not limited to, conflict of interest or bias. The dean of students or designee is responsible for granting or denying requests.

[Statutory Authority: RCW 28B.30.150. WSR 24-23-093, s 504-26-125, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-125, filed 11/21/22, effective 1/1/23; WSR 18-23-083, § 504-26-125, filed 11/19/18, effective 12/20/18.]

PART III
PROHIBITED CONDUCT

WAC 504-26-201 Misconduct—Rules and regulations. Any student or registered student organization found to have committed, assisted, conspired, or attempted to commit misconduct (WAC 504-26-202 through 504-26-231) is subject to the disciplinary sanctions outlined in WAC 504-26-425.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-201, filed 4/20/26, effective 8/1/26; WSR 24-23-093, s 504-26-201, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-201, filed 11/21/22, effective 1/1/23; WSR 18-23-083, § 504-26-201, filed 11/19/18, effective 12/20/18; WSR 15-01-080, § 504-26-201, filed 12/15/14, effective 1/15/15; WSR 08-05-001, § 504-26-201, filed 2/6/08, effective 3/8/08; WSR 07-11-030, § 504-26-201, filed 5/8/07, effective 6/8/07; WSR 06-23-159, § 504-26-201, filed 11/22/06, effective 12/23/06.]

WAC 504-26-202 Acts of dishonesty. Acts of dishonesty are defined as:

(1) Academic integrity violations.

(a) Use of unauthorized materials in taking quizzes, tests, or examinations, or giving or receiving unauthorized assistance by any means, including talking, copying information from another student, using electronic devices, or taking an examination for another student.

(b) Use of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments.

(c) Acquisition or possession of tests or other academic material belonging to a member of the university faculty or staff when acquired without the permission of the university faculty or staff member.

(d) Fabrication, which is the intentional invention or counterfeiting of information in the course of an academic activity. Fabrication includes, but is not limited to:

(i) Counterfeiting data, research results, information, or procedures with inadequate foundation in fact. The office of research must be consulted in matters involving alleged research misconduct as that term is defined in *University Policies and Procedures Manual 45.30* (UPPM 45.30).

(ii) Counterfeiting a record of internship or practicum experiences.

(iii) Submitting a false excuse for absence or tardiness or a false explanation for failing to complete a class requirement or scheduled examination at the appointed date and time.

(e) Engaging in any behavior for the purpose of gaining an unfair advantage specifically prohibited by a faculty member in the course syllabus or class discussion.

(f) Research misconduct. Falsification, fabrication, plagiarism, or other forms of dishonesty in scientific and scholarly research are prohibited. Complaints and inquiries involving cases of research misconduct are managed according to the university's policy for responding to allegations of research misconduct, UPPM 45.30. A finding of research misconduct is subject to sanctions by CCS.

(g) Unauthorized collaboration on assignments.

(h) Intentionally obtaining unauthorized knowledge of examination materials.

(i) Plagiarism. Presenting the information, ideas, or phrasing of another person as the student's own work without proper acknowledgment of the source. This includes submitting a commercially prepared paper or research project or submitting for academic credit any work done by someone else. The term "plagiarism" includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

(j) Unauthorized multiple submission of the same work.

(k) Sabotage of others' work.

(l) Tampering with or falsifying records.

(m) Violating any other academic rule or standards specified in published course policies.

(n) Unauthorized use of artificial intelligence to complete course requirements including, but not limited to, papers, homework assignments, and tests.

(2) Providing false information, omitting relevant information, or misrepresenting information to any person, including university officials, faculty members, or administrators. It is not a violation of this section to refuse to give self-incriminating evidence to a university official, faculty member, or administrator. (See WAC 504-26-045.)

(3) Omitting any previously attended universities or other requested information from an admissions application.

(4) Forgery, alteration, or misuse of any university document or record, or instrument of identification whether issued by the university or other state or federal agency.

(5) Fraud.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-202, filed 4/20/26, effective 8/1/26; WSR 24-23-093, s 504-26-202, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-202, filed 11/21/22, effective 1/1/23; WSR 15-01-080, § 504-26-202, filed 12/15/14, effective 1/15/15; WSR 08-05-001, § 504-26-202, filed 2/6/08, effective 3/8/08; WSR 07-11-030, § 504-26-202, filed 5/8/07, effective 6/8/07; WSR 06-23-159, § 504-26-202, filed 11/22/06, effective 12/23/06.]

WAC 504-26-203 Disruption or obstruction. Students have the right to freedom of speech, including the right to dissent and protest, but this expression may not interfere with the rights of others or substantially disrupt or materially interfere with the university's activities. Time, place, and manner restrictions apply. (See chapter 504-33 WAC.) Behavior prohibited by this section is:

(1) Substantial disruption or material interference with the university's activities by any means including use of telephone, computer, or some other medium. University activities include, but are not limited to, teaching, research, administration, or disciplinary proceedings. University activities may also include activities of other entities that are authorized to be conducted on the university premises.

(2) Obstruction of the free flow of persons, including pedestrian or vehicular traffic on university premises or at university-sponsored or supervised functions.

(3) Conduct that substantially prevents any member of the university community from completing their duties.

[Statutory Authority: RCW 28B.30.150. WSR 22-23-142, § 504-26-203, filed 11/21/22, effective 1/1/23; WSR 18-23-083, § 504-26-203, filed 11/19/18, effective 12/20/18; WSR 07-11-030, § 504-26-203, filed 5/8/07, effective 6/8/07; WSR 06-23-159, § 504-26-203, filed 11/22/06, effective 12/23/06.]

WAC 504-26-204 Physical harm or threat. (1) Physical harm includes, but is not limited to, any injury, damage, or impairment to the body caused to another person.

(2) Threat includes, but is not limited to, a statement of an intention to inflict pain, injury, damage, or other hostile action to another person. Threat can come in the form of actions or words. Threat does not include speech that is protected under the first amendment.

[Statutory Authority: RCW 28B.30.150. WSR 24-23-093, s 504-26-204, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-204, filed 11/21/22, effective 1/1/23; WSR 21-07-057, § 504-26-204, filed 3/15/21, effective 4/15/21; WSR 18-23-083, § 504-26-204, filed 11/19/18, effective 12/20/18; WSR 15-01-080, § 504-26-204, filed 12/15/14, effective 1/15/15; WSR 14-11-025, § 504-26-204, filed 5/12/14, effective 6/12/14; WSR 06-23-159, § 504-26-204, filed 11/22/06, effective 12/23/06.]

WAC 504-26-205 Theft or damage to property. Theft of, and/or the intentional or reckless damage to, the property of another.

[Statutory Authority: RCW 28B.30.150. WSR 22-23-142, § 504-26-205, filed 11/21/22, effective 1/1/23; WSR 06-23-159, § 504-26-205, filed 11/22/06, effective 12/23/06.]

WAC 504-26-206 Hazing. (1) Hazing includes any activity committed in the course of initiation into, affiliation with, or maintenance of membership in a student organization, athletic team, or living group that:

(a) Causes or creates a risk of physical or psychological injury, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization; or

(b) Endangers the mental or physical health or safety of a student, regardless of the person's willingness to participate.

(2) Examples include, but are not limited to:

(a) Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;

(b) Causing, directing, coercing, forcing, or otherwise inducing sleep deprivation, excessive fatigue, exposure to the elements, confinement in a small space, extreme calisthenics, unreasonable or unnatural physical activity, or other similar activity;

(c) Causing, directing, coercing, forcing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;

(d) Causing, directing, coercing, forcing, or otherwise inducing another person to perform sexual acts;

(e) Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;

(f) Any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law;

(g) Causing, directing, coercing, forcing, or otherwise inducing another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law;

(h) Use of alcohol during activities targeted towards new members;

(i) Morally degrading, humiliating, or embarrassing games or activities; or

(j) Creating, enforcing, or exploiting power imbalances between members.

(3) Hazing does not include practice, training, conditioning and eligibility requirements for customary athletic events, such as intramural or club sports and NCAA athletics, or other similar contests or competitions.

(4) Hazing is prohibited both on and off campus.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-206, filed 4/20/26, effective 8/1/26; WSR 24-23-093, s 504-26-206, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-206, filed 11/21/22, effective 1/1/23; WSR 21-07-057, § 504-26-206, filed 3/15/21, effective 4/15/21; WSR 18-23-083, § 504-26-206, filed 11/19/18, effective 12/20/18; WSR 06-23-159, § 504-26-206, filed 11/22/06, effective 12/23/06.]

WAC 504-26-207 Failure to comply with university officials or law enforcement officers. Failure to:

(1) Comply with lawful directions of university officials, law enforcement officers, or any emergency services personnel acting in performance of their duties;

(2) Identify oneself to university officials, law enforcement officers, or any emergency services personnel when requested to do so; or

(3) Comply with an informal resolution facilitated under UPPM 10.60 or an agreed resolution facilitated by CCS.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-207, filed 4/20/26, effective 8/1/26; WSR 24-23-093, s 504-26-207, filed 11/19/24, effective 12/20/24; WSR 08-05-001, § 504-26-207, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-207, filed 11/22/06, effective 12/23/06.]

WAC 504-26-208 Unauthorized keys or unauthorized entry. Unauthorized possession, duplication, or use of keys, including cards or alphanumeric pass-codes, to any university premises or unauthorized entry to or use of university premises.

[Statutory Authority: RCW 28B.30.150. WSR 08-05-001, § 504-26-208, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-208, filed 11/22/06, effective 12/23/06.]

WAC 504-26-209 Violation of university policy, rule, or regulation. Violation of any university policy, rule, or regulation published electronically on the university website or in hard copy including, but not limited to, the university's alcohol and drug policy, UPPM 10.60, and housing and residence life policy.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-209, filed 4/20/26, effective 8/1/26; WSR 24-23-093, s 504-26-209, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-209, filed 11/21/22, effective 1/1/23; WSR 21-07-057, § 504-26-209, filed 3/15/21, effective 4/15/21; WSR 15-01-080, § 504-26-209, filed 12/15/14, effective 1/15/15; WSR 11-11-031, § 504-26-209, filed 5/11/11, effective 6/11/11; WSR 06-23-159, § 504-26-209, filed 11/22/06, effective 12/23/06.]

WAC 504-26-210 Violation of law. Conduct which would constitute violation of any federal, state, or local law.

[Statutory Authority: RCW 28B.30.150. WSR 07-11-030, § 504-26-210, filed 5/8/07, effective 6/8/07; WSR 06-23-159, § 504-26-210, filed 11/22/06, effective 12/23/06.]

WAC 504-26-211 Drugs and drug paraphernalia. Use, possession, manufacture, or distribution of cannabis, narcotics, or other controlled substances, or drug paraphernalia except as permitted by federal, state, and local law.

[Statutory Authority: RCW 28B.30.150. WSR 22-23-142, § 504-26-211, filed 11/21/22, effective 1/1/23; WSR 06-23-159, § 504-26-211, filed 11/22/06, effective 12/23/06.]

WAC 504-26-212 Alcohol. Use, possession, manufacture, or distribution of alcoholic beverages to any person under 21 years old or by any person under 21 years old (except as expressly permitted by university regulations, and federal, state, and local laws), or public intoxication at any age.

[Statutory Authority: RCW 28B.30.150. WSR 22-23-142, § 504-26-212, filed 11/21/22, effective 1/1/23; WSR 15-11-041, § 504-26-212, filed 5/14/15, effective 6/14/15; WSR 15-01-080, § 504-26-212, filed 12/15/14, effective 1/15/15; WSR 06-23-159, § 504-26-212, filed 11/22/06, effective 12/23/06.]

WAC 504-26-213 Weapons. (1) No student may possess or use any firearm, explosive (including fireworks), dangerous chemicals (excluding pepper spray), or other dangerous weapons or instrumentalities (including tasers and airsoft guns) on university premises.

(2) This prohibition does not apply to possession of such items for authorized university purposes; possession of such items by authorized law enforcement officers; or individuals who have obtained prior written approval from the university chief of police, president, or designee.

[Statutory Authority: RCW 28B.30.150. WSR 24-23-093, s 504-26-213, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-213, filed 11/21/22, effective 1/1/23; WSR 20-07-075, § 504-26-213, filed 3/16/20, effective 4/16/20; WSR 18-23-083, § 504-26-213, filed 11/19/18, effective 12/20/18; WSR 08-05-001, § 504-26-213, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-213, filed 11/22/06, effective 12/23/06.]

WAC 504-26-217 Unauthorized use of electronic or other devices. Making an audio, digital, or video record of any person without their prior knowledge, or without their effective consent when such a recording is of a private conversation or of images taken of a person(s) at a time and place where they would reasonably expect privacy and where such images are likely to cause injury or distress.

[Statutory Authority: RCW 28B.30.150. WSR 22-23-142, § 504-26-217, filed 11/21/22, effective 1/1/23; WSR 21-07-057, § 504-26-217, filed

3/15/21, effective 4/15/21; WSR 06-23-159, § 504-26-217, filed 11/22/06, effective 12/23/06.]

WAC 504-26-218 Computer abuses or theft. Theft or other abuse of computer facilities and resources including, but not limited to:

(1) Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.

(2) Unauthorized transfer of a file.

(3) Unauthorized use of computer hardware.

(4) Unauthorized use of another individual's identification, password, or multifactor authentication credentials.

(5) Use of computing facilities and resources in violation of any law, including copyright laws.

(6) Any violation of the university computer use policy found in the university's UPPM 85.47 (electronic communication policy) and UPPM 87.07 (email use and security policy).

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-218, filed 4/20/26, effective 8/1/26; WSR 22-23-142, § 504-26-218, filed 11/21/22, effective 1/1/23; WSR 15-01-080, § 504-26-218, filed 12/15/14, effective 1/15/15; WSR 12-04-049, § 504-26-218, filed 1/30/12, effective 3/1/12; WSR 08-05-001, § 504-26-218, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-218, filed 11/22/06, effective 12/23/06.]

WAC 504-26-219 Abuse of the student conduct system. Abuse of the student conduct system is defined as:

(1) Filing fraudulent charges or initiating a university conduct proceeding in bad faith.

(2) Attempting to discourage an individual's proper participation in, or use of, the student conduct system.

(3) Attempting to influence the impartiality of a member of the university conduct system prior to, and/or during the course of, any conduct proceeding.

(4) Harassment (verbal, written, or physical) and/or intimidation of a member of a community standards board, any individual involved in the conduct process, any CCR investigator or CCR informal resolution facilitator during a CCR investigation, or any conduct officer before, during, and/or after any university conduct proceeding.

[Statutory Authority: RCW 28B.30.150. WSR 24-23-093, s 504-26-219, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-219, filed 11/21/22, effective 1/1/23; WSR 21-07-057, § 504-26-219, filed 3/15/21, effective 4/15/21; WSR 18-23-083, § 504-26-219, filed 11/19/18, effective 12/20/18; WSR 15-01-080, § 504-26-219, filed 12/15/14, effective 1/15/15; WSR 08-05-001, § 504-26-219, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-219, filed 11/22/06, effective 12/23/06.]

WAC 504-26-220 Discriminatory harassment. (1) Unwelcome, intentional conduct on the basis of sex (other than Title IX sexual harassment); sexual orientation; gender identity; race; religion; age; color; creed; national or ethnic origin; marital status; genetic information; status as an honorably discharged veteran, protected veteran, or

member of the military; physical, mental, or sensory disability (including disability requiring the use of a trained service animal); or immigration or citizenship status, except as authorized by federal or state law, regulation, or government contract, which is so severe or pervasive, and objectively offensive, that it substantially and unreasonably:

(a) Interferes with, or has the potential to interfere with, an individual's ability to participate in university employment, education, programs, or activities;

(b) Adversely alters the condition of an individual's university employment, education, or participation status;

(c) Creates an objectively abusive employment, program, or educational environment; or

(d) Results in a material or substantial disruption of the university's operations or the rights of students, staff, faculty, visitors, or program participants.

(2) In determining if conduct is harassing, the totality of the circumstances are assessed including, but not limited to, the following factors:

(a) Severity;

(b) Frequency of the discrimination;

(c) Status of the complainant and respondent parties and their relationship to each other;

(d) Physicality, threats, or endangerment; and

(e) Whether or not the conduct could be reasonably considered protected speech or serving some other lawful purpose.

[Statutory Authority: RCW 28B.30.150. WSR 25-20-053, s 504-26-220, filed 9/25/25, effective 10/26/25; WSR 24-23-093, s 504-26-220, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-220, filed 11/21/22, effective 1/1/23; WSR 21-07-057, § 504-26-220, filed 3/15/21, effective 4/15/21; WSR 18-23-083, § 504-26-220, filed 11/19/18, effective 12/20/18; WSR 14-11-025, § 504-26-220, filed 5/12/14, effective 6/12/14; WSR 06-23-159, § 504-26-220, filed 11/22/06, effective 12/23/06.]

WAC 504-26-221 Sexual assault. (1) Sexual assault is an egregious form of sex-based harassment. Sexual assault is defined as follows. (Note: The following sexual assault definitions are updated in the National Incident-Based Reporting System (NIBRS) User Manual which is available online on the Federal Bureau of Investigation (FBI) UCR Technical Specifications website at https://le.fbi.gov/informational-tools/ucr/. Where the definitions are updated in the NIBRS User Manual, the updated definitions apply.)

(a) Sex offense. Any sexual act directed against another person, without the consent of the complainant, including instances where the complainant is incapable of giving consent.

(b) Rape (except statutory rape). Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, or by a sex-related object, without the consent of the complainant, including instances where the complainant is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.

(c) Fondling. The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of

the complainant, including instances where the complainant is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.

(d) Incest. Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

(e) Statutory rape. Nonforcible sexual intercourse with a person who is under the statutory age of consent.

(2) Consent. Consent to any sexual activity must be clear, knowing, and voluntary. Anything less is equivalent to a "no." Clear, knowing, and voluntary consent to sexual activity requires that, at the time of the act, and throughout the sexual contact, all parties actively express words or conduct that a reasonable person would conclude demonstrates clear permission regarding willingness to engage in sexual activity and the conditions of such activity. Consent is active; silence or passivity is not consent. Even if words or conduct alone seem to imply consent, sexual activity is nonconsensual when:

(a) Force or coercion is threatened or used to procure compliance with the sexual activity.

(i) Force is the use of physical violence, physical force, threat, or intimidation to overcome resistance or gain consent to sexual activity.

(ii) Coercion is unreasonable pressure for sexual activity. When an individual makes it clear through words or actions that the individual does not want to engage in sexual contact, wants to stop, or does not want to go past a certain point of sexual interaction, continued pressure beyond that point may be coercive. Other examples of coercion may include using blackmail or extortion to overcome resistance or gain consent to sexual activity.

(b) The person is asleep, unconscious, or physically unable to communicate their unwillingness to engage in sexual activity; or

(c) A reasonable person would or should know that the other person lacks the mental capacity at the time of the sexual activity to be able to understand the nature or consequences of the act, whether that incapacity is produced by illness, defect, the influence of alcohol or another substance, or some other cause. When alcohol or drugs are involved, a person is considered incapacitated or unable to give valid consent if the individual cannot fully understand the details of the sexual interaction (i.e., who, what, when, where, why, and how), and/or the individual lacks the capacity to reasonably understand the situation and to make rational, reasonable decisions.

(3) Use of alcohol or other drugs is not a valid defense to a violation of this policy.

[Statutory Authority: RCW 28B.30.150. WSR 24-23-093, s 504-26-221, filed 11/19/24, effective 12/20/24; WSR 21-07-057, § 504-26-221, filed 3/15/21, effective 4/15/21; WSR 17-13-049, § 504-26-221, filed 6/15/17, effective 7/16/17; WSR 14-11-025, § 504-26-221, filed 5/12/14, effective 6/12/14; WSR 06-23-159, § 504-26-221, filed 11/22/06, effective 12/23/06.]

WAC 504-26-222 Harassment (other than sex-based harassment or discriminatory harassment). Conduct by any means that is unwelcome and so severe, persistent, or pervasive that it would cause a reasonable person in the complainant's position to experience substantial emotional distress and/or undermine their ability to work, study, or

participate in regular life or university activities. This includes behavior carried out through digital or electronic means, such as social media platforms, blogs, text messages, and other online communication tools.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-222, filed 4/20/26, effective 8/1/26; WSR 24-23-093, s 504-26-222, filed 11/19/24, effective 12/20/24; WSR 21-07-057, § 504-26-222, filed 3/15/21, effective 4/15/21; WSR 14-11-025, § 504-26-222, filed 5/12/14, effective 6/12/14; WSR 06-23-159, § 504-26-222, filed 11/22/06, effective 12/23/06.]

WAC 504-26-223 Stalking. (1) Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

(a) Fear for their safety or the safety of others; or

(b) Suffer substantial emotional distress.

(2) Course of conduct means two or more acts including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

(3) Reasonable person means a reasonable person under similar circumstances and with similar identities to the complainant.

(4) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

(5) The use of alcohol or other drugs is not a valid defense to a violation of this policy.

[Statutory Authority: RCW 28B.30.150. WSR 24-23-093, s 504-26-223, filed 11/19/24, effective 12/20/24; WSR 21-07-057, § 504-26-223, filed 3/15/21, effective 4/15/21; WSR 14-11-025, § 504-26-223, filed 5/12/14, effective 6/12/14; WSR 11-11-031, § 504-26-223, filed 5/11/11, effective 6/11/11; WSR 06-23-159, § 504-26-223, filed 11/22/06, effective 12/23/06.]

WAC 504-26-224 Reckless endangerment. Engaging in conduct that creates an unreasonable risk of harm to another person or property and/or other conduct that undermines the safety of the university community or any person. Reckless endangerment may include, but is not limited to:

(1) Operating a vehicle while intoxicated;

(2) Operating a vehicle with blatant disregard for the safety of other people and/or property;

(3) Placing hazards in a public right of way;

(4) Throwing objects at moving vehicles or out of buildings;

(5) Tampering with or removing safety equipment and/or signage.

(6) Distribution of a controlled substance or alcohol.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-224, filed 4/20/26, effective 8/1/26; WSR 24-23-093, s 504-26-224, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-224, filed 11/21/22, effective 1/1/23; WSR 06-23-159, § 504-26-224, filed 11/22/06, effective 12/23/06.]

WAC 504-26-225 Trespassing. Knowingly entering or remaining unlawfully in or on university premises or any portion thereof. Any person who has been given notice by a university official of the university's decision to exclude them from all or a portion of the university premises is not licensed, invited, or otherwise privileged to enter or remain on the identified portion of university premises, unless given prior explicit written permission by university administration.

[Statutory Authority: RCW 28B.30.150. WSR 18-23-083, § 504-26-225, filed 11/19/18, effective 12/20/18; WSR 08-05-001, § 504-26-225, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-225, filed 11/22/06, effective 12/23/06.]

WAC 504-26-227 Title IX sexual harassment. Conduct on the basis of sex that satisfies one or more of the following:

(1) A WSU student conditioning the provision of a WSU aid, benefit, or service on an individual's participation in unwelcome sexual conduct;

(2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to WSU's education programs or activities;

(3) "Sexual assault" as defined in 20 U.S.C. 1092 (f)(6)(A)(v);

(4) "Dating violence" as defined in 34 U.S.C. 12291 (a)(11);

(5) "Domestic violence" as defined in 34 U.S.C. 12291 (a)(12); or

(6) "Stalking" as defined in 34 U.S.C. 12291 (a)(36).

[Statutory Authority: RCW 28B.30.150. WSR 25-20-053, s 504-26-227, filed 9/25/25, effective 10/26/25; WSR 24-23-093, s 504-26-227, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-227, filed 11/21/22, effective 1/1/23; WSR 21-07-057, § 504-26-227, filed 3/15/21, effective 4/15/21; WSR 18-23-083, § 504-26-227, filed 11/19/18, effective 12/20/18; WSR 14-11-025, § 504-26-227, filed 5/12/14, effective 6/12/14.]

WAC 504-26-230 Retaliation. (1) Intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by university policies, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing.

(2) First amendment activities do not constitute retaliation.

[Statutory Authority: RCW 28B.30.150. WSR 21-07-057, § 504-26-230, filed 3/15/21, effective 4/15/21; WSR 18-23-083, § 504-26-230, filed 11/19/18, effective 12/20/18; WSR 14-11-025, § 504-26-230, filed 5/12/14, effective 6/12/14.]

WAC 504-26-231 Intimate partner violence. Intimate partner violence is defined as:

(1) Dating violence, which is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship is determined based on the:

(a) Length of the relationship;

(b) Type of relationship; and

(c) Frequency of interaction between the persons involved in the relationship.

(2) Domestic violence, which is defined as a felony or misdemeanor crime of violence committed by:

(a) A current or former spouse or intimate partner of the complainant or a person similarly situated to a spouse of the complainant;

(b) A person with whom the complainant shares a child in common;

(c) A person who is cohabitating with, or has cohabitated with, the complainant as a spouse or intimate partner;

(d) A person similarly situated to a spouse of the complainant under the domestic or family violence laws of Washington; or

(e) Any other person against an adult or youth complainant who is protected from that person's act under the domestic or family violence laws of Washington.

[Statutory Authority: RCW 28B.30.150. WSR 24-23-093, s 504-26-231, filed 11/19/24, effective 12/20/24; WSR 21-07-057, § 504-26-231, filed 3/15/21, effective 4/15/21.]

PART IV
PROCEDURES

WAC 504-26-401 Initiating conduct proceedings. (1) Complaints. Any member of the university community may submit a complaint that a student or registered student organization violated the standards of conduct. In matters that would constitute a violation of UPPM 10.60, the complaint must be submitted to CCR or initiated by CCR pursuant to UPPM 10.60. In addition, CCS may initiate conduct proceedings when it receives any direct or indirect report of conduct that may violate the standards of conduct.

(2) Decision not to refer the matter to a hearing. If the conduct officer decides not to refer the matter to a hearing, the conduct officer may notify the complainant in writing of the decision, the reasons for the decision, and how to seek review of the decision. Conduct matters may be reopened if new relevant information becomes known. A conduct officer cannot dismiss a matter received from CCR where CCR completed an investigation implicating Title IX. In such cases, the matter must be referred to a conduct hearing, which must be held within 60 days of the date the CCR investigation is completed, unless good cause exists to extend the date of the hearing or the matter is resolved through agreement or alternative dispute resolution.

(3) Agreement and alternative dispute resolution. A conduct officer may resolve a matter by agreement. Agreements may be reached directly or through alternative dispute resolution including, but not limited to, shuttle diplomacy or mediation. Parties involved in matters implicating UPPM 10.60 also may participate in an informal resolution process outlined in UPPM 10.60 and the CCR procedural guidelines at any time prior to a determination of responsibility. When resolution of a matter is reached by agreement or alternative dispute resolution, the agreement must be in writing and signed by the parties and the conduct officer. In the agreement, the parties must be advised in writing that:

(a) The disposition is final and they are waiving any right to a hearing on the matter, including any right to appeal; and

(b) If any party decides not to sign the agreement, and the matter proceeds to a hearing, neither the agreement nor a party's refusal to sign will be used against either party at the hearing.

(4) Referral for adjudication. Except as provided in subsection (2) of this section, if CCS determines that a conduct hearing is warranted, and the matter is not resolved through agreement or alternative dispute resolution, the matter is handled through either a brief adjudication in accordance with WAC 504-26-402 or a full adjudicative proceeding in accordance with WAC 504-26-403. In determining which process is appropriate, CCS considers factors including, but not limited to, the nature and severity of the allegations, the respondent's past contacts with CCS, and the range of possible sanctions that would be appropriate given the alleged conduct. A student may request a full adjudicative proceeding, but the final decision regarding whether to refer the matter to a full adjudicative proceeding for resolution is made by CCS and is not subject to appeal.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-401, filed 4/20/26, effective 8/1/26; WSR 25-20-053, s 504-26-401, filed 9/25/25, effective 10/26/25; WSR 24-23-093, s 504-26-401, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-401, filed 11/21/22, effective 1/1/23; WSR 21-07-057, § 504-26-401, filed 3/15/21, effective 4/15/21; WSR 18-23-083, § 504-26-401, filed 11/19/18, effective 12/20/18; WSR 17-13-049, § 504-26-401, filed 6/15/17, effective 7/16/17; WSR 15-11-041, § 504-26-401, filed 5/14/15, effective 6/14/15; WSR 15-01-080, § 504-26-401, filed 12/15/14, effective 1/15/15; WSR 11-11-031, § 504-26-401, filed 5/11/11, effective 6/11/11; WSR 08-05-001, § 504-26-401, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-401, filed 11/22/06, effective 12/23/06.]

WAC 504-26-402 Brief adjudications. (1) Adoption of model rules of procedure. Brief adjudications are governed by the Administrative Procedure Act, RCW 34.05.482 through 34.05.494, and chapter 10-08 WAC, Model rules of procedure, except as otherwise provided in this chapter. In the event of a conflict between the rules in this chapter and the model rules, this chapter governs.

(2) Notice of hearing. The parties must be provided with written notice no later than seven calendar days prior to a brief adjudication. The notice must include:

(a) A brief description of the factual allegations or issues involved;

(b) The specific standard of conduct provision(s) the respondent is alleged to have violated;

(c) The time, date, and location of the hearing or the process to schedule the hearing, if the hearing is attended by the parties;

(d) Information regarding what to expect during the student conduct process and student rights including, but not limited to:

(i) A statement that the parties have the right to have an advisor present at the hearing;

(ii) A statement regarding the right not to self-incriminate in accordance with WAC 504-26-045; and

(iii) Information regarding the right to request recusal of a conduct officer or community standards board member under WAC 504-26-125;

(e) Available resources, including how to access an information session;

(f) A statement that any request to modify the time or date of the hearing should be addressed to CCS;

(g) A statement that respondents are presumed "not responsible" for the pending allegations; and

(h) A statement that violations are determined by a preponderance of the evidence, meaning that it is more likely than not that the violation occurred.

(3) Hearing and possible outcomes.

(a) Brief adjudications are conducted in accordance with RCW 34.05.482 through 34.05.494. The hearing allows for an objective evaluation and review of available information, the rendering of a decision regarding responsibility, and assigned sanctions, as appropriate.

(i) In conduct hearings, the conduct officer may engage in further questioning of parties and witnesses as needed to evaluate the allegations and assess credibility.

(ii) In community standards board hearings, the board may engage in further questioning of parties who attend the hearing as needed to evaluate the allegations and assess credibility.

(b) Upon conclusion of the hearing, the following actions may be taken:

(i) Respondent found responsible for any or all of the alleged violations and assign sanctions as provided in WAC 504-26-425; or

(ii) Respondent found not responsible for any or all of the alleged violations.

(c) In conduct hearings, the conduct officer may take the actions outlined in (b) of this subsection or dismiss the matter with no finding regarding responsibility, in which case the matter may be reopened at a later date if relevant new information becomes known.

(4) Notice of decision and right to appeal. The parties are notified, in writing, of the decision within 30 calendar days of the brief adjudication or, upon notification in writing, within an extended total of 90 calendar days. This is the initial order of the university and must include:

(a) Description of the allegations that initiated the community standards process;

(b) Description of procedural steps taken from the receipt of the formal complaint up to and including the outcome of the brief adjudication, as well as a rationale for such determinations;

(c) Appropriately numbered findings of fact and conclusions;

(d) The sanction(s) to be assigned, if any, and the rationale for the sanction(s);

(e) Information regarding the parties' right to appeal according to WAC 504-26-420, including the time frame for seeking review; and

(f) Notice that the initial order becomes final unless an appeal is filed within 20 calendar days of the date the initial order is sent to the parties.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-402, filed 4/20/26, effective 8/1/26; WSR 24-23-093, s 504-26-402, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-402, filed 11/21/22, effective 1/1/23; WSR 21-07-057, § 504-26-402, filed 3/15/21, effective 4/15/21; WSR 18-23-083, § 504-26-402, filed

11/19/18, effective 12/20/18; WSR 17-13-049, § 504-26-402, filed 6/15/17, effective 7/16/17; WSR 16-08-014, § 504-26-402, filed 3/28/16, effective 4/28/16; WSR 15-01-080, § 504-26-402, filed 12/15/14, effective 1/15/15; WSR 12-04-049, § 504-26-402, filed 1/30/12, effective 3/1/12; WSR 11-11-031, § 504-26-402, filed 5/11/11, effective 6/11/11; WSR 08-05-001, § 504-26-402, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-402, filed 11/22/06, effective 12/23/06.]

WAC 504-26-403 Full adjudications. (1) Adoption of model rules of procedure. Full adjudications are governed by the Administrative Procedure Act, RCW 34.05.413 through 34.05.476, and chapter 10-08 WAC, Model rules of procedure, except as otherwise provided in this chapter. In the event of a conflict between the rules in this chapter and the model rules, this chapter governs.

(2) Notice of hearing. Notice to the parties of a full adjudicative proceeding must comply with model rule WAC 10-08-040 and standards of conduct rule WAC 504-26-035. In addition, information regarding the student conduct process and student rights, as required by WAC 504-26-401 must be provided.

(3) Time for hearings. The full adjudicative proceeding is scheduled no less than seven calendar days after the parties have been sent notice of the hearing.

In accordance with WAC 10-08-090, requests to extend the time and/or date for hearing must be addressed to the presiding officer. A request for an extension of time is granted only upon a showing of good cause.

(4) Subpoenas. Subpoenas may be issued and enforced in accordance with model rule WAC 10-08-120. In determining whether to issue, quash, or modify a subpoena, the presiding officer must give due consideration to state and federal legal requirements including, but not limited to, Title IX, its implementing regulations, and guidance issued by the federal Office for Civil Rights. The party requesting the subpoena has the burden of showing that a subpoena is necessary for full disclosure of all the relevant facts and issues.

(5) Discovery. Depositions and interrogatories are not permitted in adjudications of student conduct matters. Other forms of discovery may be permitted at the discretion of the presiding officer; however, discovery should be limited to help ensure the prompt completion of the adjudication process.

(6) Direct questioning and cross-examination. As required by RCW 34.05.449, direct and cross-examination of witnesses is permitted to the extent necessary for full disclosure of all relevant facts and issues.

(a) Direct questioning and cross-examination is conducted by the party or the party's advisor or representative in a respectful manner. Prior to asking or allowing any direct and cross-examination question, the presiding officer must first determine whether the question is relevant, permissible, clear, not repetitive and not harassing. If a presiding officer excludes a question, the presiding officer must explain the rationale for exclusion and provide the party and/or advisor an opportunity to clarify or revise their question.

(b) At no point may a party personally cross-examine the other party when the other party is testifying as a witness or directly cross-examine other witnesses in a full-adjudicative hearing involving allegations of Title IX sexual harassment. If necessary, the universi-

ty provides an advisor to the parties for the purposes of direct questioning and cross-examination in full adjudicative hearings involving allegations related to Title IX.

(c) The university, when represented by a member of CCS staff, is not required to have an advisor or representative for the purposes of engaging in cross-examination questioning or direct questioning of witnesses.

(7) Decision requirements. Decisions regarding responsibility and sanctions are made by the presiding officer.

(8) Notice of decision and right to appeal. The parties are notified, in writing, of the decision within 30 calendar days of the full adjudication or, upon notification in writing, within an extended total of 90 calendar days. The initial order of the university must contain the following:

(a) Description of the allegations that initiated the community standards process;

(b) Description of procedural steps taken from the receipt of the formal complaint up to and including the outcome of the full adjudicative proceeding;

(c) Appropriately numbered findings of fact, conclusions, and rationale for each result;

(d) The sanction(s) and/or remedy(ies) to be assigned, if any, and the rationale for the sanction(s) and/or remedy(ies);

(e) Information regarding the parties' right to appeal according to WAC 504-26-420, including the time frame for seeking review; and

(f) Notice that the initial order becomes final unless an appeal is filed within 20 calendar days of the date the initial order is sent to the parties.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-403, filed 4/20/26, effective 8/1/26; WSR 25-20-053, s 504-26-403, filed 9/25/25, effective 10/26/25; WSR 24-23-093, s 504-26-403, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-403, filed 11/21/22, effective 1/1/23; WSR 21-07-057, § 504-26-403, filed 3/15/21, effective 4/15/21; WSR 18-23-083, § 504-26-403, filed 11/19/18, effective 12/20/18; WSR 16-08-014, § 504-26-403, filed 3/28/16, effective 4/28/16; WSR 15-11-041, § 504-26-403, filed 5/14/15, effective 6/14/15; WSR 15-01-080, § 504-26-403, filed 12/15/14, effective 1/15/15; WSR 11-11-031, § 504-26-403, filed 5/11/11, effective 6/11/11; WSR 08-05-001, § 504-26-403, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-403, filed 11/22/06, effective 12/23/06.]

WAC 504-26-409 Emergency suspension. (1) Definition. An emergency suspension is a temporary exclusion of a student from all or specified portions of university premises, programs, or activities pending an investigation or conduct hearing relating to alleged standards of conduct violations. An emergency suspension may be assigned at any time prior to the issuance of the university's final order in the matter.

(2) Circumstances warranting emergency suspension. Emergency suspension may be assigned only in situations when the dean of students or a vice chancellor for student affairs (in consultation with CCS), or their designee, has engaged in an individualized safety and risk analysis, and determines that removal is justified because the student:

(a) Allegedly has violated any provision of the standards of conduct; and

(b) If the allegations in (a) of this subsection are true, the student is an imminent and serious threat to the health or safety of any student, employee, or other individual. Conduct that creates an ongoing disruption of, or interference with, the operations of the university and that prevents other students, employees, or invitees from completing their duties or accessing their education or the educational environment, is conduct harmful to the welfare of members of the university community.

(3) Procedure. The dean of students or a vice chancellor for student affairs, or their designee, ordering an emergency suspension must send the student a written notice of emergency suspension. The notice must contain the reasons for the decision (both the factual basis and the conclusions as to why those facts constitute a violation of the standards of conduct), the policy reasons for the emergency suspension, and the process to challenge the decision. The emergency suspension does not replace the community standards process, which must proceed to a conduct hearing, as applicable, as quickly as feasible unless the emergency suspension is lifted earlier by the individual who issued the original emergency suspension or the individual who reviewed the student's challenge to an emergency suspension. If an emergency suspension is lifted prior to the hearing, the conduct officer determines whether to refer the matter to a hearing. Once a final order or agreement is entered, any emergency suspension is lifted and the sanction, if any, set forth in the final order or agreement is assigned.

(4) Challenge of the decision. The student can challenge the emergency suspension decision within 10 calendar days of the date of notice. Challenges are reviewed by the vice provost for student affairs or their designee, provided the designee is not the same person who made the original emergency suspension decision. The vice provost for student affairs or designee has 10 calendar days to respond to the challenge and can uphold, reverse, or modify the emergency suspension. If the challenge is not reviewed within 10 calendar days, it is automatically deemed upheld. The submission of a challenge does not stay the emergency suspension decision.

[Statutory Authority: RCW 28B.30.150. WSR 25-20-053, s 504-26-409, filed 9/25/25, effective 10/26/25; WSR 24-23-093, s 504-26-409, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-409, filed 11/21/22, effective 1/1/23; WSR 21-07-057, § 504-26-409, filed 3/15/21, effective 4/15/21; WSR 18-23-083, § 504-26-409, filed 11/19/18, effective 12/20/18.]

WAC 504-26-415 Procedure for academic integrity violations. (1) Initial hearing.

(a) When an instructor believes that an academic integrity violation has occurred, the instructor must make at least one reasonable attempt to meet with the respondent.

(b) After making at least one reasonable attempt to meet with respondent, the instructor determines responsibility using a preponderance of the evidence standard, defined in WAC 504-26-040, as to whether it is more likely than not that the respondent is responsible for an academic integrity violation as defined in WAC 504-26-202.

(c) If the instructor finds that the student is responsible for an academic integrity violation, the instructor must inform the respondent in writing that they:

(i) Are being found responsible for an academic integrity violation; and

(ii) Have the right to appeal the decision through CCS.

(d) Instructors are required to submit a report to CCS that includes:

(i) All evidence used to make the finding of responsibility;

(ii) The course syllabus and any other documentation that defines the established course expectations for academic integrity;

(iii) A copy of their communication with the student that includes the requirements outlined in (c) of this subsection;

(iv) Documentation of the reasonable attempt made to meet with the respondent before making a decision.

(e) If the instructor does not meet the reporting instructions in (c) of this subsection, CCS may refer the reported violation back to the instructor with additional instructions. The instructor must submit a new report, or they must grade the assignment as if no academic integrity violation occurred.

(2) Appeal.

(a) Time for appeals. Decisions become final on the 21st calendar day after the date the respondent is notified in writing of their right to appeal, unless an appeal is submitted within 20 calendar days of the date the decision is sent to the parties.

(b) Scope of review. The community standards board reviews all information submitted by the instructor to CCS and all information submitted by the respondent in their appeal to determine the following:

(i) Whether the communication and reporting requirements under subsection (1)(c) and (d) of this section were completed;

(ii) Whether the initial decision was based on a preponderance of the evidence standard as defined in WAC 504-26-040; and

(iii) Whether the sanction assigned by the instructor was in alignment with the published course policies and/or syllabus statement(s).

(c) Actions. After reviewing the record, as defined in (b) of this subsection, the community standards board may take the following actions:

(i) Affirm, reverse, or modify the initial decision of responsibility based upon the scope of review defined in (b) of this subsection; or

(ii) Affirm, reverse, or modify the sanction assigned by the instructor if it was more severe than outlined in the published course policies and/or syllabus statement(s); or

(iii) Reverse the sanction assigned by the instructor if the respondent is found not responsible.

(d) Outcomes. The respondent and instructor must adhere to all determinations made by the community standards board as outlined in (b) of this subsection and any other remedies assigned by the community standards board including, but not limited to, having the respondent's assignment evaluated as if no academic violation took place or changing a grade when the community standards board affirms, reverses, or modifies an initial decision.

(e) Notice of decision and right to appeal. The parties are notified, in writing, of the decision within 30 calendar days of the com-

munity standards board hearing or, upon notification in writing, within an extended total of 90 calendar days.

(i) The written decision of the community standards board, in accordance with WAC 504-26-415, is the university's final order.

(ii) Decision letters are sent to the respondent, instructor, chair, and/or dean.

(f) Content of decision. The decision includes the outcome, any remedies, and a brief statement of the reasons for the decision. The letter must advise the parties that judicial review may be available.

(3) After a finding of responsibility, either upon expiration of the appeal period or the community standards board decision, the matter is referred to CCS for sanctioning separate from, and in addition to, any academic sanctions assigned by the instructor.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-415, filed 4/20/26, effective 8/1/26; WSR 24-23-093, s 504-26-415, filed 11/19/24, effective 12/20/24; WSR 24-10-031, § 504-26-415, filed 4/23/24, effective 5/24/24; WSR 22-23-142, § 504-26-415, filed 11/21/22, effective 1/1/23; WSR 21-07-057, § 504-26-415, filed 3/15/21, effective 4/15/21; WSR 18-23-083, § 504-26-415, filed 11/19/18, effective 12/20/18.]

WAC 504-26-420 Appeals. (1) Time for appeals. Conduct hearing decisions become final on the 21st calendar day after the date the decision is sent to the parties, unless an appeal is submitted within 20 calendar days of the date the decision is sent to the parties.

(2) Effect of appeal - Stay. Except in extraordinary circumstances, which must be explained in writing in the decision maker's initial decision, the implementation of an initial decision assigning sanctions must be stayed pending the time for filing an appeal and the issuance of the university's final order.

(3) Appeals. Upon receipt of a timely appeal of a university initial decision, CCS provides the other parties with applicable party rights, as defined in WAC 504-26-010, with a copy of the appeal and an opportunity to respond within 10 calendar days.

(a) Brief adjudication scope of review. Except as required to explain the basis of new information, appeal of a brief adjudication decision is limited to a review of the record for one or more of the following purposes:

(i) To determine whether the hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures; deviations from designated procedures are not a basis for sustaining an appeal unless procedural error affected the outcome of the matter;

(ii) To determine whether the decision was based on a preponderance of the evidence, meaning it is more likely than not that the standards of conduct violation occurred;

(iii) To determine whether the sanction(s) assigned were appropriate for the violation of the standards of conduct that the respondent was found to have committed;

(iv) To consider new information, sufficient to alter a decision, or other relevant facts not brought out in the original brief adjudication, because such information and/or facts were not known to the person appealing at the time of the original brief adjudication;

(v) To consider whether or not the university had jurisdiction per WAC 504-26-015 to address the situation through the community standards process; or

(vi) To consider whether the investigator(s) or decision maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

(b) Full adjudicative proceeding scope of review. In addition to the criteria listed in (a) of this subsection, the appeals board members for full adjudicative proceeding appeals must make a separate and independent decision in the matter and personally consider the whole record.

The appeals board must have and exercise all the decision-making power that the decision maker had, except that the appeals board must give due regard to the decision maker's opportunity to observe the witnesses, if applicable.

(4) University's right to initiate appeal. The university president or designee, at their own initiative, may request that the appeals board review any initial order.

(5) Appeals board decisions.

(a) Actions. After reviewing the record, appeals, and responses to appeals (when applicable), the following actions may occur:

(i) Affirm, reverse, or modify the initial decision, or any part of the decision; or

(ii) Affirm, reverse, or modify the sanctions and/or remedies, or any part of the sanctions and/or remedies.

(b) In addition to the actions in (a) of this subsection, if requested by a party, the community standards board may review whether there was a procedural or policy compliance issue that could have negatively impacted the outcome of the case. If the community standards board determines there was a procedural or policy compliance issue that did negatively impact the outcome of the case, the community standards board may remand the case to a hearing of the same type. When a case is remanded, the initial decision is vacated, and it is no longer the initial decision.

(c) Content of decision. The decision includes the outcome, any sanction and/or remedy, and a brief statement of the reasons for the decision. The letter must advise the parties that judicial review may be available. For appeals of full adjudicative proceedings, the decision includes, or incorporates by reference to the presiding officer's decision, all matters as set forth in WAC 504-26-403(8).

(d) Service and effective date of decision. For appeals of brief adjudicative proceedings, the appeals board's decision must be sent simultaneously to the parties within 20 calendar days of receipt of the appeal. For appeals of full adjudicative proceedings, the appeals board's decision must be sent simultaneously to the parties within 30 calendar days of receipt of the appeal, unless the appeals board notifies the parties in writing that additional time (up to 90 calendar days) is needed. The appeals board's decision is the final order of the university, except in the case of remand, and is effective when sent.

(6) Reconsideration of final orders. Within 10 calendar days of service of a final order, any party may submit a request for reconsideration. The request must be in writing, directed to the appeals board, and must state the reasons for the request. The request for reconsideration does not stay the effective date of the final order. However, the time for filing a petition for judicial review does not

commence until the date the appeals board responds to the request for reconsideration or 21 calendar days after the request has been submitted, whichever is sooner. If the appeals board does not respond to the request for reconsideration within 21 calendar days, the request is deemed to have been denied.

(7) Stay. A party may request that the university delay the date that the final order becomes effective by requesting a stay in writing to the appeals board within 10 calendar days of the date the order was served.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-420, filed 4/20/26, effective 8/1/26; WSR 24-23-093, s 504-26-420, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-420, filed 11/21/22, effective 1/1/23; WSR 21-07-057, § 504-26-420, filed 3/15/21, effective 4/15/21; WSR 18-23-083, § 504-26-420, filed 11/19/18, effective 12/20/18.]

WAC 504-26-425 Sanctions. (1) Publication of guidelines for sanctioning. Sanctioning guidelines and other information regarding sanctioning must be published on the university website. Guidelines must explain in plain language the types of sanctions that a respondent may face for a particular violation and the factors that are used to determine the sanction(s) assigned for a particular violation.

(2) Factors for sanctioning must include, but not be limited to, the following:

(a) Conduct record. Any record of past violations of the standards of conduct, and the nature and severity of such past violations;

(b) Malicious intent. If a respondent is found to have intentionally selected a complainant based upon the respondent's perception of the complainant's race, color, religion, national or ethnic origin, age, sex/gender, marital status, status as an honorably discharged veteran or member of the military, sexual orientation, genetic information, gender identity/expression, or mental, physical, or sensory disability (including disability requiring the use of a trained service animal), such finding is considered an aggravating factor in determining a sanction for such conduct;

(c) Impact on complainant and/or university community;

(d) Applicable local, state, or federal laws that define sanctioning.

(3) Effective date of sanctions. Except as provided in WAC 504-26-420(2), sanctions are implemented when a final order becomes effective. If no appeal is filed, an initial order becomes a final order on the day after the period for requesting review has expired. (See WAC 504-26-420.)

(4) Types of sanctions. The following sanctions may be assigned to any respondent found to have violated the standards of conduct. More than one of the sanctions listed below may be assigned for any single violation:

(a) Warning. A notice in writing to the respondent that the respondent is violating or has violated the standards of conduct.

(b) Probation. Formal action placing conditions upon the respondent's continued attendance, recognition, or registration at the university. Probation is for a designated period of time and warns the respondent that suspension, expulsion, loss of recognition, or any other sanction outlined in this section may be assigned if the respondent is found to have violated the standards of conduct or any in-

stitutional regulation(s) or fails to complete any conditions of probation during the probationary period. A respondent on probation is not eligible to run for or hold an office in any registered student group or organization; they are not eligible for certain jobs on campus including, but not limited to, resident advisor or orientation counselor; and they are not eligible to serve on the community standards board.

(c) Loss of privileges. Denial of specified privileges for a designated period of time.

(d) Restitution. Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

(e) Education. Requirement to successfully complete an educational project designed to create an awareness of the respondent's misconduct.

(f) Community service. Assignment of service hours (not to exceed 80 hours per respondent or per member of a registered student organization).

(g) University housing suspension. Separation of the respondent from a residence hall or halls for a definite period of time, after which the respondent may be eligible to return. Conditions for readmission may be specified.

(h) University housing expulsion. Permanent separation of the respondent from a residence hall or halls.

(i) University suspension. Separation of the respondent from the university for a definite period of time. The respondent may be required to request readmission after completing a suspension per other university policy.

(j) University expulsion. Permanent separation of the respondent from the university. Also referred to as university dismissal. The terms are used interchangeably throughout this chapter.

(k) Revocation of admission and/or degree. Admission to or a degree awarded from the university may be revoked for fraud, misrepresentation, or other violation of law or standard of conduct in obtaining the degree or admission, or for other serious violations committed by a respondent before awarding of the degree.

(l) Withholding degree. The university may withhold awarding a degree otherwise earned until the completion of the process set forth in these standards of conduct, including the completion of all sanctions assigned, if any.

(m) Trespass. A respondent may be restricted from any or all university premises based on their misconduct.

(n) Loss of recognition. A registered student organization's recognition (or ability to register) may be withheld permanently or for a specific period of time. Loss of recognition is defined as withholding university services, privileges, or administrative approval from a registered student organization. Services, privileges, and approval to be withdrawn may include, but are not limited to, intramural sports (although individual members may participate), information technology services, university facility use and rental, student engagement office organizational activities, and their liaison relationship with the center for fraternity and sorority life.

(o) Hold on transcript and/or registration. A hold restricts release of a respondent's transcript or access to registration until satisfactory completion of conditions or sanctions assigned by a conduct officer or university conduct board. Upon proof of satisfactory completion of the conditions or sanctions, the hold is released.

(p) No contact directive. A prohibition of direct or indirect physical, verbal, and/or written contact with another individual or group.

(q) Fines. Previously established and published fines may be assigned. Fines are established each year prior to the beginning of the academic year and are approved by the vice provost for student affairs.

(r) Additional sanctions for hazing. In addition to other sanctions, a respondent who is found responsible for hazing forfeits any entitlement to state-funded grants, scholarships, or awards for a specified period of time, in accordance with RCW 28B.10.902. Any registered student organization that is found responsible for hazing must lose recognition for a specified period of time.

(s) Remedies. Sanctions designed to restore or preserve a complainant's equal access to the university's educational programs or activities.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-425, filed 4/20/26, effective 8/1/26; WSR 25-20-053, s 504-26-425, filed 9/25/25, effective 10/26/25; WSR 24-23-093, s 504-26-425, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-425, filed 11/21/22, effective 1/1/23; WSR 21-07-057, § 504-26-425, filed 3/15/21, effective 4/15/21; WSR 18-23-083, § 504-26-425, filed 11/19/18, effective 12/20/18.]

PART V
ADMINISTRATION AND RECORDS

WAC 504-26-504 Interpretation—Policies, procedures, and guidelines. (1) The dean of students or designee has authority to interpret these rules and develops policies, procedures, and guidelines for the administration of the university's student conduct system that are consistent with the provisions in this chapter. These must be published, at a minimum, on the university website. A link to the website must be provided to parties during their initial contact from CCS.

(2) Definitions from these standards are incorporated into UPPM 10.60.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-504, filed 4/20/26, effective 8/1/26; WSR 24-23-093, s 504-26-504, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-504, filed 11/21/22, effective 1/1/23; WSR 21-07-057, § 504-26-504, filed 3/15/21, effective 4/15/21; WSR 18-23-083, § 504-26-504, filed 11/19/18, effective 12/20/18.]

WAC 504-26-510 Good faith exemptions. (1) Good Samaritan policy. CCS may elect not to initiate a conduct proceeding regarding alcohol or other drug violations against a student or registered student organization who, while in the course of helping another person seek medical assistance, admits to the unlawful possession or use of alcohol or drugs, provided that the possession was for personal consumption and the use did not place the health or safety of any other person at risk. In addition, CCS may elect not to initiate a conduct pro-

ceeding against a complainant who admits to the possession or use of alcohol or drugs in connection with a report under this policy.

(2) A person who witnesses hazing or has reasonable cause to believe hazing has occurred or will occur and makes a report in good faith may not be sanctioned or punished for the violation of hazing unless the person is directly engaged in the planning, directing, or act of hazing reported.

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-510, filed 4/20/26, effective 8/1/26; WSR 24-23-093, s 504-26-510, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-510, filed 11/21/22, effective 1/1/23; WSR 18-23-083, § 504-26-510, filed 11/19/18, effective 12/20/18.]

WAC 504-26-515 Periodic review and assessment. At the end of each academic year, CCS provides a report to the dean of students which must include, at a minimum, a numerical breakdown of the types of matters handled and the sanctions assigned. The dean of students must make the report publicly available, provided all personally identifiable or readily ascertainable student information is removed.

The standards of conduct and the student conduct system as a whole are reviewed every three years under the direction of the dean of students or designee. The student government council is asked to provide recommendations and input on proposed changes. After completion of any adjudication or other resolution of a student conduct matter, CCS must send a survey to all parties requesting feedback on the process. Feedback results must be reviewed, at a minimum, every three years in connection with the periodic review and assessment.

[Statutory Authority: RCW 28B.30.150. WSR 22-23-142, § 504-26-515, filed 11/21/22, effective 1/1/23; WSR 21-07-057, § 504-26-515, filed 3/15/21, effective 4/15/21; WSR 18-23-083, § 504-26-515, filed 11/19/18, effective 12/20/18.]

WAC 504-26-520 Conduct hold on student record. When a student leaves the university or completes course work required for a degree after an incident occurs that could result in violations of the standards of conduct, CCS may place a conduct hold on the student's record. A conduct hold may also be placed on the student's account if the student has failed to adequately complete sanctions by the proscribed timeline. A conduct hold may restrict the student from adding or dropping classes, requesting an official transcript, or receiving a degree from the university until the hold is removed. CCS must advise the student of the hold and the process for challenging the hold. A conduct hold under these circumstances is not a sanction and does not imply or assume responsibility for a violation of the standards of conduct.

[Statutory Authority: RCW 28B.30.150. WSR 22-23-142, § 504-26-520, filed 11/21/22, effective 1/1/23; WSR 18-23-083, § 504-26-520, filed 11/19/18, effective 12/20/18.]

WAC 504-26-525 Good standing. The award of a degree and/or diploma is conditioned upon the student's good standing in the universi-

ty and satisfaction of all university graduation requirements. "Good standing" means the student has resolved any acts of academic or behavioral misconduct and complied with all sanctions assigned as a result of the misconduct. The university has the sole authority in determining whether to withhold the degree and/or diploma in cases where the student is not in good standing. The university must deny the award of a degree if the student is dismissed from the university based on their misconduct. Neither diplomas nor transcripts are sent until students have resolved any unpaid fees and resolved any acts of academic or behavioral misconduct and complied with all sanctions assigned as a result of misconduct. (See also academic regulation 45 in the university general catalog.)

[Statutory Authority: RCW 28B.30.150. WSR 21-07-057, § 504-26-525, filed 3/15/21, effective 4/15/21; WSR 18-23-083, § 504-26-525, filed 11/19/18, effective 12/20/18.]

WAC 504-26-530 Recordkeeping and confidentiality. (1) Removal of conduct record. A student may request removal of a single disciplinary violation from their record. Granting such a request is discretionary, and the student must make such a request in accordance with university policies and procedures.

(2) Conduct records are maintained in accordance with the university's records retention schedule.

(3) The conduct record is confidential and is released only as authorized under the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. Sec. 1232g; 34 C.F.R. Part 99) and chapter 504-21 WAC, University policy on student education records. Situations where CCS may release records include, but are not limited to, releases:

(a) To another educational institution, upon request, where the student seeks or intends to enroll;

(b) To a parent or legal guardian, if a student under the age of 21 is found responsible for a drug or alcohol violation;

(c) To comply with legally served search warrants and subpoenas;

(d) To other university employees, if there is an educational need for the employee to know the information;

(e) To inform the complainant of the outcome of any conduct proceeding involving a crime of violence as defined by FERPA;

(f) To inform the complainant of the outcome of any conduct proceeding alleging dating violence, domestic violence, sexual assault, or stalking as defined by the Clery Act (34 C.F.R. 668.46 (k)(2)(v)(A)).

(4) A student may request a copy of their own conduct record at their own reasonable expense by making a written request to CCS.

(5) Personally identifiable student information is redacted to protect other students' privacy, except as otherwise required by law or permitted by policy.

(6) A student may authorize release of their own conduct record to a third party in compliance with FERPA by making a written request to CCS.

[Statutory Authority: RCW 28B.30.150. WSR 24-23-093, s 504-26-530, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-530, filed 11/21/22, effective 1/1/23; WSR 18-23-083, § 504-26-530, filed 11/19/18, effective 12/20/18.]