

WAC 132S-91-010 Loss of eligibility—Student athletic participation. (1) Grounds for ineligibility. Any student found to have violated chapter 69.41 RCW, which prohibits the unlawful sale, delivery or possession of prescription drugs, shall, after hearing, be disqualified from participation in any school-sponsored athletic events or activities.

(2) Initiation of ineligibility proceedings. The dean or designee shall have the authority to request commencement of athletic ineligibility proceedings whenever they have reasonable cause to believe that the student has violated chapter 69.41 RCW or has been advised that the student has been convicted of a crime involving the violation of chapter 69.41 RCW. The notice of the alleged violations and proposed suspension and the opportunity for a hearing shall be given to the student at least ten days before the hearing. A student convicted of violating chapter 69.41 RCW in a separate criminal proceeding may be given by the dean or designee an interim suspension pending final determination of any administrative proceeding held under these rules. Should the student desire not to go forward with the hearing, the disqualification for participation in athletic events or activities shall be imposed as set forth in the notice of hearing to the student.

(3) Ineligibility proceedings. The president of the college or designee shall select a presiding officer who shall be a college officer who is not involved with the athletic program to conduct the brief adjudicative hearing. The presiding officer shall promptly conduct the hearing and permit the affected parties to explain both the college's view of the matter and the student's view of the matter. The brief adjudicative proceeding shall be conducted in accordance with the Administrative Procedure Act, currently RCW 34.05.482 through 34.05.494. A written decision shall be issued within ten calendar days of the conclusion of the brief adjudicative hearing.

[Statutory Authority: RCW 28B.50.140 and 20 U.S.C. § 1092(f) and Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 20-23-031, § 132S-91-010, filed 11/10/20, effective 12/11/20. Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-91-010, filed 5/25/16, effective 6/25/16.]