- WAC 495C-121-110 Appeals and referrals—Routing. (1) The respondent may appeal a disciplinary action by filing a written notice of appeal with the conduct review officer within twenty-one days of service of the student conduct officer's decision. Failure to file a timely notice of appeal constitutes a waiver of the right to appeal, and the student conduct officer's decision shall be deemed final.
- (2) The notice of appeal must include a brief statement explaining why the respondent is seeking review.
- (3) Except as provided in WAC 495C-121-230 or elsewhere in these rules, the parties to an appeal shall be the respondent and the student conduct officer.
- (4) On appeal, the student conduct officer bears the burden of establishing the factual elements of the alleged misconduct by a preponderance of the evidence, i.e., that it is more likely than not that the respondent engaged in the alleged misconduct.
- (5) Imposition of a disciplinary sanction and conditions shall be stayed during an appeal, except for a summary suspension that has been imposed under WAC 495C-121-190.
 - (6) The student conduct committee shall hear:
- (a) Appeals from disciplinary suspensions in excess of ten instructional days, and any related disciplinary condition(s);
- (b) Appeals from dismissals, and any related disciplinary condition(s); and
- (c) Cases referred by the student conduct officer, the conduct review officer, or the president.
- (7) Appeals from the following disciplinary sanctions and related disciplinary conditions shall be reviewed through a brief adjudicative proceeding:
- (a) Written disciplinary reprimands, and any related disciplinary condition(s);
- (b) Disciplinary probation, and any related disciplinary condition(s); and
- (c) Disciplinary suspensions of ten instructional days or less, and any related disciplinary condition(s).
- (8) Except as provided elsewhere in these rules, disciplinary warnings and terminations of proceedings are final actions and are not subject to appeal.

[Statutory Authority: RCW 28B.50.140. WSR 14-11-070, \$ 495C-121-110, filed 5/19/14, effective 6/19/14.]