

WAC 106-172-765 Conduct of the proceeding. (1) If informal proceedings fail to resolve the complaint of a student, the student may file with the vice president for student affairs and enrollment management a written request for the proceeding before a proceeding officer of the university to be designated by the vice president for student affairs and enrollment management, and who does not have a direct interest in the outcome of the proceeding.

(2) The proceeding shall be held within a reasonable time (not to exceed twenty working days) after the university has received the request and the student shall be given notice of the date, place, and time reasonably in advance of the proceeding.

(3) The student shall be given an opportunity to present evidence relevant to the issues raised in WAC 106-172-761(2) and may be represented by any person (including an attorney) of the student's choosing at his or her expense.

(4) A decision in writing shall be prepared within a reasonable period of time (not to exceed ten working days), which decision shall be based solely upon the evidence presented, and which includes a summary of the evidence and the reasons for the decision.

(5) If, as a result of the proceeding, the decision is:

(a) To amend the record, the university must do so accordingly and give notice to the student.

(b) Not to amend, the student must be allowed to place a written comment or explanation in the student's file, and it must be kept in the file as long as the file itself is kept. If the contested portion of the file is disclosed to anybody, the student's statement must also be disclosed.

(6) The designated proceeding officer shall be advised by the assistant attorney general representing the university.

[Statutory Authority: RCW 28B.10.528, 28B.35.120(12) and 41 C.R.F. [C.F.R.] 06-50. WSR 06-23-107, § 106-172-765, filed 11/17/06, effective 12/18/06. Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). WSR 94-21-048 (Order CWU AO 75), § 106-172-765, filed 10/12/94, effective 11/12/94. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). WSR 86-23-007 (Order 59), § 106-172-765, filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.40.120. WSR 78-08-011 (Order 39), § 106-172-765, filed 7/11/78; Order 35, § 106-172-765, filed 7/13/77.]