

WAC 132E-122-340 Full adjudicative process—Decision. (1) At the conclusion of the hearing, the student conduct committee shall permit the parties to make closing arguments in whatever form the committee wishes to receive them.

The committee may permit each party to propose findings, conclusions, and/or a proposed decision for its consideration.

(2) Within twenty days following the conclusion of the hearing or the receipt of closing arguments, the student conduct committee shall issue a decision in accordance with RCW 34.05.461 and WAC 132E-122-160 and 132E-122-200.

(a) The decision shall contain findings on:

(i) All material issues of fact, except for cases involving sexual misconduct;

(ii) Conclusions concerning which, if any, provisions of the conduct code were found to be violated; and

(iii) Any sanction(s).

(b) Any findings based substantially on the credibility of evidence or the demeanor of witnesses shall be so identified.

(3) The student conduct committee chair shall, within twenty days of the conclusion of the hearing, serve the decision to the respondent, the student conduct officer, and any complainant in a proceeding involving allegations of sexual misconduct, concurrently.

The recommended decision letter shall include notification that the review will be limited to reviewing the specific issues raised by the parties during the full adjudication proceedings.

(4) In a proceeding involving allegations of sexual misconduct, the review decision letter will explain the reasons for modifying any recommended disciplinary action with respect to such allegations.

(5) The decision will state whether the alleged misconduct was substantiated and will describe any sanctions or conditions imposed.

The copy of the decision provided to a complainant will be redacted as needed to exclude any confidential information not relating to sexual misconduct allegations.

[Statutory Authority: RCW 28B.50.140. WSR 18-01-119, § 132E-122-340, filed 12/19/17, effective 1/19/18.]