

WAC 172-121-020 Definitions. For purposes of the student conduct code, chapter 172-121 WAC, the definitions in this section apply.

"Appeal authority" refers to the conduct review official presiding over an appeal under WAC 172-121-130.

"Appellant" refers to any respondent or complainant who appeals the decisions or sanctions of a hearing authority under WAC 172-121-130.

"Business days" refers to the days and hours EWU is open for business. Business days are Monday through Friday, from 8:00 a.m. to 5:00 p.m., excluding holidays as set forth in EWU holiday schedule.

"Complainant" means the person who was subjected to the alleged misconduct. The complainant may or may not be the reporting party. If the person who was subjected to the alleged misconduct does not wish to pursue a student conduct case, EWU may initiate the student conduct process on its own behalf.

"Conduct review meeting" refers to a meeting before a conduct review officer for allegations that, if substantiated by a preponderance of evidence, would result in a sanction less than a suspension or expulsion and that do not involve felony-level crimes.

"Conduct review officer" or "CRO" refers to the person designated to serve as the decision maker for a conduct review meeting or the presiding officer for a full hearing.

"Council" or "the council" refers to the student disciplinary council as described in WAC 172-121-070.

"Council hearing" refers to a full conduct review hearing before the student disciplinary council.

"Dean of students" refers to the dean of students or designee.

"Director of SRR" or "director" refers to the director of student rights and responsibilities or designee.

"EWU" means Eastern Washington University.

"EWU official" includes any person employed or contracted by EWU, performing assigned administrative or professional responsibilities.

"EWU premises" means buildings and/or property (including adjacent streets and sidewalks) which are owned, leased, rented, or operated by EWU.

"EWU president" refers to EWU president or designee.

"Filing" means to actually deliver documents. Documents required to be filed with a specific person under these rules shall be deemed filed upon actual receipt during office hours at EWU. Papers may be filed by delivering them to the student rights and responsibilities office, sending them via United States mail, properly addressed, postage prepaid, to 129 Showalter Hall, or emailing them to srr@ewu.edu.

"Full hearing" refers to a full conduct reviewing hearing before the council for allegations that, if substantiated by a preponderance of the evidence, could result in a sanction of a suspension or expulsion or that could constitute felony-level crimes.

"Hearing authority" refers to the decision-maker in a conduct review hearing.

"Notify" means to provide notice to a person. A person may be notified in person, by telephone, by sending notice to the person's EWU email account, by leaving a message on their personal telephone, or by sending the notice in the United States mail, properly addressed, postage prepaid, to the person's last known address.

"Off-campus" refers to any location or facility that is not owned, leased, rented, or operated by Eastern Washington University.

"Party/parties" refers to the complainant, respondent, and/or EWU.

"Policies" or "EWU policy" refers to the written regulations of EWU, including the standards of conduct for students, residence life handbook, housing contract, EWU policies, and graduate/undergraduate catalogs and handbooks.

"Recognized student organizations" refers to clubs, organizations, societies or similarly organized groups recognized by EWU or the associated students of Eastern Washington University (ASEWU).

"Reporting party" means the person who notifies student rights and responsibilities of alleged misconduct by a student or student organization. The reporting party may also be the complainant, but need not be the complainant.

"Respondent" refers to any student or student organization accused of violating the student conduct code under this chapter.

"Serve" means to send a document through electronic mail addressed to the party's EWU-issued email address or, if the party does not have an EWU-issued email address, to the email address on record with EWU. 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 EWU 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. Recognized or registered student organizations are responsible for updating their mailing address with their designated EWU office.

"Session council" refers to the student disciplinary council members selected for a specific hearing or appeal.

"Student" includes all of the following:

(a) Any applicant who becomes enrolled, for violations of the code committed as part of the application process or committed following the applicant's submission of the application until the time of official enrollment;

(b) Any person who is enrolled or has been enrolled at EWU for up to 12 months from the last date they were enrolled;

(c) Nonmatriculated, international students attending institutes or foreign study programs through EWU; and

(d) Any person who was previously enrolled at EWU for violations of the code committed while enrolled regardless of when they were enrolled. A person who engaged in conduct in violation of the student conduct code while a student remains subject to action under this code even if the person has graduated, withdrawn, or is not currently enrolled for any reason.

"Title IX coordinator" refers to the Title IX coordinator or designee.

"Vice president for student affairs" refers to the vice president for student affairs or designee.

[Statutory Authority: RCW 28B.35.120(12). WSR 24-22-047, s 172-121-020, filed 10/28/24, effective 11/28/24; WSR 23-01-027, § 172-121-020, filed 12/9/22, effective 1/9/23; WSR 21-01-102, § 172-121-020, filed 12/11/20, effective 1/11/21; WSR 20-19-046, § 172-121-020, filed 9/10/20, effective 10/11/20; WSR 20-01-032, § 172-121-020, filed 12/6/19, effective 1/6/20. Statutory Authority: RCW 28B.35.120(12) and 42.56.070. WSR 19-01-047, § 172-121-020, filed 12/13/18, effective 1/13/19. Statutory Authority: RCW 28B.35.120(12). WSR 17-17-031, § 172-121-020, filed 8/9/17, effective 9/9/17; WSR 15-24-050, § 172-121-020, filed 11/23/15, effective 12/24/15; WSR

13-24-123, § 172-121-020, filed 12/4/13, effective 1/4/14; WSR
09-12-001, § 172-121-020, filed 5/20/09, effective 6/20/09.]