

WAC 106-125-055 Conduct review hearings—Initial decision. (1)
Conduct review officer - Authority.

(a) The conduct review officer will hear a respondent's appeal of disciplinary action imposing a conduct reprimand, conduct probation, conduct suspension not in excess of 10 days, removal from student housing, or denial of eligibility to participate in intercollegiate athletics.

(b) In a proceeding involving sexual misconduct or discriminatory harassment allegations, the conduct review officer will hear a complainant's appeal of disciplinary action dismissing the sexual misconduct or discriminatory harassment allegations or imposing, with respect to such allegations, a conduct reprimand, conduct probation, or conduct suspension not in excess of 10 days.

(c) The conduct review officer shall have the same authority as the student conduct officer to dismiss a proceeding, to impose a disciplinary sanction of conduct reprimand, conduct probation, or conduct suspension not in excess of 10 days, or to refer the matter for disciplinary action by the student conduct council.

(2) **Appeal hearing.** Appeals heard by the conduct review officer will be conducted as informal administrative hearings consistent with the rules for "brief adjudicative proceedings" under RCW 34.05.482 and WAC 106-08-050. The review officer shall provide each party an opportunity to explain the party's view of the matter.

(3) **Initial decision - Service.**

(a) Within 10 days of consideration of the appeal, the conduct review officer will serve an initial decision upon the respondent, the student conduct officer, and any complainant in a proceeding involving sexual misconduct or discriminatory harassment allegations. The initial decision will explain the reasons for the decision and will provide notice of any right to request further administrative review.

(b) In a proceeding involving sexual misconduct or discriminatory harassment allegations, the initial decision will explain the reasons for modifying any disciplinary action taken with respect to such allegations. The copy of the decision provided to a complainant will be redacted as needed to exclude any confidential student information not relating to the sexual misconduct or discriminatory harassment allegations.

(c) A decision by the conduct review officer to refer the appeal to the student conduct council is not subject to further administrative review.

(4) **Initial decision - Request for review.** The respondent (or any complainant in a proceeding involving sexual misconduct or discriminatory harassment allegations) may request administrative review of the initial decision by filing a written request for review with the dean of student success within 21 days of service of the initial decision. If no request for review is filed, the initial decision of the conduct review officer shall be final.

[Statutory Authority: RCW 28B.35.120. WSR 22-06-018, § 106-125-055, filed 2/22/22, effective 3/25/22. Statutory Authority: RCW 28B.35.120 and chapter 34.05 RCW. WSR 15-24-054, § 106-125-055, filed 11/23/15, effective 12/24/15.]