

WAC 132E-122-330 Full adjudicative process—Hearing procedure.

(1) Should a party fail to attend or participate in a hearing, the student conduct committee may either:

(a) Proceed with the hearing; or

(b) Serve an order of default in accordance with RCW 34.05.440.

(2) The student conduct committee chair shall cause the hearing to be recorded pursuant to RCW 34.05.449 by a method the chair selects.

(3) The student conduct committee chair shall maintain the official record of the proceeding that is required by RCW 34.05.476.

Such record shall be made available upon request for inspection and copying by any party to the extent permitted by applicable laws.

(4) The student conduct committee chair shall preside at the hearing and shall decide procedural questions that arise during the hearing, except as overridden by a majority vote of the committee.

(5) The student conduct officer shall present the case for imposing disciplinary sanctions and shall bear the burden of establishing the alleged violations by a preponderance of the evidence.

(6) All testimony shall be given under oath or affirmation.

(7) All evidence shall be admitted or excluded in accordance with RCW 34.05.452.

(8) In proceedings involving allegations of sexual misconduct, the respondent and complainant, or their advisor or attorney representatives, shall not directly question or cross-examine one another.

All questions shall be directed to the committee chair, who will act as an intermediary and pose questions on behalf of the parties.

(9) In proceedings involving allegations of sexual misconduct, the respondent and complainant shall not be required to be in the same room at the same time (i.e., through use of closed circuit TV or use of other similar technology).

(10) In proceedings involving allegations of sexual misconduct, college officials shall make arrangements to reasonably assure that respondents and complainants will not be in the same room at the same time when arriving to, departing from, and during any breaks of the student conduct committee proceedings.

[Statutory Authority: RCW 28B.50.140. WSR 18-01-119, § 132E-122-330, filed 12/19/17, effective 1/19/18.]