

WAC 495C-121-150 Student conduct committee—Prehearing proceedings. (1) The student conduct committee chair shall serve all parties with written notice of the hearing not less than seven days in advance of the hearing date, as further specified in RCW 34.05.434 and WAC 10-08-040 and 10-08-045. The chair may shorten this notice period if both parties agree, and also may continue the hearing to a later time for good cause shown.

(2) The chair may conduct prehearing conferences and/or make prehearing decisions concerning the simplification of issues, the extent and form of any discovery, issuance of protective orders, and similar procedural matters.

(3) Discovery will be available as determined by the chair and in accordance with RCW 34.05.446. Upon request, the chair shall provide reasonable assistance to a party in obtaining relevant and admissible evidence that is within the college's control.

(4) The chair may provide to the committee members in advance of the hearing copies of (a) the conduct officer's notification of imposition of discipline or referral to the committee, and (b) the notice of appeal. If doing so, however, the chair should remind the members that these documents are not evidence of any facts they may allege.

(5) Upon request filed at least five business days before the hearing by any party, or at the direction of the committee chair, the parties shall exchange, no later than the third business day prior to the hearing, lists of potential witnesses and copies of potential exhibits that they reasonably expect to present to the committee. Failure to participate in good faith in such a requested exchange may be cause for exclusion from the hearing of any witness or exhibit not disclosed, absent a showing of good cause for such failure.

(6) The parties may agree before the hearing to designate specific exhibits as admissible without objection and, if they do so, whether the chair may provide copies of these admissible exhibits to the committee members before the hearing.

(7) Communications between a committee member and any other non-member hearing participant regarding any issue in the proceeding, other than communications necessary to procedural aspects of maintaining an orderly process, are generally prohibited without notice and opportunity for all parties to participate. Any improper "ex parte" communication shall be placed on the record, as further provided in RCW 34.05.455.

[Statutory Authority: RCW 28B.50.140. WSR 14-11-070, § 495C-121-150, filed 5/19/14, effective 6/19/14.]