



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)

Agency: Central Washington University

CWU AO 75a

- Permanent Rule
- Emergency Rule

(1) Date of adoption: September 27, 1994

(2) Purpose: The last three paragraphs were inadvertently omitted in WSR 94-21-048 filed on October 12, 1994. This filing is to correct that problem. What we filed in WSR 94-21-048 was not what was adopted.

(3) Citation of existing rules affected by this order:

Repealed:

Amended: 106-120-027

Suspended:

(4) Authority for adoption:

Statute: RCW 28B.10.528, 28B.35.120(12)

Other Authority:

(5.1) PERMANENT RULE ONLY

Pursuant to notice filed as WSR 94-17-151 on August 23, 1994 (date).

Describe any changes other than editing from proposed to adopted version:

(5.2) EMERGENCY RULE ONLY

Pursuant to RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If yes, explain:

(6) Effective date of rule:

Permanent Rules

Emergency Rules

31 days after filing

Immediately

Other (specify) _____ *

Later (specify) _____

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

CODE REVISER USE ONLY

OCT 18 1994

11:14
94-21-097

NAME (TYPE OR PRINT)

Thomas D. Moore

SIGNATURE

Thomas D. Moore

TITLE
Provost and Vice President for Academic Affairs

DATE
10-18-94

AMENDATORY SECTION (Amending WSR 91-04-054, filed 2/4/91, effective 3/7/91)

WAC 106-120-027 Proscribed conduct. A student shall be subject to disciplinary action or sanction upon violation of any of the following conduct proscriptions:

(1) Disruptive and disorderly conduct which interferes with the rights and opportunities of other students to pursue their academic studies.

(2) Academic dishonesty in all its forms including, but without being limited to:

(a) Cheating on tests.

(b) Copying from another student's test paper.

(c) Using materials during a test not authorized by the person giving the test.

(d) Collaboration with any other person during a test without authority.

(e) Knowingly obtaining, using, buying, selling, transporting, or soliciting in whole or in part the contents of an unadministered test or information about an unadministered test.

(f) Bribing any other person to obtain an unadministered test or information about an unadministered test.

(g) Substitution for another student or permitting any other person to substitute for oneself to take a test.

(h) "Plagiarism" which shall mean the appropriation of any other person's work and the unacknowledged incorporation of that work in one's own work offered for credit.

(i) "Collusion" which shall mean the unauthorized collaboration with any other person in preparing work offered for credit.

(3) Filing a formal complaint with the vice-president with the intention of falsely accusing another with having violated a provision of this code.

(4) Furnishing false information to any university official, especially during the investigation of alleged violations of this code.

(5) Furnishing false information to the campus judicial council with the intent to deceive, the intimidation of witnesses, the destruction of evidence with the intent to deny its presentation to the campus judicial council or the willful failure to appear before the campus judicial council or the vice-president when properly notified to appear.

(6) Intentionally setting off a fire alarm or reporting a fire or other emergency or tampering with fire or emergency equipment except when done with the reasonable belief in the existence of a need therefore.

(7) Forgery, alteration, or misuse of university documents, records, or identification cards.

(8) Sexual assault in any form, including acquaintance rape and other forced and/or nonconsensual sexual activity.

(9) Actual or attempted physical/emotional abuse of any person or conduct which threatens or endangers the health and safety of

any person or which intentionally or recklessly causes a reasonable apprehension of harm to any person.

(10) Harassment of any sort or any malicious act which causes harm to any person's physical or mental well being.

(11) Recklessly engaging in conduct which creates a substantial risk of physical harm to another person.

(12) Creating noise in such a way as to interfere with university functions or using sound amplification equipment in a loud and raucous manner.

(13) Theft or malicious destruction, damage or misuse of university property, private property of another member of the university community, whether occurring on or off campus; or theft or malicious destruction, damage or misuse on campus of property of a nonmember of the university community.

(14) Unauthorized seizure or occupation or unauthorized presence in any university building or facility.

(15) Intentional disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other university activities or programs whether occurring on or off campus or of activities or programs authorized or permitted by the university to be conducted on campus.

(16) Intentional participation in a demonstration which is in violation of rules and regulations governing demonstrations promulgated by the university.

(17) Unauthorized entry upon the property of the university or into a university facility or any portion thereof which has been reserved, restricted in use, or placed off limits; unauthorized presence in any university facility after closing hours; or unauthorized possession or use of a key to any university facility.

(18) Possession or use on campus of any firearm, dangerous weapon or incendiary device or explosive unless such possession or use has been authorized by the university.

(19) Possession, use, or distribution on campus of any controlled substance as defined by the laws of the United States or the state of Washington except as expressly permitted by law.

(20) Violation of the university policy on alcoholic beverages which states:

(a) Persons twenty-one years of age or older may possess and/or consume alcoholic beverages within the privacy of their residence hall rooms or apartments. Washington state law provides severe penalties for the possession or consumption of alcoholic beverages by persons under twenty-one years of age and for persons who furnish alcoholic beverages to minors. All university students should be aware of these laws and the possible consequences of violations.

(b) The university does not condone the consumption of alcoholic beverages by minors at functions sponsored by Central Washington University organizations. Organizations are held responsible for the conduct of their members at functions sponsored by the organization and for failure to comply with Washington state law.

(c) The campus judicial council may place on probation any organization or prohibit a specific campus social function when the consumption of alcoholic beverages has become a problem of concern to the university.

(21) Conduct which violates the university policies on computer use.

(22) Violation of clearly stated prescriptions in any published rule or regulation promulgated by any official campus committee or commission or council acting within the scope of its authority.

(23) Violation on campus of any state or federal law or violation of any state or federal law off campus while participating in any university sponsored activity.

(24) Conspiracy to engage in hazing or participation in hazing of another.