

(d) Failure to inform the libraries of changes of address does not exempt the borrower from charges.

**(3) Payment of fines and charges:**

(a) Fines and charges may be paid at the Holland Library circulation desk until the charges have been referred to the controller. Payment may be made by cash, check, or money order. Departmental purchase orders or interdepartmental requisitions and invoices are not acceptable on the basis that fines may not be appropriately paid by departmental, grant, or any other funds controlled by the university.

(b) Failure to pay fines and charges will result in the total amount assessed being referred to the controller's office for collection. The controller may, if other collection methods fail, deduct outstanding fines from the salary warrants of employees to secure payment, or withhold outstanding fines from damage deposits or other funds held for any students. Where collection efforts are unsuccessful, the controller may notify the registrar to refrain from issuing copies of student transcripts or to withhold permission to re-enroll for an ensuing term until outstanding fines are paid.

(c) Failure to pay fines and charges may also result in revocation of borrowing privileges by the director of libraries.

**(4) Fines and charges:**

(a) For materials on 30-day or longer loan periods:

The overdue fine is \$0.25 per day beginning the day the material becomes overdue.

**EXCEPTION:** See WAC 504-40-060(4)(d) for fines on recalled material.

(b) For materials limited in circulation to two hours or less, including two-hour reserve materials: The overdue fine is \$1.00 for the first hour or fraction thereof and \$0.25 for each succeeding hour or fraction thereof.

(c) For one-, three-, and seven-day materials: The overdue fine is \$1.00 for the first day and \$0.25 for each subsequent day, accumulating from the time the material is due.

**EXCEPTION:** Reserve materials of this category are fined at \$1.00 for the first day and \$0.50 for each subsequent day.

(d) For recalled material: The fine for recalled material is \$1.00 for the first day and \$0.50 per day thereafter, accumulating from the new assigned "date due" as indicated on the recall notice. The new assigned "date due" is five days after recall is initiated but not, in the case of 30-day material, before the end of the 14-day period assured the original borrower unless material is recalled for reserve or other restricted status. (WAC 504-40-050(2)(b)(i) as limited by WAC 504-40-050(2)(b)(iii).)

(e) For materials circulated by special permission but normally categorized as noncirculating: If overdue, fine is \$0.25 per hour.

(f) For audio-visual equipment: The overdue fine is \$0.25 for every hour or fraction thereof.

(g) For materials from instructional media services: Late return of materials from instructional media services' collections are treated as an extended loan by the user, subject to pro-rated rental charges based upon the

fees listed in films for teaching, the university's film catalog.

(h) Repeated late return by a single user of instructional media services' equipment or materials will be considered grounds for discontinuance of service to that user. A letter of warning will be sent to the offender before final action is taken.

(i) All fines accrue from the time material becomes overdue.

(j) Fines do not accrue when the libraries are closed.

(k) If a loan period has been extended by special permission, the overdue fine is that of the original loan category of the material.

(l) The libraries have the right to reduce or forgive fines and charges for patrons with bona fide excuses for not returning materials when due.

(m) The maximum fine for audio-visual equipment is \$15.00. The maximum fine for two-hour material is \$10.00. The maximum fine for all other Library material is \$7.50.

**(5) Replacement charges:**

(a) If library material or equipment is lost, or not returned by the time the maximum fine has accumulated, a replacement charge will be assessed.

This replacement charge includes the list price of the material plus a nonrefundable service charge of \$10.00 to cover the costs of searching, correspondence, cataloguing, binding, etc. This replacement charge is added to the maximum fine, and the delinquent borrower is charged this total sum.

(b) If material upon which a replacement charge has been assessed is found and returned within six months of the assessment date, the purchase price of the material will be refunded. The service charge and overdue fine are not refundable. [Statutory Authority: RCW 28B.30-.125 and 28B.30.150. 81-17-010 (Order 81-2, Resolution 7/81-11), § 504-40-060, filed 8/7/81; Order 74-1, § 504-40-060, filed 6/12/74; Order 73-1, § 504-40-060, filed 3/9/73, effective 6/1/73.]

**WAC 504-40-070 Repealed.** See Disposition Table at beginning of this chapter.

## Title 516 WAC

### WESTERN WASHINGTON UNIVERSITY

#### CHAPTERS

- 516-20** Student rights and responsibilities.  
**516-22** Student rights and responsibilities code.

#### Chapter 516-20 WAC

#### STUDENT RIGHTS AND RESPONSIBILITIES

WAC  
 516-20-005 through 516-20-215 Repealed.

<b>DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER</b>			
516-20-005	Preamble. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-005, filed 5/14/79; Order 76-2, § 516-20-005, filed 6/7/76; Order 72-10, § 516-20-005, filed 11/17/72.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82. Later promulgation, see WAC 516-22-005.	516-20-140	University judicial board. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-140, filed 5/14/79; Order 76-2, § 516-20-140, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.
516-20-010	The academic code. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-010, filed 5/14/79; Order 76-2, § 516-20-010, filed 6/7/76; Order 72-10, § 516-20-010, filed 11/17/72.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.	516-20-150	Summer quarter judicial board. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-150, filed 5/14/79; Order 76-2, § 516-20-150, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.
516-20-011	Academic code violations defined. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-011, filed 5/14/79; Order 76-2, § 516-20-011, filed 6/7/76; Order 72-10, § 516-20-011, filed 11/17/72.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.	516-20-152	University conduct hearing officer. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-152, filed 5/14/79.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.
516-20-015	Penalties for violation of the academic code. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-015, filed 5/14/79; Order 76-2, § 516-20-015, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.	516-20-156	Judicial proceedings. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-156, filed 5/14/79.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.
516-20-020	Freedom of expression. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-020, filed 5/14/79; Order 76-2, § 516-20-020, filed 6/7/76; Order 72-10, § 516-20-020, filed 11/17/72.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82. Later promulgation, see WAC 516-22-030.	516-20-160	Initiation of judicial proceedings. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-160, filed 5/14/79; Order 76-2, § 516-20-160, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.
516-20-030	Speakers. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-030, filed 5/14/79; Order 76-2, § 516-20-030, filed 6/7/76; Order 72-10, § 516-20-030, filed 11/17/72.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.	516-20-165	Notice of hearing. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-165, filed 5/14/79; Order 76-2, § 516-20-165, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.
516-20-040	Printed material. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-040, filed 5/14/79; Order 76-2, § 516-20-040, filed 6/7/76; Order 72-10, § 516-20-040, filed 11/17/72.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.	516-20-170	Failure to appear before a judicial officer or judicial board. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-170, filed 5/14/79; Order 76-2, § 516-20-170, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.
516-20-050	Placement. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-050, filed 5/14/79; Order 76-2, § 516-20-050, filed 6/7/76; Order 72-10, § 516-20-050, filed 11/17/72.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.	516-20-172	Withdrawal of student prior to completion of proceedings. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-172, filed 5/14/79.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.
516-20-071	Alcoholic beverages. [Order 76-2, § 516-20-071, filed 6/7/76; Order 75-11, § 516-20-071, filed 9/10/75; Order 72-10, § 516-20-071, filed 11/17/72.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.	516-20-175	Proceedings to be open or closed. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-175, filed 5/14/79; Order 76-2, § 516-20-175, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.
516-20-120	Identification of persons on the campus. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-120, filed 5/14/79; Order 76-2, § 516-20-120, filed 6/7/76; Order 72-10, § 516-20-120, filed 11/17/72.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.	516-20-180	Rights of the accused student. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-180, filed 5/14/79; Order 76-2, § 516-20-180, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.
516-20-137	Judicial structure. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-137, filed 5/14/79; Order 76-2, § 516-20-137, filed 6/7/76; Order 72-10, § 516-20-137, filed 11/17/72.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82. Later promulgation, see WAC 516-22-100.	516-20-181	Alternative to judicial procedures. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-181, filed 5/14/79.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82. Later promulgation, see WAC 516-22-200.
		516-20-182	Interim suspension permitted. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-182, filed 5/14/79.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82. Later promulgation, see WAC 516-22-150.
		516-20-185	Decision based solely on evidence. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-185, filed 5/14/79; Order 76-2, § 516-20-185, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.

- 516-20-190 Notification of decision. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-190, filed 5/14/79; Order 76-2, § 516-20-190, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.
- 516-20-195 Records of proceedings. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-195, filed 5/14/79; Order 76-2, § 516-20-195, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82. Later promulgation, see WAC 156-22-142.
- 516-20-200 Appeals. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-200, filed 5/14/79; Order 76-2, § 516-20-200, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82. Later promulgation, see WAC 516-22-124.
- 516-20-210 Committee on student rights and responsibilities. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-210, filed 5/14/79; Order 76-2, § 516-20-210, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82. Later promulgation, see WAC 516-22-210.
- 516-20-215 Fairhaven College. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution 79-05), § 516-20-215, filed 5/14/79; Order 76-2, § 516-20-215, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82. Later promulgation, see WAC 516-22-250.

**WAC 516-20-005 through 516-20-215 Repealed.**  
See Disposition Table at beginning of this chapter.

**Chapter 516-22 WAC**  
**STUDENT RIGHTS AND RESPONSIBILITIES**  
**CODE**

WAC	
516-22-005	Preamble.
516-22-010	Disruptive behavior.
516-22-015	Repeated incidents of academic dishonesty.
516-22-020	Forgery, alteration or destruction of documents.
516-22-025	Fraudulent admissions credentials.
516-22-030	Interference with freedom of expression.
516-22-100	Judicial structure.
516-22-120	Initiation of informal proceedings.
516-22-124	Appeal to the judicial board.
516-22-130	Appeal hearing procedures.
516-22-134	Disruption of the judicial process.
516-22-138	Certain sanctions defined.
516-22-142	Record of proceedings.
516-22-146	Right to formal hearing.
516-22-150	Interim suspension permitted.
516-22-200	Alternative judicial proceeding.
516-22-210	Committee on student rights and responsibilities.
516-22-250	Fairhaven College jurisdiction.

**WAC 516-22-005 Preamble.** Western Washington University students enjoy the basic rights of all members of society. At the same time, students have an obligation to fulfill the responsibilities incumbent upon all citizens, as well as the responsibilities of their particular roles within the academic community. The student is expected to respect university rules and federal, state and local laws. Those who are charged with a violation are assured of a fair judicial process and when found in violation, assured of appropriate discipline.

This chapter advises students of their rights and responsibilities while enrolled at Western Washington University. [Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-005, filed 5/14/82. Formerly 516-20-005 WAC.]

**WAC 516-22-010 Disruptive behavior.** The educational mission of Western Washington University requires the freedom to teach, conduct research and administer the university. A student shall be subject to disciplinary action if he/she engages in any behavior which interferes with the rights of others or which materially or substantially obstructs or disrupts teaching, research or administrative functions.

Sanctions available to the university through its judicial structure are disciplinary probation, disciplinary suspension or disciplinary expulsion. [Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-010, filed 5/14/82.]

**WAC 516-22-015 Repeated incidents of academic dishonesty.** Maintaining academic honesty is the joint responsibility of students and the faculty. Two or more incidents of academic dishonesty reported to the Office of the Provost (ref. "Academic Dishonesty Policy") shall make the student subject to disciplinary action.

Sanctions for repeated incidents of academic dishonesty are disciplinary probation, disciplinary suspension or disciplinary expulsion. [Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-015, filed 5/14/82.]

**WAC 516-22-020 Forgery, alteration or destruction of documents.** Maintaining accurate and credible records and documents is necessary for the university to fulfill its educational mission and to assure the welfare of its students. Any student who alters, forges or destroys any official university document or record shall be subject to disciplinary action.

Sanctions available to the university through its judicial structure are disciplinary probation, disciplinary suspension or disciplinary expulsion. [Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-020, filed 5/14/82.]

**WAC 516-22-025 Fraudulent admissions credentials.** The integrity of Western Washington University's admissions process requires receipt of full, honest documents as requested by the admissions office. Submission of fraudulent admissions or residency credentials shall subject a student to disciplinary action at any time such act is discovered.

A student violating this section may not be granted transfer credits earned at a former institution if at the time of application to Western Washington University he/she did not provide official transcripts of all work at such institutions. Additional sanctions available through the university judicial structure are disciplinary probation, disciplinary suspension or disciplinary expulsion. [Statutory Authority: RCW 28B.35.120(11). 82-11-063

(Order 5-6-82, Resolution No. 5-6-82), § 516-22-025, filed 5/14/82.]

**WAC 516-22-030 Interference with freedom of expression.** The rights of freedom of speech, petition and assembly are fundamental to the democratic process. The United States Constitution guarantees these freedoms to all members of the Western Washington University community.

The university recognizes its obligation to protect students' freedom of expression while at the same time minimizing the impact of visual pollution and physical damage to university property. The university shall provide sufficient bulletin boards and shall permit other methods for disseminating information such as leaflets, handbills, posters and banners according to guidelines available through the Viking Union administrative office. All printed material may be subject to removal if the content is defamatory.

Any person may speak on the Western Washington University campus when invited to do so by a member of the university community. Use of university building spaces is subject to space and scheduling policies and procedures. The appearance of an invited speaker does not constitute an endorsement of the speaker's views by the university's faculty, administration, students or board of trustees. Public address or audio amplification equipment normally may be used only in the Viking Union Plaza and athletic fields subject to space and scheduling policies and procedures. Use of such equipment in other areas of the campus must be authorized by the vice president for student affairs or the vice president's designee. The essence of the right to speak is the freedom of the speaker to make his/her statement. Both the speaker and the audience are entitled to proceed without being subjected to physical interference or violence.

Students deliberately engaging in acts of violence, threats of violence or in other conduct which interferes with the rights of others or which materially or substantially disrupts the exchange of ideas on campus are subject to disciplinary action or prosecution under law. Sanctions available through the university judicial structure are disciplinary probation, disciplinary suspension or disciplinary expulsion. [Statutory Authority: RCW 28B.35.120(11), 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-030, filed 5/14/82. Formerly WAC 516-20-020.]

**WAC 516-22-100 Judicial structure.** The vice president for student affairs is responsible for administration of this code. The vice president shall assure that the university judicial board appointment process is initiated annually and shall assure that allegations of code violations and appeals are properly referred.

A conduct officer, who shall have authority to adjudicate and administer sanctions for violations of this code, shall be appointed from the student affairs division by the vice president for student affairs.

A six member university judicial board shall be appointed prior to fall quarter: Two faculty (appointed by

the vice president for academic affairs), three students (appointed by the associated students board) and one member of the student affairs staff (appointed by the vice president for student affairs). An alternate for each position shall be appointed at the same time by the same authority. All appointments shall be for one academic year. The judicial board shall have authority to adjudicate and administer sanctions for violations of this code.

Should the need arise during summer session, an ad hoc judicial board shall be appointed subject to the same make-up and procedures as the academic year judicial board. [Statutory Authority: RCW 28B.35.120(11), 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-100, filed 5/14/82. Formerly WAC 516-20-137.]

**WAC 516-22-120 Initiation of informal proceedings.** Any student, faculty or staff member of the university alleging a violation of this code shall deliver to the office of the vice president for student affairs a written statement of the charges against the student. The vice president shall ask the conduct officer to investigate the probity of the charge.

If in the conduct officer's judgment there is sufficient basis to consider the charge, the conduct officer shall meet with the student and those bringing the charges and shall weigh appropriate evidence. Within ten business days, the conduct officer shall notify the student in writing of his/her decision, including the sanction if a violation is judged to have occurred. Written notification shall include a statement of the student's right to appeal to the university judicial board. [Statutory Authority: RCW 28B.35.120(11), 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-120, filed 5/14/82.]

**WAC 516-22-124 Appeal to the judicial board.** An accused student may appeal an adverse decision of the conduct officer to the university judicial board. The appeal must be made in writing to the vice president for student affairs within ten business days of receiving the conduct officer's written decision. An extension of an additional ten business days will automatically be granted upon the student's request. The appeal letter must state the basis for the appeal. The vice president shall notify the judicial board chairman of the appeal. No sanction may be invoked while an appeal is pending, except as provided in "Interim suspension permitted," WAC 516-22-150. [Statutory Authority: RCW 28B.35.120(11), 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-124, filed 5/14/82. Formerly WAC 516-20-200.]

**WAC 516-22-130 Appeal hearing procedures.** The judicial board chairman shall establish a hearing date and shall request the student making the appeal to appear.

- (1) Notification of the hearing shall include:
  - (a) Time, date and location of hearing
  - (b) Provision of the "student rights and responsibilities code" which the student is alleged to have violated
  - (c) Nature and date of the alleged violation

(d) Copy of the code and name(s) of university resource(s) whose procedural advice can be sought

(e) Statement of the student's right to be accompanied by a nonlawyer advocate of his/her choice, to call witnesses and to speak on his/her own behalf

(f) Statement of the student's right to review written evidence prior to the hearing.

(2) Hearings shall be conducted in a manner which is informal and at the same time assures fundamental fairness of procedure. Hearings shall be open to the public unless the accused student requests a closed hearing.

(a) No student who is charged with an offense shall be asked to give information or to answer questions concerning an alleged violation of this code unless the student has received notification of a hearing in accordance with the notification provision above.

(b) The student may bring witnesses, speak in his/her own behalf and may be represented by a nonlawyer advocate of his/her own choice.

(c) An accused student has the right to know who has alleged the violation of this code, to review the written evidence, and to ask questions directly of the person(s) making the allegation and those who present testimony.

(d) The judicial board chairman and the accused student may call any person to speak concerning the alleged violation. The board chairman may limit or exclude evidence which is irrelevant, immaterial or repetitious.

(e) Five members shall constitute a quorum of the judicial board. Actions by the board require support by a majority of those members present at the time of the hearing and during presentation of the testimony. A board member may be excused from listening to part of the testimony with the board's approval if the testimony is preserved by tape recording and the absence is due to extenuating circumstances. Any member of the board who considers himself/herself unable to render an impartial decision in a particular case shall excuse himself/herself from the board's deliberations in advance and may be replaced by an alternate.

(3) The judicial board chairman shall notify the accused student in writing of the disposition of the case and of his/her right to appeal. [Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-130, filed 5/14/82.]

**WAC 516-22-134 Disruption of the judicial process.** Student rights and responsibilities contained within this code are assured through the orderly functioning of the judicial process. The failure of a student formally charged with a violation of this code to appear before the conduct officer after receiving notice of a hearing shall make the student subject to disciplinary action. A student formally charged with a violation of this code may not excuse himself from judicial proceedings by withdrawing from the university and shall be prohibited from enrolling for subsequent quarters until such time as he/she does appear for a hearing. [Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-134, filed 5/14/82.]

**WAC 516-22-138 Certain sanctions defined.**

Among those sanctions which the conduct officer or judicial board may invoke are:

(1) Disciplinary probation – an official warning which is maintained in the student's conduct file for seven years. Should the student be found in violation of the code again, the disciplinary probation status may result in a more serious sanction for the second violation.

(2) Disciplinary suspension – termination of a student's enrollment for a period of time or until certain specified conditions have been met.

(3) Disciplinary expulsion – permanent termination of a student's enrollment with no option for later re-enrollment. [Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-138, filed 5/14/82.]

**WAC 516-22-142 Record of proceedings.**

Records prepared by the conduct officer or judicial board shall be maintained in a conduct file in the office of the vice president for student affairs for six years. All records shall be destroyed at the end of the period, which commences upon adjournment of the conduct hearing. If an accused student has been found not in violation of this code, no record of either the charges or the proceedings will be entered into the conduct file.

The university shall not make the records of judicial proceedings or sanctions available to any member of the public except upon written consent of the student involved. Certain exceptions are authorized under the "student records policy," chapter 516-26 WAC. [Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-142, filed 5/14/82. Formerly WAC 516-20-195.]

**WAC 516-22-146 Right to formal hearing.**

Included with the notification of the judicial board's decision shall be a statement that the student has a right to a formal hearing pursuant to RCW 28B.19.110 and chapter 516-08 WAC. [Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-146, filed 5/14/82.]

**WAC 516-22-150 Interim suspension permitted.**

In order to prevent danger to individuals, substantial destruction of property or significant disruption of teaching, research or administrative functions, the vice president for student affairs or his designee may temporarily suspend a student for stated cause subject to such limitation as the vice president shall deem appropriate.

In all cases, the student is entitled to a hearing before the appropriate conduct officer or board as soon as such hearing can be held, but not to exceed five school days after the beginning date of interim suspension unless the student should request an extension. During the interim suspension period, the student shall be allowed on university property only to the extent deemed permissible by the vice president for student affairs. [Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-150, filed 5/14/82. Formerly WAC 516-20-182.]

**WAC 516-22-200 Alternative judicial proceeding.** In cases where a clear or present danger does not exist but where repeated behavior which interferes with the rights of others or which materially or substantially obstructs or disrupts teaching, research or administrative functions has occurred, and/or where there is a question as to whether the student's mental health is such that he/she can profit from a particular university experience, the case will be referred by the dean of students to the vice president for student affairs.

(1) Prior to such referral, the dean of students shall have attempted to assist the student through counseling or referral to other agencies. There should be written indication that such attempts at assistance have been offered and that other students or faculty or the educational mission of the university has been adversely affected by the individual's behavior.

(2) The vice president will confer with the student to determine whether there has been such repeated disruptive behavior, and to determine an appropriate course of action. A student may bring a non-lawyer advocate to speak in his/her behalf to the meeting with the vice president. In the absence of such an advocate, the vice president may appoint a person to assist the student before and during the meetings with the vice president.

(3) If in the vice president's judgment there has been such repeated disruptive behavior and/or there is a question as to the student's mental health and his/her ability to profit from a particular university experience, the vice president shall decide upon an appropriate action based upon one or a combination of the following:

- (a) Continued enrollment
- (b) Treatment to be determined by the student with the vice president's concurrence
- (c) Change of living environment
- (d) Required medical leave of absence for a specified period. In the event of this action, the vice president may require that the student provide reasonable evidence of readiness to cope with the university environment before he/she can be readmitted.

(4) The alternative judicial procedure set forth here is an informal proceeding, and a student has a right to an appeal through a request for a formal hearing in accord with RCW 28B.19.110 and chapter 516-08 WAC. [Statutory Authority: RCW 28B.35.120(11), 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-200, filed 5/14/82. Formerly WAC 516-20-181.]

**WAC 516-22-210 Committee on student rights and responsibilities.** There is established a committee on student rights and responsibilities to be composed of four students: One appointed by inter-hall council, one appointed by the president of the associated students, one appointed by the associated students' governing board, and one selected at large from the student body; one member of the student affairs staff appointed by the vice president for student affairs; one faculty member appointed by the faculty senate; the dean of students and the director of safety and security.

(1) The primary purpose of the committee on student rights and responsibilities shall be to evaluate the university's "Student rights and responsibilities code." The committee may provide interpretations or may recommend changes in policy concerning student rights and responsibilities.

(2) The committee shall act as appellate group for decisions by the vice president for student affairs to withhold certain records from students; shall act as appellate group in accordance with WAC 516-26-060 if informal proceedings fail to resolve complaints of students; and shall provide the review and revision mechanism for recommending changes in the "student records policy," chapter 516-26 WAC. [Statutory Authority: RCW 28B.35.120(11), 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-210, filed 5/14/82. Formerly WAC 516-20-210.]

**WAC 516-22-250 Fairhaven College jurisdiction.** Fairhaven College shall have jurisdiction over all violations which occur within the college classrooms. It shall establish and maintain a judicial process which shall be published annually for Fairhaven College students. Violations of university policies by Fairhaven College students while on the main campus of Western Washington University shall be handled under the jurisdiction of the university judicial structure. [Statutory Authority: RCW 28B.35.120(11), 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-250, filed 5/14/82. Formerly WAC 516-20-215.]