

**WAC 82-50-021 Official lagged, semimonthly pay dates established.** Unless exempted otherwise under the provisions of WAC 82-50-031, the salaries of all state officers and employees are paid on a lagged, semi-monthly basis for the official twice-a-month pay periods established in RCW 42.16.010(1). The following are the official lagged, semimonthly pay dates for calendar years 1991 and 1992:

## CALENDAR YEAR 1991

Thursday, January 10, 1991  
 Friday, January 25, 1991  
 Monday, February 11, 1991  
 Monday, February 25, 1991  
 Monday, March 11, 1991  
 Monday, March 25, 1991  
 Wednesday, April 10, 1991  
 Thursday, April 25, 1991  
 Friday, May 10, 1991  
 Friday, May 24, 1991  
 Monday, June 10, 1991  
 Tuesday, June 25, 1991  
 Wednesday, July 10, 1991  
 Thursday, July 25, 1991  
 Friday, August 9, 1991  
 Monday, August 26, 1991  
 Tuesday, September 10, 1991  
 Wednesday, September 25, 1991  
 Thursday, October 10, 1991  
 Friday, October 25, 1991  
 Friday, November 8, 1991  
 Monday, November 25, 1991  
 Tuesday, December 10, 1991  
 Tuesday, December 24, 1991

## CALENDAR YEAR 1992

Friday, January 10, 1992  
 Friday, January 24, 1992  
 Monday, February 10, 1992  
 Tuesday, February 25, 1992  
 Tuesday, March 10, 1992  
 Wednesday, March 25, 1992  
 Friday, April 10, 1992  
 Friday, April 24, 1992  
 Monday, May 11, 1992  
 Friday, May 22, 1992  
 Wednesday, June 10, 1992  
 Thursday, June 25, 1992  
 Friday, July 10, 1992  
 Friday, July 24, 1992  
 Monday, August 10, 1992  
 Tuesday, August 25, 1992  
 Thursday, September 10, 1992  
 Friday, September 25, 1992  
 Friday, October 9, 1992  
 Monday, October 26, 1992  
 Tuesday, November 10, 1992  
 Wednesday, November 25, 1992  
 Thursday, December 10, 1992  
 Thursday, December 24, 1992

[Statutory Authority: RCW 42.16.010(1) and 42.16.017. 91-20-061 (Order 91-73), § 82-50-021, filed 9/24/91, effective 10/25/91; 90-17-017 (Order 90-72), § 82-50-021, filed 8/7/90, effective 9/7/90; 89-17-090 (Order 89-70), § 82-50-021, filed 8/22/89, effective 9/22/89; 89-03-063 (Order 89-67), § 82-50-021, filed 1/18/89; 88-16-027 (Order 88-66), § 82-50-021, filed 7/27/88; 87-16-060 (Order 87-65), § 82-50-021, filed 7/30/87; 86-17-001 (Order 86-63), § 82-50-021, filed 8/8/86; 85-16-014 (Order 85-62), § 82-50-021, filed 7/26/85; 84-14-046 (Order 84-61), § 82-50-021, filed 6/29/84; 83-17-118 (Order 83-59), § 82-50-021, filed 8/24/83.]

## Title 106 WAC

## CENTRAL WASHINGTON UNIVERSITY

## Chapters

106-08	Practice and procedure.
106-20	Organization.
106-50	Rules coordinator.
106-72	Affirmative action policy/grievance procedure.
106-116	Parking and traffic regulations.
106-120	Student judicial code.
106-122	Loss of eligibility--Student athletic participation.
106-276	Public records.

## Chapter 106-08 WAC

## PRACTICE AND PROCEDURE

## WAC

106-08-010 Adoption of model rules of procedure.

106-08-020	Appointment of presiding officers.
106-08-030	Application for adjudicative proceeding.
106-08-040	Adjudicative proceedings open.
106-08-050	Brief adjudicative procedures.
106-08-060	Discovery in adjudicative proceedings.
106-08-070	Method of recording.
106-08-080	Recording devices.
106-08-100	Petitions for stay of effectiveness.
106-08-120	Transmittal of initial orders.

**WAC 106-08-010 Adoption of model rules of procedure.** The model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05-.250, as now or hereafter amended, are hereby adopted for use at this institution. Those rules may be found in chapter 10-08 WAC. Other procedural rules adopted in this title are supplementary to the model rules of procedure. In the case of a conflict between the model rules of procedure and procedural rules adopted in this title, the procedural rules adopted by this institution shall govern. Rules adopted at this institution prior to July 1, 1989, remain in full force and effect unless specifically repealed or amended.

[Statutory Authority: RCW 28B.35.120(12). 91-22-037 (Order CWU AO 68), § 106-08-010, filed 10/31/91, effective 12/1/91; Order 3244, § 106-08-010, filed 12/8/91.]

**WAC 106-08-020 Appointment of presiding officers.** The president or president's designee shall designate a presiding officer for an adjudicative proceeding. The presiding officer shall be an administrative law judge, a member in good standing of the Washington State Bar Association, a panel of individuals, the president or his or her designee, or any combination of the above. Where more than one individual is designated to be the presiding officer, one person shall be designated by the president or president's designee to make decisions concerning discovery, closure, means of recording adjudicative proceedings, and similar matters.

[Statutory Authority: RCW 28B.35.120(12). 91-22-037 (Order CWU AO 68), § 106-08-020, filed 10/31/91, effective 12/1/91.]

**WAC 106-08-030 Application for adjudicative proceeding.** An application for an adjudicative proceeding shall be in writing. Application forms are available at the following address:

Business Office  
 Central Washington University  
 Ellensburg, WA 98926

Written application for an adjudicative proceeding should be submitted to the above address within twenty days of the agency action giving rise to the application, unless provided for otherwise by statute or rule.

[Statutory Authority: RCW 28B.35.120(12). 91-22-037 (Order CWU AO 68), § 106-08-030, filed 10/31/91, effective 12/1/91.]

**WAC 106-08-040 Adjudicative proceedings open.** All adjudicative proceedings shall be open to the public, with the exception of student, faculty, and administrative exempt disciplinary proceedings unless the subject of the proceedings chooses an open proceeding.

[Statutory Authority: RCW 28B.35.120(12). 91-22-037 (Order CWU

AO 68), § 106-08-040, filed 10/31/91, effective 12/1/91.]

**WAC 106-08-050 Brief adjudicative procedures.** This rule is adopted in accordance with RCW 34.05.482 through 34.05.494, the provisions of which are hereby adopted. Brief adjudicative procedures shall be used in all matters related to:

- (1) Residency determinations made pursuant to RCW 28B.15.013, conducted by the admissions office;
- (2) Challenges to contents of education records;
- (3) Student conduct proceedings. The procedural rules in chapter 106-120 WAC apply to these proceedings;
- (4) Parking violations. The procedural rules in chapter 106-116 WAC apply to these proceedings;
- (5) Outstanding debts owed by students or employees;
- (6) Loss of eligibility for participation in institution-sponsored athletic events, pursuant to chapter 106-122 WAC.

[Statutory Authority: RCW 28B.35.120(12). 91-22-037 (Order CWU AO 68), § 106-08-050, filed 10/31/91, effective 12/1/91.]

**WAC 106-08-060 Discovery in adjudicative proceedings.** Discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer. In permitting discovery, the presiding officer shall make reference to the civil rules of procedure. The presiding officer shall have the power to control the frequency and nature of discovery permitted, and to order discovery conferences to discuss discovery issues.

[Statutory Authority: RCW 28B.35.120(12). 91-22-037 (Order CWU AO 68), § 106-08-060, filed 10/31/91, effective 12/1/91.]

**WAC 106-08-070 Method of recording.** Proceedings shall be recorded by a method determined by the presiding officer, among those available pursuant to the model rules of procedure in WAC 10-08-170.

[Statutory Authority: RCW 28B.35.120(12). 91-22-037 (Order CWU AO 68), § 106-08-070, filed 10/31/91, effective 12/1/91.]

**WAC 106-08-080 Recording devices.** No cameras or recording devices shall be allowed in those parts of proceedings which the presiding officer has determined shall be closed pursuant to WAC 106-08-040, except for the method of official recording selected by the institution.

[Statutory Authority: RCW 28B.35.120(12). 91-22-037 (Order CWU AO 68), § 106-08-080, filed 10/31/91, effective 12/1/91. Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-08-080, filed 7/11/78; Order 3244, § 106-08-080, filed 12/8/71.]

**WAC 106-08-100 Petitions for stay of effectiveness.** Disposition of a petition for stay of effectiveness of a final order shall be made by the official, officer, or body of officers, who entered the final order.

[Statutory Authority: RCW 28B.35.120(12). 91-22-037 (Order CWU AO 68), § 106-08-100, filed 10/31/91, effective 12/1/91; Order 3244, § 106-08-100, filed 12/8/71.]

**WAC 106-08-120 Transmittal of initial orders.** Initial orders prepared in compliance with RCW 34.05.461 shall be transmitted to the president, who in turn shall

enter a final order after considering the record and evidence.

[Statutory Authority: RCW 28B.35.120(12). 91-22-037 (Order CWU AO 68), § 106-08-120, filed 10/31/91, effective 12/1/91; Order 3244, § 106-08-120, filed 12/8/71.]

## Chapter 106-20 WAC ORGANIZATION

WAC  
106-20-100 Organization—Operation—Information.

**WAC 106-20-100 Organization—Operation—Information.** (1) Organization. Central Washington University is established in Title 28B RCW as a public institution of higher education. The institution is governed by a seven-member board of trustees, appointed by the governor. The board employs a president, who acts as the chief executive officer of the institution. The president establishes the structure of the administration.

(2) Operation. The administration office is located at the following address:

Business Office  
Central Washington University  
Ellensburg, WA 98926

The office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. Educational operations are also located at the following addresses:

Lynnwood CWU Center  
20000 68th Avenue West  
Lynnwood, WA 98036

South Seattle CWU Center  
6000 16th Avenue SW  
Seattle, WA 98106

Steilacoom CWU Center  
9401 Farwest Drive SW  
Tacoma, WA 98498

Yakima CWU Center  
P.O. Box 1647  
16th Avenue and Nob Hill Blvd  
Yakima, WA 98907

(3) Information. Additional and detailed information concerning the educational offerings may be obtained from the catalog, copies of which are available at the following address:

Admissions Office  
Central Washington University  
Ellensburg, WA 98926

[Statutory Authority: RCW 28B.35.120(12). 91-23-031 (Order CWU AO 69), § 106-20-100, filed 11/12/91, effective 12/13/91.]

## Chapter 106-50 WAC RULES COORDINATOR

WAC  
106-50-100 Address of rules coordinator.

**WAC 106-50-100 Address of rules coordinator.** The rules coordinator for this institution shall have an office in the following location:

President's Office  
Central Washington University  
Ellensburg, WA 98926

The office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays.

[Statutory Authority: RCW 28B.35.120(12). 91-23-031 (Order CWU AO 69), § 106-50-100, filed 11/12/91, effective 12/13/91.]

### Chapter 106-72 WAC AFFIRMATIVE ACTION POLICY/GRIEVANCE PROCEDURE

#### WAC

106-72-005	Affirmative action policy statement.
106-72-015	Annual workforce analysis.
106-72-025	Nondiscrimination in delivery of services.
106-72-130	Procedures, rules, and regulations—Contracts and contractors.
106-72-220	Procedures, rules, and regulations—Academic program.
106-72-400	Affirmative action grievance procedure.
106-72-410	Informal grievance procedure.
106-72-490	Formal grievance procedure—Committee recommendation.
106-72-510	Formal grievance procedure—Proceeding notice.
106-72-520	Adjudicative proceeding—Challenges.
106-72-530	Adjudicative proceeding—Expeditious conduct.
106-72-540	Adjudicative proceeding—Availability of necessary parties.
106-72-550	Adjudicative proceeding—Counsel.
106-72-560	Adjudicative proceeding—Confidentiality.
106-72-570	Adjudicative proceeding—Responsibilities of parties.
106-72-580	Adjudicative proceeding—Rights of parties.
106-72-590	Adjudicative proceeding—Powers of proceeding panel.
106-72-600	Findings of grievance committee.

**WAC 106-72-005 Affirmative action policy statement.** Central Washington University is committed to affirmative action for Asians, Blacks, Hispanics, Native Americans, women, persons forty years of age or older, persons of disability, and disabled and Vietnam-era veterans. This commitment is expressed through the university's efforts to eliminate barriers to equal employment opportunity and improve employment opportunities encountered by these protected groups.

Furthermore, as an equal opportunity employer Central Washington University will:

(1) Recruit, hire, train, and promote persons in all job titles, without regard to race, color, religion, creed, age, national origin, disabled or Vietnam era veteran status, the presence of any physical, mental, or sensory handicap, marital status, sexual orientation, or sex except where a bona fide occupational qualification exists.

(2) Insure that all personnel actions such as compensation, benefits, transfers, terminations, layoffs, return from layoff, reductions in force (RIF), university sponsored training, education, tuition assistance, and social and recreation programs, will be administered without regard to race, color, religion, sex, age, national origin, creed, marital status, or the presence of any physical,

mental or sensory handicap.

[Statutory Authority: RCW 28B.35.120(12). 92-02-006, § 106-72-005, filed 12/20/91, effective 1/20/92. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 86-23-007 (Order 59), § 106-72-005, filed 11/7/86.]

**WAC 106-72-015 Annual workforce analysis.** (1) The affirmative action office will conduct an annual workforce analysis for each academic department and a separate utilization analysis for protected group members (i.e., minorities, women, Vietnam-era and disabled veterans, persons of disability and persons over the age of forty in each major job group. The university will set forth specific goals and timetables where underutilization is identified. Underutilization is defined as having fewer protected group members in a particular job than would reasonably be expected by their availability. (Higher Education Guidelines, Executive Order 11246.)

(2) The university and each organizational unit will make every possible effort to recruit and employ qualified minorities and women to fill vacancies in order to achieve its goals, searching for personnel in areas and channels previously unexplored to the extent necessary to overcome underutilization. Before each vacancy can be officially filled, a designee of the affirmative action office or the personnel services office must certify that the appropriate recruitment and hiring procedures have been followed.

[Statutory Authority: RCW 28B.35.120(12). 92-02-006, § 106-72-015, filed 12/20/91, effective 1/20/92. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 86-23-007 (Order 59), § 106-72-015, filed 11/7/86.]

**WAC 106-72-025 Nondiscrimination in delivery of services.** Central Washington University will provide equal access to all programs for all students on the basis of merit without regard to race, color, religion, sex, age, national origin, or the presence of any sensory, physical, or mental handicap.

No person will be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity sponsored by the university including, but not limited to, admissions, academic programs, student employment, counseling and guidance services, financial aid, recreational activities, and intercollegiate athletics.

Programs may be developed by the university, however, for special student populations as affirmative action measures to overcome the effects of past discrimination.

[Statutory Authority: RCW 28B.35.120(12). 92-02-006, § 106-72-025, filed 12/20/91, effective 1/20/92. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 86-23-007 (Order 59), § 106-72-025, filed 11/7/86.]

**WAC 106-72-130 Procedures, rules, and regulations—Contracts and contractors.** The business manager, through the director of auxiliary services, director of facilities management, director of business services and contracts, and the director of facilities planning and construction shall comply with federal, state, and local nondiscrimination policies and procedures when solicit-

ing bids on all contracts for construction, goods, and services. Bids will be solicited by women and minority group vendors and contractors. Agencies engaged in business with the university will be notified in writing of the university's affirmative action program and asked to provide a statement of nondiscrimination.

In the case of federal contracts for research grants and awards, the office of graduate studies will be charged with development and inclusion in any contract a statement of nondiscrimination in the fulfillment of such contract.

[Statutory Authority: RCW 28B.35.120(12). 92-02-006, § 106-72-130, filed 12/20/91, effective 1/20/92. Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-72-130, filed 7/11/78; Order 3274, § 106-72-130, filed 12/6/71.]

**WAC 106-72-220 Procedures, rules, and regulations—Academic program.** It shall be the goal of this university to recruit and enroll a student body which reflects a significant number of minority group members. Significant means enrolling graduating minority high school students at the same rate as graduating nonminority high school students. The university shall, in the fulfillment of this goal, make special efforts within its financial resources to bring about this desired student mix.

No students are to be given special consideration in fulfilling graduation requirements at the university, except as may be available for all students through established university policy.

[Statutory Authority: RCW 28B.35.120(12). 92-02-006, § 106-72-220, filed 12/20/91, effective 1/20/92. Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-72-220, filed 7/11/78; Order 3274, § 106-72-220, filed 12/6/71.]

**WAC 106-72-400 Affirmative action grievance procedure.** (1) A person who believes he or she has been discriminated against by Central Washington University because of race, color, ethnic background, sexual orientation, religion, national origin, sex, physical or mental handicap, or Vietnam era or disabled veteran status is encouraged to utilize the grievance procedures provided by Central Washington University. There are informal and formal means of addressing complaints through the affirmative action office. These should be used as soon as possible after the alleged act of discrimination. No individual shall be penalized or retaliated against in any way by the university community for his or her participation in this complaint procedure.

(2) All persons who seek the advice and assistance of the affirmative action office shall have explained to them the informal and the formal grievance procedures available to them through the university as well as the existence of external complaint procedures available through state and federal agencies. They shall also receive a copy of the affirmative action grievance procedure.

[Statutory Authority: RCW 28B.35.120(12). 92-02-006, § 106-72-400, filed 12/20/91, effective 1/20/92. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 86-23-007 (Order 59), § 106-72-400, filed 11/7/86.]

**WAC 106-72-410 Informal grievance procedure.** Informal review and consultative processes are highly desirable means of resolving problems. Use of those methods by individuals (e.g., students, employees, applicants) at the lowest possible level within the university is strongly encouraged.

(1) Individuals who believe that they have been the target of discrimination by Central Washington University are encouraged to discuss the matter initially with their department chair, dean, administrative supervisor or department head. Students are encouraged to discuss the matter with the appropriate department chair, dean, or the vice-president for student affairs. The matter may be concluded by mutual consent at this point. However, complainants should feel free to bring the alleged act of discrimination to the attention of the director of affirmative action at any time.

(2) Any person may contact the affirmative action office for informal discussion, advice, and assistance. The affirmative action director or a designee will assist the complainant(s) in determining whether there exists any relationship of the complaint to civil rights legislation and the university's affirmative action program.

(3) With the consent of the complainant, there may be facilitation or informal intervention by the affirmative action director or a designee. Discussion of the grievance by the affirmative action director or a designee with the immediate supervisor of the respondent may follow the visit to the affirmative action office by the complainant. The discussion between the director of affirmative action and the immediate supervisor shall be confidential. The complainant may choose to participate in this discussion at his/her option. At this time it shall be the option of the director of affirmative action to notify the respondent's next higher supervisory authority of the complaint.

(4) All discussions held under this informal procedure shall have the goal of resolving the matter without the necessity of entering into a formal complaint procedure.

[Statutory Authority: RCW 28B.35.120(12). 92-02-006, § 106-72-410, filed 12/20/91, effective 1/20/92. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 86-23-007 (Order 59), § 106-72-410, filed 11/7/86.]

**WAC 106-72-490 Formal grievance procedure—Committee recommendation.** The affirmative action grievance committee shall review the complaint and the findings of the investigating officer and determine whether or not the facts warrant a proceeding. The committee's decision shall be limited to one of the following statements:

(1) Based on the evidence presented to us, we find probable cause for believing that a discriminatory act has been committed; or

(2) Based on the evidence presented, we find no probable cause for believing that a discriminatory act has been committed.

[Statutory Authority: RCW 28B.35.120(12). 92-02-006, § 106-72-490, filed 12/20/91, effective 1/20/92. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 86-23-007 (Order 59), § 106-72-490, filed 11/7/86.]

**WAC 106-72-510 Formal grievance procedure--Proceeding notice.** If probable cause is found, a proceeding will be held.

(1) The chair of the committee shall establish a date for the proceeding. A notice establishing the date, time and place of the proceeding shall be provided the parties not more than ten working days from the issuance of the probable cause or no cause decision. The composition of the proceeding committee shall be provided also.

(2) The proceeding shall be held not less than fifteen working days from the mailing of the notice of proceeding unless all of the parties, with the consent of the chair, agree to shorten the time to less than fifteen days.

[Statutory Authority: RCW 28B.35.120(12). 92-02-006, § 106-72-510, filed 12/20/91, effective 1/20/92. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 86-23-007 (Order 59), § 106-72-510, filed 11/7/86.]

**WAC 106-72-520 Adjudicative proceeding--Challenges.** Each party shall have the privilege of one challenge without stated cause and unlimited challenges for stated bias or interest. In the case of a challenge for stated bias or interest, a majority of the affirmative action grievance committee members must be satisfied that a challenged member cannot hear the case impartially before the member can be disqualified. In the case of removal of a member through the challenge process, the president shall restore the committee to full membership.

[Statutory Authority: RCW 28B.35.120(12). 92-02-006, § 106-72-520, filed 12/20/91, effective 1/20/92. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 86-23-007 (Order 59), § 106-72-520, filed 11/7/86.]

**WAC 106-72-530 Adjudicative proceeding--Expedient conduct.** The proceeding shall be conducted as expeditiously as possible and on successive days if possible.

[Statutory Authority: RCW 28B.35.120(12). 92-02-006, § 106-72-530, filed 12/20/91, effective 1/20/92. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 86-23-007 (Order 59), § 106-72-530, filed 11/7/86.]

**WAC 106-72-540 Adjudicative proceeding--Availability of necessary parties.** The parties and any others the affirmative action grievance committee deems necessary to the proceedings shall make themselves available to appear at the proceeding unless they can verify to the committee that their absence is unavoidable.

[Statutory Authority: RCW 28B.35.120(12). 92-02-006, § 106-72-540, filed 12/20/91, effective 1/20/92. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 86-23-007 (Order 59), § 106-72-540, filed 11/7/86.]

**WAC 106-72-550 Adjudicative proceeding--Counsel.** The complainant and the respondent shall be permitted to have with him/her a party of his/her own choosing to act as advisor and counsel.

[Statutory Authority: RCW 28B.35.120(12). 92-02-006, § 106-72-550, filed 12/20/91, effective 1/20/92. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 86-23-007 (Order 59), § 106-72-550, filed 11/7/86.]

**WAC 106-72-560 Adjudicative proceeding--Confidentiality.**

Proceedings shall be closed to all except those persons directly involved in the case as determined by the grievance committee. Statements, testimony, and all other evidence given at the proceeding shall be confidential and shall not be released to anyone and may be used by the committee only for the purpose of making its findings and recommendations to the president. (However, it will be made available to federal and/or state compliance agencies upon request.)

[Statutory Authority: RCW 28B.35.120(12). 92-02-006, § 106-72-560, filed 12/20/91, effective 1/20/92. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 86-23-007 (Order 59), § 106-72-560, filed 11/7/86.]

**WAC 106-72-570 Adjudicative proceeding--Responsibilities of parties.** The chair of the grievance committee shall convene and regulate the proceeding. All parties and members of the panel must be present during the proceeding unless excused by the chair for good cause. Repeated failure, without reasonable explanation, of either party to appear shall be grounds for defaulting that party's case. The complainant shall have the burden of presenting the case and the respondent shall have the burden of challenging sufficiency of the evidence presented.

[Statutory Authority: RCW 28B.35.120(12). 92-02-006, § 106-72-570, filed 12/20/91, effective 1/20/92. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 86-23-007 (Order 59), § 106-72-570, filed 11/7/86.]

**WAC 106-72-580 Adjudicative proceeding--Rights of parties.** (1) Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved and to examine and cross examine witnesses.

(2) No individual shall be compelled to divulge information in any form which she/he could not be compelled to divulge in, or in connection with, superior court proceedings.

(3) Any legal opinion or interpretation given to the grievance committee by the parties may be shared with all parties to the case.

[Statutory Authority: RCW 28B.35.120(12). 92-02-006, § 106-72-580, filed 12/20/91, effective 1/20/92. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 86-23-007 (Order 59), § 106-72-580, filed 11/7/86.]

**WAC 106-72-590 Adjudicative proceeding--Powers of proceeding panel.** The proceeding panel shall be empowered to: Examine witnesses and receive evidence; suspend the proceeding on account of or exclude from attendance any person(s) felt to be unreasonably disruptive of the proceedings; hold conferences for the settlement and/or simplification of the issues involved; make decisions or proposals for decisions; and take any other action authorized by rule consistent with this procedure.

[Statutory Authority: RCW 28B.35.120(12). 92-02-006, § 106-72-590, filed 12/20/91, effective 1/20/92. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 86-23-007 (Order 59), § 106-72-590, filed 11/7/86.]

**WAC 106-72-600 Findings of grievance committee.** The affirmative action grievance committee shall file its

findings and recommendations with the president, the affirmative action director, the complainant and the respondent within fifteen working days after the conclusion of the proceeding. If the findings and recommendations of the affirmative action grievance committee are acceptable to the complainant and the respondent, the president may direct implementation of the recommendations.

[Statutory Authority: RCW 28B.35.120(12). 92-02-006, § 106-72-600, filed 12/20/91, effective 1/20/92. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 86-23-007 (Order 59), § 106-72-600, filed 11/7/86.]

### Chapter 106-116 WAC

#### PARKING AND TRAFFIC REGULATIONS

##### WAC

- 106-116-501 Basic speed limit.  
106-116-901 Bicycle parking and traffic regulations.

**WAC 106-116-501 Basic speed limit.** The speed limit on the university owned streets shall be as posted except:

- (1) The speed limit in the parking areas is 15 m.p.h.
- (2) No person shall operate a motor vehicle on the campus at a speed greater than is reasonable and prudent for existing conditions.
- (3) The speed limit on malls and service drives is 10 m.p.h.

[Statutory Authority: RCW 28B.10.528, 28B.10.560 and 28B.35.120(12). 91-22-038 (Order CWU AO 67), § 106-116-501, filed 10/31/91, effective 12/1/91. Statutory Authority: RCW 28B.35.120(11). 84-08-044 (Order 55), § 106-116-501, filed 4/2/84. Statutory Authority: RCW 28B.19.050 and 28B.35.120. 81-22-051 (Order 47), § 106-116-501, filed 11/3/81. Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-02-023 (Order 37), § 106-116-501, filed 1/13/78; Order 24, § 106-116-501, filed 7/30/75; Order 15, § 106-116-501, filed 8/17/73.]

**WAC 106-116-901 Bicycle parking and traffic regulations.** (1) The primary aim of the bicycle control program is safety, and this aim will be achieved by keeping bicycles out of buildings, away from building exits, and parking them off paths and sidewalks. Bicycles must never be parked in stairwells, hallways, or any place which will be a safety hazard or hinder exit from buildings.

(2) Bicycles must be parked in racks. At times, rack space may not be available and parking near the racks is permitted provided the parked bicycles do not interfere with pedestrian traffic.

(3) The following specific regulations must be observed while operating bicycles on campus:

- (a) Do not ride bicycles inside buildings at any time.
- (b) Do not lean or park bicycles near or against windows.

(c) Pedestrians have the right of way on all malls and sidewalk areas of the university. At all times and places of congested pedestrian traffic, the bicycle rider must go slowly and yield to pedestrians. A violation of this provision shall constitute a moving violation and shall be referred directly to the court of the judge of the Lower

Kittitas County district court.

(d) Bicyclists must observe the 10 m.p.h. speed limits on malls and service drives.

(e) Bicyclists must ride in designated lanes where they exist.

(4) Impoundment policy:

(a) Bicycles parked on paths, sidewalks, in buildings or near building exits may be impounded, except in areas adjacent to residence halls, or as otherwise permitted and designated by the director of housing as bike storage rooms. Bicycles left over 72 hours may be impounded.

(b) Impounded bicycles will be stored in a location determined by the chief of campus safety. Bicycles will be released at specific times and upon presentation of proof of ownership. Owners of impounded bicycles, if identifiable, will be notified immediately upon impoundment and must reclaim the bicycle within seven days.

(c) Abandoned, lost or found bicycles that have been impounded shall be subject to sale in accordance with the laws of the state of Washington.

[Statutory Authority: RCW 28B.10.528, 28B.10.560 and 28B.35.120(12). 91-22-038 (Order CWU AO 67), § 106-116-901, filed 10/31/91, effective 12/1/91. Statutory Authority: RCW 28B.19.050 and 28B.35.120(12). 88-11-066 (Order 63), § 106-116-901, filed 5/18/88. Statutory Authority: RCW 28B.19.050 and 28B.35.120. 81-22-051 (Order 47), § 106-116-901, filed 11/3/81; 81-08-010 (Order 46), § 106-116-901, filed 3/23/81; 80-11-027 (Order 45), § 106-116-901, filed 8/14/80. Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-02-023 (Order 37), § 106-116-901, filed 1/13/78; Order 24, § 106-116-901, filed 7/30/75; Order 15, § 106-116-901, filed 8/17/73.]

### Chapter 106-120 WAC

#### STUDENT JUDICIAL CODE

##### WAC

- 106-120-004 Definitions.  
106-120-005 Provision for due process.  
106-120-023 Campus judicial council—Membership.  
106-120-024 Campus judicial council—Chair.  
106-120-026 Campus judicial council—Advisor.  
106-120-027 Proscribed conduct.  
106-120-028 Disciplinary sanctions.  
106-120-033 Readmission after suspension.  
106-120-131 Initiation, investigation, and disposition of complaints.  
106-120-132 Procedures for proceeding before the campus judicial council.  
106-120-143 Summary suspension proceedings.

**WAC 106-120-004 Definitions.** (1) "University" shall mean Central Washington University.

(2) "Vice-president" shall mean the vice-president for student affairs of the university or the vice-president's designee.

(3) "Student" shall mean a person enrolled at the university either full or part time, pursuing undergraduate, graduate, or extension studies, or a person accepted for admission or readmission to the university.

(4) "University community" shall include the employees and students of Central Washington University and all property and equipment of the university.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.35.120(11). 91-04-054, § 106-120-004, filed 2/4/91, effective 3/7/91. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 85-07-032 (Order 58), § 106-120-004, filed 3/15/85.]

**WAC 106-120-005 Provision for due process.** The vice-president shall provide for due process for students throughout the behavioral problem solving intervention by following the proper steps related to the initiation, investigation, and disposition of complaints against a student which is outlined in WAC 106-120-131.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.35.120(11). 91-04-054, § 106-120-005, filed 2/4/91, effective 3/7/91. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 85-07-032 (Order 58), § 106-120-005, filed 3/15/85.]

**WAC 106-120-023 Campus judicial council--Membership.** The campus judicial council shall consist of three faculty members holding the rank of assistant professor or above, and eight students, at least one of whom should be a graduate student if a graduate student files for appointment to the council.

(1) The faculty members of the council shall be designated in accordance with procedures established by the faculty senate.

(2) The student members of the council shall be selected in accordance with procedures established by the constitution of the associated students of Central Washington University. Eight student members shall be appointed, each student being appointed for a term of one calendar year. Terms of office for students begin with the first day of instruction of the academic year for which the student is appointed.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.35.120(11). 91-04-054, § 106-120-023, filed 2/4/91, effective 3/7/91. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 85-07-032 (Order 58), § 106-120-023, filed 3/15/85.]

**WAC 106-120-024 Campus judicial council--Chair.** A campus judicial council chair shall be elected at the first meeting each academic year and shall continue in office until the person resigns or is recalled. The duties of the chair are as follows:

(1) To call regular and special meetings of the council by notification to members at least twenty-four hours in advance of the meeting time, except in bona fide emergency situations.

(2) To preside over all regular and special meetings.

(3) To act as presiding officer at all meetings of the proceeding board.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.35.120(11). 91-04-054, § 106-120-024, filed 2/4/91, effective 3/7/91. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 85-07-032 (Order 58), § 106-120-024, filed 3/15/85.]

**WAC 106-120-026 Campus judicial council--Advisor.** The vice-president shall appoint a faculty member as a judicial council advisor whose duties shall be to convene the council, and advise the council during all meetings and hearings.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.35.120(11). 91-04-054, § 106-120-026, filed 2/4/91, effective 3/7/91. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 85-07-032 (Order 58), § 106-120-026, filed 3/15/85.]

**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 proscriptions 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.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.35.120(11). 91-04-054, § 106-120-027, filed 2/4/91, effective 3/7/91. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 86-23-007 (Order 59), § 106-120-027, filed 11/7/86; 85-07-032 (Order 58), § 106-120-027, filed 3/15/85.]

**WAC 106-120-028 Disciplinary sanctions.** The following definitions of disciplinary terms have been established and may be the sanctions imposed by the vice-president or by the campus judicial council.

(1) Warning. Notice in writing that the student has violated university rules or regulations or has otherwise failed to meet the university's standard of conduct. Such warning will contain the statement that continuation or repetition of the specific conduct involved or other misconduct will normally result in one of the more serious disciplinary actions described below.

(2) Disciplinary probation. Formal action specifying the conditions under which a student may continue to be a student at the university including limitation of specified activities, movement, or presence on the CWU campus. The conditions specified may be in effect for a period of time or for the duration of the student's attendance at the university.

(3) Restitution. An individual student may be required to make restitution for damage or loss to university or other property and for injury to persons. Failure to make restitution will result in suspension for an indefinite period of time as set forth in subsection (4) below provided that a student may be reinstated upon payment.

(4) Suspension. Dismissal from the university and from status as a student for a stated period. The notice suspending the student will state in writing the term of the suspension and any condition(s) that must be met before readmission is granted. The student so suspended must demonstrate that the conditions for readmission have been met. There is to be no refund of fees for the quarter in which the action is taken, but fees paid in advance for a subsequent quarter are to be refunded.

(5) Deferred suspension. Notice of suspension from the university with the provision that the student may remain enrolled contingent on meeting a specified condition. Not meeting the contingency shall immediately invoke the suspension for the period of time and under the conditions originally imposed.

(6) Expulsion. The surrender of all rights and privileges of membership in the college community and exclusion from the campus without any possibility for return.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.35.120(11). 91-04-054, § 106-120-028, filed 2/4/91, effective 3/7/91. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 85-07-032 (Order 58), § 106-120-028, filed 3/15/85.]

**WAC 106-120-033 Readmission after suspension.** Any student suspended from the university under the provisions of the student judicial code may be readmitted upon expiration of the time period specified in the document of original suspension.

If circumstances warrant reconsideration of the sus-



pension prior to its time of expiration, the student may be readmitted following approval of a written petition submitted to the vice-president. Such petitions must state reasons which either provide new evidence concerning the situation which resulted in the suspension, or demonstrate that earlier readmission is in the best interest of the student and the university. Approval for such readmission must be given by the vice-president or by the campus judicial council.

Students who have been suspended and whose suspension upon appeal is found to have been unwarranted shall be provided full opportunity to reestablish their academic and student standing to the extent possible within the abilities of the university, including an opportunity to retake examinations or otherwise complete course offerings missed by reason of such action.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.35.120(11). 91-04-054, § 106-120-033, filed 2/4/91, effective 3/7/91. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 85-07-032 (Order 58), § 106-120-033, filed 3/15/85.]

**WAC 106-120-131 Initiation, investigation, and disposition of complaints.** (1) Philosophy.

When student behavioral problems occur, the university employs a team problem-solving approach. The director of housing, director of residence living, and the chief of campus police join the assistant and associate vice-president weekly to review residence living incident reports filed by living group advisors and hall managers, as well as campus police reports which cover both on-campus and off-campus students. This problem-solving team then deals with student behavioral problems which constitute violations of this code.

The problem-solving team works together to suggest intervention strategies which are considered to be most appropriate and effective for eliminating specific negative student behaviors.

(2) Process.

Incidents which come to the attention of the problem-solving team may be addressed in one of the following ways:

- (a) No action;
- (b) Informal meetings with relevant university officials;
- (c) Referral to the residence hall arbitration council, for resolving certain disputes within the residence halls;
- (d) Proceedings in the office of the vice-president.

Official proceedings in the vice-president's office are conducted when it becomes apparent to the problem-solving team that the initial and more informal forms of intervention with a student have been unsuccessful in positively modifying a student's behavior. The following rules will govern the processing of alleged violations of the proscribed conduct listed in the student judicial code.

(3) A complaint alleging misconduct against any student at the university may be filed by anyone at the office of the vice-president. Students, faculty members, administrators and other employees of the university shall have concurrent authority to request the commencement of the disciplinary proceedings provided for in this chapter. A person filing a complaint shall be

complainant of record.

(4) Any student charged in a complaint shall receive oral or written notification from the vice-president. Such notice shall:

- (a) Inform the student that a complaint has been filed alleging that the student violated specific provisions of the students judicial code and the date of the violation(s);
- (b) Set forth those provisions allegedly violated;
- (c) Specify a time and date the student is required to meet with the vice-president or designee; and
- (d) Inform the student that failure to appear at the appointed time at the vice-president's office may subject the student to suspension from the university.

(5) When the vice-president meets with the student, the vice-president shall:

- (a) Provide for the student a copy of the student judicial code;
  - (b) Review the facts of the alleged violation with the student; and
  - (c) Conduct an investigation into the alleged violation.
- (6) Upon completion of the review with the student and/or the investigation, the vice-president may:
- (a) Drop the charges, when they appear to be invalid or without substance or capricious;
  - (b) Issue a verbal warning;
  - (c) Apply any of the sanctions as outlined in WAC 106-120-028 if such sanction is warranted by the evidence;
  - (d) Refer the case to the campus judicial council; or
  - (e) Invoke the summary suspension procedure as outlined in WAC 106-120-143 when deemed appropriate.

The vice-president shall inform the student that the vice-president's sanction may be appealed to the campus judicial council, and that if an appeal is made, the vice-president shall take no action or make any determination, except for summary suspension, in the matter other than to inform the student of the time, date, and location of the proceeding by the campus judicial council.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.35.120(11). 91-04-054, § 106-120-131, filed 2/4/91, effective 3/7/91. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 85-07-032 (Order 58), § 106-120-131, filed 3/15/85.]

**WAC 106-120-132 Procedures for proceeding before the campus judicial council.** (1) When a case is referred to the campus judicial council the vice-president shall forward to the council:

- (a) A statement describing the alleged misconduct;
- (b) The name and address of the complainant;
- (c) The name and address of the student charged; and
- (d) All relevant facts and statements.

(2) The council chair shall call a special meeting of the council and arrange for a proceeding in the following manner:

(a) The council shall determine the time and place of the proceeding, which shall be at least ten days after delivery of written notice to the student. In the interest of timeliness and efficiency, upon the request of either the student or the vice-president, this ten-day interval may be waived by the vice-president, with the student's per-

mission. Time and place shall be set to make the least inconvenience for all interested parties. The chair may change the time and place of the proceeding for sufficient cause.

(b) The council shall draw lots for five student names, one of whom will serve as an alternate to be available until the proceeding board has been constituted.

(c) No case shall be heard unless the full membership of the proceeding board is present.

(d) All cases will be heard de novo, whether the case be an appeal from a subsidiary judicial body or is heard as an original complaint.

(3) The council chair shall send written notice by certified mail of the proceeding to the student to the student's last known address. The notice shall contain:

(a) A statement of the date, time, place and nature of the proceeding;

(b) To the extent known, a list of witnesses who will appear; and

(c) A summary description of any documentary or other physical evidence that would be presented by the university.

(4) The student shall have all authority possessed by the university to obtain information he/she specifically describes in writing and tenders to the council chair no later than two days prior to the proceeding or to request the presence of witnesses, or the production of other evidence relevant to the proceeding. However, the university shall not be liable for information requested by the student or the presence of any witnesses when circumstances beyond the control of the university prevent the obtaining of such information or the attendance of such witnesses at the proceeding.

(5) Proceedings will ordinarily be held in closed session unless the proceeding board determines there is a compelling reason for the proceeding to be open, or the student requests an open proceeding. A closed proceeding shall include only members of the proceeding board, persons directly involved in the proceeding as parties and persons called as witnesses.

(6) The proceeding shall be audio tape recorded, and the tape shall be on file at the office of the vice-president for a period of three years.

(7) The university shall be represented by the vice-president who shall present the university's case against the student.

(8) The student may be accompanied by counsel, or another third party, who may offer advice. If the student utilizes an attorney as advisor, the student must give to the vice-president two days notice of intent to do so. If the student elects to be advised by an attorney, the vice-president may elect to have the university advised by an assistant attorney general.

(9) The council chair shall insure that:

(a) The proceeding is held in an orderly manner giving full care that the rights of all parties to a full, fair and impartial proceeding are maintained.

(b) The charges and supporting evidence or testimony shall be presented first, and that there is full opportunity for the accused student to challenge the testimony

and/or evidence, and to cross examine appropriately.

(c) The student charged shall next present evidence or testimony to refute the charge, and that there is full opportunity for the accuser to challenge testimony and/or evidence, and to cross examine appropriately.

(d) Only those materials and matters presented at the proceeding will be considered as evidence. The presiding officer shall exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence.

(10) Any person disruptive of the proceeding or any other procedure described in this document may be excluded from the process by the chair of the campus judicial council or by the vice-president, using such means as are necessary to insure an orderly process. Any student engaging in such interference shall be in contempt and may be summarily suspended from the university by the campus judicial council or the vice-president immediately. The student shall be subject to a suspension or any lesser sanction as may be determined by the campus judicial council or the vice-president at the time the interference takes place or within fifteen working days thereafter.

(11) The student has a right to a fair and impartial proceeding, but the student's failure to cooperate with or attend a proceeding procedure shall not preclude the committee from making its finding of facts, conclusions, and recommendations. Failure by the student to cooperate may be taken into consideration by the campus judicial council and the vice-president in deciding the appropriate disciplinary action.

(12) Upon conclusion of the proceeding, the proceeding board in closed session shall consider all the evidence presented and decide by majority vote to exonerate the student or to impose one of the sanctions authorized by this document.

(13) The student shall be provided with a copy of the board's findings of fact and conclusions regarding whether the student did violate any rule or rules of the student judicial code and the board's decision as to the appropriate sanction to be imposed.

(14) If a student charged with misconduct under this code has been charged with a crime for the same act or closely related acts by federal, state, or local authorities, or if it appears that such criminal charge is under consideration, the campus judicial council may postpone action on the complaint until there has been a disposition of the criminal charge or of the consideration of filing such charge. However, prior to action by other agencies, the council may proceed to hear and decide the case if in the judgment of the council, the nature of the alleged misconduct and the circumstances surrounding it pose a serious risk to the health or well being of the student or other members of the university. If there is a determination of guilt by the council and if the subsequent criminal proceedings result in a judgment of acquittal, the student may petition the campus judicial council for a rehearing.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.35.120(11). 91-04-054, § 106-120-132, filed 2/4/91, effective 3/7/91. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 85-07-032 (Order 58), § 106-120-132, filed 3/15/85.]

**WAC 106-120-143 Summary suspension proceedings.** The vice-president may summarily suspend any student from the university pending investigation, action of prosecution of charges of an alleged proscribed conduct violation or violations, if the vice-president has reason to believe that the student's physical or emotional safety and well-being, or the safety and well-being of other university community members, or the protection of property requires such suspension.

(1) If the vice-president finds it necessary to exercise the authority to summarily suspend a student the vice-president shall:

(a) Give to the student an oral or written notice of intent to determine if summary suspension is an appropriate action;

(b) Give an oral or written notice of the alleged misconduct and violation(s) to the student;

(c) Give an oral or written explanation of the evidence in support of the charge(s) to the student;

(d) Give an oral or written notice of the time and place of the summary suspension proceeding before the vice-president; and

(e) Determine a time for the summary suspension proceeding to be held within thirty-six hours;

(f) Give an oral or written explanation of the summary suspension which may be imposed on the student.

(2) At the place and time designated for the summary suspension proceeding, the vice-president shall:

(a) Consider the evidence relating specifically to the probability of danger to the student, to others on the campus, or to property;

(b) Provide the student with an opportunity to show why continued presence on campus does not constitute a danger to the physical and emotional well being of self or others, or a danger to property;

(c) Give immediate oral notice of his decision to the student to be followed by written notice; and

(d) If summary suspension is warranted, summarily suspend the student for no more than fifteen working days with a judicial council proceeding of the allegations to have commenced by the end of the suspension period.

(3) If a student has been instructed by the vice-president to appear for summary suspension proceedings and then fails to appear at the time designated, the vice-president may suspend the student from the university, and shall give written notice of suspension to the student at his last address of record on file with the university.

(4) During the period of summary suspension, the suspended student shall not enter the campus of the university other than to meet with the vice-president. However, the vice-president may grant the student special permission for the express purpose of meeting with faculty, staff, or students in preparation for a proceeding before the campus judicial council.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.35.120(11), 91-04-054, § 106-120-143, filed 2/4/91, effective 3/7/91. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11), 85-07-032 (Order 58), § 106-120-143, filed 3/15/85.]

## Chapter 106-122 WAC

### LOSS OF ELIGIBILITY—STUDENT ATHLETIC PARTICIPATION

WAC

106-122-100 Immediate suspension.

**WAC 106-122-100 Immediate suspension.** Student athletes found to have violated chapter 69.41 RCW (Legend drugs—Prescription drugs) shall, upon conviction, be immediately suspended from participation in school-sponsored athletic events by the director of athletics. The period of loss of eligibility to participate will be determined by the director of athletics at the conclusion of a brief adjudicative hearing, to be commenced within twenty days of the suspension.

[Statutory Authority: RCW 28B.35.120(12), 91-23-031 (Order CWU AO 69), § 106-122-100, filed 11/12/91, effective 12/13/91.]

## Chapter 106-276 WAC

### PUBLIC RECORDS

WAC

106-276-230 Document index.

**WAC 106-276-230 Document index.** An index of all documents required to be indexed by RCW 42.17.260 shall be maintained at the office of business services and contracts, second floor, Mitchell Hall. The index shall be accessible to the public by request to the public records officer at the above office during normal working hours.

[Statutory Authority: RCW 28B.35.120(12), 91-23-031 (Order CWU AO 69), § 106-276-230, filed 11/12/91, effective 12/13/91.]

## Title 113 WAC

### CHIROPRACTIC DISCIPLINARY BOARD

#### Chapters

113-10 Chiropractic disciplinary board code of ethics.

113-12 Board rules—Generally.

## Chapter 113-10 WAC

### CHIROPRACTIC DISCIPLINARY BOARD CODE OF ETHICS

WAC

113-10-010 through 113-10-110 Decodified.

#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

113-10-010 Privileged communications. [Order PL 235, § 113-10-010, filed 12/31/75.] Decodified by 91-05-095 (Order 110B), filed 2/20/91, effective 3/23/91. Statutory Authority: RCW 18.26.110. Recodified as WAC 246-807-020.

113-10-020 Patient abandonment. [Order PL 235, § 113-10-020, filed 12/31/75.] Decodified by 91-05-095 (Order 110B), filed 2/20/91, effective 3/23/91. Statutory