

WAC 106-125-085 Student conduct council—Initial decision. (1)

At the conclusion of the hearing, the student conduct council shall permit the parties to make closing arguments in whatever form the council wishes to receive them. The council may permit each party to propose findings, conclusions, and/or a proposed decision for its consideration.

(2) Within 20 days following the later of the conclusion of the hearing or the receipt of closing arguments, the student conduct council shall issue an initial decision in accordance with RCW 34.05.461 and WAC 10-08-210. The decision shall contain findings on relevant issues of fact, conclusions concerning which, if any, provisions of the student code were found to be violated, and any sanction(s) imposed. Any findings based substantially on the credibility of evidence or the demeanor of witnesses shall be so identified.

(3) The council chair shall cause the initial decision to be served on the respondent, the student conduct officer, and any complainant in a proceeding involving sexual misconduct or discriminatory harassment allegations. In a proceeding involving sexual misconduct or discriminatory harassment allegations, the decision will state whether such allegations were substantiated and will describe any sanctions or conditions imposed for the complainant's protection. The copy of the decision provided to a complainant will be redacted as needed to exclude any confidential student information not relating to the sexual misconduct or discriminatory harassment allegations.

(4) The council advisor, upon receipt of a timely filed appeal, shall promptly transmit the council's initial decision and the record of the proceedings for review by the conduct review officer who shall enter a final decision. If no appeal is timely filed, the initial decision of the student conduct council shall be the final decision.

[Statutory Authority: RCW 28B.35.120. WSR 22-06-018, § 106-125-085, filed 2/22/22, effective 3/25/22. Statutory Authority: RCW 28B.35.120 and chapter 34.05 RCW. WSR 15-24-054, § 106-125-085, filed 11/23/15, effective 12/24/15.]