

WSR 22-18-095

PROPOSED RULES

WASHINGTON STATE UNIVERSITY

[Filed September 7, 2022, 8:37 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 22-15-112.

Title of Rule and Other Identifying Information: Chapter 504-28 WAC, Policies and regulations applying to all student organizations.

Hearing Location(s): On October 12, 2022, at 4:00 p.m., Zoom meeting. Join from PC, Mac, Linux, iOS, or Android <https://wsu.zoom.us/j/91346750619?pwd=WU5hYjBSQmpNRlJEZVZzNHlZU0xzUT09>, Meeting ID 913 4675 0619, Passcode 160021; or join by telephone (long distance) +1 253 215 8782 or 91346750619# US (one tap mobile call), (enter the meeting ID and passcode when prompted). No in-person hearing locations are being scheduled for this hearing.

Date of Intended Adoption: November 18, 2022.

Submit Written Comments to: Deborah Bartlett, Rules Coordinator, P.O. Box 641225, Pullman, WA 99164-1225, email prf.forms@wsu.edu, fax 509-335-3969, by October 12, 2022.

Assistance for Persons with Disabilities: Contact Joy Faerber, phone 509-335-2005, fax 509-335-3969, email prf.forms@wsu.edu, by October 10, 2022.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Washington State University (WSU) is updating the policies and regulations applying to all student organizations, specifically WAC 504-28-010 Student organizations.

Reasons Supporting Proposal: WSU is updating the policies and regulations regarding registration of, membership in, and requirements for student organizations.

Statutory Authority for Adoption: RCW 28B.30.150.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: WSU, public.

Name of Agency Personnel Responsible for Drafting: Brian Shuffield, Executive Director, Student Engagement Services for Student Affairs, Compton Union Building 320, Pullman, WA 99164-7204, 509-335-3138; Implementation and Enforcement: Ellen Taylor, Vice President for Student Affairs, Lighty Services 360, Pullman, WA 99164-1050, 509-335-4531.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. WSU does not consider these rules to be significant legislative rules.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules relate only to internal governmental operations that are not subject to violation by a nongovernment party.

Is exempt under RCW 19.85.025.

Explanation of exemptions: The amendments to WSU student organization rules only apply to students at WSU, and therefore do not affect business or commerce in any way.

September 7, 2022
Deborah L. Bartlett, Director
Procedures, Records, and Forms
and University Rules Coordinator

OTS-4061.1

AMENDATORY SECTION (Amending WSR 09-11-070, filed 5/14/09, effective 6/14/09)

WAC 504-28-010 Student organizations. (1) Registration.

(a) The university registers a wide variety of student organizations to facilitate the diverse interests of the student body. Attendant to registration, organizations are granted certain privileges and assume certain responsibilities as set forth in these rules. Registration in no way implies that the university plans, organizes, or sanctions any particular activity or policy of a student organization. The term registration as it applies to student organizations in this chapter has the same meaning as the terms ~~((recognition))~~ recognized or registered as used with respect to student organizations in chapter 504-26 WAC.

(b) Pursuant to established policies, the university department responsible for student affairs makes student organization registration determinations.

(2) Membership in organizations.

(a) Full membership in student organizations is restricted to enrolled graduate and undergraduate students at Washington State University.

(b) Faculty and others may participate as honorary or associate members at the option of the organization, as specified in the organization's constitution.

(c) Only a full member may be eligible to vote on matters of business or hold an elective office in the organization.

(d) To serve as an elected officer of a registered student organization, a student must not be on academic or behavioral probation with the university.

(e) Washington State University does not register any student organization which directly or indirectly denies membership to any student because of race, religion, sex, color, national or ethnic origin, age, marital status, sexual orientation, gender identity/gender expression, veteran status or disability except that the permissibility of a single-sex organization is evaluated in accordance with Title IX guidelines. Registered student organizations must ensure that additional policies and procedures do not create de facto differentiation. Student organizations that select their members based on commitment to a creed or a set of beliefs (e.g., political or religious beliefs) may limit full membership and participation privileges to eligible individuals who, upon individual inquisition, affirm that they agree with the organization's beliefs and support the organization's goals; so long as no eligible individual is excluded from membership and participation on the basis of race, religion, sex, color, national or ethnic origin, age, marital status, sexual orientation, gender identity/gender expression, veteran status, or disability except that the permissibility of a single-sex organization is evaluated in accordance with Title IX guidelines.

~~((e))~~ (f) Students who believe they have been denied membership in violation of subsection (2) ~~((d))~~ (e) of this section may appeal to the director of the university department responsible for student affairs.

~~((f))~~ (g) Washington State University does not register a student organization if registration would violate local, state, or federal law.

(3) Requirements and responsibilities of registered student organizations.

(a) Officers of each organization are responsible for seeing that their organization abides by university rules and regulations concerning scheduling, financial projects, advertising, and other policies applicable to their respective campus as established by the department responsible for student affairs.

(b) Registered student organizations must have an advisor (see WAC 504-28-020 Advisors).

(c) Registered student organization funds must be deposited into a registered student organization account with the university. The university financial services office assists registered student organizations in establishing accounts and processing transactions.

(d) Each registered student organization must keep the following records current with the university department responsible for student affairs:

(i) Constitution and bylaws.

(ii) Officer roster card.

~~(iii) ((Student organization report including activities, accomplishments, and financial status.~~

~~(iv))~~ Student event registration forms.

(4) Privileges of registered student organizations.

(a) Registered student organizations have the right to sponsor on-campus activities that comply with university rules, policies, and guidelines.

(b) The university department responsible for student affairs assists registered student organizations in understanding and complying with all relevant legal statutes and university rules and policies.

[Statutory Authority: RCW 28B.30.150. WSR 09-11-070, § 504-28-010, filed 5/14/09, effective 6/14/09. Statutory Authority: RCW 28B.30.150, 28B.30.095 and 28B.30.125. WSR 95-07-046, § 504-28-010, filed 3/8/95, effective 4/8/95. Statutory Authority: RCW 28B.30.095, 28B.30.125, 28B.30.150 and chapter 28B.19 RCW. WSR 87-12-013 (Order 87-1), § 504-28-010, filed 5/26/87. Statutory Authority: RCW 28B.30.125 and 28B.30.150. WSR 80-07-015 (Order 80-2, Resolution No. 6/80-15), § 504-28-010, filed 6/11/80; Order 77-2, § 504-28-010, filed 8/3/77; Order 75-1, § 504-28-010, filed 7/7/75, effective 9/1/75; Order 73-5, § 504-28-010, filed 8/1/73; Order 5, § 504-28-010, filed 9/26/72; Order 3, § 504-28-010, filed 8/5/71.]