

WSR 23-23-172

PROPOSED RULES

WASHINGTON STATE UNIVERSITY

[Filed November 22, 2023, 9:11 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 23-17-001.

Title of Rule and Other Identifying Information: Chapter 504-04 WAC, Practice and procedure.

Hearing Location(s): On January 9, 2024, at 4:00 p.m. Join Zoom meeting from PC, Mac, Linux, iOS, or Android <https://wsu.zoom.us/j/93763299013?pwd=eTFMa29tZlRtL01IakJPMjJjaFJCUT09>, Meeting ID 937 6329 9013, Passcode 580303; or join by phone +1 253 215 8782 or +1 669 900 9128, enter meeting ID and passcode when prompted. No in-person meeting will be held.

Date of Intended Adoption: March 11, 2024.

Submit Written Comments to: Deborah Bartlett, Rules Coordinator, P.O. Box 641225, Pullman, WA 99164-1225, email prf.forms@wsu.edu, by January 9, 2024.

Assistance for Persons with Disabilities: Contact Joy B. Faerber, phone 509-335-2005, email prf.forms@wsu.edu, by January 7, 2024.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Washington State University (WSU) is updating the rules regarding practice and procedure.

Reasons Supporting Proposal: The proposed amendment clarifies who is permitted to act as a representative in WSU formal adjudicative proceedings, resolving an internal inconsistency with WAC 504-26-020.

Statutory Authority for Adoption: RCW 28B.30.150.

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

Name of Proponent: WSU, governmental.

Name of Agency Personnel Responsible for Drafting: Nathan Deen, Senior Assistant Attorney General, Attorney General's Office, WSU Division, French Administration 332, Pullman, WA 99164-1031, 509-335-2636; Implementation: Jenna Hyatt, Associate Vice Chancellor and Dean of Students, Lighty 360, Pullman, WA 99164-1066, 509-335-5757 and Leslie Brunelli, Executive Vice President, Finance and Administration, French Administration 442, Pullman, WA 99164-1048, 509-335-5524; and Enforcement: Jenna Hyatt, Associate Vice Chancellor and Dean of Students, Lighty 360, Pullman, WA 99164-1066, 509-335-5757 and Leslie Brunelli, Executive Vice President, Finance and Administration, French Administration 442, Pullman, WA 99164-1048, 509-335-5524.

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 this rule to be a significant legislative rule.

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; rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect; and rules adopt, amend, or repeal a procedure, practice, or requirement relating to agency hearings; or a filing or related process requirement for applying to an agency for a license or permit.

Is exempt under RCW 19.85.025(4).
Scope of exemption for rule proposal:
Is fully exempt.

November 22, 2023
Deborah L. Bartlett
Director
Policies, Records, and Forms
University Rules Coordinator

OTS-5043.1

AMENDATORY SECTION (Amending WSR 18-23-083, filed 11/19/18, effective 12/20/18)

WAC 504-04-130 Advising and representation of parties. Any person whose rights are in issue in a formal adjudicative proceeding has the right to have an advisor present during any stage of the proceedings. However, only persons currently admitted to ~~((the))~~ practice ~~((of))~~ law ~~((in the state of Washington))~~, including licensed legal interns, are permitted to act as representatives at the proceedings. The presiding officer has the power to impose reasonable conditions upon participation of advisors and representatives.