

WSR 26-09-100

PERMANENT RULES

WASHINGTON STATE UNIVERSITY

[Filed April 20, 2026, 9:35 a.m., effective August 1, 2026]

Effective Date of Rule: August 1, 2026.

Purpose: Washington State University (university) is updating the rules regarding standards of conduct for students, chapter 504-26 WAC.

The university administration's updates to this rule are as follows: (1) Broadens the list of acceptable academic and appeals hearing board members; (2) updates requirements, parties' rights, and processes for hearings; (3) clarifies processes for full adjudications and brief adjudications; (4) aligns harassment and hazing definitions, prohibitions, and resources with university and state requirements; and (5) expands good faith exemptions.

Citation of Rules Affected by this Order: Amending WAC 504-26-010, 504-26-020, 504-26-045, 504-26-050, 504-26-105, 504-26-110, 504-26-115, 504-26-117, 504-26-120, 504-26-201, 504-26-202, 504-26-206, 504-26-207, 504-26-209, 504-26-218, 504-26-222, 504-26-224, 504-26-401, 504-26-402, 504-26-403, 504-26-415, 504-26-420, 504-26-425, 504-26-504, and 504-26-510.

Statutory Authority for Adoption: RCW 28B.30.150.

Adopted under notice filed as WSR 26-02-[0]73 on January 7, 2026.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 25, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 25, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: April 20, 2026.

Kenyah Thomas
Policies, Records, and Forms
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RDS-6905.1

AMENDATORY SECTION (Amending WSR 25-20-053, filed 9/25/25, effective 10/26/25)

WAC 504-26-010 Definitions. Words and phrases used in the standards of conduct regardless of their associated gender identity include all genders. Words and phrases used in the standards of conduct in the singular or plural encompass both the singular and the plural, unless the context clearly indicates otherwise. For purposes of the standards of conduct, the following definitions apply:

(1) ~~Academic integrity hearing board. ((Teaching faculty and student representatives who are authorized by the university to review an instructor's decision that a student violated university academic integrity policies and whether or not the academic sanction assigned by the instructor is in keeping with the instructor's published policies.))~~ Faculty, staff, or students authorized, in accordance with WAC 504-26-105, to consider appeals submitted in cases that involve alleged WAC 504-26-202 violations.

(2) ~~((Appeals board. The group of students, faculty, and staff, collectively, authorized in accordance with WAC 504-26-115 to consider appeals from a decision maker's determination as to whether a student or registered student organization has violated the standards of conduct and any sanctions and/or remedies assigned.))~~ University appeals board. Empaneled faculty, staff, or students authorized by WAC 504-26-105 and empowered to convene and make decisions on conduct matters that involve alleged violations listed in this chapter.

(3) Brief adjudication. ~~((a))~~ The process by which a conduct officer or ~~((conduct))~~ community standards board may adjudicate student conduct matters. Brief adjudication is not permissible for matters that:

~~((i))~~ (a) Would constitute Title IX sexual harassment as defined in the university's ~~((executive policy 15 (EP15)))~~ UPPM 10.60; or

~~((ii))~~ (b) Where possible sanctions include expulsion, loss of recognition, or revocation of degree.

~~((b) Also referred to as a "conduct officer hearing," "conduct board hearing," or "brief adjudicative proceeding."))~~

(4) CCR. The university's office of compliance and civil rights.

(5) CCS. The university's center for community standards.

(6) ~~Community standards boards. ((University conduct board, university appeals board, academic integrity hearing board, or any other panel of individuals empowered to make community standards decisions on behalf of the university.))~~ Empaneled faculty, staff, or students authorized by WAC 504-26-105 and empowered to convene and make decisions on conduct matters that involve alleged WAC violations listed in this chapter.

(7) Complainant. Any person who is the alleged victim of prohibited student conduct, whether or not such person has made an actual complaint.

(8) ~~((Conduct board. The group or individual authorized in accordance with WAC 504-26-110 to adjudicate certain student conduct matters.~~

~~(9))~~ Conduct hearing. The process in which a decision is made regarding a student or registered student organization's responsibility for alleged behavior and assignment of applicable sanctions and/or remedies, where appropriate. (Remedies may be considered for matters implicating ((executive policy 15 part 15.B)) UPPM 10.60 part B.) Conduct hearings include brief adjudications and full adjudications. ~~((Also referred to as "student conduct hearing" or "student conduct proceeding."))~~

~~(10))~~ (9) Conduct officer. A university official authorized by the dean of students or their designee to initiate, manage, and/or adjudicate certain student conduct matters in accordance with WAC 504-26-401 and 504-26-402.

(10) Conduct officer hearing. A brief adjudicative hearing in which a conduct officer determines responsibility, and assigns sanctions when applicable, in student conduct matters.

(11) ~~((Executive policy 15. The university's policy prohibiting discrimination and harassment. Also referred to as "EP15"))~~ University Policies and Procedures Manual 10.60. The university's policy prohibiting discrimination and harassment. Also referred to as "UPPM 10.60."

(12) Faculty ~~((member))~~. For purposes of this chapter, any person hired by the university to conduct classroom or teaching activities or who is otherwise considered by the university to be a member of its faculty.

(13) Full adjudication.

(a) The process for adjudicating matters involving:

(i) Title IX sexual harassment, or retaliation stemming from those as underlying complaint, as defined in ~~((EP15))~~ UPPM 10.60; and

(ii) Possible sanction including expulsion, loss of recognition, revocation of degree, or otherwise utilized at the discretion of the CCS when deemed appropriate, in accordance with WAC 504-26-401(4).

~~(b) ((Also referred to as "formal adjudication," "formal adjudicative proceeding," or "full adjudicative proceeding."))~~

~~(e-))~~ In a full adjudication, the presiding officer is also the decision maker.

(14) Gender identity. Having or being perceived as having a gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to the person at birth.

(15) Member of the university community. Includes any person who is a student, faculty ~~((member))~~, staff, university official, any person employed by the university, or any person with a relationship with the university, including guests of and visitors to the university. A person's status in a particular situation is determined by the dean of students or designee.

~~(16) Parties and parties' rights. ((The parties to a conduct hearing must include the university and the respondent. Where the conduct hearing includes allegations that constitute violations of EP15 or allegations of Title IX sexual harassment, the parties may include the university, the respondent, and the complainant. The university may designate other complainants as parties to conduct proceedings including, but not limited to, harmed parties.))~~

(a) Parties to a brief adjudicative hearing include the respondent and the university. The respondent and university in brief adjudicative hearings have party rights.

(b) Parties to a full adjudicative hearing include the respondent and university. Complainants are also parties in full adjudicative hearings when allegations are related to Title IX. Any party in full adjudicative hearings has party rights.

(c) The university can determine if party status or party rights are extended to other individuals not outlined in (a) or (b) of this subsection.

(d) The dean of students or their designee determines party status.

(17) Registered student organization. A group of students, collectively, that has complied with the formal requirements for university recognition.

(18) Respondent. A student or registered student organization alleged to have violated these standards of conduct.

(19) Staff. Individuals employed by the university of any rank or classification who are not considered faculty members as defined in subsection (12) of this section.

(20) Standards of conduct. The standards of conduct for students outlined in this chapter.

(21) Student. For the purposes of this chapter, any person who:

(a) Is enrolled in at least one undergraduate, graduate, or professional studies course at the university;

(b) Has been notified of their acceptance for admission but has not yet registered for their course(s);

(c) Is eligible to reenroll in classes without reapplying.

(22) Title IX. Title IX of the Education Amendments Act of 1972, 20 U.S.C. 1681 and its implementing 34 C.F.R. Part 106.

(23) University. Washington State University.

(24) University official. Any person employed by the university, performing assigned administrative or professional responsibilities.

(25) University premises. All land, buildings, facilities, vehicles, websites, and other property in the possession of or owned, used, or controlled by the university (including adjacent streets and sidewalks), including its study abroad program sites, as well as university-sponsored or hosted online platforms.

AMENDATORY SECTION (Amending WSR 25-20-053, filed 9/25/25, effective 10/26/25)

WAC 504-26-020 Advisors and representatives. (1) Advisors. Any party may have an advisor of their choice, provided that person agrees to:

(a) Serve as an advisor~~((, to))~~; and

(b) Be present during all stages of ~~((a))~~ the conduct process as requested.

(2) A list of university employees who are trained advisors is provided upon a party's request. University advisors can provide support at no cost to the party.

(3) Advisors may assist any party engaged in the conduct process and attend meetings and hearings.

(4) Advisors ~~((may))~~ must not be witnesses to the alleged behavior.

(5) Advisors ~~((may))~~ must not be employed in CCS.

~~((2) Advisors in conduct hearings. During any conduct meeting, brief adjudicative hearing, or full adjudicative hearing,))~~ (6) Advisors in brief adjudications. Breaks may be taken during the hearing, within reason, to allow a party to consult with their advisor. ((How- ever,)) Advisors are not permitted to speak on behalf of parties ~~((, except that in full adjudicative proceedings, advisors are permitted to directly question witnesses and engage in cross-examination))~~ in hearings.

~~((3))~~ (7) Advisors in full adjudications. Breaks may be taken during the hearing, within reason, to allow a party to consult with their advisor. Advisors are not permitted to speak on behalf of parties in hearings; however, advisors must directly question witnesses and engage in cross-examination when there are allegations related to Title IX.

(8) Representatives. A party may choose to be represented during a full adjudication ~~((,))~~ at their own expense. Only persons currently admitted to practice law, including licensed legal interns, are permitted to act as representatives. Representatives are not permitted in

brief adjudications; however, persons currently admitted to practice law may participate as advisors in brief adjudications.

~~((4))~~ (9) As a condition of participation in the conduct process, CCS may require advisors and representatives to sign a statement agreeing to comply with legal requirements and university rules including, but not limited to, requirements related to confidentiality of student information.

~~((5))~~ (10) Questions regarding logistical and administrative issues are to be directed to the conduct officer, community standards board chair, or presiding officer, as applicable, who may impose reasonable conditions upon participation of advisors and representatives.

AMENDATORY SECTION (Amending WSR 24-23-093, filed 11/19/24, effective 12/20/24)

WAC 504-26-045 Evidence. (1) Evidence, including hearsay evidence, is admissible in student conduct proceedings if, in the judgment of the conduct officer or presiding officer, it is the kind of evidence that reasonably prudent persons are accustomed to rely on in the conduct of their affairs. The conduct officer or presiding officer determines the admissibility and relevance of all information and evidence.

(2) A complainant's sexual interests or prior sexual conduct is not relevant and not admissible in a conduct hearing unless such evidence is offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The fact of prior consensual sexual conduct between a complainant and a respondent does not by itself demonstrate or imply the complainant's consent to the alleged conduct or preclude determination that the conduct occurred.

(3) For matters involving conduct implicating ~~((EP15))~~ UPPM 10.60, evidence that was provided to a confidential employee is not admissible, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality.

(4) Parties may choose to remain silent during conduct proceedings, recognizing that they give up the opportunity to explain their version of events and that the decision is made based on the information presented at the hearing. No party must be compelled to give self-incriminating evidence, and no negative inference will be drawn from a party's refusal to participate in any stage of the conduct proceeding. If either party does not attend or participate in a hearing, the decision maker may resolve the matter based on the information available at the time of the hearing.

AMENDATORY SECTION (Amending WSR 24-23-093, filed 11/19/24, effective 12/20/24)

WAC 504-26-050 Supportive and interim measures. (1) While a student conduct matter is pending, the university may take a number of supportive measures on an interim basis to ensure the preservation of

the educational experience and the overall university environment of the parties.

(a) These actions may include, but are not limited to:

(i) A no-contact directive assigned to any party;

(ii) University housing room change for one or more involved parties; and/or

(iii) Changes in academic schedules or assignments for one or more involved parties.

(b) These actions for registered student organizations may include, but are not limited to:

(i) Loss of recognition;

(ii) Restriction of specified operational activities.

(2) University departments implementing supportive measures must coordinate with CCS or CCR, as applicable, which advises the parties of the supportive measures and the process for challenging them. For matters involving ((EP15)) UPPM 10.60, CCR or its designee ((facilities)) facilitates supportive measures. For all other alleged standards of conduct violations, CCS facilitates supportive measures. Supportive measures are not sanctions and do not imply or assume responsibility for a violation of the standards of conduct.

AMENDATORY SECTION (Amending WSR 24-23-093, filed 11/19/24, effective 12/20/24)

WAC 504-26-105 Recruitment, appointment, and term of community standards board members. (1) A hearing board selection committee convened by the dean of students and comprised of students, staff, and/or faculty ((members selects a pool of members of)) selects community standards board members from the university community ((to serve as community standards board members)).

((1) Pool members)) (2) Community standards board members selected by the hearing board selection committee are appointed by the university president or designee and must be in good standing with the university.

((Pool)) (3) Community standards board members serve a maximum term of four calendar years ((but may apply to serve another four-year term after a break of two years. Terms of pool members are staggered. CCS is not involved in the selection processes for board members)). After the maximum term is served, community standards board members may reapply to serve for an additional term.

(4) CCS cannot be voting members on the hearing board selection committee.

(5) CCS ((may assist in)) facilitates the recruitment process for community standards board members.

((2)) (6) If a community standards board member fails to meet established expectations, their appointment may be terminated((7)) in writing((7)) by the university president or designee or hearing board selection committee.

AMENDATORY SECTION (Amending WSR 24-23-093, filed 11/19/24, effective 12/20/24)

WAC 504-26-110 Composition of ~~((conduct))~~ community standards board. A ~~((conduct))~~ community standards board may consist of one person or multiple persons selected from the pool of appointed university community members in accordance with WAC 504-26-105. No ~~((conduct))~~ community standards board member may serve on a case if the member previously served on a community standards board in a case involving the same complainant or respondent.

AMENDATORY SECTION (Amending WSR 24-23-093, filed 11/19/24, effective 12/20/24)

WAC 504-26-115 Composition of university appeals board. (1)
 ((An)) A university appeals board may consist of:
 (a) The director of CCS or designee;
 (b) The director of CCR or designee; or
 (c) A panel of ~~((at least three members))~~ one or more individuals in accordance with WAC 504-26-110.
 (d) The appeals board is the university's reviewing officer as that term is defined under RCW 34.05.464(4).
 (2) ~~((Where a panel is utilized, a minimum of one appeals board member hearing a matter must be a student. The remaining members may be students, faculty, or staff.))~~ No university appeals board member may serve on a case if the member previously served on ~~((a))~~ any community standards board in a case involving the same complainant or respondent.

AMENDATORY SECTION (Amending WSR 24-23-093, filed 11/19/24, effective 12/20/24)

WAC 504-26-117 Composition of academic integrity hearing board.
~~((The academic integrity hearing board must consist of a minimum of one member. Where a panel is utilized, a minimum of one academic integrity board member hearing a matter must be a faculty member. The remaining members may be students or faculty. No academic integrity hearing board member may serve on a case if the member previously served on a board in a case involving the same student.~~
 In hearings involving graduate respondents, board memberships are comprised to include graduate students and graduate teaching faculty to the extent possible.)) An academic hearing board may consist of:
 (1) A panel of one or more individuals in accordance with WAC 504-26-110.
 (a) To the extent possible, reasonable attempts are made to have graduate student(s) and/or graduate faculty as board members, in accordance with WAC 504-26-110, when respondents in cases are graduate students.
 (b) To the extent possible, reasonable attempts are made to have at least one faculty board member, in accordance with WAC 504-26-110.
 (2) No academic integrity hearing board member may serve on a case if the member previously served on any community standards board for the same respondent.

AMENDATORY SECTION (Amending WSR 25-20-053, filed 9/25/25, effective 10/26/25)

WAC 504-26-120 Training. (1) ~~((Conduct and appeals))~~ Community standards board members. ~~((Conduct board members and appeals board members must not participate in any student conduct matter until, at a minimum, training in the following areas has been completed))~~ All community standards board members appointed in accordance with WAC 504-26-105 must complete the following training before participating on any community standards board:

- ~~(a)~~ Student development ~~((and))~~;
- ~~(b)~~ Student conduct philosophies, including the educational component of the student conduct process;
- ~~((b))~~ (c) Fair and equitable decision making, including:
 - (i) Due process;
 - (ii) Standards of proof;
 - (iii) Relevant and admissible evidence;
 - (iv) Conflict of interest; and
 - (v) Identifying bias;
- ~~((e))~~ (d) Sexual assault and gender-based violence;
- ~~((d))~~ (e) Alcohol and drug prevention;
- ~~((e))~~ (f) Sanctioning principles and guidelines; and
- ~~((f))~~ (g) Title IX regulatory definitions, jurisdiction, and grievance processes.

(2) Conduct officers. Conduct officers must not participate in any student conduct matter until, at a minimum, training in the following areas has been completed:

- (a) Alternative dispute resolution;
- (b) Restorative justice; and
- (c) All training required of community standards board members (see subsection (1) of this section).

(3) Presiding and reviewing officers. Presiding and reviewing officers must not participate in any student conduct matter until, at a minimum, training in the following areas has been completed:

- ~~(a)~~ Student development ~~((and))~~;
- ~~(b)~~ Student conduct philosophies, including the educational component of the student conduct process; and
- ~~((b))~~ (c) Title IX regulatory definitions, jurisdiction, and grievance processes.

(4) ~~((Academic integrity hearing board members. Academic integrity hearing board members must not participate in any student conduct matter until, at a minimum, training in the following areas has been completed:~~

- ~~(a)~~ Student development and student conduct philosophies, including the educational component of the student conduct process; and
- ~~(b)~~ Fair and equitable decision making, including:
 - ~~(i)~~ Due process;
 - ~~(ii)~~ Standards of proof;
 - ~~(iii)~~ Relevant and admissible evidence;
 - ~~(iv)~~ Conflict of interest; and
 - ~~(v)~~ Identifying bias.

~~(5))~~ Renewal of training. Training must be renewed on a biennial basis, except for decision makers who hear ~~((EP15))~~ Title IX matters, who are required to take Title IX regulatory training annually.

AMENDATORY SECTION (Amending WSR 24-23-093, filed 11/19/24, effective 12/20/24)

WAC 504-26-201 Misconduct—Rules and regulations. Any student or registered student organization found to have committed, assisted, conspired, or attempted to commit (~~the following~~) misconduct (WAC 504-26-202 through (~~504-26-230~~) 504-26-231) is subject to the disciplinary sanctions outlined in WAC 504-26-425.

AMENDATORY SECTION (Amending WSR 24-23-093, filed 11/19/24, effective 12/20/24)

WAC 504-26-202 Acts of dishonesty. Acts of dishonesty are defined as:

(1) Academic integrity violations.

(a) Use of unauthorized materials in taking quizzes, tests, or examinations, or giving or receiving unauthorized assistance by any means, including talking, copying information from another student, using electronic devices, or taking an examination for another student.

(b) Use of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments.

(c) Acquisition or possession of tests or other academic material belonging to a member of the university faculty or staff when acquired without the permission of the university faculty or staff member.

(d) Fabrication, which is the intentional invention or counterfeiting of information in the course of an academic activity. Fabrication includes, but is not limited to:

(i) Counterfeiting data, research results, information, or procedures with inadequate foundation in fact. The office of research must be consulted in matters involving alleged research misconduct as that term is defined in (~~the university's executive policy 33~~) University Policies and Procedures Manual 45.30 (UPPM 45.30).

(ii) Counterfeiting a record of internship or practicum experiences.

(iii) Submitting a false excuse for absence or tardiness or a false explanation for failing to complete a class requirement or scheduled examination at the appointed date and time.

(e) Engaging in any behavior for the purpose of gaining an unfair advantage specifically prohibited by a faculty member in the course syllabus or class discussion.

(f) Research misconduct. Falsification, fabrication, plagiarism, or other forms of dishonesty in scientific and scholarly research are prohibited. Complaints and inquiries involving cases of research misconduct are managed according to the university's policy for responding to allegations of research misconduct, (~~executive policy 33~~) UPPM 45.30. A finding of research misconduct is subject to sanctions by CCS.

(g) Unauthorized collaboration on assignments.

(h) Intentionally obtaining unauthorized knowledge of examination materials.

(i) Plagiarism. Presenting the information, ideas, or phrasing of another person as the student's own work without proper acknowledgment

of the source. This includes submitting a commercially prepared paper or research project or submitting for academic credit any work done by someone else. The term "plagiarism" includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

(j) Unauthorized multiple submission of the same work.

(k) Sabotage of others' work.

(l) Tampering with or falsifying records.

(m) Violating any other academic rule or standards specified in published course policies.

(n) Unauthorized use of artificial intelligence to complete course requirements including, but not limited to, papers, homework assignments, and tests.

(2) (~~Knowingly furnishing~~) Providing false information, (~~knowingly~~) omitting relevant information, or (~~knowingly~~) misrepresenting information to any person, including university officials, faculty members, or administrators. It is not a violation of this section to refuse to give self-incriminating evidence to a university official, faculty member, or administrator. (See WAC 504-26-045.)

(3) Omitting any previously attended universities or other requested information from an admissions application.

(4) Forgery, alteration, or misuse of any university document or record, or instrument of identification whether issued by the university or other state or federal agency.

(~~(4)~~) (5) Fraud.

AMENDATORY SECTION (Amending WSR 24-23-093, filed 11/19/24, effective 12/20/24)

WAC 504-26-206 Hazing. (1) Hazing includes any (~~act committed as part of a person's recruitment, initiation, pledging, admission into, or affiliation with a registered student organization, athletic team, or living group, or any pastime or amusement engaged in with respect to such an organization, athletic team, or living group that causes, or is likely to cause, bodily danger or physical harm, or psychological or emotional harm, regardless of the person's willingness to participate.~~

~~(2) Hazing activities may include, but are not limited to:~~

~~(a) Use of alcohol during activities targeted towards new members;~~

~~(b) Striking another person whether by use of any object or one's body;~~

~~(c) Creation of excessive fatigue;~~

~~(d) Physical and/or psychological shock;~~

~~(e) Morally degrading or humiliating games or activities;~~

~~(f) Causing, directing, coercing, or forcing a person to consume any food, liquid, alcohol, drug, or other substance regardless of the person's willingness to participate;~~

~~(g) Unreasonable or unnatural physical)~~ activity committed in the course of initiation into, affiliation with, or maintenance of membership in a student organization, athletic team, or living group that:

(a) Causes or creates a risk of physical or psychological injury, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization; or

(b) Endangers the mental or physical health or safety of a student, regardless of the person's willingness to participate.

(2) Examples include, but are not limited to:

(a) Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;

(b) Causing, directing, coercing, forcing, or otherwise inducing sleep deprivation, excessive fatigue, exposure to the elements, confinement in a small space, extreme calisthenics, unreasonable or unnatural physical activity, or other similar activity;

(c) Causing, directing, coercing, forcing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;

(d) Causing, directing, coercing, forcing, or otherwise inducing another person to perform sexual acts;

(e) Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;

(f) Any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law;

(g) Causing, directing, coercing, forcing, or otherwise inducing another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law;

(h) Use of alcohol during activities targeted towards new members;

(i) Morally degrading, humiliating, or embarrassing games or activities; or

(j) Creating, enforcing, or exploiting power imbalances between members.

(3) Hazing does not include practice, training, conditioning and eligibility requirements for customary athletic events, such as intramural or club sports and NCAA athletics, or other similar contests or competitions.

(4) Hazing is prohibited both on and off campus.

AMENDATORY SECTION (Amending WSR 24-23-093, filed 11/19/24, effective 12/20/24)

WAC 504-26-207 Failure to comply with university officials or law enforcement officers. Failure to:

(1) Comply with lawful directions of university officials ~~((and/or))~~, law enforcement officers, or any emergency services personnel acting in performance of their duties; ~~((and/or))~~

(2) Identify oneself to ~~((these persons))~~ university officials, law enforcement officers, or any emergency services personnel when requested to do so; ~~((and/))~~ or

(3) Comply with an informal resolution facilitated under ~~((EP15))~~ UPPM 10.60 or an agreed resolution facilitated by CCS.

AMENDATORY SECTION (Amending WSR 24-23-093, filed 11/19/24, effective 12/20/24)

WAC 504-26-209 Violation of university policy, rule, or regulation. Violation of any university policy, rule, or regulation published electronically on the university website or in hard copy including, but not limited to, the university's alcohol and drug policy, ((EP15)) UPPM 10.60, and housing and residence life policy.

AMENDATORY SECTION (Amending WSR 22-23-142, filed 11/21/22, effective 1/1/23)

WAC 504-26-218 Computer abuses or theft. Theft or other abuse of computer facilities and resources((7)) including, but not limited to:

- (1) Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
- (2) Unauthorized transfer of a file.
- (3) Unauthorized use of computer hardware.
- (4) Unauthorized use of another individual's identification, password, or multifactor authentication credentials.
- (5) Use of computing facilities and resources in violation of any law, including copyright laws.
- (6) Any violation of the university computer use policy found in the university's ((executive policy 4)) UPPM 85.47 (electronic communication policy) and UPPM 87.07 (email use and security policy).

AMENDATORY SECTION (Amending WSR 24-23-093, filed 11/19/24, effective 12/20/24)

WAC 504-26-222 Harassment (other than sex-based harassment or discriminatory harassment). ((Harassment is)) Conduct by any means that is unwelcome and so severe, persistent, or pervasive((7, and is of such a nature)) that it would cause a reasonable person in the complainant's position to experience substantial emotional distress and/or undermine their ability to work, study, or participate in ((their)) regular life ((activities or participate in the activities of the university, and/or actually does cause the complainant substantial emotional distress and undermines the complainant's ability to work, study, or participate in the complainant's regular life activities or participate in the activities of the university)) or university activities. This includes behavior carried out through digital or electronic means, such as social media platforms, blogs, text messages, and other online communication tools.

AMENDATORY SECTION (Amending WSR 24-23-093, filed 11/19/24, effective 12/20/24)

WAC 504-26-224 Reckless endangerment. Engaging in conduct that creates an unreasonable risk of harm to another person or property and/or other conduct that undermines the safety of the university com-

munity or any person. Reckless endangerment may include, but is not limited to:

- (1) Operating a vehicle while intoxicated;
- (2) Operating a vehicle with blatant disregard for the safety of other people and/or property;
- (3) Placing hazards in a public right of way;
- (4) Throwing objects at moving vehicles or out of buildings;
- (5) Tampering with or removing safety equipment and/or signage.
- (6) Distribution of a controlled substance or alcohol.

AMENDATORY SECTION (Amending WSR 25-20-053, filed 9/25/25, effective 10/26/25)

WAC 504-26-401 Initiating conduct proceedings. (1) Complaints. Any member of the university community may submit a complaint that a student or registered student organization violated the standards of conduct. In matters that would constitute a violation of ~~((EP15))~~ UPPM 10.60, the complaint must be submitted to CCR or initiated by CCR pursuant to ~~((EP15))~~ UPPM 10.60. In addition, CCS may initiate conduct proceedings when it receives any direct or indirect report of conduct that may violate the standards of conduct.

(2) Decision not to refer the matter to a hearing. ~~((Except as provided below,))~~ If the conduct officer decides not to refer the matter to a hearing, the conduct officer ~~((must))~~ may notify the ~~((reporting party))~~ complainant in writing of the decision, the reasons for the decision, and how to seek review of the decision. Conduct matters may be reopened if new relevant information becomes known. A conduct officer cannot dismiss a matter received from CCR where CCR completed an investigation implicating Title IX. In such cases, the matter must be referred to a conduct hearing, which must be held within 60 days of the date the CCR investigation is completed, unless good cause exists to extend the date of the hearing or the matter is resolved through agreement or alternative dispute resolution.

(3) Agreement and alternative dispute resolution. A conduct officer may resolve a matter by agreement. Agreements may be reached directly or through alternative dispute resolution including, but not limited to, shuttle diplomacy or mediation. Parties involved in matters implicating ~~((EP15))~~ UPPM 10.60 also may participate in an informal resolution process outlined in ~~((EP15))~~ UPPM 10.60 and the CCR procedural guidelines at any time prior to a determination of responsibility. When resolution of a matter is reached by agreement or alternative dispute resolution, the agreement must be in writing and signed by the parties and the conduct officer. In the agreement, the parties must be advised in writing that:

- (a) The disposition is final and they are waiving any right to a hearing on the matter, including any right to appeal; and
- (b) If any party decides not to sign the agreement, and the matter proceeds to a hearing, neither the agreement nor a party's refusal to sign will be used against either party at the hearing.

(4) Referral for adjudication. Except as provided in subsection (2) of this section, if CCS determines that a conduct hearing is warranted, and the matter is not resolved through agreement or alternative dispute resolution, the matter is handled through either a brief adjudication in accordance with WAC 504-26-402 or a full adjudicative proceeding in accordance with WAC 504-26-403. In determining which

process is appropriate, CCS considers factors including, but not limited to, the nature and severity of the allegations, the respondent's past contacts with CCS, and the range of possible sanctions that would be appropriate given the alleged conduct. A student may request a full adjudicative proceeding, but the final decision regarding whether to refer the matter to a full adjudicative proceeding for resolution is made by CCS and is not subject to appeal.

AMENDATORY SECTION (Amending WSR 24-23-093, filed 11/19/24, effective 12/20/24)

WAC 504-26-402 Brief adjudications. (1) Adoption of model rules of procedure. Brief adjudications are governed by the Administrative Procedure Act, RCW 34.05.482 through 34.05.494, and chapter 10-08 WAC, Model rules of procedure, except as otherwise provided in this chapter. In the event of a conflict between the rules in this chapter and the model rules, this chapter governs.

(2) Notice of hearing. The parties must be provided with written notice no later than seven calendar days prior to a brief adjudication. The notice must include:

(a) A brief description of the factual allegations or issues involved;

(b) The specific standard of conduct provision(s) the respondent is alleged to have violated;

(c) The time, date, and (~~place~~) location of the hearing or the process ((by which a respondent may)) to schedule the hearing, if the hearing is attended by the parties;

(d) Information regarding what to expect during the student conduct process and student rights including, but not limited to:

(i) A statement that the parties have the right to have an advisor present at the hearing;

(ii) A statement regarding the right not to self-incriminate in accordance with WAC 504-26-045; and

(iii) Information regarding the right to request recusal of a conduct officer or community standards board member under WAC 504-26-125;

(e) Available resources, including how to access an information session;

(f) A statement that any request to modify the time or date of the hearing should be addressed to CCS;

(g) A statement (~~that indicates~~) that respondents are presumed "not responsible" for the pending allegations; and

(h) A statement that violations are determined by a preponderance of the evidence, meaning that it is more likely than not that the violation occurred.

(~~(2)~~) (3) Hearing and possible outcomes.

(a) Brief adjudications are conducted in accordance with RCW 34.05.482 through 34.05.494. The hearing allows for an objective evaluation and review of available information, the rendering of a decision regarding responsibility, and assigned sanctions, as appropriate.

(i) In conduct hearings, the conduct officer may engage in further questioning of parties and witnesses as needed to evaluate the allegations and assess credibility.

(ii) In community standards board hearings, the board may engage in further questioning of parties who attend the hearing as needed to evaluate the allegations and assess credibility.

(b) Upon conclusion of the hearing, the following actions may be taken:

(i) ~~((Find the))~~ Respondent found responsible for any or all of the alleged violations and assign sanctions as provided in WAC 504-26-425; or

(ii) ~~((Find the))~~ Respondent found not responsible for any or all of the alleged violations ~~((+~~

~~iii) Dismiss the matter with no finding regarding responsibility, in which case the matter may be reopened at a later date if relevant new information becomes known.~~

~~(3))~~.

(c) In conduct hearings, the conduct officer may take the actions outlined in (b) of this subsection or dismiss the matter with no finding regarding responsibility, in which case the matter may be reopened at a later date if relevant new information becomes known.

(4) Notice of decision and right to appeal. The parties are notified, in writing, of the decision within ((10)) 30 calendar days of the brief adjudication or, upon notification in writing, within an extended total of 90 calendar days. This is the initial order of the university and must include:

(a) Description of the allegations that initiated the community standards process;

(b) Description of procedural steps taken from the receipt of the formal complaint up to and including the outcome of the brief adjudication, as well as a rationale for such determinations;

(c) Appropriately numbered findings of fact and conclusions;

(d) The sanction(s) to be assigned, if any, and the rationale for the sanction(s);

(e) Information regarding the parties' right to appeal according to WAC 504-26-420, including the time frame for seeking review; and

(f) Notice that the initial order becomes final unless an appeal is filed within 20 calendar days of the date the initial order is sent to the parties.

AMENDATORY SECTION (Amending WSR 25-20-053, filed 9/25/25, effective 10/26/25)

WAC 504-26-403 Full adjudications. (1) Adoption of model rules of procedure. Full adjudications are governed by the Administrative Procedure Act, RCW 34.05.413 through 34.05.476, and chapter 10-08 WAC, Model rules of procedure, except as otherwise provided in this chapter. In the event of a conflict between the rules in this chapter and the model rules, this chapter governs.

(2) Notice of hearing. Notice to the parties of a full adjudicative proceeding must comply with model rule WAC 10-08-040 and standards of conduct rule WAC 504-26-035. In addition, information regarding the student conduct process and student rights, as required by WAC 504-26-401 must be provided.

(3) Time for hearings. The full adjudicative proceeding is scheduled no less than seven calendar days after the parties have been sent notice of the hearing.

In accordance with WAC 10-08-090, requests to extend the time and/or date for hearing must be addressed to the presiding officer. A request for an extension of time is granted only upon a showing of good cause.

(4) Subpoenas. Subpoenas may be issued and enforced in accordance with model rule WAC 10-08-120. In determining whether to issue, quash, or modify a subpoena, the presiding officer must give due consideration to state and federal legal requirements including, but not limited to, Title IX, its implementing regulations, and guidance issued by the federal Office for Civil Rights. The party requesting the subpoena has the burden of showing that a subpoena is necessary for full disclosure of all the relevant facts and issues.

(5) Discovery. Depositions and interrogatories are not permitted in adjudications of student conduct matters. Other forms of discovery may be permitted at the discretion of the presiding officer; however, discovery should be limited to help ensure the prompt completion of the adjudication process.

(6) Direct questioning and cross-examination. As required by RCW 34.05.449, direct and cross-examination of witnesses is permitted to the extent necessary for full disclosure of all relevant facts and issues.

(a) Direct questioning and cross-examination is conducted by the party or the party's advisor or representative in a respectful manner. Prior to asking or allowing any direct and cross-examination question, the presiding officer must first determine whether the question is relevant, permissible, clear, not repetitive and not harassing. If a presiding officer excludes a question, the presiding officer must explain the rationale for exclusion and provide the party and/or advisor an opportunity to clarify or revise their question.

(b) At no point may a party personally cross-examine the other party when the other party is testifying as a witness or directly cross-examine other witnesses in a full-adjudicative hearing involving allegations of Title IX sexual harassment. If necessary, the university provides an advisor to the parties for the purposes of direct questioning and cross-examination in full adjudicative hearings involving allegations ((of Title IX sexual harassment)) related to Title IX.

(c) The university, when represented by a member of CCS staff, is not required to have an advisor or representative for the purposes of engaging in cross-examination questioning or direct questioning of witnesses.

(7) Decision requirements. Decisions regarding responsibility and sanctions are made by the presiding officer.

(8) Notice of decision and right to appeal. ~~((Within 10 calendar days of the completion of the hearing, the presiding officer must issue the initial order simultaneously to all parties, unless the presiding officer notifies the parties in writing that additional time (up to 30 calendar days) is needed.))~~ The parties are notified, in writing, of the decision within 30 calendar days of the full adjudication or, upon notification in writing, within an extended total of 90 calendar days. The initial order of the university must contain the following:

(a) Description of the allegations that initiated the community standards process;

(b) Description of procedural steps taken from the receipt of the formal complaint up to and including the outcome of the full adjudicative proceeding;

(c) Appropriately numbered findings of fact, conclusions, and rationale for each result;

(d) The sanction(s) and/or remedy(ies) to be assigned, if any, and the rationale for the sanction(s) and/or remedy(ies);

(e) Information regarding the parties' right to appeal according to WAC 504-26-420, including the time frame for seeking review; and

(f) Notice that the initial order becomes final unless an appeal is filed within 20 calendar days of the date the initial order is sent to the parties.

AMENDATORY SECTION (Amending WSR 24-23-093, filed 11/19/24, effective 12/20/24)

WAC 504-26-415 Procedure for academic integrity violations. (1) Initial hearing.

(a) When ~~((a responsible))~~ an instructor believes that an academic integrity violation has occurred, the instructor must make at least one reasonable attempt~~((s))~~ to meet with the ~~((student suspected of committing an academic integrity violation to allow the student to respond to the allegations))~~ respondent.

(b) After ~~((the meeting or reasonable attempts to meet occur, the instructor must make a decision as to whether it is more likely than not that the respondent is responsible for an academic integrity violation as defined in WAC 504-26-202. If the instructor finds that the respondent is responsible for an academic integrity violation, the instructor must provide the respondent and CCS with a written decision, the evidence relied upon, and the academic sanctions assigned.~~

~~(c) Decisions made by the instructor become final 21 calendar days after the date the decision is sent to the respondent, unless an appeal is submitted.~~

~~(2) Appeal.~~

~~(a) The respondent can appeal the instructor's decision by submitting an appeal to CCS within 20 calendar days of the date of decision. Upon timely submission of appeal, the academic integrity hearing board conducts a limited review.~~

~~(b) Scope of review. Appeal of an instructor's academic integrity decision is limited to a review of the record to determine whether:~~

~~(i) The instructor meeting was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures; deviations from designated procedures are not a basis for sustaining an appeal unless procedural error affected the outcome of the matter.~~

~~(ii) The decision reached was based on substantial information, i.e., whether there were facts in the case that, if believed by the fact finder, were sufficient to establish that a violation of the standards of conduct occurred;))~~ making at least one reasonable attempt to meet with respondent, the instructor determines responsibility using a preponderance of the evidence standard, defined in WAC 504-26-040, as to whether it is more likely than not that the respondent is responsible for an academic integrity violation as defined in WAC 504-26-202.

(c) If the instructor finds that the student is responsible for an academic integrity violation, the instructor must inform the respondent in writing that they:

(i) Are being found responsible for an academic integrity violation; and

(ii) Have the right to appeal the decision through CCS.

(d) Instructors are required to submit a report to CCS that includes:

(i) All evidence used to make the finding of responsibility;

(ii) The course syllabus and any other documentation that defines the established course expectations for academic integrity;

(iii) A copy of their communication with the student that includes the requirements outlined in (c) of this subsection;

(iv) Documentation of the reasonable attempt made to meet with the respondent before making a decision.

(e) If the instructor does not meet the reporting instructions in (c) of this subsection, CCS may refer the reported violation back to the instructor with additional instructions. The instructor must submit a new report, or they must grade the assignment as if no academic integrity violation occurred.

(2) Appeal.

(a) Time for appeals. Decisions become final on the 21st calendar day after the date the respondent is notified in writing of their right to appeal, unless an appeal is submitted within 20 calendar days of the date the decision is sent to the parties.

(b) Scope of review. The community standards board reviews all information submitted by the instructor to CCS and all information submitted by the respondent in their appeal to determine the following:

(i) Whether the communication and reporting requirements under subsection (1)(c) and (d) of this section were completed;

(ii) Whether the initial decision was based on a preponderance of the evidence standard as defined in WAC 504-26-040; and

(iii) ~~((The academic))~~ Whether the sanction assigned by the instructor was in alignment with the published course policies and/or syllabus statement(s).

(c) Actions. After reviewing the record ~~((and any information provided by the parties))~~, as defined in (b) of this subsection, the ~~((academic integrity hearing))~~ community standards board may take the following actions:

(i) Affirm, reverse, or modify the initial decision ~~((, or any part of the decision))~~ of responsibility based upon the scope of review defined in (b) of this subsection; or

(ii) Affirm, reverse, or modify the ~~((academic sanctions and/or remedies assigned by the decision maker, or any part of the sanctions and/or remedies; or~~

~~((iii) Set aside the findings, sanctions, remedies, or any part of the findings, sanctions, or remedies and remand the matter back to the decision maker with instructions for further proceedings.~~

~~((d) The academic integrity hearing board is empowered to provide an appropriate remedy for a respondent including arranging a withdrawal from the course, having the respondent's work evaluated, or changing a grade where it finds that:~~

~~((i) The respondent is not responsible for violating academic integrity policies; or~~

~~((ii) The outcome assigned by the instructor violates the instructor's published policies))~~ sanction assigned by the instructor if it was more severe than outlined in the published course policies and/or syllabus statement(s); or

(iii) Reverse the sanction assigned by the instructor if the respondent is found not responsible.

(d) Outcomes. The respondent and instructor must adhere to all determinations made by the community standards board as outlined in (b) of this subsection and any other remedies assigned by the community standards board including, but not limited to, having the respondent's assignment evaluated as if no academic violation took place or changing a grade when the community standards board affirms, reverses, or modifies an initial decision.

(e) Notice of decision and right to appeal. The parties are notified, in writing, of the decision within 30 calendar days of the community standards board hearing or, upon notification in writing, within an extended total of 90 calendar days.

(i) The written decision of the community standards board, in accordance with WAC 504-26-415, is the university's final order.

(ii) Decision letters are sent to the respondent, instructor, chair, and/or dean.

~~((e))~~ (f) Content of decision. The decision includes the outcome, any ~~((sanction or remedy))~~ remedies, and a brief statement of the reasons for the decision. The letter must advise the parties that judicial review may be available. ~~((The written decision of the academic integrity hearing board is the university's final order. There is no additional appeal of the findings of responsibility or academic sanctions assigned by academic integrity hearing board.))~~

(3) After a finding of responsibility, either upon expiration of the appeal period or the ~~((academic integrity hearing))~~ community standards board decision, the matter is referred to CCS for ~~((educational))~~ sanctioning separate from, and in addition to, any academic sanctions assigned by the instructor.

~~((4) Because instructors and departments have an educational need to know the outcome of an academic integrity hearing board decision, academic integrity hearing board decisions are shared with the responsible instructor and the chair or dean.))~~

AMENDATORY SECTION (Amending WSR 24-23-093, filed 11/19/24, effective 12/20/24)

WAC 504-26-420 Appeals. (1) Time for appeals. Conduct hearing decisions become final on the 21st calendar day after the date the decision is sent to the parties, unless an appeal is submitted within 20 calendar days of the date the decision is sent to the parties.

(2) Effect of appeal - Stay. Except in extraordinary circumstances, which must be explained in writing in the decision maker's initial ~~((order))~~ decision, the implementation of an initial ~~((order))~~ decision assigning sanctions must be stayed pending the time for filing an appeal and the issuance of the university's final order.

(3) Appeals. Upon receipt of a timely appeal of a university initial decision, CCS provides the other parties ~~((, if applicable))~~ with applicable party rights, as defined in WAC 504-26-010, with a copy of the appeal and an opportunity to respond within 10 calendar days.

(a) Brief adjudication scope of review. Except as required to explain the basis of new information, appeal of a brief adjudication decision is limited to a review of the record for one or more of the following purposes:

(i) To determine whether the ~~((conduct))~~ hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures; deviations from designated procedures are not a basis for sustaining an appeal unless procedural error affected the outcome of the matter;

(ii) To determine whether the decision ~~((reached was based on substantial information, i.e., whether there were facts in the case that, if believed by the fact finder, were sufficient to establish that a violation of))~~ was based on a preponderance of the evidence, meaning it is more likely than not that the standards of conduct violation occurred;

(iii) To determine whether the sanction(s) assigned were appropriate for the violation of the standards of conduct that the respondent was found to have committed;

(iv) To consider new information, sufficient to alter a decision, or other relevant facts not brought out in the original brief adjudication, because such information and/or facts were not known to the person appealing at the time of the original brief adjudication;

(v) To consider whether or not the university had jurisdiction per WAC 504-26-015 to address the situation through the community standards process; or

(vi) To consider whether the investigator(s) or decision maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

(b) Full adjudicative proceeding scope of review. In addition to the criteria listed in (a) of this subsection, the appeals board members for full adjudicative proceeding appeals must make a separate and independent decision in the matter and personally consider the whole record.

The appeals board must have and exercise all the decision-making power that the decision maker had, except that the appeals board must give due regard to the decision maker's opportunity to observe the witnesses, if applicable.

(4) University's right to initiate appeal. The university president or designee, at their own initiative, may request that the appeals board review any initial order.

(5) Appeals board decisions.

(a) Actions. After reviewing the record ((and any information provided by the parties, the appeals board may take the following actions)), appeals, and responses to appeals (when applicable), the following actions may occur:

(i) Affirm, reverse, or modify the initial decision, or any part of the decision; or

(ii) Affirm, reverse, or modify the sanctions and/or remedies ~~((assigned by the decision maker))~~, or any part of the sanctions and/or remedies ~~((or~~

~~((iii) Set aside the findings, sanctions, remedies, or any part of the findings, sanctions, remedies and remand the matter back to the decision maker with instructions for further proceedings))~~.

(b) In addition to the actions in (a) of this subsection, if requested by a party, the community standards board may review whether there was a procedural or policy compliance issue that could have negatively impacted the outcome of the case. If the community standards board determines there was a procedural or policy compliance issue that did negatively impact the outcome of the case, the community standards board may remand the case to a hearing of the same type.

When a case is remanded, the initial decision is vacated, and it is no longer the initial decision.

(c) Content of decision. The decision includes the outcome, any sanction and/or remedy, and a brief statement of the reasons for the decision. The letter must advise the parties that judicial review may be available. For appeals of full adjudicative proceedings, the decision includes, or incorporates by reference to the presiding officer's decision, all matters as set forth in WAC 504-26-403(8).

~~((e))~~ (d) Service and effective date of decision. For appeals of brief adjudicative proceedings, the appeals board's decision must be sent simultaneously to the parties within 20 calendar days of receipt of the appeal. For appeals of full adjudicative proceedings, the appeals board's decision must be sent simultaneously to the parties within 30 calendar days of receipt of the appeal, unless the appeals board notifies the parties in writing that additional time (up to 90 calendar days) is needed. The appeals board's decision is the final order of the university, except in the case of remand, and is effective when sent.

(6) Reconsideration of final orders. Within 10 calendar days of service of a final order, any party may submit a request for reconsideration. The request must be in writing, directed to the appeals board, and must state the reasons for the request. The request for reconsideration does not stay the effective date of the final order. However, the time for filing a petition for judicial review does not commence until the date the appeals board responds to the request for reconsideration or 21 calendar days after the request has been submitted, whichever is sooner. If the appeals board does not respond to the request for reconsideration within 21 calendar days, the request is deemed to have been denied.

(7) Stay. A party may request that the university delay the date that the final order becomes effective by requesting a stay in writing to the appeals board within 10 calendar days of the date the order was served.

AMENDATORY SECTION (Amending WSR 25-20-053, filed 9/25/25, effective 10/26/25)

WAC 504-26-425 Sanctions. (1) Publication of guidelines for sanctioning. Sanctioning guidelines and other information regarding sanctioning must be published on the university website. Guidelines must explain in plain language the types of sanctions that a respondent may face for a particular violation and the factors that are used to determine the sanction(s) assigned for a particular violation.

(2) Factors for sanctioning must include, but not be limited to, the following:

(a) Conduct record. Any record of past violations of the standards of conduct, and the nature and severity of such past violations;

(b) Malicious intent. If a respondent is found to have intentionally selected a complainant based upon the respondent's perception of the complainant's race, color, religion, national or ethnic origin, age, sex/gender, marital status, status as an honorably discharged veteran or member of the military, sexual orientation, genetic information, gender identity/expression, or mental, physical, or sensory disability (including disability requiring the use of a trained serv-

ice animal), such finding is considered an aggravating factor in determining a sanction for such conduct;

(c) Impact on complainant and/or university community;

(d) Applicable local, state, or federal laws that define sanctioning.

(3) Effective date of sanctions. Except as provided in WAC 504-26-420(2), sanctions are implemented when a final order becomes effective. If no appeal is filed, an initial order becomes a final order on the day after the period for requesting review has expired. (See WAC 504-26-420.)

(4) Types of sanctions. The following sanctions may be assigned to any respondent found to have violated the standards of conduct. More than one of the sanctions listed below may be assigned for any single violation:

(a) Warning. A notice in writing to the respondent that the respondent is violating or has violated the standards of conduct.

(b) Probation. Formal action placing conditions upon the respondent's continued attendance, recognition, or registration at the university. Probation is for a designated period of time and warns the respondent that suspension, expulsion, loss of recognition, or any other sanction outlined in this section may be assigned if the respondent is found to have violated the standards of conduct or any institutional regulation(s) or fails to complete any conditions of probation during the probationary period. A respondent on probation is not eligible to run for or hold an office in any registered student group or organization; they are not eligible for certain jobs on campus including, but not limited to, resident advisor or orientation counselor; and they are not eligible to serve on the ~~((university conduct or appeals))~~ community standards board.

(c) Loss of privileges. Denial of specified privileges for a designated period of time.

(d) Restitution. Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

(e) Education. Requirement to successfully complete an educational project designed to create an awareness of the respondent's misconduct.

(f) Community service. Assignment of service hours (not to exceed 80 hours per respondent or per member of a registered student organization).

(g) University housing suspension. Separation of the respondent from a residence hall or halls for a definite period of time, after which the respondent may be eligible to return. Conditions for readmission may be specified.

(h) University housing expulsion. Permanent separation of the respondent from a residence hall or halls.

(i) University suspension. Separation of the respondent from the university for a definite period of time. The respondent may be required to request readmission after completing a suspension per other university policy.

(j) University expulsion. Permanent separation of the respondent from the university. Also referred to as university dismissal. The terms are used interchangeably throughout this chapter.

(k) Revocation of admission and/or degree. Admission to or a degree awarded from the university may be revoked for fraud, misrepresentation, or other violation of law or standard of conduct in obtain-

ing the degree or admission, or for other serious violations committed by a respondent before awarding of the degree.

(l) Withholding degree. The university may withhold awarding a degree otherwise earned until the completion of the process set forth in these standards of conduct, including the completion of all sanctions assigned, if any.

(m) Trespass. A respondent may be restricted from any or all university premises based on their misconduct.

(n) Loss of recognition. A registered student organization's recognition (or ability to register) may be withheld permanently or for a specific period of time. Loss of recognition is defined as withholding university services, privileges, or administrative approval from a registered student organization. Services, privileges, and approval to be withdrawn may include, but are not limited to, intramural sports (although individual members may participate), information technology services, university facility use and rental, student engagement office organizational activities, and their liaison relationship with the center for fraternity and sorority life.

(o) Hold on transcript and/or registration. A hold restricts release of a respondent's transcript or access to registration until satisfactory completion of conditions or sanctions assigned by a conduct officer or university conduct board. Upon proof of satisfactory completion of the conditions or sanctions, the hold is released.

(p) No contact directive. A prohibition of direct or indirect physical, verbal, and/or written contact with another individual or group.

(q) Fines. Previously established and published fines may be assigned. Fines are established each year prior to the beginning of the academic year and are approved by the vice provost for student affairs.

(r) Additional sanctions for hazing. In addition to other sanctions, a respondent who is found responsible for hazing forfeits any entitlement to state-funded grants, scholarships, or awards for a specified period of time, in accordance with RCW 28B.10.902. Any registered student organization that is found responsible for hazing must lose recognition for a specified period of time.

(s) Remedies. Sanctions designed to restore or preserve a complainant's equal access to the university's educational programs or activities.

AMENDATORY SECTION (Amending WSR 24-23-093, filed 11/19/24, effective 12/20/24)

WAC 504-26-504 Interpretation—Policies, procedures, and guidelines. (1) The dean of students or designee has authority to interpret these rules and develops policies, procedures, and guidelines for the administration of the university's student conduct system that are consistent with the provisions in this chapter. These must be published, at a minimum, on the university website. A link to the website must be provided to parties during their initial contact from CCS.

(2) Definitions from these standards are incorporated into ((EP15)) UPPM 10.60.

AMENDATORY SECTION (Amending WSR 24-23-093, filed 11/19/24, effective 12/20/24)

WAC 504-26-510 Good ((Samaritan policy)) faith exemptions. (1)

Good Samaritan policy. CCS may elect not to initiate a conduct proceeding regarding alcohol or other drug violations against a student or registered student organization who, while in the course of helping another person seek medical assistance, admits to the unlawful possession or use of alcohol or drugs, provided that the possession was for personal consumption and the use did not place the health or safety of any other person at risk. In addition, CCS may elect not to initiate a conduct proceeding against a complainant who admits to the possession or use of alcohol or drugs in connection with a report under this policy.

(2) A person who witnesses hazing or has reasonable cause to believe hazing has occurred or will occur and makes a report in good faith may not be sanctioned or punished for the violation of hazing unless the person is directly engaged in the planning, directing, or act of hazing reported.