



University of Washington
FACULTY SENATE
Box 351271

Class B Bulletin No. 181

Mailed November 16, 2015

General Legislative Action

At its meeting on October 22, the Faculty Senate approved a Class B change in the UW Policy Directory: WAC 478-120 – related to the Student Conduct Code. President Ana Mari Cauce has also approved the proposed legislation. The faculty is now being given the opportunity to submit written objections to its substantive nature, under the *Faculty Code*, Chapter 22, [Section 22-74](#) Senate Procedure: Class B Actions. A copy of the proposed changes are included with this notice.

To provide a written objection, and call for Senate Executive Committee reconsideration of the matter, you must object in writing by accessing the catalyst survey (<https://catalyst.uw.edu/webq/survey/secfac/286037>) by **November 30, 2015**. If you do not respond, we will assume you have approved the changes in the legislation.

Background and Rationale

The ASUW, GPSS and Faculty Council on Student Affairs (FCSA) along with the Faculty Senate have endorsed these changes. A member of FCSA also served on the work group that developed the proposal. There will be further work in Phase 2 of this project, which will be working on the "process and procedures," especially with regard to the initial investigation and the appeal process. The changes that were made to the Faculty Appeal Board and University Disciplinary Committee sections in the legislation that was approved this year reflect current practices and don't substantively change the authority or process of the Faculty Appeal Board as they are currently constituted. These will be the major topics for discussion during Phase 2.

The proposed revisions to the existing student conduct code WAC 478-120 are designed to clarify expectations for students while making the process more transparent and easier to navigate. Several of the new proposed sections draw heavily from the existing code WAC 478-120 by pulling out important concepts or rights that were buried in multiple sections of the current conduct code into one section. This revised code clearly outlines student's rights and responsibilities while preserving the general procedures for imposing disciplinary sanctions through the informal hearing, the University Disciplinary Committees, the Faculty Appeal Board and the President's office. Revisions to the general procedures used in these sections are to reflect current practice.

New Proposed Sections:

WAC 478-120-12 Preamble

This was formerly WAC 478-120-020(1) under Standards of Conduct. There have been no changes to the wording of this section. This is the foundational statement for the Student conduct code and as such should be recognized as a stand-alone part of the student conduct code.

WAC 478-120-14 Definitions

This section provides explanations for terms previously used in the code or new terms that have been added to the code. This section provides a common language and understanding of terms used through the revised code.

WAC 478-120-016 Statement of jurisdiction

In the current structure of WAC 478-120, Jurisdiction (WAC 478-120-050) appears later in the code and focuses on who can take action under the code rather than addressing under what terms and where does the student conduct code apply to students. This proposed section moves to the front of the code information for students of when the code starts applying to them (from the time of admission through the actual conferral of degree) and provides specificity regarding when the code ceases to apply to students, i.e. when they are not students

anymore because of conferral of a degree. It identifies where and under what circumstances, the University may take disciplinary action. Lastly, it preserves the ability of the Colleges, Schools and Programs to take academic action when students fail to uphold the professional standards of that academic discipline.

WAC 478-120-024 Prohibited conduct

This revision provides definitions and examples to students of the University's expectations of them. By having this in one section with separate distinct subsections it allows for ease of navigation and tracking for compliance purposes.

WAC 478-120-026 Reporting violations of the student conduct code and initiating conduct proceedings

In the current code this information was located in several different places. This new section brings these rules together in one section. It provides information for how a person reports an alleged violation of the student conduct code and to whom. It further clarifies that academic misconduct is the purview of the Deans and Directors, which had been the practice but the revision makes it clearer. It also informs who under the code has authority to take disciplinary action and how that authority is delegated.

WAC 478-120-032 Participation of advisors and attorneys

The student conduct code has allowed for advisors and attorneys to participate and represent students in the formal adjudicative process. However this was listed in several places in the code and it wasn't clear as to what the role of the Advisor or Attorney would be at a brief adjudicative process, which includes both the informal hearing and the hearings before the University Disciplinary Committees. This new section informs that any party, (i.e. a respondent, or in cases of sexual misconduct, a complainant) may be accompanied by an advisor or attorney to any disciplinary proceeding.

WAC 478-120-034 Service of notices and orders and time limits

This section outlines that service will be provided to students electronically through their UW email address. This brings the code up to date with a change in the Washington Administrative Procedures Act which now allows electronic service but requires that we provide notice to students that we are using electronic service. This section serves that purpose. Additionally, the code has a number of time frames outlined; particularly important is the time frame for submitting a written petition for appeal or review. This section informs students how that time frame is calculated.

WAC 478-120-036 Standard and burden of proof

Defines preponderance of the evidence and establishes who has the burden to show by a preponderance of the evidence that a violation occurred.

WAC 478-120-038 Interim Measures

The University must under Title IX take steps to reduce harassment and mitigate its effects. Interim measures are designed to separate parties, mitigate effects of harassment and are not sanctions under the student conduct process.

WAC 478-120-137 Supplementary Provisions Regarding Sexual Misconduct

This section was added as an emergency rule to bring us into compliance with the requirements of Violence Against Women Act amendments to the Clery Act which went into effect July 1, 2015. Much of this supplementary section has been absorbed in to the revisions of this code, specifically the prohibited behaviors. However, this section clarifies the process and procedures used at a Faculty Appeal Board hearing and establish that the Faculty Appeal Board has the authority to hear the matter separate and distinct from "exceptional circumstances".

Remember the Deadline for Written Objections is November 30, 2015.

**Proposed changes related to the Student Conduct Code
WAC 478-120-10 through WAC 478-120-145**

STUDENT CONDUCT CODE
WASHINGTON ADMINISTRATIVE CODE
Rules of the University of Washington
Chapter 478-120 WAC

Draft Revisions 9/2015

STUDENT CONDUCT CODE FOR THE UNIVERSITY OF WASHINGTON

178-120-010	Student conduct code—Authority.
<u>178-120-012</u>	<u>Preamble (new)</u>
<u>178-120-014</u>	<u>Definitions (new)</u>
<u>178-120-016</u>	<u>Statement of jurisdiction (new)</u>
178-120-020	Standards of conduct.
<u>178-120-024</u>	<u>Prohibited conduct (new)</u>
478-120-025	Off-campus conduct.
<u>478-120-026</u>	<u>Reporting violations of the student conduct code and initiating conduct proceedings (new)</u>
478-120-030	General procedures for disciplinary sanctions.
<u>478-120-032</u>	<u>Participation of advisors and attorneys (new)</u>
<u>478-120-034</u>	<u>Time limits and service of notices and orders (new)</u>
<u>478-120-036</u>	<u>Standard and burden of proof (new)</u>
<u>478-120-038</u>	<u>Interim measures (new)</u>
478-120-040	Disciplinary sanctions.
478-120-050	Jurisdiction.
478-120-065	Informal disciplinary hearings.
478-120-075	Appeals.
478-120-085	The university disciplinary committees.
478-120-095	Hearings before the university disciplinary committees.
478-120-100	Faculty appeal board.
478-120-105	Administrative review by the faculty appeal board.
478-120-115	Formal hearings before the faculty appeal board.
478-120-125	Review by the president of the university.
478-120-135	Reconsideration of final orders.
<u>478-120-137</u>	<u>Supplementary provisions regarding sexual misconduct. (new)</u>
478-120-140	Emergency authority of the president and chancellors of the university.
478-120-145	Recording and maintenance of records

478-120-010 Student conduct code—Authority.

Pursuant to chapter 34.05 RCW and the authority granted by RCW 28B.20.130, the board of regents of the University of Washington has established the following ~~regulations on~~ rules regarding student conduct and student discipline.

478-120-012 Preamble.

The University of Washington (“university”) is a public institution responsible for providing instruction in higher education, for advancing knowledge through scholarship and research, and for providing related services to the community. As a center of learning, the university also has the obligation to maintain conditions conducive to the freedom of inquiry and expression to the maximum degree compatible with the orderly conduct of its functions. For these purposes, the university is governed by rules, regulations, procedures, policies, and standards of conduct, including this conduct code, that safeguard its functions and protect the rights and freedoms of all members of the university community.

18 **478-120-014 Definitions.**

19
20 For the purposes of this conduct code, the following definitions apply:

- 21
22 (1) **“Advisor”** is a person selected by a respondent or a complainant to provide support and guidance in
23 hearings under this conduct code.
- 24
25 (2) **“Attorney”** is a person permitted to practice law in Washington State.
- 26
27 (3) **“Allegation of misconduct”** is any report of an alleged violation of this conduct code, which may include,
28 but is not limited to, a police report, an incident report, a witness statement, other documentation, or a
29 verbal report or written statement from a complainant or a third party.
- 30
31 (4) **“Complainant”** is a student or another member of the university community who reports that a violation of
32 this conduct code has been committed against him or her. In any case involving an allegation of sexual
33 misconduct as defined in this conduct code, a complainant is afforded certain rights under this conduct code
34 including, but not limited to:
- 35
36 (a) The right to be informed of all orders issued in the disciplinary case in which he or she is a
37 complainant;
- 38 (b) The right to appeal to the faculty appeal board an initial order issued by a conduct officer;
- 39 (c) The right to request presidential review of an initial order issued by the faculty appeal board; and
- 40 (d) The right to be accompanied to all hearings by an advisor and/or an attorney.
- 41
42 (5) **“Conduct officer”** is a university official who has the authority to initiate disciplinary proceedings, conduct
43 investigations and informal hearings, and issue initial orders under this conduct code.
- 44
45 (6) **“FERPA”** refers to the federal Family Educational Rights and Privacy Act (20 U.S.C. 1232g) and its
46 implementing regulations (34 C.F.R. Part 99).
- 47
48 (7) **“Initial order”** refers to an initial written decision issued in a disciplinary matter by a conduct officer, a
49 university disciplinary committee, or the faculty appeal board in accordance with the provisions of this
50 conduct code.
- 51
52 (8) **“Parties”** means collectively the conduct officer and the respondent. In any case involving an allegation of
53 sexual misconduct, any complainant may elect to participate as a party in accordance with the provisions of
54 this conduct code.
- 55
56 (9) **“Proceedings”** means all processes related to the investigation and adjudication of a disciplinary matter
57 under this conduct code, including, but not limited to, investigations, informal and formal hearings,
58 administrative review, and requests for reconsideration of a final order.
- 59
60 (10) **“Respondent”** is any student accused of misconduct under this conduct code. Each respondent is afforded
61 certain rights including, but not limited to:
- 62
63 (a) The right to be informed of all orders issued in the respondent’s disciplinary case;
- 64 (b) The right to appeal an initial order issued by a conduct officer and a university disciplinary committee;
- 65 (c) The right to request a presidential review of an initial issued by the faculty appeal board; and
- 66 (d) The right to be accompanied to all hearings by an advisor and/or an attorney.
- 67
68 (11) **“Sexual misconduct”** includes committing, or aiding, soliciting, or attempting the commission of, the
69 following prohibited conduct: sexual assault, sexual harassment, sexual exploitation, indecent exposure,
70 relationship violence, stalking, and domestic violence.
- 71
72 (12) **“Student organization”** is a group of students that has complied with the requirements for university
73 recognition or who otherwise are granted any rights or privileges by the university as a university affiliate.
74 Student organizations include, but are not limited to athletic teams or clubs, registered student
75 organizations (RSOs), university service clubs, and sororities and fraternities. (Student organizations are

76 also subject to the process and procedures outlined in the RSO Policy Guide and/or the organization's
77 applicable recognition agreement.)

- 78
- 79 (13) “Student” is any person enrolled in or taking courses at or through the university, either full-time or part-
80 time, including credit, non-credit, online, and non-degree courses, and any person who has been notified of
81 acceptance for admission by the university. A student who withdraws from a course or from the university,
82 or completes his or her courses after the date of an alleged violation, or who is not enrolled for a particular
83 quarter or quarters, but has a continuing relationship with the University, is still considered a student for
84 purposes of this conduct code.
- 85
- 86 (14) “University premises” includes all of the university’s campus buildings, grounds, and facilities, all of its
87 extension and research locations, and all other university-leased, owned, or managed buildings, grounds,
88 and facilities, including its global learning centers and study abroad program sites, as well as all university
89 sponsored and/or hosted online platforms.
- 90
- 91 (15) “University community” includes all university students and employees. It also includes guests of and
92 visitors to the university during the time they are present on university premises.
- 93
- 94 (16) “University official” is an employee of the university performing his or her assigned administrative,
95 professional, or paraprofessional duties.

96

97 **478-120-016 Statement of jurisdiction.**

98

- 99 (1) This conduct code applies to all students from the time of admission through the actual conferral of a
100 degree, including any period between terms of enrollment.
- 101
- 102 (2) The university shall have the authority to hold students accountable under this conduct code for misconduct
103 that occurs on any university premises or in connection with any university-sponsored event or activity.
- 104
- 105 (3) The university may also hold students accountable under this conduct code for off campus misconduct (i.e.,
106 misconduct that does not occur on university premises or in the context of a university-sponsored event or
107 activity) that the university reasonably determines adversely affects a university interest. Nothing in this
108 subsection shall be construed as being intended to protect any person or class of persons from injury or
109 harm.
- 110
- 111 (4) Disciplinary proceedings may be initiated under the conduct code regardless of whether or not the incident
112 in question is the subject of criminal or civil proceedings.
- 113
- 114 (5) Nothing in this conduct code shall be construed to limit academic action that may be taken by schools,
115 colleges, or programs against a respondent based on an established violation of this conduct code that
116 demonstrates a failure to meet the academic and/or professional standards of the school, college, or
117 program.
- 118
- 119 (6) Other departments or units of the university have proceedings separate and distinct from this conduct code.
120 For example:
- 121
- 122 (a) Campus parking and traffic regulations are under the general jurisdiction of the transportation
123 services department and the police department at the University of Washington Seattle campus and
124 under the jurisdiction of public safety officers at the University of Washington Bothell and Tacoma
125 campuses. See chapters 478-116, 478-117 and 478-118 WAC.
- 126
- 127 (b) The library fines appeals committee has the authority to consider appeals of library charges. See
128 chapter 478-168 WAC.
- 129
- 130 (7) Nothing in this conduct code will be construed to deny students their legally and/or constitutionally protected
131 rights.

132 **478-120-020 Standards of conduct.**

133 (1) ~~The university is a public institution having special responsibility for providing instruction in higher~~
134 ~~education, for advancing knowledge through scholarship and research, and for providing related services to~~
135 ~~the community. As a center of learning, the university also has the obligation to maintain conditions~~
136 ~~conducive to freedom of inquiry and expression to the maximum degree compatible with the orderly conduct~~
137 ~~of its functions. For these purposes, the university is governed by the rules, regulations, procedures,~~
138 ~~policies, and standards of conduct that safeguard its functions and protect the rights and freedoms of all~~
139 ~~members of the academic community.~~

140
141 (1)(2) Admission to the university carries with it the presumption that students will conduct themselves as
142 responsible members of the ~~academic community~~university community. As a condition of enrollment, all
143 students assume responsibility to observe standards of conduct that will contribute to the pursuit of
144 academic goals and to the welfare of the ~~university~~academic community. That responsibility includes, but is
145 not limited to:

- 146
147 (a) Practicing high standards of academic and professional honesty and integrity;
148 (b) Respecting the rights, privileges, and property of others ~~members of the academic community and~~
149 ~~visitors to the campus, and refraining from any conduct that would interfere with university functions~~
150 ~~or endanger the health, welfare, or safety of other persons;~~
151 (c) Refraining from any conduct that would substantially disrupt or materially interfere with university
152 operations;
153 (d) Refraining from any conduct that would cause harm to or endanger the health, safety, or welfare of
154 other persons; and
155 (e) ~~(e)~~ Complying with the rules, regulations, procedures, policies, standards of conduct, and orders of the
156 university and its schools, colleges, and departments units and programs.

157
158 (2) The disciplinary sanctions specified in WAC 478-120-040 may be imposed on any student or student
159 organization found to have committed, to have assisted with the commission of, or to have attempted to
160 commit any act of misconduct that is in violation of the general standards of conduct in subsection 1 of this
161 section, or any of the prohibited conduct specified in WAC 478-120-024.

- 162
163 (3) ~~Specific instances of misconduct include, but are not limited to:~~
- 164 (a) ~~Conduct that intentionally and substantially obstructs or disrupts teaching or freedom of movement or~~
165 ~~other lawful activities on university premises or in connection with any university-sponsored event or~~
166 ~~activity and is not constitutionally and/or legally protected;~~
 - 167 (b) ~~Physical abuse of any person, or conduct intended to threaten imminent bodily harm or to endanger~~
168 ~~the health or safety of any person on university premises;~~
 - 169 (c) ~~Conduct on university premises constituting a sexual offense, whether forcible or nonforcible, such as~~
170 ~~rape, sexual assault, or sexual harassment;~~
 - 171 (d) ~~Malicious damage to or malicious misuse of university property, or the property of any person where~~
172 ~~such property is located on university premises;~~
 - 173 (e) ~~Refusal to comply with any lawful order to leave university premises or any portion thereof;~~
 - 174 (f) ~~Possession or use of firearms, explosives, dangerous chemicals or other dangerous weapons or~~
175 ~~instrumentalities on university premises, except for authorized university purposes, unless prior~~
176 ~~written approval has been obtained from the university chief of police, or any other person designated~~
177 ~~by the president of the university (see WAC 478-124-020 (2)(e)) (legal defense sprays are not~~
178 ~~covered by this section);~~
 - 179 (g) ~~he possession, use, distribution, or manufacture of controlled substances (as defined in~~
180 ~~chapter 69.50 RCW or Title 21 U.S.C. Sec. 802), or of alcohol, on university premises or during~~
181 ~~university-sponsored activities, where such possession, use, distribution, or manufacture is illegal~~
182 ~~under federal, state, or local law;~~
 - 183 (h) ~~Intentionally inciting others to engage immediately in any unlawful activity, which incitement leads~~
184 ~~directly to such conduct on university premises;~~
 - 185 (i) ~~Hazing, or conspiracy to engage in hazing, which includes:~~
 - 186 (i) ~~Any method of initiation into a student organization or living group, or any pastime or amusement~~
187 ~~engaged in with respect to such an organization or living group, that causes, or is likely to~~
188 ~~cause, bodily danger or physical harm, or serious mental or emotional harm, to any student or~~
189 ~~other person attending the university; and~~

- 190 (ii) ~~Conduct associated with initiation into a student organization or living group, or any pastime or~~
 191 ~~amusement engaged in with respect to an organization or living group not amounting to a~~
 192 ~~violation of (i)(i) of this subsection, but including such conduct as humiliation by ritual act and~~
 193 ~~sleep deprivation. Consent is no defense to hazing. Hazing does not include customary athletic~~
 194 ~~events or other similar contests or competitions;~~
 195 (j) ~~Falsely reporting a violation of the student conduct code.~~
 196
 197 (4) ~~Disciplinary action may be taken in accord with this chapter regardless of whether that conduct also~~
 198 ~~involves an alleged or proven violation of law.~~
 199
 200 (5) ~~An instructor has the authority to exclude a student from any class session in which the student is disorderly~~
 201 ~~or disruptive. If the student persists in the disorderly or disruptive conduct, the instructor should report the~~
 202 ~~matter to the dean of the school or college, or, at the University of Washington Bothell and Tacoma~~
 203 ~~campuses, to the dean or director of the program in which the student is enrolled. (See WAC 478-120-~~
 204 ~~030(3).)~~
 205
 206 (6) ~~Nothing herein shall be construed to deny students their legally and/or constitutionally protected rights.~~
 207

208 **478-120-024 Prohibited conduct.**

209 Specific instances of misconduct include, but are not limited to:

- 210
 211 (1) **Abuse of others** - Abuse of others includes assault and other forms of physical abuse of any person, or
 212 any conduct intended to threaten bodily harm or to endanger the health or safety of any person.
 213
 214 (2) **Abuse of the student conduct process** - Abuse of the student conduct process includes:
 215
 216 (a) Knowingly making false allegations of misconduct under this conduct code;
 217 (b) Attempting to coerce a person not to make a report or to participate in proceedings under this conduct
 218 code;
 219 (c) Attempting to influence the impartiality or participation of a member of a university disciplinary
 220 committee or the faculty appeal board, any conduct officer, or any reviewing officer; or
 221 (d) Influencing or attempting to influence another person to commit an abuse of the student conduct
 222 process.
 223
 224 (3) **Academic misconduct** - Academic misconduct includes:
 225
 226 (a) "Cheating," which includes, but is not limited to:
 227
 228 (i) The use of unauthorized assistance in taking quizzes, tests, or examinations; or
 229 (ii) The acquisition, use, or distribution of unpublished materials created by another student without
 230 the express permission of the original author(s).
 231
 232 (b) "Falsification," which is the intentional use or submission of falsified data, records, or other
 233 information, including, but not limited to, records of internship or practicum experiences or attendance
 234 at any required event(s). Falsification also includes falsifying scientific and/or scholarly research.
 235 (c) "Plagiarism," which is the submission or presentation of someone else's words, composition,
 236 research, or expressed ideas, whether published or unpublished, without attribution. Plagiarism
 237 includes, but is not limited to:
 238
 239 (i) The use, by paraphrase or direct quotation, of the published or unpublished work of another
 240 person without full and clear acknowledgement; or
 241 (ii) The unacknowledged use of materials prepared by another person or acquired from an entity
 242 engaged in the selling of term papers or other academic materials.
 243
 244 (d) Prohibited collaboration.
 245 (e) Engaging in behavior specifically prohibited by an instructor in the course of class instruction or in a
 246 course syllabus.
 247

- 248 (f) Multiple submissions of the same work in separate courses without the express permission of the
249 instructor(s).
- 250 (g) Taking deliberate action to destroy or damage another's academic work in order to gain an advantage
251 for oneself or another.
- 252 (h) The recording of instructional content without the express permission of the instructor(s), and/or the
253 dissemination or use of such unauthorized recording.
- 254
- 255 (4) **Acts of dishonesty** - Acts of dishonesty include:
- 256
- 257 (a) Knowingly furnishing false information to any university official;
258 (b) Impersonating, or providing false information in the name of, any university official;
259 (c) Forging, altering, or misusing any university document or record, or instrument of identification;
260 (d) Falsely claiming an academic credential; and
261 (e) Providing dishonest or misleadingly incomplete information or answers on application forms or in
262 response to other official university requests for information.
- 263
- 264 (5) **Aiding, solicitation, and attempt** - The following conduct is prohibited:
- 265
- 266 (a) Aiding or abetting another student or student organization in the commission of any misconduct
267 prohibited by this conduct code;
268 (b) Requesting, hiring, or encouraging another person to commit any act of misconduct prohibited by this
269 conduct code, either intending that the other person commit the misconduct or with the knowledge
270 that the other person intends to commit the misconduct; or
271 (c) Attempting to commit any act of misconduct prohibited by this conduct code.
- 272
- 273 (6) **Alcohol violations** - The unlawful possession, use, distribution, or manufacture of alcohol is prohibited. A
274 conduct officer may elect not to initiate disciplinary action under this subsection against a student who,
275 while in the course of helping another student seek medical assistance, admits to the unlawful possession
276 or use of alcohol. Generally, no disciplinary action under this subsection will be initiated against a
277 complainant or another reporting student, who admits to the possession or use of alcohol (in violation of this
278 subsection) in connection with an incident of sexual misconduct.
- 279
- 280 (7) **Computer abuses** - Computer abuses include, but are not limited to:
- 281
- 282 (a) Unauthorized use of university computer resources;
283 (b) Use of another person's university username and/or password;
284 (c) Use of university computing facilities and resources to interfere with the work of another student, an
285 instructor, or other university official;
286 (d) Use of university computing facilities or resources to send intimidating, harassing, or threatening
287 messages;
288 (e) Use of a computer or software to interfere with normal operations of the university's computing
289 systems;
290 (f) Use of the university's computing facilities or resources in violation of any law, including copyright
291 laws; and
292 (g) Any violation of the university's computer use policies.
- 293
- 294 (8) **Creating a public nuisance in neighboring communities** - In furtherance of the university's interest in
295 maintaining positive relationships with its surrounding communities, the university shall have the authority to
296 hold students accountable under this conduct code for misconduct within any residential or commercial
297 communities adjacent to a university campus as follows:
- 298 (a) A student or a student organization may be subject to disciplinary proceedings if the university is
299 made aware that the student or student organization has been contacted by a law enforcement
300 agency regarding, and is determined to have engaged in, conduct that is in violation of a state statute
301 or municipal ordinance and has a direct quality-of-life impact on community residents or businesses,
302 including, but not limited to: creating a public nuisance due to noise, residential disturbance,
303 intentional destruction of property, urinating in public, or criminal trespass.
304 (b) A first minor violation under paragraph (a) of this subsection will not subject the student or student
305 organization to disciplinary sanctions under this conduct code; however the student or student

- 306 organization may receive a letter regarding the expectations of university community members as
307 residents in the area. This letter shall constitute a warning that repeated misconduct under this
308 subsection may result in the imposition of disciplinary sanctions.
- 309 (c) A second violation of this subsection will result in the initiation of disciplinary proceedings under this
310 conduct code.
- 311
- 312 (9) **Discriminatory harassment** - Discriminatory harassment is language or conduct directed at a person
313 because of the person's race, color, creed, religion, national origin, citizenship, sex, age, pregnancy, marital
314 status, sexual orientation, gender identity or expression, disability, or military status that is unwelcome and
315 sufficiently severe, persistent, or pervasive such that it could reasonably be expected to create an
316 intimidating, hostile, or offensive environment, or has the purpose or effect of unreasonably interfering with
317 a person's academic or work performance, or the person's ability to participate in or benefit from the
318 university's programs, services, opportunities, or activities.
- 319
- 320 (10) **Disruption or obstruction** -
- 321
- 322 (a) Disruption or obstruction includes intentionally and substantially obstructing or disrupting, through
323 words or conduct, the teaching or learning environment of any university educational setting, or any
324 university functions or activities.
- 325 (b) An instructor has the authority to exclude a student from any individual class session or other
326 academic activity in which the student is disorderly or disruptive and such conduct may also be
327 subject of disciplinary proceedings under this conduct code.
- 328
- 329 (11) **Domestic violence** - Domestic violence includes:
- 330
- 331 (a) The infliction of physical harm, bodily injury, assault, or the fear of imminent physical harm, bodily
332 injury or assault committed against a family or household member. Family or household members
333 include:
- 334
- 335 (i) A current or former spouse or intimate partner;
336 (ii) A person with whom the person shares a child in common;
337 (iii) A person with whom one is cohabitating or has cohabitated; or
338 (iv) A person with whom one resides including a roommate, suitemate, or housemate.
- 339
- 340 (b) Sexual assault of one family or household member by another family or household member; or
341 (c) Stalking as defined in WAC 478-120-024 (23) of one family or household member by another family
342 or household member.
- 343
- 344 (12) **Drug violations** -
- 345
- 346 (a) The possession, use, distribution, or manufacture of controlled substances (as defined in chapter
347 69.50 RCW or Title 21 U.S.C. Sec. 802) on university premises or during university sponsored
348 activities where such possession, use, distribution, or manufacture is illegal under federal, state, or
349 local law is prohibited.
- 350 (b) The possession, use, distribution, or growing of marijuana in all forms is prohibited on university
351 premises or during university sponsored activities.
- 352 (c) A conduct officer may elect not to initiate disciplinary action under this subsection against a student
353 who, while in the course of helping another student seek medical assistance, admits to the unlawful
354 possession or use of drugs. Generally, no disciplinary action under this subsection will be initiated
355 against a complainant or another reporting student, who admits to the use or possession of drugs (in
356 violation of this subsection) in connection with an incident of sexual misconduct.
- 357
- 358 (13) **Failure to comply** - Failure to comply includes:
- 359
- 360 (a) Any failure to comply with the directions of a university official acting in the performance of his or her
361 duties and/or the failure to identify oneself to a university official when requested to do so.
- 362 (b) Any failure to comply with the rules, regulations, procedures, policies, standards of conduct, or any
363 order or directive of the university or any of its schools, colleges, and departments.
- 364 (c) Any failure to comply with any interim measures implemented pursuant to WAC 478-120-038.

365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421

- (14) **Harassment or bullying** – Harassment or bullying is language or conduct that is unwelcome and sufficiently severe, persistent, or pervasive such that it could reasonably be expected to create an intimidating, hostile, or offensive environment, or has the purpose or effect of unreasonably interfering with a person's academic or work performance, or a person's ability to participate in or benefit from the university's programs, services, opportunities, or activities.
- (15) **Hazing** –
- (a) Hazing includes any method of initiation into a student organization or living group, or any pastime or amusement engaged in with respect to such an organization or living group, that causes, or is likely to cause, bodily danger or physical harm, or serious mental or emotional harm, to any student or other person. Hazing activities may include, but are not limited to encouraging or promoting the abuse of alcohol; striking another person whether by use of any object or any part of one's body; causing someone to experience excessive fatigue or physical and/or psychological shock; and causing someone to engage in degrading or humiliating games or activities that create a risk of serious mental, emotional, and/or physical harm. Consent of a victim or victims is not a defense to an allegation of hazing.
- (b) Hazing does not include generally accepted practice, training, and conditioning activities, or activities reasonably designed to test a participant's ability to meet eligibility requirements for established athletic events such as intramural or club sports, intercollegiate athletics, or other similar contests or competitions.
- (16) **Indecent exposure** – Indecent exposure includes the exposure of a person's genitals or other private body parts when done in a place or manner in which such exposure is likely to cause affront or alarm, or is against generally accepted standards of decency. Breast feeding or expressing breast milk is not indecent exposure.
- (17) **Possession or use of firearms, explosives, dangerous chemicals or other dangerous weapons -**
- (a) Firearms, explosives, dangerous chemicals, or other dangerous weapons or instrumentalities are not permitted on university premises, except for authorized university purposes, or unless prior written approval has been obtained from the chief of the university police department, or any other university official designated by the president of the university.
- (b) Firearms include, but are not limited to what are commonly known as air guns or rifles, BB guns, and pellet guns, and any instrument used in the propulsion of shot, shell, bullets, or other harmful objects by:
- (i) the action of gunpowder or other explosives;
- (ii) the action of compressed air; or
- (iii) the power of springs or other forms of propulsion.
- (c) The exhibition or display of a replica of a dangerous weapon prohibited under this subsection is also prohibited if done in a manner, and at a time and place that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons.
- (18) **Relationship violence** – Relationship violence, also referred to as “dating violence,” is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
- (a) The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- (b) For the purposes of this definition, relationship or dating violence includes, but is not limited to sexual or physical abuse or the threat of such abuse.
- (c) Relationship or dating violence does not include acts covered under the definition of domestic violence.

422 (19) **Retaliation** – Retaliation includes engaging or attempting to engage in any action, directly or indirectly,
423 including through a third party, that is intended to harass, intimidate, or improperly influence any person
424 who:

- 425
- 426 (a) Files a complaint, grievance, or allegation of misconduct under any university policy or rule or under
427 any law;
- 428 (b) Participates in and/or cooperates with an investigation;
- 429 (c) Appears as a witness at a hearing; or
- 430 (d) Opposes an unlawful act, discriminatory practice, or policy.

431
432 (20) **Sexual assault** –

- 433
- 434 (a) Sexual assault is sexual contact with another person without, or that exceeds, that person's consent.
- 435 (b) For the purposes of this subsection, "sexual contact" includes:
 - 436
 - 437 (i) any touching of another person for the purpose of sexual gratification; or
 - 438 (ii) any penetration, no matter how slight, of the vagina or anus with any body part or object, or oral
439 penetration by a sex organ, of another person.
 - 440
 - 441 (c) For the purposes of this subsection:
 - 442
 - 443 (i) "Consent" means that at the time of and throughout the sexual contact, there are actual words or
444 conduct indicating freely given agreement between the parties to engage in the sexual contact.
 - 445
 - 446 (A) Past consent does not imply future consent.
 - 447 (B) Consent given to one person does not imply consent given to another person.
 - 448 (C) Consent to one sexual act does not imply consent to other sexual acts.
 - 449 (D) Lack of resistance to sexual contact does not imply consent.
 - 450 (E) Consent can be withdrawn at any time.
 - 451
 - 452 (ii) Consent cannot be given or granted by a person who, at the relevant time, cannot understand the
453 facts, nature, extent, or implications of the sexual contact for any reason, including, but not
454 limited to, being asleep, unconscious, mentally or physically impaired due to an intellectual or
455 other disability, or mentally or physically incapacitated due to the effects of drugs or alcohol.
 - 456
 - 457 (A) Indicators that a person may be incapacitated by drugs or alcohol and therefore, cannot
458 grant consent, include, but are not limited to: stumbling, falling down, an inability to stand
459 or walk on their own, slurred speech or incoherent communication, an inability to focus
460 their eyes or confusion about what is happening around them, passing out, or vomiting.
 - 461 (B) A failure to exhibit any of these behaviors does not necessarily mean that a person is
462 capable of giving consent or is not incapacitated.
 - 463
 - 464 (d) Sexual contact is not consensual when force or coercion is threatened or used to gain
465 acquiescence.
 - 466
 - 467 (i) Force includes the use of physical violence, physical force, threats, or intimidation to overcome
468 resistance or gain agreement to sexual contact.
 - 469 (ii) Coercion includes using pressure, deception, or manipulation to cause someone to agree to
470 sexual contact against that person's will, without the use of physical force. Pressure can
471 mean verbal or emotional pressure.
 - 472
 - 473 (e) Sexual assault also includes sexual contact with a person who is under the statutory age of
474 consent in accordance with chapter 9A.44 RCW.
 - 475 (f) Use of alcohol or drugs is not a valid defense to a violation of this subsection.
 - 476

477 (21) **Sexual exploitation** - Sexual exploitation includes:

- 478
- 479 (a) Taking nonconsensual or abusive advantage of another for one's own sexual benefit, or for the
480 sexual benefit of anyone other than the one being exploited;

- 481 (b) Compelling another by threat or force to engage in sexual conduct or activity;
482 (c) Transmitting, distributing, publishing, or threatening to transmit, distribute, or publish photos,
483 video, or other recordings of a private and sexual nature where such transmission, publication, or
484 distribution is without the consent of the subject(s) and is likely to cause emotional distress to the
485 subject(s).
486 (d) Taking or making photographs, films, or digital images of the private body parts of another person
487 without that person's consent;
488 (e) Causing or attempting to cause the impairment of another person to gain non-consensual sexual
489 advantage over that person;
490 (f) Prostituting another person;
491 (g) Knowingly allowing another to surreptitiously watch otherwise consensual sexual activity; or
492 (h) Taking, making, or directly transmitting non-consensual video or audio-recordings of sexual
493 activity.
494
495 (22) **Sexual harassment** – Sexual harassment is language or conduct of a sexual nature that is unwelcome and
496 sufficiently severe, persistent, or pervasive such that it could reasonably be expected to create an
497 intimidating, hostile, or offensive environment, or has the purpose or effect of unreasonably interfering with
498 a person's academic or work performance or a person's ability to participate in or benefit from the
499 university's programs, services, opportunities, or activities.
500
501 (23) **Stalking**
502
503 (a) Stalking means engaging in a course of conduct directed at a specific person that would cause a
504 reasonable person to—
505
506 (i) Fear for the person's safety or the safety of others; or
507 (ii) Suffer substantial emotional distress.
508
509 (b) For the purposes of this subsection, "course of conduct" means two or more acts, including, but
510 not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action,
511 method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to
512 or about a person, or interferes with a person's property.
513 (c) For the purposes of this subsection, "substantial emotional distress" means significant mental
514 suffering or anguish that may, but does not necessarily, require medical or other professional
515 treatment or counseling.
516 (24) **Theft** – Theft is the taking of property or services without express permission of the owner. This includes,
517 but is not limited to, taking, possessing, or aiding another to take university property or services, or property
518 belonging to members of the university community.
519
520 (25) **Unauthorized keys, entry or use** – The unauthorized possession, duplication, or use of keys (including
521 conventional keys, key cards, or alphanumeric passcodes) to any university premises is prohibited, as is the
522 unauthorized entry upon or use of university premises or property. Providing keys to an unauthorized
523 person or providing access to an unauthorized person is also prohibited.
524
525 (26) **Unauthorized recording** – The following conduct is prohibited:
526
527 (a) Making audio, video, digital recordings, or photographic images of a person without that person's consent in a
528 location where that person has a reasonable expectation of privacy;
529 (b) Storing, sharing, publishing, or otherwise distributing such recordings or images by any means.
530
531 (27) **Vandalism** – Vandalism includes maliciously damaging or misusing university property, or the property of
532 any member of the university community.
533
534 (28) **Violation of disciplinary sanctions** - The violation of any term or condition of any final disciplinary order
535 issued under this conduct code, or the failure to complete a disciplinary sanction in the specified time frame,
536 may be grounds for additional disciplinary action.
537

538 (29) Violation of law – Any conduct that would constitute a violation of any federal, state, or local criminal law
539 may be the subject of disciplinary proceedings under this conduct code.
540

541 **478-120-025 Off-campus conduct.**

542
543 ~~The university shall have the authority to hold students accountable under the student conduct code for certain~~
544 ~~off-campus behavior (i.e., behavior that does not occur on university premises or in the context of a university-~~
545 ~~sponsored event or activity) that directly affects a university interest, in accordance with the provisions of the~~
546 ~~section.~~

- 547
548 ~~(1) A student may be subject to disciplinary proceedings under the student conduct code if:~~
549 ~~(a) The university is made aware that a court of competent jurisdiction has determined that such student~~
550 ~~has engaged in intentional unlawful conduct off-campus that involves the physical harm or abuse, or~~
551 ~~a direct threat of the physical harm or abuse, of any person, including but not limited to homicide,~~
552 ~~assault, kidnapping, armed robbery, arson, rape or sexual assault, criminal harassment, criminal~~
553 ~~stalking or the unlawful possession, use, storage or manufacture of weapons or destructive devices;~~
554 ~~and~~
555 ~~(b) The university determines that a significant university interest is affected.~~
556
557 ~~(2) A student may also be subject to disciplinary proceedings under the student conduct code if the university is~~
558 ~~made aware that the student has engaged in off-campus conduct that involves the physical harm or abuse,~~
559 ~~or the direct threat of physical harm or abuse, of another university student, or a university faculty or staff~~
560 ~~member. Disciplinary proceedings may be initiated under this section regardless of whether or not the~~
561 ~~incident is subject to criminal or civil proceedings.~~
562
563 ~~(3) In furtherance of the university's interest in maintaining a positive relationship with its surrounding~~
564 ~~community, the university shall also have the authority to hold students accountable under the student~~
565 ~~conduct code for conduct within the "North of 45th" residential community immediately adjacent to the~~
566 ~~Seattle campus (bounded by NE 45th Street on the south, 15th Ave NE on the west, 22nd Ave NE and~~
567 ~~north of 54th Street, Ravenna Ave NE on the east and Ravenna Park on the north and including all~~
568 ~~residences located on either side of each of the aforementioned streets) as follows:~~
569 ~~(a) A student may be subject to disciplinary proceedings under the code if the university is made aware~~
570 ~~that the student has been cited by the Seattle police or the university police for, and is determined to~~
571 ~~have committed, a violation of any state statute or city of Seattle municipal ordinance prohibiting~~
572 ~~misconduct that has a direct and significant quality-of-life impact on community residents, including~~
573 ~~but not limited to, creating a public nuisance due to noise, theft, intentional destruction of property,~~
574 ~~urinating in public, or criminal trespass.~~
575 ~~(b) A first violation under (a) of this subsection will not subject the student to disciplinary sanctions under~~
576 ~~WAC 478-120-040 if the student voluntarily meets with a representative of the office of the vice-~~
577 ~~president for student life to receive information and counseling regarding his or her responsibilities as~~
578 ~~a university community member and as a resident in the area. A second violation will not be subject~~
579 ~~to disciplinary sanctions if the student involved agrees to participate, in good faith, in a mediation with~~
580 ~~the person or persons affected by the misconduct under a mediation protocol established by the~~
581 ~~office of the vice-president for student life.~~
582
583 ~~(4) Nothing herein shall be construed as being intended to protect any person or class of persons from injury or~~
584 ~~harm, or construed to deny students their legally and/or constitutionally protected rights.~~

585
586 **478-120-026 Reporting violations of the student conduct code and initiating conduct proceedings.**

- 587
588 (1) Persons who believe that a violation of this conduct code has been committed may contact and make a
589 report to the vice president for student life at UW Seattle, or the chancellors of UW Bothell or Tacoma, or
590 their authorized delegates, which includes the director of community standards and student conduct at UW
591 Seattle, the dean of student affairs at UW Bothell and the dean of student engagement at UW Tacoma.
592
593 (2) Violations involving academic misconduct should be reported to the dean of the appropriate school or
594 college at the University of Washington Seattle, or the dean or program director at the University of
595 Washington Bothell and Tacoma, or their authorized delegates.

596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653

(3) Only the following university officials may initiate disciplinary action under this conduct code:

- (a) The vice president for student life at UW Seattle;
- (b) The chancellors at UW Bothell and Tacoma;
- (c) Deans of a school or college (including the graduate school) at UW Seattle; and
- (d) Deans or directors of any school or program at UW Bothell or Tacoma.

The above named university officials may delegate the authority to initiate disciplinary proceedings to members of their respective staffs and to students. They may also establish student or student-faculty-staff hearing bodies to advise or to act for them in disciplinary matters.

(4) The university may hold the granting or conferral of a respondent's degree if the respondent is the subject of a preliminary investigation or other disciplinary proceedings under this conduct code until at least the conclusion of all disciplinary proceedings.

478-120-030 General procedures for disciplinary sanctions.

(1) This section describes the general process under the student conduct code for enforcing the university's rules, regulations, procedures, policies, standards of conduct, and orders. The specific procedures to be used at each step of the process are described in the following sections of this chapter. In all situations, whether handled formally or informally, basic standards of fairness will be observed in the determination of:

- ~~(a) The truth or falsity of the charges against the student;~~
- ~~(ab) Whether the alleged misconduct violates this code; and if so,~~
- ~~(be) The sanctions to be imposed, if any.~~

The criteria for judging student misconduct shall include, but not be limited to, the standards of conduct as stated in ~~WAC 478-120-020 and 478-120-025-025~~ this conduct code. ~~Informal hearings and hearings before the university disciplinary committees shall be conducted as brief adjudicative proceedings -use the procedures in-~~ under chapter 34.05 RCW governing brief adjudicative proceedings. Formal hearings conducted by the faculty appeal board shall follow the procedures required by chapter 34.05 RCW for formal adjudicative proceedings. Informal settlements may be conducted under the authority of RCW 34.05.060.

~~(2) Persons who believe that a violation of the student conduct code has been committed should contact the vice president for student life at the University of Washington Seattle campus, or the chancellor of the University of Washington Bothell or Tacoma campuses, whichever is appropriate.~~

~~(3) Only the vice president for student life, the dean of the school or college at the University of Washington Seattle or, at the University of Washington Bothell and Tacoma campuses, the dean or director of the program in which a student is enrolled or the chancellors of the University of Washington Bothell and Tacoma campuses, may initiate disciplinary proceedings against a student under this code of conduct. (See WAC 478-120-050.) The deans, the vice president for student life, or the chancellors of the University of Washington Bothell and Tacoma campuses may delegate the authority to initiate disciplinary proceedings consistent with this chapter to members of their staffs and to students. They may also establish student or student faculty hearing bodies to advise or to act for them in disciplinary matters. The person initiating a disciplinary proceeding shall be referred to as the initiating officer.~~

~~(2)(4) The initiating conduct officer will begin a disciplinary proceeding by holding, or directing a member of his or her staff to hold, an informal hearing with the respondent student charged with misconduct consistent with WAC 478-120-065. Based on this informal disciplinary hearing, the conduct initiating officer may choose to exonerate the respondent, dismiss the action, impose an appropriate sanction, and/or refer the matter to the appropriate university disciplinary committee. (See WAC 478-120-065.) If the conduct initiating officer identifies a potential or existing exceptional circumstance, as defined in WAC 478-120-100 (3)(b)(i),~~
~~"Exceptional circumstances exist when:~~
~~(A) The sanction of dismissal has been recommended; or~~
~~(B) The student has been charged with hazing; or~~
~~(C) The sanction of restitution (in excess of three hundred dollars) has been recommended; or~~

654 ~~(D)~~ Suspension has been recommended," the matter shall be referred directly to the faculty appeal board.
655 (See WAC 478-120-100.)
656

657 ~~(3)(5)~~ In cases not involving an allegation of sexual misconduct, respondents ~~Students~~ have the right to appeal
658 any sanction imposed at an informal hearing to the appropriate university disciplinary committee, except
659 that when such sanction identifies an existing or potential exceptional circumstance as defined in WAC 478-
660 120-100 (3)(b)(i), the matter shall be referred directly to the faculty appeal board. Appeal rights in cases
661 involving an allegation of sexual misconduct are provided for in WAC 478-120-137.
662

663 ~~(4)(6)~~ Any decisions of the university disciplinary committees may be appealed to the faculty appeal board. All
664 ~~decisions of the university disciplinary committees identifying existing or potential exceptional~~
665 ~~circumstances as defined in WAC 478-120-100 (3)(b)(i) shall be referred directly to the faculty appeal~~
666 ~~board.~~ In addition, the university disciplinary committees may, at any time, at their discretion, refer a matter
667 directly to the faculty appeal board consistent with WAC 478-120-095. The faculty appeal board performs
668 distinct functions. In most cases, the faculty appeal board conducts an administrative review. In certain
669 cases ~~(defined as described in WAC 478-120-100(3) and WAC 478-120-115(1))~~, the faculty appeal board
670 conducts a formal hearing.
671

672 ~~(5)(7)~~ Any decision based on a formal hearing conducted by the faculty appeal board may be appealed to the
673 president of the university or the president's delegate for a final review. All orders of dismissal shall be
674 reviewed by the president or the president's delegate. Orders entered by the president or the president's
675 delegate are final. (See WAC 478-120-125.)
676

677 ~~(6)(8)~~ The president or delegate, or chancellors or their delegates, may take emergency disciplinary action when a
678 student's conduct threatens the health, welfare, or safety of the university community or members thereof or
679 poses an ongoing threat of substantially disrupting or materially interfering with university activities or
680 operations. (See WAC 478-120-140.)

681 ~~(9)~~ When questions of mental or physical health are raised in conduct cases, the dean, the vice-president for
682 student life, the chancellors of the University of Washington Bothell and Tacoma campuses or their
683 delegates, the university disciplinary committees, or the faculty appeal board may request the student to
684 appear for examination before two physician consultants designated by the dean of the school of medicine.
685 The physician consultants may call upon the student health center for any other professional assistance
686 they deem necessary. After examining the student and/or consulting with the student's personal physician,
687 the physician consultants shall make a recommendation to the dean, the vice-president for student life, the
688 chancellor of the University of Washington Bothell or Tacoma campuses, whichever is appropriate, or their
689 delegates, the appropriate university disciplinary committee, or the faculty appeal board as to whether the
690 case should be handled as a disciplinary matter or as a case for medical or other treatment. Any decision
691 made based upon the recommendation of the physician consultants may be appealed in accordance with
692 the provisions of this chapter.
693

694 ~~(7)(10)~~ The following persons conducting proceedings under this chapter shall have the authority to issue
695 protective orders and subpoenas: ~~d~~Deans, or at the University of Washington Bothell and Tacoma
696 campuses, the dean or director of the program in which the student is enrolled, the vice-president for
697 student life, the chancellors of the University of Washington Bothell and Tacoma campuses, or the chairs of
698 their respective university disciplinary committees, the chair of the faculty appeal board, and the president
699 or his or her delegate.
700

701 ~~(8)(11)~~ In a case involving an ~~alleged~~ allegation of sexual misconduct offense, the complainant ~~accuser~~ and the
702 respondent ~~accused~~ are entitled to the same opportunities to have others present during a disciplinary
703 hearing and they shall both be informed of the outcome of such disciplinary proceeding.
704

705 ~~(9)(12)~~ Any final order resulting from a disciplinary proceeding shall become a part of the respondent's ~~student's~~
706 disciplinary record, unless the student is exonerated and be maintained in accordance with. (See
707 WAC 478-120-145.)
708

709 ~~(10)(13)~~ In accord with the ~~Family Educational Rights and Privacy Act FERPA~~ and pursuant to RCW 34.05.250,
710 all hearings conducted under this chapter generally will be held in closed session out of respect for the
711 privacy of all the students involved. However, the students involved may waive in writing this requirement

712 and request a hearing in open session, and the conduct officer initiating or presiding officer shall conduct
713 the hearing in a room that will accommodate a reasonable number of observers. The conduct officer
714 initiating or presiding officer may exclude from the hearing room any persons who are disruptive of the
715 proceedings and may limit the number who may attend the hearing in order to afford safety and comfort to
716 the participants and orderliness to the proceedings. To ensure the privacy of all students involved, no
717 cameras or recording devices shall be permitted except for the official recording by the university.

718
719 **478-120-032 Participation of advisors and attorneys.**

720
721 Any party and, in any case involving an allegation of sexual misconduct, a complainant, may, at their own
722 expense, be accompanied by an advisor and/or an attorney to any proceeding conducted under this conduct
723 code. Persons admitted to practice law in the State of Washington may advise, but may not participate in an
724 informal hearing and in a hearing before a university disciplinary committee, and may represent a party at a
725 hearing before the faculty appeal board. The chair of a university disciplinary committee or the faculty appeal
726 board or a conduct officer in an informal hearing has the discretion to impose reasonable conditions upon the
727 participation of an advisor and/or an attorney.

728
729 **478-120-034 Service of notices and orders and time limits.**

- 730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
- (1) Service of all university notices of hearing, initial orders, final orders, and orders on reconsideration shall be
by electronic mail addressed to the respondent's, and in any case involving an allegation of sexual
misconduct, the complainant's university-issued email address, or such alternative email address as may
have been provided to the university in writing. Service by electronic mail is complete at the moment the
email is sent to such address. In the alternative, service of university notices of hearing, initial orders, final
orders, and orders on reconsideration may also be accomplished by personal service or by posting it in the
United States mail, properly addressed, and postage prepaid. Service by mail is complete upon deposit in
the U.S. mail.
 - (2) Students have an ongoing obligation to update their address via MyUW.
 - (3) The time limits for appealing an initial order shall be determined based upon the date of service of the initial
order. The time limit for seeking judicial review of a final order shall be determined based upon the date of
service of the final order, except as otherwise provided in this chapter.
 - (4) In computing any period of time under this conduct code, the day of service of any order, notice, or other
document is not counted. The last day of the applicable period of time is counted. If the last day of the
applicable period of time falls on a Saturday, Sunday, or official state holiday (which includes the day after
Thanksgiving), the period ends on the next business day.

749 **478-120-036 Standard and burden of proof.**

750
751 The applicable standard of proof in all disciplinary hearings is the "preponderance of evidence" standard. This
752 means that, in order for an respondent to be held responsible for a violation of this conduct code, the conduct
753 officer, the university disciplinary committee, or the faculty appeal board must conclude, based on all of the
754 evidence in the record, that it is more likely than not that the respondent engaged in an act or acts of misconduct.
755 The burden of proof in a hearing before a university disciplinary committee or the faculty appeal board rests with
756 the party seeking to establish that the violation occurred.

757
758 **478-120-038 Interim Measures.**

- 759
760
761
762
763
764
765
766
767
- (1) After receiving a report of alleged sexual misconduct or other serious misconduct, the university may
implement interim measures which may include, but are not limited to:
 - (a) A no-contact order prohibiting direct or indirect contact, by any means, with a complainant, a
respondent, a reporting student, other specified persons, and/or a specific student organization;
 - (b) Reassignment of on-campus housing; or
 - (c) Changes to class schedules, assignments, or tests schedules.

- 768 (2) Interim measures will remain in place until lifted or modified by the university official who implemented the
769 interim measures.
770
771 (3) Implementation of any interim measure does not assume any determination of, or create any presumption
772 regarding responsibility for, a violation under this conduct code.
773

774
775

478-120-040 Disciplinary sanctions.

- 776 (1) One or more of the following disciplinary sanctions may be imposed for any violations of the student this
777 conduct code:
778
779 (a)(4) Disciplinary warnings and reprimands - Action may be taken to warn or to reprimand a student for
780 violation of university rules, regulations, procedures, policies, standards of conduct, or orders.
781 Warnings and A respondent may be issued a written reprimand. Rreprimands must always be made
782 in writing and shall include a statement that continuation or repetition of the specific conduct or other
783 misconduct may result in will normally result in one or more of the more serious additional disciplinary
784 sanctions. Restitution, disciplinary probation, suspension, or dismissal.
785 (b)(2) Restitution - An individual student may be required to make restitution for damage or other loss of
786 property and for injury to persons. A fFailure to pay, or to make in writing university-approved
787 arrangements to pay, restitution will result in a hold being placed on cancellation of the student's
788 registration and will preventing the student from registering at with the university.
789 (c)(3) Disciplinary probation - A respondentstudent may be placed on disciplinary probation (meaning
790 formal conditions are imposed on thea respondentstudent's continued attendance) for violation of
791 university rules, regulations, procedures, standards of conduct, or orders. The time period and
792 conditions, if any, for the disciplinary probation and any conditions shall be specified. Disciplinary
793 probation serves as a warning to a respondentstudent that further misconduct will raise the question of
794 suspension or dismissal from the university. Failure to fulfill conditions of the disciplinary probation
795 in a timely manner will extend the probationary period (and the conditions) and may result in
796 additional disciplinary sanctions, including possible suspension or dismissal.
797 (d) Loss of privileges - A respondent may be denied specified privileges for a designated period of time
798 such as the privilege to participate in a particular campus activity and may be restricted from any or
799 all university premises based on the misconduct for a specific duration.
800 (e)(4) Suspension - A respondentstudent may be suspended (i.e., temporarily separated) from the
801 university for a specified period of time violation of university rules, regulations, procedures, policies,
802 standards of conduct, or orders. The time period and c-Conditions of if any, for the suspension may
803 be imposed and shall will be specified. Except as otherwise specified in the disciplinary order, all
804 conditions must be fulfilled before the end of the suspension period. Failure to fulfill all conditions of
805 suspension in a timely manner will extend the suspension period and any conditions, and may result
806 in additional disciplinary sanctions. Suspension serves as a warning that further misconduct will raise
807 the question of dismissal from the university. The university may place a hold on a suspended
808 student's registration and may withhold the conferral of the student's degree, during the suspension
809 period.
810 (f)(5) Dismissal - A respondentstudent's enrollment may be dismissed (i.e. permanently separated) from
811 the university may be terminated for violation of university rules, regulations, procedures, policies,
812 standards of conduct, or orders.
813 (g)(6) Forfeiture Sanctions for hazing - In addition to other sanctions, a student who participates in hazing of
814 another shall forfeit any entitlement to state funded grants, scholarships, or awards for a specified
815 period of time.
816 (7) A suspension or dismissal is considered a serious sanction and will be imposed only after the
817 completion of the formal due process review provided for in this code.
818
819 (2) In determining an appropriate sanction for a violation of this conduct code, the seriousness of the
820 misconduct, the impact on the university community, and a respondent's past disciplinary record will be
821 considered. The use of alcohol or drugs by a respondent will not be considered a mitigating factor in
822 imposing discipline.
823

824 (3) If a respondent withdraws from the university (or fails to reenroll) before completing a sanction, the sanction
825 must be completed prior to or upon the respondent's reenrollment, depending on the nature of the sanction.
826 Completion of disciplinary sanctions may be considered in applications for readmission to the university.
827

828
829 **478-120-050 Jurisdiction.**

- 830 (1) ~~The vice-president for student life, the chancellors of the University of Washington Bothell and Tacoma~~
831 ~~campuses, or their delegates, may initiate any disciplinary action related to violations of any of the~~
832 ~~university's rules, regulations, procedures, policies, standards of conduct, or orders. Jurisdiction in such~~
833 ~~cases may be transferred to the dean of the school or college, or at the University of Washington Bothell~~
834 ~~and Tacoma campuses, to the dean or director of the program in which the student is enrolled if the alleged~~
835 ~~misconduct bears upon the student's fitness to continue in the school or college.~~
836
837 (2) ~~Additionally, the dean of each college or school, including the graduate school, or the dean's delegate, or~~
838 ~~the dean or director of programs in which the student is enrolled on the University of Washington Bothell or~~
839 ~~Tacoma campuses may initiate any disciplinary action:~~
840 (a) ~~Related to violations of university rules, regulations, procedures, policies, standards of conduct, and~~
841 ~~orders which pertain to that particular campus, college or school, or at the University of Washington~~
842 ~~Bothell and Tacoma campuses, the program in which the student is enrolled; and~~
843 (b) ~~Related to violations of rules, procedures, policies, and standards of conduct of that particular~~
844 ~~campus, college or school, or at the University of Washington Bothell and Tacoma campuses, the~~
845 ~~program in which the student is enrolled. The student academic grievance procedure is a separate~~
846 ~~procedure and is set forth in the Executive Order No. 58 (graduate school students should also refer~~
847 ~~to Graduate School Memorandum No. 33). Violations involving academic misconduct should be~~
848 ~~reported to the dean of the appropriate school or college, or dean or program director at the~~
849 ~~University of Washington Bothell or Tacoma campuses.~~
850
851 (3) ~~Other departments of the university have proceedings separate and distinct from the student conduct code.~~
852 ~~For example:~~
853 (a) ~~Campus parking and traffic regulations are under the general jurisdiction of the transportation~~
854 ~~services department and the police department at the University of Washington Seattle campus and~~
855 ~~under the jurisdiction of public safety officers at the University of Washington Bothell and Tacoma~~
856 ~~campuses. (See chapters 478-116, 478-117 and 478-118 WAC.)~~
857 (b) ~~The library fines appeals committee has the authority to consider appeals of library charges. (See~~
858 ~~chapter 478-168 WAC.)~~
859
860

861 **478-120-065 Informal disciplinary hearings.**

- 862 (1) A dean, the vice-president for student life, or, at the University of Washington Bothell and Tacoma
863 campuses, the chancellors or the dean or director of the program in which the student is enrolled, or their
864 delegates, may initiate a disciplinary proceeding by conducting, or directing a member of his or her staff to
865 conduct, an informal hearing with the ~~student accused of misconduct~~ respondent. This informal disciplinary
866 hearing may be nothing more than a face-to-face meeting between the ~~conduct initiating~~ conduct officer or staff
867 person and the ~~respondent student~~, and no special notice of the meeting is required. The purpose of this
868 informal disciplinary hearing is to provide an opportunity for the respondent student to respond to
869 allegations of misconduct before disciplinary action is taken, ~~and t~~ The respondent student waives any
870 rights to an informal hearing by his or her failure to attend and the conduct officer may place a hold on a
871 respondent's registration and/or transcript, or make a decision and issue an initial order without the input of
872 the respondent.
873
874 (2) During an informal disciplinary hearing, the ~~student~~ respondent must be provided with the following
875 information:
876
877 (a) An explanation of the student conduct process;
878 (ba) The alleged misconduct; and the reasons for the university's belief that the student engaged in the
879 misconduct;
880 (cb) The specific section(s) of the student conduct code allegedly violated; and

- 881 (de) The possible sanctions that may be imposed.
882
883 (3) Following the informal disciplinary hearing, the conduct officer may conduct further investigation, including
884 but not limited to, additional interviews of the complainant, the respondent, and any witnesses.
885
886 (4) Based on the findings of ~~the an~~ informal hearing and any further investigation, the conduct initiating officer
887 shall enter in writing ~~one of the following orders~~:
- 888 (a) An order exonerating the ~~respondent student~~, or dismissing the disciplinary proceeding if it appears
889 that there has been no misconduct, or finding that a preponderance of the evidence does not
890 establish a violation of this conduct code;
- 891 (b) An initial order (subject to appeal and/or review as provided by this conduct code), imposing one or
892 more of the a disciplinary sanctions specified in WAC 478-120-040;
- 893 (c) An order referring the matter to the appropriate university disciplinary committee; and/or
894 (d) An order referring the matter ~~directly~~ to the faculty appeal board because exceptional circumstances
895 as defined in WAC 478-120-100 (3)(b)(i) may exist.
- 896
897 (5) (a) If the initial order imposes a sanction and exceptional circumstances as defined in WAC 478-120-100
898 (3)(b)(i) exist, the matter shall be referred ~~directly~~ to the faculty appeal board and the respondent
899 student and in any case involving an allegation of sexual misconduct, a complainant, shall be
900 informed that he or she has the right to request a formal hearing according to the procedures set forth
901 in WAC 478-120-075(3). Supplemental procedures applicable to cases involving an allegation of
902 sexual misconduct are set forth in WAC 478-120-137.
- 903 (b) If the initial order imposes a sanction, but exceptional circumstances do not exist and the case does
904 not involve an allegation of sexual misconduct, then the respondent student shall ~~must~~ be informed
905 that he or she has twenty-one calendar days from the date of service of the initial order ~~(or twenty-five~~
906 ~~calendar days from the date of the mailing of the initial order)~~ to request a hearing before the
907 appropriate university disciplinary committee. If the ~~student~~ respondent chooses not to appeal, the
908 order becomes the final order.
- 909
910 (6) Within ten days of the conclusion of the conduct officer's hearing and any associated investigations, the
911 respondent, student and in any case involving an allegation of sexual misconduct, the complainant, shall be
912 provided with a written order which shall include a statement of the decision, the reasons for the decision,
913 and information about appealing the decision. No unfavorable action may be taken against the respondent
914 student until the respondent student has been given such notice and information. In a case involving an
915 alleged sexual offense, both the accuser and the accused shall be informed of the outcome of that
916 hearing. In a case where the respondent student is a minor, the disciplinary sanctions imposed may be
917 reported to the respondent's student's parents or legal guardian at the discretion of the conduct initiating
918 officer.
- 919
920 ~~(7) A student may request a hearing by the appropriate university disciplinary committee at any time during~~
921 ~~these informal proceedings. If such a request is made, the matter shall be referred to the appropriate~~
922 ~~university disciplinary committee.~~
- 923
924 ~~(7)(8)~~ (8) The official record of this informal hearing shall consist of all documents prepared or considered by the
925 dean, the vice-president for student life, or, at the University of Washington Bothell and Tacoma campuses,
926 the chancellors, or the dean or director of the program in which the ~~student~~ respondent is enrolled, or their
927 delegates, with regard to the dispute at hand.

478-120-075 – Appeals.

931 Any initial order may be appealed by timely submission of a written petition to the appropriate body. An order only
932 referring a matter from one hearing body to another, not determining the matter on its merits, is not an initial
933 order.

- 934
935 (1) ~~If a student does not~~ no appeal is filed to with the appropriate body within twenty-one days of service of the
936 initial order (or within twenty-five calendar days of the date when the university mailed the initial order to the

- 937 ~~student~~, the right to appeal is waived and the order becomes final, except that any initial order imposing the
 938 sanction of dismissal shall be subject to review in accordance with WAC 478-120-125.
 939
 940 (a) ~~All initial orders shall be hand delivered or delivered by mail.~~
 941 (b) ~~Any student involved in a disciplinary hearing is required to provide his or her current and accurate~~
 942 ~~address to the office of the vice-president for student life or the office of the chancellor for the~~
 943 ~~University of Washington Bothell or Tacoma campuses, whichever is appropriate, or their delegates.~~
 944
 945 (2) All petitions for appeal must be made in writing to the appropriate authority (the appropriate chair of one of
 946 the university disciplinary committees (Seattle, Bothell or Tacoma), the chair of the faculty appeal board, or
 947 the president). The petition must state the reasons for the appeal and indicate points of disagreement with
 948 the initial order.
 949
 950 (3) If a student wishes to request a formal hearing before the faculty appeal board, the student's written petition
 951 for appeal must also state that a formal hearing is being requested and must identify the specific
 952 exceptional circumstances (as defined in WAC 478-120-100 (3)(b)(i)) warranting such a hearing. When
 953 conducting administrative reviews of initial orders ~~informal hearing~~, the faculty appeal board shall make any
 954 inquiries necessary to ascertain whether the proceeding must be converted to a formal disciplinary hearing.
 955
 956 (4) Additional provisions regarding appeals in cases involving an allegation of sexual misconduct are set forth
 957 in WAC 478-120-137.
 958
 959 (45) After conducting the appropriate review, the appeal body ~~or the president~~ may sustain, reduce, or vacate
 960 the sanction imposed by the initial order, except if that review is in the form of a formal hearing before the
 961 faculty appeal board, that board may increase any sanction.
 962
 963 (6) Review by the president or the president's delegate shall be conducted in accordance with WAC 478-120-
 964 125.
 965
 966 (57) Only the president or the president's delegate may issue a final order of dismissal.
 967
 968 (68) Sanctions, if any, will be imposed only after an order becomes final, except for actions taken under
 969 WAC 478-120-140.

970 **478-120-085 The university disciplinary committees.**
 971

972
 973 Each University of Washington campus shall have its own university disciplinary committee. The university
 974 disciplinary committees shall consist of a nonvoting chair, at least three voting faculty members, and at least three
 975 voting student members. The committees shall be maintained for the purpose of providing hearings for
 976 disciplinary actions that have been initiated by the deans or, at the University of Washington Bothell and Tacoma
 977 campuses, the dean or director of the program in which a respondent student ~~is~~ enrolled, the vice-president for
 978 student life at the University of Washington Seattle campus, the chancellors of the University of Washington
 979 Bothell and Tacoma campuses, or their delegates.
 980

- 981 (1) The president of the University of Washington Seattle campus and the chancellors of the University of
 982 Washington Bothell and Tacoma campuses shall designate a member of the faculty or administration to
 983 serve as chair of each respective university disciplinary committee for a term of one year. All chairs may be
 984 reappointed for consecutive terms.
 985
 986 (a) The chairs shall ensure that all procedural safeguards and guidelines are followed. Accordingly, the
 987 chairs shall decide all procedural questions that arise in relation to hearings, including rulings on
 988 evidence (as defined in WAC 478-120-095(3)) and challenges to the impartiality of committee
 989 members. The chairs shall have the discretion to regulate all aspects of the proceedings.
 990 (b) The chairs shall take whatever steps are necessary to ensure that hearings are conducted in a safe
 991 and orderly manner.
 992
 993 (2) The ~~three~~ voting faculty members of each university disciplinary committee shall be selected at random
 994 ~~from~~ by the faculty senate at the University of Washington Seattle, or at the University of Washington

995 Bothell and Tacoma campuses, their respective faculty assembly or organization to serve one-year terms.
996 Voting faculty members may ~~not~~ be reappointed to consecutive terms.

997
998 (a) ~~Panels of eligible faculty members shall be randomly selected to serve on the committees in the order~~
999 ~~in which they were selected, except that at the University of Washington Seattle each faculty member~~
1000 ~~of the committees must represent a different faculty senate group.~~

1001 (b) Faculty members must have been members of the faculty for at least one year and hold the position
1002 ~~of assistant professor or higher~~ in order to be eligible to serve as voting members of the university
1003 disciplinary committees.

1004
1005 (3) The ~~three~~ voting student members of the university disciplinary committees shall be selected ~~at random~~
1006 from each student body to serve one-year terms. Student members of the committees may not be
1007 reappointed.

1008
1009 (a) ~~Panels of eligible~~For each university disciplinary committee, students shall be selected ~~randomly from~~
1010 ~~a pool of students who express interest in serving on the committee the entire full-time student body~~
1011 ~~to serve as committee members or alternates in the order in which they were selected, except that~~
1012 ~~and at the University of Washington Seattle at least one member must be a professional or graduate~~
1013 ~~student and the other two members must represent different undergraduate classes.~~

1014 (b) To be eligible to serve on the university disciplinary committees, students must be full-time and in
1015 good standing with the university.

1016
1017 (4) In addition to the chairs, a quorum shall be two faculty members and two student members. The chairs
1018 shall select alternates from the panels of eligible faculty or students as needed to produce a quorum.

1019
1020 (5) Committee members may be disqualified from a particular hearing for bias, prejudice, conflict of interest, or
1021 any other reason which may prevent him or her from serving as an impartial judge of the matter before the
1022 committees.

1023
1024 (a) Committee members may excuse themselves for any of the causes set forth in this section by
1025 submitting a written statement to the appropriate committee chair stating facts and reasons for the
1026 disqualification.

1027 (b) A student before any of the university disciplinary committees may challenge the impartiality of a
1028 committee member by written petition. The appropriate chair shall determine whether to grant the
1029 petition and excuse the committee member from the case, and shall state the facts and reasons for
1030 that determination in writing.

1031 (c) Any person who has been delegated the authority to initiate disciplinary proceedings is disqualified
1032 from serving as a member of the university disciplinary committees.

1033
1034 (6) The appropriate chair may relieve a member of his or her university disciplinary committee from serving on
1035 that committee for a particular case, for a specific period of time, or for the rest of the year after the member
1036 submits a written request to the chair.

1037
1038 (7) Members of the university disciplinary committees shall begin their terms on the first day of classes of
1039 ~~winter-autumn~~ quarter. Those terms shall expire on the first day of classes of the next ~~autumn winter~~
1040 quarter, except that cases in process shall be continued until a decision is reached. ~~The new panels of~~
1041 ~~committee members shall be identified by the outgoing chairs, or by the person designated by the~~
1042 ~~appropriate chair, through random procedures established by the chair.~~

478-120-095 Hearing before the university disciplinary committees.

1045 The purpose of a hearing before a university disciplinary committee is to provide all parties with an opportunity to
1046 present evidence and argument before disciplinary sanctions are imposed on a respondent student. A university
1047 disciplinary committee may not hear any cases involving an allegation of sexual misconduct. Based on the
1048 evidence presented at this hearing, the committee shall determine whether the respondent student has engaged
1049 in the alleged misconduct. If there is a finding of misconduct, the committee shall then determine the appropriate
1050 sanction to be imposed.

1051 (1) When a hearing is scheduled before a university disciplinary committee, the chair of the appropriate
1052 committee shall provide the respondent student with written notice of the following information:

1053
1054
1055
1056
1057
1058
1059
1060
1061
1062
1063
1064
1065
1066
1067
1068
1069
1070
1071
1072
1073
1074
1075
1076
1077
1078
1079
1080
1081
1082
1083
1084
1085
1086
1087
1088
1089
1090
1091
1092
1093
1094
1095
1096
1097
1098
1099
1100
1101
1102
1103
1104
1105
1106
1107
1108
1109
1110
1111

- (a) The time and place of the hearing;
 - (b) The allegation(s) of misconduct against the respondent student;
 - (c) A list of all witnesses who may be called to testify;
 - (d) A description of all documentary and real evidence to be presented at the hearing, including a copy of the respondent's ~~his or her~~ disciplinary file; and
 - (e) The sanctions that may be imposed at the hearing if the allegations of misconduct are found to be true.
- (2) The chair of each committee shall adhere to the following procedures at all disciplinary hearings:
- (a) The respondent student shall be provided with a reasonable opportunity (at least seven days) to gather evidence, contact witnesses, and prepare a defense for the hearing.
 - (b) The respondent student may be accompanied by an advisor and/or an attorney of the respondent student's choice.
 - (c) The respondent student is entitled to hear all testimony and examine all evidence that is presented at the hearing. In response, the respondent student may present evidence and witnesses on his or her own behalf and may ask questions of any other witnesses.
 - (d) No respondent student shall be compelled to give self-incriminating evidence.
- (3) Evidence shall be admissible at the hearing if it is the type of evidence that reasonably prudent members of the university community would rely upon in the conduct of their affairs.
- (4) The ~~conduct initiating~~ officer (the appropriate dean, or at the University of Washington Bothell and Tacoma campuses, dean or director of the program in which the respondent student is enrolled, the vice-president for student life, the chancellors of the University of Washington Bothell and Tacoma campuses, or their delegates) must prove by a preponderance of the evidence presented at the hearing that the respondent student has engaged in the alleged misconduct. The committee shall base its factual determination solely on the evidence presented at the hearing.
- (a) Decisions of the university disciplinary committee will be made based on a simple majority vote of the committees.
 - (b) If a university disciplinary committee cannot reach a decision by simple majority vote, an order shall be entered referring the matter to the faculty appeal board. In cases where the faculty appeal board determines that ~~Where~~ exceptional circumstances may exist, the respondent student shall be notified of the right to request a formal hearing. Otherwise, the faculty appeal board shall make a decision based upon its review of the record of the hearing before the university disciplinary committee ~~conduct an administrative review as provided under WAC 478-120-100 (1) and (2).~~
- (5) If at any time after a matter has been referred to a university disciplinary committee the appropriate chair determines that the matter should properly be before the faculty appeal board, the chair may refer the matter to the faculty appeal board and shall provide the student respondent with written notice of the referral ~~and of the opportunity to request a formal hearing if exceptional circumstances exist. (See WAC 478-120-100 (3)(b)(i)).~~ Any case involving an allegation of sexual misconduct shall be referred to the faculty appeal board.
- (6) If the committee determines that the respondent student has violated the university's rules, regulations, procedures, policies, standards of conduct, or orders, it shall then determine the appropriate sanction to be imposed. When determining the appropriate sanction, the committee shall consider the factors listed in WAC 478-120-040(2) ~~review the evidence presented at the hearing and the student's past record at the university.~~
- (7) The chair of the appropriate university disciplinary committee shall provide the student respondent with a written statement of the committee's decision within ten days of the conclusion of the hearing. This written statement shall include the committee's factual findings, the conclusions that have been drawn from those findings, the reasons for those conclusions, and the sanctions, if any, to be imposed. If sanctions are imposed, the student respondent must also be informed of the appropriate procedures for appealing the committee's decision to the faculty appeal board. ~~In a case involving an alleged sexual offense, both the accuser and the accused shall be informed of the outcome of the hearing.~~ In a case where the respondent

1112 student is a minor, the written statement of the committee's decision may be reported to the respondent's
1113 ~~student's~~ parents or legal guardian at the discretion of the chair of the appropriate university disciplinary
1114 committee.

- 1115
- 1116 (8) This written statement of the committee's decision shall be the committee's initial order. If ~~the student~~
1117 ~~chooses not to~~ no appeal is filed, the initial order of the appropriate university disciplinary committee
1118 becomes the final order at the end of the appeal period set forth in WAC 478-120-075(1) ~~except that orders~~
1119 ~~of dismissal shall be referred to the president.~~
- 1120
- 1121 (9) A respondent ~~The student~~ may choose to present evidence to the chair of the appropriate university
1122 disciplinary committee rather than at a hearing before the full committee. The respondent's ~~student's~~ waiver
1123 of the right to a hearing before a university disciplinary committee must be submitted in writing to the chair
1124 of the appropriate committee. The chair will submit the respondent's ~~student's~~ evidence and arguments to
1125 the full committee and the committee will make its decision based on the chair's report.
- 1126
- 1127 (10) All proceedings of the committees will be conducted with reasonable dispatch and be terminated as soon as
1128 possible, consistent with fairness to all parties involved. The chair shall have the discretion to continue the
1129 hearing.
- 1130
- 1131 (11) An adequate summary of the proceedings will be kept. Such a summary shall include all documents that
1132 were considered by the appropriate committee and may include an audio ~~tape~~-recording of the testimony
1133 and any other documents related to the hearing.
- 1134
- 1135 ~~(12) A report of a university disciplinary committee shall, upon written request and release by the student or~~
1136 ~~students involved, and subject to the requirements of the Family Educational Rights and Privacy Act, be~~
1137 ~~made available to members of the university community through the vice-president ((and vice provost)) for~~
1138 ~~student life, or the office of the chancellor at the University of Washington Bothell or Tacoma campuses,~~
1139 ~~whichever is appropriate, or their delegates.~~

1140 **478-120-100 Faculty appeal board.**

1141

1142

1143 There shall be a single faculty appeal board which will serve all University of Washington campuses. The faculty
1144 appeal board shall be composed of at least seven members of the faculty to be appointed by the chair of the
1145 faculty senate after consultation with the faculty council on student affairs, to include one faculty member from
1146 each of the University of Washington Bothell and Tacoma campuses. The chair of the faculty senate shall
1147 appoint one of the members to be the chair of the faculty appeal board. The faculty appeal board shall conduct
1148 either administrative reviews or formal hearings and the procedures to be used shall depend on the nature of the
1149 appeal before the board. Cases may be heard by the entire board or by panels of no fewer than three board
1150 members.

- 1151
- 1152 (1) The faculty appeal board may conduct an administrative review when exceptional circumstances do not
1153 exist or ~~the a~~ student has not requested a formal hearing in writing.
- 1154
- 1155 (2) The procedures for conducting such administrative review are set forth in WAC 478-120-105. The chair
1156 shall maintain a record of all administrative reviews conducted by the faculty appeal board. At a minimum,
1157 such a record shall include all documents that were considered by the board and may include an audio ~~tape~~
1158 recording of all testimony and all other documents related to the review.
- 1159
- 1160 (3) The faculty appeal board shall conduct a formal hearing when:
- 1161
- 1162 (a) The respondent ~~student~~, and/or, in a case involving an allegation of sexual misconduct, a
1163 complainant, requests a formal hearing before the faculty appeal board in writing setting forth the
1164 exceptional circumstances that exist (see below); and
- 1165 (b) The chair reviews the student's written request and determines that exceptional circumstances do
1166 exist. Additionally, the faculty appeal board may conduct a formal hearing in other circumstances as
1167 the board deems appropriate. If the faculty appeal board does not conduct a formal hearing, it shall
1168 conduct an administrative review of the prior decision.
- 1169
- 1170 (i) Exceptional circumstances exist when:

- 1171 (A) The sanction of dismissal has been recommended; or
 1172 (B) The student has been charged with hazing; or
 1173 (C) The sanction of restitution (in excess of three hundred dollars) has been recommended;
 1174 or
 1175 (D) Suspension has been recommended.
 1176
 1177 (ii) If the faculty appeal board decides not to grant a ~~student's~~ written request for a formal hearing,
 1178 the chair shall provide the parties student with a written copy of the board's decision ~~and a brief~~
 1179 ~~statement of the reasons for denying the petition~~ request for a formal hearing within ninety days
 1180 as specified in WAC 478-120-115(23).
 1181
 1182 (c) The faculty appeal board shall also conduct a formal hearing as provided in the supplemental
 1183 provisions set forth in WAC 478-120-137 for cases involving an allegation of sexual misconduct.
 1184
 1185 (4) If a matter is referred directly to the faculty appeal board and there is no initial order, then the faculty appeal
 1186 board shall determine whether exceptional circumstances exist or could exist. If exceptional circumstances
 1187 exist or could exist, then the board shall notify the respondent student and in any case involving an
 1188 allegation of sexual misconduct, the complainant, in writing that he or she has twenty-one days from the
 1189 date of service of the notice ~~or twenty-five days from the date of mailing the notice~~ to request a formal
 1190 hearing. If no such the student fails to make such a request is made, any right to a formal hearing is
 1191 waived.
 1192
 1193 (5) Formal hearings conducted by the faculty appeal board shall be according to the procedural guidelines set
 1194 forth in WAC 478-120-115 and chapter 34.05 RCW.
 1195
 1196 (a) At the conclusion of the formal hearing, the faculty appeal board shall enter an initial order based on
 1197 the findings of that hearing. That initial order shall include a written statement of the board's decision
 1198 and the basis for that decision, including procedures for appealing the decision to the president or
 1199 president's delegate. The initial order shall be provided to the parties student within ~~ninety-sixty~~ days
 1200 of the conclusion of the hearing unless the faculty appeal board determines that an extension of time
 1201 (which shall not exceed thirty additional days) is warranted and informs the parties of such extension.
 1202 In a case involving an allegation of sexual misconduct offense, both the respondent and the
 1203 complainant accuser and the accused shall be informed of the board's decision. In a case where the
 1204 respondent student is a minor, the board's decision may be reported to the respondent's student's
 1205 parents or legal guardian at the discretion of the conduct initiating officer.
 1206 (b) An initial order from a formal hearing may be appealed to the president of the university or the
 1207 president's delegate for a final ~~administrative~~ review.
 1208 (c) If no the student chooses not to appeal is timely submitted, the initial order of the faculty appeal board
 1209 shall become the final order, except that orders of dismissal entered by the faculty appeal board shall
 1210 be reviewed by the president or the president's delegate in accordance with WAC 478-120-125.
 1211
 1212 (6) The record in cases in which the faculty appeal board conducts a formal hearing shall be as specified in
 1213 WAC 478-120-115(15-20).
 1214
 1215 (7) Board members may be disqualified from a particular formal hearing for bias, prejudice, conflict of interest,
 1216 or any other reason which may prevent them from serving as impartial judges of the matter before the
 1217 board.
 1218
 1219 (a) A committee member may excuse himself or herself for any of the causes set forth in this section by
 1220 submitting a written statement to the board chair stating facts and reasons for the disqualification.
 1221 (b) A student before the faculty appeal board may challenge the impartiality of a board member by
 1222 written petition. The chair shall determine whether to grant the petition and excuse the board
 1223 member, stating the facts and reasons for the determination in writing.
 1224 (c) Faculty who have been delegated the authority to initiate disciplinary proceedings are disqualified
 1225 from serving as members of the faculty appeal board.
 1226
 1227 (8) At the discretion of the chair, board members may be excused from a particular hearing on the basis of
 1228 compelling personal need after submitting a written request to the chair explaining the basis of the request.

1229 **478-120-105 Administrative review by the faculty appeal board.**

- 1230 (1) The faculty appeal board may conduct administrative review when exceptional circumstances do not exist
1231 or ~~the student has not requested a~~ no formal hearing has been requested. When the faculty appeal board
1232 determines that administrative review is appropriate, the chair shall notify all parties of that decision. The
1233 notice to the parties shall include a statement of:
- 1234
 - 1235 (a) The allegations of misconduct against the respondent student;
 - 1236 (b) The sanctions that were recommended by the conduct initiating officer or the university disciplinary
1237 committee, if any; and
 - 1238 (c) A date by which any voluntarily submitted written briefs or statements must be submitted.
- 1239
- 1240 (2) When the faculty appeal board conducts an administrative review, the board may base its review on:
- 1241
 - 1242 (a) All documents and any recordings considered by the initiating officer or the university disciplinary
1243 committee; ~~or~~
 - 1244 (b) Oral and/or written argument submitted by any party of both parties; and or
 - 1245 (c) Additional evidence.
- 1246
- 1247 (3) At the conclusion of its review, the faculty appeal board shall enter an order. An initial order may be
1248 appealed and a final order may not be appealed ~~except that final orders of dismissal shall be reviewed by~~
1249 ~~the president or the president's delegate~~. The ~~student shall be provided with a~~ written order which shall
1250 include a written statement of the board's decision within ten days of the conclusion of the review and
1251 information on rights of appeal, if any. In a case involving an ~~alleged~~ allegation of sexual misconduct
1252 ~~offense~~, both the ~~respondent accuser~~ and any complainant ~~the accused~~ shall be informed of the outcome of
1253 the review. In a case where the respondent student is a minor, the board's decision may be reported to the
1254 respondent student's parents or legal guardian at the discretion of the chair of the faculty appeal board.
1255

1256

1257 **478-120-115 Formal hearings before the faculty appeal board.**

- 1258 (1) The faculty appeal board shall conduct a formal hearing when exceptional circumstances exist and a the
1259 ~~student has requested for in writing~~ a formal hearing has been made. The faculty appeal board shall also
1260 conduct formal hearings as provided in the supplemental provisions for cases involving an allegation of
1261 sexual misconduct set forth in WAC 478-120-137. Additionally, the faculty appeal board may conduct a
1262 formal hearing in other circumstances as the board deems appropriate.
- 1263
- 1264 (2) Within thirty days after receipt of a written petition for a formal hearing before the faculty appeal board, the
1265 board shall notify the requesting party of any obvious errors or omissions in the party's petition, request any
1266 additional information the board wishes to obtain and is permitted by law to require, and notify the
1267 requesting party of the name, mailing address, and telephone number of an office or person who may be
1268 contacted regarding the formal hearing.
- 1269
- 1270 (3) Within ninety days after receipt of a written petition for formal hearing or within ninety days after the party's
1271 response to a timely request from the board as provided in subsection (4~~2~~) of this section, the board shall
1272 either deny the formal hearing or commence the formal hearing.
- 1273 (4) Once the board decides to conduct a formal hearing, the chair of the faculty appeal board shall schedule
1274 the time and place of the hearing and give not less than seven days advance written notice of the hearing to
1275 all parties. That notice shall include:
- 1276
 - 1277 (a) The names and addresses of all parties to whom notice is being given, and if known, the names and
1278 addresses of their representatives;
 - 1279 (b) The name, business address, and telephone number of the person designated to represent the
1280 university at the hearing;
 - 1281 (c) The official file number and name of the proceeding;
 - 1282 (d) The name, mailing address, and telephone number of the chair of the faculty appeal board;
 - 1283 (e) A statement of the time, place, and nature of the hearing;
 - 1284 (f) A statement of the legal authority and jurisdiction under which the hearing is to be held;

- 1285 (g) A reference to the particular sections of university rules that are involved;
1286 (h) A short and plain statement of the charges against the ~~respondent~~ student; and
1287 (i) A statement that a student requesting the hearing who fails to attend the hearing or otherwise
1288 respond to this notice may lose his or her right to a formal hearing.
1289
- 1290 (5) Hearings before the faculty appeal board shall be conducted in accordance with the provisions of this
1291 conduct code, the Administrative Procedure Act (chapter 34.05 RCW), and the Model Rules of Procedure
1292 (chapter 10-08 WAC). To the extent there is a conflict between this conduct code and the Model Rules, this
1293 conduct code shall control.
1294
- 1295 (6) The faculty appeal board will make its own determination based on the record of the hearing before the
1296 faculty appeal board.
1297
- 1298 (7)(5) If a student requesting the hearing fails to attend or participate in a formal hearing, the faculty appeal board
1299 may:
1300
- 1301 (a) Hold the hearing and issue an initial order based on a preponderance of the evidence presented at
1302 the hearing; or
1303 (b) Issue ~~serve upon all parties~~ a default or other dispositive order which shall include a statement of the
1304 grounds for the order. Within seven days after service of a default order or other dispositive order, a
1305 the student may file a written request ~~motion requesting~~ that the order be vacated, and stating the
1306 grounds relied upon.
1307
- 1308 (8)(6) Each ~~The student party~~ may be represented by counsel ~~an attorney~~ and/or be accompanied by an advisor
1309 of the student's ~~that party's~~ choice. No student shall be compelled to give self-incriminating evidence.
1310 However, a negative inference can be drawn from a refusal to testify or to answer a particular question.
1311
- 1312 (9)(7) The chair shall determine whether discovery is to be available, and, if so, which forms of discovery may be
1313 used. The chair may condition the use of discovery procedures on a showing of necessity and
1314 unavailability by other means. In exercising such discretion, the chair shall consider:
1315
- 1316 (a) Whether all parties are represented by counsel;
1317 (b) Whether undue expense or delay in bringing the case to a hearing will result;
1318 (c) Whether the use of discovery will promote the orderly and prompt conduct of the proceeding; and
1319 (d) Whether the interests of justice will be promoted.
1320 (e) The chair may decide whether to permit the taking of depositions, the requesting of admissions, or
1321 any other procedures authorized by rules 26 through 37 of the superior court rules.
- 1322 (10)(8) At appropriate stages of the hearing, the chair may give all parties an opportunity to submit and respond
1323 to briefs, motions, proposed findings of fact and conclusions of law, and proposed initial or final orders. To
1324 the extent necessary for a full disclosure of all relevant facts and issues, the chair shall afford the both
1325 parties the opportunity to respond, present evidence and argument, conduct cross-examination, and submit
1326 rebuttal evidence. A party filing a pleading, brief, or other documents ~~paper~~ with the chair shall serve
1327 copies on all other parties at the same time submitted to the chair.
1328
- 1329 (11)(9) Evidence, including hearsay evidence, is admissible if it is the kind of evidence on which reasonably
1330 prudent persons are accustomed to rely in the conduct of their affairs. Evidence is not admissible if it is
1331 excludable on constitutional or statutory grounds or on the basis of evidentiary privilege recognized in the
1332 courts of this state. The chair shall decide all procedural questions and make rulings on the admissibility of
1333 evidence, motions, objections, and on challenges to the impartiality of board members, unless a hearing
1334 examiner is appointed as provided below. And ~~†~~The Washington rules of evidence shall serve as guidelines
1335 for those rulings on the admissibility of evidence.
1336
- 1337 (12)(40) All testimony of parties and witnesses shall be made under oath or affirmation. The parties are
1338 responsible for informing their witnesses of the time and place of the hearing.
1339
- 1340 (13) At the discretion of the chair, and where the rights of the parties will not be prejudiced thereby, all or part of
1341 any hearing, including the testimony of witnesses, may be conducted by telephone, video, or other
1342 electronic means. Each party in the hearing must have an opportunity to participate effectively in, to hear,

1343 and, if technically and economically feasible, to see the entire proceeding while it is taking place. Such
1344 measures may be taken to accommodate concerns raised by a complainant, a respondent, or any witness.
1345

1346 ~~(14)~~(14) The faculty appeal board may appoint a hearing examiner to conduct the actual hearing, which
1347 includes managing administrative matters before, during, and following a hearing, and ruling on any
1348 motions, objections, procedural questions, and the admissibility of evidence. The decision to use a hearing
1349 examiner requires the approval of a majority of the board members. The hearing examiner will then
1350 conduct the hearing and if requested by the board, will submit a detailed report to the faculty appeal board
1351 according to the provisions of this section.
1352

- 1353 (a) The hearing examiner will have all of the authority of the chair of the faculty appeal board with regard
1354 to hearing procedures and will be responsible for maintaining the official record of the hearing,
1355 including an audio or video recording of the hearing, and transmitting the full official record to the
1356 chair following the hearing. If a hearing examiner conducts the hearing, an audio recording of the
1357 hearing must be kept, and the recording and any transcription thereof must be provided to the board.
1358 (b) The faculty appeal board may, at its option, request the hearing examiner to provide
1359 recommendations as to findings, conclusions, and decisions, but those recommendations shall not be
1360 binding on the board. The hearing examiner shall transmit to the board the full and complete record
1361 of the hearing and the board shall make its own findings, conclusions, and decisions based on the
1362 official record.
1363 ~~(c)~~ The hearing examiner will make initial rulings on the use of discovery, the admissibility of evidence,
1364 and the procedures for the hearing.
1365 ~~(c)~~(d) The hearing examiner must be an attorney permitted to practice law in Washington State member of
1366 the bar. Any member of the faculty appeal board who is also a member of the Washington State bar,
1367 including the chair, may serve as the hearing examiner.
1368

1369 ~~(15)~~(14) The chair of the faculty appeal board may issue subpoenas and enter protective orders. A party may
1370 request in writing that the chair issue a subpoena for the attendance of a witness at the hearing. The
1371 requesting party is responsible for serving the subpoena upon the witness.
1372

1373 ~~(16)~~(13) Member of the faculty appeal board must avoid ex parte communications with any party involved in the
1374 hearing regarding any issue other than communications necessary to maintaining an orderly procedural
1375 flow to the hearing. All communications with the chair and/or members of the faculty appeal board, except
1376 for communications necessary to procedural aspects of maintaining an orderly process, must be in the
1377 presence of, or with a copy to, all other parties. Ex parte communications received by the chair or members
1378 of the board must be placed on the record, and all the other parties must be informed of the ex parte
1379 communication and given an opportunity to respond on the record.
1380

1381 ~~(17)~~(14) At conclusion of a hearing, and following the submission of all evidence, any written closing arguments,
1382 and any proposed orders by the parties, the board shall determine, whether based on a preponderance of
1383 the evidence, the respondent is responsible for violating this conduct code and, if so, what sanction(s) are
1384 to be imposed. The faculty appeal board shall have the full authority to impose any of the sanctions
1385 specified in WAC 478-120-040, subject to review in accordance with this conduct code. (All orders of
1386 dismissal are subject to review by the president in accordance with WAC 478-120-125.) Decisions will be
1387 determined by majority vote. Findings, conclusions, and decisions by the faculty appeal board shall be
1388 based exclusively on the evidence of record from the hearing and on matters officially noted in the record.
1389

1390 ~~(18)~~(15) The board shall enter an initial order which shall be served in writing on all parties the student within
1391 ninety sixty days after conclusion of the hearing or after submission of memos, briefs, or proposed findings,
1392 whichever is later, unless the period is waived or extended for good cause shown. The board's initial order
1393 shall:
1394

- 1395 (a) Include a statement of findings of fact and conclusions with any findings based substantially on
1396 credibility of evidence or demeanor of witnesses so identified;
1397 (b) Specify the section(s) of this conduct code that the respondent is responsible for violating, if any;
1398 (c) Indicate the sanction(s) imposed, if any;
1399 (d) Provide a statement regarding the availability of presidential review and the applicable time limits; and
1400 (e) Include a statement of the circumstances under which the board's initial order, without further notice,
1401 may become a final order.

1402 The student shall be informed of procedures for appealing the decision. If the student does not appeal the
1403 board's initial order within the time set out in WAC ~~478-120-075~~(1), the initial order of the board shall become the
1404 final order, except all orders of dismissal shall be reviewed by the president or the president's delegate.
1405

1406 (19) An initial order issued by the faculty appeal board will become a final order if the respondent (or a
1407 complainant in any case involving an allegation of sexual misconduct) does not submit a request for review
1408 in accordance with WAC 478-120-125 within twenty-one (21) days of service of the initial order, except that
1409 any initial order imposing dismissal will be automatically forwarded to the president for review under WAC
1410 478-120-125.
1411

1412 ~~(20)~~(16) The chair shall maintain an official record of the hearing. The record shall contain those items specified
1413 in RCW 34.05.476.
1414

1415 **478-120-125 Review by the president of the university.**

1416
1417 (1) Any initial order of the faculty appeal board that is based on the findings of a formal hearing may be
1418 appealed for a final review to the president or the president's delegate by a respondent, and in any case
1419 involving an allegation of sexual misconduct, a complainant (regardless of whether the complainant
1420 participated as a party in the hearing before the faculty appeal board). Upon the submittal of such an
1421 appeal, the complainant will be considered a party to the final review. The student must submit an
1422 appeal must be submitted to the President and the conduct officer in writing within twenty-one days of
1423 service of the board's initial order for which review is sought. or twenty five days of mailing the order,
1424 unless the order specifies a different time limit. Upon receipt, the President (or President's delegate) shall
1425 promptly serve all other parties with a copy of the appeal. Any appeal shall include the reasons for the
1426 appeal specify the portion of the board's order to which exception is taken and shall refer to the evidence of
1427 record which is relied upon to support the petition. However, the president or the president's delegate shall
1428 review all orders of dismissal, regardless of whether the a student appeals. In a case imposing dismissal,
1429 any request for review submitted by a respondent or, in a case involving an allegation of sexual misconduct,
1430 a complainant, will be considered concurrently with the president's (or president's delegate's) automatic
1431 review of the matter.
1432

1433 (2) The president or the president's delegate shall consider the entire record of the disciplinary proceeding or
1434 such portion as may be specified ~~cited~~ by the parties ~~student~~. At the president's or the president's
1435 delegate's discretion, the parties may also supplement the record with additional evidence.
1436

1437 (3) The parties may present their arguments to the president or the president's delegate in writing, and the
1438 president or the president's delegate may, at his or her discretion, afford each party an opportunity for oral
1439 argument.
1440

1441 (4) Any review by the president or the president's delegate will be conducted in accordance with RCW
1442 34.05.464.
1443

1444 (5) All communications with the president or president's delegate, except for communications necessary to
1445 procedural aspects of maintaining an orderly process, must be in the presence of, or with a copy to, all
1446 other parties. Ex parte communications received by the president or president's delegate must be placed
1447 on the record, and all other parties must be informed of the ex parte communication and given an
1448 opportunity to respond on the record.
1449

1450 ~~(6)~~(4) After reviewing the record and considering the arguments of ~~the two~~ all parties, the president or the
1451 president's delegate shall enter a final order disposing of the matter or remanding the case for further
1452 proceedings ~~and provide the student with a copy of that order.~~ A final order shall include, or incorporate by
1453 reference to the initial order, all matters required by RCW 34.05.461(3). A copy of the final order shall be
1454 served upon all parties.
1455

1456 ~~(7)~~(5) In a case involving an ~~alleged sexual offense~~ allegation of sexual misconduct, both the respondent ~~accuser~~
1457 and the complainant ~~accused~~ shall be informed of the outcome of the review. In a case where the
1458 respondent ~~student~~ is a minor, the decision of the president or the president's delegate may be reported to

1459 the ~~student's~~ respondent's parents or legal guardian at the discretion of the president or president's
1460 delegate.

- 1461
- 1462 (8)(6) Notwithstanding any other provisions of this chapter, and before an initial order issued under this conduct
1463 code becomes final, the president or the president's delegate may determine that the initial order should be
1464 reviewed. Upon such determination, a complainant, in any case involving an allegation of sexual
1465 misconduct, if not already a party in the hearing before the faculty appeal board, shall be given the
1466 opportunity to participate as a party for purposes of review by the president or the president's delegate.
1467 Notice of the president's (or president's delegate's) decision to review any initial order under this subsection
1468 shall be provided to all parties. Review the order. Any such review shall be in accordance with
1469 RCW 34.05.464 and/or RCW 34.05.491.
1470

1471

1472 **478-120-135 Reconsideration of final orders.**

- 1473 (1) Within ten days of the service of a final order from the president or the president's delegate, any party the
1474 student may file a request for reconsideration, stating in writing specific reasons for the request. The
1475 request shall be directed to the president or the president's delegate, who issued the final order, and the
1476 conduct officer. Upon receipt, the President (or President's delegate) shall promptly serve all other parties
1477 with a copy of the request for reconsideration.
1478
- 1479 (2) A request for reconsideration does not stay the effectiveness of a final order.
1480
- 1481 (3) A request for reconsideration is only intended to correct obvious mistakes in the judgment or order and
1482 should not be used to reargue the case. Filing a request for reconsideration is not a prerequisite for
1483 seeking obtaining judicial review in accordance with chapter 34.05 RCW. An order denying reconsideration
1484 or a notice provided for in subsection (4)(b) of this section and denial of the request is not subject to judicial
1485 review.
1486
- 1487 (4)(3) If a request for reconsideration is timely and properly submitted, the time for filing a petition for judicial
1488 review of a final order does not commence until the university disposes of the request for reconsideration.
1489 The request for reconsideration is automatically deemed to have been denied if, within twenty (20) days
1490 from the date the request for reconsideration is timely submitted, the president or president's delegate who
1491 issued the final order does not either (a) dispose of the request, or (b) serve the parties with a written notice
1492 specifying the date by which he or she will act upon the request. The request for reconsideration shall be
1493 promptly considered. If, within twenty days from the date the request is filed, the president or president's
1494 delegate does not either (a) dispose of the request, or (b) serve the student with a written notice, specifying
1495 the date by which it will act upon the request, the request is deemed to be denied.
1496
- 1497 (5) Unless the request for reconsideration is deemed denied under subsection (4) of this section, the request
1498 shall be disposed of by the same president or president's delegate, who issued the final order, if reasonably
1499 available. The disposition shall be in the form of a written order denying the request, granting the request
1500 and dissolving or modifying the final order, or granting the request and setting the matter for further hearing.
1501

1502 **WAC 478-120-137 Supplementary Provisions Regarding Sexual Misconduct.**

- 1503
- 1504 (1) ~~By way of clarification only, it is hereby affirmed that sexual assault, sexual harassment, indecent exposure,~~
1505 ~~sexual exploitation, stalking, domestic violence, and relationship violence all as defined herein (collectively~~
1506 ~~"sexual misconduct") are prohibited conduct and any student who has engaged in sexual misconduct may~~
1507 ~~be subject to the imposition of disciplinary sanctions as described in WAC 478-120-040. Investigations and~~
1508 ~~adjudications of cases involving an allegation of sexual misconduct will be conducted by university officials~~
1509 ~~who receive regular (no less than annual) training on issues related to sexual misconduct. This requirement~~
1510 ~~applies to conduct officers, all members of the faculty appeal board, the President, and the President's~~
1511 ~~delegates. The specific training requirements shall be established by the university's Title IX coordinator.~~
1512
- 1513 (2) ~~Notwithstanding any other provision of this conduct code, a student may be subject to disciplinary~~
1514 ~~proceedings in connection with any allegation of sexual misconduct that occurs off campus if the university~~
1515 ~~reasonably determines that a significant university interest is affected.~~
1516

1517 (2) ~~(3) Notwithstanding any other provision of this conduct code, "exceptional circumstances" shall be deemed~~
1518 ~~to exist in all cases involving an allegation of sexual misconduct, and such cases shall be subject to the~~
1519 ~~following supplementary provisions. All cases involving an allegation of sexual misconduct shall be subject~~
1520 ~~to the following supplementary provisions:~~

1521
1522 (a) ~~The initiating conduct officer will concurrently serve both the accused student respondent and any~~
1523 ~~complainant(s) with a copy of the initiating conduct officer's initial order. For the purposes of this~~
1524 ~~section, "complainant" means a student or another member of the University community who believes~~
1525 ~~that an act of sexual misconduct has been committed against him or her in violation of this conduct~~
1526 ~~code.~~

1527 (b) ~~Either a complainant or the accused student respondent may appeal such initial order to the faculty~~
1528 ~~appeal board in accordance with WAC 478-120-075 this conduct code, and both the accused student~~
1529 ~~respondent and any complainant shall receive notice of any appeal and notice of any hearing before~~
1530 ~~the faculty appeal board. An initial order by a conduct officer in a case involving an allegation of~~
1531 ~~sexual misconduct may be subject to review by the faculty appeal board as follows:~~

1532
1533 (i) **Initial order imposes sanction and exceptional circumstances exist** - If the initial order
1534 imposes a sanction and exceptional circumstances as defined in WAC 478-120-100 (3)(b)(i)
1535 exist, the matter shall be referred directly to the faculty appeal board and both the respondent
1536 and any complainant shall each have twenty-one (21) calendar days from the date of service of
1537 the initial order to request a formal hearing according to the procedures set forth in WAC 478-
1538 120-075(3). (The respondent and any complainant shall be informed that the faculty appeal
1539 board may increase a sanction imposed in an initial order only if a formal hearing is held.) If no
1540 timely request for a formal hearing is submitted, the faculty appeal board shall conduct
1541 administrative review in accordance with WAC 478-120-105.

1542 (ii) **Initial order imposes sanction, but no exceptional circumstances exist** - If the initial order
1543 imposes a sanction and exceptional circumstances as defined in WAC 478-120-100(3)(b)(i) do
1544 not exist, the respondent and any complainant shall each have twenty-one (21) calendar days
1545 from the date of service of the initial order to submit an appeal to the faculty appeal board. If a
1546 timely appeal is submitted by either the respondent or any complainant, the faculty appeal
1547 board shall conduct a formal hearing in accordance with this conduct code. If no timely appeal
1548 is submitted by either the respondent or any complainant, all rights of appeal are waived and
1549 the order becomes the final order.

1550 (iii) **Initial order does not impose a sanction** - If the initial order does not impose a sanction, any
1551 complainant shall have twenty-one (21) calendar days from the date of service of the initial
1552 order to submit an appeal to the faculty appeal board. (The respondent shall be informed that
1553 the complainant has this right, and that such initial order shall not become final at least until the
1554 period for any complainant to submit an appeal has elapsed.) If a timely appeal is submitted by
1555 any complainant, the faculty appeal board shall conduct a formal hearing in accordance with
1556 this conduct code. If no timely appeal is submitted, all rights of appeal are waived and the
1557 order becomes the final order.

1558
1559 Any appeal petition must state the reasons for the appeal. Any appeal petition must be submitted to
1560 the faculty appeal board and to the conduct officer, who will promptly provide a copy of the appeal to
1561 any other party.

1562
1563 (c) ~~If a timely appeal of an initial order issued by the initiating officer is submitted and a request for a~~
1564 ~~formal hearing is made, the faculty appeal board shall conduct a formal hearing is held by the faculty~~
1565 ~~appeal board in a case involving an allegation of sexual misconduct, such hearing shall be conducted~~
1566 ~~in accordance with WAC 478-120-100 and WAC 478-120-115 and the following supplementary~~
1567 ~~provisions procedures shall also apply:~~

1568
1569 (i) Both the respondent and any complainant shall be provided with the notice of a formal hearing
1570 as specified in WAC 478-120-115(2), (3), and (4). Both the accused student respondent and
1571 any complainant will have the right to participate as a party in the hearing, including but not
1572 limited to the right to be represented by counsel an attorney and/or be accompanied by an
1573 advisor, to call witnesses, to cross-examine witnesses, and to submit documentary evidence. A
1574 complainant (with or without counsel an attorney and/or an advisor) may attend the formal
1575 hearing in its entirety, regardless of whether the complainant decides to participate as a party.

- 1576 (ii) ~~An accused student and the~~ The respondent and a complainant may not ask questions of each
 1577 other directly, but may will be allowed to submit written questions to the chair of the faculty
 1578 appeal board, who will ask any relevant and appropriate questions submitted by these parties.
 1579 The chair has the discretion to accept, reject, or rephrase any question submitted by the
 1580 accused student respondent or a complainant.
- 1581 (iii) ~~At the discretion of the chair, and where the rights of the parties will not be prejudiced thereby,~~
 1582 ~~all or part of any formal hearing, including the testimony of witnesses, may be conducted by~~
 1583 ~~telephone, video, or other electronic means.~~
- 1584 (iii) (iv) ~~Both the accused student respondent~~ and any complainant shall be concurrently served
 1585 with all orders issued by the faculty appeal board.
- 1586
- 1587 (d) In any ~~matter case~~ case involving an allegation of sexual misconduct, any complainant shall have the same
 1588 rights as the accused student respondent to participate as a party in any administrative review under
 1589 WAC 478-120-105, to appeal a faculty appeal board's initial order to the president of the university
 1590 under WAC 478-120-125, to participate as a party in any appeal to the president, and to seek
 1591 reconsideration of a final order under WAC 478-120-135. In the event that a complainant timely
 1592 appeals in a timely manner an initial order, such order shall not become final until that appeal is
 1593 resolved. Any notices or orders issued by the president shall be concurrently served on the accused
 1594 student respondent and any complainant(s), in addition to the conduct officer.
- 1595 (e) Except as otherwise provided in this section, matters cases involving an allegations of sexual
 1596 misconduct will be subject to all the other applicable provisions of this conduct code.
- 1597
- 1598 (4) ~~For the purposes of this section, "sexual misconduct" includes sexual assault, sexual harassment, indecent~~
 1599 ~~exposure, sexual exploitation, stalking, domestic violence, and relationship violence, all as defined in~~
 1600 ~~subsections (5) through (11) of this section.~~
- 1601
- 1602 (5) ~~For the purposes of this student conduct code "sexual assault" means any sexual contact with another~~
 1603 ~~person without (or that exceeds) that person's consent.~~
- 1604
- 1605 (a) ~~For the purposes of this definition, "sexual contact" includes:~~
- 1606
- 1607 (i) ~~Any touching of another person for the purpose of sexual gratification; or~~
 1608 (ii) ~~Any penetration, no matter how slight, of the vagina or anus with any body part or object, or oral~~
 1609 ~~penetration by a sex organ, of another person.~~
- 1610
- 1611 (b) ~~For the purposes of this definition, "consent" means that at the time of and throughout the sexual~~
 1612 ~~contact, there are actual words or conduct indicating freely given agreement between the parties to~~
 1613 ~~engage in the sexual contact. A determination of whether consent had been given in connection with~~
 1614 ~~an incident of sexual contact shall take into account the following:~~
- 1615
- 1616 (i) ~~Past consent does not imply future consent;~~
 1617 (ii) ~~Consent given to one person does not imply consent given to another person;~~
 1618 (iii) ~~Consent to one sexual act does not imply consent to other sexual acts;~~
 1619 (iv) ~~Lack of resistance to sexual contact does not imply consent;~~
 1620 (v) ~~Consent can be withdrawn at any time.~~
- 1621
- 1622 (c) ~~Consent cannot be given by a person who, at the relevant time, cannot understand the facts, nature,~~
 1623 ~~extent, or implications of the sexual contact for any reason, including, but not limited to, being asleep,~~
 1624 ~~unconscious, mentally or physically impaired due to an intellectual or other disability, or mentally or~~
 1625 ~~physically incapacitated due to the effects of drugs or alcohol. Indications that a person may be~~
 1626 ~~incapacitated by alcohol or drugs and therefore cannot grant consent include, but are not limited to,~~
 1627 ~~stumbling, falling down, an inability to stand or walk on their own, slurred speech or incoherent~~
 1628 ~~communication, an inability to focus their eyes or confusion about what is happening around them,~~
 1629 ~~blacking out, or vomiting. A failure to exhibit any of these behaviors does not necessarily mean that a~~
 1630 ~~person is capable of giving consent or is not incapacitated.~~
- 1631 (d) ~~Sexual contact is not consensual when force or coercion is threatened or used to gain acquiescence.~~
 1632 ~~Force includes the use of physical violence, physical force, threats, or intimidation to overcome~~
 1633 ~~resistance or gain agreement to sexual contact. Coercion includes using pressure, deception, or~~

- 1634 manipulation to cause someone to agree to sexual contact against his or her will, without the use of
1635 physical force. Pressure can mean verbal or emotional pressure.
- 1636 (e) Sexual assault also includes sexual contact with a person who is under the statutory age of consent
1637 in accordance with Chapter 9A.44 RCW.
- 1638 (f) Use of alcohol or other drugs is not a valid defense to an allegation of sexual assault.
- 1639
- 1640 (6) For the purposes of this conduct code, "sexual harassment" means unwelcome language or conduct of a
1641 sexual nature that is sufficiently severe, persistent, or pervasive such that it could reasonably be expected
1642 to create an intimidating, hostile, or offensive environment, or has the purpose or effect of unreasonably
1643 interfering with a person's academic or work performance or a person's ability to participate in or benefit
1644 from the University's programs, services, opportunities, or activities.
- 1645 (7) For purposes of this conduct code, "indecent exposure" means the exposure of a person's genitals or other
1646 private body parts when done in a place or manner in which such exposure is likely to cause affront or
1647 alarm, or is against generally accepted standards of decency. Breast feeding or expressing breast milk is
1648 not indecent exposure.
- 1649
- 1650 (8) For the purposes of this conduct code, "sexual exploitation" includes:
- 1651
- 1652 (a) Taking nonconsensual or abusive advantage of another for one's own sexual benefit, or for the
1653 sexual benefit of anyone other than the one being exploited;
- 1654 (b) Compelling another by threat or force to engage in sexual conduct or activity;
- 1655 (c) Transmitting, distributing, publishing, or threatening to transmit, distribute, or publish photos, video, or
1656 other recordings of a private and sexual nature where such transmission, publication, or distribution is
1657 without the consent of the subject(s) and is likely to cause emotional distress to the subject(s).
- 1658 (d) Taking or making photographs, films, or digital images of the private body parts of another person
1659 without that person's consent;
- 1660 (e) Causing or attempting to cause the impairment of another person to gain non-consensual sexual
1661 advantage over that person;
- 1662 (f) Prostituting another person;
- 1663 (g) Knowingly allowing another to surreptitiously watch otherwise consensual sexual activity; or
- 1664 (h) Taking, making, or directly transmitting non-consensual video or audio recordings of sexual activity.
- 1665
- 1666 (9) For purposes of this conduct code, "stalking" means engaging in a course of conduct that would cause a
1667 reasonable person to fear for his or her safety or the safety of others or to suffer substantial emotional
1668 distress. "Course of conduct" means two or more acts, including, but not limited to, acts in which the stalker
1669 directly, indirectly, or through third parties, by any action, method, device, or means (including electronic),
1670 follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a
1671 person's property. "Substantial emotional distress" means significant mental suffering or anguish that may,
1672 but does not necessarily require medical or other professional treatment or counseling.
- 1673
- 1674 (10) For purposes of this conduct code, "domestic violence" means the infliction of physical harm, bodily injury,
1675 assault, or the fear of imminent physical harm, bodily injury or assault committed against a family or
1676 household member, including:
- 1677
- 1678 (a) A current or former spouse or intimate partner;
- 1679 (b) A person with whom the person shares a child in common;
- 1680 (c) A person with whom one is cohabitating or has cohabitated; or
- 1681 (d) A person with whom one resides including a roommate, suitemate or housemate.
- 1682
- 1683 Domestic violence also includes sexual assault or stalking as defined herein of one family or household
1684 member by another family or household member.
- 1685
- 1686 (11) For the purposes of this conduct code, "relationship violence," also referred to as "dating violence," means
1687 violence, other than domestic violence as defined in subsection (10) of this section, committed by a person
1688 who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of
1689 such a relationship shall be determined based on the reporting party's statement and with consideration of
1690 the length of the relationship, the type of relationship, and the frequency of interaction between the persons

involved in the relationship. For the purposes of this definition, relationship or dating violence includes, but is not limited to sexual or physical abuse or the threat of such abuse.

(12) As in all proceedings under this conduct code, the applicable standard of proof in cases involving sexual misconduct shall be the "preponderance of evidence" standard. This means that, in order for a student to be held responsible for a violation, it must be shown, based on all of the evidence in the record, that it is more likely than not that the student engaged in an act or acts of misconduct. The burden of proof in any hearing rests with the party seeking to establish that the violation occurred.

(13) Following receipt of a report of alleged sexual misconduct, the University may implement interim protective measures, including but not limited to:

- (a) A "no-contact directive" prohibiting direct or indirect contact, by any means, with a complainant, an accused student, a reporting student, other specified persons, and/or a specific student organization;
- (b) Reassignment of or removal from on-campus housing; or
- (c) Changes to class schedules, assignments, or tests.

Interim protective measures will remain in place until an initial order becomes final or a final order is issued. Implementation of any interim measure does not assume any determination of, or create any presumption regarding responsibility for a violation under the student conduct code.

478-120-140 Emergency authority of the president and chancellors of the university.

If there is reasonable cause to believe that a student's conduct represents a threat to the health, safety, or welfare of the university or any member of the university community, or poses an ongoing threat of substantially disrupting or materially interfering with university activities or operations, the president, the president's delegate, the vice-president for student life, the chancellors of the University of Washington Bothell and Tacoma campuses, or the chancellors' delegates, may immediately suspend that student from participation in any or all university functions or privileges.

- (1) In such an emergency situation, the university official placing the student on emergency suspension president, the president's delegate, the vice president for student life, the chancellors, or the chancellors' delegates, shall issue a written order to be served upon the student describing the terms of the emergency suspension and the reasons for the emergency imposing the suspension. The order shall be effective immediately and emergency suspension shall, unless otherwise specified in the emergency suspension order, remain in effect until the conclusion of all disciplinary proceedings. The order shall advise the student that he or she may provide information in writing at any time as to why emergency suspension should not be continued or why it should be made less restrictive.
- (2) The matter shall then be referred to the appropriate conduct officer, disciplinary campus official who shall proceed as quickly as feasible to complete any proceedings that would be required if the matter did not involve an immediate danger set the informal hearing. At the informal hearing, the student shall be given an opportunity to provide information as to why emergency suspension should not be continued or why it should be less restrictive.
- (3) To the extent permissible under applicable law, in any case involving an allegation of sexual misconduct, a complainant may also be provided with notice of the respondent's emergency suspension and any terms of the emergency suspension that directly relate to the complainant.
- (4) If a final order is entered exonerating a respondent, any emergency suspension order shall be lifted by the university official who issued the order.

478-120-145 Recording and maintenance of records.

- (1) Records related to disciplinary proceedings shall be maintained consistent with university records retention policies and this conduct code.

- 1750 (2) The president, vice-president for student life at the University of Washington Seattle campus, or the
1751 chancellors of the University of Washington Bothell and Tacoma campuses, or their delegates, shall
1752 ~~maintain~~ keep records related to ~~of~~ all disciplinary actions reported to their respective offices and may notify
1753 the dean or director of the college, school, or program, in which a respondent is enrolled, of any action
1754 related to disciplinary proceedings involving the respondent, provided that the school official to whom the
1755 information is being disclosed has a legitimate educational interest in receiving such information, as
1756 permitted by FERPA.
1757
- 1758 (3) ~~Records related to disciplinary proceedings records~~ shall be kept separate from academic records, and
1759 ~~respondents' official academic transcripts of a student's academic record~~ shall not contain any ~~no~~ notation
1760 of ~~any~~ disciplinary actions taken pursuant to this conduct code.
- 1761 (4)(2) ~~The deans of a college or school at the University of Washington Seattle, the dean or directors of a~~
1762 ~~program in which the student is enrolled at the University of Washington Bothell and Tacoma campuses, or~~
1763 ~~their delegates, initiating disciplinary action shall maintain records related to all disciplinary matters reported~~
1764 ~~to their respective offices and shall notify~~ report in writing to the office of the vice-president for student life,
1765 ~~or the office of the chancellor for the University of Washington Bothell or Tacoma campuses, whichever is~~
1766 ~~appropriate, or their delegates, of any disciplinary action imposed against a respondent, who is enrolled in~~
1767 ~~their college, school, or program all cases in which disciplinary action is taken. The University officials~~
1768 ~~named in this section dean at the University of Washington Seattle shall also inform the appropriate~~
1769 ~~registrar of any action affecting a student's official standing in the university (e.g. suspension or dismissal).~~
1770 ~~The office of the vice president for student life, or the office of the chancellor for the University of~~
1771 ~~Washington Bothell or Tacoma campuses, shall notify the dean of the college or school or director of the~~
1772 ~~program in which the student is enrolled of any disciplinary action it takes and also shall notify the registrar~~
1773 ~~or campus officer of student affairs of any action affecting a student's official standing in the university.~~
1774
- 1775 (5) The chairs of the faculty appeal board and university disciplinary committees shall maintain the official
1776 record (as indicated in RCW 34.05.476) of each disciplinary hearing until a final order is issued or entered.
1777 At such time, the respective chair will transmit the official record to the Vice President for Student Life, the
1778 Chancellor for UW Bothell, or the Chancellor for UW Tacoma, whoever is appropriate, or their delegates,
1779 who will maintain the official record in accordance with this section.
1780
- 1781 (6)(3) ~~Disciplinary records of respondents students not exonerated shall be maintained by the vice president for~~
1782 ~~student life, or the chancellor at the University of Washington Bothell or Tacoma campuses, whichever is~~
1783 ~~appropriate, or their delegates, and the registrar for seven years after the resolution of all disciplinary~~
1784 ~~proceedings (including the resolution of any petition for judicial review filed in superior court) or until action~~
1785 ~~has been taken and/or after the administrative purpose for retention has been served, whichever is later.~~
1786 Final orders imposing suspension or dismissal may be maintained indefinitely.
- 1787 (4) ~~Disciplinary records of exonerated students shall not be maintained.~~
- 1788 (5) ~~Notwithstanding any other provision of this section, the vice president for student life, or the chancellor at~~
1789 ~~the University of Washington Bothell or Tacoma campuses, whichever is appropriate, or their delegates, at~~
1790 ~~their discretion, upon written request by the student, may expunge the student's disciplinary record.~~
1791
- 1792 (7)(6) Student disciplinary records are "education records" as defined by FERPA and information regarding
1793 student disciplinary proceedings are subject to the provisions of the Family Educational Rights, and Privacy
1794 Act and supporting regulations (20 U.S.C. 1232g) and may only be disclosed consistent with FERPA and to
1795 chapter 478-140 WAC.

478-108-010 – Matters subject to brief adjudication

1796 This rule is adopted in accordance with RCW 34.05.482 through 34.05.494, the provisions of which are hereby
1797 adopted. Brief adjudicative procedures shall be used in all matters related to:

- 1798
- 1799 (1) Appeals from residency classifications under RCW 28B.15.013 as established in chapter 478-160 WAC;
1800
- 1801 (2) Appeals from traffic and parking violations, and skateboard impoundment, as provided for in chapters 478-
1802 116, 478-117 and 478-118 WAC;
1803
- 1804 (3) Challenges to contents of educational records as provided for in chapter 478-140 WAC;

- 1805
 1806 (4) Proceedings under the animal control policy as detailed in chapter 478-128 WAC;
 1807
 1808 (5) Requests for reconsideration of admission decisions as provided for in WAC 478-160-060;
 1809
 1810 (6) Appeals of library charges as provided in chapter 478-168 WAC;
 1811
 1812 (7) Reviews of denials of public records requests as provided in chapter 478-276 WAC;
 1813
 1814 (8) Federal financial aid appeals as provided for by federal law; ~~and~~
 1815
 1816 (9) Collection of outstanding debts owed by students or employees; and
 1817
 1818 (10) Disciplinary proceedings before a university disciplinary committee as provided in chapter 478-120 WAC.

Adopted by the University of Washington Senate,
 May 27, 1969

Amended by the University of Washington Senate,
 January 25, 1996

Confirmed by the Board of Regents, June 27, 1969

Confirmed by the Board of Regents,
 April 19, 1996

Amended by the University of Washington Senate,
 April 8, 1971

Washington Administrative Code Amended,
 Filed April 29, 1996; Effective May 30, 1996

Confirmed by the Board of Regents,
 June 18, 1971

Amended by the University of Washington Senate
 May 24, 2007

Washington Administrative Code,
 Filed November 30, 1972; Effective December 30,
 1972

Confirmed by the Board of Regents,
 November 15, 2007

Amended by the University of Washington Senate,
 June 15, 1983

Washington Administrative Code Amended,
 Filed November 19, 2007; Effective December 20,
 2007

Confirmed by the Board of Regents,
 December 9, 1983

Amended by the University of Washington Senate
 October 22, 2015



UNIVERSITY *of* WASHINGTON

Rolf B. Johnson
Chief of Staff
Office of the President

November 6, 2015

Marcia Killien, PhD, RN, FAAN
Secretary of the Faculty
36 Gerberding Hall
Box 351271
Seattle, WA 98195

Re: Proposed Student Conduct Code Amendments, S-B 181

Dear Marcia:

President Cauce has approved the proposed revisions to the Student Conduct Code, WAC 478-120, as set forth in the Faculty Senate's Class B legislation, S-B 181, which you sent to President Cauce on October 23, 2015.

Very truly yours,

A handwritten signature in blue ink, appearing to read "R. Johnson".

Rolf B. Johnson

C: Norman J. Beauchamp, Chair, Faculty Senate
Ana Mari Cauce, President (by email)
Gerald J. Baldasty, Interim Provost and
Executive Vice President (by email)
Denzil J. Suite, Vice President, Student Life (by email)
Elizabeth A. Lewis, Director, Community
Standards and Student Conduct (by email)
Karin Nyrop, Division Chief, UW Division
Washington Attorney General's Office (by email)
Rebecca Goodwin Deardorff, Director, Rules
Coordination Office (by email)

December 4, 2015

Ana Mari Cauce, President
Office of the President

SUBJECT: Class B Legislation 181: Amending the UW Policy Directory: WAC 478-120 – Related to the Student Conduct Code.

Dear President Cauce:

This is to inform you that the attached legislation amending UW Policy Directory: WAC 478-120 – related to the Student Conduct Code went into effect on November 30, 2015. There were two objections to this legislation out of 4,751 eligible voters. Objections from five percent of the voting faculty would have sent this legislation back to the Senate for further consideration.

Sincerely,



Marcia Killien
Secretary of the Faculty

/jjs

cc: Rolf Johnson, Chief of Staff
Norm Beauchamp, Chair, Faculty Senate
Denzil Suite, Vice President for Student Life
Rebecca Deardorff, Rules Coordination
Elizabeth Lewis, Director, Community Standards & Student Conduct
Lenina Arenas-Fuentes, Executive Assistant to the President