

Standards of Conduct for Students 2007-2008

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Welcome Students,

The Office of Student Conduct wants to welcome you whether you are new to Washington State University or a returning student, we are delighted that you have chosen WSU. We want you to have the time of your life, to open your mind to the diversity of the world, to develop critical thinking and leadership skills; to test your physical and mental endurance, and to contribute to the well-being of our community in ways that will make you a good citizen for the rest of your life. You will have many options for activities outside the classroom and we urge you to choose wisely. Decisions you make can have a significant impact on your academics and your life.

This booklet contains valuable information that will help you understand university standards and expectations as well as your rights and responsibilities as a member of the community. Please take the time to carefully read the information contained in this booklet. You can also refer to our Web site, www.conduct.wsu.edu, for additional information, referrals, and online reporting forms.

Feel free to contact the office if you have questions or concerns. We can be reached by phone at 335-4532, through e-mail at student_conduct@wsu.edu, or in person at 190 Lighty Student Services.

Have a good year!



Elaine Voss
Director, Student Conduct

Reporting Violations of Student Conduct Code or University Policies and Regulations

Students, staff, faculty, parents, and community members are encouraged to report complaints and concerns. Following is a listing of appropriate reporting agencies for campus-related concerns. When in doubt, call WSU Police at 911 for assistance.

CRIME, such as hate crimes, sexual assault, assault, drug use or sale, vandalism, etc.	Call 911
Student-to-student related issues that take place in the Residence Halls or University Apartments such as violations of: Residence Hall Community Standards, Student Conduct Code, assaults, sexual assaults, sexual misconduct, sexual harassment, harassment, bias-related incidents, discrimination, theft, etc.	In case of a crime, contact 911. For immediate assistance in other situations, contact your Area Coordinator, Apartment Coordinator, or Residence Life, 335-4577.
Student-to-student related issues that take place off campus, such as violations of Student Conduct Code, assaults, sexual assaults, sexual misconduct, sexual harassment, discrimination, harassment, theft, bias-related incidents, etc.	In case of a crime, contact 911. For immediate assistance in other situations, contact the Office of Student Conduct, 335-4532.
Student-to-student related issues that take place in the Greek system, such as violations of the Student Conduct Code, assaults, sexual assaults, sexual misconduct, sexual harassment, discrimination, hazing, harassment, theft, bias-related incidents, etc.	In case of a crime, contact 911. For immediate assistance in other situations, contact the Center for Fraternity and Sorority Life, 335-5433.
Computer abuse/misuse	Report to Abuse@wsu.edu
Third-party reports of sexual assault and bias-related incidents can be made.	Contact the BIAS HOTLINE 332-BIAS, or Office of Student Conduct, 335-4532.
Student complaints regarding staff or faculty, such as sexual harassment, discrimination, academic concerns.	Your Department Chair or the Center for Human Rights, 335-8288. Office of the University Ombudsman, 335-1195
Student-staff complaints regarding work issues or work environment.	Supervisor or Center for Human Rights, 335-8288.

In addition to administrators, faculty, and supervisors, the following university officials also are available to discuss any concerns or complaints, or to provide advice on utilizing university complaint procedures:

Center for Human Rights, 225 French Administration Building, 335-8288
Counseling Services, 280 Lighty, 335-4511, daytime hours. Crisis Line after 5:00 pm, 332-1505
The Division of Student Affairs, Equity and Diversity, 134 French Administration Building, 335-8888
Student Conduct, 190 Lighty, 335-4532
Ombudsman's Office, 2 Wilson Hall, 335-6849
Women's Resource Center, 8 Wilson Hall, 335-6830
Alternatives to Violence of the Palouse, 332-HELP

No individual shall be penalized or retaliated against in any way by a member of the university community for initiation or participation in a complaint procedure.

CONTENTS

Notification of Student Rights Under FERPA	2
Academic Integrity.....	3
Freedom of Expression.....	4
Alcohol and Drug Policy	5
Computing and Network Use	7
Sexual Harassment.....	8
Sexual Assault Risk Reduction Strategies.....	9
Standards of Conduct for Students	11
Reporting Concerns or Complaints	Inside Back Cover

Notification of Student Rights Under FERPA

Federal law requires Washington State University (WSU) to annually notify current students of their rights under the Family Educational Rights and Privacy Act (FERPA). Under FERPA, a student has the right to:

1. Inspect and review his or her educational records. "Education records" means those records that are directly related to a student and are maintained by WSU or by a party acting for WSU. The students should submit a written request to the Registrar's Office identifying the record that he/she wishes to inspect. The Registrar's Office will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the Registrar's Office, the student's request will be forwarded to the correct WSU official.

2. Request the amendment of the contents of an education record that the student considers to be inaccurate, misleading, or otherwise in violation of the student's privacy or other rights. A student should notify (in writing) the WSU official responsible for the record, clearly identifying the part of the record he/she wants changed, and specifying why it is inaccurate or misleading. If the University decides not to amend the record as requested by the student, the University will notify the student within a reasonable time of the decision and advise the student of his or her right to a hearing regarding the challenged record. Additional information about hearing procedures will be provided to the student at that time.

3. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. Education records may be disclosed to school officials with a legitimate educational interest. A school official is a person employed by WSU in an administrative, supervisory, academic or research, or support staff position (including health staff and WSU police); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee (such as a disciplinary or grievance committee), or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her educational responsibilities. WSU may disclose a student's education records to other institutions if the

student seeks or intends to enroll at the other institution and the institution has requested the records. Information from a student's education records may be released to appropriate persons in connection with a health or safety emergency.

4. File with the Department of Education a complaint concerning alleged failures by WSU to comply with the requirements of FERPA. Complaints should be addressed to the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington DC, 20202-5920.

DIRECTORY INFORMATION: Washington State University may release directory information contained in a student's education records. "Directory Information" means information contained in an education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes the following: name (including any former name), local and permanent addresses, telephone numbers, e-mail addresses, major and minor fields of study, participation in officially recognized sports, weight and height of members of athletic teams, dates of attendance, enrollment status (e.g., undergraduate or graduate, full-time or part-time), grade level, degrees, certificates, and awards received, including the President's Honor Roll, and the most recent previous educational institution attended by the student. Students may request that WSU not release directory information by indicating "restrict address" on MyWSU Portal's address update screen, or by filing a written request with the Registrar's Office by the tenth day of the academic semester.

NOTE: If a student files a directory restriction at WSU, his or her name, address, phone number, and e-mail address will not be published in the campus directory. In addition, WSU will not release the student's name in any WSU press releases, including President's Honor Roll notification to hometown newspapers. For more information on directory restrictions, please contact the Registrar's Office, French Administration Building, Room 346.

The Crime Awareness and Campus Security Act of 1990 requires all postsecondary institutions participating in federal student aid programs to disclose campus security policies and certain crime statistics. Yearly statistics on campus crimes must be provided to students, faculty, and prospective students. The Department of Public Safety at WSU publishes an annual disclosure report. Please visit www.wsu.edu/safety for more information.

Academic Integrity

Academic dishonesty is defined as an intentional act of deception in which a student seeks to claim credit for the work or effort of another person or uses unauthorized materials or fabricated information in any academic work. Be aware of all the definitions of dishonesty in academic work WAC 504-26-010(3).

Procedures new in 2007–2008 require instructors to inform students of suspected

violations as well as information about how to appeal an allegation of dishonesty. In addition to the penalty assigned by the instructor, students will be required to attend a workshop for first time violations. Further violations will be referred to the University Conduct Board and can have significant consequences, including dismissal from the university. See WAC 504-26-404 for complete information.



Freedom of Expression

Washington State University values freedom of expression. The university environment is a vibrant community where ideas are debated and expression is encouraged as a way for students to learn about, examine, and solidify social or political positions. With freedom comes responsibility. Students are encouraged to carefully plan protests, exhibits, or speeches so that any message is conveyed as intended. Students and student groups may contact Campus Involvement, 509-335-9667, for information about use of the Terrell Mall or technical assistance and the Washington

State University Police Department, 509-335-8548, for concerns about public safety.

It is important that students allow other groups within the University community to air their views peacefully without fear of retaliation or retribution. Students who do not agree with protesting groups should allow the Washington State University Police to assess the nature of the protest and make decisions accordingly. For your own safety, students should not take it upon themselves to 'police' any demonstration, protest, or civil disturbance.



Alcohol and Drug Policy

University's Expectation for Use of Alcohol

To maintain a healthy University environment conducive to academic achievement and personal growth, students are expected to conduct themselves in a responsible manner. Those of legal age who choose to drink alcoholic beverages are expected to do so responsibly and according to the policies of their living environment (i.e., residence halls, Greek residences, campus apartments, etc.). Students under the age of 21 years are prohibited by law and university standards from possessing or consuming alcoholic beverages. Campus and local police will enforce the law, and the Office of Student Conduct will follow procedures outlined in Standards of Conduct for Students (WAC 504-26) when findings of violations occur.

The Office of Student Conduct generally uses progressive discipline and will assign sanctions commensurate with the violation (see WAC 504-26-405 for possible sanctions). While the goal of sanctioning is in part educational, students who participate in drug or alcohol offenses or engage in behavior that poses a safety risk to themselves or the community may face suspension or expulsion. Furthermore, proven instances of past misconduct shall be considered when assessing the appropriate sanction imposed upon a student determined to have violated WSU conduct standards.

Alcohol Responsibility in University-Recognized Housing

The consumption of intoxicating beverages by minors or providing such beverages to minors within WSU recognized housing is prohibited. Conduct proceedings will be initiated against individuals and/or groups who do not comply with this policy.

Irresponsible behavior that results from the consumption of alcoholic beverages is considered to be an infraction of the rules of recognized University housing and organized living groups (residence halls, fraternities, sororities, and other group houses). Students whose behavior is a problem for the community should expect to be confronted by residents, staff, and University or Pullman police. Repeat offenders or situations where the health and safety of the community are at risk may result in students being removed from recognized University housing or living groups. These situations would

also result in disciplinary action through the Student Conduct process.

Use of alcoholic beverages in residence halls and all recognized group living areas:

- All students recognize that their presence during an alcohol/drug violation subjects them to disciplinary action. If students find themselves in a situation where alcohol/drug policy violations are occurring they should immediately leave.
- Students of legal drinking age and their legal aged guest(s) may possess and consume alcohol in the privacy of their own room. The door to the room must be closed at all times.
- Alcohol is prohibited in restrooms, corridors, study rooms, lounges, or any other public areas inside or outside the building.
- Kegs or bulk alcoholic beverages are prohibited.
- Students are expected to respect the "No Alcohol" policy on floors/living groups and/or designated residence halls.
- Alcohol is prohibited in sorority houses. Exceptions for personal use by legal age members or guests in the private areas of any fraternity are governed by each chapter.

Greek Community Alcohol Policy/Social Policy

Fraternities and sororities must comply with Interfraternity Council and Panhellenic social policies and procedures outlined for social functions. Fraternities and sororities are required to be in compliance with their national or international regulations regarding alcohol consumption.

All social events on chapter property must be **alcohol free**. No alcohol may be consumed on chapter property during the time of an event/function. The definitions in the **Fraternal Organization Agreement** will apply in determining if a chapter is having a function.

Alcohol consumption on chapter property is prohibited by students under the legal drinking age and is restricted to the private rooms of students 21 years of age or older.

Alcohol consumption is prohibited entirely during ANY social event on chapter property. All off-property social functions where alcohol is present require a third-

party vendor to serve alcohol, provide security, and verify legal age. The definitions within the Fraternal Organization Agreement will apply in determining whether an off-property event is a **chapter** social function.

All event co-sponsors will be held equally responsible for policy compliance. The social policy will remain in effect throughout the calendar year, including breaks and summer for chapter houses while occupied by chapter members.

For a complete listing of sanctions and enforcement guidelines please visit the Web sites for the Center for Fraternity and Sorority Life or the Office of Student Conduct.

www.gogreek.wsu.edu
www.conduct.wsu.edu

Guests

Individuals residing in recognized University housing are responsible for the behavior of their guests. In cases where the guests of residents become unruly or violate University and organized living group policies, the resident host will be held accountable. University or Pullman police may be utilized in the confrontation of guests and other nonresidents who are disruptive or otherwise in violation of University policies.

Alcohol Beverages at Concerts or Athletic Events

Consumption or possession of alcoholic beverages is not permitted at concerts, inter-collegiate athletic events, events sponsored by WSU, or events held in University-owned facilities or on University property. Any exceptions are subject to approval by the

appropriate facility manager. Consumption or possession of alcoholic beverages is not permitted while waiting in line for events. Noncompliance with this policy may result in disciplinary action by the Office of Student Conduct.

University and Community Alcohol and Substances Abuse Resources

University and community resources are available to assist students with any problems associated with alcohol and substance abuse. These services include information, assessment, treatment, and referral.

University Resources

- WSU Counseling Services, 280 Lighty Student Services Building, 509-335-4511. Information, assessment, treatment, and referral.
- WSU Health and Wellness Services, Washington Building, First Floor, 509-335-3575. Information, assessment, detoxification, treatment, and referral.

Community Resources

- Palouse River Counseling NE 340 Maple, Pullman, WA, 866-871-6385 or 509-334-1133. Information, assessment, treatment.
- Palouse Recovery Center 1240 SE Bishop Blvd., Pullman, WA, 509-334-0718 Information, assessment, treatment.

Private Practitioners and Private Agencies

- Several private practitioners and agencies are available in the area and are listed in the yellow pages.

Computing and Network Use

Students at WSU are provided with central computing and networking resources for academic and communication purposes. Legitimate use of computers, networks, and facilities include:

- Teaching and learning
- Research
- E-mail
- Accessing the Internet

Use of WSU computing and networking resources and facilities for academic purposes is a privilege for students. Abuse of the University's computing and networking systems is strictly forbidden. Improper use can

result in possible referral for conduct code violation(s). The following guidelines are intended to clarify appropriate use of WSU computing and networking resources and facilities. It is your responsibility to know the rules. Specifically, users should be familiar with and compliant with the following Web sites before using WSU computing and networking resources and facilities.

For additional information, please visit infotech.wsu.edu/ITRoot/Services/computeruse.html.



Sexual Harassment

Sexual harassment does occur on college campuses. The Center for Human Rights (CHR) has been designated by WSU administration to investigate allegations of sexual harassment. CHR is located in 225 French Administration Building on the Pullman campus, and their information can be found at www.chr.wsu.edu.

The following information can be found in "Sexual Harassment Awareness and Prevention," a brochure developed by the Center for Human Rights.

Sexual harassment is a form of sex discrimination, which violates Title VII of the Civil Rights Act of 1964. WSU's Discrimination and Sexual Harassment Policy and state and federal laws prohibit sexual harassment.

Sexual harassment is any unwelcome sexual advance, request for sexual favor, or other verbal or physical conduct in which:

1. Submission to such conduct is either explicitly or implicitly a term or condition of an individual's employment or education.
2. Submission to or rejection of such conduct by an individual is used as a basis for employment or educational bias toward the individual.
3. Such conduct has the purpose of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive environment.

Sexual harassment can occur in a variety of circumstances:

- The victim, as well as the harasser, may be a woman or a man. The victim does not have to be of the opposite sex.
- The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of the victim.
- The harasser's conduct must be unwelcome.

If you are the Victim of Sexual Harassment:

Review WSU's Discrimination and Sexual Harassment Policy. Consider using a self-help method of resolution if the behavior was minor. This lets the harasser know directly, immediately, and specifically what behavior makes you uncomfortable and that

the behavior needs to stop. At any time, you are encouraged to speak with your supervisor or the Center of Human Rights (CHR).

A. Speak with the Alleged Harasser

- Give yourself time to collect your thoughts and calm down.
- Write down your thoughts before approaching the individual.
- Consider asking another person to accompany you or tell someone what you are going to do.
- Use common courtesy; be sure your approach is not disrespectful.
- Stay focused on the behavior and its impact.
- Tell the person to stop, that the behavior is unwelcome, and that if it continues you will take the action necessary to get it stopped.

B. Keep Records

- Include the date, time, location, what happened, what was said, how you felt, and the names of witnesses or other victims.

C. Write a Letter

- Always keep a copy of the letter for your records and for your supervisor.
- Include in the letter:
 - A factual account of the unwelcome behavior.
 - Dates and times the behavior occurred.
 - A description of how the unwelcome behavior made you feel.
 - A clear message that you want the behavior to stop.
 - A warning that you will take further action if the behavior does not stop.
 - Your signature and date.
- Consider having someone go with you to deliver the letter.

If you are the Alleged Harasser:

- Review WSU's Discrimination and Sexual Harassment Policy. You may wish to seek legal counsel or assistance to understand your rights.
- Take the complaint seriously.
- Stop the behavior immediately.
- Consider an apology.
- Contact both your supervisor and the alleged victim's supervisor. Let them know the behavior will stop.
- Consider asking the alleged victim's supervisor for advice and to accompany you to talk with the alleged victim or to intervene on your behalf.

- Talk to the alleged victim and discuss how you can communicate more effectively.
- If a complaint has been filed, be prepared to cooperate with the investigation.

Sexual Assault Risk Reduction Strategies

The University's first concern in sexual assault cases is for your health and safety and not your behavior or living group affiliation. If you or someone you know has been sexually assaulted, refer to the telephone numbers in the back of this booklet for assistance and advocacy support. Information can also be found online at www.sexualassault.wsu.edu.

Sexual assault is a very serious and life changing event that occurs all too often on college campuses. The Office of Student Conduct suggests both men and women consider the following information:

1. Nearly 85% of all sexual assaults involving college students are between people who know each other.
2. If you choose to drink alcohol, be responsible. Getting drunk and passing out means you have no control over what happens to you.
3. Excessive drinking is risky for everyone and you are strongly encouraged to avoid playing drinking games. Even if you remain in control of your mental faculties, others around you may use their consumption of alcohol as an excuse to take advantage of you.
4. Alcohol is the number one drug used in incidences of sexual assault. Regardless of this fact, there are people who will try to add a drug like GHB or other chemicals to your drink in an attempt to further control your resistance. Be aware of who opens your drink and where the drink comes from. Do not drink from a common punch bowl!
5. Develop a language for touching and being touched. Verbal permission to touch another person, including holding hands or kissing, should be clearly established before any actual touching. This is an important issue of respect and women's voices are a necessary part of the permission process.
6. When attending a party, remain with the group. Movement from a populated place to a secluded place (behind closed doors, in a vehicle, etc.) increases your reliance on the good will of the person you are with. Even if you know the person well, look for signs and verbal cues to determine their intent for being alone. If you are at all unsure, immediately return to the group.
7. If you have been drinking, never attempt to drive home or get in a car with someone who has been drinking, no matter how sober they claim to be.
8. If you are intoxicated stay with same sex friends or go to your own apartment or residence hall. Arrange a ride with a trusted same-sex friend, call Women's Transit (509-335-6830), or call a taxi—a reasonable investment for your safety.
9. While it is difficult, think about these scenarios and be prepared. What if the person you are with starts pressuring you to remove clothing? What if they were nice to you, until you told them you weren't interested in having sex? Strong and immediate vocal and physical resistance has been shown to reduce the likelihood of completed sexual assaults.
10. The more you know about these issues the more likely you are to accurately perceive your risk in any given environment. The University has several resources to help you explore the issues of power, bias, safety, and risk. Contact Counseling Services at 509-335-4511 or the Women's Resource Center at 509-335-6849 for more information.

Men, think about the following—no one wants to be accused of sexual assault.

1. If you are unsure of what a woman wants, ask her. Discussing mutual expectations and clarifying any mixed messages are effective ways of eliminating confusion and greatly reducing the risk of being accused of sexual assault.
2. Understand "no" means "no." Make sure there is verbal communication about what each of you want to happen.
3. Never pressure a woman to have sex. It is never okay to use force or coercion. A woman's physical appearance or her willingness to go to your apartment is not a signal of willingness to have sex. Be sure you ask her what she would like to do.

4. Avoid excessive use of alcohol or drugs. Never have sex with a woman who is intoxicated. By law an intoxicated person is incapable of providing consent.
5. Understand how sexual stereotypes influence attitudes and behaviors. Stand up to peer pressure to have sexual intercourse. Learn ways to express feelings and confront peers who joke or brag about sexual encounters.

If you are a male sexual assault survivor:

Male sexual assault survivors may feel powerlessness, fearful, and self-blame. Males may have questions about medical procedures, reporting to law enforcement, and finding resources and support. Crisis centers, law enforcement agencies, counseling centers, and medical facilities can help you explore your options.

**Adapted from University of Idaho Violence Prevention Programs and the Washington State University Women's Resource Center.*

Campus Safety Tips from the WSU Public Safety Office

1. Develop a relationship with neighbors that encourages checking on one another often.
2. Report suspicious persons or activities.
3. Lock up wallets, purses, jewelry, and other valuables.
4. Report safety hazards, unsafe lighting, and defective equipment.
5. Be aware of your surroundings. Know where you are. Know where you are going and what to expect.
6. Consider the purchase of a personal security alarm.
7. Plan your walking trips in advance and choose a safe, well lighted, and populated route.
8. Remember, most crime is committed in response to the opportunity, so the best prevention is to eliminate opportunities.
9. Keep your residence doors locked at all times.
10. Limit and restrict access to your living area.

Washington State University Standards of Conduct for Students

WAC 504-26-001 Preamble.

Washington State University, a community dedicated to the advancement of knowledge, expects all students to behave in a manner consistent with its high standards of scholarship and conduct. Students are expected to uphold these standards both on and off campus and acknowledge the University's authority to take disciplinary action. The purpose of these standards and processes is to educate students and protect the welfare of the community.

WAC 504-26-010 Definitions.

- (1) The term "accused student" means any student accused of violating the standards of conduct for students (this chapter).
- (2) The term "appellate board" means any person or persons authorized by the vice president for student affairs to consider an appeal from a student conduct board's determination as to whether a student has violated the standards of conduct for students or from the sanctions imposed by the student conduct officer.
- (3) The term "cheating" includes, but is not limited to:
 - (a) Use of unauthorized materials in taking quizzes, tests, or examinations, or giving or receiving unauthorized assistance by any means, including talking, copying information from another student, using electronic devices, or taking an examination for another student.
 - (b) Use of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments.
 - (c) Acquisition or possession of tests or other academic material belonging to a member of the university faculty or staff when acquired without the permission of the university faculty or staff member.
 - (d) Fabrication, which is the intentional invention or counterfeiting of information in the course of an academic activity. Fabrication includes, but is not limited to:
 - (i) Counterfeiting data, research results, information, or procedures with inadequate foundation in fact;
 - (ii) Counterfeiting a record of internship or practicum experiences;
 - (iii) Submitting a false excuse for absence or tardiness or a false explanation for failing to complete a class requirement or scheduled examination at the appointed date and time.
 - (e) Engaging in any behavior for the purpose of gaining an unfair advantage specifically prohibited by a faculty member in the course syllabus or class discussion.
 - (f) Scientific misconduct: falsification, fabrication, plagiarism, or other forms of dishonesty in scientific and scholarly research are prohibited. Complaints and inquiries involving cases of scientific misconduct are managed according to the University's policy for responding to allegations of scientific misconduct. A finding of scientific misconduct is subject to sanctions by the Office of Student Conduct. The policy for responding to allegations of scientific misconduct may be reviewed by contacting the vice provost for research.
 - (g) Unauthorized collaboration on assignments.
 - (h) Intentionally obtaining unauthorized knowledge of examination materials.
 - (i) Plagiarism: presenting the information, ideas, or phrasing of another person as the student's own work without proper acknowledgment of the source. This includes submitting a commercially prepared paper or research project or submitting for academic credit any work done by someone else. The term "plagiarism" includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

- (j) Unauthorized multiple submission of the same work.
 - (k) Sabotage of others' work.
 - (l) Tampering with or falsifying records.
- (4) The term "complainant" means any person who submits a charge alleging that a student violated the standards of conduct for students.
 - (5) The term "faculty member," for purposes of this chapter, means any person hired by the University to conduct classroom or teaching activities or who is otherwise considered by the University to be a member of its faculty.
 - (6) The term "gender identity" means having or being perceived as having a gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to the person at birth.
 - (7) The term "may" is used in the permissive sense.
 - (8) The term "member of the university community" includes any person who is a student, faculty member, university official, or any other person employed by the university. A person's status in a particular situation is determined by the vice president for student affairs.
 - (9) The term "organization" means any number of persons who have complied with the formal requirements for university recognition.
 - (10) The term "policy" means the written regulations of the university as found in, but not limited to, the standards of conduct for students, residence life handbook, the university Web page and computer use policy, and graduate/undergraduate catalogs.
 - (11) The term "shall" is used in the imperative sense.
 - (12) The term "student" includes all persons taking courses at the university, either full-time or part-time, pursuing undergraduate, graduate, or professional studies. Persons who withdraw after allegedly violating the standards of conduct for students, who are not officially enrolled for a particular term but who have a continuing relationship with the university (including suspended students), or who have been notified of their acceptance for admission are considered "students" as are persons who are living in university residence halls, although not enrolled in this institution.
 - (13) The term "student conduct officer" means a university official authorized by the vice president for student affairs to manage conduct complaints including the imposition of sanctions upon any student(s) found to have violated the standards of conduct for students.
 - (14) The term "university" means all locations of Washington State University.
 - (15) The term "university conduct board" means those persons who, collectively, have been authorized by the vice president for student affairs to determine whether a student has violated the standards of conduct for students and to impose sanctions when a rules violation has been committed.
 - (16) The term "academic integrity hearing board" means those teaching faculty who, collectively, have been authorized by the university or college to review an instructor's determination that a student violated university academic integrity policies and whether or not the outcome proposed by the instructor is in keeping with the instructor's published policies.
 - (17) The term "university official" includes any person employed by the university, performing assigned administrative or professional responsibilities.
 - (18) The term "university premises" includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the university (including adjacent streets and sidewalks).
 - (19) The vice president for student affairs is the person designated by the university president to be responsible for the administration of the standards of conduct for students.

ARTICLE I

AUTHORITY FOR STANDARDS OF CONDUCT FOR STUDENTS

WAC 504-26-100 Composition of conduct and appellate boards.

- (1) The university conduct board shall be composed of five individuals appointed by the vice president for student affairs: two students, two faculty members, and a fifth person, who may be any category of university employee and who shall be named by the vice president for student affairs as the chairperson of the board. Any three persons constitute a quorum

of a conduct board and may act, provided that at least one student and the chairperson are present.

- (2) The appeals board shall be composed of three university employees appointed by the vice president for student affairs. Three persons constitute a quorum of the appeals board.

WAC 504-26-101 Convening boards.

The student conduct officer convenes boards for each conduct matter and for appeals of decisions.

WAC 504-26-102 Policies.

The vice president for student affairs or designee shall develop policies for the administration of the student conduct system and procedural rules for the conduct of student conduct board hearings that are consistent with provisions of the standards of conduct for students.

WAC 504-26-103 Decisions.

Decisions made by a student conduct board and/or student conduct officer become final twenty-one days after the date the decision is signed, unless an appeal is filed prior to that date.

ARTICLE II

PROSCRIBED CONDUCT

WAC 504-26-200 Jurisdiction of the university standards of conduct for students.

The university standards of conduct for students shall apply to conduct that occurs on university premises, at university sponsored activities, and to off-campus conduct that adversely affects the university community and/or the pursuit of its objectives. Each student is responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. These standards shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending. The university has sole discretion to determine what conduct occurring off campus adversely impacts the university and/or the pursuit of its objectives.

WAC 504-26-201 Misconduct—Rules and regulations.

Any individual or organization found to have committed, assisted, conspired, or attempted to commit the following misconduct (WAC 504-26-202 through 504-26-

226) is subject to the disciplinary sanctions outlined in WAC 504-26-405.

WAC 504-26-202 Acts of dishonesty.

Acts of dishonesty include but are not limited to the following:

- (1) Academic integrity violations including, but not limited to, cheating as defined in WAC 504-26-010.
- (2) Knowingly furnishing false information to any university official, faculty member, or office.
- (3) Forgery, alteration, or misuse of any university document or record, or instrument of identification whether issued by the university or other state or federal agency.

WAC 504-26-203 Disruption or obstruction.

Students have the right to freedom of speech, including the right to dissent or protest, but this expression may not interfere with the rights of others or disrupt the university's activities. Prohibited behavior includes: disruption or obstruction of teaching, research, administration, disciplinary proceedings, other university activities, including its public service functions on or off campus, or of other authorized non-university activities when the conduct occurs on university premises or is directed toward community members by any means including use of telephone, computer, or some other medium.

WAC 504-26-204 Abuse of self or others.

Physical abuse, threats, intimidation, and/or other conduct which threatens or endangers the health or safety of any person, including one's self.

WAC 504-26-205 Theft or damage to property.

Theft of and/or the intentional or reckless damage to the property of another.

WAC 504-26-206 Hazing.

- (1) No student or student organization at Washington State University may conspire to engage in hazing or participate in hazing of another.
 - (a) Hazing includes any activity expected of someone joining a group (or maintaining full status in a group) that causes or is likely to cause a risk of mental, emotional, and/or physical harm, regardless of the person's willingness to participate.
 - (b) Hazing activities may include but are not limited to the following: abuse of alcohol during new member activities, striking another person whether by use of any object or one's body, creation of

excessive fatigue, physical and/or psychological shock, morally degrading or humiliating games or activities that create a risk of bodily, emotional, or mental harm.

- (c) Hazing does not include practice, training, conditioning, and eligibility requirements for customary athletic events such as intramural or club sports and NCAA athletics, or other similar contests or competitions, but gratuitous hazing activities occurring as part of such customary athletic event or contest are prohibited.
- (2) Washington state law also prohibits hazing, which may subject violators to criminal prosecution. As used in RCW 28B.10.901 and 28B.10.902, "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 attending a public or private institution of higher education or other postsecondary education institution in this state.
- (3) Washington state law (RCW 28B.10.901) also provides sanctions for hazing:
- (a) Any person who violates this rule, in addition to other sanctions that may be imposed, shall forfeit any entitlement to state-funded grants, scholarships, or awards for a period of time determined by the university.
- (b) Any organization, association, or student living group that knowingly permits hazing by its members or others subject to its direction or control shall be deprived of any official recognition or approval granted by the university.

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

Failure to comply with directions of university officials and/or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.

WAC 504-26-208 Unauthorized keys or unauthorized entry.

Unauthorized possession, duplication, or use of keys to any university premises or

unauthorized entry to or use of university premises.

WAC 504-26-209 Violation of university policy, rule, or regulation.

Violation of any university policy, rule, or regulation published in hard copy or available electronically on the university Web site.

WAC 504-26-210 Violation of law.

Conduct which would constitute violation of any federal, state, or local law.

WAC 504-26-211 Drugs and drug paraphernalia.

Use, possession, manufacture, or distribution of marijuana, narcotics, or other controlled substances, and drug paraphernalia except as permitted by federal, state, and local law.

WAC 504-26-212 Alcohol.

Use, possession, manufacture, or distribution of alcoholic beverages (except as expressly permitted by university regulations), or public intoxication are prohibited. Alcoholic beverages may not, in any circumstance, be used by, possessed by, or distributed to any person under 21 years of age.

WAC 504-26-213 Firearms and dangerous weapons.

No student may carry, possess, or use any firearm, explosive (including fireworks), dangerous chemical, or any dangerous weapon on university property or in university-approved housing. Airsoft guns and other items that shoot projectiles are not permitted in university-approved housing. Students wishing to maintain a firearm for hunting or sporting activities must store the firearm with the Washington State University Department of Public Safety.

WAC 504-26-214 Disruptive activity.

Participating in an on-campus or off-campus riot or unlawful assembly that disrupts the normal operations of the university and/or infringes on the rights of other members of the university community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area. For peaceful demonstrations, students should consult with university police for safety guidelines.

WAC 504-26-215 Obstruction.

Obstruction of the free flow of pedestrian or vehicular traffic on university premises or at university-sponsored or supervised functions.

WAC 504-26-216 Disorderly conduct.

Conduct that is disorderly, lewd, or indecent; disturbing the peace; or assisting or encouraging another person to disturb the peace on university premises or at functions sponsored by, or participated in by, the university or members of the academic community.

WAC 504-26-217 Unauthorized use of electronic or other devices.

Unauthorized use of electronic or other devices: making an audio or video record of any person while on university premises without his or her prior knowledge, or without his or her effective consent when such a recording is of a private conversation or of images taken of a person(s) at a time and place where she or he would reasonably expect privacy and where such images are likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom, but does not include taking pictures of persons in areas which are considered by the reasonable person to be open to public view, such as Martin Stadium or the Glenn Terrell Mall.

WAC 504-26-218 Computer abuses or theft.

Theft or other abuse of computer facilities and resources, including but not limited to:

- (1) Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
- (2) Unauthorized transfer of a file.
- (3) Use of another individual's identification and/or password.
- (4) Use of computing facilities and resources to interfere with the work of another student, faculty member, or university official.
- (5) Use of computing facilities and resources to send obscene, harassing, or threatening messages.
- (6) Use of computing facilities and resources to interfere with normal operation of the university computing system.
- (7) Use of computing facilities and resources in violation of copyright laws.
- (8) Any violation of the university computer use policy found at www.wsu.edu/~forms/HTML/EPM/EP4_Electronic_Publishing_Policy.htm.

WAC 504-26-219 Abuse of the student conduct system.

Abuse of the student conduct system, including but not limited to:

- (1) Failure to obey the notice from a university conduct board or university official to appear for a meeting or

hearing as part of the student conduct system.

- (2) Willful falsification, distortion, or misrepresentation of information before a student conduct board.
- (3) Disruption or interference with the orderly conduct of a student conduct board proceeding.
- (4) Filing fraudulent charges or initiating a student conduct code proceeding in bad faith.
- (5) Attempting to discourage an individual's proper participation in, or use of, the student conduct system.
- (6) Attempting to influence the impartiality of a member of a university conduct board prior to, and/or during the course of, the student conduct board proceeding.
- (7) Harassment (verbal or physical) and/or intimidation of a member of a university conduct board prior to, during, and/or after a student conduct code proceeding.
- (8) Failure to comply with the sanction(s) imposed under the standards of conduct for students.
- (9) Influencing or attempting to influence another person to commit an abuse of the student conduct code system.

WAC 504-26-220 Discrimination.

Discrimination on the basis of race, color, religion, ancestry, national or ethnic origin, age, gender, marital status, veteran status, sexual orientation, gender identity, or mental, physical, or sensory disability is prohibited in conformity with federal and state laws.

WAC 504-26-221 Sexual misconduct.

- (1) Sexual misconduct is any sexual activity with another that is unwanted and nonconsensual. Sexual misconduct includes physical contact as well as voyeurism.
- (2) Consent to sexual activity requires that, at the time of the act, there are actual words or conduct demonstrating freely given agreement to sexual activity—silence or passivity is not consent. Even if words or conduct alone seem to imply consent, sexual activity is nonconsensual when:
 - (a) Force or blackmail is threatened or used to procure compliance with the sexual activity; or
 - (b) The person is unconscious or physically unable to communicate his or her unwillingness to engage in sexual activity; or
 - (c) The person lacks the mental capacity at the time of the sexual activity to be able to understand

the nature or consequences of the act, whether that incapacity is produced by illness, defect, the influence of alcohol or another substance, or some other cause.

- (3) A person commits voyeurism if, for the purpose of arousing or gratifying the sexual desire of any person, he or she knowingly views, photographs, or films another person, without that person's knowledge and consent, while the person being viewed, photographed, or filmed is in a place where he or she has a reasonable expectation of privacy.

WAC 504-26-222 Harassment.

Conduct by any means that is severe, pervasive, or persistent, and is of such a nature that it would cause a reasonable person in the victim's position substantial emotional distress and undermine his or her ability to work, study, or participate in his or her regular life activities or participate in the activities of the university, and actually does cause the victim substantial emotional distress and undermines the victim's ability to work, study, or participate in the victim's regular life activities or participate in the activities of the university.

WAC 504-26-223 Stalking.

Intentionally and repeatedly harassing or following a person and intentionally or unintentionally placing the person being followed or harassed in fear of physical harm to one's self or property or physical harm to another person or another's property.

WAC 504-26-224 Reckless endangerment.

Engaging in conduct that creates an unreasonable risk of harm to another person or property.

WAC 504-26-225 Trespassing.

Knowingly entering or remaining unlawfully in or on university premises or any portion thereof. Any person who has been given written notice by a university official of the university's decision to exclude him or her from all or a portion of university property is not licensed, invited, or otherwise privileged to enter or remain on the identified portion of university property, unless given explicit written permission by university administration.

WAC 504-26-226 Violation of a disciplinary sanction.

Violation of any term or condition of any disciplinary sanction constitutes a new violation and may subject the student to additional sanctions.

ARTICLE III

RULES AND REGULATIONS

WAC 504-26-301 Malicious intent.

If a student is found responsible for violating any provision of this code as a result of causing injury to another or to another's property, or as a result of placing another in reasonable fear of injury to self or property, and if the responsible student is found to have intentionally selected the victim based upon the responsible student's perception of the victim's race, color, religion, ancestry, national or ethnic origin, age, gender, marital status, veteran status, sexual orientation, gender identity, or mental, physical, or sensory disability, such finding is considered an aggravating factor in determining a sanction for such conduct.

WAC 504-26-302 Responsibility for guests.

A student or student organization is responsible for the conduct of guests on or in university property and at functions sponsored by the university or sponsored by any recognized university organization.

WAC 504-26-303 Students studying abroad.

Students who participate in any university-sponsored or -sanctioned foreign country study program shall observe the following rules and regulations:

- (1) The laws of the host country;
- (2) The academic and disciplinary regulations of the educational institution or residential housing program where the student is studying; and
- (3) Any other agreements related to the student's study program in a foreign country.

WAC 504-26-304 Group conduct.

Sororities, fraternities, and recognized groups are expected to comply with the standards of conduct for students and with university policies. When a member or members of a student organization violates the standards of conduct for students, the student organization or individual members may be subject to appropriate sanctions authorized by these standards.

WAC 504-26-305 Violation of law and university discipline.

- (1) University disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and the standards of conduct for students (that is, if both possible violations result from the same factual situation) without regard to pending civil or

criminal litigation in court or criminal arrest and prosecution. Proceedings under these standards may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the vice president for student affairs or designee. Determinations made or sanctions imposed under these standards are not subject to change because criminal charges arising out of the same facts giving rise to violation of university rules were dismissed, reduced, or resolved in favor of the criminal law defendant. A student charged with criminal offenses may choose to remain silent during conduct proceedings, recognizing that he or she gives up the opportunity to explain his or her version of events and that the decision is made based on the information presented at the hearing.

- (2) When a student is charged by federal, state, or local authorities with a violation of law, the university does not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also being processed under the standards of conduct for students, the university may advise off-campus authorities of the existence of the standards and of how such matters are typically handled within the university community. The university attempts to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators (provided that the conditions do not conflict with campus rules or sanctions). Individual students and other members of the university community, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

ARTICLE IV

STUDENT CONDUCT CODE PROCEDURES

WAC 504-26-401 Complaints and student conduct process.

- (1) Any member of the university community may file a complaint against a student for violations of the standards of conduct for students. A complaint

is prepared in writing and directed to a student conduct officer. Any complaint is to be submitted as soon as possible after the event takes place, preferably within thirty days.

- (2) A student conduct officer, or designee, may review and investigate any complaint to determine whether it appears to state a violation of the code of conduct. If a conduct officer determines that a complaint appears to state a violation of the student code of conduct, she or he considers whether the matter might be resolved through agreement with the accused or through alternative dispute resolution proceedings involving the complainant and the accused. The complainant and the accused are informed of university options for alternative dispute resolution and may request that the matter be addressed using alternative dispute resolution techniques. Generally, the accused and complainant must agree to the use of alternative dispute resolution techniques. If the accused and the student conduct officer reach an agreed resolution of the complaint, the disposition is final; there is no right to appeal from an agreed disposition.
- (3) If the conduct officer has determined that a complaint has merit and if the matter is not resolved through agreement or alternative dispute resolution, the matter is handled through either a conduct officer hearing or as a conduct board hearing.
 - (a) When the allegation involves a student/university community complainant and the accused disputes the facts and/or denies responsibility, the matter is referred to the university conduct board.
 - (b) If the possible or recommended sanction is expulsion or suspension, except for suspensions resulting from violations of the alcohol or drug provisions of this code, the matter is referred to the university conduct board.
 - (c) Matters other than those listed in (a) and (b) of this subsection are heard by a conduct officer, unless the conduct officer exercises his or her discretion to refer the matter to a conduct board at any time before a decision is issued. A student may request that a conduct board hear the case, but the final decision on the matter is made by the university conduct officer and such decision is not subject to appeal.

- (4) The student conduct officer provides complainants who have been targets of alleged misconduct or who feel victimized thereby with names of university and community advocates or resources who may be able to help the complainant address his or her concerns about the behaviors and provide support to the complainant throughout the conduct process. Due to federal privacy law, the university may not disclose to the complainant any sanctions taken against the accused student, unless the complainant was the victim of a violent crime for which the accused was found responsible as defined under the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. Sec. 1232g; 34 CFR Part 99), or the accused student consents to such disclosure.
 - (b) Dismiss the case;
 - (c) Impose verbal warning to the student directly, not subject to the student's right of appeal as provided in this code;
 - (d) Impose additional sanctions of reprimand, probation, or, for violations of alcohol or drug policies, suspension. Such sanctions are subject to the student's right of appeal as provided in this code; or
 - (e) Refer the matter to the student conduct board pursuant to WAC 504-26-401(3).
- (4) The student is notified in writing of the determination made by the conduct officer within ten business days of the proceeding. The student is also notified of his or her right to appeal pursuant to WAC 504-26-407.

WAC 504-26-403 Conduct board proceedings.

WAC 504-26-402 Conduct officer actions.

- (1) Any student charged by a conduct officer with a violation of any provision of standards of conduct for students is informed of the bases for those charges and of the time, date, and place of a conference between the student and the conduct officer.
 - (a) The conduct officer provides notice by personal delivery or by regular United States mail addressed to the student or student organization at his, her, or its last known address. Duplicate notice may be provided by electronic mail.
 - (b) If the student is no longer enrolled at the time notice is sent, the notice is sent to the student's permanent address recorded in the registrar's files. The student or student organization is responsible for maintaining an updated mailing address on file with the registrar.
 - (c) Any request to continue the conduct officer conference/hearing should be addressed to the conduct officer.
 - (2) In order that any informality in disciplinary proceedings not mislead a student as to the seriousness of the matter under consideration, the student is informed of the potential sanctions involved at the initial conference or hearing.
 - (3) After a review of the evidence and interviewing the student(s) involved in the case, the conduct officer may take any of the following actions:
 - (a) Terminate the proceeding exonerating the student or students;
 - (b) Dismiss the case;
 - (c) Impose verbal warning to the student directly, not subject to the student's right of appeal as provided in this code;
 - (d) Impose additional sanctions of reprimand, probation, or, for violations of alcohol or drug policies, suspension. Such sanctions are subject to the student's right of appeal as provided in this code; or
 - (e) Refer the matter to the student conduct board pursuant to WAC 504-26-401(3).
 - (4) The student is notified in writing of the determination made by the conduct officer within ten business days of the proceeding. The student is also notified of his or her right to appeal pursuant to WAC 504-26-407.
- WAC 504-26-403 Conduct board proceedings.**
- (1) Any student charged by a conduct officer with a violation of any provision of standards of conduct for students that is to be heard by a conduct board is provided notice by personal delivery or by regular United States mail addressed to the student or student organization at her, his, or its last known address.
 - (a) If the student is no longer enrolled at the time notice is sent, the notice is sent to the student's permanent address recorded in the registrar's files.
 - (b) The student or student organization is responsible for keeping an updated mailing address on file with the registrar.
 - (2) The written notice shall be completed by the conduct officer and shall include:
 - (a) The specific complaint, including the university policy or regulation allegedly violated;
 - (b) The approximate time and place of the alleged act that forms the factual basis for the charge of violation;
 - (c) The time, date, and place of the hearing;
 - (d) A list of the witnesses who may be called to testify, to the extent known;
 - (e) A description of all documentary and real evidence to be used at the hearing, to the extent known, including a statement that the student shall have the right to inspect his or her student conduct file.
 - (3) Time for hearings.
 - (a) The conduct board hearing is scheduled not less than seven days

after the student has been sent notice of the hearing, except in the case of interim suspensions as set forth in WAC 504-26-406. Ordinarily, the hearing occurs within fifteen days of notice.

- (b) Requests to continue the hearing date must be addressed to the chair of the university conduct board. Requests made by an accused student must be copied to the Office of Student Conduct; requests made by the Office of Student Conduct must be copied to the accused student. A continuance is granted only upon a showing of good cause.
- (4) University conduct board hearings are conducted by a university conduct board according to the following guidelines, except as provided by subsection (6) of this section:
 - (a) Procedures:
 - (i) University conduct board hearings are conducted in private.
 - (ii) The complainant, accused student, and his or her advisor, if any, are allowed to attend the entire portion of the university conduct board hearing at which information is received (excluding deliberations). Admission of any other person to the university conduct board hearing is at the discretion of the university conduct board chair and/or the student conduct officer.
 - (iii) In university conduct board hearings involving more than one accused student, the student conduct officer, at his or her discretion, may permit joint or separate hearings.
 - (iv) In university conduct board hearings involving graduate students, board memberships are comprised to include graduate students and graduate teaching faculty to the extent possible.
 - (v) The complainant and the accused student have the right to be assisted by an advisor they choose, at their own expense. The complainant and/or the accused student is responsible for presenting his or her own information, and, therefore, advisors are not permitted to speak or to participate directly in any university conduct hearing. An advisor

may communicate with the accused and recesses may be allowed for privacy. A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the university conduct board hearing because delays are not normally allowed due to the scheduling conflicts of an advisor.

- (vi) The complainant, the accused student, and the student conduct officer may arrange for witnesses to present pertinent information to the university conduct board. The conduct officer tries to arrange the attendance of possible witnesses who are identified by the complainant. Complainant witnesses must provide written statements to the conduct officer at least two week days prior to the hearing. Witnesses identified by the accused student must provide written statements to the conduct officer at least two week days prior to the conduct hearing. The accused student is responsible for informing his or her witnesses of the time and place of the hearing. Witnesses provide information to and answer questions from the university conduct board. Questions may be suggested by the accused student and/or complainant to be answered by each other or by other witnesses. Written questions are directed to the conduct board chair, rather than to the witness directly. This method is used to preserve the educational tone of the hearing and to avoid creation of an unduly adversarial environment, and to allow the board chair to determine the relevancy of questions. Questions concerning whether potential information may be received are resolved at the discretion of the chair of the university conduct board.
- (vii) Pertinent records, exhibits, and written statements (including student impact statements) may be accepted as information for consideration by a university conduct board at the discretion of the chair.

- (viii) Questions related to the order of the proceedings are subject to the final decision of the chair of the university conduct board.
 - (ix) After the portion of the university conduct board hearing concludes in which all pertinent information is received, the student conduct board shall determine (by majority vote) whether the accused student has violated each section of the standards of conduct for students as charged.
 - (x) The university conduct board's determination is made on the basis of a "preponderance of the evidence," that is, whether it is more likely than not that the accused student violated the standards of conduct for students.
 - (xi) Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in conduct proceedings. Evidence, including hearsay, is admissible if it is the type of evidence that reasonable members of the university community would rely upon in the conduct of their affairs. Additionally, rules of privilege and relevancy apply.
- (b) The accused student or student organization is notified of the conduct board's decision within ten calendar days from the date the matter is heard. The accused student or organization shall receive written notice of the decision, the reasons for the decision (both the factual basis therefore and the conclusions as to how those facts apply to the conduct code), the sanction, notice that the order will become final unless internal appeal is filed within twenty-one days of the date the letter was personally delivered or deposited in the U.S. mail, and a statement of how to file an appeal.
- (i) The conduct board's written decision is sent by regular mail or personal delivery, and may also be sent by electronic mail to the accused student's or the president of the student organization's last known address, as set forth in the registrar's files.
 - (ii) The written decision is the university's initial order.
 - (iii) If the student or organization does not appeal the conduct board's decision within twenty-one calendar days from the date of the decision letter, it becomes the university's final order.
 - (5) There is a single verbatim record, such as a tape recording, of all university conduct board hearings (not including deliberations). Deliberations are not recorded. The record is the property of the university.
 - (6) If an accused student who has been provided notice of the hearing does not appear before a university conduct board hearing, the information in support of the complaint is presented and considered in his or her absence, and the board may issue a decision based upon that information.
 - (7) The university conduct board may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complainant, accused student, and/or other witnesses during the hearing by providing separate facilities, and/or by permitting participation by telephone, audio tape, written statement, or other means, as determined in the sole judgment of the vice president for student affairs or designee to be appropriate.

WAC 504-26-404 Procedure for academic integrity violations.

- (1) Initial hearing.
 - (a) When a responsible instructor finds that a violation of academic integrity has occurred, the instructor shall assemble the evidence and, upon reasonable notice to the student of the date, time, and nature of the allegations, meet with the student suspected of violating academic integrity policies. If the student admits violating academic integrity policies, the instructor assigns an outcome in keeping with published course policies and notifies the Office of Student Conduct in writing of the allegations, the student's admission, and the sanctions imposed.
 - (b) If the instructor is unable to meet with the student or if the accused student disputes the allegation(s) and/or the outcome proposed by the instructor, the instructor shall make a determination as to

whether the student did or did not violate the academic integrity policy. If the instructor finds that the student was in violation, the instructor shall provide the student and the Office of Student Conduct with a written determination, the evidence relied upon, and the sanctions imposed. The student has twenty-one days to request a review of the instructor's determination and/or sanction(s) to the academic integrity hearing board.

(2) Review.

(a) Upon timely request for review by a student who has been found by his or her instructor to have violated the academic integrity policy, the academic integrity hearing board shall make a separate and independent determination of whether or not the student is responsible for violating the academic integrity policy and/or whether or not the outcome proposed by the instructor is in keeping with the instructor's published course policies.

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

- (i) The student is not responsible for violating academic integrity policies; or
- (ii) The outcome imposed by the instructor violates the instructor's published policies.

(c) Students who appear before the academic integrity board shall have the same rights to notice and to conduct a defense as enumerated in WAC 504-26-403 except:

- (i) Notice of hearing and written orders shall be sent to the address provided by the student in the student's request for review; and
- (ii) The written decision of the academic integrity hearing board is the university's final order. There is no appeal from findings of responsibility or outcomes assigned by the university or college academic integrity hearing boards.

(3) If the reported violation is the student's first offense, the Office of Student Conduct ordinarily requires the student to attend a workshop separate from, and in addition to, any

academic outcomes imposed by the instructor. A hold is placed on the student's record preventing registration or graduation until completion of the workshop.

(4) If the reported violation is the student's second offense, the student is ordinarily required to appear before a university conduct board with a recommendation that the student be dismissed from the university.

(5) If the instructor or academic integrity hearing board determines that the act of academic dishonesty for which the student is found responsible is particularly egregious in light of all attendant circumstances, the instructor or academic integrity hearing board may direct that the student's case be heard by the university conduct board with a recommendation for dismissal from the university even if it is the student's first offense.

(6) Because instructors and departments have a legitimate educational interest in the outcomes, reports of academic integrity hearing board and/or conduct board hearings shall be reported to the responsible instructor and the chair or dean.

WAC 504-26-405 Sanctions.

(1) The following sanctions may be imposed upon any student found to have violated the standards of conduct for students:

(a) Warning. A notice in writing to the student that the student is violating or has violated institutional regulations.

(b) Probation. Formal action placing conditions upon the student's continued attendance at the university. Probation is for a designated period of time and warns the student that suspension or expulsion may be imposed if the student is found to violate any institutional regulation(s) or fails to complete his or her conditions of probation during the probationary period. A student on probation is not eligible to run for or hold an office in any student group or organization; she or he is not eligible for certain jobs on campus, including but not limited to resident advisor or orientation counselor, and she or he is not eligible to serve on the university conduct board.

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

- (d) Restitution. Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
 - (e) Education. The university may require the student to complete an educational project designed to create an awareness of the student's misconduct.
 - (f) Community service. Imposition of service hours (not to exceed eighty hours per student or per member of an organization).
 - (g) Residence hall suspension. Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
 - (h) Residence hall expulsion. Permanent separation of the student from the residence halls.
 - (i) University suspension. Separation of the student from the university for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. More than two violations of the standards of conduct for students involving alcohol or drugs may result in a suspension of one or more semesters.
 - (j) University expulsion. Permanent separation of the student from the university.
 - (k) Revocation of admission and/or degree. Admission to or a degree awarded from the university may be revoked for fraud, misrepresentation, or other violation of university standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
 - (l) Withholding degree. The university may withhold awarding a degree otherwise earned until the completion of the process set forth in this student conduct code, including the completion of all sanctions imposed, if any.
 - (m) Trespass. A student may be restricted from university property based on his or her misconduct.
 - (n) Loss of recognition. A student organization's recognition may be withheld permanently or for a specific period of time. A fraternity or sorority may be prohibited from housing freshmen. Loss of recognition is defined as withholding university services or administrative approval from a student organization. Services and approval to be withdrawn include, but are not limited to, intramural sports (although individual members may participate), information technology services, university facility use and rental, campus involvement office organizational activities, and Office of Fraternity and Sorority Life advising.
 - (o) Hold on transcript and/or registration. This is a temporary measure restricting release of a student's transcript or access to registration. Upon satisfactory completion of the conditions of the sanction, the hold is released.
 - (p) No contact order. A prohibition of direct or indirect physical, verbal, and/or written contact with another individual or group.
- (2) More than one of the sanctions listed above may be imposed for any single violation.
 - (3) Other than university expulsion or revocation or withholding of a degree, disciplinary sanctions are not made part of the student's permanent academic record, but shall become part of the student's disciplinary record.
 - (4) In cases heard by university conduct boards, sanctions are determined by that board. The student conduct officer has the authority to assign sanctions in conduct officer hearings or cases in which the accused student takes responsibility for violations of the standards of conduct for students.
 - (5) Academic integrity violations.
 - (a) No credit need be given for work that is not the student's own. Thus, in academic integrity violations, the responsible instructor has the authority to assign a grade and/or educational sanction in accordance with the expectations set forth in the relevant course syllabus. The instructor's choices may include, but are not limited to, assigning a grade of "F" for the assignment and/or assigning an educational sanction such as extra or replacement assignments, quizzes, or tests, or assigning a grade of "F" for the course.
 - (b) Instructors do not have authority to suspend or dismiss a student from the university.

WAC 504-26-406 Interim suspension.

In certain circumstances, the vice president for student affairs, or a designee, may

impose a university suspension prior to the university conduct board hearing.

- (1) Interim suspension may be imposed only in situations involving an immediate danger to the health, safety or welfare of:
 - (a) Any part of the university community or public at large; or
 - (b) The student's own physical safety and well-being.
- (2) Conduct that creates an ongoing disruption of, or interference with, the operations of the university and that prevents other students, employees, or invitees from members of the university community from completing their duties as employees or students, is conduct harmful to the welfare of members of the university community.
- (3) During the interim suspension, a student may be denied access to the residence halls, and/or to the campus (including classes), and/or all other university activities or privileges for which the student might otherwise be eligible, as the vice president for student affairs or designee may determine to be appropriate.
- (4) The vice president for student affairs or designee ordering an interim suspension prepares a brief written decision containing the reasons for the decision (both the factual basis and the conclusions as to why those facts constitute a violation of the student code of conduct), and the policy reasons for the interim suspension. The vice president of student affairs or designee sends copies of the decision by personal delivery or by U.S. mail to all persons or offices bound by it (including, at a minimum, the suspended student and the Office of Student Conduct).
- (5) The interim suspension does not replace the regular hearing process, which shall proceed to hearing as quickly as feasible, ordinarily within five working days where the accused student has not consented to a longer time frame.

WAC 504-26-407 Review of decision.

- (1) A decision reached by the university conduct board or a sanction imposed by the student conduct officer may be appealed by the accused student(s) to an appellate board within twenty-one days of the date of the decision letter.
 - (a) The university president or designee, of his or her own initiative, may direct that an appeals board

be convened to review a conduct board decision without notice to the parties. However, the appeals board may not take any action less favorable to the accused student(s), unless notice and an opportunity to explain the matter is first given to the accused student(s).

- (b) The accused and the Office of Student Conduct may explain their views of the matter to the appeals board in writing.
 - (c) The appeals board shall make any inquiries necessary to ascertain whether the proceeding must be converted to a formal adjudicative hearing under the Administrative Procedure Act (chapter 34.05 RCW).
- (2) Except as required to explain the basis of new information, an appeal is limited to a review of the verbatim record of the university conduct board hearing and supporting documents for one or more of the following purposes:
 - (a) To determine whether the university conduct board hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and to present information that the standards of conduct for students were violated, and giving the accused student a reasonable opportunity to prepare and to present a response to those allegations. Deviations from designated procedures are not a basis for sustaining an appeal unless significant prejudice results.
 - (b) To determine whether the decision reached regarding the accused student was based on substantial information, that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to establish that a violation of the standards of conduct for students occurred.
 - (c) To determine whether the sanction(s) imposed were appropriate for the violation of the standards of conduct for students which the student was found to have committed.
 - (d) To consider new information, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such

- information and/or facts were not known to the person appealing at the time of the original student conduct board hearing.
- (3) The university appeals board shall review the record and any briefing filed by the parties and make one of the following determinations:
 - (a) Affirm, reverse, or modify the conduct board's decision;
 - (b) Affirm, reverse, or modify the sanctions imposed by the conduct board.
 - (4) The appeal board's decision is entered within twenty calendar days from the date of the appeal letter. By the close of the next business day following entry of the order, the decision is provided to the accused student(s) by personal delivery or deposited into the United States mail, addressed to the last known address of the accused student(s). It is the student's responsibility to maintain a correct and updated address with the registrar. The university appeal board's decision letter is the final order and shall advise the student or student organization that judicial review may be available.
 - (5) The appeals board decision is effective as soon as the order is signed. A petition to delay the date that the order becomes effective (a "petition for stay") may be directed to the chair of the appeals board within ten days of the date the order was delivered to the student or placed in the U.S. mail. The chair shall have authority to decide whether to grant or deny the request.
 - (6) There is no further review beyond that of the findings of responsibility or outcomes assigned by university or college academic integrity hearing boards.
 - (5) A student may authorize release of his or her own disciplinary record to a third party in compliance with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. Sec. 1232g; 34 CFR Part 99) by making a written request to the Office of Student Conduct.
 - (6) The university may inform the complainant of the outcome of any disciplinary proceeding involving a crime of violence as defined by FERPA (20 U.S.C. Sec. 1232g; 34 CFR Part 99).
 - (7) The university may not communicate a student's disciplinary record to any person or agency outside the university without the prior written consent of the student, except as required or permitted by law. Exceptions include but are not limited to:
 - (a) The student's parents or legal guardians may review these records if the student is a minor or a dependent for tax purposes as defined by FERPA (20 U.S.C. Sec. 1232g; 34 CFR Part 99).
 - (b) Release to another educational institution, upon request, where the student seeks or intends to enroll, as allowed by FERPA (20 U.S.C. Sec. 1232g; 34 CFR Part 99).

ARTICLE VI

INTERPRETATION AND REVISION

WAC 504-26-601 Interpretations.

Any question of interpretation or application of the standards of conduct for students is referred to the vice president for student affairs or designee for final determination.

WAC 504-26-602 Periodic review.

The standards of conduct for students are reviewed every three years under the direction of the student conduct officer.

ARTICLE V

RECORDS

WAC 504-26-501 Records.

- (1) Disciplinary records are maintained in accordance with the university's records retention schedule.
- (2) The disciplinary record is confidential.
- (3) A student may request a copy of his or her own disciplinary record at his or her own reasonable expense by making a written request to the Office of Student Conduct.
- (4) Personally identifiable student information is redacted to protect another student's privacy.