WAC 172-125-300 Definitions. For purposes of this code, chapter 172-125 WAC, the definitions in this section apply.

"Appeal authority" refers to the university official presiding over an appeal.

"Appellant" refers to any respondent or complainant who appeals a decision.

"Complainant" means the person who was subjected to the alleged misconduct. The complainant may or may not be the reporting party. If the person who was subjected to the alleged misconduct does not wish to pursue a complaint under this code, the university may initiate the student conduct process on its own behalf.

"Complaint" means an oral or written request to the university to investigate a report of discrimination.

"Council" or "the council" refers to the student disciplinary council.

"Council hearing" refers to a full conduct review hearing before the student disciplinary council.

"Dean of students" refers to the dean of students or designee.

"Director of SRR" or "director" refers to the director of student rights and responsibilities or designee.

"File" or "filing" means to actually deliver documents. Documents required to be filed with a specific person at EWU under these rules shall be deemed filed upon actual receipt during office hours at EWU. Papers may be filed by delivering them to the student rights and responsibilities office, sending them via United States mail, properly addressed, postage prepaid, to 129 Showalter Hall, or emailing them to srr@ewu.edu.

"Formal Title IX complaint" means a formal signed complaint from a current student, applicant, employee, or person participating in or seeking to participate in a university program or activity, or by the Title IX coordinator, alleging sexual harassment, sexual assault, domestic violence between intimate partners, dating violence, or sex-based stalking for conduct that occurred on university premises, during a university program or activity within the United States, or at a building owned or controlled by a student organization that is officially recognized by the university. A complaint of sexual misconduct or interpersonal violence will only be considered a Title IX complaint under this code if it meets this definition. Sexual misconduct or interpersonal violence may still be addressed under this code if it does not meet the definition of a formal Title IX complaint using a Level One or Level Two process.

"Interpersonal violence" encompasses domestic violence, dating violence, and stalking.

"Level One Process" refers to the grievance procedures used to investigate and make determinations of responsibility for violations of this code that, if substantiated by a preponderance of evidence, would result in a sanction less than a suspension or expulsion, and do not involve felony-level crimes.

"Level Two Process" refers to the grievance procedures used to investigate and make determinations of responsibility for violations of this code that, if substantiated by a preponderance of evidence, may result in a sanction of suspension or expulsion, or involve felony-level crimes.

"Level Three Process" refers to the grievance procedures used to investigate and make determinations of responsibility for violations of this code that fall within the definition of a "formal Title IX complaint."

"Off-campus" refers to any location or facility that is not owned, leased, rented, or operated by Eastern Washington University.

"Party/parties" refers to the complainant, respondent, and/or the university.

"Policies" or "university policy" refers to the written regulations of the university, including the standards of conduct for students, residence life handbook, housing contract, university policies, and graduate/undergraduate catalogs and handbooks.

"Presiding officer" refers to the university official who is assigned to preside over a student disciplinary council hearing.

"Recognized student organizations" refers to clubs, organizations, societies or similarly organized groups recognized by the university or the Associated Students of Eastern Washington University (ASEWU).

"Reporting party" means the person who notifies the university of alleged misconduct by a student or student organization. The reporting party may also be the complainant, but need not be the complainant.

"Respondent" refers to any student or student organization accused of violating the student conduct code under this chapter.

"Serve" means to send a document through electronic mail addressed to the party's university-issued email address or, if the party does not have a university-issued email address, to the email address on record with the university. Service is complete when the email is sent to the email address. Service may also be accomplished by personal delivery or regular U.S. mail. Notifications via regular U.S. mail are sent to the party's last known address or the address on file with the university registrar, and service is complete on the date the notice is placed in the mail. The student is responsible for maintaining an updated mailing address on file with the registrar. Recognized or registered student organizations are responsible for updating their mailing address with their designated university office.

"Student" includes all of the following:

(a) Any applicant who becomes enrolled, for violations of the code committed as part of the application process or committed following the applicant's submission of the application until the time of official enrollment;

(b) Any person who is enrolled or has been enrolled at the university for up to 12 months from the last date they were enrolled;

(c) Nonmatriculated, international students attending institutes or foreign study programs through the university; and

(d) Any person who was previously enrolled at the university for violations of the code committed while enrolled regardless of when they were enrolled. A person who engaged in conduct in violation of this code while a student remains subject to action under this code even if the person has graduated, withdrawn, or is not currently enrolled for any reason.

"Title IX coordinator" refers to the Title IX coordinator or designee.

"University" means Eastern Washington University.

"University official" includes any person employed or contracted by the university, performing assigned administrative or professional responsibilities.

"University premises" means buildings and/or property (including adjacent streets and sidewalks) which are owned, leased, rented, or operated by the university.

"University president" refers to the university president or designee.

"Vice president for student affairs" refers to the vice president for student affairs or designee.

[Statutory Authority: RCW 28B.35.120(12). WSR 25-14-092, s 172-125-300, filed 7/1/25, effective 8/1/25. Statutory Authority: RCW 28B.35.120(12), Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq., Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq., section 504 of the Rehabilitation Act of 1973, Americans with Disability Act of 1990, 42 U.S.C. § 12101 et seq., and chapter 28B.112 RCW. WSR 24-22-048, s 172-125-300, filed 10/28/24, effective 11/28/24.]