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

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

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

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

(c) The time, date, and location of the hearing or the process to schedule the hearing, if the hearing is attended by the parties;

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

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

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

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

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

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

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

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

(3) Hearing and possible outcomes.

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

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

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

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

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

(ii) Respondent found not responsible for any or all of the alleged violations.

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

(4) Notice of decision and right to appeal. The parties are notified, in writing, of the decision within 30 calendar days of the brief adjudication or, upon notification in writing, within an extended to-

tal of 90 calendar days. This is the initial order of the university and must include:

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

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

(c) Appropriately numbered findings of fact and conclusions;

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

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

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

[Statutory Authority: RCW 28B.30.150. WSR 26-09-100, s 504-26-402, filed 4/20/26, effective 8/1/26; WSR 24-23-093, s 504-26-402, filed 11/19/24, effective 12/20/24; WSR 22-23-142, § 504-26-402, filed 11/21/22, effective 1/1/23; WSR 21-07-057, § 504-26-402, filed 3/15/21, effective 4/15/21; WSR 18-23-083, § 504-26-402, filed 11/19/18, effective 12/20/18; WSR 17-13-049, § 504-26-402, filed 6/15/17, effective 7/16/17; WSR 16-08-014, § 504-26-402, filed 3/28/16, effective 4/28/16; WSR 15-01-080, § 504-26-402, filed 12/15/14, effective 1/15/15; WSR 12-04-049, § 504-26-402, filed 1/30/12, effective 3/1/12; WSR 11-11-031, § 504-26-402, filed 5/11/11, effective 6/11/11; WSR 08-05-001, § 504-26-402, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-402, filed 11/22/06, effective 12/23/06.]