

Washington State University Standards of Conduct for Students

Introduction

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. When students violate the standards of conduct established by the University, and defined in Part I of this chapter, they are subject to the university disciplinary process defined in Part II of this chapter. Violations of the academic integrity standards, as defined in Part III of this chapter, subject students to the process for such violations, also in Part III. The purpose of these processes is to educate and to protect the welfare of the community.

Part I: Conduct Regulations

Terms of Enrollment

WAC 504-25-001

Washington State University aims to create an environment that cultivates individual virtues and institutional integrity in the university community. The mission of the university is supported when students take responsibility for their conduct both in and out of the classroom. Under the terms of enrollment, students acknowledge the university's authority to take disciplinary action for conduct on or off university property. Off-campus conduct may be addressed when it is detrimental to the university's mission.

Washington State University

WAC 504-25-002

The term "university" means all Washington State University campus locations. The term "university" also applies to distance learning.

Definition of a Student

WAC 504-25-003

A student is any person who is enrolled at Washington State University for the current academic period. A student is also defined as one who has an ongoing relationship with the university between academic periods at the time the misconduct occurred.

Good Standing

WAC 504-25-011

The award of a degree is conditioned upon the student's good standing in the university and satisfaction of all university graduation requirements. "Good standing" means the student has resolved any unpaid fees or acts of academic or behavioral misconduct, and complied with all sanctions imposed as a result of the misconduct. The university shall deny award of a degree if the student is dismissed from the university based on his or her misconduct. (See also Rule 45 in the General Catalog.)

Responsibility for Guests

WAC 504-25-013

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 registered university organization.

Students Studying Abroad

WAC 504-25-014

Students who participate in any university sponsored or sanctioned foreign 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.

Academic Dishonesty

WAC 504-25-015

Academic dishonesty, such as cheating, plagiarism, fabrication, and fraud, is prohibited. See Part III for specific definitions of academic dishonesty.

Copyright and Intellectual Property

WAC 504-25-018

Violation of copyright laws and the intellectual property rights of others is prohibited. Prohibited acts include, but are not limited to:

- (1) Posting the works of another person on an internet website without the permission of the creator;
- (2) Copying the creative works of another without the permission of the creator;

- (3) Selling a recording of a presentation by another without the permission of the presenter;
- (4) Claiming the works of another as one's own;
- (5) Using the copyrighted works or intellectual property of another for profit without the permission of the owner;
- (6) Copying or digitally transmitting video or audio files without the permission of the owner; or displaying a copyrighted work publicly without the permission of the owner.

Discrimination

WAC 504-25-020

- (1) Discrimination on the basis of race, national or ethnic origin, creed, age, sex, marital status, veteran status, sexual orientation, or disability is prohibited in conformity with federal and state laws.
- (2) Discrimination includes sexual or racial harassment by students. Sexual and racial harassment are defined as conduct that is
 - (a) sexually or racially motivated and but the purpose or effect of unreasonably interfering with person's work or educational performance or creating an intimidating, hostile, or offensive environment.

Sexual Offenses

WAC 504-25-025

- (1) Sexual offenses of any kind, including, but not limited to acquaintance rape, indecent liberties, assault of a sexual nature, and/or unwanted sexual contact are prohibited.
 - (a) Rape is defined under state law as sexual intercourse with a person who did not consent by his or her words or conduct. Consent to sexual activity means actual words or conduct indicating the person has freely and voluntarily agreed to have sexual intercourse.
 - (i) Silence or mere passivity from a state of intoxication or unconsciousness does not imply consent to sexual intercourse.
 - (ii) Lack of consent is implied if violence is threatened or used.
 - (b) Indecent liberties means knowingly causing sexual contact with a person by forcible compulsion or when the person is incapable of consent by reason of mental defect, mental incapitation, or physical helplessness. Sexual contact is defined as any non-consensual touching of the sexual or other intimate parts of a person

done for the purpose of gratifying the sexual desire of either party.

- (c) The university prohibits sexual contact when such contact amounts to assault under Washington law. Assault includes harmful and offensive contact with another person.

Physical Abuse or Threatened Physical Abuse

WAC 504-25-030

Attempting or causing injury to an individual is prohibited. Causing or provoking physical contact with another is prohibited when the person knows or should reasonably believe that the other person will consider the contact offensive.

Hazing is Prohibited

WAC 504-25-035

- (1) No student or other person enrolled at Washington State University may conspire to engage in hazing or participate in hazing of another.
 - (a) Hazing includes any method of initiation into a student organization or living group, or any pastime or amusement engaged in with respect to such an organization or living group that causes, or is likely to cause, bodily danger, 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 educational institution of higher education or other postsecondary educational institution in this state.
 - (b) Hazing does not include customary athletic events or other similar contests or competitions.

Harassment

WAC 504-25-040

Conduct by physical, verbal, graphic, written, or electronic means that is sufficiently severe, pervasive or persistent so as to threaten an individual or limit the individual's ability to work, study or participate in the activities of the university is prohibited.

Abuse of Self or Others

WAC 504-25-___

Prohibited behavior includes but is not limited to:

- (1) Inflicting mental or bodily harm upon any person (including one's self);
- (2) Engaging in any intentional or reckless action that may result in mental or bodily harm (including to one's self);
- (3) Causing a person to believe that the offender may cause mental or bodily harm.

Malicious Harassment

WAC 504-25-041

Maliciously and intentionally committing one of the following acts because of a perception of the victim's race, color, religion, ancestry, national origin, gender, sexual orientation, or mental, physical, or sensory handicap is prohibited:

- (1) Causing physical injury to the victim or another person;
- (2) Causing physical damage to or destruction of the property of the victim or another person;
- (3) Threatening a specific person or group of persons and placing that person, or members of the specific group of persons, in reasonable fear of harm to person or to property.

Stalking

WAC 504-25-042

Following or intentionally and repeatedly harassing another person, and placing the person being followed or harassed in reasonable fear that the stalker intends to injure a person or property is prohibited.

Reckless Endangerment

WAC 504-25-045

Engaging in conduct that creates a substantial risk of physical harm to another person is prohibited.

Alcohol

WAC 504-25-050

Illegal use, manufacture, possession, or sale of intoxicating beverages is prohibited by local, state, and federal law. Consumption, possession, sale, or distribution of alcohol by students in public areas of any university-owned or controlled property or at university functions must comply with all local, state, and federal laws.

Effect of Alcohol or Drugs

WAC 504-25-___

Any conduct that may have been influenced by alcohol or drugs will not limit or excuse the student's responsibility for his or her action.

Drugs and Drug Paraphernalia

WAC 504-25-055

The use, sale, possession, manufacture, and/or distribution of illegal drugs and drug paraphernalia is prohibited.

Firearms and Dangerous Weapons

WAC 504-25-060

- (1) No student may carry, possess, or use any firearm, explosive, dangerous chemical, or dangerous weapon (including, but not limited to, shotguns, rifles, pistols, air guns, pellet guns, longbows, hunting bows, throwing weapons, etc.) on university property except in transit to or from approved storage, to leave campus, or when authorized by the university.
- (2) Any student who wants access to his or her firearm while enrolled at the university must store the firearm with the Washington State University Department of Public Safety.

Illegal Entry and Trespassing

WAC 504-25-065

Illegal or attempted illegal entry or trespassing on university property is prohibited.

Theft or Damage of Property or Services

WAC 504-25-070

Actual or attempted theft of, or damage to, property or services belonging to the University, any member of its community, or a campus visitor is prohibited. Knowing possession of stolen property is also prohibited.

Safety Equipment

WAC 504-25-075

Improper use or disablement of safety or fire safety equipment, such as fire extinguishers, fire alarms, or exit signs, is prohibited.

Misrepresentation, Fraud, and Falsification of University Records

WAC 504-25-080

Providing false, misrepresented, or fraudulent information to university officials or on university records is prohibited. Such information includes but is not limited to:

- (1) Providing false identification;
- (2) Falsifying, misrepresenting, forging, altering, or fraudulently obtaining a university transcript or diploma;
- (3) Withholding or misrepresenting relevant information on any university form or federal financial aid form;
- (4) Offering any false information in any university disciplinary proceeding, academic exercise or hearing, employment situation, or in any other University situation;
- (5) Maliciously altering or misusing university documents, records, permits, or identification.

Computer Abuses

WAC 504-25-085

Conduct that violates the university's electronic use policy is prohibited and includes:

- (1) Copying university-owned or licensed software or data for personal or external use without prior approval;
- (2) Copying another computer user's software or data without permission of its owner, even if it is readily accessible by electronic means.
- (3) Knowingly accepting or using software or data which has been obtained by unauthorized means;
- (4) Modifying or damaging, attempting to modify or damage, computer equipment, software, databases, or communication lines without permission;
- (5) Disrupting or attempting to disrupt computer operations;
- (6) Invading the privacy of an individual by using electronic means to ascertain confidential information, even if an individual or department inadvertently allows access to such information;
- (7) Abusing or harassing another computer user through electronic means;
- (8) Using the university's computing facilities in the commission of a crime;
- (9) Using computer services without authorization;
- (10) Allowing another individual to use one's computer identity/account or using another individual's computer identity/account.
 - (a) This includes, but is not limited to, logging on to the account, accessing programs, and reading or altering computer records. The university, through information technology, must authorize and allocate time on the mainframe computers.

Disruption

WAC 504-25-090

- (1) Students have the right to freedom of speech, including the right to dissent or protest, but this expression cannot interfere with the rights of others or disrupt the university's activities. The following conduct will not be permitted:
 - (a) Disruption of classes, laboratories, offices, services, meetings, or ceremonies;
 - (b) Obstruction of free movement of people or vehicles; provided, peaceful picketing is permitted so long as it takes place outside buildings and does not interfere with the flow of traffic;
 - (c) Conduct which threatens harm, incites violence, or endangers the health and safety of any person;

- (d) Threats of disruption, including bomb threats;
- (e) Damaging, defacing, or abusing university facilities, equipment, or property, or the property of university community members; or
- (f) Inciting others to engage in prohibited conduct.

Disturbing the Peace

WAC 504-25-095

Creating noise in such a way as to interfere with the university's mission is prohibited.

Public Indecency

WAC 504-25-100

Public indecency, including public urination, and obscenity is prohibited.

Interference with University or Student Programs or Activities

WAC 504-25-105

Intentionally or recklessly interfering with any University or student program or activity, including teaching, research, administration, meetings, or fire, security, or emergency services, is prohibited.

Violation of University Policies

WAC 504-25-110

Violation of any University policy or rule is prohibited.

Violation of Local Ordinances, State, or Federal Law

WAC 504-25-115

Students shall comply with local, state, and federal laws and may be subject to university discipline for any violation.

Failure to Comply with a Proper Order

WAC 504-25-120

Willful refusal or failure to comply with a proper order or request of a university official, or law enforcement officer acting in performance of their duties, is prohibited.

Assisting Illegal or Prohibited Conduct

WAC 504-25-125

Aiding, assisting in, or serving as an accomplice in the commission of any illegal act or any act prohibited by the university's standards of conduct is prohibited.

Violation of a Disciplinary Sanction

WAC 504-25-130

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

Failure to Cooperate with a University Investigation

WAC 504-25-135

Failure to cooperate with a university investigation or interfering with an investigation by withholding evidence, or encouraging or threatening another to interfere with an investigation or to lie is prohibited. However, the student has the right to remain silent and not incriminate himself or herself if the allegation may lead to criminal liability.

- (1) Any student who fears for his or her safety may request that testimony be given by telephone or other means.

Misuse of Keys or Access Cards

WAC 504-25-137

Unauthorized possession, including but not limited to lending, selling, processing, duplicating, or using university-issued key or access card is prohibited.

Misuse of Identification

WAC 504-25-138

Unauthorized possession or use of university- or state-issued identification is prohibited, which includes but is not limited to: lending, selling, processing, or duplicating the identification.

Identity Theft

WAC 504-25-139

Knowingly using or transferring another person's identification for any unlawful purpose is prohibited.

Other Conduct

WAC 504-25-140

Any other conduct that is detrimental to the university's mission or threatens the health or safety of the community is prohibited.

Part II: Disciplinary Process and Procedures

Disciplinary Action

WAC 504-25-200

The university's disciplinary process is educational, but students can be suspended or dis-

missed for serious violations of the standards of conduct. University disciplinary action is independent of any civil or criminal proceeding and is not influenced by the outcome of those proceedings. The university shall address allegations of student misconduct in a timely manner in its sole discretion.

Student Rights

WAC 504-25-201

- (1) A student or student organization that has allegedly violated the standards of conduct has the following rights:
 - (a) The right to notice and the basis for the allegation.
 - (b) The right to remain silent and not incriminate oneself if the allegation may lead to criminal liability.
 - (c) The right to a hearing.
 - (d) The right to seven calendar days' notice prior to a hearing (the student may waive this notice period).
 - (e) The right to present written information to the university officer or the conduct board prior to the hearing, including signed witness statements.
 - (f) The right to consult an adviser and have one adviser present at the hearing. The adviser may advise the student or student organization during the hearing, but is not permitted to directly address the university officer or the conduct board. The advisor is prohibited from examining witnesses.
 - (g) The right to one appeal. However, no appeal is available if the conduct board finds the student responsible for multiple violations of the university's drug/alcohol policy.
- (2) A student or student organization has the following additional rights if the conduct board hears the matter:
 - (a) The right to request the removal of a conduct board member for prejudice. The request must be made in writing and support the basis for the alleged prejudice.
 - (b) The right to review any written material to be presented to the conduct board at least 48 hours prior to the hearing, including the names of witnesses expected to testify. Any new information or evidence shall be released to the accused student or student organization within 24 hours of receipt.
 - (c) The right to hear the testimony of all witnesses.
 - (d) The right to question witnesses subject to the chairperson's discretion.
 - (e) The right to have an audio recording made of the hearing.

Emergency Interventions and Interim Action

WAC 504-25-202

- (1) A student or student organization involved in alleged misconduct is entitled to a hearing prior to the imposition of any disciplinary action. However, if there is cause to believe that the student or student organization poses an imminent threat to himself, herself, itself, to others or to property, immediate action may be taken prior to a hearing. An interim suspension shall not create a presumption of guilt. The Vice President for Student Affairs or designee may take one or more of the following interim actions:
 - (a) Interim restrictions. A student may be restricted from university facilities or assigned to alternate university housing. Students may also be restricted from contacting a person or a group.
 - (b) Interim suspension. A student may be suspended pending a hearing.
- (2) The Vice President for Student Affairs or designee shall notify the student or student organization in writing of the terms of the emergency restriction, suspension, and the reasons for the decision.
- (3) If interim action is taken, the student or student organization is entitled to a hearing as soon as is reasonably possible, but not later than ten calendar days after the action is taken.

Parental Notification

WAC 504-25-203

The Family Educational Right to Privacy Act (FERPA) provides that an educational institution may notify a student's parent or legal guardian if the student is under the age of twenty-one and has violated a federal, state, or local law involving the use or possession of alcohol or a controlled substance.

Types of Hearings

WAC 504-25-205

- (1) An administrative hearing is an informal process conducted by a university officer.
- (2) Conduct board hearings are more formal proceedings that may result in suspension, dismissal or loss of a student organization's recognition or charter.
- (3) Student conduct hearings are conducted as brief adjudicative proceedings pursuant to RCW 34.05.482 through 34.05.494.
- (4) Two or more students or organizations may be required to participate in a joint hearing if they are alleged to have taken

part in the same incident, act, event, or series of related acts.

University Officer, Conduct Board, and Appeal Board

WAC 504-25-215

- (1) The university officer is a student affairs staff member or a graduate assistant in the Office of Student Affairs.
- (2) The vice president for student affairs appoints the university conduct board members. This board is generally composed of two faculty members, two students, and a faculty or staff chairperson. The chairperson is appointed by the vice president for student affairs and conducts the proceedings.
- (3) In matters involving an academic integrity violation, the faculty members shall be teaching faculty. If the accused student is a graduate student, at least one graduate student shall be on the conduct board.
- (4) The appeal board is composed of three university administrators appointed by the vice president for student affairs.
- (5) All university officers and hearing board members shall be impartial.
 - (a) Impartial means the person is not personally involved in the alleged act or does not have a personal interest in the outcome of the disciplinary proceeding.

Complaint

WAC 504-25-221

- (1) Any person may file a complaint in writing with the Office of Student Affairs against a student or student organization.
 - (a) The complainant must have direct knowledge of the alleged misconduct and be willing to appear at a hearing if necessary.
 - (b) The university officer determines if the alleged misconduct constitutes a violation of the standards of conduct.
 - (c) If the university officer determines there may be a violation, the student or student organization is requested to attend a preliminary conference.
 - (d) The student or student organization is notified in writing of the allegation against them.
- (2) If a student withdraws after a complaint has been filed, the hearing may be conducted in the student's absence. If the student is found responsible for a violation of the standards of conduct, the university may impose disciplinary sanctions.
 - (a) Failure to comply with a university sanction or failure to resolve

a conduct complaint shall affect a student's good standing in the university.

Preliminary Conference

WAC 504-25-222

- (1) The preliminary conference is an opportunity to evaluate the student's or student organization's alleged involvement in the matter. The university officer shall:
 - (a) Inform the student of the nature of the complaint;
 - (b) Educate the student about the university's disciplinary process;
 - (c) Notify the student of his or her rights and responsibilities; and
 - (d) Encourage the student to submit a written explanation of the alleged incident.
- (2) The student or student organization may waive the notice requirement and resolve the matter with a university officer.

Notice

WAC 504-25-223

- (1) Any student or student organization charged with violating the standards of conduct shall be notified in writing at least seven calendar days prior to the hearing. The notice shall include:
 - (a) The specific charges, including the university policy or regulation allegedly violated;
 - (b) The approximate time and place of the alleged act;
 - (c) The time and place of the hearing.

Service of Notice

WAC 504-25-224

- (1) Notice of a hearing with a university officer or the conduct board is sent by regular mail and/or electronic mail to the student's or student organization's last known local address. If the student is no longer enrolled at the time notice is sent, the notice is sent to the student's permanent address.
- (2) The student or student organization is responsible for keeping an updated address on file.

Administrative Hearing

WAC 504-25-226

- (1) Administrative hearings are informal hearings conducted by a university officer.
 - (a) The university officer has the sole discretion to send the matter to a conduct board at any time before a deci-

sion 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 officer and is not subject to appeal.

- (2) If the student or student organization fails to appear at a hearing after proper notice, the university officer has the discretion to proceed in the student or organization's absence and determine responsibility and appropriate sanctions.
- (3) The hearings are closed to the public in conformity with federal privacy law.
- (4) The administrative hearing is not a legal proceeding.
- (5) The university officer is not bound by the rules of evidence and may admit any relevant information, but shall exclude immaterial or unduly repetitious information. A student's advisor is not permitted to directly address the university officer.
- (6) The university must prove the allegation by a preponderance of the evidence.
 - (a) Preponderance of the evidence means evidence that would lead a reasonable person to conclude that it is more likely than not that a violation occurred.
- (7) A hearing may be continued to another time if any person disrupts the proceedings.
- (8) At the conclusion of the hearing the student is informed in writing of the university officer's decision, the reasons for the decision, the sanction, and the right to appeal the decision.
- (9) The written decision is the initial order.
- (10) If the student does not appeal the university officer's decision within twenty-one calendar days from the date of the decision letter, it becomes the university's final order.
- (11) Administrative hearing decisions involving individual students are confidential. However, the university may disclose the outcome of a disciplinary decision in compliance with the Family Educational Right to Privacy Act (FERPA) under the following exemptions:
 - (a) Disclosure to other university officials with a legitimate educational interest;
 - (b) Disclosure to an alleged victim of any crime of violence;
 - (c) Disclosure in connection with a health or safety emergency; and
 - (d) Future exemptions that may apply as amended by federal law. Students will be notified annually of any new exemptions that may apply.
- (12) The university officer shall keep a written record of the hearing. This record

shall include all documents relevant to the university officer's decision.

Administrative Hearing Appeal

WAC 504-25-227

- (1) The appeal is a review of the record and the appeal letter; it is not a new hearing.
- (2) The university officer's written decision is the university's initial order.
- (3) The university officer's decision may be appealed to the Vice President for Student Affairs or designee.
- (4) If the student does not appeal the university officer's decision within twenty-one calendar days from the date of the decision letter, it becomes the university's final order.
- (5) An appeal letter shall be in writing and filed with the Office of Student Affairs. The university officer may address the appeal letter by submitting a written response to the reviewing official. The university officer's response, if any, will be copied to the appellant.
- (6) The appeal letter shall clearly state the basis for appeal. The following shall be the basis for an appeal:
 - (a) The university's disciplinary process was not properly followed and that procedural error would have substantially affected the decision;
 - (b) New information not available at the time of the hearing would have substantially affected the decision;
 - (c) There was not enough evidence to justify the decision.
 - (d) The sanction was too severe or inappropriate for the violation.
- (7) The student bears the burden of proof on appeal.
 - (a) Burden of proof means the student or student organization must prove he, she, or it is not responsible for the violation of the standards of conduct.
- (8) The Vice President for Student Affairs or designee shall review the record and make one of the following determinations within twenty calendar days from the date of the appeal letter:
 - (a) Affirm the university officer's decision;
 - (b) Reverse the university officer's decision;
 - (c) Affirm, reverse or modify the sanctions imposed by the university officer.
- (9) The decision letter is the university's final order and shall advise the student or student organization that judicial review may be available.

Conduct Board Hearing

WAC 504-25-228

- (1) Conduct board hearings are more formal proceedings that may result in suspen-

sion or dismissal. The student or student organization is responsible for presenting his, her, or its own case.

- (a) A student may request an administrative hearing, but the final decision on the matter is made by the university officer and is not subject to appeal.
- (2) If the student or student organization fails to appear at a hearing after proper notice, the university conduct board has the discretion to proceed in the student or student organization's absence and determine responsibility and appropriate sanctions.
- (3) The hearings are closed to the public in conformity with federal privacy law.
- (4) The conduct board hearing is not a legal proceeding.
- (5) The conduct board is not bound by the rules of evidence and may admit any relevant information, but shall exclude immaterial or unduly repetitious questions or information.
- (6) The university and the student or student organization have the right to verbally examine witnesses about the alleged incident, but the chairperson has the authority to limit a party to written questions. A student advisor may consult with the student or student organization during the hearing, but is not permitted to directly address the conduct board. The advisor is prohibited from examining witnesses.
- (7) The university must prove the allegation by a preponderance of the evidence.
 - (a) Preponderance of the evidence means evidence that would lead a reasonable person to conclude that it is more likely than not that a violation occurred.
 - (b) The conduct board's decision is made by a simple majority vote.
- (8) Any person may be excluded from the proceeding for disruptive behavior.
- (9) The decision process is closed to everyone except the members of the conduct board. In some cases, an assistant attorney general may advise the conduct board on procedural matters.
- (10) Conduct board decisions involving individual students are confidential. However, the university may disclose the outcome of a disciplinary decision in compliance with the Family Educational Right to Privacy Act (FERPA) under the following exemptions:
 - (a) Disclosure to university officials with a legitimate educational interest;
 - (b) Disclosure to an alleged victim of any crime of violence;
 - (c) Disclosure is in connection with a health or safety emergency; and

- (d) Future exemptions that may apply as amended by federal law. Students will be notified annually of any new exemptions that may apply.
- (11) Decisions involving student groups or living groups may be disclosed to the public pursuant to a Public Records request without violating individual students' privacy rights.
- (a) Personally-identifiable student information shall be redacted.
- (12) The student or student organization may be informed of the outcome of the hearing prior to receiving written notification.
- (13) The student or student organization shall be notified of the conduct board's decision within ten calendar days from the date the matter is heard (if the university is not in session, this period may be reasonably extended). The student or student organization shall receive written notice of the decision, the reasons for the decision, the sanction, and the right to appeal.
- (14) The conduct board's written decision is sent by regular and/or electronic mail to the student's or the president of the student organization's last known address.
- (15) The written decision is the university's initial order.
- (16) If the student or student 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.
- (17) The conduct board hearing record shall include:
- (a) All documents relevant to the conduct board's decision, and
 - (b) An audio recording of the proceedings.

Conduct Board Appeal

WAC 504-25-229

- (1) The appeal is a review of the record and the appeal letter, it is not a new hearing. No appeal is available if the conduct board finds the student responsible for multiple violations of the university's drug/alcohol policy.
- (2) The conduct board's written decision is the university's initial order.
- (3) The university conduct board's decision may be appealed to the university appeal board.
- (4) If the student 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) An appeal letter shall be in writing and filed with the office of student affairs.

The university officer may address the appeal letter by submitting a response to the board. The university officer's response, if any, will be sent to the appellant.

- (6) The following shall be the basis for an appeal:
 - (a) The university's disciplinary process was not properly followed and that procedural error would have substantially affected the decision;
 - (b) New information not available at the time of the hearing would have substantially affected the decision.
 - (c) There was not enough evidence to justify the decision;
 - (d) The standards of conduct do not apply to the alleged conduct.
 - (e) The sanction was too severe or inappropriate for the violation.
- (7) The student bears the burden of proof. Burden of proof means the student must prove they are not responsible for the violation of the standards of conduct.
- (8) The university appeal board shall review the record and make one of the following determinations:
 - (a) Affirm the conduct board's decision;
 - (b) Reverse the conduct board's decision;
 - (c) Affirm, reverse or modify the sanctions imposed by the conduct board.
- (9) The student or student organization shall be notified of the appeal board's decision within twenty calendar days from the date of the appeal letter. 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.

Sanctions

WAC 504-25-230

Any of the following sanctions or any combinations of sanctions may be imposed on a student or student organization for a violation of the standards of conduct.

- (1) Warning. A letter notifying the student that the allegation is not a violation under the standards of conduct, but repeated behavior may result in a violation.
- (2) Education. The university has the discretion to require the student to seek specific education or complete an educational project designed to create an awareness of the student's misconduct.
- (3) Assessment. The student is required to have an alcohol and/or drug assessment by a certified professional and to comply with the professional's recommendations.

- (4) Community service. Assignment of labor or responsibilities to any student or student organization within the University or local community may be imposed up to a maximum of 80 hours per student or per member of an organization.
 - (5) Disciplinary probation. Disciplinary probation means formal conditions are imposed on a student's continued attendance at the university for a specific period of time. Disciplinary probation serves as a warning that future misconduct may result in more severe sanctions. Students on disciplinary probation are not eligible to run for or hold office in any student groups or organizations (although they can be members of any group or organization); they are not eligible for certain jobs on campus (including but not limited to resident advisor or orientation counselor), and they are not eligible to serve on the University Conduct Board.
 - (6) Restitution. Restitution may include reimbursement for damaged or stolen property and any medical expenses incurred by a person injured as a result of the student's or student organization's misconduct.
 - (7) No contact order. This may include a prohibition of direct or indirect physical and/ or verbal contact with another individual or group.
 - (8) Loss of privileges. Loss of the right to reside in a specific housing unit or in any university-owned or approved housing, or loss of the right to participate in extracurricular activities for a specific period of time.
 - (9) Loss of recognition or charter. A student organization's recognition or charter may be withheld permanently or for a specific period of time. A fraternity or sorority may be prohibited from housing freshman.
 - (10) 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 shall be released.
 - (11) Revocation of degree. A student's degree may be revoked if it was falsely or fraudulently obtained, or if the student was dismissed from the university based on his or her misconduct.
 - (12) Suspension. The student is suspended for a specific period of time. A student may be excluded from specific areas of campus for safety reasons. Upon satisfactory completion of stated conditions, the university may grant reinstatement at its discretion.
 - (a) The suspension is effective immediately. If the conduct board determines that the student poses a safety risk to himself/herself or to the university community.
 - (b) Students shall be automatically suspended for a minimum of one semester for multiple violations of the university's alcohol/drug policy.
- (13) Dismissal. The student's enrollment is immediately terminated. Dismissal means that a student's academic relationship with the university is permanently ended.
 - (14) Special sanctions for hazing. Pursuant to RCW 28B.10.902, additional sanctions will be imposed in cases where there is a finding of responsibility for hazing as provided in RCW 28B.10.900 and WAC 504-25-035 as amended:
 - (a) A person who participates in the hazing of another shall forfeit any entitlement to state-funded grants, scholarships, or awards for a specific period of time.
 - (b) Any organization, association, or student living group that knowingly permits hazing to be conducted by its members or by others subject to its direction or control shall be deprived of any official recognition or approval granted by Washington State University.

Records

WAC 504-25-245

- (1) Disciplinary records will be maintained for a minimum of seven years in accordance with the university's 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 Affairs.
 - (a) Personally-identifiable student information shall be redacted to protect another student's privacy rights.
- (4) A student may authorize release of his/her own disciplinary record to a third party in compliance with the Federal Educational Rights and Privacy Act (FERPA) by making a written request to the Office of Student Affairs.
 - (a) Identifying student information shall be redacted to protect another student's privacy rights.
- (5) The university may inform an alleged victim of the outcome of any disciplinary proceeding involving a crime of violence as defined by Federal Educational Rights and Privacy Act (FERPA).

- (6) 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.
 - (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 the Federal Educational Rights and Privacy Act (FERPA).
 - (b) The university provides annual notification of a student's privacy rights in accordance with federal law.

Part III: Academic Integrity Standards and Procedures

Academic Dishonesty

WAC 504-25-015

- (1) A student organization's assistance in, or encouragement of, academic dishonesty as defined in subsection 2 of this section is prohibited. Part III of this chapter provides procedures for dealing with academic dishonesty by individual students. Part II of this chapter provides procedures for dealing with assisting in or encouragement of academic dishonesty by student organizations.
- (2) Academic dishonesty includes cheating, plagiarism, and fabrication in the process of completing academic work. The University expects that student organizations will accept these standards and that their members will conduct themselves as responsible members of the academic community. These standards should be interpreted by students as general notice of prohibited conduct. They should be read broadly, and are not designed to define misconduct in exhaustive forms.

Introduction

WAC 504-25-300

As an institution of higher education, Washington State University is committed to principles of truth and academic honesty. All members of the University community share the responsibility for maintaining and supporting these principles. When a student enrolls in Washington State University, the student assumes an obligation to pursue academic endeavors in a manner consistent with the standards of academic integrity adopted by the University. To maintain the academic integrity of the community, the University cannot tolerate acts of academic dishonesty including any forms of cheating, plagiarism, or fabrica-

tion. Washington State University reserves the right and the power to discipline or to exclude students who engage in academic dishonesty. To that end, the University has established the following rules defining prohibited academic dishonesty and the process followed when such behavior is alleged. These rules incorporate Washington State University's Academic Integrity Policy, the University-wide document establishing policies and procedures to foster academic integrity. This policy is applicable to undergraduate and graduate students alike, as it pertains to dishonesty in course work and related academic pursuits. In cases of dishonesty in research and original scholarship, the University's Policy and Procedural Guidelines for Misconduct in Research and Scholarship may take precedence over the policies and procedures contained herein.

Overview of Academic Integrity Procedures

WAC 504-25-305

- (1) The University prohibits acts of academic dishonesty in order to foster the principles of truth and academic honesty. The academic integrity procedures used by the University are considered a part of creating an educational environment that does not award undeserved credit.
 - (2) Settlement procedures, hearings, or appeals conducted as part of the academic integrity procedures are not subject to many of the constraints of criminal or civil hearings.
 - (3) The purposes of the academic integrity procedures are as follows:
 - (a) to determine the facts about the allegation(s);
 - (b) to determine the responsibility of the accused student;
 - (c) to determine the appropriate penalty if the accused student or student organization is found responsible for a violation;
 - (d) to help any students found responsible for any violation of the academic integrity standards understand the negative impact of their actions;
 - (e) to educate the students, although sanctions can include temporary or permanent removal from the University.
 - (4) Students involved in these procedures should expect to be treated fairly and go through the process in a timely manner.
 - (5) A student's mental state, or use of drugs or alcohol, that may have influenced a student's behavior will generally not limit the responsibility of the student for his or her action.

Definitions

WAC 504-25-310

- (1) **Academic Dishonesty.** Academic dishonesty includes cheating, falsification, fabrication, multiple submission, plagiarism, abuse of academic materials, complicity, or misconduct in research, all of which are defined below.
- (2) **Cheating.** Cheating is the intentional use of, or attempt to use, unauthorized material, information, or study aids in any academic activity to gain advantage. Cheating includes, but is not limited to, communicating improperly with others, especially other students, during tests or the preparation of assignments for classes; copying from books, notes, or other sources during a test when this is not permitted; copying from another student's work (reports, laboratory work, computer programs, files, etc.); making improper use of calculators or other devices during a test; illegitimately procuring or using copies of current examinations; allowing a substitute to take an examination or write a paper for oneself.
- (3) **Falsification.** Falsification is the intentional and unauthorized alteration of information in the course of an academic activity. Falsification includes, but is not limited to, altering the record of data, experimental procedures, or results; falsely describing the source of information (e.g., reproducing a quotation from a book review as if it had been obtained from the book itself); altering academic records; altering a returned examination paper and then seeking a higher grade based on the result.
- (4) **Fabrication.** Fabrication is the intentional invention or counterfeiting of information in the course of an academic activity without proper authorization. Fabrication includes, but is not limited to, counterfeiting data, research results, information, or procedures with inadequate foundation in fact; counterfeiting a record of internship or practicum experiences; submitting a false excuse for absence or tardiness.
- (5) **Multiple Submission.** Multiple submission includes, but is not limited to, submitting the same paper or oral report for credit in two courses without the responsible instructor's permission; making minor revisions in a paper or report for which credit has already been received and submitting it again as a new piece of work.
- (6) **Plagiarism.** Plagiarism is knowingly representing the work of another as one's own, without proper acknowledgment of the source. The only exceptions to the requirement that sources be acknowledged occur when the information, ideas, etc., are common knowledge. Plagiarism includes, but is not limited to, submitting as one's own work the work of a "ghost writer" or work obtained from a commercial writing service; quoting directly or paraphrasing closely from a source without giving proper credit; using figures, graphs, charts, or other such material without identifying the sources.
- (7) **Abuse of Academic Materials.** Abuse of academic materials occurs when a student intentionally or knowingly destroys, steals, mutilates, or otherwise makes inaccessible library or other academic resource material that does not belong to him or her. Abuse of academic materials includes, but is not limited to, stealing, destroying, or mutilating library materials; stealing or intentionally destroying another student's notes or laboratory data; hiding resource materials so others may not use them; destroying computer programs or files needed in others' academic work; copying computer software in ways that violate the terms of the licensing agreement that comes with the software.
- (8) **Complicity in Academic Dishonesty.** A student is guilty of complicity in academic dishonesty if he or she intentionally or knowingly helps or attempts to help another or others to commit an act of academic dishonesty of any of the types defined herein. Complicity in academic dishonesty includes, but is not limited to, knowingly allowing another to copy from one's paper during an examination or test; distributing test questions before the time scheduled for the test; collaborating on academic projects when students are expected to work independently; taking a test for another student; or signing a false name on a piece of academic work.
- (9) **Misconduct in Research.** Graduate and undergraduate students on research appointments for the University are responsible for compliance with the University's Policy and Procedural Guidelines for Misconduct in Research and Scholarship found in the Faculty Manual. Misconduct in research is treated as academic dishonesty.
- (10) **Responsible Instructor.** The responsible instructor in the academic integrity process is the person who assigns the grades, supervises students' work, or is responsible for teaching operations in the course

of study in which the alleged violation occurred. The term “responsible instructor” can include, but is not limited to, instructors, graduate assistants, another instructor, and clinical supervisors. If the conduct does not relate to a particular course, the role of instructor for these procedures may be a department chair or academic advisor.

Academic Integrity Processes

WAC 504-25-315

- (1) Every act of academic dishonesty affects academic evaluation of the student and also is a violation of the University’s standards of conduct. Responsible instructors retain the authority and responsibility to assign grades to students, considering from an academic standpoint the nature of the student’s action. This is the case even when the case is referred to the University Academic Integrity Process. Students have recourse to appealing the responsible instructor’s assignment of grades according to usual academic policy. See Academic Regulation 104.
- (2) All clear instances of academic dishonesty shall be reported to the Office of Student Conduct as outlined in 504-35-335(2). The first reported instance at WSU of academic dishonesty by a student will be treated as purely an academic matter unless, in the judgment of the responsible instructor, more serious action should be taken through the disciplinary process. Any allegation of subsequent academic dishonesty will be treated as a matter to be referred to the Office of Student Conduct.
- (2) Conduct Board. The conduct board members are appointed by the vice president for Student Affairs. A hearing panel comprised of three faculty and two student members of the conduct board will hear all cases regarding academic dishonesty in which a finding of responsibility could result in expulsion or suspension. In a case involving allegations of misconduct in research by a graduate student, at least one member shall be a member of the graduate faculty.
- (3) Conduct Board Chair. One faculty member of the conduct board shall be appointed the chair by the vice president for Student Affairs.
- (4) Faculty Hearing Officers. Faculty hearing officers are faculty members of the conduct board. Faculty hearing officers are appointed for each Washington State University campus. A case may be heard by a faculty hearing officer when, in the judgment of the University conduct officer, the offense is such that the sanction to be imposed shall not include suspension or expulsion.
- (5) University Appeals Board. The University appeals board hears appeals of action taken by the conduct board in accordance with WAC 504-25-360.

Acts of Academic Dishonesty That Violate the Conduct Regulations and the Academic Integrity Standards

WAC 504-25-330

Whenever the conduct officer determines that an alleged violation could constitute a violation of both the Conduct Regulations, WAC 504-25, Part I, and the Academic Integrity Standards, WAC 504-25, Part III, the alleged violation will be handled under the procedures of WAC 504-25, Part II. The conduct officer shall assign such cases to either an administrative hearing officer or the University conduct board in the manner described in WAC 504-25-210.

Reports of Academic Dishonesty

WAC 504-35-320

Any member of the University community who witnesses an apparent act of academic dishonesty shall report the act either to the instructor responsible for the course or activity or to the Office of Student Conduct.

Judicial Officer and Hearing Boards

WAC 504-25-325

- (1) Conduct Officer. Conduct officers are assistants in the Office of Student Conduct and serve as investigators and prosecutors. Conduct officers are appointed for each Washington State University campus. The conduct officer for a particular case prepares the case and the materials after notification of a violation by an instructor. The conduct officer also serves as the secretary for conduct board hearings.
- (1) Initial Evaluation of Evidence.
 - (a) A responsible instructor assembles the available evidence when he or she acquires evidence of a student violation of the academic integrity standards. The instructor determines whether the case warrants further investigation or action.
 - (b) In cases of misconduct in research by students, the initial evaluation will be conducted in accordance with the University’s policy on misconduct in research. If it is determined that

misconduct has occurred, the matter will be referred to the Office of Student Conduct. Referral to Student Conduct does not affect the ability of the University independently to terminate employment if the misconduct relates to the student's appointment.

- (2) Grading by Instructor. If the responsible instructor finds that a violation of academic integrity has occurred, the instructor should proceed to assign a grade, or take other appropriate action, considering the academic nature of the violation.

The instructor shall notify the Office of Student Conduct of any finding that a violation has occurred. The Office of Student Conduct shall notify the instructor of whether or not the alleged violation is a first offense.

If the violation is a first offense, the Office of Student Conduct will take no additional action, unless the instructor deems the violation serious enough as to warrant further action. In such serious first offense cases, the Office of Student Conduct shall review the case and handle it according to the procedures set forth in this chapter.

If the offense is not a first violation, the Office of Student Conduct shall review the case and handle it according to the procedures set forth in this chapter.

If the responsible instructor's grade is appealed and a department chair or dean subsequently finds that a violation did not occur, or that the academic sanction was too severe, a report shall be filed with the Office of Student Conduct indicating the finding or the modified grade.

- (3) University Conduct Process.
- (a) The University conduct officer for the campus where the violation occurred shall prepare cases for a hearing when an alleged violation of academic integrity standards is referred to the University conduct process.
 - (b) The University conduct officer shall contact and interview the accused student.
 - (c) During the interview, the student is informed of the charge(s) and asked to make a written statement about the incident.
 - (d) The student is informed of the rights and responsibilities in the academic integrity process.
 - (e) The judicial officer may interview other people involved.
 - (f) Evaluation of the allegation.
 - (i) The conduct officer may discontinue any investigation when the

allegation is deemed to be without basis. Before discontinuing the investigation, the conduct officer shall contact the responsible instructor.

- (ii) In the event the conduct officer finds there is any basis to the allegation, the student may be officially charged with violation of the standards of conduct.
- (g) Assignment of the type of hearing.
 - (i) The conduct officer will evaluate the seriousness of the charge and assign the case to either a faculty hearing officer or the conduct board.
 - (ii) Any alleged violation which could result in suspension or expulsion shall be referred to the conduct board, unless the student requests and is granted a hearing by a faculty hearing officer.
 - (iii) Every other violation shall be assigned to a faculty hearing officer at the campus where the student attends.
- (h) Notice. When any student is charged by the conduct officer with a violation of the academic integrity standards, the accused party must be notified at least seven calendar days in advance of the hearing. The notice must be in writing and include the following:
 - (i) The specific charges, citing the appropriate University policy or regulation allegedly violated;
 - (ii) The time and place of the alleged act(s) insofar as may be reasonably known;
 - (iii) The time and place of the hearing.

Rights of Students Charged with Violations of the Academic Integrity Standards

WAC 504-25-340

Students charged with violations of the academic integrity standards shall have the same rights afforded students in disciplinary procedures for violations of the standards of conduct. These rights are codified as **WAC 504-25-201**.

Hearing Guidelines

WAC 504-25-350

The guidelines established for administrative hearings and hearings before the University conduct board for violations of standards of conduct shall apply for hearings of alleged violations of the academic integrity standards. These guidelines are codified in **WAC 504-25-226** and **WAC 504-25-228**.

Sanctions

WAC 504-25-355

- (1) The hearing officer or conduct board may impose any of the following sanctions or any combination of the sanctions for violations of the academic integrity standards:
 - (a) A formal warning.
 - (b) Addition of a notation to the grade recommended by the instructor. The notation shall indicate that the student was found responsible for an act of academic dishonesty in the course for which the grade was given.
 - (c) Academic assignment or other creative interventions designed to promote the ethical development of the student. Such assignments or interventions shall not be devised to embarrass or unduly burden the student.
 - (2) The conduct board may impose the following additional sanctions for violations of the academic integrity standards:
 - (a) Suspension from the University for a specified interval of time.
 - (b) Dismissal from the University.
- (i) There was a procedural error which substantively affected the decision;
 - (ii) New evidence has been found which was not previously available and which would have substantively affected the decision;
 - (iii) The decision was not supported by substantial evidence; or
 - (iv) The sanction is too severe or not appropriate.
 - (e) The conduct officer may only request an appeal based on the following:
 - (i) The decision was not supported by substantial evidence; or
 - (ii) The sanction is too severe, not severe enough, or not appropriate.

Appeals

WAC 504-25-360

- (1) Who may appeal.
 - (a) Any student charged with any violation(s) of the academic integrity standards and found responsible for any violation(s) by a hearing board or administrative hearing officer is entitled to one administrative appeal.
 - (b) The conduct officer, after consulting with the responsible instructor, is entitled to one administrative appeal when a student is found not responsible or the conduct officer deems the sanction inappropriate.
- (2) Types of appeals.
 - (a) Appeals of findings by a faculty hearing officer go to the Vice-Provost for Academic Affairs.
 - (b) Appeals of findings by the conduct board go to the University appeals board. Membership of the University appeals board is defined by WAC 504-25-215.
- (3) Procedure for filing an appeal.
 - (a) An appeal must be filed within twenty-one calendar days of the date the student received the decision.
 - (b) All requests to review decisions must be in writing and delivered to the Office of Student Affairs.
 - (c) The request must state the grounds for appeal.
 - (d) Students may request an appeal based on the following:
 - (4) Appeal process.
 - (a) During the appeal process, the burden of proof shifts to the appealing party.
 - (b) The appeal is a review of the record of the hearing plus the letter of appeal, including any written argument(s) submitted by the appealing party and non-appealing party and a statement of the new evidence if that is the ground for the appeal.
 - (c) An appeal is not a new hearing.
 - (d) The Vice-Provost for Academic Affairs or the University appeals board may permit oral argument. The student and the conduct officer shall be notified at least three days in advance of the argument.

Finding of No Responsibility

WAC 504-25-365

If the student is finally found not to have been responsible for a violation of the academic integrity guidelines, the finding will be communicated to the responsible instructor, and the instructor shall evaluate the finding and issue a grade or other appropriate action, taking into consideration the finding. If the student is not satisfied with the grade issued, the student may appeal in accordance with academic policy. See Academic Regulation 104.

Other Interventions

WAC 504-25-370

In limited circumstances the University may use other interventions as codified in WAC 504-25-230.

Records

WAC 504-25-375

Records of academic integrity procedures are confidential. Such records shall be maintained in the manner established for disciplinary records in WAC 504-25-245.

(The WAC codes contained in the Student Handbook do not include all the rules that apply to students. A complete listing may be obtained at the Attorney General's office.)