Chapter 172-90 WAC

STUDENT ACADEMIC INTEGRITY

Chapter Listing

WAC Sections

172-90-010
General.

These rules establish standards for student academic integrity at Eastern Washington University (EWU). EWU expects the highest standards of academic integrity of its students. Academic integrity is the responsibility of both students and instructors. The university supports the instructor in setting and maintaining standards of academic integrity. Academic integrity is the foundation of a fair and supportive learning environment for all students. Personal responsibility for academic performance is essential for equitable assessment of student accomplishments. Charges of violations of academic integrity are reviewed through a process that allows for student learning and impartial review.

These rules apply to all EWU instructors, staff, and students admitted to the university, including conditional or probationary admittance, and to all departments and programs, in all locations, including online. These rules provide procedures for resolving alleged violations by students. All academic integrity proceedings are brief adjudicative proceedings and shall be conducted in an informal manner. If the potential sanction for a violation of this policy is a suspension or expulsion, the academic integrity board will refer the matter for a full adjudicative proceeding under the Student Conduct Code, WAC 172-121, as detailed below in section 172-90-100, -160, and -170.

[Statutory Authority: RCW 28B.35.120(12). WSR 15-14-079, § 172-90-010, filed 6/29/15, effective 7/30/15; WSR 14-20-082, § 172-90-010, filed 9/29/14, effective 10/30/14.]

172-90-020
Responsibilities.

(1) Dean: The dean of the University College is primarily responsibile for the university academic integrity program. The dean shall:

(a) Oversee the academic integrity program;

(b) Appoint the chair and members of the academic integrity board (AIB);

(c) Maintain a system for academic integrity reporting and recordkeeping;

(d) Serve as the final authority in administering the academic integrity program;

(e) Maintain all academic integrity records per Washington state records retention standards;

(f) Coordinate academic integrity training for instructors and students, as needed or requested; and

(g) Develop and/or facilitate development of academic integrity program support resources, including guides, procedures, web presence, training materials, presentations, and similar resources.

Throughout this chapter and unless otherwise stated, the term "dean," shall mean the dean who is handling the academic integrity case or their designee.

(2) Academic integrity board (AIB): The academic integrity board is a standing committee of the faculty organization. The academic integrity board is responsible for administering and managing academic integrity functions.

(a) The AIB shall:

(i) Promote academic integrity at EWU;

(ii) Review academic integrity cases, make determinations as to whether a violation occurred, and impose academic and/or institutional sanctions;

(iii) Conduct academic integrity board hearings;

(iv) Assist dean in development of academic integrity program support resources;

(v) Respond, as appropriate, to campus needs related to the academic integrity program;

(vi) Coordinate AIB activities with the dean; and

(vii) Continually assess academic integrity process outcomes to ensure equitability of sanctions vis-à-vis violations.

(b) The AIB is appointed by the dean, based on recommendations from represented groups (e.g., colleges, library, ASEWU). Board composition or membership may be modified to support university needs with the consent of the dean and approval of the provost. At a minimum, AIB membership will include:

(i) Two members from each college, one primary and one alternate. Both must hold or have held instructor rank. The primary and alternate must be from different academic departments. The alternate shall serve when a case involves an instructor in the primary member's own department. The alternate may also serve when the primary member is not available. One of the primary members shall also be designated as vice-chair.

(ii) One member representing EWU libraries.

(iii) One student member representing ASEWU.

(iv) One chair (does not vote except to break a tie).

(c) The AIB holds regular meetings every two weeks at fixed times and reviews cases at these meetings. The AIB also conducts AIB hearings, as needed, for academic integrity cases involving possible sanctions of suspension or expulsion. AIB reviews and hearings are held in abeyance during holidays, academic breaks, and other times when no classes are scheduled. AIB reviews and hearings may be canceled in other circumstances with the consent of the AIB chair. Any member who is unavailable shall inform the AIB chair who will arrange for a replacement.

(d) A quorum shall consist of three voting members plus the chair or vice-chair.

(3) Instructors shall:

(a) Know and follow the academic integrity rules and policies of the university;

(b) Include, in each course syllabus, a reference to university academic integrity standards and a clear statement that suspected violations will be handled in accordance with those standards;

(c) Hold students responsible for knowing these rules;

(d) Foster an environment where academic integrity is expected and respected;

(e) Endeavor to detect and properly handle violations of academic integrity; and

(f) Support and comply with the determinations of the AIB and the dean. (4) Students shall:

(a) Demonstrate behavior that is honest and ethical in their academic work; and

(b) Know and follow the academic integrity rules and policies of the university.

[Statutory Authority: RCW **28B.35.120**(12). WSR 15-14-079, § 172-90-020, filed 6/29/15, effective 7/30/15; WSR 14-20-082, § 172-90-020, filed 9/29/14, effective 10/30/14.]

172-90-030
Standard of proof.

The standard of proof for cases of academic integrity violations is a preponderance of the evidence which is satisfied when the evidence indicates that it is more likely than not that the accused person actually committed the violation.

[Statutory Authority: RCW **28B.35.120**(12). WSR 14-20-082, § 172-90-030, filed 9/29/14, effective 10/30/14.]

172-90-040
Privacy.

Individual information in academic integrity matters is protected under the Family Educational Rights and Privacy Act (FERPA). The protection and release of such information shall be as provided for in chapter **172-191** WAC, Student Education Records.

[Statutory Authority: RCW **28B.35.120**(12). WSR 14-20-082, § 172-090-040 (codified as WAC 172-90-040), filed 9/29/14, effective 10/30/14.]

172-90-050
Course drop/withdrawal suspended.

A student officially notified of charges of a violation of academic integrity may not drop or withdraw from the course while the matter is pending. Any attempt to drop or withdraw from a course under these circumstances will be considered a separate violation of these rules, unless the student is withdrawing for medical or military reasons, or other exceptional circumstances, as provided for in the university's registration policies.

If the student is found not responsible for violating academic integrity standards, the student will be permitted to withdraw from the course with a grade of "W" and with no financial penalty, regardless of the deadline for official withdrawal.

[Statutory Authority: RCW **28B.35.120**(12). WSR 14-20-082, § 172-90-050, filed 9/29/14, effective 10/30/14.]

172-90-060
Continuation in course.

A student is expected to continue to attend and perform all expected course work within a course (take tests, submit papers, participate in discussions, and labs, etc.)

while a charge of a violation of academic integrity is under review, even if the instructor's recommendation is a failing grade in the course, suspension or expulsion. Full status as an enrollee in a course is expected to continue until a final sanction is imposed. A student may not continue to attend any course in which a final sanction of a failing grade, suspension, or expulsion has been imposed.

[Statutory Authority: RCW 28B.35.120(12). WSR 15-14-079, § 172-90-060, filed 6/29/15, effective 7/30/15; WSR 14-20-082, § 172-90-060, filed 9/29/14, effective 10/30/14.]

172-90-070
Pending cases at end of term.

If a case cannot be resolved prior to the date that final grades must be reported, the instructor will assign a grade of "N." Upon resolution of the academic integrity process, the N grade will be modified accordingly.

[Statutory Authority: RCW 28B.35.120(12). WSR 14-20-082, § 172-90-070, filed 9/29/14, effective 10/30/14.]

172-90-100
Violations and sanctions.

(1) **Violations:** Violations of academic integrity involve the use or attempted use of any method or technique enabling a student to misrepresent the quality or integrity of any of his or her work. Violations of academic integrity include, but are not limited to:

(a) Plagiarism: Representing the work of another as one's own work;

(b) Preparing work for another that is to be used as that person's own work;

(c) Cheating by any method or means;

(d) Knowingly and willfully falsifying or manufacturing scientific or educational data and representing the same to be the result of scientific or scholarly experiment or research; or

(e) Knowingly furnishing false information to a university official relative to academic matters.

(2) **Classes of violations:**

(a) Class I violations are acts that are mostly due to ignorance, confusion and/or poor communication between instructor and class, such as an unintentional violation of the class rules on collaboration. Sanctions for class I offenses typically include a reprimand, educational opportunity, and/or a grade penalty on the assignment/test.

(b) Class II violations are acts involving a deliberate failure to comply with assignment directions, some conspiracy and/or intent to deceive, such as use of the

internet when prohibited, fabricated endnotes or data, or copying answers from another student's test. Sanctions for class II offenses typically include similar sanctions as described for class I violations, as well as a course grade penalty or course failure.

(c) Class III violations are acts of violation of academic integrity standards that involve significant premeditation, conspiracy and/or intent to deceive, such as purchasing or selling a research paper. Sanctions for class III violations typically include similar sanctions as given for class I and II violations, as well as possible removal from the academic program and/or suspension or expulsion.

(3) **Sanctions:** A variety of sanctions may be applied in the event that a violation of academic integrity is found to have occurred. Sanctions are assigned based primarily on the class of the violation and whether or not the student has previously violated academic integrity rules. Absent extenuating circumstances, assigned sanctions are imposed without delay and are not held in abeyance during appeal actions. Sanctions may be combined and may include, but are not limited to:

(a) Verbal or written reprimand;

(b) Educational opportunity, such as an assignment, research or taking a course or tutorial on academic integrity;

(c) Grade penalty for the assignment/test;

(d) Course grade penalty;

(e) Course failure;

(f) Removal from the academic program;

(g) Suspension for a definite period of time; and

(h) Expulsion from the university.

If a student was previously found to have violated an academic integrity standard, the sanction imposed for any subsequent violations should take into account the student's previous behavior.

(4) **Sanctioning authorities:**

(a) Instructors may impose reprimands, educational opportunities, grade penalties, and/or course failure sanctions and may recommend more severe sanctions.

(b) The academic integrity board has the authority to impose the same sanctions as an instructor, or to modify any sanctions imposed by the instructor. In addition, the AIB may remove a student from an academic program, with the concurrence of the instructor and the department chair. The AIB may also refer the case for an AIB hearing per WAC**172-90-170** for cases where possible sanctions include suspension or expulsion.

(c) An AIB hearing panel's recommendation to suspend or expel a student will be forwarded to the Director of Student Rights and Responsibilities. The Director of Student Rights and Responsibilities will ensure the student is provided with a full council hearing under the Student Conduct Code, WAC 172-121. In such cases, a member of the AIB hearing panel will serve as the “complainant” for purposes of the Student Conduct Code process. The AIB hearing panel member will explain the hearing panel’s findings and recommendations to the student discipline council. The student discipline council will make its own factual determinations and may impose a sanction of suspension or expulsion, or a lesser sanction, in accordance with the Student Conduct Code.

[Statutory Authority: RCW 28B.35.120(12). WSR 15-14-079, § 172-90-100, filed 6/29/15, effective 7/30/15; WSR 14-20-082, § 172-90-100, filed 9/29/14, effective 10/30/14.]

172-90-120
Initiation.

(1) **Reporting:** Each member of the university community is responsible for supporting academic integrity standards. Any person who suspects a violation of these rules is expected to report their suspicion to the course instructor or other appropriate university official. Students are strongly encouraged to report suspected violations to the course instructor, dean, or other university official.

Throughout this chapter, the term "instructor" shall refer to the instructor or other university official who reports a suspected violation under this chapter.

A person who knowingly makes a false allegation that a violation of these rules has occurred, will be subject to disciplinary action as appropriate.

(2) **Authority:** The primary responsibility for bringing a charge of violating academic integrity standards rests with the instructor. Graduate assistants, teaching assistants, research assistants, student workers, exam proctors, online coordinators and any other persons who assist or support an instructor in teaching should report suspected violations of academic integrity standards to the instructor of record.

Instructors may be represented by their academic department chair in cases where the instructor is unavailable or otherwise unable to actively participate in the process.

(3) **Contact student:** If an instructor suspects that a violation has occurred, the instructor may elect to discuss the matter with the student prior to taking any other action.

(4) **Instructor action:** In response to a report or suspicion of violation of academic integrity standards, the instructor has the following options:

(a) Dismiss the matter: If the instructor concludes that there is no violation of these rules, the matter is over.

(b) Resolve internally (internal resolution): If the instructor believes that the student committed a class I violation of academic rules, the instructor may take one or more of the following actions without entering an official violation per subsection (5) of this section:

(i) Instruct the student on academic integrity standards and explain how the student failed to comply with those standards;

(ii) Allow the student to modify or redo the assignment; and/or

(iii) Provide the student with an educational opportunity to reiterate academic integrity (such as an assignment, research, course or tutorial on academic integrity).

Note: If an instructor intends to impose any sanction that will affect the student's course grade, he/she must initiate the academic integrity process; internal resolution may not be used in

such cases.

If the student does not cooperate with the internal resolution, the instructor should initiate the formal academic integrity process by reporting the violation as described in subsection (5) of this section.

(c) Initiate the academic integrity process: If the instructor believes that the student violated academic integrity standards and internal resolution is not appropriate, the instructor shall initiate the academic integrity process by reporting the violation to the dean per institutional practice.

(5) **Report violation:** To initiate an academic integrity action, the instructor provides information regarding the violation to the dean, including:

(a) A description of the alleged violation;

(b) A summary of any conversations the instructor has had with the student regarding the violation;

(c) The sanction(s) imposed and/or recommended by the instructor; and

(d) The method of resolution desired by the instructor (i.e., summary process, AIB review, or AIB hearing).

When reporting the violation, the instructor may also submit documents (e.g., syllabus, test, essay, etc.) that are pertinent to the violation being reported. Alternatively, the instructor may elect to defer providing such documents unless or until the materials are later requested by the student, dean, or the AIB.

Instructors should initiate this process within seven calendar days after becoming aware of the suspected violation. In cases where the student has agreed to certain conditions to resolve the matter internally, per subsection (4)(b) of this section, and the student has failed to comply with those conditions, the instructor may initiate the process up to seven calendar days after the student has failed to meet a resolution condition.

(6) **Dean review.** After a violation has been reported, the dean will determine whether the summary process, AIB review process, or AIB hearing process will be used.

In cases where the student has any prior violation, the dean must process the case for AIB review under WAC **172-90-160**, or AIB hearing under WAC **172-90-170**. [Statutory Authority: RCW **28B.35.120**(12). WSR 15-14-079, § 172-90-120, filed 6/29/15, effective 7/30/15; WSR 14-20-082, § 172-90-120, filed 9/29/14, effective 10/30/14.]

172-90-140
Summary process.

(1) **Initiation:** The summary process may be initiated when:

(a) The instructor and student both agree to the summary process;

(b) The dean agrees that the summary process is appropriate to the circumstances;

(c) The student has no prior violations of academic integrity; and

(d) The alleged behavior would most likely not warrant a sanction of suspension or expulsion.

(2) **Student notification:** The dean will notify the student of the violation, proposed sanctions, and of their response options. Notification will be made to the student's official university e-mail address. If the student is no longer enrolled in the university, the dean shall send the notification to the student's last known address. Notification will include:

(a) All information provided by the instructor when the violation was reported and all documents related to the alleged violation. However, information and documents should be redacted to the extent their release would compromise test or examination contents or if the documents include other student's education records;

(b) Documents related to the alleged violation;

(c) A description of the university's academic integrity rules and processes, including a list of possible sanctions;

(d) A description of the student's options; and

(e) Contact information for the dean's office where the student can request further information and assistance.

(3) **Student response options:**

(a) Concur: The student may accept responsibility for the stated violation and accept all sanctions imposed and/or recommended by the instructor. The student indicates their acceptance by following the instructions provided with the notification. The dean will coordinate sanctioning with the instructor and/or the AIB as needed.

(b) Conference: If a conference had not already occurred, the student may request to meet with the instructor in order to discuss the alleged violation and/or proposed sanction(s). If the instructor declines the request, the matter will be referred to the AIB for further review and action. The instructor and student may discuss the matter by any means that is agreeable to both (e.g., in-person, telephonically, or via e-mail). The student shall contact the instructor to arrange a discussion time/method.

(i) In arranging a conference, the instructor shall make a reasonable effort to accommodate the student's preferences, but is not obligated to meet with the student outside of normal "office" hours. If the student and instructor cannot agree on a date/time to meet, the instructor or student may refer the matter to the AIB for review and action.

(ii) During a conference, the instructor and student will attempt to reach an agreement regarding the allegation and sanction(s).

(iii) If the student and instructor come to an agreement, the instructor will inform the dean of the outcome. The dean will coordinate sanctioning with the instructor and/or the AIB as needed.

(iv) If the student and the instructor cannot come to an agreement within seven instruction days, the instructor will inform the dean and the matter will then be referred for AIB review and action.

(c) AIB review: The student may request that the matter be referred to the AIB for review and further action.

(d) Failure to respond: If the student does not respond to the notification within three instruction days, the dean will send another notification to the student. Failure of the student to respond to the second notification within three instruction days will be treated as an admission of responsibility and acceptance of the proposed sanctions. The dean will coordinate with the instructor to impose the appropriate sanction(s).

[Statutory Authority: RCW **28B.35.120**(12). WSR 15-14-079, § 172-90-140, filed 6/29/15, effective 7/30/15; WSR 14-20-082, § 172-90-140, filed 9/29/14, effective 10/30/14.]

172-90-160
Academic integrity board review process.

(1) **Initiation:** The AIB review process will be initiated when:

(a) The instructor or student requests AIB review;

(b) The instructor refers the matter to the AIB because the instructor and student could not agree to a conference date/time or did not reach an agreement during a conference; or

(c) The dean determines that the AIB review process is appropriate to the circumstances.

(2) **Scheduling:** Within five instruction days of determining that an AIB review is in order, the dean shall schedule a review for the next available meeting of the AIB.

(3) **Notification:** The dean will notify the student, instructor, and AIB chair. Notification will include:

(a) All information provided by the instructor when the violation was reported and all documents related to the alleged violation. However, any such information and documents that were previously provided to the student are not required to be included in this notification. Also, information and documents should be redacted to the extent their release would compromise test or examination contents or if the documents include other student's education records;

(b) The date/time of the AIB review;

(c) Instructions on how to submit documents, statements, and other materials for consideration by the AIB;

(d) A clear statement that the AIB review is a closed process (no student, instructor or person other than the board is present at the review);

(e) A description of the specific rules governing the AIB review process;

(f) A description of the university's academic integrity rules and processes; and

(g) Contact information for the dean's office where the student and/or instructor can request further information and assistance. Notifications will strongly encourage the student to contact the dean to ensure that the student understands the process, the violation, and the potential sanctions.

(4) **Student and instructor response:** The student must prepare a written statement and submit the statement to the dean's office within three instruction days after receiving the AIB review notice. The student may include any relevant written documentation, written third-party statements, or other evidence deemed relevant to the student's interests. Unless already provided, the instructor should submit the syllabus, the relevant test/assignment, and other materials that are pertinent to the violation to the dean's office.

(5) **Failure to respond:** If the student does not respond to the notification of the AIB review within three instructional days, the dean will send another notification to the student. Failure of the student to respond to the second notification within three instruction days will be treated as an admission of responsibility and acceptance of the proposed sanctions. The dean will coordinate sanctioning with the instructor and/or the AIB as needed. If a recommended sanction requires higher level authority to impose, the AIB will proceed with a hearing.

(6) **Proceedings:** The board's responsibility is to review the statements and other materials provided by each party, review other relevant records, information, or materials, and make a determination as to whether the alleged academic integrity violation occurred. The board primarily reviews written evidence. Neither the student nor the instructor is permitted to attend the AIB review. The board may, at its discretion, consult with the instructor, the student or others as deemed appropriate or necessary. All evidence collected in this process will be made available to the student and/or instructor upon request.

(7) **Sanctions:** The board will determine what, if any, sanctions will be imposed. The board may impose the same sanctions assigned and/or recommended by the instructor, or may impose greater or lesser sanctions. If the student has any previous violation(s) of academic integrity standards, the AIB may increase the sanction imposed to account for repeat offenses. If the board decides to pursue sanctions that include suspension or expulsion, the board shall initiate an AIB hearing per WAC **172-90-170**.

(8) **Conclusion:** The board should conclude its review and issue a decision within thirty days after the violation was initially reported. The dean shall notify the student and instructor of the board's decisions, along with the right to request reconsideration.

(9) **Requests for review:** Either the student or the instructor may request reconsideration by the dean by submitting a request in writing to the dean within twenty-one days after the board issues its written decision. The dean shall

allow the student and the instructor an opportunity to respond in writing to the request for review. The student and instructor's responses, if any, must be submitted within five instructional days of the request for review. After reviewing the responses and materials considered by the board, the dean shall issue a decision in writing within twenty days of receipt of the request for review. The decision must include a brief statement of the reasons for the dean's decision and notice that judicial review may be available. All decisions of the dean are final and no appeals are permitted. [Statutory Authority: RCW 28B.35.120(12). WSR 15-14-079, § 172-90-160, filed 6/29/15, effective 7/30/15; WSR 14-20-082, § 172-90-160, filed 9/29/14, effective 10/30/14.]

172-90-170
Academic integrity board hearing.

AIB hearings will only be conducted when the institution is pursuing sanctions that include either suspension or expulsion. The AIB hearing provides the instructor and the student with the opportunity to present evidence and witnesses.

(1) **Scheduling and notification:**

(a) Initiation: The AIB hearing process will be initiated when the dean or the AIB determines that the alleged violation may involve a possible sanction of suspension or expulsion.

(b) Scheduling: Within five instruction days of determining that an AIB hearing is in order, the dean shall schedule the hearing. The student must receive at least seventy-two hours' notice as to the time and place of the hearing. The dean may coordinate with the parties to facilitate scheduling, but is not required to do so.

(c) Notification: The dean will notify the student, instructor, and AIB hearing panel members. Notification will include:

(i) All information provided by the instructor when the violation was reported and all documents related to the alleged violation. However, any such information and documents that were previously provided to the student are not required to be included in the notification sent to the student. Also, information and documents should be redacted to the extent their release would compromise test or examination contents or if the documents include other students' education records;

(ii) A description of the university's academic integrity rules and processes, including any possible sanctions;

(iii) The date, time, and place of the AIB hearing;

(iv) Instructions on how to submit documents, statements, and other materials for consideration by the AIB hearing panel;

(v) A description of the specific rules governing the AIB hearing process;

(vi) A description of the student's options; and

(vii) Contact information for the dean's office where the student and/or instructor can request further information and assistance. Notifications will strongly encourage the student to contact the dean to ensure that the student understands the process, the violation, and the potential sanctions.

(2) **General provisions:**

(a) All academic integrity board hearings are brief adjudicative proceedings in accordance with WAC **172-108-010** and shall be conducted in an informal manner.

(b) Nonjudicial proceedings: Formal rules of procedure, evidence, and/or technical rules, such as are applied in criminal or civil courts, do not apply to AIB hearings.

(c) Hearing authority: When scheduling an AIB hearing, a member of the AIB will be designated as hearing authority. The hearing authority exercises control over hearing proceedings. All procedural questions are subject to the final decision of the hearing authority.

(d) Hearing panel composition: In addition to the hearing authority, an AIB hearing panel shall consist of three voting members of the AIB.

(e) Closed hearings: All AIB hearings will be closed. Admission of any person, other than the instructor and the student involved, to an AIB hearing shall be at the discretion of the hearing authority.

(f) Consolidation of hearings: In the event that one or more students are charged with an academic integrity violation arising from the same occurrence, the university may conduct separate hearings for each student or consolidate the hearings as practical, as long as consolidation does not impinge on the rights of any student.

(3) **Appearance:**

(a) Failure to appear: The student is expected to attend the AIB hearing. In cases where proper notice has been given but the student fails to attend an AIB hearing, the hearing panel shall decide the case based on the information available.

(b) Disruption of proceedings: Any person, including the student, who disrupts a hearing, may be excluded from the proceedings.

(c) Alternative methods of appearance. In the interest of fairness and expedience, the hearing authority may permit any person to appear by telephone, written statement, or other means, as appropriate.

(d) The instructor may attend the hearing but is not required to do so. The instructor's report of the violation and all associated evidence shall constitute the appearance of the instructor.

(4) **Advisors:** The instructor and the student may be assisted by one advisor of their choice, subject to the following provisions:

(a) Any fees or expenses associated with the services of an advisor are the responsibility of the instructor or the student that employed the advisor;

(b) The advisor may be an attorney;

(c) The instructor and the student are responsible for presenting their own case and, therefore, advisors may not speak or participate directly in any AIB hearing proceeding.

The instructor and/or the student may, however, speak quietly with their advisor during such proceedings; and

(d) If an attorney is used as an advisor, the person using the attorney shall inform the AIB hearing authority of their intent to do so at least two business days prior to the hearing.

(5) **Review of evidence:** The student and the instructor may request to view material related to the case prior to a scheduled hearing by contacting the dean. To facilitate this process, the party should contact the dean as early as possible prior to the scheduled hearing. The dean shall make a reasonable effort to support the request to the extent allowable by state and federal law.

(6) **Evidence:**

(a) Evidence: Pertinent records, exhibits and written statements may be accepted as information for consideration by the hearing panel. However, AIB hearings are not bound by the rules of evidence observed by courts. The hearing authority may exclude incompetent, irrelevant, immaterial or unduly repetitious material.

(b) The student and the instructor have the right to view all material presented during the course of the hearing.

(7) **Standard of proof:** The hearing panel shall determine whether the student violated student academic integrity standards, as charged, based on a preponderance of the evidence.

A preponderance means, based on the evidence admitted, whether it is more probable than not that the student violated academic integrity standards.

(8) **Witnesses:**

(a) The instructor, student, and hearing authority may present witnesses at AIB hearings.

(b) The party who wishes to call a witness is responsible for ensuring that the witness is available and present at the time of the hearing.

(c) The hearing authority may exclude witnesses from the hearing room when they are not testifying. The hearing authority is not required to take the testimony of all witnesses called by the parties if such testimony may be inappropriate, irrelevant, immaterial, or unduly repetitious.

(d) All parties have the right to hear all testimony provided by witnesses during the hearing.

(9) **Questioning:**

(a) The instructor and the student may submit questions to be asked of each other or of any witnesses. Questions shall be submitted, in writing, to the hearing authority. The hearing authority may ask such questions, but is not required to do so. The hearing authority may reject any question which it considers inappropriate, irrelevant, immaterial or unduly repetitious. The hearing authority has complete discretion in determining what questions will be asked during the hearing.

(b) During an AIB hearing, only the hearing authority may pose questions to persons appearing before them.

(c) The hearing authority may ask their own questions of any witness called before them.

(10) **Deliberations and sanctions:**

(a) Within seven days after the hearing, the AIB hearing panel shall meet in closed session, without either of the parties present, and determine by majority vote whether, by a preponderance of the evidence, the accused violated academic integrity standards. If the hearing panel determines that the accused violated academic integrity standards, the panel shall then determine, by majority vote, what sanctions shall be imposed. This session may take place immediately following the hearing or at another time within the seven days following the hearing.

(b) In determining what sanctions shall be imposed, the hearing panel may consider the evidence presented at the hearing as well as any information contained in the student's records.

(11) **Notification:** If the panel determines that suspension or expulsion is appropriate, they will forward that recommendation to the Director of Student Rights and Responsibilities to conduct a hearing under the Student Conduct Code. If the panel is not recommending suspension or expulsion, they shall notify the dean of the sanctions to be imposed.

(12) **Dean:**

(a) If the AIB panel recommends suspension or expulsion, the dean will appoint a member of the AIB hearing panel to serve as the complainant for purposes of the student conduct proceeding and will forward the records used during the academic integrity proceeding to the Director of Student Rights and Responsibilities. If the AIB panel does not recommend suspension or expulsion, the dean shall impose the sanctions determined by the AIB panel.

(b) The dean shall notify the student and the instructor of the hearing panel's decision, the sanctions to be imposed, and of the right to appeal.

(13) **Appeals of AIB hearing determinations:** Either the student or the instructor may request reconsideration by the provost by submitting a request in writing to the provost within twenty-one days after the hearing panel issues its decision. The provost shall allow the student and the instructor an opportunity to respond in writing to the request for review. The student and instructor's responses, if any, must be submitted within five instructional days of the request for review. After reviewing the responses and materials considered by the hearing panel, the provost shall issue a decision in writing within twenty days of receipt of the request for review. The decision must include a brief statement of the reasons for the provost's decision and notice that judicial review may be available. All decisions of the provost are final and no appeals are permitted.

[Statutory Authority: RCW **28B.35.120**(12). WSR 15-14-079, § 172-90-170, filed 6/29/15, effective 7/30/15.]

172-90-180
Administration.

After the resolution process, the dean will coordinate sanctions and administrative actions, including:

(1) Notifying the parties of the results in writing;

(2) Creating or updating the student's academic disciplinary record;

(3) Updating academic integrity reporting and recordkeeping systems;

(4) Coordinating sanctioning; and

(5) Referring cases to the student disciplinary council as needed.

[Statutory Authority: RCW 28B.35.120(12). WSR 14-20-082, § 172-90-180, filed 9/29/14, effective 10/30/14.]

172-90-200
Failing grade.

A sanction of a failing course grade is recorded on the transcript as an "XF" and indicates a failure of the course due to violation of academic integrity standards. An XF is counted as a 0.0 for purposes of grade point average calculation.

(1) To petition to have an XF grade changed to an "F" (0.0), a student must submit a written request to the dean. Requests will generally not be considered unless the following conditions are met:

(a) At least one year has passed since the XF grade was entered;

(b) The student has had no other violations of academic integrity standards; and

(c) The student has successfully completed a university sponsored noncredit seminar on academic integrity; or, for a person no longer enrolled at the university, an equivalent educational activity as determined by the AIB.

(2) The dean will review the case and may consult with the referring instructor or academic unit head who originally reported the violation(s). If the dean denies the request, the student may submit a new request one year later.

[Statutory Authority: RCW 28B.35.120(12). WSR 14-20-082, § 172-90-200, filed 9/29/14, effective 10/30/14.]