WAC

PART I
GENERAL PROCEDURAL RULES

478-108-010 Matters subject to brief adjudication.
478-108-020 Application for adjudicative proceeding.
478-108-030 Appointment of presiding officers.
478-108-040 Method of recording.
478-108-050 Adjudicative proceedings closed.
478-108-060 Student conduct code.
478-108-070 Faculty employment relationships.
478-108-080 Librarian employment relationships.

PART II
PROCEDURAL RULES FOR FORMAL PROCEEDINGS

478-108-110 Adoption of model rules of procedure.
478-108-120 Discovery.
478-108-130 Transmittal of recommended decisions.
478-108-140 Petition for stay pending appeal.

WAC 478-108-010 Matters subject to brief adjudication. This rule is adopted in accordance with RCW 34.05.479 through 34.05.494, the provisions of which are hereby adopted. Brief adjudicative procedures shall be used in all matters related to:

(1) Appeals from residency classifications under RCW 28B.15.013 as established in chapter 478-160 WAC;
(2) Appeals from traffic and parking violations, and skateboard impoundment, as provided for in chapters 478-116, 478-117 and 478-118 WAC;
(3) Challenges to contents of educational records as provided for in chapter 478-140 WAC;
(4) Proceedings under the animal control policy as detailed in chapter 478-128 WAC;
(5) Requests for reconsideration of admission decisions as provided for in chapter 478-160 WAC;
(6) Appeals of library charges as provided in chapter 478-168 WAC;
(7) Reviews of denials of public records requests as provided in chapter 478-276 WAC;
(8) Federal financial aid appeals as provided for by federal law; and
(9) Collection of outstanding debts owed by students or employees.


WAC 478-108-020 Application for adjudicative proceeding. An application for an adjudicative proceeding shall be in writing. The application shall include the signature of the applicant, the nature of the matter for which an adjudicative proceeding is sought, and an explanation of the facts involved. Application forms are available at the following address:

University of Washington
Rules Coordination Office
Room 448 Gerberding Hall
Box 351210
Seattle, WA 98195-1210

(or by e-mail at rules@uw.edu). An application for an adjudicative proceeding should be submitted to the above address within twenty days of the agency action giving rise to the application, unless otherwise provided for by statute or rule.

[Statutory Authority: RCW 28B.20.130 and UWBR, Standing Orders, Chapter 1, § 2, 10-23-039, § 478-108-020, filed 11/10/10, effective 12/11/10. Statutory Authority: RCW 28B.20.130 and Executive Order 97-02, 06-13-021, § 478-108-020, filed 6/13/06, effective 7/14/06. Statutory Authority: RCW 28B.20.130, 42.17.260, 42.17.290, 42.17.300 and chapter 34.05 RCW. 97-14-004, § 478-108-020, filed 6/19/97, effective 7/20/97. Statutory Authority: Chapter 34.05 RCW. 90-15-005, § 478-108-020, filed 7/6/90, effective 8/6/90.]
request to the presiding officer. The presiding officer shall determine which, if any, parts of the proceeding shall be closed, and state the reasons therefore in writing within twenty days of receiving the request.

No cameras or recording devices, other than the official recording method, shall be allowed in proceedings or parts of proceedings which have been closed.

[Statutory Authority: Chapter 34.05 RCW. 90-15-005, § 478-108-050, filed 7/6/90, effective 8/6/90.]

WAC 478-108-060 Student conduct code. All adjudicative proceedings applicable to student conduct at the University of Washington shall be governed exclusively by the provisions of the student conduct code (chapter 478-120 WAC), as they may be amended from time to time, except that any additional procedural protections for adjudicative proceedings in applicable sections of the Washington Administrative Procedure Act shall be available to students through the university processes.

[Statutory Authority: Chapter 34.05 RCW. 90-15-005, § 478-108-060, filed 7/6/90, effective 8/6/90.]

WAC 478-108-070 Faculty employment relationships. All adjudicative proceedings affecting a faculty member at the University of Washington shall be governed exclusively by the provisions of relevant university codes, policies, and orders, as they may be amended from time to time, except that any additional procedural protections for adjudicative proceedings in applicable sections of the Washington Administrative Procedure Act shall be available to faculty through the university processes.

[Statutory Authority: RCW 28B.20.130 and BRG, Standing Orders, Chapter 1. 12-03-038, § 478-108-070, filed 1/9/12, effective 2/9/12. Statutory Authority: Chapter 34.05 RCW. 90-15-005, § 478-108-070, filed 7/6/90, effective 8/6/90.]

WAC 478-108-080 Librarian employment relationships. All adjudicative proceedings affecting librarians at the University of Washington shall be governed exclusively by the provisions of relevant university rules and library policies, as they may be amended from time to time, except that any additional procedural protections for adjudicative proceedings in applicable sections of the Washington Administrative Procedure Act shall be available to librarians through the university processes.

[Statutory Authority: Chapter 34.05 RCW. 90-15-005, § 478-108-080, filed 7/6/90, effective 8/6/90.]

P A R T II

PROCEDURAL RULES FOR FORMAL PROCEEDINGS

WAC 478-108-110 Adoption of model rules of procedure. In formal proceedings pursuant to RCW 34.05.413 through 34.05.476, the University of Washington adopts the model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05.250, as now or hereafter amended. Those rules may be found in chapter 10-08 WAC. Other procedural rules adopted in this title and this chapter are supplementary to the model rules of procedure. In the case of a conflict between the model rules of procedure and these procedural rules, the procedural rules adopted by this institution shall govern.

[Statutory Authority: Chapter 34.05 RCW. 90-15-005, § 478-108-110, filed 7/6/90, effective 8/6/90.]

WAC 478-108-120 Discovery. Discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer. In permitting discovery, the presiding officer shall make reference to the civil rules of procedure. The presiding officer shall have the power to control the frequency and nature of discovery permitted, and to order discovery conferences to discuss discovery issues.

[Statutory Authority: Chapter 34.05 RCW. 90-15-005, § 478-108-120, filed 7/6/90, effective 8/6/90.]

WAC 478-108-130 Transmittal of recommended decisions. The presiding officer shall transmit a full and complete record of the proceedings and a recommended decision to the institutional official who is to enter a final or initial order after considering the record and evidence so transmitted. The record of proceedings shall include such comments upon the demeanor of witnesses as the presiding officer deems relevant.

[Statutory Authority: Chapter 34.05 RCW. 90-15-005, § 478-108-130, filed 7/6/90, effective 8/6/90.]

WAC 478-108-140 Petition for stay pending appeal. Upon the request of a party intending to appeal, the official, officer, or body of officers who entered a final decision in an adjudicative proceeding may issue a stay of effectiveness pending the outcome of the appeal.

[Statutory Authority: Chapter 34.05 RCW. 90-15-005, § 478-108-140, filed 7/6/90, effective 8/6/90.]