

ACTION ITEM #4

Proposed Revisions to the Washington Administrative Code (WAC)
Chapter 504-04 – Practice and Procedure
(Leslie Brunelli/Danielle Hess)

March 8, 2024

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Proposed Revisions to the Washington Administrative Code (WAC)
Chapter 504-04 – Practice and Procedure.

PROPOSED: That the Board of Regents approve proposed revisions to the Washington Administrative Code (WAC) Chapter 504-04 – Practice and Procedure.

SUBMITTED BY: Leslie Brunelli, Executive Vice President, Finance & Administration/CFO

SUPPORTING INFORMATION: WSU conducts formal adjudicative proceedings in accordance with the Washington Administrative Procedure Act, RCW Chapter 34.04, in a number of different settings, including certain student disciplinary proceedings and certain faculty disciplinary proceedings.

Currently, WSU's student conduct regulations allow attorneys, including licensed legal interns, to represent students in conduct board hearings if they are licensed to practice law in any state. WAC 504-26-020 (Advisors and representatives). However, WSU's generally applicable regulations regarding practice and procedure require attorneys to be licensed in Washington state in order to act as representatives in formal adjudicative proceedings. WAC 504-04-130 (Advising and representation of parties). The purpose of the proposed amendment, which was recommended by the Attorney General's Office, is to remove the requirement of Washington licensure from WAC 504-04-130 so that the two regulations are consistent.

A public hearing on the proposed amendment was held on January 9, 2024. No oral or written comments were received. The proposed amendment also was presented to the Regents as a future action item at the January 2024 meeting, with no changes since that time.

A redline version of the proposed revisions is available [here](#).