

WAC 132K-122-060 Hearing procedures. (1) A student whose request for amendment of his or her educational records has been denied may request a hearing by submitting a written request to the registrar within 10 days following the denial. The request shall be in writing, signed by the student, and shall indicate the reasons why the records should be amended. The registrar shall, within 30 days after receipt of a properly filed request, notify the student at least 10 days in advance of the date, time, and place of the hearing.

(2) The hearing shall be an informal proceeding as provided for by chapter 28B.19 RCW, the Higher Education Administrative Procedure Act and shall be conducted by the dean of students (or his designee who shall be an official of the college who does not have a direct interest in the outcome of the hearing). At the hearing, the student shall be afforded an opportunity to present evidence relevant to the question of whether the educational records sought to be amended are inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student.

(3) At the hearing, the student may be assisted or represented by individuals of his or her choice and at his or her own expense.

(4) The dean of students or his designee shall, within 30 days after the conclusion of the hearing, prepare a final written decision on this request based solely upon the evidence presented at the hearing. The decision shall include a summary of the evidence and the reasons for the decision. A copy of the final decision shall be made available to the student.

(5) If, as a result of the hearing, the dean of students or his designee decides that the information alleged by the student to be inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student is in fact so inaccurate, misleading, and violative, he or she shall amend the education records accordingly and so inform the student in writing. If, on the other hand, the dean of students or his designee decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, he or she shall inform the student of his or her right to place in the education records a statement commenting upon the information and/or setting forth any reasons for disagreeing with the decisions of the college. A rebuttal statement inserted into the education records shall become a permanent part of the records and it shall be provided to all persons to whom the information which is subject of the rebuttal is thereafter disclosed.

[Order 37, § 132K-122-060, filed 9/2/77.]