

Chapter 495D-123 WAC

WITHHOLDING OF SERVICES AND OTHER REMEDIES FOR OUTSTANDING DEBTS

WAC

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WAC 495D-123-010 Policy. If any person is indebted to the institution for an outstanding overdue debt, the college need not provide any further services of any kind to such individual, including but not limited to the transmitting of files, records, transcripts, or other services which have been requested by such person.

[Statutory Authority: RCW 28B.50.140. WSR 93-01-084, § 495D-123-010, filed 12/15/92, effective 1/15/93.]

WAC 495D-123-020 Notification. (1) Upon receiving a request for services when there is an outstanding debt due to the college from the requesting person, the college shall notify the person by first class mail addressed to his or her last known mailing address that there is an outstanding debt and that the requested services will not be provided until that debt is paid.

(2) The letter of notification shall also state that the individual has a right to a brief adjudicative hearing before the administrator of financial services or another person designated by the president, for the purpose of determining whether the individual is in fact indebted to the institution as alleged in the notice. The letter shall indicate that any request for a hearing must be received by the person who will conduct the hearing within twenty calendar days from the date of posting of said letter.

[Statutory Authority: RCW 28B.50.140. WSR 93-01-084, § 495D-123-020, filed 12/15/92, effective 1/15/93.]

WAC 495D-123-030 Procedure for informal hearings. Upon receipt of a timely request for a hearing, the administrator of financial services or the person designated by the president shall have the records and files of the college available for review and shall promptly hold an informal hearing to determine whether the individual in fact owes any outstanding debts to the institution. After the informal hearing, a decision shall be rendered by the hearing officer indicating whether in fact the institution is correct in withholding services. Notification of this decision shall be sent to the individual within five regular college business days after the hearing. Such hearing shall constitute a brief adjudication proceeding as established by the Administrative Procedure Act at RCW 34.05.482 through 34.05.494.

[Statutory Authority: RCW 28B.50.140. WSR 93-01-084, § 495D-123-030, filed 12/15/92, effective 1/15/93.]

(12/15/92)

WAC 495D-123-040 Other remedies. Withholding of services or other action(s) under this chapter shall not bar or restrict the college from pursuing any or all other available remedies, including but not limited to those in RCW 19.16.-500 and 43.88.175 and/or appropriate court action.

[Statutory Authority: RCW 28B.50.140. WSR 93-01-084, § 495D-123-040, filed 12/15/92, effective 1/15/93.]