

WAC 172-191-070 Hearings. Following receipt of a request for a hearing under WAC 172-191-060, the registrar will schedule the hearing. The associate vice president for enrollment services or his/her designee will act as the hearing officer and will provide the student with written notice of the hearing's date, time and place reasonably in advance of the hearing. The student will be provided an opportunity to present evidence relevant to the contested part of the education record. The student may, at his/her own expense, be assisted or represented by one or more individuals of his/her own choice, including an attorney.

(1) The associate vice president for enrollment services or his/her designee will render his/her decision in writing within a reasonable period of time following the hearing. The decision of the officer shall be the university's final decision. The decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision. The associate vice president for enrollment services or his/her designee cannot have a direct interest in the outcome of the hearing.

(2) If the associate vice president for enrollment services or his/her designee determines that the record is inaccurate, misleading, or in violation of the privacy rights of the student and grants the student's appeal, the associate vice president for enrollment services or his/her designee will amend the education records of the student accordingly and inform the student in writing of his/her decision and of the amendment.

(3) If the associate vice president for enrollment services or his/her designee determines that the record is accurate, not misleading and not in violation of the privacy rights of the student and denies the student's appeal, the associate vice president for enrollment services or his/her designee shall notify the student of his/her decision in writing and shall inform them of the right to place a statement in the record commenting on the contested information in the record or stating why he/she disagrees with the decision of the university or both. The university must maintain the statement with the contested part of the record for as long as the record is maintained and must disclose the statement whenever it discloses the portion of the record to which the statement relates.

(4) The appropriateness of official academic grades is not subject to review pursuant to this process.

[Statutory Authority: RCW 28B.35.120(12). WSR 09-19-064, § 172-191-070, filed 9/14/09, effective 10/15/09.]