

WAC 292-100-046 Complainant's request for review of executive director's dismissal order. (1) A written request for review by a complainant must be received at the board's administrative office no later than twenty days after the date the order of dismissal is mailed to the complainant.

(2) A request for review must state the grounds for the request for review.

(3) When a request for review is received, the board staff will prepare a record for the board's review and serve notice upon the respondent that a review has been requested. The record will consist of:

- (a) The complaint;
- (b) The investigation report;
- (c) The order of dismissal;
- (d) The complainant's request for review;
- (e) The executive director's response to the request for review;

and

(f) Any additional material requested by the chair or the chair's designee.

(4) At the next available opportunity, the board will review the record and deliberate in closed session, without oral argument, and act on the request by:

- (a) Affirming the dismissal;
- (b) Directing board staff to conduct further investigation; or
- (c) Issuing a determination that there is reasonable cause to believe that a violation has been or is being committed.

(5) In reviewing the executive director's order of dismissal, the board will base its review on whether the executive director had a rational basis for the decision. The board will only reverse a decision to the extent that a rational basis is lacking.

(6) The board's decision will be in writing and provided to the complainant and the respondent.

[Statutory Authority: RCW 42.52.360. WSR 17-01-138, § 292-100-046, filed 12/20/16, effective 1/20/17. Statutory Authority: RCW 42.52.360 (2)(b) and 42.52.425. WSR 01-13-033, § 292-100-046, filed 6/13/01, effective 7/14/01.]