

# Chapter 495E-122 WAC

## WITHHOLDING SERVICES FOR OUTSTANDING DEBTS

### WAC

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**WAC 495E-122-010 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 transmitting files, records, transcripts, or other services which have been requested by such person.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-108, § 495E-122-010, filed 6/21/93, effective 7/22/93.]

**WAC 495E-122-020 Notification.** (1) Upon receiving a request for services where 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 services will not be provided until the debt is satisfied.

(2) The letter of notification shall also state that the person has a right to a brief adjudicative proceeding before the vice-president for finance for the purpose of determining whether the person is so indebted. The proceeding must be requested within twenty days of the date of mailing the notification.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-108, § 495E-122-020, filed 6/21/93, effective 7/22/93.]

**WAC 495E-122-030 Procedure for brief adjudicative proceeding.** (1) Upon receipt of a timely request for a hearing, the vice-president for finance shall have the records and files of the college available for review and shall hold an informal hearing concerning whether the individual in fact owes any outstanding debts to the college. The hearing should be conducted within ten days of the request for a hearing.

(2) After the informal hearing, a decision shall be rendered by the vice-president for finance indicating whether in fact the college is correct in withholding services for the outstanding debt. If the outstanding debt is owed by the individual involved, no further services shall be provided. Notification of this decision shall be sent to the individual within ten days after the hearing.

(3) This hearing shall constitute a brief adjudicative proceeding established by the Administrative Procedure Act at RCW 34.05.482 through 34.05.494. Any review of the decision shall be by the president in accordance with RCW 34.05.488 through 34.05.491.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-108, § 495E-122-030, filed 6/21/93, effective 7/22/93.]

(6/21/93)

**WAC 495E-122-040 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, 34.05.220 and [34.05].482. 93-13-108, § 495E-122-040, filed 6/21/93, effective 7/22/93.]