

WAC 495E-280-080 Requests for corrections, hearings, adding statements to education records. Students have the right to request to have records corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. Following are the procedures for the correction of records:

(1) A student must submit a written request to amend his or her education record to the appropriate college official responsible for the custody of the record as designated in WAC 495E-280-110. The request must identify the part of the record he/she wants changed and specify why the record is believed to be inaccurate, misleading, or in violation of his or her privacy or other rights.

(2) A student whose request for amendment of his or her education record has been denied may request a hearing by submitting a written request to the vice president for student services or designee within ten days following the denial. The written request must be signed by the student and shall indicate the reasons why the records should be amended. The vice president for student services or designee shall notify the student of the hearing within thirty days after receipt of a properly filed request. In no case will the notification be less than ten days in advance of the date, time, and place of the hearing.

(3) The hearing shall be a brief adjudicative proceeding as provided in RCW 34.05.482 through 34.05.494 and shall be conducted by the vice president for student services or his/her designee. At the hearing, the student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the request to amend the student's education records. The student may be assisted by one or more individuals, including an attorney.

(4) The vice president for student services or designee will prepare a written decision, within ten days after the conclusion of the hearing, based on the evidence presented at the hearing. The decision will include the reasons for the decision and will advise the parties that it is subject to administrative review by the college president under RCW 34.05.488 through 34.05.491 if a written or oral request for such review is received by the president within twenty-one days. A copy of the decision shall be served on the student.

(5) If the final decision is that the information is inaccurate, misleading, or in violation of the student's right of privacy, the custodian of the record will amend the record accordingly and notify the student, in writing, that the record has been amended.

(6) If the final decision is that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, the custodian of the record will notify the student in writing that the student has a right to place in the record a rebuttal statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.

(7) The student's rebuttal statement will be maintained as part of the student's education records as long as the contested portion is maintained. If the contested portion of the education record is disclosed, the statement will also be disclosed.

[Statutory Authority: RCW 28B.50.140, 34.05.220, [34.05].482, 20 U.S.C. §1232g and 34 C.F.R. Part 99. WSR 93-13-115, § 495E-280-080, filed 6/21/93, effective 7/22/93.]