

WAC 180-90-142 Brief adjudicative proceedings—Initial hearing.

(1) A brief adjudicative proceeding is the process for rescission or suspension, other than summary suspension, of a private school's approval. Brief adjudicative proceedings shall be conducted by a hearing officer. The hearing officer may not participate in any case in which the hearing officer is involved as a complainant or witness, or in which the hearing officer has a direct or personal interest, prejudice, or bias.

(2) The parties to a brief adjudicative proceeding are the private school representative and the SBE representative. Before taking action, the hearing officer will conduct an informal hearing and provide each party an opportunity to explain its view of the matter.

(3) The hearing officer will serve an initial decision upon both the private school representative and the SBE representative within 10 business days of the completion of the informal hearing. The initial decision must include:

(a) A brief written statement of the reasons for the decision, including a description of the acts or failures to act giving rise to any sanctions and reference to the provisions of the Washington Administrative Code or the law violated;

(b) Any sanctions against the private school, including suspension or rescission of approval, and any time period or conditions which must be met for a suspension; and

(c) Information about how to seek administrative review of the initial decision.

If no request for review is filed within 21 days of service of the initial decision, the initial decision is deemed the final decision. The hearing officer must include in the decision that the private school must provide a copy of the final decision to the families of all its students and all of its staff members.

[Statutory Authority: RCW 28A.195.040, 28A.195.010, and 28A.150.220. WSR 22-07-048, § 180-90-142, filed 3/14/22, effective 4/14/22.]