

**WAC 495B-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 their education record to the appropriate college official responsible for the custody of the record as designated in WAC 495B-280-110. The request must identify the part of the record they want changed and specify why the record is believed to be inaccurate, misleading or in violation of their privacy or other rights.

(2) A student whose request for amendment of their education record has been denied may request a hearing by submitting a written request to the vice president of student services within 10 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 of student services or designee shall notify the student of the hearing within 30 days after receipt of a properly filed request. In no case will the notification be less than 10 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 and 34.05.485 through 34.05.494 and shall be conducted by the student services or other appropriate committee (the chair of the committee shall be an official of the college who does not have a direct interest in the outcome of the hearing). At the hearing, the student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The student may be assisted by one or more individuals, including an attorney.

(4) The student services or other appropriate committee will prepare a written decision, within 30 days after the conclusion of the hearing, based solely on the evidence presented at the hearing. The rules of evidence need not be applied at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision. A copy of the decision shall be made available to the student.

(5) If the student services or other appropriate committee decides the information is inaccurate, misleading, or in violation of the student's right of privacy, the custodian of the record will amend the record and notify the student, in writing, that the record has been amended.

(6) If the student services or other appropriate committee decides that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, the committee 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: Chapters 28B.10 and 34.05 RCW, RCW 28B.50.140(13), and 20 U.S.C. § 1092(f). WSR 23-22-011, § 495B-280-080, filed 10/19/23, effective 11/19/23. Statutory Authority:

RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-280-080, filed 2/10/93, effective 3/13/93.]