

**WAC 250-61-210 Hearing process.** (1) A party subject to the following actions may request a hearing:

(a) A denial of exemption from the Degree-Granting Institutions Act;

(b) A denial of authorization under the Degree-Granting Institutions Act;

(c) A cease and desist order issued under chapter 28B.85 RCW; or

(d) Other final action as defined in chapter 34.05 RCW, by the executive director that adversely affects the institution and which is contrary to the intent and purpose of the Degree-Granting Institutions Act or this chapter.

(2) A party must submit a request for a hearing to the executive director at the council office no later than thirty days following receipt of the notice of final agency action. In the written request, the party must identify the final action in dispute and state that a hearing is requested.

(3) Any hearing called for under the act shall be conducted in accordance with the Washington Administrative Procedure Act, chapter 34.05 RCW, as follows:

(a) The presiding officer, who shall be the executive director or the hearing officer designated by the executive director, shall conduct the hearing under the provisions of chapter 34.05 RCW and shall enter an initial order under RCW 34.05.461 (2) through (9).

(b) The executive director shall review the initial order under RCW 34.05.464 and either enter a final order or remand the matter for further proceedings under RCW 34.05.464(7).

(c) If the challenged agency action is upheld, the party that initiated the hearing process shall pay the costs of the administrative hearing within sixty days following final disposition of the matter.

(d) Any further review of final action must be taken in accordance with RCW 34.05.510 et seq.

[Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 17-09-041, § 250-61-210, filed 4/14/17, effective 5/15/17; WSR 15-02-021, § 250-61-210, filed 12/30/14, effective 1/30/15; WSR 09-20-033, § 250-61-210, filed 9/30/09, effective 10/31/09; WSR 09-02-008, § 250-61-210, filed 12/29/08, effective 1/29/09. Statutory Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-210, filed 12/8/94, effective 1/8/95.]