

# OLYMPIC COLLEGE POLICY

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**TITLE: Adjudicative Proceedings**

**POLICY NUMBER: 200-10**

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**Adoption of model rules of procedure.**

The model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05.250 are adopted for use at Olympic College. Those rules may be found in chapter 10-08 WAC. Other procedural rules adopted in this title are supplementary to the model rules of procedure. To the extent of any conflict between the model rules and the college's supplemental rules, the college's rules shall prevail.

**Matters subject to brief adjudication.**

This rule is adopted in accordance with RCW 34.05.482 through 34.05.494, the provisions of which are hereby adopted. Brief adjudicative proceedings shall be used in all matters related to:

1. Appeals from residency determinations under RCW 28B.15.013;
2. Appeals from traffic and parking violations;
3. Challenges to contents of educational records;
4. Proceedings under the animal control policy;
5. Requests for reconsideration of admission decisions;
6. Appeals of library charges;
7. Reviews of denials of public records requests;
8. Federal financial aid appeals as provided for by federal law;
9. Collection of student debts; and
10. Appeals pursuant to any other formal rule adopted by Olympic College which specifically provides for a brief adjudicative procedure.

**Application for adjudicative proceeding.**

An application for an adjudicative proceeding, including a brief adjudicative proceeding, shall be in writing. The application shall include the signature of the applicant, the nature of the matter for which an adjudicative proceeding is sought, and explanation of the facts involved. Application forms are available at the following address: 1600 Chester Avenue, Bremerton, Washington 98337. An application shall be submitted within twenty days of the agency action giving rise to the application, except as otherwise provided by statute or rule.

**Appointment of presiding officers.**

The President of the College or his or her designee shall appoint presiding officers for formal and brief adjudicative proceedings. The presiding officer shall be an administrative law judge; a member in good standing of the Washington State Bar Association; committees or members of the faculty, staff, or student body; a panel of individuals; the President or his or her designee; or any combination of the foregoing. When more than one individual is designated to be the presiding officer, one person may be designated by the President or President's designee to make decisions concerning discovery, closure, means of recording adjudicative proceedings, and similar matters.

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## **Discovery**

Discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer. In permitting discovery, the presiding officer shall refer to the civil rules of procedure. The presiding officer shall have the power to control the frequency and nature of the discovery permitted, and to order discovery conferences to discuss discovery issues.

## **Method of recording.**

Proceedings shall be recorded by a method chosen by the presiding officer from among those available under the model rules of procedure, WAC 10-08-170.

## **Procedure for closing parts of the hearings.**

1. Any party may apply for a protective order to close part of a hearing. The party making the request shall state the reasons for making the application to the presiding officer and serve copies on all of other parties. If another party opposes the request, a written response to the request shall be made within ten days of the request to the presiding officer. The presiding officer shall determine which, if any, parts of the proceeding shall be closed, and shall state the reasons in writing within twenty days of receiving the request.
2. No cameras or recording devices, other than the official recording method, shall be allowed in proceedings or parts of proceedings that have been closed.

*Recommended by*  
*Submitted to President's Cabinet for Review*  
*Approved by President*  
*Submitted to Board of Trustees*  
*Approved by Board of Trustees*  
*Published in Washington Administrative Code*

*Dr. David Mitchell*

*X*  
*January 24, 2006*  
*February 28, 2006*