Chapter 288-06 WAC
PRISON INDUSTRIES ENHANCEMENT CERTIFICATION PROGRAM ADJUDICATIVE PROCEEDINGS

WAC 288-06-010 Application of brief adjudicative proceedings. The board adopts the brief adjudicative proceedings procedures permitted by RCW 34.05.482 through 34.05.494 and WAC 10-08-080 computation of time for adjudicative proceedings requested by applicants who:

(1) Are denied certification; or
(2) Are the subject of decertification actions taken under the authority of board policies on the prison industries enhancement certification program and RCW 36.110.060.

The sole issue at the brief adjudicative proceeding shall be whether:

(a) The applicant meets the requirements for certification; or
(b) A certified program participant is out of compliance with program requirements and should be decertified.

[Statutory Authority: RCW 36.110.060 and chapter 34.05 RCW. 98-17-004, § 288-06-010, filed 8/6/98, effective 9/6/98.]

WAC 288-06-020 Application of adjudicative proceedings. If the full board finds that the issue and interests raised in the request for adjudicative proceeding warrant the use of procedures of RCW 34.05.410 through 34.05.479, the board may conduct a formal adjudicative proceeding and hereby adopts the model rules of procedure as set forth in WAC 10-08-035 through 10-08-230 for the conduct of formal adjudicative proceedings.

[Statutory Authority: RCW 36.110.060 and chapter 34.05 RCW. 98-17-004, § 288-06-020, filed 8/6/98, effective 9/6/98.]

WAC 288-06-030 Request for adjudicative proceeding. Requests for an adjudicative proceeding must be made in writing to the board within twenty-one days of receiving notice of a certification or decertification action. Requests may be made by:

(1) The correctional facility and/or business seeking certification; or
(2) The correctional facility and/or business being decertified.

[Statutory Authority: RCW 36.110.060 and chapter 34.05 RCW. 98-17-004, § 288-06-030, filed 8/6/98, effective 9/6/98.]

WAC 288-06-040 Failure to apply or participate. Failure to apply for an adjudicative proceeding within the times set forth in WAC 288-06-020 shall result in the adop-

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(7) Initial orders on brief adjudicative proceedings shall become final twenty-one days after service of the initial order.

(8) Further appeals to board decisions regarding certification and decertification issues can be made to superior court as specified in chapter 34.05 RCW, Administrative Procedure Act, Part V, Judicial Review and Civil Enforcement.

Statutory Authority: RCW 36.110.060 and chapter 34.05 RCW. 98-17-004, § 288-06-060, filed 8/6/98, effective 9/6/98.

WAC 288-06-070 Agency record in brief proceedings. The agency record of brief adjudicative proceedings shall consist of:

(1) The preliminary record as set forth in WAC 288-06-050;

(2) All initiating documents including the notice of opportunity to defend;

(3) The request for adjudicative proceeding;

(4) All documents submitted in the proceeding;

(5) Any transcript or recording of any testimony or arguments presented; and

(6) All orders issued in the case.

Statutory Authority: RCW 36.110.060 and chapter 34.05 RCW. 98-17-004, § 288-06-070, filed 8/6/98, effective 9/6/98.