

**WAC 381-50-140 Opportunity to waive.** At the time of the disciplinary hearing, it shall be the duty of the presiding officer conducting the hearing to query the inmate and to review the file to determine whether the inmate was given proper notice of the hearing, and was advised of the reason for the hearing, and was properly advised of his or her rights to witnesses. If it is determined that the inmate was not properly served or advised of his or her rights, the inmate shall have the opportunity to:

- (1) Waive such rights, orally or in writing, to the board, at which time the hearing would proceed; or
- (2) Request a continuance of the hearing until proper services of notice and rights can be perfected.

[WSR 91-14-029, § 381-50-140, filed 6/26/91, effective 7/27/91.]