



ADMINISTRATIVE RULES OF MONTANA



10.16.3531 FINAL DECISION IN EXPEDITED DUE PROCESS HEARING

- (1) The impartial due process hearing officer shall render, in writing, findings of fact and conclusions of law separately stated and an order concerning all matters at issue in the expedited hearing as soon as possible and not later than ten days after the conclusion of the expedited hearing. An extension may be requested; however, the extension cannot exceed an additional five days.
- (2) If the parent requests an audio record of the hearing and/or a copy of the findings of fact and decision at the prehearing conference, the due process hearing officer shall provide such a copy to the Superintendent of Public Instruction and the parties.
- (3) The hearing officer shall mail or deliver the record as defined in ARM 10.16.3522 to the Superintendent of Public Instruction.
- (4) The decision of the impartial hearing officer shall be binding upon both parties unless the decision is appealed.
- (5) Any party who feels aggrieved by the findings and decision of the impartial hearing officer may appeal to a district court or may begin a civil action under 34 CFR 300.516.

Authorizing statute(s): 20-7-402, MCA

Implementing statute(s): 20-7-403, MCA

History: NEW, 2000 MAR p. 1048, Eff. 7/1/00; AMD, 2007 MAR p. 678, Eff. 5/25/07.