



ADMINISTRATIVE RULES OF MONTANA



10.16.3660 EARLY ASSISTANCE PROGRAM

- (1) The Superintendent of Public Instruction shall provide an ongoing and systematic informal dispute resolution process referred to as the "Early Assistance Program."
- (2) A parent, guardian, adult student, LEA or other public agency as defined in 34 CFR 300.33, or their representative may request early assistance in any issue related to a student's free appropriate public education or any violation of Part B of the IDEA, 20 U.S.C. 1400, et seq., or Montana special education laws, Title 20, chapter 7, MCA, and corresponding regulations at 34 CFR Part 300 and ARM 10.16.3007, et seq. Assistance may be requested by contacting the Office of Public Instruction Legal Division Dispute Resolution Office.
- (3) Pursuant to ARM 10.16.3662, immediately following the filing of a state complaint as referenced in 34 CFR 300.151 through 300.153 the Early Assistance Program has 15 business days from the day it receives the written complaint to attempt to resolve the problem through the program. Pursuant to 34 CFR 300.152(b)(1)(ii) these 15 days shall not be counted as part of the 60-day complaint resolution timeline.
- (4) The services offered under this program are available in all circumstances where there is a possibility for resolution. If the Early Assistance Program director decides that any attempt to mutually resolve the complaint would be futile, the dispute resolution office shall proceed according to the procedures and timelines set forth in 34 CFR 300.151 through 300.153 and ARM 10.16.3662.

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; AMD, 2010 MAR p. 1076, Eff. 4/30/10; AMD, 2015 MAR p. 2257, Eff. 12/25/15.