

**160-1-3-.07 CONSOLIDATED HEARINGS UNDER INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA) AND SECTION 504.**

**(1) REQUIREMENTS.**

(a) A local board of education (LBOE) may request that a hearing officer, appointed by the department in an IDEA due process hearing under Rule 160-4-7-.05 Procedural Safeguards/Parent Rights, serve as the hearing officer in a hearing requested under Section 504 of the Rehabilitation Act of 1973 and consider matters under IDEA and Section 504 at the same hearing.

(b) If the hearing officer conducts a consolidated hearing under both IDEA and Section 504 of the Rehabilitation Act of 1973 as provided in paragraph (a), the costs attributable to the Section 504 hearing shall be borne by the LBOE. The hearing officer shall apportion the costs on a pro rata basis.

(c) A party seeking review of a decision in a hearing under Section 504 of the Rehabilitation Act of 1973 shall file a notice of appeal to the State Board of Education with the local school superintendent. Rule 160-1-3-.04 School Law Tribunals and Appeals shall otherwise apply with respect to the appeal.

Authority O.C.G.A. § 20-2-1160.

**Adopted: February 14, 2002**

**Effective: March 7, 2002**