

## **IDEA Hearing Decision Tiers**

Under IDEA, states can have a one or two tier hearing officer system. In one-tier systems, parties can challenge a hearing decision by filing directly in federal or state court. In two-tier systems, parties must first appeal to a state review officer level and then may challenge that decision in federal or state court. The following information was current as of January 2006.

### **One Tier Hearing Decisions**

Alabama  
Alaska  
Arkansas  
Arizona  
California  
Connecticut  
District of Columbia  
Delaware  
Florida  
Georgia  
Hawaii  
Idaho  
Iowa  
Illinois  
Louisiana  
Massachusetts  
Maryland  
Maine  
Michigan  
Missouri  
Minnesota  
Mississippi  
Montana  
North Dakota  
Nebraska  
New Hampshire  
New Jersey

New Mexico  
Nevada  
Oregon  
Puerto Rico  
Rhode Island  
South Dakota  
Tennessee  
Texas  
Utah  
Virginia  
Vermont  
Washington  
Wisconsin  
West Virginia  
Wyoming

### **Two Tier Hearing Decisions**

Colorado  
Indiana  
Kansas  
Kentucky  
North Carolina  
New York  
Ohio  
Oklahoma  
Pennsylvania (*1 tier proposed in pending regulations Apr. 2007*)  
South Carolina

This information is believed to be correct as of January 16, 2006. It is offered for educational purposes only. If you need legal advice, please contact the legal professional of your choice.

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