

10A NCAC 89B .0213 DISCOVERY

(a) Parties in appeals hearings shall exchange information voluntarily, seek access to public documents as provided by law, and exhaust other informal means of obtaining discoverable material.

(b) Within 15 days after receipt of a request for discovery or within such other time limit as the hearing officer may set, the party from whom discovery is requested shall either:

- (1) provide the requested material or access to that material to the discovering party;
- (2) provide a schedule for compliance with the request for discovery; or
- (3) file a written motion with the hearing officer for relief from the request for discovery.

(c) Any dispute regarding discovery shall be referred to the hearing officer for resolution. The hearing officer shall issue an order resolving the dispute and containing the reasons for the ruling. Copies of the order shall be served on all parties.

*History Note: Authority G.S. 143-546; 143B-10(j); 150B-11; 34 C.F.R. 361.48;
Eff. February 1, 1976;
Amended Eff. September 1, 1989;
Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016.*