**24:43:07:07.  Final determination.** Within 30 days of the hearing or receipt of the transcript of hearing, whichever is later, the hearing examiner shall prepare and serve a proposed decision and findings of fact and conclusions of law on the parties and provide an opportunity for each party to file exceptions and briefs. The final proposed decision and findings of fact and conclusions of law shall be filed with the secretary. The secretary shall issue a final decision and accept, reject, or modify the findings, conclusions, and proposed decision within 30 days of service of same upon the office. Nothing in this section prohibits the secretary from requiring additional evidence within the scope of the notice of hearing. If no request for hearing is timely received, the secretary will make a final determination of suspension, revocation of the accreditation, or approval status within 30 days. The length of the suspension will be set by the secretary and cannot exceed the balance of the current school year. The public school district or the nonpublic entity will be notified in writing by the secretary of the final decision of a contested case within 30 days of the receipt of the transcript and findings from the hearing officer. The South Dakota Board of Education Standards shall be informed of the change in status at its next regularly scheduled meeting. Department publications and the department's website shall indicate the district's or nonpublic entity's suspended or revoked status.

**Source:** 31 SDR 178, adopted May 4, 2005, effective July 1, 2005; 47 SDR 110, effective April 29, 2021.

**General Authority:** SDCL 13-3-47.

**Law Implemented:** SDCL 13-3-1.4, 13-3-47.