**Section 510.120 Exhaustion of Administrative Remedies**

a) If the grievance pertains to the VR program, DHS-ORS administrative action becomes final:

1) at any time when a mutually agreed upon resolution is reached between DHS-ORS and the grievant; or

2) upon issuance of the hearing decision.

b) If the grievance pertains to the conduct of a customer at the adult residential training program for persons with visual disabilities, DHS-ORS administrative action becomes final:

1) 7 working days after the date of the hearing decision, if no Associate Director's Review is performed; or

2) if an Associate Director's Review is performed, upon the decision of the Associate Director.

c) Any further appeal (other than by a vendor in the Business Enterprise Program for the Blind or by a grievant appealing sex equity or school records in DHS-ORS schools) must be made to the courts by common law writ of certiorari. A vendor in the Business Enterprise Program for the Blind must first file an appeal with the U.S. Department of Education in accordance with the Randolph-Sheppard Act (20 USC 107 et seq.). A grievance based on sex equity or school records must be filed with the State Board of Education.

d) Any decision under this Part shall be implemented when issued within the applicable time set out in Section 510.80. An appeal to a court shall not delay implementation.

(Source: Amended at 27 Ill. Reg. 9576, effective June 13, 2003)