

POLICY

2002

7671
1 of 2

Students

SUBJECT: APPOINTMENT AND COMPENSATION OF IMPARTIAL HEARING OFFICERS IN DISPUTES RELATING TO IDENTIFICATION, CLASSIFICATION AND PLACEMENT OF DISABLED STUDENTS; ELECTRONIC REPORTING TO STATE EDUCATION DEPARTMENT

Appointment

The Board of Education hereby adopts the Updated List of Impartial Hearing Officers for Suffolk County promulgated by the New York State Education Department in connection with requests for impartial hearings under the I.D.E.A. and Education Law, §4404. The District list shall also include the names of those other certified impartial hearing officers whose names appear on the State list and who indicate their interest in hearing appeals in matters affecting the South Huntington School District.

Upon receipt of a request for an impartial hearing, the President of the Board of Education, or on the occasion of his or her absence or inability, the Vice President of the Board of Education, is hereby authorized and directed to appoint an impartial hearing officer from the District's alphabetical rotational list previously adopted by the Board of Education. The President of the Board, or on the occasion of his or her absence or inability, the Vice President of the Board shall make such appointment in accordance with the principles set forth in Section 200.5 of the Regulations of the Commissioner of Education. The District Clerk, or acting District Clerk, under the direction of the President of the Board, shall initiate the selection process by contacting the impartial hearing officer whose name first appears after the impartial hearing officer who last served, and shall canvass the list as provided in the Regulations until an appointment is accepted. Should a hearing officer decline appointment, the District Clerk or his or her designee shall offer appointment to each successive hearing officer whose name next appears on the alphabetical list until such appointment is accepted.

The Board believes that an expeditious hearing is essential to accomplish the purposes of the I.D.E.A. and Education Law, §4404. To this purpose, the President of the Board or his or her designee shall only appoint those hearing officers who are prepared to commit to conduct hearing sessions of not less than six hours in duration, inclusive of a lunch break, where appropriate. Travel time to and from the hearing location shall not be counted toward fulfillment of this time commitment.

Compensation

The Board shall compensate an impartial hearing officer for his or her services at the maximum rate established for such purpose by the Commissioner of Education, which rate is currently \$100 per hour for all pre-hearing, hearing and post-hearing activities. The District will reimburse reasonable automotive travel expenses in the nature of mileage expense at the IRS approved rate for not to exceed 200 miles per day and tolls necessarily incurred. The District will not reimburse airfare expenses, meal expenses or lodging expenses under any circumstances.

The District Clerk or his or her designee shall transmit a copy of this policy to all hearing officers on the District's alphabetical list in order to apprise them of the District's policy with respect to

POLICY

2002

7671
2 of 2

Students

SUBJECT: APPOINTMENT AND COMPENSATION OF IMPARTIAL HEARING OFFICERS IN DISPUTES RELATING TO IDENTIFICATION, CLASSIFICATION AND PLACEMENT OF DISABLED STUDENTS; ELECTRONIC REPORTING TO STATE EDUCATION DEPARTMENT (continued)

appointment and compensation of impartial hearing officers.

Electronic Reporting

The Superintendent shall designate an individual or individuals who shall be responsible for implementation of the Education Department's web-based reporting system.

20 United States Code (U.S.C.)
Sections 1400-1485, Individuals with Disabilities
Education Act (IDEA)
Education Law Section 4404 (1)
8 NY code of Rules and Regulations
(NYCRR) Section 200.5

Adopted: 10/02/02