TO: Illinois State Board of Education

FROM: Robert E. Schiller, Superintendent
       Christopher A. Koch, Director

Agenda Topic: Approval of Hearing Officer Contracts

Materials: None

Staff Contact(s): Jimmy Gunnell, Division Administrator
                Paula Stadeker, Principal Education Consultant

Purpose of Agenda Item

To present the recommendations of the Due Process Screening Committee regarding reappointment of due process hearing officers whose terms expire June 30, 2003.

Expected Outcome(s) of Agenda Item

The Board will review and approve the recommendations of the Due Process Screening Committee so that the contracts of those hearing officers recommended for reappointment can be renewed for FY04.

Background Information

In accordance with the provisions at 105 ILCS 5/14-8.02a, the Due Process Screening Committee is charged with responsibilities associated with the screening, appointment, and reappointment of due process hearing officers. With regard to reappointment of hearing officers, an external training entity annually conducts one formative and one summative evaluation of each hearing officer and prepares a written evaluation report, which is submitted to the Due Process Hearing Committee for review. The Committee, based on its objective selection criteria and the annual and bi-annual evaluation reports prepared by the training entity, recommends whether the hearing officers whose terms are expiring should be reappointed and subsequently transmits its recommendations to the State Board of Education.

At a special meeting on May 27, 2003, the Due Process Screening Committee took action with regard to reappointment of hearing officers whose terms expire
June 30, 2003. This action was based on its objective selection criteria and the annual and bi-annual evaluation reports prepared by the training entity.

Specifically, the Committee approved a motion that the following hearing officers whose terms of appointment expire June 30, 2003, be reappointed for an additional two-year term:

- Charles Aschenbrenner
- Vivian Gordon
- Robert Ladenson
- Frank Nowik
- Stacey Stutzman
- Alan Cook
- Julia Quinn Dempsey
- Nancy Hablutzel

The Committee also approved a motion that the following hearing officer whose term of appointment expires June 30, 2003, not be reappointed:

- Stephen Rubin

**Analysis and Implications for Policy, Budget, Legislative Action and Communications**

**Policy Implication:** The State Board of Education is required to review and approve the Due Process Screening Committee recommendations for reappointment of hearing officers. Due process hearing officers are necessary in order for Illinois to comply with the Individuals with Disabilities Education Act and 105 ILCS 5/14-8.02a.

**Budget Implication:** During FY02, $630,300 of federal IDEA Part B funding was expended and $425,804 has been expended to date for FY03. The FY04 budget for this activity is expected to be congruent with previous years’ expenditures.

**Legislative Action:** Not Applicable.

**Pros and Cons of Various Actions**

Reappointments and subsequent renewal of contracts will ensure that ISBE fulfills federal and state requirements for the operation of an impartial due process system.

**Superintendent’s Recommendation**
The Superintendent recommends accepting the Due Process Screening Committee recommendations regarding reappointment of Hearing Officers whose terms expire June 30, 2003.

**Next Steps**

ISBE staff will prepare and distribute contracts to individual hearing officers for completion and return by June 6, 2003.