

Due Process Screening Committee Meeting  
December 7, 2004

The meeting was called to order at 9:33 a.m. by Chairperson Kathy Lyons.

Members in attendance:

Dr. Joe Vaal  
Dr. Margie Jobe  
Dr. Christopher Koch  
Kathy Lyons, Chairperson  
Jason Speaks  
Terri Devine  
C. Jackson Darnall

Others in attendance:

Brad Colwell  
Tom Britton  
Andy Eulass

At the request of Kathy Lyons, an amendment was made to the minutes of the October, 25, 2004 meeting to note that a special meeting scheduled for November 17<sup>th</sup> was cancelled. A motion was made by Margie Jobe and seconded by Joe Vaal to approve the October 25, 2004 minutes as amended. The motion carried by voice vote.

Discussion continued as to the status of the application process for new hearing officers. Chris Koch responded to questions from the committee the timeline for completion of the hiring process. Dates were suggested for completing interviews of applicants and to set training dates for candidate hearing officers. A special meeting of the Screening Committee was set for May 23, 2004 at 10:00 a.m. to make final recommendations of candidate hearing officers to the Illinois State Advisory Council.

A review and brief discussion followed regarding a memorandum from the ISBE Legal Department on the status of Kerry M. case, currently before the United States District Court for the Northern District of Illinois.

A brief discussion about the status of the Hearing Officer Complaint Procedures followed. Andy Eulass stated that the latest revisions to the Complaint Procedures would be distributed to members of the Screening Committee in advance of the special meeting to review the Procedures, scheduled for December 21, 2004 at 9:00 a.m.

Chris Koch then provided an update to the Committee of the status of the review of ISBE by the US Department of Education Office of Special Education Programs. Chris stated that a copy of OSEP's latest letter of findings would be distributed to members of the Screening Committee.

Chris Koch then discussed an independent study that was being commissioned to review and survey the current system of due process in Illinois, tentatively scheduled for completion in February 2005. Chris responded to questions clarifying aspects of the study. Members of the Screening Committee indicated their agreement with the commission of this study.

Finally, Jason Speaks discussed two items. First, he reported that Gary Griffin of the Attorney General's Office had spoken to Harry Blackburn of the ISBE Legal Department concerning the Attorney General's representation of Due Process Hearing Officers who are subpoenaed in due process appeals. Mr. Griffin indicated that the Attorney General's office would scrutinize Hearing Officer subpoenas more closely and seek to quash such subpoenas where possible in the future. Secondly, Jason requested ISBE to provide his office with the forms used by ISBE to close due process cases. Andy Eulass stated that the forms would be forwarded to Jason Speaks later that day.

Chris Koch motioned and Joe Vaal seconded a motion to adjourn. Meeting was adjourned at 10:35 a.m. by voice vote.