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OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION
CONTRACT FOR CONSULTING SERVICES

Gail Imobersteg, (hereafter called the Contractor) agrees to provide the following services to the Student Hearing Office (hereafter called the SHO) located in the Office of Compliance and Review within the Office of the State Superintendent of Education for the District of Columbia (hereafter called the Client) for Phase I of a project that is anticipated to be conducted over two (II) Phases, with the first Phase beginning October 25, 2007:

I. **SCOPE OF WORK.** Under the proposed contract, the Contractor agrees to provide the below-listed services, providing reports and participating in meetings on an ongoing and as-required basis throughout the contract term.

A. Define the qualifications, functions and responsibilities of the **Chief Hearing Officer**

1. Develop contract/employment plans for scheduling configurations for service of hearing officers (some full time; some part time; number in each status, etc.) and consider how or if such impact job descriptions.

2. Develop a criteria-based definition of the qualifications, function and responsibilities of the SHO Chief Hearing Officer and hearing officers, based on national best practices.

3. Provide technical assistance to OSSE and participate in recruitment activities for the CHO, as requested.

4. Conduct initial training of the selected CHO, if hired and in the position prior to January 31, 2008.

B. Define the qualifications, functions, responsibilities and performance criteria of the **SHO Hearing Officers,** with consideration given to the

1. Develop potential contract/employment plans for scheduling configurations for service of SHO hearing officers (some full time; some part time; number in each status, etc.) and consider how or if such impact job descriptions.

2. Review and provide and assessment of the current qualifications, job functions and responsibilities of existing SHO hearing officers; Recommend revisions/define the qualifications, functions and responsibilities of the Hearing Officers consistent with IDEA and DC law and standard and best practices.

3. Develop performance evaluation criteria for hearing officers, with consideration given to the nature of the current output of hearing officers.

4. Review one HOD, if available, for each Hearing Officer to determine skill level generally and random administrative records closed in the past 90 days.

5. Develop performance evaluation policies and procedures and criteria for Hearing Officers as compared to best practices, to include basic criteria to be evaluated, sources of data and methods of collection

6. Provide technical assistance to the Client relating to the contracts and recruitment of Hearing Officers by December 14, 2007.

7. Review and provide an assessment of the current contract terms for contracted Hearing Officers.

8. Work with the client to develop contracts for hearing officers, and if needed, bid proposal for hearing officers.

C. Define the qualifications, functions and responsibilities of the SHO **Chief Administrative Officer (CAO)**

1. After a review of the management and operation of the SHO and consultation the client, develop qualifications, function and responsibilities for Chief Administrative Officer(CAO)

2. Provide technical assistance and participate in recruitment activities for the CAO, as requested.

D. Organization of files (cases within the past 90 days will receive priority).

1. Review administrative records closed in the last 90 days for current business processes and to identify issues relating to the hearing officers' organization of returned hearing records and issues relating to the 'administrative' file of the SHO.

2. Provide technical assistance to the consultant on legal document management for cases completed in the past 90 days and archived records on the unique business processes for special education due process complaints.

3. Develop a protocol for the Hearing Officers' maintenance of a record of all proceedings from appointment to final disposition and the return of the complete, organized, indexed administrative record certified as true and correct.

4. Conduct training of Hearing Officers, on the protocol for maintenance of records.

E. Develop of an appropriate business process for **case docketing,** including the intake and

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processing of complaints, records, legal filings, and overall records management, with strong consideration given to how this business process will interact or be modified by adoption of an electronic docketing system.

1. Review current case docketing and proposed business processes to date with consideration of the proposed changes in business processes regarding case docketing adopted by the OSSE, identify business process impacts on an electronic docketing system;

2. Provide technical assistance to personnel developing the case docketing system.

F. Continuances.

1. Support of SHO and hearing officers in implementation of a written continuance form that meets the requirements of the Consent Decree; make recommendations regarding modifications, as needed, to the continuance form and process, to make fully effective and operational.

2. Work with any personnel, consultant or organization identified by the client whose responsibility it is to ensure that continuance information and data can be properly translated into data inputs for timeline compliance calculation purposes.

3. The contractor will attend and participate as requested in the October 29, 2007 hearing officer training on the continuance form provisions;

G. SHO staffing capacity.

1. Support the client evaluating current administrative staff, identify needs, make recommendations, and provide training that is *intended* to dissolve known operational problems (ex. communication to parties & LEAs).

2. Conduct a follow-up of staff training to ensure/verify intended results, providing alternatives and additional technical assistance if prior training and recommendations are unsuccessful in resolving the problems and assist in the implementation of these measures, as requested.

H. Development of policies and practices concerning the scheduling of hearing officers to cases in a manner that will facilitate early assignment of cases and conduct of pre-hearing conferences and status conferences, as appropriate to manage assigned cases.

1. Review current policies and practices concerning scheduling of hearing officers.

2. Solicit hearing officer input on the current scheduling process and proposed early

assignment of cases.

3. Develop policies and practices on the early scheduling of hearing officers to cases after the receipt of a due process complaint.

I. Identify systemic performance lapses and areas where new or modified regulations, policies, or practices are needed to ensure the SHO functions as a fully operational, service oriented, fair and independent state hearing office housed within a "real" state education agency. Coordinate with Contractor I to ensure consistency with Contractor I's efforts.

J. Other Contractor Duties.

1. Develop appropriate forms as needed, to include development of a pre-hearing agenda and checklist for Hearing Officers, format for HODs that meet standard legal practice, including orders that are clear, time certain, and verifiable.

2. Provide recommendations to eliminate impediments to the production of transcripts in a timely manner.

3. Collaborate with OSSE senior staff, SHO staff and with other consultants retained by the OSSE relative to this contract throughout the contract period and provide technical assistance as requested by the OSSE, including areas of need identified by the contractor and approved by OSSE, taking into consideration the specific contractual duties described above.

4. Reporting/meeting with public members/bodies and the Court Monitor as required and as directed by the OSSE regarding the implementation of management and operational changes effected during the contract.

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C.3 DELIVERABLES

Deliverable	Format and Method of Delivery	Due Date
Review the written continuance form; Conduct hearing officer training		October 29, 2007
Prepare summary report of review written polices, procedures and directives on the current docking system, any reports on deficiencies in the system and proposed business processes to date.		November 14, 2007.
Review current SHO practices, solicit hearing officer and SHO input,		November 21, 2007
Summary report of review of administrative records		November 28, 2007
Observe the implementation of the current system by SHO staff and interview key staff on the 'checks and balances		November 30, 2007.
Summary report of assessment of review of HODs and administrative records.		November 30, 2007
Written position description for Chief Hearing Officer.		December 17 2007
Written position description for Hearing Officers.		December 17 2007
Develop a model pre-hearing agenda, checklist and HOD format for Hearing Officers		December 20, 2007. .
Develop written evaluation policy and procedures of HODs and administrative records.		January 15, 2008;
Develop evaluation criteria of HOD's and administrative records		January 31, 2008.
Develop a protocol for Hearing Officers for maintenance of a record		December 12, 2007;
Conduct Hearing Officer training on new protocols		January 21, 2008
Identify business process impacts of docking system deficiencies		December 7, 2007.
Develop SHO policies and procedures		December 31, 2007
Produce written recommendations on the elimination of impediments to timely transcripts		January 31, 2008.
Technical assistance in the development of qualifications, functions and responsibilities of the Chief Administrative Officer and Chief Hearing Officer		January 31, 2008.

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