

October 2008 Advisory Committee Agenda

1. Hearing Procedures
 - a. court reporters at hearing
 - b. taping PHC
 - c. access to witnesses by unrepresented parents
 - d. access to process for all parties, especially non-Attorney participants
 - e. Is there an OAH etiquette/decorum policy for participants?
 - f. Exhibit tab designations
 - g. Resolution Sessions-Is it following the flavor of the law for alternative dispute resolution as lawyers are attending these
 - h. introduction of evidence
 - i. what is OAH's policy on Subpoena Duces Tecums served well in advance of the hearing since no discovery is permitted?
 - j. Is the NOI standard different on student filed versus district filed cases?

2. Substantive Issues
 - a. intersection between CDE and OAH (ie. Compliance complaints about failure to follow the hearing process or to obtain records should that be cause to delay the due process hearing)
 1. CDE representative from Compliance Unit requested to be present
 - b. Who must be served a District filed complaint - student or their attorney?
 - c. Enforcement of settlement agreements
 - d. ALJ training - is it sufficient?
 1. What is the actual 80 hours of training provided to ALJs?
 2. Issues that families face in addition to dealing with LEAs
 3. Intensive v. non-intensive services
 4. How to Judge/Role of ALJ
 5. Impact of a special needs child on a family
 - e. Why are the parents losing most of the time, even when represented by the most competent attorneys, and what can be done to effectively address this problem?

3. Parent Handbook
 - a. additional sample forms for filing various motions
 - b. how to's (ie. Access to district/county witnesses, enforcing subpoenas)
 - c. should this Handbook be available to all non-Attorney represented parties
 - d. flow chart of the process
 - e. glossary of commonly used terms
4. Access to information from OAH
 - a. List of Attorneys posted by OAH
 1. Criteria used to include on list
 2. Designate which attorneys are free versus low cost attorneys
 - b. OAH search engine
 1. listing by LEA
 2. separate Orders from Decisions
 3. Email Orders
 - c. Emailing decisions to list only after receipt by parties
 - d. availability of electronic/digital copies of decisions
 - e. availability of translators/translations of forms, decisions, orders
 - f. OAH pamphlet distributed locally to parents at IEPs
5. Separation of mediators from ALJs
6. Development and Implementation of a Certificate Program for advocates
7. What is the status of the joint legislative audit committee for OAH?
8. Is OAH currently understaffed in Orange County? If so, what is the plan to address the problem?