

EXHIBIT A.1

SCOPE OF WORK

A. GENERAL SCOPE:

State and federal law provides that all children with disabilities are entitled to a free and appropriate public education under the Individuals with Disabilities Education Act (20 United States Code section 1400 et seq., as amended by Public Law No. 108-446) and Part 30 of the California Education Code, commencing with Education Code section 56000. Eligible students and their parents are entitled to procedural safeguards with respect to disagreements concerning decisions about assessment, eligibility, program development, placement, and a free appropriate public education. A request for due process, including mediations and administrative hearings, may be made under 20 U.S.C. section 1415 et seq. and EC section 56500.1 et seq. The Department of General Services, Office of Administrative Hearings ("OAH") agrees to provide such hearing and mediation services pursuant to and in accordance with the requirements of federal and state laws and regulations, including services specifically detailed in this agreement.

B. SUPPORT STAFF:

The OAH agrees to maintain administrative, supervisory, information technology, and other support staff to operate the mediation and hearing process, including staff who will: (1) provide detailed information to callers, including information regarding hearing procedures; (2) receive, calendar, monitor, and report on the status of cases for mediation and hearing; (3) issue notices, including notice of hearing date, mediation date, calendar status, pre-hearing conference date, motion, and related-filing deadlines, (4) arrange for interpreters or special accommodations; (5) arrange for transcription of hearing audiotapes and distribution; (6) prepare cases for storage and maintain a closed file inventory system; (7) perform functions in connection with communication items identified. The OAH will monitor, track, and manage cases in adherence with all federal and state laws and regulations. The OAH will provide annual training to administrative, supervisory, information technology, and other support staff in the above areas. The training will include, but not be limited to, confidentiality of students' and parents' identities as provided for in California *Education Code* Section 56515.

C. QUALIFICATIONS AND TRAINING:

1. (a) The hearing shall be conducted by an Administrative Law Judge (ALJ) knowledgeable in administrative hearings who satisfies the requirements set forth herein and who is employed by, or under contract with, the OAH.
- (b) ALJs shall be attorneys licensed to practice law in California for at least five years immediately preceding his or her appointment, of which at least two years shall have involved contested cases in a trial court or the conduct of formal hearings or inquiries, and shall have involved experience in the presentation of evidence and examination of witnesses before trial courts or quasi-judicial administrative bodies. Experience acquired as a hearing officer in formal quasi-judicial administrative proceedings may be substituted year for year for the required two years of experience.

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- (c) In addition to the "Minimum Qualifications" as set forth in subdivision (b), no ALJ may serve as an ALJ in a special education due process hearing until the Supervisor of the Division determines that ALJ:
- (1) Possesses knowledge of the provisions of 20 U.S.C. sections 1400 et seq., federal and state regulations pertaining to that title, and legal interpretations of that title by federal and state courts;
 - (2) Possesses knowledge of the provisions of Education Code sections 56000 et seq. and related state statutes and implementing regulations, and legal interpretations of those statutes and regulations by federal and state courts;
 - (3) Possesses the knowledge and ability to conduct hearings in accordance with appropriate, standard legal practice; and
 - (4) Possesses the knowledge and ability to render and write decisions in accordance with appropriate, standard legal practice.
- (d) The OAH shall ensure every ALJ has completed at least 80 hours of training before conducting a due process hearing which shall include, but not be limited to, the following subjects:
- (1) Due process and the role of the hearing officer;
 - (2) Ethical requirements for hearing officers;
 - (3) Creating and maintaining a bias-free proceeding;
 - (4) Case management;
 - (5) Motions and other pre-hearing practice and procedure;
 - (6) Settlement practice;
 - (7) Hearing preparation;
 - (8) Making, completing, supplementing, and preserving a record;
 - (9) Opening and closing a hearing;
 - (10) Hearing room control and demeanor;
 - (11) Strategies for protecting the rights of parties not represented by attorneys;
 - (12) Dealing with a party's default;
 - (13) Handling and preserving documents and exhibits;
 - (14) Credibility of witnesses;
 - (15) Qualifying and evaluating expert witnesses;
 - (16) Common evidentiary issues in administrative proceedings;
 - (17) Closing briefs and arguments and submission;
 - (18) Writing decisions; and
 - (19) Resources for hearing officers.
- (e) As part of the 80 hours of training set forth in subsection C1(d), an ALJ's initial training shall include at least 20 hours of training in the adjudication of special education disputes, which may include practical, clinical, or simulated training, and which shall include, but not be limited to, the following subjects:
- (1) The substantive and procedural laws relating to the Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)(20 U.S.C. sections 1400 et seq.), including the federal regulations implementing IDEIA (34 C.F.R. sections 300.1 et seq.); *Education Code* sections 56000 et seq. and the regulations implementing those sections (Cal. Code Regs., tit. 5, sections 3000 et seq.);

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- related federal and state statutes and regulations; and court and administrative rulings interpreting or implementing all of the above;
- (2) Common disabilities and their impact on human functioning;
 - (3) The impact of common disabilities on students' academic, developmental and functional needs in an educational environment;
 - (4) Disability awareness;
 - (5) Options for the accommodation of disabilities in education and elsewhere;
 - (6) Services and supports available to students with exceptional needs;
 - (7) Adaptation of general education strategies for students with disabilities;
 - (8) Participation of children with exceptional needs in special education disputes;
 - (9) Participation of parents, guardians, and representatives of children with exceptional needs in special education disputes; and
 - (10) Participation of teachers, instructional assistants, educational support personnel, and administrators in special education disputes.
- (f) An ALJ annually shall complete at least 20 hours of continuing education in the adjudication of administrative disputes and special education disputes, which may include practical, clinical, or simulated training, and which shall include, but not be limited to, the subjects set forth in the immediately preceding subdivision (d) and (e).
2. (a) The mediation shall be conducted by an ALJ or mediator knowledgeable in the mediation of disputes who satisfies the requirements set forth herein and who is employed by, or under contract with, the OAH.
- (b) A mediator shall hold a minimum of a bachelor of arts or bachelor of science degree from an accredited college or university and shall have completed the minimum training as provided in this agreement before acting as a mediator.
- (c) No ALJ or mediator may serve as a mediator in a special education mediation until the Supervisor of the Division determines that the mediator possesses the skills and knowledge necessary to serve as a mediator.
- (d) A mediator of a special education dispute under *Education Code Part 30* (sections 56000 et seq.) shall be knowledgeable in laws and regulations relating to the provision of special education and related services, and in the process of reconciling differences in a non-adversarial manner.
- (e) An ALJ or mediator shall have completed at least 20 hours of training in mediation theory, techniques, and practices, which may include practical, clinical, or simulated training, and shall include, but not be limited to:
- (1) Mediation purposes;
 - (2) Evaluating cases for mediation;
 - (3) Mediation and mediator's ethics;
 - (4) Confidentiality in and after mediation;
 - (5) Negotiation theory;
 - (6) Approaches to conflict resolution;
 - (7) Preparation for mediation;
 - (8) Mediator's opening;
 - (9) Stages of mediation;

- (10) Identification and narrowing of issues;
 - (11) Communications skills;
 - (12) Use of caucuses;
 - (13) Strategies for dealing with recurring mediation problems;
 - (14) Recognizing opportunities in mediation;
 - (15) Recognizing and dealing with impasse and closure;
 - (16) Multi-party mediation;
 - (17) Post-mediation issues; and
 - (18) Resources for mediators.
- (f) A mediator shall have completed at least 20 hours of initial training in special education disputes, which may include practical, clinical, or simulated training, and which shall include, but not be limited to, those subjects identified in section C(1)(e) of this agreement.
- (g) An ALJ or mediator shall annually complete at least 20 hours of continuing education in mediation and the mediation of special education disputes, which may include practical, clinical, or simulated training, and which shall include, but not be limited to, further study of, and developments in, those subjects identified in section C (2) (e) and (f) of this agreement.
3. The OAH shall maintain and provide to interested parties upon request, a list of ALJs and mediators. The list shall include a summary of the qualifications for each ALJ and mediator. The OAH also agrees to provide CDE, quarterly, with training logs for each ALJ and mediator covering training taken during the previous quarter. Logs will include the name of each ALJ and mediator, the title and description of each training, the date of each training, and the number of hours of each training.

D. MEDIATIONS/DUE PROCESS HEARINGS:

1. The OAH agrees to maintain a Special Education Division for due process hearings and mediations. The OAH will assign one qualified ALJ for the hearing and a different ALJ or mediator for the mediation. In no case will the OAH assign a qualified staff person who facilitates a mediation to preside over a hearing in the same case.
2. (a) Any involvement by an ALJ with the subject matter of the dispute or any relationship between an ALJ with any party, or prospective witness, whether past or present, personal or professional, that reasonably raises a question of the ALJ's impartiality shall be disclosed to the parties as soon as practicable after the ALJ becomes aware of such circumstance. The OAH also agrees to submit written reports to the California Department of Education (CDE) pertaining to instances of conflict of interest that have been substantiated. Reports will be submitted within five business days of conflicts being substantiated.
- (b) An ALJ assigned to a hearing is subject to disqualification for bias, prejudice, or conflict of interest in the proceeding or for receipt of an ex parte communication in violation of the provisions contained in Title 5, *California Code of Regulations*, Section 3084.

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- (c) It is not alone or in itself grounds for disqualification, without further evidence of bias, prejudice, or interest, that the ALJ:
 - (1) Is or is not a member of a racial, ethnic, religious, sexual, or similar group and the proceeding involves the rights of that group;
 - (2) Has experience, technical competence, or specialized knowledge of, or has in any capacity expressed a view on, a legal, factual, or policy issue presented in the proceeding; or
 - (3) Has, as a lawyer or public official, participated in the drafting of laws or regulations or in the effort to pass or defeat laws or regulations, the meaning, effect, or application of which is in issue in the proceeding.
 - (d) The OAH shall provide notice to the parties of the identity of the ALJ at least five business days in advance of the due process hearing so that any motions regarding a conflict of interest may be timely made and heard.
 - (e) A party to a special education due process proceeding is entitled to one peremptory challenge (disqualification without cause) of an ALJ assigned to the due process hearing. Peremptory challenges, however, are not allowed in proceedings involving temporary or interim relief, including requests for stay put, and in no event shall one be made after a due process hearing has commenced.
3. The OAH shall require mediators to prevent conflicts of interest. A mediator shall disclose all actual and potential conflicts of interest reasonably known to the mediator. After disclosure, the mediator shall decline to mediate unless all parties choose to retain the mediator. The need to protect against conflicts of interest also governs conduct that occurs during and after the mediation.
 4. For purposes of ex parte communications, ALJs and mediators will comply with Section 3084, Title 5, of the *California Code of Regulations*.
 5. ALJs and mediators assigned to a particular case will be responsible for managing mediations through to impasse or resolution and for facilitating the process by which a written agreement can be prepared. A single case file will be maintained, but all materials related to the mediation will be sealed and not reviewed by or discussed with the ALJ presiding over the matter.
 6. The OAH will conduct mediations and due process hearings at a location that is convenient to the parents or students as required by California *Education Code* Section 56505(b).
 7. (a) There shall be a Supervisor of the Special Education Division who shall have at least seven years of experience in the practice of law in civil or criminal trial courts, appellate courts, or quasi-judicial administrative proceedings, including significant experience in special education matters. The OAH will assign the Supervisor of the Division on an exclusive and full-time basis. The Supervisor of the Division, or his or her designee, shall:
 - (1) Decide when an ALJ meets the standards for ALJs as described in Section C, and shall be included on the public list of qualified ALJs maintained by the OAH pursuant to 34 C.F.R. section 300.511(c) and *Education Code* Section 56505(m);

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- (2) Supervise the work of all ALJs;
 - (3) Review and approve the training and continuing education programs required herein for ALJs;
 - (4) Periodically evaluate ALJs; and
 - (5) Review the decisions of ALJs to ensure that they are clear, concise, logical, well-reasoned, supported by appropriate legal authority, and addressed to all issues required to be decided. The OAH will, by July 31, 2008, provide descriptions of the quality control mechanisms used to ensure that hearings are fair and decisions are accurate. Review of decisions of the ALJs shall not involve making or altering findings of fact.
 - (b) There shall be a Supervisor of mediators, who shall have at least five years of experience in the mediation of disputes arising before, during, or independently of, judicial or quasi-judicial administrative proceedings, including experience in special education matters. The OAH will assign the Supervisor of mediators on an exclusive and full-time basis to administer the mediations. The Supervisor of the Special Education Division may also serve in this capacity. The Supervisor of mediators, or his or her designee, shall:
 - (1) Decide when a mediator meets the standards for mediators as described in Section C, and shall be included on the public list of qualified mediators and their qualifications maintained by the OAH pursuant to 20 U.S.C. section 1415(e)(2)(C) and 34 C.F.R. section 300.506(b)(3)(i);
 - (2) Supervise the work of all mediators;
 - (3) Review and approve the training and continuing education programs required herein for mediators;
 - (4) Periodically evaluate mediators; and
 - (5) Review mediation results, to the extent practicable consistent with the need for confidentiality, to ensure that mediators perform competently in light of the standards and expectations set forth herein.
 - (c) The OAH will assign the Special Education Division ALJs and mediators to regional offices throughout the State who will be supervised by a local Presiding ALJ. The OAH will, by July 31, 2008, publish its organization chart. The chart, organized by regional offices, will include the names of all special education ALJs and mediators assigned to each office. The OAH agrees to update the chart as needed. The OAH will assign Presiding ALJs on an exclusive and full-time basis to administer the hearing and mediation programs in their assigned offices.
8. The OAH agrees to use the "Request for Mediation and Due Process Hearing" form approved by the CDE. The form may be used by a party to request a hearing and/or mediation. The form will be available, online and in print.
 9. Hearings and mediations shall be conducted in the English language; when the primary language of a party or a witness to a hearing is other than English, or other mode of communication, an interpreter shall be provided who is competent as determined by the ALJ or mediator. Cost for an interpreter shall be borne by the CDE. Interpreters shall take an oath to interpret fully and accurately.

10. The OAH shall comply with all federal and state laws and regulations related to the timeline for issuance of a due process hearing decision.
11. The OAH will ensure that a verbatim record of proceedings is made and that a transcript of these proceedings is made available to parents or students as appropriate, according to state and federal laws and regulations. The OAH will produce a transcript of the proceedings within 90 days of receiving the request for a transcript. If a transcript is not available, the OAH will assist the parties in recreating the record. If a request for a transcript is made by a party to the matter other than the parents, the OAH will produce a transcript of the proceedings at a cost to the requestor not to exceed the actual cost to the OAH. If a transcript of the proceedings is available, the OAH will provide a copy of the transcript to a non-parent party to the matter at the cost of duplicating and mailing the transcript to the non-parent party.
12. The OAH shall archive all printed case-related records at the State Records Center in circumstances that ensure their confidentiality. Paperless records will be maintained with the OAH databases. The OAH shall maintain a seven-year retention schedule for these files and paperless records and shall cooperate and facilitate transfer authority over these records to the CDE upon completion or termination of this agreement. Case files will be stored in approved archive boxes with an index provided for each box. The OAH agrees, as necessary, to facilitate the CDE's access to mediation and due process hearing files stored in the State Records Center. The OAH also agrees to work with the CDE contract monitor and other CDE staff to resolve any accounting or billing issues related to the storage of records.
13. The OAH agrees that for any costs associated with complying with *Education Code* section 56505.1(e) and (g), it will provide documentation to support the particular costs, including but not limited to, the name of the case and the name and hourly rate of the expert or witness.

E. COMMUNICATIONS/INFORMATION SHARING:

1. The OAH will continually update its Web site pertaining to the OAH Special Education Division and will allow the CDE to create applicable links. The OAH will provide the CDE with a liaison for issues pertaining to the Web site. The OAH will monitor its Web site for broken links and repair as necessary. The OAH will include on its Web site, by December 31, 2008, links to online legal resources including, but not limited to, applicable sections of the *California Code of Regulations*, the Code of Federal Regulations, and the Federal Register. Included with each link will be a brief description of resources and their relevance to hearings and/or mediations. The OAH, by December 31, 2008, agrees to include on its Web site's *Contact Us* feature, additional language inviting the public to submit feedback and suggestions regarding the OAH, mediations, and hearings.
2. The OAH shall prepare forms and documents for special education proceedings in English and, at minimum, the five foreign languages most commonly spoken in California schools as identified annually by the CDE. The OAH will, by July 31, 2008, publish on its Web site a list of all available and downloadable documents. The OAH Web site will, by July 31, 2008, include a feature for requesting, by language, available forms and documents.

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3. The OAH shall develop a consumer brochure and a Special Education Due Process Hearing and Mediation parent manual, by July 31, 2009. The consumer brochure shall provide a general overview of the due process and mediation process and assist interested parties to access these services. The Special Education Due Process Hearing and Mediation parent manual shall provide detailed guidance for parents in areas related to due process hearings and mediation to include, but not be limited to the following:
 - (a) How to file a due process complaint;
 - (b) Describes mediation, how to prepare for mediation and participate in mediation;
 - (c) Properly communicate with the hearing office and other parties;
 - (d) How to compel attendance of witnesses and compel production of documents;
 - (e) How to prepare for a due process hearing;
 - (f) Proper presentation of evidence;
 - (g) How to access applicable statutes and regulations;
 - (h) How to file and serve pre-hearing motions; and
 - (i) How to research and locate special education decisions issued by the contractor.
4. The OAH agrees that when a parent either inquires about filing a complaint or does file a complaint, the OAH will provide that parent with written notice that assistance is available for preparing the request for mediation and due process hearing form. Upon request, the OAH shall provide assistance that shall be limited to an explanation of the process and documentation that is part of the filing requirements for mediation and due process. Such assistance shall not be intended to require the OAH to provide legal advice to the complainant. The OAH additionally agrees to post this notice on its Web site. The written notice regarding availability of assistance will be reviewed and approved by the CDE prior to distribution to parents.
5. The OAH will submit hard copies of the special education due process decisions to the CDE, along with a written index, organized by student names and case numbers, of the submitted decisions, no later than the 15th of the following month. On a monthly basis, the OAH will upload all redacted decisions to its Web site and provide a link to the CDE Special Education Division Web site. The OAH agrees to conduct monthly audits to ensure that all special education due process decisions have been uploaded to its Web site. The OAH will publish, on a monthly basis, rulings on procedural or dispositive motions that the Division Supervisor deems to be of sufficient import to be of assistance to members of the public appearing before OAH on special education matters. Any such rulings may be cited as persuasive but not binding authority.
6. The OAH will pursuant to California *Education Code* Section 56502(h) provide parties with the CDE's "Notice of Procedural Safeguards" at the time a due process hearing request is received.
7. Pursuant to California *Education Code* Section 56502(h), the OAH will, by July 31, 2008, publish a list of persons and organizations providing free or reduced-cost representation or other assistance in preparing for due process hearings. The OAH will publish this list by geographic area. Persons and organizations seeking to be added to the list shall self-certify that they meet the requirements of California *Education Code* Section 56502(h).

8. The OAH will work closely with the CDE contract monitor and other CDE staff assigned to the project. Unless specifically exempted, all definitions, policies, procedures, and materials developed by the OAH, pursuant to this contract, will be reviewed and approved by the CDE before their implementation or publication. The OAH will provide the CDE with 15 business days to complete the review and approval process.
9. The OAH, by signing this agreement, agrees to cooperate, assist, and comply with any reasonable requests for information necessary to accomplish transition to a new contract at the termination of this agreement.
10. OAH will propose any suggested changes in the law regarding the special education dispute resolution program through the contract monitor to CDE, except as provided in GC 11370.5.

F. ADVISORY COMMITTEE:

1. The OAH shall maintain an Advisory Committee composed of attorneys, advocates, parents, and school employees, the majority of whom shall be parents, advocates for parents and attorneys for parents, and shall schedule meetings with the Committee, one in northern California and one in southern California, in the first half of the year, and one in northern California and one in southern California in the second half of the year, for a total of four meetings each year. The OAH may consult with the Advisory Committee, as needed, between semiannual meetings.
2. The Advisory Committee shall be selected from stakeholders who express an interest in serving on the Committee. The OAH will publish the process for becoming a member of the Advisory Committee. This Committee is responsible for providing recommendations for mediations and due process hearing procedures. The Committee's recommendations shall not be binding upon the OAH.
3. The OAH agrees to publish, by July 31, 2008, a description of the role of the Advisory Committee. The OAH may publish with subsequent revisions as necessary, the names and status (parent, student, attorney, advocate, etc.) of Advisory Committee members.
4. OAH will publish the dates, locations, agendas, and a summary of items discussed and outcomes from all Advisory Committee meetings. Dates and locations of meetings will be published at least two months before meetings are held. The OAH agrees to consult with the Advisory Committee in developing all applicable meeting agendas and that agendas will be distributed to members and interested others, in advance of meetings. All Advisory Committee meetings will include a public comment period.
5. The OAH will consult with the Advisory Committee in areas such as: revisions to the OAH website, forms, documents, scheduling procedures, staff training, training materials, parent procedure manual, consumer brochure, outreach to families and student, and proposed revisions to laws and rules.

G. DATA COLLECTION AND REPORTING:

1. The OAH will, by July 31, 2008, provide CDE with read only access to the OAH's special education case management system. Access will be provided to designated CDE personnel and subject to mutually agreeable security protocols.
2. OAH will make all data collected available for placement on the CDE Web site.
3. The OAH will publish a quarterly report that includes the following information:
 - a. Mediations: 1) Number of mediation requests total; 2) number of mediations not related to hearing requests; 3) number of mediations related to hearing requests; 4) number of mediation agreements related to hearing requests; 6) number of mediation not held, including pending.
 - b. Due process hearings: 1) Number of hearing requests total; 2) Number of resolution sessions 3) number of settlement agreements; 4) number of hearings held (fully adjudicated); 5) number of decisions within timeline; 6) number of decisions within extended timeline; 7) number of decisions issued after timelines and extension expired; 8) number of hearings pending; 9) number of expedited hearings; 10) number of hearing request cases resolved without a hearing.
 - c. Expedited hearing requests (related to disciplinary decision): 1) Number of expedited hearing requests total; 2) number of resolution sessions 3) number of settlement agreements; 4) number of expedited hearings (fully adjudicated); 5) number of changes of placement ordered.
 - d. In accordance with Education Code section 56504.5, each quarterly report shall additionally contain data to provide CDE with information needed to comply with federal and state laws and regulations for monitoring local programs. Specifically, these reports shall provide data as requested by the federal Office of Special Education Programs and any state laws imposing a requirement upon CDE of reporting of data related to the above. The information shall include:
 - (1) The total number of cases won by each side.
 - (2) The number of issues decided in favor of each side in split decisions.
 - (3) How often schools and parents, were represented by attorneys.
 - (4) How many prehearing motions were filed by each side.
 - (5) Which side won most of the prehearing motions.
 - (6) How many parent, requests for due process were dismissed for insufficiency.
 - (7) How often pupils of color accessed the system.
 - (8) How often non-English-speaking people used the system.
 - (9) How long the hearings took.
 - (10) How much of each hearing, on average, was consumed by the parent's, presentation of his or her case.

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- (11) How much of each hearing, on average, was consumed by the district's presentation of its case.
- (12) How many of the hearing requests were from parents.
- (13) How many of the hearing requests were from school districts.
- (14) How many witnesses school districts called on average.
- (15) How many witnesses parents called on average.
- (16) From which districts parent requests for due process came.
- (17) What issues, within special education, generated due process hearing requests during the quarter.
- (18) What disabilities generated due process hearing requests during the quarter.
- (19) What age groups (preschool, primary, junior high, high school) generated hearing requests during the quarter.
- (20) How many hearing decisions were appealed to court during the quarter.
- (21) How many cases were totally resolved in mediation by agreement.
- (22) How many cases were totally resolved in the mandatory resolution session.

Quarterly reports shall reflect data from the reporting quarter and cumulative year-to-date data.

4. The OAH will develop, submit to the CDE for review and approval, and implement recommendations for system improvement.
5. The OAH will provide its evaluation forms to the parties. The forms assess the OAH's timeliness and effectiveness and may, on a voluntary basis, be completed by parties who participate in mediations and/or hearings. The OAH shall review and provide the CDE with a summary report of the evaluations, including cumulative information to date, on a quarterly basis.
6. OAH will submit reports, including but not limited to quarterly reports, in compliance with the requirements described in this agreement. The OAH will provide a quarterly report to the CDE contract monitor on the implementation of the interagency agreement. The OAH will report statistical data, with analysis, on the productivity of ALJs and mediators. OAH will use measurements, as determined by the OAH to quantify the "productivity" of ALJs and mediators. The quarterly reports will also include costs of hearings and mediations on both an aggregate and individual basis.

H. CONFIDENTIALITY:

The OAH agrees to implement and enforce any provision in the law concerning confidentiality of information and/or records relating to special education hearings and mediations.

I. MONITORING, TRACKING, AND MANAGEMENT OF CASES:

1. The OAH shall permit the CDE to audit, review, and inspect the OAH's activities, books, documents, papers, and records during the progress of the work and for five years following final payment. All documents associated with mediations and hearings will be

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retained for seven years. The OAH shall allow CDE staff to monitor ongoing work being performed under this agreement including, but not limited to, training being provided to ALJs and mediators, administrative, supervisory, information technology, and support staff operating the mediation and hearing program.

1. The OAH shall maintain accounting records and other evidence pertaining to costs incurred and shall make them available to the CDE during the period of the interagency agreement and for five years after final payment on the agreement.