

**General****Specific Suggestions****General Scope of HO Authority**

1. Authorize HO to impose all appropriate sanctions, including dismissal, striking of a defense, reduced time for hearing, and monetary sanctions.
2. Authorize HO to issue a consent order/judgment about prevailing party status and award attorneys fees.
3. Specify broad uniform standards for enforcement of settlement, mediation and resolution agreements.
4. Expressly adopt numerous court rulings that HO has absolute quasi-judicial immunity.
5. Require that HO must be attorney who must be paid at state-wide comparable hourly rate.

**Management Authority**

1. Clarify, make uniform and/or increase scope of hearing officer's case management (basic case management; compiling a record; conduct of parties) and remedial authority.
2. Allow HO to grant amendments to a complaint at any time upon agreement of the parties or in their discretion based on fairness, judicial economy and the student's educational stability.
3. Authorize HO to order an IEP meeting and suspend hearing timelines pending conclusion of meeting.
4. Require a written transcript/record in each case.
5. Clarify that discussion and identification of methodology is shared responsibility of IEP team.

**Clarification of Existing Authority**

1. Clarify availability, calculation, amount of compensatory education.
2. Provide that discussions in resolution meetings are confidential and eliminate three-day void provision.
3. Clearly differentiate and eliminate duplication on use of due process versus state administrative complaints.
4. Reconsider inconsistency between two year statute of limitations to initiate hearing and requirement that hearing decision be issued within 45 days of initiation of hearing.
5. Clarify that HO may suspend hearing decision timelines pending request for IEE.

**Systemic Efficiency and Fairness**

1. Authorize lay advocates to represent parents in hearings and set minimum training requirements for them.
2. Provide limited, defined *pre-hearing* technical assistance to *pro se* parents.
3. General guidance explaining the responsibility of HO in *pro se* cases.
4. Authorize HO to use inquisitorial method for presentation of evidence and development of record.
5. Require mediation in each case, or allow HO to order mediation.

**General Advisories**

Support for

1. Enactment of the IDEA Fairness Restoration Act, (S. 613) to reverse U.S. Supreme Court's decision in *Arlington Central School District Board of Education v. Murphy, 548 U.S. 291 (2006)*, to allow expert fees as costs to prevailing party.
2. Establishment of uniform, optional, voluntary binding arbitration system.