



## Indiana Department of Education

---

Dr. Katie Jenner, Secretary of Education

The Indiana Department of Education, Office of Special Education (OSE) is currently seeking applicants to serve in a capacity as both independent hearing officers and mediators. OSE maintains a rotation list of qualified and trained individuals to serve as mediators in mediations (511 IAC 7-45-2) and as independent hearing officers in due process hearings (511 IAC 7-45-3 through -11).

To be eligible to serve as an independent hearing officer and mediator after June 30, 2019, an individual must:

- Not be an officer, employee, or agent of an Indiana school corporation or special education planning district, the Department of Education, or any other agency that may be involved in the education or care of a student;
- Be a licensed attorney in good standing with the Indiana Supreme Court;
- Be a registered mediator on the Office of Admissions and Continuing Education's Mediator Registry;
- Possess knowledge of and the ability to understand the provisions of the Individuals with Disabilities Education Act, 20 USC §§ 1400 *et seq.* (IDEA), Federal and State regulations pertaining to the IDEA, legal interpretations of the IDEA by Federal and State courts, and Article 7 (511 IAC 7);
- Be trained in the due process hearing procedures to ensure the ability to conduct hearings in accordance with Indiana Code 4-21.5-3;
- Be trained in effective mediation techniques;
- Possess the knowledge and ability to render and write decisions in accordance with appropriate standards of legal practice;
- Have excellent interpersonal skills, and be patient, dignified, and courteous to parties, witnesses, lawyers, advocates, and court reporters;
- Have the ability and means of transportation to travel state-wide to conduct hearings mediations, and to attend trainings;
- Have access to a reliable computer, printer, and fax machine to assist in the drafting, printing, and faxing of mediation agreements and orders related to hearings;
- Have reliable internet service;
- Demonstrate the ability to utilize the OSE's electronic filing system;
- Have the ability to conduct prehearing conferences, hearings, and mediation sessions through the use of a virtual platform;
- Be impartial;
- Have excellent oral and listening skills;
- Not have any personal or professional interest that conflicts with the individual's objectivity in conducting an impartial hearing (no appearance of or actual conflict of interest);
- Be able to commit the time necessary to the process; and
- Be a resident of Indiana.

Expectations of an independent hearing officer/mediator are as follows:

- Hearing officers/mediators will be contacted by the OSE to accept or decline a due process hearing or mediation appointment;
- Hearing officers/mediators will be expected to comply with legal timelines;
- Hearing officers/mediators will be responsible for transmitting documents to and from the OSE in a timely fashion and will need access to a computer with reliable internet service and a fax machine for transmissions.
- For hearings, hearing officers will:
  - contact the parties and establish a pre-hearing conference, where hearing procedures will be discussed, the issues identified, and the date, time, and location of the due process hearing will be determined;
  - be responsible for issuing orders on motions from the parties; and
  - be responsible for rendering a decision that may include hearing orders;
- For mediations, mediators will:
  - contact the parties and establish a mediation meeting, including the date, time, and location of the mediation;
  - prepare a legally binding written mediation agreement that sets forth the parties' resolution, should the parties resolve a dispute through the mediation process.

If interested, please complete the application and submit it to our office **no later than August 31, 2022**. Mail to Indiana Department of Education, Dispute Resolution Team, Indiana Government Center North, 9<sup>th</sup> Floor, 100 N Senate Ave., Indianapolis, IN 46204, or fax (317/232-0589), or email [ichamphelpdesk@doe.in.gov](mailto:ichamphelpdesk@doe.in.gov).