



Virtual Event

January 10-11, 2023 ~ 11:00 a.m. - 4:15 p.m. CST

AGENDA & PRESENTER INFORMATION

Tuesday, January 10th

Kickoff

11:00AM-11:15AM CST

1. Session Title: [Due Process Hearing Management: Suggestions from a Recovering ALJ](#)

11:15AM-12:45PM CST

A former IDEA Administrative Law Judge, who is currently the Dispute Resolution Coordinator for the Louisiana Department of Education, will give participants the benefits of both viewpoints as we discuss and make suggestions on topics including initial case prep & status conferences, self-represented parents, timeline management, hearing management & evidence, and decision-writing.

Presenter: [Parris Taylor](#) is an attorney working as part of the Louisiana Department of Education's Executive Counsel Team, and the coordinator for the LDOE's dispute resolution program for students with exceptionalities. Mr. Taylor was a former IDEA administrative law judge and deputy general counsel with the State of Louisiana's Division of Administrative Law before joining the LDOE. Attorney Taylor started as a general practitioner with the Tyson, Pitcher, Avery, & Cunningham Law Firm before taking a position as a child support attorney with the State of Louisiana's Department of Children and Family Services. He later transferred to DCFS to join its Bureau of General Counsel's legal staff where he also worked as a child protection attorney with the Office of Child Welfare. Attorney Taylor served as founding chair, and co-chair, and is currently a member of the Louisiana State Bar Association's Children's Law Committee, and he is also a member of the LSBA's Legal Services for Persons with Disabilities Committee. He was an invited speaker for special education workshops at the National IDEA Academy and the Lehigh University Special Education Law Symposium. Attorney Taylor has conducted continuing legal education seminars for the Louisiana State Legislature, the Louisiana State Bar Association, and he has been a featured presenter for community stakeholder groups and non-governmental organizations throughout Louisiana. He is a past member of the Louisiana State Legislature's Child In Need of Care Task Force, a participant in the Louisiana Child Support Guideline Committee, and he was a past president of the Louisiana Association of Administrative Law Judges. Mr. Taylor graduated from Morgan State University in Baltimore. Later he attended and graduated from the Southern University Law Center in Baton Rouge, where he formerly served as an adjunct professor teaching administrative law, and is a long-standing member of Omega Psi Phi Fraternity, Inc.

2. Session Title: [Writing Durable Decisions](#)**1:00PM-2:30PM CST**

Hearing officers have the difficult task of drafting decisions that are not only durable, but consumable. Decision must withstand scrutiny and be understood. Durable decisions are achieved through technically correct, thorough, and careful drafting, weaving the testimony and evidence into an artful synthesis with the legal standards. How much evidence? How does a hearing officer calculate compensatory education? How do I increase the durability of my decisions? This session is made for IDEA hearing officers and will provide practical information for use in your next decision.

Presenter: [Lenore Knudtson](#) has a Bachelor of Arts degree from Ball State University, a Masters degree in School Psychology from the University of Wisconsin, and a Juris Doctorate degree from William Mitchell College of Law. She began her career as a school psychologist working with school teams, parents, and children with disabilities. As a special education attorney and partner at Pingora Consulting, Ms. Knudtson provides consultation, training, and technical assistance to states from coast to coast. She also serves as a mediator, complaint investigator, and hearing officer in several states and speaks to audiences across the nation on special education law and compliance.

3. Session Title: [Judicial Ethics for Hearing Officials](#)**2:45PM-3:45PM CST**

ALJ's (executive branch judges) may be subject to the same ethical standards as judges in the judicial branch of government. This will depend on the jurisdiction. For our purposes, we will assume that ALJ's are subject to the same standards and will discuss judicial ethics standards based upon the ABA Model Code of Judicial conduct as well as statutory law governing disqualification of judges.

Presenter: [Greg Ogden](#) is a professor of law at Pepperdine University where he has taught since 1978. He teaches administrative law, civil procedure, professional responsibility, and remedies. He is a graduate of UCLA, (BA, cum laude) UC Davis school of Law (JD, Law Review Editor), and he has two LLM's, one from Temple University in legal education, and one from Columbia University in administrative law. He has been an administrative law consultant to the Administrative Conference of the United States, and to the California Law Revision Commission. He has taught administrative law for 40 years, and was the principal author of California Public Agency Practice, (three volumes, Matthew, Bender & Co., Inc., 1989), and California Public Administrative Law (two volumes, Matthew Bender & Co., Inc. 1997), the leading treatise on California administrative law. He prepares treatise updates two times per year and the treatise is available both in print version, and online on Lexis-Nexis. He has authored several articles in the administrative law field, including most recently the following article in the Journal of the NAALJ: Ogden, Gregory L., The Role of Demeanor Evidence in Determining Credibility of Witnesses in Fact Finding: The Views of ALJ's, 20 Journal of NAALJ 1 (2000). Professor Ogden was the 1999 NAALJ Fellowship recipient, and he presented his fellowship paper on demeanor evidence at the 1999 NAALJ Conference in Asheville, North Carolina.

Professor Ogden has been the faculty editor of the Journal of the NAALJ for 20 years starting with the 2000-2001 academic year, when the Journal editorial responsibilities was taken over by Pepperdine University School of Law. He was on the planning committee for the Evidence for ALJ's program hosted at Pepperdine Law School in May, 2001. He co-chaired the planning committee for the 2010 NAALJ annual conference that was hosted by Pepperdine University. Professor Ogden has spoken at numerous continuing judicial education conferences on current developments in administrative law, evidence basics for administrative law judges, demeanor evidence and credibility determinations, and judicial ethics for ALJ's. His topics have been presented at programs sponsored by the California Office of Administrative Hearings (OAH), the National Association of Hearing Officials (NAHO), the Association for Administrative Law Judges (AALJ), the National Association of Administrative Law Judges (NAALJ), the IDEA National Academy, and the Arkansas, Iowa, and South Carolina NAALJ affiliate organizations. He has also presented programs on legal ethics for government attorneys for the SEC and for the state administrative law section of the Arkansas State Bar Association. Ogden has been retained as a consultant to several law firms needing administrative law expertise. In 2006, Ogden was appointed Reporter for the Drafting Committee for the Model State Administrative Procedure Act revision project sponsored by the National Conference of Commissioners for Uniform State Laws (NCCUSL). Ogden completed his service in that capacity when the 2010 Model act was adopted by the Uniform Law Commission in July, 2010.

4. Session Title: [IDEA Case Law Update](#)

11:15AM-12:45PM CST

Courts across the country have continued at a busy pace over the past year, ruling on numerous special education issues so far during 2022. This session provides an overview of the most important recent special education decisions—and why they matter to hearing officers, ALJs and review officers. We will cover topics ranging from behavior, to placement to parent participation, and much more.

Presenter: [Jan Tomsy](#) is a partner in the firm, serving clients from the Oakland office. A nationally recognized leader in special education law, Jan has represented school district clients in mediations and due process hearings, as well as in special education-related litigation in both state and federal courts and in the Ninth Circuit Court of Appeals. Her expertise in special education matters has helped scores of districts to address issues and resolve disputes in this specialized field. Additionally, Jan has assisted districts in countless student expulsion hearings, particularly those that involve complex or sensitive issues, and has successfully defended districts' decisions on appeal to county boards and in court.

In addition to student-related advice, Jan regularly assists clients on issues related to cyber misconduct, social media and technology matters. Moreover, Jan is certified as a trainer of trainers in Interest Based Bargaining, and she advises clients on contract and general labor and employment matters.

A popular speaker, Jan is asked to present throughout the country on education and the law. She frequently presents for the Association of California School Administrators, LRP's national Institute (focusing on legal issues related to educating students with disabilities), the LRP Special Education School Attorneys Conference, and the LRP Directors' Summit. In addition, Jan presents at state and regional conferences throughout the country, and designs and delivers workshops for individual districts, which are specifically tailored to address their needs. Jan is the author of Personal Liability for IDEA Violations: Where the Courts Stand, and was a contributing author to The Administrator's Guide to Building and Maintaining a Comprehensive Autism Program and IDEA Due Process Survival Guide, all of which are LRP publications.

Jan received her Juris Doctor from the University of California, Berkeley School of Law, where she won a Best Brief award in moot court and was Production Editor for the California Law Review. Prior to law school, Jan worked as Dean of Admissions and Financial Aid and as the Registrar at the Dominican University of San Rafael. Jan holds a master's degree in Education, with an emphasis in special education and student development, and a bachelor's degree, summa cum laude, both from the Dominican University of San Rafael.

5. Session Title: [DPH: The Art of Identifying & Managing Areas of Potential Dissension and Opportunity](#) **1:00PM-2:30PM CST**

Join three IDEA hearing officers from various states and stages in their careers, as they discuss their tips, tricks, challenges, and solutions at this phase of their career: beginning hearing officer and mid-career hearing officer.

Claudette Rushing will discuss what she has learned as a new hearing officer and share insights into areas such as obtaining your first state hearing officer contracts, hosting your first hearing, scheduling various hearing matters and responding to motions, and ideas for using technology to serve state agencies during the Covid pandemic and beyond.

Terri Hagen will discuss what she has learned in her decades of experience as a hearing officer, state review officer, and hearing officer trainer. She will share her thoughts on the best ways to write orders, work with parties, and tips and tricks she has learned along the way along with her current greatest challenges as a midcareer Hearing Officer. She will share her insight and advice to new hearing officers and insight into best practices for drafting orders for IDEA hearings.

The presenters hope to engage participants in dialogue and discussion about their own career paths and experiences, in order to both reflect and to grow best hearing officer practices nationally.

Presenter: [Terri Hagen](#) has served as the state level review officer for the Ohio Department of Education since 2004. She has also served as a Hearing Officer for the state of Ohio since 2012. She was an Adjunct Law professor for Ohio State University from 1999-2018. She also worked as a litigation attorney and a hearing officer for a variety of different Ohio State agencies including the Department of Health and Human Services and the Office of Administrative Decisions. She has decades of experience teaching new hearings officers' best practices for legal writing and drafting final administrative orders. Additionally, she has extensive experience working with litigation, mediation, and arbitration.

Presenter: [Claudette Rushing](#) has worked as a special education hearing officer for the Vermont Agency of Education since 2019. She is also a new hearing officer for the state of Texas. She has worked in the field of education law and special education dispute resolution since 2011. Prior to her legal career, Ms. Rushing worked as a reading specialist, English as a Foreign Language (EFL) teacher, and as a general and special education teacher in Texas, France, and Maryland. She also worked extensively with gifted and talented children with Johns Hopkins University's Center for Talented Youth. Ms. Rushing worked as a Legal Specialist and Dispute Resolution Coordinator for the Oregon Department of Education from 2011-2015. She worked as an attorney for the U.S. Department of Education's Office for Civil Rights from 2015-2021. In addition to working as a hearing officer, Ms. Rushing also works with state agencies for IDEA mediation and investigation, through her consulting company, Education Resolutions, LLC.

Presenter: [Catherine Stern](#) graduated from college in the early 1970s and went on to receive a Ed.M. in Education Policy from the Harvard Graduate School of Education and a J.D from Vermont Law School. Her legal career began at a law firm that represented school districts in New Hampshire primarily with EHA issues that were beginning to appear on the horizon. Catherine spent several years representing both parents and school districts in Special Education cases before becoming a Special Education hearing officer in the 1980s. In the late 1980s, she moved from New Hampshire to Vermont taking up the role of hearing officer for Home Study and Special Education cases and for a time, a review officer for the Vermont Agency of Education. Since 2020, Catherine has been a mentor for hearing officers within the Agency. Her work for the Vermont Agency of Education ended in June of 2022, but she remains active in working for policy and system improvements in the area of special education hearings

6. Session Title: [Interpreting Psychoeducational Evaluation Results](#)

2:45PM-4:15PM CST

This presentation will provide attendees an framework for viewing evaluation results in terms of comprehensiveness, psychometric properties, and use of results to develop individualized goals.

Presenter: [Dr. Sara Rich](#), a Licensed Health Service Psychologist and Nationally Certified School Psychologist, is a clinical assistant professor of OSU-Center for Health Sciences' Department of Psychiatry and Behavioral Medicine. Dr. Rich also serves as Co-Director of the OSU BRIDGE Center. Dr. Rich has expertise in contextual implementation of MTSS across a variety of urban, suburban, and rural settings as a direct provider of services, trainer, and consultant. Currently, she serves as an evaluator for a federally funded Mental Health Service Professional Demonstration Grant and provides direct consultation to Oklahoma's second largest school district on their initiative to implement MTSS. Dr. Rich also has extensive experience with special education services for students with and at-risk for disabilities. As a district level school psychologist, she facilitated the special education and pre-referral process at all her assigned sites. In her current role, Dr. Rich provides evaluations of children for social, emotional, behavioral, and academic concerns through the OSU Behavioral Medicine Clinic and works with families to navigate appropriate services for children within school and community settings.

Presenter: [Dr. Brit'ny Stein](#) is a Licensed Health Service Psychologist and Nationally Certified School Psychologist employed at the OSU-Center for Health Sciences' Behavioral Medicine Clinic. She also serves as Director of Technical Assistance for the OSU BRIDGE Center. Dr. Stein specializes in MTSS consultation and training, with implementation experience across rural, urban, and suburban schools. In her current role at the OSU Behavioral Medicine Clinic, she conducts neuropsychological evaluations to diagnose neurodevelopmental and mental health disorders in children and adolescents. She also currently serves on the evaluation team for the Oklahoma State Department of Education's Project AWARE grants, as well as a consultant to a large urban Oklahoma district on the implementation of whole-child MTSS. Prior to her role at OSU, she served as school psychologist at the Osage County Interlocal Cooperative for five years, supervising school psychology students in assessment, intervention, and consultation at the individual-, classroom-, and systems-level in rural schools, as well as participating on several multi-disciplinary teams to successfully write and implement a variety of state and federally-funded grants.

Presenter: [Gary J. Duhon](#), Ph.D., is currently a Professor and Director of Training for the School Psychology PhD program at Oklahoma State University. His areas of research include response to intervention, direct behavioral interventions, academic intervention techniques and increasing treatment integrity of teacher run interventions. Dr. Duhon received his doctoral degree from Louisiana State University. He has worked with individual districts in Oklahoma and Louisiana to enhance pre-referral intervention procedures in an effort to reduce over referral concerns and enhance student achievement. He has also assisted in the design and implementation of response to intervention models in Oklahoma school districts.