

**THE CITY OF NEW YORK  
OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS  
CITYWIDE JOB VACANCY NOTICE**

<b>Civil Service Title: Executive Agency Counsel</b>	<b>Level: M1</b>	<b>Title Code: 95005</b>
<b>Office Title: Special Education Hearing Officer</b>	<b>Salary: \$140,000</b>	
<b>Division: Special Education Hearings Division</b>		
<b>Unit: n/a</b>	<b>Number of Positions: 13</b>	
<b>Work Location: 66 John St., New York, NY (subject to change)</b>	<b>Hours/Shift: Full Time</b>	

**ABOUT OATH:**

The City of New York's Office of Administrative Trials and Hearings (OATH) is the nation's largest administrative tribunal, holding approximately 400,000 trials and hearings a year. As the City's central, independent administrative law court, OATH adjudicates a wide range of matters filed by nearly every city agency, board and commission. OATH also houses the Center for Creative Conflict Resolution which provides mediation and restorative justice support to City government agencies and the general public, and the Administrative Judicial Institute, a resource center that provides training, continuing education, research and support services for administrative law judges and hearing officers.

**JOB DESCRIPTION**

OATH is seeking to hire 13 attorneys to serve as special education hearing officers in the administration of special education impartial due process hearings for students with disabilities, 3-21 years of age, arising under the federal Individuals with Disabilities Education Act (IDEA), and/or pursuant to Section 504 of the federal Rehabilitation Act of 1973, as amended (Section 504).

The IDEA has established due process procedures for use when a parent and a school district disagree about the identification, evaluation, educational placement, or the provision of a free appropriate public education for a student with a disability. Under Section 504 a due process complaint may be filed by a parent or guardian of a qualified student with a disability on any matter relating to the identification, evaluation, or educational placement of such student. Such disagreements and/or claims may be resolved through an impartial hearing, a formal method in which the parties present and refute evidence before a hearing officer.

Responsibilities will include, but are not limited to:

- Conducting hearings by remote means and in person, evaluating evidence, and maintaining administrative courtroom procedures.
- Conduct settlement conferences between parents and the New York City Department of Education.
- Issue written decisions.
- Conduct legal research regarding state and federal education laws, the IDEA, Section 504, and special education programs.
- Maintain a high degree of professionalism and effectiveness in handling assigned matters promptly.
- Handle special assignments and projects including but not limited to oral and/or written presentations.

New York State Education Department impartial hearing officer training and additional training will be provided at no cost to candidates after hiring.

OATH Special Education Hearing Officers are appointed for a term of four years, with potential for reappointment.

**Please note: Incumbents must remain members of the New York State Bar in good standing and must attain NYSED impartial hearing officer certification promptly upon hiring and maintain such certification for the duration of this employment.**

**MINIMUM QUALIFICATION REQUIREMENT FOR CIVIL SERVICE TITLE**

- Admission to the New York State Bar; and four years of recent full-time responsible, relevant, satisfactory legal experience subsequent to admission to any bar, eighteen months of which must have been in the supervision of other attorneys, in an administrative, managerial or executive capacity, or performing highly complex and significant legal work.
- Have a minimum of two years practice and/or experience in the areas of education, special education, disability rights or civil rights.
- Attain NYSED impartial hearing officer certification promptly upon hiring and maintain such certification throughout the course of employment. Failure to comply with this requirement may result in termination.

**Preferred Skills:**

- Possess knowledge of, and the ability to understand, the provisions of federal and state law and regulations pertaining to IDEA and Section 504 and legal interpretations of such law and regulations by federal and state courts.
- Possess knowledge of, and the ability to conduct hearings in accordance with appropriate standard legal practice and to render and write decisions in accordance with appropriate standard legal practice.
- Excellent oral and written communication skills.

**To Apply:**

For City employees, please go to Employee Self Service (ESS), click on Recruiting Activities > Careers, and search for the Job ID listed. For all other applicants, please go to [www.nyc.gov/jobs/search](http://www.nyc.gov/jobs/search) and search for the Job ID listed.

**NOTE: Pursuant to New York City Administrative Code § 12-121(a), New York City residency is not required for this position.** City employees are required to report to work in-person.

SUBMISSION OF A RESUME IS NOT A GUARANTEE THAT YOU WILL RECEIVE AN INTERVIEW.  
APPOINTMENTS ARE SUBJECT TO OVERSIGHT APPROVAL.

No telephone calls, faxes or personal inquiries please. Only those candidates under consideration will be contacted.

For more information about OATH, visit us at: [www.nyc.gov/oath](http://www.nyc.gov/oath)

**Post Date: 6/14/2023**

**Post Until: Until filled**

**Job ID: 820-2023-590162**

**OATH and the City of New York are Equal Opportunity Employers**