

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

Civil Service Title: Executive Agency Counsel	Level: M2	Title Code: 95005
Office Title: Supervising Special Education Hearing Officer	Salary: \$145,000	
Division: Special Education Hearings Division		
Unit: n/a	Number of Positions: 1	
Work Location: 66 John St, New York, NY 10038	Hours/Shift: 35 hours/week	

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 four Supervising Special Education Hearing Officers to manage OATH special education impartial hearing officers (IHOs) in the administration of special education impartial due process hearings for students with disabilities, 3-21 years of age, pursuant to section 200.1(x) of the Regulations of the Commissioner of Education. The Supervising Special Education Hearing Officers will work with the Deputy Commissioner of the Division to oversee all adjudicatory activities related to the impartial hearing process for parents seeking relief pursuant to Individuals with Disabilities Education Act (IDEA) and will serve as senior advisors to the Deputy Commissioner of the Division on policy and legal matters.

The federal Individuals with Disabilities Education Act (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. Such disagreements 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:

- Manage all pre- and post-hearing adjudicatory activities so that determinations regarding students' services are made in a timely fashion. Monitor the activities and timeline involved in cases handled by Special Education Hearing Officers.
- Assure compliance with federal and state laws and regulations under the federal Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act.
- Assist in the preparation and coordination of the requisite notices and documentation to assure full due process rights for students with disabilities.
- Acts as a continuing training and educational resource for Special Education Hearing Officers concerning changes in federal and state laws and regulation and decisions of federal and state courts and the NYSED Office of State Review.
- Responsible for developing public-facing analyses and reports for elected officials, press outlets, families, and communities.
- Conduct 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, and special education programs.
- Handle special assignments and projects including but not limited to oral and/or written presentations.
- Maintain a high degree of professionalism and effectiveness in ensuring that assigned matters are handled promptly.

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

OATH Supervising 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 legal interpretations of such law and regulations by federal and state courts.
- Demonstrated ability to manage hearing officers, judges, and/or adjudicatory staff.
- 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 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.

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

Post Date: 3/9/2023

Post Until: Until filled

JVN: 820-2023-578350

OATH and the City of New York are Equal Opportunity Employers