

SELECTION, APPOINTMENT AND COMPENSATION  
OF IMPARTIAL HEARING OFFICERS

- I. The Waterville Central District is committed to providing a free and appropriate education to all of its students. The District therefore will appoint an impartial due process hearing officer (IHO) to review the identification, evaluation, or placement of any student who is disabled:
  - A. If the District believes an impartial due process hearing is necessary to secure an appropriate identification, evaluation or placement and the District has fully exhausted its statutory and/or regulatory responsibilities with respect to securing parental consent.
  - B. If the student's parent/legal guardian submits a written request for an impartial due process hearing.
  - C. If the District fails to effectuate, within the mandated timelines, a recommendation issued by the Committee on special Education and the student's parent submits a written request for an impartial due process hearing.
  
- II. An expedited impartial due process hearing related to the discipline of a student with a disability may be requested:
  - A. By the District to obtain an order placing a student with a disability in an interim alternative educational setting when school personnel maintain that it is dangerous for the student to be in his or her current educational placement. (The District's request for an expedited hearing may or may not be pending the outcome of a non-expedited hearing).
  - B. By a parent who requests an impartial due process hearing from a determination that the student's behavior was not a manifestation of the student's disability.
  - C. By a parent relating to any decision regarding a disciplinary change in placement, including but not limited to any decision to place the student in an interim alternative educational setting.
  
- III. The Superintendent will develop regulations to ensure the fair and efficient selection of IHOs.

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Waterville Central School District

Legal Ref: Education Law §4404; 8 NYCRR 200.1(x), 200.2(b)(9), 200.2(e)(1),  
200.5(i)(3)(xiv), 200.5, 200.21; SRO 93-47; SED July 1998 Memorandum.

Adopted: 10/27/98

Revised: 11/12/02, 02/24/04, 06/14/11, 03/27/18