

CADRE and JAMS Foundation Present:
Voices from the Field
Interview Clip #1 Transcript – Jim Gerl

Marshall: So Jim, you've had extensive experience with due process hearings as a hearings officer, as a trainer, as a consultant. As you think about all of your experience is there particular advice that you have for hearings officers?

Jim: Yes, I do. I think it's important for hearing officers to communicate with each other, I think it's important for them to talk. A lot of times hearing officers only have contact with the hearing officers in their particular state. It's good to join organizations and, like the National Association of Hearing Officials, which provides for communication. In terms of actual techniques, I mean, I think the most important thing is always fairness and second to that is the appearance of fairness and again if hearing officers can keep those things in mind I think that would help them a lot.

Marshall: Great. One of the questions that comes up from time to time with CADRE is, has to do with the evaluation of hearing officers and questions about, really, what's appropriate in terms of evaluating officers, their decisions, where do you draw the line?

Jim: Yea, that's a, that's a really good question, the evaluations of hearing officers is very important to, not only the state education agencies, which contract with or hire, or hire some other agency to have the hearing officers work for them, but also to the parties. It's important to the system that we have quality hearing officers. I think it's also important that those evaluations be done fairly, and that's one of the key things and not done, for example, to punish the independence of hearing officers if they favor one party or another, but rather to make sure that they are following the law and providing procedures that are fair to all the parties.

Marshall: So, say a bit more about, about how states might, might pursue that evaluation.

Jim: Okay, I think probably the best way is to contract with or higher a former hearing officer, somebody with a lot of experience to actually do the evaluation process. I think it helps to have sat in the seat in order to evaluate a hearing

officer, so I think that's, that's one important way. Another thing that I think has been very effective in a number of states is peer evaluation where you have the hearing officers discuss each other's decisions with the freedom to criticize, at least constructively, so that they can help each other, for example, to see maybe that there might be better ways to do certain things, or to understand why a hearing officer did a particular decision or technique in a particular way. The peer evaluation seems to be growing in a number of states. Other states use a more formal evaluation system, but I think that peer evaluation has a lot of possibilities.