Mississippi Department of Education

DESCRIPTOR TERM:	CODE:
Hearing Officer Fees	**7205**
ADOPTION DATE:	REVISION:
January 15, 1993	

STATE BOARD POLICY

Hearing Officer Fees

Recommended rates per professional hour and non-professional hour shall be determined annually by the recommendations of the Mississippi Department of Education Leadership Team and shall be posted on the website of the Office of Special Education.

A. Time spent as specified below may be billed at the recommended professional hourly rate:

Conducting the pre-hearing conference call which includes the following tasks:

- Sending the initial letter setting up the pre-hearing call. (form letter.)
- Conducting the pre-hearing conference call.
- Writing a letter summarizing the call.

Conducting the due process hearing which includes the following tasks:

- Preparing and sending notice of the hearing to all parties.
- Conducting the hearing.
- Writing an opinion.

B. Time spent as specified below may be billed at the recommended non-professional hourly rate:

- Time spent performing clerical functions, including, but not limited to, phone calls except as specified above, scheduling, preparing or sending documents, except as above, etc.
- Time spent in travel from base to destination.

Usual and customary expenses include charges for the following:

- Long distance telephone
- Audio recording
- Faxing
- Photocopying
- Certified mail
- Out of pocket costs (hotel, meals, mileage)

Costs Not Allowed

- Excessive time for research.
- Time spent for billing purposes.
- Transcribing phone calls or meetings.
- Other expenses that are not documented and defined.

Miscellaneous time spent on the case should be included in the hourly rate for conducting the pre-hearing conference and for conducting the hearing.

Additional Considerations

Extra time required to educate oneself on an issue should not be passed on as extra cost to the district. Excessive time spent researching the issue will not be considered a necessary component of writing the opinion. If the hearing officer is not familiar with pertinent case law, he/she should request that counsel for both parties submit briefs following the hearing, since clients are already paying for the research to be conducted by their attorneys.

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Hearing Officer Fees

~~*Recommended rate of $125 per professional hour, charged only for time spent as specified below.*~~

Recommended rates per professional hour and non-professional hour shall be determined annually by the recommendations of the Mississippi Department of Education Leadership Team and shall be posted on the website of the Office of Special Education.

C. Time spent as specified below may be billed at the recommended professional hourly rate:

Conducting the pre-hearing conference call which includes the following tasks:

- Sending the initial letter setting up the pre-hearing call. (form letter.)
- Conducting the pre-hearing conference call.
- Writing a letter summarizing the call.

Conducting the due process hearing which includes the following tasks:

- Preparing and sending notice of the hearing to all parties.
- Conducting the hearing.

- Writing an opinion.

~~*Recommended rate of $25 per non-professional hour, charged for time spent as specified below.*~~

D. <u>Time spent as specified below may be billed at the recommended non-professional hourly rate:</u>

- Time spent performing clerical functions, including, but not limited to, phone calls except as specified above, scheduling, preparing or sending documents, except as above, etc.
- Time spent in travel from base to destination.

<u>Usual and customary expenses include charges for the following</u>:

- Long distance telephone
- Audio recording
- Faxing
- Photocopying
- Certified mail
- Out of pocket costs (hotel, meals, mileage)

<u>Costs Not Allowed</u>

- Excessive time for research.
- Time spent for billing purposes.
- Transcribing phone calls or meetings.
- Other expenses that are not documented and defined.

Miscellaneous time spent on the case should be included in the hourly rate for conducting the pre-hearing conference and for conducting the hearing.

<u>Additional Considerations</u>

Extra time required to educate oneself on an issue should not be passed on as extra cost to the district. Excessive time spent researching the issue will not be considered a necessary component of writing the opinion. If the hearing officer is not familiar with pertinent case law, he/she should request that counsel for both parties submit briefs following the hearing, since clients are already paying for the research to be conducted by their attorneys.