

Blackman v. District of Columbia, (D.D.C.) November 10, 2003: Disabled Students - Claims challenging hearing officer's conduct fell outside class claims in IDEA action.

The claims underlying a motion by parents for the appointment of a monitor to ensure the proper training and impartiality of the hearing officers of the District of Columbia's public school hearing office fell outside the boundaries of the certified class and subclasses in consolidated actions under the Individuals with Disabilities Education Act and local law. The claims stemmed from alleged improper bias on the part of a hearing officer and other alleged derelictions of duty by that hearing officer, and were not based upon the District of Columbia's failure to provide timely due process hearings or a failure to implement hearing officer determinations or settlement agreements. Therefore, the denial of the motion without prejudice was warranted.

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