

COUNTY OF TRAVIS §

Division Number: 160-006	Program Name: IDEA B Formula – Hearing Officers
Org. Code: _____	Legal/Funding Authority: 20 USC
Speed Chart: _____	1400 et seq
Payee Name: SOAH	Payee ID: 3360360360
ISAS Contract #: 3081	PO #: 34388

Amendment No: 5

**AMENDMENT TO  
INTERAGENCY CONTRACT  
BETWEEN  
TEXAS EDUCATION AGENCY (TEA or Receiving Party)  
AND**

**State Office of Administrative Hearings (SOAH)  
NAME OF PERFORMING PARTY**

It is mutually understood and agreed by and between the undersigned contracting parties of the above-referenced contract to amend the contract effective September 1, 2015, as follows:

The parties agree to extend the contract for an additional term from September 1, 2015, to August 31, 2016. The contract amount for this period shall not exceed \$400,000.

Amend Section 5.1 to state: TEA will pay SOAH the fee of \$128.00 per hour for the time that a hearing officer spends performing hearing officer functions and traveling to and from a hearing. TEA will pay SOAH the fee of \$64.00 per hour for the time that a paralegal spends performing paralegal functions on cases assigned by TEA under this contract. TEA will pay up to three hours for actual time that a paralegal or hearing officer spends on the organization of files, papers, exhibits, or other documents for the preparation of the final file that will be returned to TEA. TEA will not compensate SOAH for time spent preparing billing invoices. Because TEA will pay SOAH from funding sources other than general revenue (i.e., federal funds), TEA will also pay SOAH for SOAH's employee benefit costs for salaries and wages, to be paid in reimbursement of the General Revenue Fund (General Appropriations Act, 84th Legislature, Article VIII, SOAH bill pattern, Rider 4). These costs will be itemized separately on SOAH's invoices.

Amend Section 5.3 to state: TEA shall pay SOAH the fee of \$128.00 per hour for the time that a hearing officer spends in training sessions sponsored by TEA.

Remove Section 5.4.

Amend the final paragraph of Section 5 to state: SOAH must prepare and submit to TEA by the 20th day of each month an invoice, which includes detailed activities and expenses by case, including supporting documentation deemed necessary by TEA. The TEA docket number and school district name must be listed for each case. SOAH may submit invoices electronically to [teaaccountspayable@tea.texas.gov](mailto:teaaccountspayable@tea.texas.gov) or mail invoices to: Texas Education Agency, ATTN: Accounting Department, 1701 North Congress Avenue, Suite 2-125, Austin, Texas 78701-1494.

Amend APPENDIX ONE, DESCRIPTION OF SERVICES – I. Purpose and Objectives, paragraph C to state: The parties agree that the following SOAH ALJs will serve as special education hearing officers and conduct a portion of the hearings filed with TEA under IDEA:

Craig Bennett  
David Berger  
Tommy Broyles  
Sharon Cloninger  
Penny Wilkov

Remove APPENDIX ONE, DESCRIPTION OF SERVICES, II. Timeline of Major Activities, paragraph B.

Amend APPENDIX ONE, DESCRIPTION OF SERVICES, II. Timeline of Major Activities, paragraph C to state: TEA will generally alternate between assigning hearings to SOAH and to its other contract hearing officers so that every other hearing request filed with TEA is assigned to SOAH. When SOAH comes up in the rotation, TEA will promptly notify SOAH. Within one business day, SOAH will notify TEA which designated SOAH hearing officer is available to preside over the hearing. TEA will then assign the hearing to that hearing officer. If a hearing request involves the same student who was involved in another hearing that was filed within the last 12 months, TEA will assign the hearing to the same hearing officer who presided over the previous hearing. In addition, TEA may assign the same hearing officer to hearings involving siblings that are filed within 12 months of each other

All other terms and conditions of the original contract and contract amendments remain the same and are incorporated herein as if specifically written.

It is agreed and accepted by a person authorized to bind Contractor that all terms and conditions of this amendment are effective commencing on the above date.

RECEIVING PARTY	PERFORMING PARTY
TEXAS EDUCATION AGENCY	STATE OFFICE OF ADMINISTRATIVE HEARINGS
By: <u>Shirley Beaulieu</u> Shirley Beaulieu	By: <u>Cathleen Parsley</u> Cathleen Parsley
Associate Commissioner Finance/ CFO <u>8-31-15</u> Date	Chief Administrative Law Judge <u>8-26-15</u> Date
Return three (3) copies with original signature to: Norma Barrera, Purchasing, Contracts and Agency Services Texas Education Agency 1701 North Congress Avenue, Room 2-125 Austin, Texas 78701-1494 Or Submit electronic copies to: TEAContracts@tea.texas.gov	Approved as to form: By: <u>Thomas H. Walston</u> Thomas H. Walston General Counsel for SOAH <u>8/26/15</u> Date