

**ORANGE COUNTY
SPECIAL EDUCATION ALLIANCE
APPLICATION FOR ALLIANCE PARTICIPATION**

Please answer the questions below. If a question is not applicable to your situation, please indicate, "Not Applicable." Districts may attach separate sheets of paper to respond to the questions.

1. Does the case raise a legal issue of countywide significance?
2. What is the present status of the case?
3. What were the specific issues in the case? On which issues did the each party win or lose? Which issues are being appealed?
4. Who was the prevailing party? Is there a dispute over who was the prevailing party in the case?
5. If the district prevailed, is it likely that the other party will appeal the decision?
6. Is there a possibility that if an appellate court were to rule on the issues in the case, it would set a positive precedent for all districts in the county?
7. Are there any controlling precedents (e.g., U.S. Supreme Court, U.S. Ninth Circuit Court of Appeal) that have already decided the issue or similar issues?
8. In reading the hearing officer's decision, was the hearing officer's decision based on credibility determinations of the witnesses? Were these credibility determinations made in favor of the district or against the district? How do these credibility determinations affect the outcome of the case?
9. In reading the hearing officer's decision, was the hearing officer's decision based on factual issues which an appellate court would be unlikely to overturn? Were these factual determinations made in favor of the district or against the district. How do these factual determinations affect the outcome of the case?
10. In reading the hearing officer's decision, was the decision based on the hearing officer's interpretation of the law?
11. Was the hearing officer's interpretation of the law contrary to established case law?
12. Are there any procedural issues which would hamper the ability of an appellate court to decide the legal issues?
13. Were all applicable timelines and procedural requirements complied with by the school district?
14. What would be the estimated cost of the appeal?
15. Do you foresee a negative impact on the district if the case is not pursued? What level of support are you requesting?