# SPECIAL EDUCATION HEARING OFFICERS

Revised 4/2024

In Virginia, special education due process hearings, which are held pursuant to the *Individuals with Disabilities Education Act*, are conducted by attorneys who meet standards set by the Supreme Court of Virginia and the Virginia Department of Education (VDOE), including completion of ongoing training requirements. Regulations require these hearings to be conducted by hearing officers on a list maintained by the Supreme Court of Virginia’s Office of the Executive Secretary. The hearing officers receive training from the Supreme Court of Virginia and those who have also received training in managing special education cases and have been certified by VDOE are assigned to special education due process hearings.

**Please be advised that when a request for a due process hearing is filed, the school division is responsible for requesting appointment of a hearing officer by the Office of the Executive Secretary of the Supreme Court of Virginia. The Supreme Court of Virginia provides the Local Educational Agency with the name of a currently approved hearing officer for a special education matter at the time a request for a hearing is made.** Assignments are made by the Supreme Court of Virginia using an impartial rotational system that takes into account the regions in which the hearing officers are available to hear cases. Neither the Local Educational Agency nor VDOE is involved in selecting which hearing officer is assigned to a specific case.

Year in parentheses indicates the year the hearing officer was certified to hear special education cases.

* **Frank G. Aschmann (1994)**

Aschmann and Aschmann

209 South Alfred Street, Alexandria, Virginia 22314-3638

(703) 683-1142

* Background/Experience: Practicing attorney since 1988. Graduate of University of Virginia, B.A., 1982; Nova Southeastern University, J.D., 1988. Experience in employment law, small business matters, wills and estates, criminal law and juvenile cases. Virginia Supreme Court certified Guardian ad litem for children.
* **James Barnett (2024)**

209 Mounty Manor, Yorktown, VA 23693

(757) 897-2847

Background/Experience: Graduate of Wake Forest University, B.A., 1972; Washington & Lee University School of Law, J.D., 1977. Practicing Attorney since 1977 with a wide ranging practice experience, including all aspects of local government law, school law, regulatory and administrative law, contracts, litigation, employment law, zoning and land use, real estate transactions, etc.

* **Morgan Brooke-Devlin (1993)**

121 S. Washington Street, Falls Church, Virginia 22046

(703) 533-9099, FAX (703) 533-9880

* Background/Experience: Practicing attorney since 1978; graduate of Old Dominion University, 1975, B.A.; William and Mary, Marshall-Wythe, 1978; experience in administrative law in labor, employment, immigration, EEOC; Represented clients in matters of education and special education law.
* **Polly Chong (2024)**

732 Thimble Shoals Blvd. Suite 201, Newport News, Virginia 23606

(757) 599-8400; Email: ctappt@aol.com

Background/Experience: Graduate of Christopher Newport University, Bachelors Degree 1986; Christopher Newport, Master’s Degree 1989; Study Under Attorney Program through the Virginia Board of Bar Examiner’s, 1986. Practicing attorney since 1996. Wide ranging experience including civil and criminal matters, litigation, domestic relations, personal injury, estates and trusts, administrative law, family law, guardian ad litem work, etc. Ms. Chong has also served as a certified Mediator since 2002 and since 2016 has served as a substitute judge in General District and Juvenile and Domestic Relations Courts.

* **Sarah S. Freeman (1989)**

Freeman and Associates, 780 Lynnhaven Parkway, Suite 400, Virginia Beach, Virginia 23452

(757) 821-2931, FAX (757) 821-2901

* Background/Experience: General practicing of law since 1982. Hearing Officer since 1989. Graduate of Sweet Briar College, B.A., 1975; George Mason University School of Law, J.D., 1981.
* **Frederick Gerson (2021)**

Durrette Arkema Gerson & Gill, 1111 E. Main Street #16, Richmond, Virginia 23219

(804) 482-1121, FAX 804-823-2611, Email: fgerson@dagglaw.com

* Background/Experience: Practicing attorney since 1996 with a wide ranging practice including corporate and general business law, litigation, and regulatory and administrative law. Graduate of Johns Hopkins University, B.A., 1991; College of William & Mary-Wythe School of Law, J.D., 1996. Supreme Court of Virginia hearing officer since 2003, presiding over various administrative proceedings.
* **Robin S. Gnatowsky (1997) [certified but currently inactive]**

P.O. Box 4066, Glen Allen, Virginia 23058-4066

(804) 364-5071, FAX (804) 364-6387

* Background/Experience: Practicing attorney since 1989 and Hearing officer since 1998. He has a Juris Doctorate from the Washington and Lee University School of Law, in Lexington, Virginia, a Master of Science in Personal Financial Planning (MSPFP) from the College for Financial Planning, in Denver, Colorado, and a Master of Science in Financial Services (M.S.F.S.) from the Richard D. Irwin Graduate School of Management, in Philadelphia, Pennsylvania.
* **Robert J. Hartsoe (1999)**

Hartsoe & Morgan, PLLC, 4084 University Drive, Suite 100-A, Fairfax, Virginia 22030

(703) 591-3100, FAX (703) 273-7292

* Background/Experience: Practicing attorney since 1987. Graduate of College of William and Mary B.A., 1984; University of Richmond School of Law, J.D., 1987. Appointed as a Circuit Court Commissioner in Chancery; Guardian *ad litem*for children and adults, 1991; and, lectured regarding adult guardian/conservatorship, family law, *guardian ad litem* matters and the neutral-case evaluation process. Hearing officer experience since 1999, including hearings for the Virginia Department of Education; Virginia Department of Motor Vehicles; Virginia Retirement System; Virginia Department for the Blind and Vision Impaired; Virginia Department of Social Services; and Department for Aging and Rehabilitative Services.
* **Brooke Kennington (2024)**

5806 Grove Avenue, #102, Richmond, VA 23226

(804)396-4905

brooke@kenningtonlawpllc.com

Background/Experience: Virginia State Bar member since 2003. Graduate of The College of William and Mary, B.A., 2000; William and Mary School of Law, J.D., 2003. Extensive experience in civil matters, including a wide range of topics such as administrative law, employment law, advocacy in domestic and disability law, serving as a guardian ad litem, as well as considerable experience in government law and policy.

* **Ternon Galloway Lee (2001)**

215 McLaws Circle, Building 3, Suite A, Williamsburg, Virginia 23185

(757) 253-1570, FAX (757) 253-2534

* Background/Experience: Practicing attorney since 1989. Graduate of College of William and Mary, J.D. Member of the Virginia State Bar. Former clerk for the Supreme Court of Virginia. Experience as an Assistant Attorney General (1990-93). Former educator in public school system.
* **Rhonda J.S. Mitchell (2001)**

5001 Lippingham Drive, Chester, Virginia 23831

(804) 751-0563, Email: pilgrimrjs@aol.com

* Background/Experience: Practicing attorney since 1980. Graduate of Dickenson School of Law, Carlisle, PA. Administrative experience in military administrative law, federal liaison activities, law enforcement, social services and educational law.
* **Krysia Carmel Nelson (2001)**

P.O. Box 66, Keswick, Virginia 22947

(434) 979-0053, FAX (434) 977-7323

* Background/Experience: Practicing attorney since 1995. Graduate of Dartmouth College, B.A., 1992; Villanova University School of Law, J.D., 1995. Practiced special education law 1997-98. Hearing officer experience since 2001.
* **Prescott Prince (2024)**

1901 Huguenot Road, Suite 200

N. Chesterfield, VA 23235

804-677-3744, Email: plprince@aol.com

Background/Experience: Graduate of Davidson College, B.A., 1976; Radford University, M.A., 1980 (Clinical Psychology); Washington and Lee University School of Law, J.D., 1983. Experience in a wide ranging general practice of law with a focus on criminal, ethics, and family law, experience as a United States Navy JAG Corps Captain handling criminal matters, experience working for the Virginia State Bar and trying cases before disciplinary tribunals and Circuit Courts relating to ethics and professional responsibility.

* **John V. Robinson (1997)**

7102 Three Chopt Road, Richmond, Virginia 23226

(804) 282-2987, Email: jvr@jvrlawpc.com

* Background/Experience: Practicing attorney since 1986. Graduate of University of Oxford, England, B.A., T C Williams School of Law, University of Richmond, J.D. Extensive experience covering administrative law.
* **Carl Schmidt (2021)**

8853 Porto Court

New Kent, Virginia 23124

(804) 557-3031

* Background/Experience: Virginia State Bar member since 1984. Graduate of University of Virginia, B.A. with Distinction, 1981; University of Richmond T.C. Williams School of Law, J.D., 1984. Supreme Court of Virginia hearing officer since 2012, presiding over various administrative proceedings, with extensive experience in regulatory and administrative law.
* **Peter Vaden (1996) [certified but currently inactive]**

12 Troon Place, Weems, Virginia 22576

(434) 923-4004, Email: attorney@ntelos.net

* Background/Experience: Practicing attorney since 1990, Graduate of University of Virginia, B.A., 1975; J.D. 1990. Member of Virginia State Bar and D.C. Bar (Judicial). Virginia Supreme Court Hearing Officer since 1996. Contract Impartial Due Process Hearing Officer for the District of Columbia Office of the State Superintendent of Education since 2009.
* **Tiziana Ventimiglia (2021)**

4084 University Drive, Suite 100, Fairfax, Virginia 22030

(703) 591-3100, FAX (703) 273-7292, Email: tventimiglia@harsoemorgan.com

* Background/Experience: Practicing attorney since 1998. Graduate of Università di Roma "La Sapienza" (Italy), J.D., 1994 and University of Alabama School of Law, J.D., 1997. Wide-ranging practice experience including litigation, guardianship/conservatorship, guardian *ad litem* work, mediation (GDC certified), administrative law, business law, employment law, contracts, and estate planning.

## **Complaint Appeal Reviewers/Hearing Officer Evaluators**

The following individuals maintain current certification requirements; however, they do not accept hearing officer case assignments because they currently serve as a Complaint Appeal Reviewer in the state complaint process and/or as a Hearing Officer Evaluator assisting the department in monitoring the hearing system. They are not eligible to receive case assignments in the role of a hearing officer while serving in either of these roles.

* **Cecil H. Creasey, Jr. (1993)**

Two Rivers Law Group, 1508 Willow Lawn Drive, Suite 210, Richmond, Virginia 23230

(804) 477-8666, FAX (804) 835-6698

* Background/Experience: Practicing attorney since 1983. Graduate of College of William and Mary, B.B.A., 1980; J.D. 1983. Experience in administrative law, risk management, business, corporate and real estate law, practice experience in civil trial and appellate litigation.
* **Reginald B. Frazier (1996)**

1998 Angora Drive, Chesapeake, Virginia 23325

(757) 274-4423, Email: pinetta146@gmail.com

* Background/Experience: Practicing attorney since 1964. Graduate of William and Mary, B.A., 1962; Marshall-Wythe Law School at William and Mary, J.D., 1964. Hearing officer experience since 1996.
* **Brian K. Miller (1986)**

2119 West Main Street, Richmond, Virginia 23220

(804) 359-4902, FAX (804) 353-8218

* Background/Experience: Practicing attorney since 1974. Graduate of University of Richmond, T.C. Williams School of Law, J.D. Hearing officer experience since 1982.