

HB 289 -- SPECIAL EDUCATION DUE PROCESS

SPONSOR: Wallace

COMMITTEE ACTION: Voted "do pass by consent" by the Committee on Elementary and Secondary Education by a vote of 14 to 0.

Currently, a special education due process hearing requires a five-business-day notice for the introduction of evidence unless it is an expedited hearing. This bill removes the exception for expedited hearings and makes the five-day notice applicable to all special education due process hearings.

Currently, if a resolution session or preliminary meeting to discuss a special education placement reaches a settlement, the written settlement agreement will be implemented. The bill clarifies that the designee of the responsible public agency must sign the agreement and that the agency, usually the local school district, must identify a designee who has the authority to bind the agency.

FISCAL NOTE: No impact on state funds in FY 2010, FY 2011, and FY 2012.

PROPOSERS: Supporters say that the bill will bring Missouri into compliance with the federal Individuals with Disabilities Education Act.

Testifying for the bill were Representative Wallace; Department of Elementary and Secondary Education; Missouri School Boards' Association; and Cooperating School Districts of Greater Kansas City.

OPPOSERS: There was no opposition voiced to the committee.