

HCS SB 834 -- SPECIAL EDUCATION

SPONSOR: Nodler (Wilson, 130)

COMMITTEE ACTION: Voted "do pass by consent" by the Committee on Elementary and Secondary Education by a vote of 10 to 0.

Currently, optional resolution conferences are permitted as the first step of due process in special education disputes. This substitute removes the resolution conference and makes technical changes to remove its reference because it is already provided for in federal law.

Currently, there is a 45-day time line for due process hearings. The substitute removes the 45-day limit and incorporates by reference the requirements of the federal Individuals with Disabilities Education Act (IDEA) standards for these hearings.

Evaluations of private school students who may have a disability under the IDEA will be conducted by the school district in which the private school is located.

FISCAL NOTE: No impact on state funds in FY 2007, FY 2008, and FY 2009.

PROPOSERS: Supporters say that these changes bring the state's special education laws into conformity with the federal IDEA law.

Testifying for the bill were Representative Wilson (130) for Senator Nodler; and Department of Elementary and Secondary Education.

OPPOSERS: There was no opposition voiced to the committee.

Becky DeNeve, Senior Legislative Analyst