

HB 655 -- SPECIAL EDUCATION

CO-SPONSORS: Wilson (130), Schlottach, Wallace, Bough, Wilson (119)

COMMITTEE ACTION: Voted "do pass federal mandate" by the Committee on Education by a vote of 20 to 0.

This bill deletes the current requirement that students receiving special education services must be accommodated when possible by special aids and services rather than separate classes and restates it to require that separate schooling be used only when education in regular classes with aids and services cannot be achieved satisfactorily. The bill also revises the procedure for review of hearing panel decisions, requiring the court to receive the administrative record, hear additional evidence if requested, and rule on the preponderance of the evidence, and provides for a 60-day period in which judicial review may be petitioned. The bill permits appeals of the court's decision and makes the provisions of the administrative procedure chapter applicable to special education due process hearings and appeals.

FISCAL NOTE: No impact on state funds.

PROPOSERS: Supporters say that the U. S. Department of Education has required changes to two aspects of special education in order to bring Missouri into compliance with federal law. The state's Individuals with Disabilities Education Act grant of approximately \$140 million is conditioned upon these changes.

Testifying for the bill were Representative Wilson (130); Department of Elementary and Secondary Education; Missouri National Educational Association; and Missouri State Teachers Association.

OPPOSERS: There was no opposition voiced to the committee.

Becky DeNeve, Senior Legislative Analyst