

HB 1714 -- PARENTAL PROTECTIONS

SPONSOR: Byrnes

This bill requires public schools that serve students with an Individualized Education Program (IEP) to implement parental consent procedures. Written parental consent shall be obtained and maintained for initial placement, annual placement, or other revisions to a student's IEP as outlined in the bill. If the parents and local educational agency (LEA) only reach an agreement on certain IEP services or interim placement, the child's new IEP shall only be implemented in the areas of agreement with the current services remaining unchanged unless the local education agency follows procedures set forth in the bill which include a due process complaint and hearing. If a child is identified as eligible for special education services, the parents have the right to visit any program proposed for their child. The Department of Elementary and Secondary Education shall adopt a parental consent form, as described in the bill, that each school district shall provide to parents, and districts may not proceed with implementation of a student's IEP without the parental consent form completed except as provided in the bill (Section 161.854, RSMo).

This bill creates code of conduct standards for members of the school boards and for governing board of charter schools. The bill requires a public disclosure of member and employee conflicts of interest as outlined and including payments in excess of \$500 per year to the following: superintendents, administrative staff, chief purchasing officers, and general counsel for school districts. Such individuals must disclose additional information as outlined in the bill. The bill prevents school districts from retaining any attorney or law firm for the purpose of providing counsel during an administrative or legal proceeding concerning a student if such attorney or law firm employs or contracts with the school district's members or employees (Section 162.106).

This bill requires that for hearings for children with disabilities the burden of proof and the burden of production shall be on the school district regarding any matter related to identification, evaluation, reevaluation, classification, educational placement, disciplinary action, or the provision of free appropriate public education.

The bill provides protections for students in a IEP proceeding, including mediation, to be allowed to remain in the present educational placement or stay put during the pendency of the proceedings (Section 162.961).

This bill requires that the most recent student special education records as defined in the bill are to be retained by school districts as part of the student's permanent record and such records may not be destroyed by the district (Section 167.027).