

HCS HB 477 -- SPECIAL EDUCATION RECORDS

SPONSOR: Oehlerking

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Elementary and Secondary Education by a vote of 18 to 2, with 1 present.

This bill requires public schools that serve students with an individualized education program (IEP) to implement parental consent procedures. Written parental consent must be obtained and maintained for initial placement, placement changes, the reduction or addition of service minutes by more than 25% or other revisions to a student's IEP as specified in the bill.

If the parents and local educational agency only reach an agreement on certain IEP services or interim placement, the child's new IEP will only be implemented in the areas of agreement with the current services remaining unchanged unless the local education agency follows procedures specified in the bill.

The bill provides that if consent is not provided an additional addendum's to a child's IEP on areas of disagreement may require an additional 20 school days with one extension for an additional 20 school days with consent from both parties as long as progress or additional agreements are reached. Dispute resolution options are provided and may occur upon request of either the school district or the parent of the child.

If a child is identified as eligible for special education services, the parents have the right to schedule a visit for any program proposed for their child as long as that visit does not interfere with instruction.

The Department of Elementary and Secondary Education must adopt a parental consent form, as specified in the bill, that each school district will 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.

The bill has a delayed effective date of July 1, 2026.

This bill is similar to HCS HB 1663 (2024).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that the current process often leaves parents confused about what changes are occurring with their child's IEP and does not provide an opportunity for parents and districts to discuss the options. The current system does not require a signature or consent and if there is disagreement too often it is escalated to dispute resolution without cause. The cost of due process is often very expensive and is paid out of pocket, which many parents cannot afford.

Testifying in person for the bill were Representative Oehlerking; Amanda Cooper; Missouri Disability Empowerment Foundation; Earl Simms; Jacob Wilcott; Joshua Wilcott; Tamatha Denise Lueck; Melinda Oswald; Lara Wakefield; Andy Ribaud; Michelle Ribaud; Mandy Nolan, Family Advocacy and Community Training; Christina Ingoglia; Kids Win Missouri; Winton Policy Group; Timothy Faber; Heather Lytle, Family Advocacy & Community Training; and Tamatha Lueck.

OPPONENTS: No opposition was voiced to the committee.

OTHERS: Others testifying on the bill say the bill may need some additional balance in order to ensure this is reaching engaged parents and that there is enough time spent discussing concerns. Too often districts and parents do not collaborate to make sure that there is a culture of coordinated support--advocacy is necessary.

Testifying in person on the bill were Special School District of St Louis County; Leigh Anne Haun, Missouri Developmental Disabilities Council; and MO Council of School Administrators.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.