

HB 2304 -- SPECIAL EDUCATION RECORDS

SPONSOR: Oehlerking

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Elementary and Secondary Education by a vote of 10 to 4 with 2 voting present. Voted "Do Pass" by the Standing Committee on Rules-Legislative by a vote of 10 to 1.

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, removal of service, or the reduction or addition of service minutes by more than 25% as specified 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 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 states that if consent is not provided within ten school days, the LEA and the parents must include an additional addendum to a child's IEP on areas of disagreement and provide resolution for the disagreement within 20 days with the option of an additional 20 days with consent from both parties as long as progress or additional agreements are reached. Dispute resolution options are provided and can 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. 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, 2027.

This bill is similar to HCS HB 477 (2025).

PROPONENTS: Supporters say that special education and regular teachers must cooperate in all decisions and planning, not just at the initial stage and this bill provides for on-going communication with parents to ensure that the needs of students are foremost in the considerations. The district is not prohibited from having students removed for behavioral issues and a "no change" that takes place under 10 days would not necessarily require parental input. Language like this bill will help alleviate the necessity to litigate changes as there will be more opportunities to communicate about changes.

Testifying in person for the bill were Representative Oehlerking; Paraquad; Jonny Fariole; Missouri NEA; Missouri Disability Empowerment Foundation; and Jacob Wilcutt

OPPONENTS: There was no opposition voiced to the committee.

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.