

HB 2304 -- SPECIAL EDUCATION RECORDS

SPONSOR: Oehlerking

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).