

On March 2, 2016

The Education Committee published the text of HB 5552, as a raised bill, and scheduled hearings for next Monday. This is truly bad legislation. It adds another hurdle that parents of children with disabilities need to jump through before they can bring a due process hearing to secure an appropriate educational program for their child. It requires a two day adjudicative process, with an adjudicator appointed by the Commissioner of Education, who usually comes from and is closely associated with local school districts. And, the recommendation of the adjudicator is admissible in any subsequent due process hearing, thereby providing, at state expense, an expert to support the school district.

This bill will add substantial costs to both sides and, more importantly, will tilt the tables in favor of local school boards at the expense of children with disabilities and their parents.

And, of course, this legislation directly contradicts the federal dispute resolution process for special education.

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