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HOUSE BILL NO. 2606
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Education
on _____)
(Patron Prior to Substitute—Delegate Ware)

A BILL to require the Board of Education to amend its regulations relating to special education due process hearings.

Be it enacted by the General Assembly of Virginia:

1. § 1. The Board of Education shall amend subdivision O 2 of 8VAC20-81-210 of the Virginia Administrative Code to add:

1. A subdivision O 2 a that provides that if a special education due process hearing officer determines that a due process hearing complaint contains the same issues as a previously adjudicated due process complaint or a complaint already resolved or under current consideration pertaining to the same student, the hearing officer shall dismiss the complaint; and

2. A subdivision O 2 b that provides that if a special education due process hearing officer determines that a party or such party's representative has filed a pattern of identical or repetitive due process complaints, the hearing officer may bar such party or such party's representative from filing future due process complaints for a period of time as determined by the hearing officer.