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HOUSE BILL NO. 2606

FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by Delegate Ware
on January 31, 2025)

(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 a provision that provides that if a special education due process hearing officer determines that a due process hearing complaint contains substantially the same issues as a previously adjudicated due process complaint evidencing a clear pattern of initiating vexatious and repetitive litigation, the hearing officer may dismiss the complaint and report such abuse of the due process hearing system to the Virginia Department of Education (the Department). Nothing in this section shall be construed to require the dismissal of any complaint or portion thereof that alleges a new claim of noncompliance with an existing Department corrective action plan, a state-mediated agreement, or a hearing officer's orders.*

HOUSE SUBSTITUTE

HB2606H2