

Department of Planning and Budget
2025 General Assembly Session
State Fiscal Impact Statement

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ORIGINAL

Bill Number: HB2606H2 **Patron:** Ware
Bill Title: Students with disabilities; due process hearings; certain verified statement required of complainant.

Bill Summary: Requires the Board of Education to amend its regulations 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.

Budget Amendment Necessary: No **Items Impacted:** None
Explanation: The Department of Education would have to devote additional staff time to update policies, which can be absorbed within existing appropriation. Any impact to local school divisions is indeterminate.

Fiscal Summary: See below.

General Fund Expenditure Impact:

<u>Agency</u>	<u>FY2025</u>	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>
201 (DOE)	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL	\$0	\$0	\$0	\$0	\$0	\$0

Fiscal Analysis: The Department and Board of Education would be required to update policies, procedures, and guidance, as well as develop training for hearing officers related to the new requirements for due process hearings. This work can be absorbed by existing staff. Any impact to local school divisions is indeterminate.

Other: None