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HOUSE BILL NO. 2606

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Education and Health
on February 13, 2025)
(Patron Prior to Substitute—Delegate Ware)

A *BILL to direct the Virginia Commission on Youth to study and make recommendations on certain aspects of Virginia's special education dispute resolution system.*

Be it enacted by the General Assembly of Virginia:

1. § 1. *The Virginia Commission on Youth (the Commission) shall study and make recommendations on the process and procedures relating to due process hearing complaints made as a part of the Commonwealth's special education dispute resolution system. In conducting its study, the Commission shall (i) consider the provisions relating to due process hearing complaints set forth in 8VAC20-81-210 of the Virginia Administrative Code; (ii) review the effectiveness of the current special education dispute resolution system in the context of such due process hearing complaints; (iii) consider the propriety and the efficacy of amending such regulations to add a provision stating 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 Department of Education (the Department); and (iv) make recommendations on whether such a provision should be added in accordance with clause (iii) and, if so, any additional considerations that should be taken into account in adding such a provision to ensure maximum efficiency and fairness for all parties involved in the special education dispute resolution system. The Commission shall submit a report on its recommendations to the Senate Committee on Education and Health and the House Committee on Education by November 1, 2026.*

SENATE SUBSTITUTE

HB2606S1