

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to permit the dismissal of certain vexatious and repetitive special education due process hearing*
3 *complaints.*

4 [H 2606]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. § 1.** *If a special education due process hearing officer determines that a due process hearing complaint*
8 *filed in accordance with subsection B of § 22.1-214 of the Code of Virginia contains substantively the same*
9 *issues as a previously adjudicated due process hearing complaint and evidences a clear pattern of initiating*
10 *vexatious and repetitive litigation, the hearing officer may dismiss the complaint. Any party aggrieved by*
11 *such a dismissal may bring a civil action as set forth in subsection D of § 22.1-214 of the Code of Virginia.*
12 *Nothing in this act shall be construed to require the dismissal of any complaint or portion thereof that*
13 *alleges a new claim of noncompliance within the subject matter jurisdiction of the due process hearing*
14 *officer under applicable law and regulations.*

15 **2. That the provisions of the first enactment of this act shall expire on July 1, 2027.**

16 **3. That as part of its study of Virginia's special education dispute resolution system as required**
17 **pursuant to the tenth enactment of Chapter 468 and the tenth enactment of Chapter 502 of the Acts of**
18 **Assembly of 2024, the Virginia Commission on Youth shall study and make recommendations on the**
19 **provisions of the first enactment of this act.**

ENROLLED

HB2606ER