

1 H.349

2 Introduced by Representatives Christie of Hartford, Browning of Arlington,
3 Buxton of Tunbridge, Campion of Bennington, Cole of
4 Burlington, Cupoli of Rutland City, Evans of Essex, Juskiewicz
5 of Cambridge, Lenes of Shelburne, Martin of Springfield,
6 Martin of Wolcott, Masland of Thetford, Mrowicki of Putney,
7 O'Sullivan of Burlington, Poirier of Barre City, Townsend of
8 South Burlington, and Zagar of Barnard

9 Referred to Committee on

10 Date:

11 Subject: Education; special education; due process hearings

12 Statement of purpose of bill as introduced: This bill proposes to decrease from
13 two years to 90 days the time within which a due process hearing to enforce
14 special education rights may be commenced.

15 An act relating to the timing of due process actions relating to the provision
16 of special education

17 It is hereby enacted by the General Assembly of the State of Vermont:

18 Sec. 1. 16 V.S.A. § 2957(a) is amended to read:

19 (a) An action against a local, intermediate, or state education agency
20 seeking enforcement of special education rights under state or federal law shall

1 be commenced by an administrative due process hearing within ~~two years~~ 90
2 calendar days of the alleged violation or within ~~two years~~ 90 calendar days of
3 the date the alleged violation is or reasonably should have been discovered,
4 and not after.

5 Sec. 2. EFFECTIVE DATE

6 This act shall take effect on July 1, 2013 and shall apply to violations
7 alleged to have occurred on or after that date.