

**Department of Planning and Budget**  
**2001 Fiscal Impact Statement – Carry Over Bill**

1. Patron McEachin, D.

2. Bill Number HB 1226

3. Committee Education

**House of Origin:**

- ☒ Introduced  
☐ Substitute  
☐ Engrossed

4. Title Changing Special Education Placements

**Second House:**

- ☐ In committee  
☐ Substitute  
☐ Enrolled

5. **Summary/Purpose:** Requires the Board of Education to publicize and disseminate widely, information regarding the rights of parents to (i) reject or contest the special education placement committee's recommendation that a child be placed in a special education program, and (ii) withdraw a child from such program whether or not the three-year period for evaluating student placements has elapsed, and whenever the parent determines that the placement was unwarranted and continuation of the placement cannot be justified. The Board of Education is required also to establish procedures in the regulations that protect parents from undue pressure and influence to reverse their position. The Board must promulgate emergency regulations to implement the provisions of the law and the Superintendent of Public Instruction must advise local school divisions of the provisions of the law within 30 days of its passage.

6. **Fiscal Impact** See #8.

7. **Budget amendment necessary:** No

8. **Fiscal implications:** The rights of parents to contest special education placements and to withdraw students from special education programs already exist in state and federal regulations. This bill requires the Board of Ed to "publicize and disseminate widely" these rights. To the extent that this information reaches parents who are unaware of their rights, this bill may have the effect of reducing enrollment in special education programs, thereby impacting the funding required for such programs. However, there is no way to estimate this potential impact.

9. **Specific agency or political subdivisions affected:**

10. **Technical amendment necessary:** No

11. **Other comments:** As a side note, the Department is already planning to disseminate this information to parents as part of a parent handbook.

cc: Secretary of Education

**Date:** 01/10/01 ACD

