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HOUSE JOINT RESOLUTION NO. 693

Offered January 9, 2019

Requesting the Department of Education to study the existing impediments to gathering information about disabilities for which a student would not qualify for an Individualized Education Program or Section 504 Plan. Report.

Patrons—Guzman, Bagby, Delaney, Gooditis, Hurst, Kory, Levine and Simon

Referred to Committee on Rules

WHEREAS, the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, set forth criteria for determining whether a student with a disability qualifies for certain supports, services, or accommodations pursuant to an Individualized Education Program or Section 504 Plan; and

WHEREAS, not all students with disabilities qualify for an Individualized Education Program or Section 504 Plan; and

WHEREAS, there are existing impediments to gathering information about disabilities for which a student would not qualify for an Individualized Education Program or Section 504 Plan; and

WHEREAS, it is imperative to study such impediments in order to determine how they may be eliminated; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Department of Education be requested to study the existing impediments to gathering information about disabilities for which a student would not qualify for an Individualized Education Program or Section 504 Plan.

In conducting its study, the Department of Education shall consult with such experts and school board employees as it deems appropriate for the identification and elimination of such existing impediments.

Technical assistance shall be provided to the Department of Education by each school board in the Commonwealth. All agencies of the Commonwealth shall provide assistance to the Department of Education for this study, upon request.

The Department of Education shall complete its meetings by November 30, 2019, and shall submit to the Governor and the General Assembly an executive summary and a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than the first day of the 2020 Regular Session of the General Assembly and shall be posted on the General Assembly's website.

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