

SECOND REGULAR SESSION

HOUSE BILL NO. 2405

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE UNSICKER.

6296H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 162, RSMo, by adding thereto one new section relating to the rights of children with disabilities.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 162, RSMo, is amended by adding thereto one new section, to be known as section 162.702, to read as follows:

162.702. 1. A private school that is contacted by the parents or guardians of any child for purposes of enrolling their child in the private school shall provide the parents or guardians of the child with the informational materials described in subsection 2 of this section at least one day before the child officially enrolls in the private school.

2. The department of elementary and secondary education shall develop the informational materials to be provided to parents or guardians under subsection 1 of this section and post the materials on its website. The informational materials shall:

(1) Describe the state's obligation under the Individuals with Disabilities Education Act (IDEA) to ensure a free appropriate public education in the least restrictive environment is made available to all eligible children with disabilities and summarize how the courts have interpreted this obligation;

(2) Explain that if parents or guardians of a child with a disability decide to enroll their child in a private school, the child is considered a parentally placed private school child under the IDEA and does not have the right to a free appropriate public education; and

(3) Describe the level of services and due process rights required under the IDEA for a child with a disability enrolled in a public school in comparison to the level of services

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **and due process rights required under the IDEA for a child with a disability enrolled in**
19 **a private school.**

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