

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 9, 2011
Date

Committee on Education.

After consideration on the merits, the Committee recommends the following:

SB11-061 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the consent calendar:

1 Amend printed bill, page 2, strike lines 19 and 20 and substitute "SHALL
2 SIMULTANEOUSLY FILE COMPLETE COPIES OF THE DUE PROCESS COMPLAINT
3 WITH THE OPPOSING PARTY AND WITH THE COMMISSIONER OF EDUCATION
4 OR HIS OR HER DESIGNEE TO ENSURE THE TIMELY ASSIGNMENT OF AN
5 IMPARTIAL HEARING OFFICER."

6 Page 3, after line 14 insert:

7 "(c) THE FINDINGS AND DECISION MADE BY THE DEPARTMENT
8 SHALL BE FINAL. ANY PARTY AGGRIEVED BY THE DEPARTMENT'S FINDINGS
9 AND DECISION HAS THE RIGHT TO BRING A CIVIL ACTION PURSUANT TO THE
10 PROVISIONS OF IDEA AND THE FEDERAL REGULATIONS, 34 CFR 300.516
11 (a), IMPLEMENTING THE ACT."

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