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## DIGEST

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HB 342 Original

2026 Regular Session

Knox

**Abstract:** Provides that a local education agency shall have the burden of proof in any special education due process hearing relative to the appropriateness of a student's current or proposed program or placement and that the burden of proof shall be met by a preponderance of the evidence.

Present law requires the state Dept. of Education, the Special School District, and the local education agencies to establish and maintain regulations and procedures in accordance with present law and the federal law (IDEA) to ensure that students with exceptionalities and their parents are provided procedural safeguards for the provision of free appropriate public education by such agencies, including provisions for special education due process hearings.

Proposed law retains present law and adds that in all such hearings, the local education agency shall have the burden of proof, including the burden of persuasion and production, relative to the appropriateness of a student's program or placement or the appropriateness of the program or placement proposed by the agency. Provides that this burden shall be met by a preponderance of the evidence.

(Adds R.S. 17:1946(B)(3))