

# ACT No. 943

HOUSE BILL NO. 342

BY REPRESENTATIVES KNOX, ADAMS, AMEDEE, BAYHAM, BERAULT, BOYD, BROUSSARD, CARPENTER, WILFORD CARTER, CARVER, CHASSION, CHENEVERT, EDMONSTON, EGAN, FISHER, FREIBERG, GREEN, JACKSON, TRAVIS JOHNSON, JORDAN, LACOMBE, TERRY LANDRY, LARVADAIN, LYONS, MARCELLE, MARTINEZ, MENA, MOORE, NEWELL, OWEN, PHELPS, SCHAMERHORN, SPELL, STAGNI, TAYLOR, VENTRELLA, WALTERS, WILEY, WYBLE, YOUNG, AND ZERINGUE

1 AN ACT

2 To enact R.S. 17:1946(B)(3), relative to special education; to provide for special education  
3 due process hearings; to provide that local education agencies shall have the burden  
4 of proof in such hearings relative to the appropriateness of a student's current or  
5 proposed placement or program; to provide for how the burden of proof shall be met;  
6 and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. This Act shall be known and may be cited as the "Vinaya Alexander,  
9 Landry Bell, Noah Cannino, Erin Carpenter, Corinth Corley, Zachry Edmonston, Carter  
10 Hart, Cameron Hogan, Eden Emily Robinson, Sammy Rollins, and Henry Lee Wray Act".

11 Section 2. R.S. 17:1946(B)(3) is hereby enacted to read as follows:

12 §1946. Procedural safeguards

13 \* \* \*

14 B.

15 \* \* \*

16 (3) In any special education due process hearing, the local education agency  
17 shall have the burden of proof, including the burden of persuasion and production,  
18 relative to the appropriateness of a student's program or placement or the

