

Amend CSHB 1225 by adding the following appropriately numbered section to the bill and renumbering the subsequent sections accordingly:

SECTION _____. Subchapter A, Chapter 29, Education Code, is amended by adding Section 29.0165 to read as follows:

Sec. 29.0165. TRANSFER OF SPECIAL EDUCATION DUE PROCESS HEARING FUNCTIONS TO STATE OFFICE OF ADMINISTRATIVE HEARINGS. (a) Not later than December 1, 2003, the agency and the State Office of Administrative Hearings shall jointly determine whether it would be cost-effective for the agency to transfer all or part of the agency's special education due process hearings functions under Section 29.016 to the State Office of Administrative Hearings by interagency contract.

(b) If, in accordance with Subsection (a), the agency and the State Office of Administrative Hearings jointly determine that it would be cost-effective for the agency to transfer all or part of the agency's special education due process hearings functions under Section 29.016 to the State Office of Administrative Hearings, the agency and the State Office of Administrative Hearings shall enter into an interagency contract to transfer the appropriate functions accordingly.

(c) An interagency contract entered into under Subsection (b) shall specify that the agency retains the authority to issue an order or decision authorizing an evaluation of a student's eligibility for special education services based on a proposed decision of the State Office of Administrative Hearings. An interagency contract under this section may not transfer to the State Office of Administrative Hearings the authority to issue an order or decision authorizing the evaluation of a student.