

BILL ANALYSIS

H.B. 1140
By: Hochberg
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

For many school districts, the costs required to educate students with disabilities exceed the revenue received for those students under the Foundation School Program. This shortfall hinders school districts' ability to provide these students with quality educations in a manner consistent with state and federal law. This bill removes this financial strain on school districts by creating a special education grant for school districts in which the special education allotment received is insufficient to pay for the services provided to students with disabilities.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Commissioner of Education in SECTION 1 of this bill.

ANALYSIS

Note: Unless otherwise specified, statutory references in this Bill Analysis are to the Education Code.

This bill adds a new section to the Education Code relating to special education grants. The bill provides that, from funds appropriated for purposes of the new section, federal funds, or any other funds available, the Commissioner of Education (commissioner) shall make grants available to school districts to assist districts in covering the cost of educating students with disabilities.

The bill provides that a school district is eligible to apply for such a grant if the district does not receive sufficient funds under Section 42.151 for a student with disabilities to pay for the services provided to the student, or the district does not receive sufficient funds under Section 42.151 for all students with disabilities in the district to pay for the services provided to the students.

The bill provides that a school district that applies for a grant under this section must provide the commissioner with a report comparing the state funds received by the district for students with disabilities and the expenses incurred by the district in providing services to students with disabilities.

The bill provides that expenses that may be included by a school district in applying for a grant under this section include the cost of training personnel to provide services to a student with disabilities.

The bill provides that a school district that receives a grant under this new section must educate students with disabilities in the least restrictive environment that is appropriate to meet the student's educational needs.

The bill provides that the commissioner shall adopt rules as necessary to administer this new section.

The bill provides that this Act applies beginning with the 2007-2008 school year.

EFFECTIVE DATE

September 1, 2007.

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