

By: Raymond

H.B. No. 4544

A BILL TO BE ENTITLED

AN ACT

relating to the number of students eligible to participate in a special education program who may be enrolled in a foundation curriculum course.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 25, Education Code, is amended by adding Section 25.115 to read as follows:

Sec. 25.115. LIMIT ON SPECIAL EDUCATION STUDENTS IN CLASSROOM. (a) Not more than 10 percent of students enrolled in a foundation curriculum course in a regular education classroom may be students who are identified as eligible to participate in a special education program under Subchapter A, Chapter 29.

(b) If a school district exceeds the limit imposed by Subsection (a), upon the request of the teacher, the district must:

(1) assign at least one additional teacher or educational aide to the foundation curriculum course classroom for the entire instructional day. The additional teacher or educational aide is in addition to:

(A) instructional personnel already assigned to the foundation curriculum course classroom; and

(B) instructional personnel assigned to a student as required by the student's individualized education program; or

(2) provide substantive assistance to the teacher of

1 the regular education classroom from district special education
2 personnel in the form of:

- 3 (A) Co-teaching;
4 (B) Structured, comprehensive mentoring; or
5 (C) Collaborative planning and preparation time,
6 in addition to the planning and preparation time required by
7 §21.404, Education Code; or

8 (3) provide the teacher with research-based training
9 that:

- 10 (A) relates to instruction of students with
11 disabilities; and
12 (B) is designed for educators who work primarily
13 outside the area of special education, as soon as practicable.

14 (c) This section shall be implemented in accordance with
15 applicable federal law and regulations regarding placement of
16 special education students.

17 SECTION 2. This Act applies beginning with the 2009-2010
18 school year.

19 SECTION 3. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2009.