

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 1335
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Education
5/19/2011
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, federal law requires a student with disabilities to be educated in the least restrictive environment appropriate for the student. This includes a regular classroom setting under the guidance of the regular classroom teacher.

Section 89.1075 (General Program Requirements and Local District Procedures), Title 19, Texas Administrative Code, requires each school district to implement procedures to ensure that each teacher involved in a student's instruction has the opportunity to provide input and request assistance regarding the implementation of the student's individualized education program (IEP). These procedures must include a method for a student's regular or special education teachers to submit requests for further consideration of the student's IEP or its implementation. In response to this request, the district's procedures must include a method for the district to determine whether further consideration is necessary and whether this consideration will be informal or will require an admission, review, and dismissal (ARD) committee meeting. If the district determines that an ARD committee meeting is necessary, the student's current regular and special education teachers must have an opportunity to provide input. The school district must also ensure that each teacher who provides instruction to a student with disabilities receives relevant sections of the student's current IEP and that each teacher be informed of specific responsibilities related to implementing the IEP, such as goals and benchmarks, and of needed accommodations, modifications, and supports for the child.

C.S.H.B. 1335 amends current law relating to certain resources available to teachers of a public school student with a disability under the statewide plan for delivery of services to public school students with disabilities.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 29.001, Education Code, to require the Texas Education Agency to develop and implement a statewide plan with programmatic content that includes procedures designed to perform certain actions, including to ensure that an individual assigned to act as a surrogate parent for a child with a disability, as provided by 20 U.S.C. Section 1415(b), rather than by 20 U.S.C. Section 1415(b) and its subsequent amendments, is required to perform certain actions; and to ensure that each district develops a process, to be used by a teacher who instructs a student with a disability in a regular classroom setting to request a review of the student's individualized education program; that provides for a timely district response to the teacher's request; and that provides for notification to the student's parent or legal guardian of that response.

SECTION 2. Provides that this Act applies beginning with the 2011-2012 school year.

SECTION 3. Effective date: upon passage or September 1, 2011.