

## **BILL ANALYSIS**

S.B. 1788  
By: Patrick  
Public Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, a student in a special education program must be provided with an individualized education program (IEP) that clearly documents what services and programs will be provided to the student. According to interested parties, school districts create their own IEP forms, which range in length and style and can be difficult for parents to understand and cumbersome for district teachers and administrators to interpret. Additionally, when a student transfers from one district to another, differences between forms can make it difficult for the receiving district to determine what services and programs have been and should be provided to the student.

The United States Department of Education developed a model IEP form that contains all the elements required under federal law and is only four pages in length. Other states have adopted this form, tailoring it to their state laws, and greatly simplifying the IEP process. S.B. 1788 seeks to implement a similar approach in Texas by establishing provisions relating to the development of a model IEP form by the Texas Education Agency.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 1788 amends the Education Code to require the Texas Education Agency (TEA), not later than December 1, 2011, to develop a model form for use in developing an individualized special education program. The bill requires the form to be clear, concise, well organized, and understandable to parents and educators and authorizes the form to include only the information included in the model form developed under federal law, a state-imposed requirement relevant to an individualized education program not required under federal law, and requirements identified under certain federal law.

S.B. 1788 requires the TEA to post the form on the TEA's website and authorizes a school district to use the form to comply with the requirements for an individualized education program under federal law. The bill authorizes the written statement of a student's individualized education program to be required to include only information included in the model form.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.