

BILL ANALYSIS

Senate Research Center
82R17536 EAH-D

C.S.S.B. 1788
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Education
4/6/2011
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law states that a student in a special education program must be provided with an Individualized Education Program (IEP), in order to clearly document what services and programs will be provided to the student. School districts create their own IEP forms, which range in length and styles. Often, these documents are between 20 to 40 pages in length, are difficult for parents to understand, and are cumbersome for district teachers and administrators to interpret. Additionally, when students transfer from one district to another, these different forms often prove difficult for districts to interpret regarding what services and programs have been and should be provided for the student.

The United States Department of Education developed a model IEP form that contains all of the elements required under the law and regulations to implement the IEP. This model form is only four pages in length and is clear, concise, and easy to navigate. Other states have adopted this form, tailoring it to their state's laws and have greatly simplified the IEP process.

C.S.S.B. 1788 directs the Texas Education Agency (TEA) to develop a model form for Texas, based upon the federal IEP form, and including state laws and regulations for special education. It also directs TEA to provide the form for use by districts on TEA's website.

C.S.S.B. 1788 amends current law relating to the development of a model individualized education program form by the Texas Education Agency.

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 29.005, Education Code, by adding Subsection (f), as follows:

(f) Provides that the written statement of a student's individualized education program may be required to include only information included in the model form developed under Section 29.0051(a).

SECTION 2. Amends Subchapter A, Chapter 29, Education Code, by adding Section 29.0051, as follows:

Sec. 29.0051. MODEL FORM. (a) Requires the Texas Education Agency (TEA) to develop a model form for use in developing an individualized education program under Section 29.005(b) (relating to the development of an individualized education program). Requires that the form be clear, concise, well organized, and understandable to parents and educators and include only:

(1) the information included in the model form developed under 20 U.S.C Section 1417(e)(1); and

(2) a state-imposed requirement relevant to an individualized education program not required under federal law; and

(3) the requirements identified under 20 U.S.C. Section 1407(a)(2).

(b) Requires TEA to post on TEA's Internet website the form developed under Subsection (a).

(c) Authorizes a school district to use the form developed under Subsection (a) to comply with the requirements for an individualized education program under 20 U.S.C. Section 1414(d).

SECTION 3. Requires TEA, not later than December 1, 2011, to develop the model form required under Section 29.0051, Education Code, as added by this Act.

SECTION 4. Effective date: upon passage or September 1, 2011.