

Amend HB 2038, on third reading, as follows:

(1) In SECTION 1 of the bill, strike the recital and substitute the following:

Chapter 107A, Health and Safety Code, is amended by adding Sections 107A.0021, 107A.0022, 107A.0023, and 107A.004 and amending Section 107A.003 to read as follows:

(2) In SECTION 1 of the bill, between added Section 107A.0022, Health and Safety Code, and amended Section 107A.003, Health and Safety Code, insert the following:

Sec. 107A.0023. TASK FORCE TO STUDY REFERRAL AND EVALUATION OF STUDENTS TO SPECIAL EDUCATION SERVICES. (a) The center shall establish a task force to study the referral and evaluation methods by which students in public schools are determined to be eligible for special education services. The center and the Texas Education Agency shall provide assistance to the task force.

(b) The task force is composed of 17 members appointed by the commissioner of education as follows:

(1) one representative from the Interagency Council for Addressing Disproportionality;

(2) one representative from the Texas Educational Diagnosticians' Association;

(3) one representative from the Texas Association of School Psychologists;

(4) one representative from the Texas Council of Administrators of Special Education;

(5) one representative from a disability advocacy organization;

(6) three representatives from a parental advocacy organization that consists of parents of students who have been referred to special education programs;

(7) two academic professionals working at a public university in the state whose research is focused on:

(A) cultural lifestyle factors and referral to special education programs; or

(B) disproportionate representation of minority student groups in special education programs;

(8) five current school district faculty members or

administrators who work with special education referral and evaluation and who represent a diverse cross-section regarding socioeconomic status and ethnicity and cultural, rural, and urban representation;

(9) one member of the senate; and

(10) one member of the house of representatives.

(c) The study must consider:

(1) the relationship between referring students to special education programs and funding;

(2) the relationship between referral and standardized test-based professional evaluation;

(3) the level of parental participation, notification, and involvement in the evaluation and referral process, including explanations of methods to be used in the full individual and initial evaluation and the review of existing evaluation data;

(4) the methods to effectively promote parental involvement and education in the referral and evaluation process;

(5) the use of each disability category as defined by state law in establishing eligibility for special education services and the incidence of removal from general education classrooms;

(6) the implementation of nondiscrimination policies stated in the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) in the referral and evaluation process, including the methods of evaluation used and the demographics of current enrollment;

(7) whether a disproportionate representation of children who are members of a racial or ethnic minority exists in the special education program;

(8) the best practices for response to intervention in the referral and evaluation process, including standards for professional development;

(9) if the need exists for statewide response to intervention standards and the implementation of the best practices for response to intervention across the state;

(10) whether a disproportionate representation of

children who are economically disadvantaged exists in the special education program;

(11) the methods utilized by the admission, review, and dismissal committee to determine whether a student should be dismissed from special education; and

(12) whether a disproportionate representation of children who are members of a racial or ethnic minority exists in those children who are not dismissed from special education.

(d) Not later than September 1, 2015, the task force shall submit a report to the governor, the lieutenant governor, the speaker of the house of representatives, the presiding officer of each standing committee of the legislature with primary responsibility over human services, and the presiding officer of each standing committee of the legislature with primary responsibility over public primary and secondary education that states:

(1) the findings and recommendations of the task force; and

(2) a description of the activities of the task force.

(e) This section expires and the task force is abolished January 1, 2016.