

1-1 By: Naishtat (Senate Sponsor - Zaffirini) H.B. No. 590
 1-2 (In the Senate - Received from the House May 6, 2013;
 1-3 May 7, 2013, read first time and referred to Committee on
 1-4 Education; May 17, 2013, reported favorably by the following vote:
 1-5 Yeas 8, Nays 0; May 17, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to determining a child's eligibility for a school
 1-20 district's special education program on the basis of a visual
 1-21 impairment.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. Section 30.002, Education Code, is amended by
 1-24 adding Subsections (c-1) and (c-2) to read as follows:

1-25 (c-1) To implement Subsection (c)(1) and to determine a
 1-26 child's eligibility for a school district's special education
 1-27 program on the basis of a visual impairment, the full individual and
 1-28 initial evaluation of the student required by Section 29.004 must,
 1-29 in accordance with commissioner rule:

1-30 (1) include an orientation and mobility evaluation
 1-31 conducted:

1-32 (A) by a person who is appropriately certified as
 1-33 an orientation and mobility specialist, as determined under
 1-34 commissioner rule; and

1-35 (B) in a variety of lighting conditions and in a
 1-36 variety of settings, including in the student's home, school, and
 1-37 community and in settings unfamiliar to the student; and

1-38 (2) provide for a person who is appropriately
 1-39 certified as an orientation and mobility specialist to participate,
 1-40 as part of a multidisciplinary team, in evaluating data on which the
 1-41 determination of the child's eligibility is based.

1-42 (c-2) The scope of any reevaluation by a school district of
 1-43 a student who has been determined, after the full individual and
 1-44 initial evaluation, to be eligible for the district's special
 1-45 education program on the basis of a visual impairment shall be
 1-46 determined, in accordance with 34 C.F.R. Sections 300.122 and
 1-47 300.303 through 300.311, by a multidisciplinary team that includes,
 1-48 as provided by commissioner rule, a person described by Subsection
 1-49 (c-1)(1)(A).

1-50 SECTION 2. (a) Not later than January 1, 2014, the
 1-51 commissioner of education shall adopt rules necessary to implement
 1-52 Sections 30.002(c-1) and (c-2), Education Code, as added by this
 1-53 Act.

1-54 (b) Not later than the beginning of the 2014-2015 school
 1-55 year, Sections 30.002(c-1) and (c-2), Education Code, as added by
 1-56 this Act, shall be implemented.

1-57 SECTION 3. This Act takes effect immediately if it receives
 1-58 a vote of two-thirds of all the members elected to each house, as
 1-59 provided by Section 39, Article III, Texas Constitution. If this
 1-60 Act does not receive the vote necessary for immediate effect, this
 1-61 Act takes effect September 1, 2013.

1-62 * * * * *