

By: Collier

H.B. No. 3816

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the creation of a task force to study the referral and  
3 evaluation methods by which students are determined to be eligible  
4 for special education resources.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. TASK FORCE; STUDY. (a) A task force is  
7 established to study the referral and evaluation methods by which  
8 students are determined to be eligible for special education  
9 resources.

10 (b) The study must consider:

11 (1) the relationship between referring students to  
12 special education classrooms and funding, including weighted  
13 funding formulas and standardized test result-based funding  
14 policies;

15 (2) the utilization of parental notification and  
16 involvement at key points in the evaluation and referral process,  
17 including but not limited to explanations of evaluation methods to  
18 be used in the Full and Individual Initial Evaluation and Review of  
19 Existing Evaluation Data;

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

22 (4) the use of each disability category as defined by  
23 state law in establishing eligibility for special education  
24 resources and the incidence of removal from general education

1 classrooms;

2           (5) the implementation of non-discrimination policies  
3 as set forth in the individuals with Disabilities Education Act in  
4 the referral and evaluation process, including but not limited to  
5 methods of evaluation used and demographics of current enrollment.

6           SECTION 2. REPORT. Not later than September 1, 2015, the  
7 task force shall submit a report to the governor, the lieutenant  
8 governor, the speaker of the house of representatives:

9           (1) the findings and legislative, policy, and research  
10 recommendations of the task force; and

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

12           SECTION 3. The task force is abolished on January 1, 2016.

13           SECTION 4. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2013.