

By: Nevárez

H.B. No. 1928

A BILL TO BE ENTITLED

AN ACT

relating to content requirements for an individualized education program developed for a public school student with autism or another pervasive developmental disorder.

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

SECTION 1. Section 29.005(e), Education Code, is amended to read as follows:

(e) The commissioner by rule shall, as provided by Section 29.0052, ~~[may]~~ require a school district to include in the individualized education program of a student with autism or another pervasive developmental disorder any information or requirement determined necessary to ensure the student receives a free appropriate public education as required under the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.).

SECTION 2. Subchapter A, Chapter 29, Education Code, is amended by adding Section 29.0052 to read as follows:

Sec. 29.0052. INDIVIDUALIZED EDUCATION PROGRAM FOR STUDENTS WITH AUTISM OR ANOTHER PERVASIVE DEVELOPMENTAL DISORDER.

(a) In developing the individualized education program for a student with autism or another pervasive developmental disorder, the committee must include any interventions or services that the committee believes are appropriate to meet the educational needs of the student.

(b) The committee shall consider feedback from a student's

1 parent or guardian when determining interventions or services to be
2 included in a student's individualized education program under this
3 section.

4 (c) If the committee does not include any interventions or
5 services in the individualized education program for a student with
6 autism or another pervasive developmental disorder, the committee
7 must include a statement:

8 (1) identifying each intervention or service that was
9 considered for the student; and

10 (2) explaining the reasoning behind the committee's
11 determination not to include that intervention or service in the
12 student's program.

13 SECTION 3. This Act applies beginning with the 2017-2018
14 school year.

15 SECTION 4. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2017.