

BILL ANALYSIS

H.B. 1906
By: Burns
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised that certain tests administered to public school students with significant cognitive disabilities in special education programs provide no benefit to the students. H.B. 1906 seeks to address this issue by providing for an exemption from or federal waiver of the annual testing requirements for such students.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1906 amends the Education Code to authorize the parent of or person standing in parental relation to a significantly cognitively disabled student, to the extent consistent with federal law, to request that the student be exempted from the administration of an alternative test adopted or developed by the Texas Education Agency (TEA) under statutory provisions relating to alternative tests for students in special education programs or significantly cognitively disabled students.

H.B. 1906 requires the student's admission, review, and dismissal committee, if a parent or person standing in parental relation makes a request for such an exemption, to determine in consultation with the parent or person standing in parental relation whether the student should be exempted from administration of the alternative test and, if the student is exempted, whether another appropriate method to assess the student's progress is available.

H.B. 1906 requires TEA, not later than January 1, 2020, to apply to the U.S. Department of Education for a waiver of the annual alternate assessment of students with significant cognitive disabilities required under the federal Every Student Succeeds Act and the federal Individuals with Disabilities Education Act. The bill applies beginning with the 2019-2020 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.