

BILL ANALYSIS

H.B. 411
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been noted that other states use the terms "individualized education plan (IEP) team" or "individualized education program (IEP) team" instead of "admission, review, and dismissal (ARD) committee" to refer to the plan for students who participate in special education programs. Changing the term in statute would bring Texas in alignment with special education systems around the nation and would help new Texans navigate the special education system. Furthermore, the term "IEP team" is more conducive to the collaborative nature of the special education process between parents and teachers, rather than the term "ARD committee," which may be seen as a more clinical and dry term to describe special education. H.B. 411 addresses these issues by providing for the replacement of references to ARD committees with references to IEP teams in state law and administrative rules.

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. 411 amends the Education Code to replace references to an "admission, review, and dismissal committee" with the preferred term "individualized education program team," as defined by the federal Individuals with Disabilities Education Act. The bill directs the legislature, the Texas Legislative Council, the commissioner of education, the Texas Education Agency, and all other state agencies, as applicable, to avoid the use of "admission, review, and dismissal committee" or "ARD committee" in any new or existing statute or resolution, new or existing rules, or state agency reference materials or publications and to replace those references with "individualized education program team" or "IEP team." The bill establishes that a statute, resolution, or rule is not invalid solely because it does not employ the preferred language.

H.B. 411 amends the Government Code to make a conforming change.

H.B. 411 repeals Section 29.301(1), Education Code.

EFFECTIVE DATE

September 1, 2021.