

By: Lucio

S.B. No. 688

A BILL TO BE ENTITLED

AN ACT

relating to the development of a special education services matrix.

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

SECTION 1. Subchapter A, Chapter 29, Education Code, is amended by adding Section 29.0012 to read as follows:

Sec. 29.0012. SPECIAL EDUCATION SERVICES MATRIX. (a) The commissioner shall develop and periodically update materials for use in evaluating the special education services provided to a student under this subchapter, including:

(1) a special education services matrix that:

(A) identifies categories for special education services;

(B) assigns intensity levels for the services in each category; and

(C) produces an aggregate score to assign to each student enrolled in a special education program under this subchapter based on the intensity level of services the student requires across the categories; and

(2) a handbook for using the special education services matrix to assist school districts in determining the nature and intensity levels of the special education services provided to a student under this subchapter.

(b) In developing the materials under Subsection (a), the commissioner shall:

1           (1) review and adapt, as appropriate, special  
2 education services matrixes used by other states; and

3           (2) consult with stakeholders, including:

4                   (A) public school finance experts;

5                   (B) directors of school district special  
6 education programs;

7                   (C) superintendents of school districts;

8                   (D) public school campus administrators;

9                   (E) teachers certified in special education;

10                  (F) teachers certified in general education;

11                  (G) providers of special services that are  
12 described as "related services" under Section 29.002(2);

13                  (H) representatives of advocacy organizations  
14 with an interest in special education;

15                  (I) parents of students receiving special  
16 education services under this subchapter; and

17                  (J) any other person or organization the  
18 commissioner considers appropriate.

19           (c) The commissioner of education shall develop a proposal  
20 for a method of funding for special education services based on the  
21 special education matrix developed under Subsection (a). The  
22 proposal must include:

23                   (1) recommendations to the legislature for changes to  
24 the public school finance system necessary to transition the  
25 financing of special education services provided by school  
26 districts from the special education allotment under Section 49.102  
27 to an allotment based on the nature and intensity levels of the

1 special education services provided by districts; and

2 (2) a transition plan for implementing the  
3 recommendations under Subdivision (1), including a recommended  
4 timeline for implementation.

5 (d) The commissioner shall confer with the Legislative  
6 Budget Board to develop the proposal under Subsection (c).

7 (e) Not later than September 1, 2022, the commissioner shall  
8 submit written or electronic copies of the materials developed  
9 under Subsections (a) and (c) to the lieutenant governor, the  
10 speaker of the house of representatives, and the members of the  
11 standing legislative committees with primary jurisdiction over  
12 public education, and shall provide revised materials as soon as  
13 practicable after each periodic update of the materials.

14 SECTION 2. This Act takes effect September 1, 2021.