

By: Menéndez

S.B. No. 1671

A BILL TO BE ENTITLED

AN ACT

relating to individualized education program requirements for students placed in alternative special education settings and monitoring of alternative special education settings.

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

SECTION 1. Subchapter A, Chapter 29, Education Code, is amended by adding Sections 29.0053 and 29.0105 to read as follows:

Sec. 29.0053. ADDITIONAL PROGRAM REQUIREMENTS FOR STUDENTS IN ALTERNATIVE SPECIAL EDUCATION SETTINGS. (a) In this section:

(1) "Alternative special education setting" means:

(A) a school district campus at which 90 percent or more of the enrolled students are provided special education and related services; or

(B) a self-contained program that:

(i) operates at a district facility that does not meet the criteria for an instructional campus, as defined by commissioner rule; and

(ii) provides special education and related services to 90 percent or more of the students in regular attendance.

(2) "Committee" means a committee established under Section 29.005(a).

(b) In developing or modifying an individualized education program for a student who receives special education or related

1 services in an alternative special education setting, the student's
2 committee shall:

3 (1) develop individualized, measurable goals for
4 academic and social-emotional and behavioral growth that would
5 allow the student to be returned to a general education setting; and

6 (2) ensure that the student is in the least
7 restrictive environment that is appropriate to meet the student's
8 educational needs.

9 (c) The committee for a student described by Subsection (b)
10 must meet at least once each semester to review the student's
11 progress toward the goals developed under Subsection (b) and
12 determine whether the student may be returned to a general
13 education setting.

14 Sec. 29.0105. MONITORING OF ALTERNATIVE SPECIAL EDUCATION
15 SETTINGS. (a) In this section, "alternative special education
16 setting" has the meaning assigned by Section 29.0053.

17 (b) The agency shall assign a unique campus identification
18 number to each alternative special education setting for purposes
19 of data collection and analysis, reporting requirements, and state
20 monitoring of compliance with federal and state law relating to
21 special education.

22 (c) The comprehensive system for monitoring adopted and
23 implemented under Section 29.010 must provide for:

24 (1) specific monitoring regarding a school district's
25 compliance with the requirements of Section 29.0053; and

26 (2) the ongoing collection and analysis of data to
27 identify patterns of discrepancies between students receiving

1 special education or related services in an alternative special
2 education setting and students placed in general education
3 settings.

4 SECTION 2. This Act applies beginning with the 2025-2026
5 school year.

6 SECTION 3. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2025.