

BILL ANALYSIS

H.B. 2890
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been noted that the use of the two terms "admission, review, and dismissal (ARD) committee" and "individualized education program (IEP) team" in state and federal law, respectively, to refer to the same group that coordinates a child's special education program may create unnecessary confusion for parents and students. H.B. 2890 seeks to eliminate that confusion by requiring state law and regulations to update their terminology to use the federal term.

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. 2890 amends the Education Code to direct the legislature and the Texas Legislative Council, with respect to drafting or amending any new or existing statute or resolution, and the commissioner of education, the Texas Education Agency, and all other applicable state agencies, with respect to the proposing, adopting, or amending of new or existing rules and the producing of state agency reference materials or publications, to avoid using the phrases "admission, review, and dismissal committee" or "ARD committee" and to replace such phrases, as appropriate, with the preferred phrases "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 those preferred phrases.

H.B. 2890 defines "individualized education program team" by reference to its meaning in federal law and replaces applicable statutory references to conform to the preferred terminology established by the bill.

H.B. 2890 amends the Government Code to make a conforming change.

H.B. 2890 repeals Section 29.301(1), Education Code.

EFFECTIVE DATE

September 1, 2019.