

- SUBJECT:** Behavior-related plans for students in special education programs
- COMMITTEE:** Public Education — committee substitute recommended
- VOTE:** 10 ayes — Aycock, Allen, J. Davis, Deshotel, Farney, Huberty, K. King, Ratliff, J. Rodriguez, Villarreal
- 0 nays
- 1 absent — Dutton
- WITNESSES:** For — (*Registered, but did not testify:* Holly Eaton, Texas Classroom Teachers Association; Monty Exter, The Association of Texas Professional Educators; Janna Lilly, Texas Council of Administrators of Special Education; Ted Melina Raab, Texas-American Federation of Teachers; Jeff Miller, Disability Rights Texas; Jorge Renaud, Texas Criminal Justice Coalition; Don Rogers, Texas Rural Education Association; Rona Statman, The ARC of Texas; Columba Wilson)
- Against — None
- On — (*Registered, but did not testify:* David Anderson and Gene Lenz, Texas Education Agency; Steve Swanson)
- BACKGROUND:** Under state and federal law, a school district is required to establish an admission, review, and dismissal (ARD) committee to develop an individualized education program (IEP) for each child served by the district's special education program.
- DIGEST:** CSHB 1853 would permit a student's ARD committee to determine that a behavior improvement plan or a behavior intervention plan was appropriate for a student for whom the committee had developed an IEP.
- If the committee made that determination, the behavior-related plan would be included as part of the student's IEP and provided to each teacher with responsibility for educating the student.
- The bill would take immediate effect if passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect

September 1, 2013, and would apply beginning with the 2013-14 school year.