

BILL ANALYSIS

Senate Research Center

S.B. 198
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Education
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As Filed

DIGEST

Autism is a development disability that typically appears during the first three years of life. It is the result of a neurological disorder that interferes with the normal development of the brain in the areas of reasoning, social interactions, and communication skills. Autism and its associated behaviors occur in approximately 15 of every 10,000 individuals.

The Texas Education Agency commissioner's rules identify seven issues that must be considered when providing services to students with autism. There have been concerns in the past ten years that these rules may eventually be eliminated. This bill would codify these existing rules to ensure that the seven issues continue to be addressed.

PURPOSE

As proposed, S.B. 198 creates education programs for students with autism and pervasive development disorder in school districts.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 29, Education Code, by adding Subchapter J, as follows:

SUBCHAPTER J. PROGRAMS FOR STUDENTS WITH AUTISM OR PERVASIVE DEVELOPMENT DISORDER

Sec. 29.351. DEFINITIONS. Defines "autism" and "pervasive development disorder."

Sec. 29.352. DELIVERY OF SERVICES. Requires a school district to deliver services in conjunction with or in addition to services delivered under Subchapter A, as appropriate.

Sec. 29.353. ASSESSMENT, ADMISSION, AND REVIEW CRITERIA. Requires a professional to assess a student with autism or pervasive development disorder as provided by Subchapter A and this section. Sets forth the provisions a school district is required to address when conducting an assessment of a student with autism or pervasive development disorder, throughout the admission, review, and dismissal process, and in the development of the student's individualized education program.

Sec. 29.354. UNIQUE COMMUNICATION. Requires a school district to provide a student with autism or pervasive development disorder an education in which the student's most appropriate system of communication is identified through the assessment process and developed on an ongoing basis to a level of proficiency to allow the student to communicate with others across all environments. Sets forth the acceptable communication systems.

Sec. 29.355. QUALIFICATIONS OF PERSONNEL. Requires specific members of the assessment team to be knowledgeable in implementing the student's individualized education program.

Sec. 29.356. TRANSITION INTO REGULAR CLASS. Requires each school district to develop an individualized education program for a student with autism or pervasive development disorder that educates the student in the least restrictive environment possible, with appropriate support and services, to allow maximum integration of the student with students of the same age who are not disabled. Requires the school district in which the student is enrolled to develop and implement a transition plan for the transition of the student into a regular class program if the least restrictive environment provided to the student fails to provide for full inclusion of the student with students who are not disabled. Provides that this subsection applies if a student is to be placed into a regular class in a public school for any part of the day. Sets forth the requirements for the transition plan.

SECTION 2. Provides that this Act applies beginning with the 1997-1998 school year.

SECTION 3. Emergency clause.

Effective date: upon passage.