

BILL ANALYSIS

Senate Research Center
76R12718 BDH-D

H.B. 633
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Education
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Engrossed

DIGEST

The federal Individuals with Disabilities Education Act (IDEA) requires public schools to provide assistive technology devices (devices) necessary for the individualized education programs of students with disabilities. Such devices are the property of the purchasing school district. While federal rules permit a district to transfer ownership of property that it no longer needs, current Texas law does not require the Texas Education Agency (TEA) to assist local school districts in exercising their options regarding the transfer of devices in accordance with federal requirements. Students who cannot retain devices when they leave a district must undergo evaluation for a new device when they enroll in a new district and that district must then purchase a needed device at current pricing. H.B. 633 would encourage the transfer of devices with students under certain circumstances when they transfer schools within a district or leave the school district in which the devices were purchased.

PURPOSE

As proposed, H.B. 633 sets forth provisions regarding the transfer of assistive technology devices for students with disabilities who leave certain school districts.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Education Agency in SECTION 1 (Section 30.0015(b), Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 30A, Education Code, by adding Section 30.0015, as follows:

Sec. 30.0015. TRANSFER OF ASSISTIVE TECHNOLOGY DEVICES. Defines “assistive technology device,” “student with a disability,” and “transfer.” Authorizes the Texas Education Agency (TEA), by rule, to develop and annually disseminate standards for a school district’s transfer of an assistive technology device to an entity listed in this subsection when a student with a disability using the device changes the school of attendance in the district or ceases to attend school in the district that purchased the device, and to the student’s parents, or to the student if the student has the legal capacity to enter into a contract, agrees to the transfer. Authorizes the device to be transferred to certain entities. Sets forth the requirements for the standards developed under this section. Provides that this section does not alter any existing obligation under federal or state law to provide assistive technology devices to students with disabilities.

SECTION 2. Emergency clause.

Effective date: upon passage.