

## **BILL ANALYSIS**

H.B. 3025  
By: Talarico  
Public Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Early evaluation and diagnosis is vital for serving children with any of the many disabilities that affect learning and specialist evaluation is required for the implementation of an individualized education program under the federal Individuals with Disabilities Act. It has been noted, however, that there is often a communication gap when schools seek the parental consent required for these evaluations. H.B. 3025 seeks to address this issue by authorizing the provision of a facilitated meeting between a school counselor and a parent who disputes the district's or school's referral of the parent's child for evaluation.

### **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. 3025 amends the Education Code to authorize a public school district or open-enrollment charter school, if a parent of a student who is eligible for or suspected as being eligible for special education services disputes a district's or school's referral of the student for a full individual and initial evaluation for those services, to provide to the parent a facilitated meeting with a school counselor regarding the potential advantages, disadvantages, benefits, and concerns of accepting or declining the evaluation on behalf of the student. The bill authorizes a parent in a district that chooses to offer individualized education program facilitation as an alternative dispute resolution method to request the facilitation not later than the ninth calendar day following the date on which the dispute arose. The bill applies beginning with the 2019-2020 school year.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.