

SUBJECT: Establishing grant programs for students with autism

COMMITTEE: Public Education — committee substitute recommended

VOTE: 7 ayes — Huberty, Bernal, Dutton, Gooden, K. King, Koop, VanDeaver

0 nays

4 absent — Allen, Bohac, Deshotel, Meyer

WITNESSES: For — Suzan Brown, ResponsiveEd; Janna Lilly, Texas Council of Administrators of Special Education; Bennett Ratliff; (*Registered, but did not testify*: Guadalupe Gordon and Eileen Moxley, Archdiocese of San Antonio; Mark Wiggins, Association of Texas Professional Educators; Quintero, Catholic Advocates; Chris Masey, Coalition of Texans with Disabilities; Stacy Ford, Coalition of Human Rights Policy Advocates (CHRPA); Kristin Tassin, Fort Bend ISD; Christine Yanas, Methodist Healthcare Ministries; Chuck Cook, ResponsiveEd; Addie Gomez, Texans for Quality Public Charter Schools; Casey McCreary, Texas Association of School Administrators; Dax Gonzalez, Texas Association of School Boards; Anne Celeste Merlo, Texas Catholic Network; Veronica Garcia, Texas Charter Schools Association; Mark Terry, Texas Elementary Principals and Supervisors Association; Amanda List, Texas League of Community Charter Schools; Kyle Ward, Texas PTA; Colby Nichols, Texas Rural Education Association and Texas Association of Community Schools; Dee Carney, Texas School Alliance; Portia Bosse, Texas State Teachers Association; Aidan Utzman, United Ways of Texas; and 11 individuals)

Against — (*Registered, but did not testify*: Adam Cahn, Cahnman's Musings)

On — Jeff Miller, Disability Rights Texas; Leonardo Lopez and Monica Martinez, Texas Education Agency; Christine Broughal; (*Registered, but did not testify*: Steven Aleman, Disability Rights Texas; Kara Belew and Gene Lenz, Texas Education Agency)

DIGEST: CSHB 23 would establish a grant program to fund the provision of innovative services to students with autism at public school districts or open-enrollment charter schools.

Program eligibility and design. A district or charter program to provide services would be eligible for grant funding if it operated as an independent campus or separate program with a separate budget from the home campus. A program also would be required to incorporate evidence-based and research-based design, including the use of empirical data on student achievement and improvement. The program would have to encourage parental support and collaboration, the use of technology, and meaningful inclusion. It would be designed so that the program could be replicated statewide.

Students with autism would be given priority to participate in the program, although students without disabilities or with other disabilities also could enroll. Participation would be limited to students between 3 and 9 years old or those enrolled in third grade or lower. The program could not charge fees other than those authorized by law. No parent or guardian would be required to enroll or keep a child in the program, and the admission, review, and dismissal committee of a student served by special education would need the parent's permission to place a student there.

The program could alter the length in the school day or year, adjust the normally required minutes of instruction received by students, and adopt different staff qualifications and staff-to-student ratios. It also could coordinate services with private or community-based services.

CSHB 23 would allow the commissioner to consider a student with autism enrolled in a program as funded in a mainstream placement, regardless of the time the students spent in a regular classroom setting.

Grants and funding. CSHB 23 would require the Commissioner of Education to develop an application and selection process for no more than 10 grant awards beginning in the 2018-19 school year. Each program

would be funded for five years.

External stakeholders, including parents of children with disabilities, would assist in the grant award selection process. The commissioner would prioritize programs that were collaborative between multiple school districts and schools and reflected the diversity of the state.

A grant awarded to a district or charter would be in addition to Foundation School Program (FSP) funds that the district or charter otherwise was entitled to receive. The commissioner would set aside up to \$20 million in funds appropriated to the FSP for fiscal 2018-19 to fund the grants and would use \$10 million each year. Each recipient could receive no more than \$1 million during fiscal 2018-19. The commissioner would reduce all districts' and charter schools' allotment proportionally to account for the allocated grant funds.

The commissioner and the program also could accept gifts, grants, and donations from private or public sources for the implementation or administration of the program, but could not require any financial contribution from parents.

Report, effective date, and expiration date. The bill would require the commissioner to publish a report on the grant program by December 31, 2021. It would include recommendations for statutory or funding changes to best serve students with autism and data on academic and functional achievements of students enrolled in the program.

The grant program authorized by CSHB 23 would expire on September 1, 2024. The bill would take immediate effect if finally passed by a two-thirds vote of the membership of each house. Otherwise, it would take effect September 1, 2017.

NOTES:

According to the Legislative Budget Board's fiscal note, the bill would have an estimated negative impact of \$258,408 on general revenue related funds for fiscal 2018-19, with a cost of \$10.1 million in each subsequent year through fiscal 2024.