

AN ACT

relating to individual transition plans for certain students receiving special education services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 29.011(a), Education Code, is amended to read as follows:

~~[(a)]~~ The commissioner ~~[Texas Education Agency, the Texas Department of Mental Health and Mental Retardation, and the Texas Rehabilitation Commission]~~ shall ~~[develop, agree to, and]~~ by rule adopt procedures for compliance with federal requirements relating to transition ~~[a memorandum of understanding that establishes the respective responsibilities of each agency for the provision of]~~ services for ~~[necessary to prepare]~~ students who are enrolled in special education programs under this subchapter ~~[for a successful transition to life outside of the public school system]~~. The procedures must specify the manner in which a student's admission, review, and dismissal committee must consider, and if appropriate, address the following issues in the student's individualized education program:

(1) appropriate student involvement in the student's transition to life outside the public school system;

(2) if the student is younger than 18 years of age, appropriate parental involvement in the student's transition;

(3) if the student is at least 18 years of age,

appropriate parental involvement in the student's transition, if the parent is invited to participate by the student or the school district in which the student is enrolled;

(4) any postsecondary education options;

(5) a functional vocational evaluation;

(6) employment goals and objectives;

(7) if the student is at least 18 years of age, the availability of age-appropriate instructional environments;

(8) independent living goals and objectives; and

(9) appropriate circumstances for referring a student or the student's parents to a governmental agency for services.

SECTION 2. Sections 29.011(b)-(e), Education Code, are repealed.

SECTION 3. This Act applies beginning with the 2003-2004 school year.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.

David Newburn

President of the Senate

Tom Caddell

Speaker of the House

I certify that H.B. No. 2823 was passed by the House on May 9, 2003, by the following vote: Yeas 129, Nays 1, 1 present, not voting.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 2823 was passed by the Senate on May 28, 2003, by the following vote: Yeas 31, Nays 0.

Lately Spaw

Secretary of the Senate

APPROVED: 20 JUN '03

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:30 AM O'CLOCK

JUN 20 2003
Lucretia Shea
Secretary of State