

TCDD INPUT ON SPECIAL EDUCATION RULE CHANGES

On July 15, 2014, education policy advocates from the **Texas Council for Developmental Disabilities**, **The Arc of Texas**, and **Disability Rights Texas** submitted joint comments on proposed changes to special education rules found in the Texas Administrative Code. These comments addressed many areas of special education in Texas.

If the advocates' proposed changes are accepted, some of these changes would:

- Make it easier for parents to participate in their child's Admission, Review, and Dismissal (ARD) committee meetings after the child turns 18, without a guardianship in place.
- Allow a high school student to earn an "endorsement" in a subject, similar to earning a major in college, even if the student has modified coursework, under certain circumstances (such as with the approval of the student's ARD committee).
- Enhance protections for students related to the use of restraint on students by school personnel by:
 - requiring a meeting of the student's ARD committee after each incident of restraint,
 - prohibiting school personnel from using restraint on a student when the student only poses a threat to property and does not pose a threat to self or others,
 - requiring school personnel to attempt positive behavior interventions or other de-escalating strategies before using a restraint on a student,
 - explicitly prohibiting any restraint that interferes with a student's ability to breathe (this prohibition was implicit before), and
 - enhancing training requirements for school personnel related to the safe use of restraint and alternatives to the use of restraint.
- Protect student privacy by requiring that ARD committee facilitators are knowledgeable about the Family Educational Rights and Privacy Act (FERPA).
- Enhance access to ARD committee materials for parents who do not speak English.
- Enable schools to offer more off-campus educational and vocational opportunities to students with disabilities aged 18 to 22 who participate in special education programs.

To receive the full text of the submitted comments, feel free to contact public policy staff.