

## **BILL ANALYSIS**

Senate Research Center

H.B. 3632  
By: Moody (Rodríguez)  
Education  
7/28/2017  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Military families who have children with disabilities often face difficulties balancing the needs of their children at home and at school. H.B. 3632 is tailored to confirm that service members may invoke federal law that states time in active duty is not counted towards Texas' one-year time limit in due process hearings.

Due process hearings are arduous, time-intensive, and often money-intensive endeavors. When a parent serves in the military, the strenuous commitment and duty to our country causes these parents to have more difficulty in fulfilling all the requirements to best advocate for their child's needs. Allowing servicemember families to have an extended timeline instead of one year could be the difference for their children. These hearings are often a last resort for parents who need their child's Individual Education Plan to better reflect their child's specific needs. Military families should be allowed to take advantage of the existing federal mandate as to address the needs of these dedicated families who often have difficulty meeting Texas' one year mandate. (Original Author's / Sponsor's Statement of Intent)

H.B. 3632 amends current law relating to notice of an extension of the timeline for a parent to request a special education impartial due process hearing in certain circumstances.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 29.0163, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter A, Chapter 29, Education Code, by adding Section 29.0163, as follows:

Sec. 29.0163. PROTECTION OF THE RIGHTS OF MILITARY FAMILIES WITH CHILDREN WITH DISABILITIES. (a) Defines "servicemember."

(b) Requires the Texas Education Agency to include in the notice of procedural safeguards that the statute of limitation for the parent of a student to request an impartial due process hearing under 20 U.S.C. Section 1415(b) is authorized to be tolled if the parent is an active-duty servicemember and 50 U.S.C. Section 3936 applies to the parent.

(c) Requires the commissioner of education to adopt rules to implement this section.

SECTION 2. Effective date: upon passage or September 1, 2017.