

Amendment No. 1 to SB0790

Gresham
Signature of Sponsor

AMEND Senate Bill No. 790

House Bill No. 934*

by deleting Section 1 and substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 49-10-101, is amended by deleting the section and substituting instead the following:

(a) It is the policy of this state to provide, and to require LEAs to provide, as an integral part of free public education, special education and related services sufficient to meet the needs and maximize the capabilities of children with disabilities in compliance with state and federal law.

(b) The state board of education is authorized to adopt rules and regulations to effectuate this chapter. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

AND FURTHER AMEND by deleting subdivision (1) of Section 2 and substituting instead the following language:

(1) "Child with a disability" means a child between three (3) and twenty-one (21) years of age, both inclusive, who has been evaluated and determined as having an intellectual disability; a hearing impairment, including deafness; a speech or language impairment; a visual impairment, including blindness; emotional disturbance; an orthopedic impairment; autism; traumatic brain injury; an other health impairment; a specific learning disability; developmental delay; deaf-blindness; multiple disabilities; or a disability identified by the department of education in accordance with federal guidelines and regulations of the state board of education, and who, by reason thereof, needs special education and related services. Any child with a disability who turns twenty-two (22) years of age between the commencement of the school year and the conclusion of

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the school year continues to be a child with a disability for the remainder of that school year;

AND FURTHER AMEND by deleting subdivision (7)(A) of Section 2 and substituting instead the following language:

(A) Transportation and such developmental, corrective, and other supportive services required to assist a child with a disability to benefit from special education, including speech-language pathology and audiology services; interpreting services; psychological services; physical and occupational therapy; transition services, including job placement; recreation, including therapeutic recreation; early identification and assessment of disabilities in children; counseling services, including rehabilitation counseling that focus specifically on career development, employment preparation, achieving independence, and integration in the workplace and community of a child with a disability; orientation and mobility services; and medical services for diagnostic or evaluation purposes;

AND FURTHER AMEND by deleting subsection (c) of Section 3 and substituting instead the following language:

(c) A child with a disability must be educated in the least restrictive environment. Special classes, separate schooling, or other removals of a child with a disability from the regular educational environment must occur only when, and to the extent that, the student's IEP team determines that the nature or severity of the child's disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. To the maximum extent practicable, a child with a disability must be educated alongside the child's typically-developing peers.