

Amendment No. 2 to SB0790

**Bell
Signature of Sponsor**

AMEND Senate Bill No. 790

House Bill No. 934*

by deleting Section 1 and substituting instead the following:

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

(c) 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) in the amendatory language of Section 2 and substituting instead the following:

(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 a disability identified by the department of education in accordance with the rules and regulations of the state board of education or as having one (1) or more of the following disabilities, as defined in 34 CFR 300.8: 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; other health impairment; a specific learning disability; developmental delay; deaf-blindness; or multiple disabilities, 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 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) in the amendatory language of Section 2 and substituting instead the following:

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(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 with a focus 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) in the amendatory language of Section 3 and substituting instead the following:

(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 appropriate, a child with a disability must be educated alongside the child's typically-developing peers.