

## CHAPTER 735

## H.B. No. 1731

An Act relating to the basis for suspending a handicapped student from participating in extracurricular activities.

*Be it enacted by the Legislature of the State of Texas:*

**SECTION 1.** Sections 21.920(b) and (c), Education Code, are amended to read as follows:

(b) A student [~~other than a mentally retarded student,~~] enrolled in a school district in this state shall be suspended from participation in any extracurricular activity sponsored or sanctioned by the school district during the grade reporting period after a grade reporting period in which the student received a grade lower than the equivalent of 70 on a scale of 100 in any academic class. The campus principal may remove this suspension if the class is an identified honors or advanced class.

(c) *Suspension of a handicapped student whose handicap significantly interferes with the student's ability to meet regular academic standards shall be based on the student's failure to meet the requirements of the student's individual education plan. The determination of whether a handicap significantly interferes with a student's ability to meet regular academic standards shall be made by the student's admission, review, and dismissal committee. For purposes of this subsection, "handicapped student" means a student who is eligible for a district's special education program under Section 21.503(b) of this code.*

(d) A student may not be suspended under this section [~~subsection~~] during the period in which school is recessed for the summer or during the initial grade reporting period of a regular school term on the basis of grades received in the final grade reporting period of the preceding regular school term.

~~[(e) In this section, "mentally retarded" has the meaning assigned by Section 21.503(b)(5) of this code.]~~

**SECTION 2.** This Act takes effect September 1, 1985.

**SECTION 3.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 6, 1985, by a non-record vote; passed by the Senate on May 27, 1985, by a viva-voce vote.

Approved: June 14, 1985

Effective: September 1, 1985