

BILL ANALYSIS

S.B. 811
By: Rodríguez
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

According to interested parties, federal law requires public schools to provide the parent of a child with special educational needs information in the parent's native language as well as copies of the child's individualized education program (IEP) at no cost. The parties consider this an important safeguard to ensure that parents are able to refer to a document that outlines the agreed-upon services being provided to their child. Current state law, the parties continue, requires that school districts provide Spanish-speaking parents a written or audiotaped copy of the child's IEP translated into Spanish. If the parent's native language is a language other than Spanish, districts need only make a good faith effort to provide a written or audiotaped copy of the translated IEP.

Some school districts, the parties report, rather than providing an audiotaped copy of just the required elements of the IEP, provide parents with an audio recording of an entire IEP planning meeting, which can be hours long. There are concerns that these recordings may be inadequate with regard to ensuring that a parent is advised of education services being provided to their child, as required by law. In particular, meetings may not include discussion of all content that would be included in a written IEP. S.B. 811 seeks to address this issue as it relates to providing a translated copy of a student's IEP to parents unable to speak English.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 811 amends the Education Code to require the school district of a child enrolled in a special education program of the district to provide the child's individualized education program in audiotape form if requested by the parent. The bill requires audiotaped copies to include all components of the individualized education program required under state or federal law that are developed or revised by the child's individualized education program committee. The bill's provisions apply beginning with the 2015–2016 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.