

**SUBJECT:** Use of specialist to determine student eligibility for special education

**COMMITTEE:** Public Education — favorable, without amendment

**VOTE:** 8 ayes — Eissler, Hochberg, Allen, Farias, Olivo, Patrick, Shelton, Weber  
0 nays  
3 absent — Aycock, Dutton, Jackson

**SENATE VOTE:** On final passage, April 30 — 31-0

**WITNESSES:** For — Rose Cruz; Sabra Ewing; Tonya Ewing; Marty Murrel, Alliance of and for Visually Impaired Texans; Josselyn Sosa; (*Registered, but did not testify*: Harley Fetterman; Elisabeth Freeborn; Lindsay Gustafson, TCTA; Julie Glover, Texas Association of Educators, Rehabilitation of the Blind and Visually Impaired Division 9; Ruthann Marsh, Texas Association of Educators, Rehabilitation of the Blind and Visually Impaired; Cyral Miller, Central Texas Educators of Students with Visual Impairments; Jeff Miller, Advocacy Incorporated; Luke Novay; Timothy Novay; Lynn Novay, Texas Association for Parents of Children with Visual Impairments; Rona Pogrund; Stephen Schoen, Deaf Blind Multi-Handicapped Association of Texas; Rona Statman, the Arc of Texas)  
  
Against — None

**DIGEST:** SB 2082 would require that the orientation and mobility evaluation to determine a student's eligibility for special education services based on visual impairment would be conducted by a person certified as an orientation and mobility evaluation specialist. The evaluation would have to occur in a variety of settings, including in the student's home, school and community, and in settings unfamiliar to the student. A multidisciplinary team, including the orientation and mobility evaluation specialist, would participate and evaluate the data on which a child's eligibility would be based.  
  
Any reevaluation by a school district of a student deemed eligible for the district's special education program on the basis of a visual impairment

would have to include an orientation and mobility evaluation conducted by a orientation and mobility evaluation specialist.

By January 1, 2010, the commissioner of education would be required to adopt rules. The provisions of the bill would be implemented by the beginning of the 2010-2011 school year

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2009.