

BILL ANALYSIS

Senate Research Center
76R13794 CAS-D

H.B. 2172
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Education
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Engrossed

DIGEST

Currently, the Texas Education Agency does accreditation monitoring to measure campus performance. However, TEA does not do accreditation monitoring for special education programs. H.B. 2172 sets forth provisions regarding TEA monitoring of school district compliance with special education laws.

PURPOSE

As proposed, H.B. 2172 sets forth provisions regarding TEA monitoring of school district compliance with special education laws.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Section 29.010, Education Code, by amending Subsections (a) and (b), and adding Subsections (e) and (f), to require the Texas Education Agency (TEA) to adopt and implement a comprehensive system for monitoring school district (district) compliance with federal and state laws relating to special education. Requires the monitoring system to provide for ongoing analysis of district special education data and of complaints filed with the agency concerning special education services and for inspections of school districts at district facilities. Requires TEA to use the information obtained through analysis of district data and from the complaints management system to determine the appropriate schedule for and extent of the inspection. Requires TEA to obtain information from teachers of students in special education programs in the district. Requires TEA complaint management division to develop a system for expedited investigation and resolution of complaints concerning a district's failure to provide special education or related services to a student eligible to participate in the district's special education program. Provides that this section does not create an obligation for or impose a requirement on a school district or open-enrollment charter school that is not also created or imposed under another state law or federal law. Makes nonsubstantive changes.

SECTION 2. Amends Section 39.053, Education Code, to require the annual report to include the district's current special education compliance status with the agency. Makes conforming and nonsubstantive changes.

SECTION 3. Amends Section 39.072(b), Education Code, to require the district's current special education compliance status with TEA to be one of the main considerations of TEA in the rating of the district under this section. Deletes existing text regarding special education programs.

SECTION 4. Amends Section 39.073, Education Code, by adding Subsection (e), to require TEA to consider the district's current special education compliance status with TEA in determining a district's accreditation rating.

SECTION 5. Amends Section 39.182(a), Education Code, to require TEA to prepare and deliver to certain persons a comprehensive report covering the preceding two school years and containing certain information, including a list of each school district that is not in compliance with state special education requirements, including certain information.

SECTION 6. Provides that SECTIONS 2 - 4 of this Act apply beginning with the 1999-2000 school year. Requires the report under Section 39.182(a), Education Code, to include the required additional

information beginning with the first report TEA would regularly make under Section 39.182(a), Education Code, after the effective date of this Act.

SECTION 7. Emergency clause.

Effective date: upon passage.