

BILL ANALYSIS

Senate Research Center
82R1357 CAE-F

S.B. 35
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Education
3/3/2011
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The purpose of S.B. 35 is to address the high unemployment rate for individuals with disabilities by improving the quality and quantity of employment/supported employment (ESP) services provided by schools. The bill would also increase and improve the information available to parents and students about available transition resources for adults with disabilities, and it would facilitate students' connections to adult support services available through health and human services (HHS) agencies, the Social Security Administration (SSA), and the Texas Workforce Commission (TWC).

Current Texas law requires the commissioner of education to adopt procedures for compliance with federal requirements relating to transition services for students who are enrolled in special education programs. Federal law requires transition services for students with disabilities to be in effect when the child reaches the age of 16. It also stipulates that an individualized education plan must include appropriate measurable post-secondary goals based on age-appropriate transition assessments and transition services necessary to assist the child in reaching those goals. Transition services include a coordinated set of activities for a child with a disability that are focused on improving the academic and functional achievement of the child to facilitate the child's transition to post-school activities.

S.B. 35 would require transition services for students with disabilities to start at 14 years of age instead of the federally required age of 16 years and would require schools to make a manual of comprehensive transition and employment information available for parents and students.

As proposed, S.B. 35 amends current law relating to transition and employment services for public school students enrolled in special education programs.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the commissioner of education is modified in SECTION 1 (Section 29.011, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 29.011, Education Code, as follows:

Sec. 29.011. TRANSITION PLANNING. (a) Creates this subsection from existing text. Adds Subdivision (1) to require that the procedures adopted by rule by the commissioner of education (commissioner) for compliance with federal requirements relating to transition services for students who are enrolled in special education programs under this subchapter provide that transition planning begins for a student not later than when the student reaches 14 years of age. Designates existing text as Subdivision (2) and makes nonsubstantive changes.

(b) Requires the commissioner to require each school district or shared services arrangement to designate an employee as the school transition and employment services coordinator to serve as the district's or shared services arrangement's specialist on transition and employment services for students enrolled in special education programs under this subchapter. Requires an individual designated

under this subsection to communicate and collaborate on a regular basis with certain persons and meet minimum transition training requirements established by the commissioner.

SECTION 2. Amends Subchapter A, Chapter 29, Education Code, by adding Sections 29.0111 and 29.0112, as follows:

Sec. 29.0111. TRANSITION INFORMATION. Requires the Texas Education Agency (TEA) to develop a Performance-Based Monitoring Analysis System indicator regarding the preparation of students enrolled in special education programs to transition to life outside the public school system.

Sec. 29.0112. TRANSITION AND EMPLOYMENT MANUAL. (a) Requires TEA, with assistance from the Health and Human Services Commission, to develop a comprehensive transition and employment manual (manual) for students enrolled in special education programs and their parents to assist in the transition to life outside the public school system. Authorizes TEA to contract with a private entity to prepare the manual.

(b) Sets forth the required state specific content to be included in the manual.

(c) Requires that the manual be produced in an electronic format and posted on TEA's website in a manner that permits the manual to be easily identified and accessed.

(d) Requires TEA to update the manual posted on TEA's website at least once every two years.

(e) Requires TEA to develop a summary document of the manual that briefly describes each topic addressed in the manual and includes contact information for each agency or program described in the manual. Requires that the summary include information about obtaining access to the complete manual.

(f) Requires TEA to update the summary required under Subsection (e) not later than the 30th day after the date the manual is updated in accordance with Subsection (d).

(g) Requires a school district to:

(1) maintain at each campus in the district a hard copy of the manual that is posted on TEA's website;

(2) on request, assist a parent or student in obtaining access to the manual; and

(3) provide one hard copy of the summary document required under Subsection (e) to each parent of a student enrolled in a special education program or adult student enrolled in a special education program at the first meeting of the student's admission, review, and dismissal committee at which transition is discussed, or the first committee meeting that occurs after September 1, 2011, if a student has already had an admission, review, and dismissal committee meeting discussing transition.

SECTION 3. Provides that this Act applies beginning with the 2011-2012 school year.

SECTION 4. Effective date: upon passage or September 1, 2011.