

## **BILL ANALYSIS**

Senate Research Center  
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C.S.S.B. 35  
By: Zaffirini  
Education  
4/20/2011  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The purpose of C.S.S.B. 35 is to address the high unemployment rate for individuals with disabilities by improving the quality and quantity of employment/supported employment 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 agencies, the Social Security Administration and the Texas Workforce Commission.

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.

C.S.S.B. 35 requires 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.

C.S.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. Requires 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 appropriate state transition planning begins for a student not later than when the student reaches 14 years of age and specifies the manner in which a student's admission, review, and dismissal committee must consider, and if appropriate, address certain issues in the student's individualized education program. Makes nonsubstantive changes.

(b) Requires the commissioner to require each school district or shared services arrangement to designate at least one employee to serve as the district's or shared services arrangement's designee on transition and employment services for students enrolled in special education programs under this subchapter. Requires the commissioner to develop minimum training guidelines for a district's or

shared services arrangement's designee. Requires an individual designated under this subsection to provide information and resources about effective transition planning and services and interagency coordination to ensure that local school staff communicate and collaborate with students enrolled in special education programs under this subchapter and the parents of those students, and as appropriate, local and regional staff of the Health and Human Services Commission (HHSC), Department of Aging and Disability Services, the Department of Assistive and Rehabilitative Services, the Department of State Health Services, and the Department of Family and Protective Services.

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

Sec. 29.0111. TRANSITION AND EMPLOYMENT GUIDE. (a) Requires TEA, with assistance from HHSC, to develop a transition and employment guide (guide) for students enrolled in special education programs and their parents to provide information on statewide services and programs that assist in the transition to life outside the public school system. Authorizes TEA to contract with a private entity to prepare the guide.

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

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

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

(e) Requires a school district to:

(1) post the guide on the district's website if the district maintains a website; and

(2) provide written information and, if necessary, assistance to a parent regarding how to access the electronic version of the guide 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 the date the guide becomes available, if a student has already had an admission, review, and dismissal committee meeting discussing transition.

SECTION 3. Requires TEA, with assistance from HHSC, to complete development of the guide required by Section 29.0111, Education Code, as added by this Act, not later than September 1, 2012. Requires a school district to comply with Section 29.0111(e), Education Code, as added by this Act, beginning on the date the guide is available.

SECTION 4. Provides that, except as otherwise provided by this Act, this Act applies beginning with the 2011-2012 school year.

SECTION 5. Effective date: upon passage or September 1, 2011.