

BILL ANALYSIS

Senate Research Center

S.B. 37
By: Zaffirini; West
Higher Education
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The purpose of this legislation is to promote and effectively coordinate post-secondary education for persons with intellectual and developmental disabilities (IDDs). According to *Recovery: Job Growth and Education Requirements Through 2020*, a report by the Georgetown Public Policy Institute at Georgetown University, 65 percent of all jobs will require some form of postsecondary education or training by 2020. Similarly, the Employment and Disability Institute at the Cornell University School of Industrial and Labor Relations reported in 2012 that the employment rate of working-age persons (ages 21 to 64) with disabilities in Texas was 37.4 percent, compared to 76.5 percent for persons without disabilities. In addition to these dismal statistics, Texas ranks last among states offering post-secondary educational opportunities for persons with IDD and only six institutions of higher education offer these opportunities. Gathering data on these programs would allow the Texas Higher Education Coordinating Board (THECB) to coordinate efforts more effectively. If the growing disparities continue to be ignored, it could place additional barriers on employment, independence, and a higher quality of life for persons with IDD.

S.B. 37 would require THECB to collect data regarding the participation in higher education of persons with IDD, mirroring data collection for racial and ethnic minorities. It would also require THECB to maintain a database of the information submitted, continuously study the data collected, and make the information easily accessible to the public.

S.B. 37 amends current law relating to requiring the Texas Higher Education Coordinating Board to collect and study data on the participation of persons with intellectual and developmental disabilities at public institutions of higher education.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 (Section 61.0664, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 61, Education Code, by adding Section 61.0664, as follows:

Sec. 61.0664. COLLECTION AND STUDY OF DATA ON PARTICIPATION OF PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES IN HIGHER EDUCATION. (a) Requires the Texas Higher Education Coordinating Board (THECB) to collect and maintain data relating to undergraduate and graduate level participation of persons with intellectual and developmental disabilities at institutions of higher education, including data regarding applications for admission, admissions, retention, graduation, and professional licensing.

(b) Requires THECB to conduct an ongoing study of the data collected and maintained under Subsection (a) to analyze factors affecting the participation of persons with intellectual and developmental disabilities at institutions of higher education.

(c) Requires THECB to conduct an ongoing study on the recruitment of persons with intellectual and developmental disabilities at institutions of higher education. Requires that the study identify previously made recruitment efforts, limitations on recruitment, and possible methods for recruitment. Requires THECB, not later than November 1 of each even-numbered year, to submit to the governor and members of the legislature a report on the results of the study conducted under this subsection and any recommendations for legislative or other action.

(d) Requires each institution of higher education, at times prescribed by THECB, to submit to THECB any information requested by THECB as necessary for THECB to carry out its duties under this section.

(e) Requires THECB to adopt rules as necessary to implement this section in a manner that ensures compliance with federal law regarding confidentiality of student medical or educational information, including the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d et seq.) and the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g).

SECTION 2. Effective date: September 1, 2015.