

BILL ANALYSIS

Senate Research Center
84R14539 SRS-D

S.B. 1867
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Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The federal Individuals with Disabilities Education Act entitles all children with disabilities to free public education until their 22nd birthday. Specifically, it requires that a school maintain an Individualized Education Program (IEP) for each child with a disability who attends the school. IEPs can extend for a number of years past a typical high school graduation date to ensure that students receive necessary services during the secondary to post-secondary transition. Many students with IEPs complete all credit requirement for graduation and even walk across the stage on graduation day, but remain enrolled as high school students to receive transition services.

Currently, these “continuer” students are added to the number of students in the school who have not graduated, which negatively impacts the school's graduation rate and overall accountability rating. Because of this negative impact, school administrators may encourage the students to leave high school prior to completing their IEPs or fail to offer adequate transition services to students with IEPs.

Current law lists several groups of students who are excluded from the computation of high school completion rates, including certain students in high school equivalency certificate programs and students who attend the school as asylees or refugees. S.B. 1867 would add to that list those students in special education programs who are at least 18 years of age and have satisfied credit requirements for graduation, but remain eligible for special education services under federal law.

As proposed, S.B. 1867 amends current law relating to excluding certain adult students receiving special education services from computation of dropout and completion rates for purposes of public school accountability.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 39.053(g-1), Education Code, as follows:

(g-1) Requires the commissioner of education, in computing dropout and completion rates under Subsection (c)(2), to exclude students who are at least 18 years of age and have satisfied the credit requirements for high school graduation, have not completed their individualized education program under 19 T.A.C. Section 89.1070(b)(2) and the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.), and are enrolled and receiving individualized education program services.

SECTION 2. Provides that this Act applies beginning with the 2015-2016 school year.

SECTION 3. Effective date: upon passage or September 1, 2015.