

BILL ANALYSIS

S.B. 1125
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Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The unemployment rate for adults with disabilities is staggering and far exceeds the rates for adults without disabilities. U.S. Census data from 2000 indicates that 80,000 young Texans 16 to 24 years of age report difficulty working because of disability issues, yet only about 10,000 per year, or approximately 12 percent, receive employment support through the Texas adult service system. It is difficult to address these problems in the Texas education system as the Texas Education Agency (TEA) lacks clear data on both employment support and outcomes for students with disabilities.

While some independent school districts do a commendable job of preparing students with disabilities for adult living, compliance with special education requirements is inconsistent across Texas school districts. Many school districts fail to offer meaningful transition services, and, in some cases, supported employment opportunities do not exist. Additionally, TEA has not used its authority to require that school districts provide specific services because of the districts' relative autonomy in Texas' educational system. In addition, while many adults with disabilities want to work, the support needed to find and retain employment is frequently not available to them. Preparing a transition-aged youth with disabilities for employment by providing supported employment services to help the youth obtain and maintain meaningful employment in an integrated setting, as opposed to the current practice of placing a disabled person in a sheltered workshop or enclave, will help reverse the unemployment trend among disabled adults.

S.B. 1125 provides for transition planning for a student enrolled in a special education program to begin, at the latest, when the student reaches 14 years of age, requires each school district or shared services arrangement to designate a school transition and employment services coordinator, and sets forth provisions requiring TEA to develop and maintain a transition and employment manual for students enrolled in special education programs and their parents.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education in SECTION 1 of the bill.

ANALYSIS

S.B. 1125 amends the Education Code to include a requirement in the procedures adopted by the commissioner of education by rule for compliance with federal requirements relating to transition services for students who are enrolled in special education programs that the procedures provide for the transition planning to begin for a student not later than when the student reaches 14 years of age. The bill 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. The bill requires an individual so designated to meet minimum transition training requirements established by the commissioner.

S.B. 1125 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. The bill requires TEA, with assistance from the Health and Human Services Commission, to develop a comprehensive transition and employment manual for students enrolled in special education programs and their parents to assist in the transition to life outside the public school system and authorizes TEA to contract with a private entity to prepare the manual. The bill requires the manual to contain information specific to Texas regarding transition services; employment and supported employment services; social security programs; community and long-term services and support; postsecondary educational programs and services; information sharing with health and human services agencies and providers; guardianship and alternatives to guardianship; self-advocacy, person-directed planning, and self-determination; and contact information for all relevant state agencies.

S.B. 1125 requires the manual to 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 and requires TEA to update the manual posted on the website at least once every two years. The bill 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. The bill requires the summary to include information about obtaining access to the complete manual and requires TEA to update the summary not later than the 30th day after the date the manual is updated on TEA's website.

S.B. 1125 requires a school district to maintain at each campus in the district a hard copy of the manual that is posted on TEA's website; to assist, on request, a parent or student in obtaining access to the manual; and to provide one hard copy of the required summary document 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 meeting that occurs after September 1, 2009, if a student already has had a committee meeting discussing transition. The bill makes its provisions effective beginning with the 2009-2010 school year.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.