

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1125
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Education
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The unemployment rate for adults with disabilities is staggering, and far exceeds the rates for adults without disabilities. United States Census data from 2000 indicates that 80,000 young Texans age 16 through 24 report difficulty working due to disability issues. Yet, only about 10,000 adults per year receive employment supports through the Texas adult service system. Additionally, it is difficult to address these problems in the Texas education system as the Texas Education Agency (TEA) has no clear data on employment supports and outcomes for students with disabilities. While some independent school districts (ISD) do a commendable job of preparing students with disabilities for adult living, compliance with special education requirements are inconsistent throughout Texas school districts. Many ISDs fail to offer meaningful transition services and in many cases, supported employment opportunities do not exist. Moreover, because of the autonomy of ISDs in the Texas educational system, TEA has not used its authority to mandate specific services to be provided by the ISDs.

While many adults with disabilities want to work, the support to find and retain employment frequently is not available. To change this trend, transition-age youth with disabilities need to be prepared for employment. This can be accomplished by providing them with employment/supported employment services that will help them obtain and maintain meaningful employment in integrated settings, as opposed to the current practice of placing them in sheltered workshops and enclaves.

C.S.S.B. 1125 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 the commissioner of education (commissioner) by rule to adopt procedures for compliance with federal requirements relating to transition services for students who are enrolled in special education programs under this subchapter. Requires that the procedures provide that transition planning begins for a student not later than when the student reaches 14 years of age. 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 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 (HHSC), 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. Authorizes TEA to contract with a private entity to prepare the manual.

(b) Requires that the transition and employment manual contain certain information specific to this state.

(c) Requires that the transition and employment 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 transition and employment manual posted on TEA's website at least once every two years.

(e) Requires TEA to develop a summary document of the transition and employment 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 transition and employment manual is updated in accordance with Subsection (d).

(g) Requires a school district to maintain at each campus in the district a hard copy of the transition and employment manual that is posted on TEA's website; on request, assist a parent or student in obtaining access to the transition and employment manual; and provide one hard copy of the summary document required under Subsection (e) to each parent of a 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 at the first committee meeting that occurs after September 1, 2009, 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 2009-2010 school year.

SECTION 4. Effective date: upon passage or September 1, 2009.