

By: Watson

S.B. No. 1486

A BILL TO BE ENTITLED

AN ACT

relating to the qualifications of special education personnel in public schools.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 29, Education Code, is amended by adding Section 29.0051 to read as follows:

Sec. 29.0051. QUALIFICATIONS OF SPECIAL EDUCATION PERSONNEL. (a) A student who is enrolled in a special education program must have an education in which teachers, related services personnel, and paraprofessionals who regularly provide special education instruction and related services are informed about the unique nature of the student's special needs.

(b) The commissioner by rule shall require each school district to include in each student's individualized education program any information or requirement determined necessary to ensure that each person providing special education instruction or related services to the student is appropriately certified in accordance with rules promulgated by the commissioner, if applicable, in appropriate education methods. The commissioner shall adopt rules to establish minimum qualifications for teachers, related services personnel, and paraprofessionals providing special education instruction and related services to special education students.

(c) Each school district shall employ or provide access to

1 appropriate qualified personnel consistent with credentialing  
2 requirements and the minimum qualifications established by the  
3 commissioner under subsection (b), to fulfill the responsibilities  
4 of the school district.

5 (d) The school district must ensure that regular and special  
6 education personnel who work with students enrolled in a special  
7 education program are reasonably prepared through training to  
8 provide educational instruction and related services to those  
9 students. Such training may be determined by the student's  
10 admission, review and dismissal committee.

11 SECTION 2. This Act applies beginning with the 2009-2010  
12 school year.

13 SECTION 3. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2009.