

## **BILL ANALYSIS**

C.S.H.B. 357  
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Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

An adult with a disability is more likely to be unemployed than an adult without a disability. Recent U.S. Census data indicates a large number of young Texans report difficulty working because of disability issues, yet only a small percentage report receiving employment support through the Texas adult services system. It is difficult to address these problems in the Texas education system as the Texas Education Agency lacks clear data on employment support and outcomes for students with disabilities.

Recent legislation examined transition issues for young people with disabilities, with a special emphasis on employment. A large stakeholder work group has spent considerable time examining barriers to employment for this population and reported that some school districts do a good job of preparing students with disabilities for adult living but that others fail to offer meaningful transition services. In addition, a recent interim committee report recommended that transition planning begin at an earlier age to ensure a more effective transition to employment, further education, and independent living.

C.S.H.B. 357 provides for transition planning for certain students to begin, at the latest, when the student reaches 14 years of age, requires designation of a school transition and employment services coordinator, and requires the development and maintenance of a transition and employment guide for students enrolled in special education programs.

### **RULEMAKING AUTHORITY**

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

### **ANALYSIS**

C.S.H.B. 357 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 appropriate state 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 at least one employee as the school transition and employment services coordinator to serve as the district's or shared services arrangement's designee on transition and employment services for students enrolled in special education programs. The bill requires the commissioner to develop minimum training guidelines for a district's or shared services arrangement's designee. The bill requires an individual so designated to provide information and resources about effective transition planning and services and interagency coordination to ensure that local staff communicate and collaborate with students enrolled in special education programs, the parents of those students, and, as appropriate, local and regional staff of the Health and Human Services Commission, the Department of Aging and Disability Services, the Department of Assistive and Rehabilitative Services, the Department of State Health Services, and the Department of Family and Protective

Services.

C.S.H.B. 357 requires the Texas Education Agency (TEA), with assistance from the Health and Human Services Commission, to develop a transition and employment guide for students enrolled in special education programs and their parents to provide information on statewide services and programs that assist in the transition to life outside the public school system and to complete development of the guide not later than September 1, 2012. The bill authorizes the TEA to contract with a private entity to prepare the guide and requires the guide to contain information specific to Texas regarding the following: 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.

C.S.H.B. 357 requires the transition and employment guide to be produced in an electronic format and posted on the TEA website in a manner that permits the guide to be easily identified and accessed. The bill requires the TEA to update the guide posted on the website at least once every two years.

C.S.H.B. 357 requires a school district, beginning on the date the transition and employment guide is available, to post the guide on the district's website if the district maintains a website and to provide written information and, if necessary, assistance to a parent regarding how to access the electronic version of the guide 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 the date the guide becomes available, if a student has already had a committee meeting discussing transition. The bill makes its provisions applicable beginning with the 2011-2012 school year, except as otherwise provided.

#### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.

#### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 357 differs from the original, in a provision requiring that procedures for compliance with certain federal requirements for students enrolled in special education programs provide that transition planning begins for a student not later than when the student reaches 14 years of age, by specifying that the transition planning be appropriate state transition planning, whereas the original does not contain that specification in that provision.

C.S.H.B. 357 differs from the original by requiring each school district or shared services arrangement to designate at least one employee to serve as the district's or shared services arrangement's designee on transition and employment services, whereas the original requires each district or shared services arrangement to designate an employee to serve as the district's or shared services arrangement's specialist on transition and employment services.

C.S.H.B. 357 differs from the original by requiring the commissioner to develop minimum training guidelines for a district's or shared services arrangement's designee, whereas the original requires a designee to meet minimum transition training requirements established by the commissioner. The substitute differs from the original by requiring that a designated individual provide information and resources about effective transition planning and services and interagency coordination to ensure that local school staff communicate and collaborate with certain students, their parents, and, as appropriate, local and regional staff of certain state agencies, whereas the original requires such an individual to communicate and collaborate on a regular basis with those students, their parents, and local and regional staff of certain state

agencies.

C.S.H.B. 357 omits a provision included in the original requiring 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.

C.S.H.B. 357 differs from the original by requiring the TEA, with assistance from the Health and Human Services Commission (HHSC), to develop a transition and employment guide for students enrolled in special education programs and their parents, whereas the original requires development of a transition and employment manual. The substitute omits provisions included in the original requiring the TEA to develop a summary document of the transition and employment manual and requiring the TEA to update the summary by a certain date.

C.S.H.B. 357 differs from the original by requiring a school district to post the transition and employment guide on the district's website if the district maintains a website, whereas the original 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 the TEA website. The substitute differs from the original by requiring a school district to provide written information and, if necessary, assistance to a parent regarding how to access the electronic version of the transition and employment guide at certain occasions, whereas the original requires the school district, on request, to assist a parent or student in obtaining access to the transition and employment manual and to provide a hard copy of the summary document at certain occasions. The substitute differs from the original by describing one of those occasions as the first meeting of a student's admission, review, and dismissal committee that occurs after the date the transition and employment guide becomes available, if a student has already had a committee meeting discussing transition, whereas the original describes such a meeting as occurring after September 1, 2011.

C.S.H.B. 357 contains provisions not included in the original requiring the TEA, with assistance from HHSC, to complete development of the required transition and employment guide not later than September 1, 2012, and requiring a school district to comply with certain requirements relating to distributing the guide beginning on the date the guide is available.

C.S.H.B. 357 differs from the original in nonsubstantive ways by making conforming and clarifying changes reflective of certain bill drafting conventions.