

BILL ANALYSIS

Senate Research Center

S.B. 39
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Education
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current state law requires students with visual impairments to receive specialized instruction specific to blindness. The section of the Education Code relating to education for students with visual impairment was added in 1995 and does not recognize recent developments in the area, including several areas of instruction that are critical to the development and learning of a child who is blind. Because the term "expanded core curriculum" is not included, the law has led to a lack of uniformity in teaching students with visual impairment.

S.B. 39 seeks to strengthen the education of blind children by identifying the type of unique instruction that helps blind children compensate for blindness as the expanded core curriculum; adding critical areas of instruction in visual impairment education that are not currently included in state law; and reducing confusion by making the law consistent in identifying all of the areas of instruction found in the expanded core curriculum.

S.B. 39 amends current law relating to the evaluation and instruction of public school students with visual impairments.

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 Sections 30.002(b), (c), and (e), Education Code, as follows:

(b) Requires the Texas Education Agency (TEA) to:

(1)-(4) Makes no change to these subdivisions; and

(5) maintain an effective liaison between special education programs provided for children with visual impairments by school districts and related initiatives of the Department of Assistive and Rehabilitative Services Division for Blind Services, the Department of State Health Services Mental Health and Substance Abuse Division, and the Texas School for the Blind and Visually Impaired (TSBVI), rather than of the Texas Commission for the Blind, the Texas Department of Mental Health and Mental Retardation, TSBVI, and other related programs, agencies, or facilities as appropriate.

(c) Requires that the comprehensive statewide plan for the education of children with visual impairments:

(1)-(3) Makes no change to these subdivisions;

(4) include methods to ensure that children with visual impairments receiving special education services in school districts receive, before being placed in a classroom setting or within a reasonable time after placement, evaluation of the impairment and instruction in an expanded core curriculum, which is required for

students with visual impairments to succeed in classroom settings and to derive lasting, practical benefits from the education provided by school districts, including instruction in and the development of skills in certain areas. Makes conforming and nonsubstantive changes; or

(5)-(10) Makes no change to these subdivisions.

(e) Entitles each eligible blind or visually impaired student to receive educational programs according to an individualized education program that:

(1)-(3) Makes no change to these subdivisions;

(4) provides a detailed description of the arrangements made to provide the student with the evaluation and instruction required under Subsection (c)(4), rather than with the orientation and mobility training, instruction in braille or use of large print, other training to compensate for serious visual loss, access to special media and special tools, appliances, aids, or devices commonly used by individuals with serious visual impairments; and

(5) Makes conforming changes.

SECTION 2. Provides that Section 30.002(e), Education Code, as amended by this Act, applies beginning with the 2013-2014 school year.

SECTION 3. Effective date: upon passage or September 1, 2013.