By:  Powell S.B. No. 1017

(In the Senate - Filed February 22, 2019; March 7, 2019, read first time and referred to Committee on Higher Education; April 4, 2019, reported favorably by the following vote: Yeas 9, Nays 0; April 4, 2019, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Creighton       X

West            X

Bettencourt     X

Buckingham      X

Flores          X

Menéndez        X

Powell          X

Taylor          X

Watson          X

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the advisory council on postsecondary education for persons with intellectual and developmental disabilities.

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

SECTION 1.  Section 61.0663(b), Education Code, is amended to read as follows:

(b)  The board shall:

(1)  post the inventory on the board's Internet website in an easily identifiable and accessible location;

(2)  submit the inventory to the Texas Education Agency for inclusion in the transition and employment guide under Section 29.0112; and

(3)  update the inventory at least annually [~~once every two years~~].

SECTION 2.  Subchapter C, Chapter 61, Education Code, is amended by adding Section 61.06641 to read as follows:

Sec. 61.06641.  ACCESS TO HIGHER EDUCATION FOR PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES; ADVISORY COUNCIL. (a)  The board, with the assistance of the advisory council established under this section, shall:

(1)  periodically review the policies and practices that increase access to higher education opportunities for persons with intellectual and developmental disabilities; and

(2)  distribute educational outreach materials developed by the advisory council to increase awareness regarding postsecondary opportunities for persons with intellectual and developmental disabilities.

(b)  The board shall establish an advisory council on postsecondary education for persons with intellectual and developmental disabilities, in accordance with Section 61.026, to advise the board on policies and practices to improve postsecondary education opportunities for persons with intellectual and developmental disabilities.

(c)  The advisory council is composed of the following members appointed as follows:

(1)  one member appointed by the executive director of the Texas Workforce Commission;

(2)  one member appointed by the commissioner of the Texas Education Agency;

(3)  a representative of the continuing advisory committee established under Section 29.006 appointed by the governor; and

(4)  the following members appointed by the board:

(A)  a representative of a University Centers for Excellence in Developmental Disabilities program in this state;

(B)  a representative of a disability advocacy group;

(C)  a parent or guardian of a person with an intellectual or developmental disability;

(D)  a parent or guardian of a person with an intellectual or developmental disability who is currently enrolled in an institution of higher education;

(E)  a person with an intellectual or developmental disability enrolled in an institution of higher education;

(F)  a person with an intellectual or developmental disability who has completed a program at an institution of higher education;

(G)  a high school counselor;

(H)  a specialist in the transition to employment from a regional education service center, school district, or other state agency; and

(I)  additional representatives with relevant experience, as needed.

(d)  Members of the advisory council serve two-year terms.

(e)  A member of the advisory council is not entitled to compensation but is entitled to reimbursement for actual and necessary expenses incurred by the member while conducting the business of the advisory council.

(f)  The members of the advisory council shall elect a presiding officer from among the membership.

(g)  The advisory council shall:

(1)  study the accessibility of higher education for persons with intellectual and developmental disabilities;

(2)  provide advice regarding resolving barriers to accessing higher education for persons with intellectual and developmental disabilities; and

(3)  identify, evaluate, and develop recommendations to address barriers to accessing higher education for persons with intellectual and developmental disabilities who are or have been in the foster care system and any data collection issues in relation to those persons.

(h)  The advisory council shall meet at least quarterly at the call of the presiding officer.

(i)  Notwithstanding Chapter 551, Government Code, or any other law, the advisory council may meet by telephone conference call, videoconference, or other similar telecommunication method. A meeting held by telephone conference call, videoconference, or other similar telecommunication method is subject to the requirements of Sections 551.125(c)-(f), Government Code.

(j)  The advisory council shall submit a report to the board annually, at a time determined by the board. The report must include information regarding:

(1)  the advisory council's activities;

(2)  any relevant rule changes necessary to decrease barriers to accessing higher education for persons with intellectual and developmental disabilities; and

(3)  recommendations for potential outreach and education materials to increase public awareness of the availability of higher education opportunities and resources for persons with intellectual and developmental disabilities, including information regarding available grants, loan programs, and other resources that may require statewide outreach efforts.

(k)  Not later than December 1 of each even-numbered year, the advisory council shall provide a report to the board and to the governor, the lieutenant governor, the speaker of the house of representatives, the members of the legislature, and, as necessary, other state agencies or relevant stakeholders. The report must include:

(1)  historic and current higher education data and related information regarding persons with intellectual and developmental disabilities, including:

(A)  graduation rates;

(B)  the geographic distribution of institutions of higher education providing appropriate opportunities;

(C)  a description of available programs; and

(D)  any other relevant data; and

(2)  recommendations for changes to support success and achievement for persons with intellectual and developmental disabilities in accessing higher education, including recommendations for:

(A)  addressing gaps in data; and

(B)  identifying problems with and barriers to accessing higher education.

(l)  The board shall provide administrative support for the advisory council.

SECTION 3.  (a)  Not later than January 1, 2020, the appropriate appointing authorities shall appoint the members to the advisory council on postsecondary education for persons with intellectual and developmental disabilities as required by Section 61.06641, Education Code, as added by this Act.

(b)  Not later than December 1, 2020, the advisory council on postsecondary education for persons with intellectual and developmental disabilities shall complete the initial reports required under Sections 61.06641(j) and (k), Education Code, as added by this Act.

SECTION 4.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.

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