

BILL ANALYSIS

Senate Research Center

S.B. 769
By: Menéndez
Education K-16
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Students with disabilities at Texas colleges and universities have noted a lack of access to necessary accommodations during their studies. In addition, many students feel they are at a higher disadvantage when applying to or enrolling in Texas colleges and universities. While roughly half of high school graduates enroll in a higher education institution immediately after graduating, only an estimated 31 percent of students with disabilities had done so by two years after their graduation. Many barriers are keeping students with disabilities from enrolling into Texas colleges, including but not limited to, accessibility of campuses and dorms, lack of assistance with an application, and little information about special services offered that aid students with disabilities. Currently, Texas lack the state-produced data we need to understand and adequately address the issue within our institutions of higher education. Understanding the root problem and obtaining information on how higher education institutions can improve will help raise the number of students with disabilities that are enrolling in a higher education institution.

S.B. 769 instructs the Texas Higher Education Coordinating Board (THECB) to study and report to the legislature on the state of students with disabilities in Texas colleges and universities. That includes any barriers to admission, total enrollment levels, availability of accommodations, and related school policies.

Committee Substitute:

THECB requested that the bill clarify the definition of students with disability and more time to comply with completing the report. The committee substitute address the request by THECB by defining a student with disability as an individual who is covered under the Americans with Disabilities Act or Section 504. In addition, the deadline for which THECB must submit the report to the legislature is extended to September 1, 2027, with the section expiring on September 1, 2028. Lastly, instead of requiring institutions to report on whether services are provided, the institutions must report what services and information are provided to students with disabilities.

S.B. 769 amends current law relating to a report by the Texas Higher Education Coordinating Board regarding enrollment and success in higher education for students with disabilities.

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 Subchapter C, Chapter 61, Education Code, by adding Section 61.06642, as follows:

Sec. 61.06642. REPORT REGARDING ENROLLMENT AND SUCCESS IN HIGHER EDUCATION FOR STUDENTS WITH DISABILITIES. (a) Defines "student with a disability."

(b) Requires the Texas Higher Education Coordinating Board (THECB), not later than December 1, 2027, to prepare and submit to the legislature a report on enrollment and success in higher education for students with a disability.

(c) Requires that the report identify, to the extent practicable, certain factors that influence the enrollment and success of students with disabilities in higher education.

(d) Requires an institution of higher education to provide to THECB on request, and authorizes THECB to request from a private or independent institution of higher education, any information necessary for THECB to prepare the report.

(e) Provides that this section expires September 1, 2028.

SECTION 2. Effective date: upon passage or September 1, 2025.