

## **BILL ANALYSIS**

S.B. 769  
By: Menéndez  
Higher Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

According to research released in 2019 by researchers at the University of California-Davis and Cornell University, students with mild to moderate learning impairment who lose special education services are 52 percent less likely to graduate from high school and 38 percent less likely to enroll in college than students who remain in special education. The bill sponsor has informed the committee that students with disabilities encounter many barriers in their transition from high school to higher education and that a comprehensive quantification of those barriers should be undertaken before the barriers can be addressed and removed. S.B. 769 seeks to better assist students with disabilities by requiring the Texas Higher Education Coordinating Board to report to the legislature on the barriers to enrollment in higher education and the accessibility and adequacy of accommodations provided at institutions of higher education for students with disabilities.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 769 amends the Education Code to require the Texas Higher Education Coordinating Board (THECB), not later than September 1, 2027, to prepare and submit to the legislature a report on enrollment and success in higher education for students with a disability. The bill requires the report to identify the following to the extent practicable:

- the number and percentage of students with a disability who enroll in a public, private, or independent institution of higher education;
- barriers to enrollment in higher education for students with a disability;
- policies of public, private, or independent institutions of higher education that promote enrollment and success in higher education for students with a disability;
- what services and accommodations for students with a disability are provided for accessibility at public, private, or independent institutions of higher education;
- what public, private, or independent institutions of higher education do to provide to students with a disability sufficient and accurate information regarding the educational rights and protections for persons with a disability under state and federal law; and
- any recommendations for legislative or other action.

The bill authorizes the THECB to request any information necessary to prepare the report from a private or independent institution of higher education and requires a public institution of higher education to provide such information to the THECB on request.

S.B. 769 defines "student with a disability" as a student covered under the federal Americans with Disabilities Act of 1990 or Section 504 of the federal Rehabilitation Act of 1973. The bill's provisions expire September 1, 2028.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.