

BILL ANALYSIS

S.B. 1153
By: Menéndez
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties raise concerns relating to parental rights and information regarding certain intervention strategies used with public school students. S.B. 1153 seeks to address these concerns by expanding parental rights and by requiring each school district to notify a parent of each child receiving assistance from the district for learning difficulties.

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 rulemaking authority is expressly granted to the commissioner of education in SECTION 4 of this bill.

ANALYSIS

S.B. 1153 amends the Education Code to specify that the written records of a public school district concerning a parent's child to which the parent is entitled access include records relating to assistance provided for learning difficulties, including information collected regarding any intervention strategies used with the child, and to subject an open-enrollment charter school to the parental right to that information. The bill requires the written explanation of options and requirements for providing assistance to students who have learning difficulties or who need or may need special education that the Texas Education Agency (TEA) is required to produce and provide to districts and that each district is required to provide to parents of district students to state that a parent is entitled at any time to request an evaluation of the parent's child for aids, accommodations, or services under the federal Rehabilitation Act of 1973. The bill subjects an open-enrollment charter school to requirements relating to that notice.

S.B. 1153 requires each district in each school year to notify a parent of each child, other than a child enrolled in a special education program, who receives assistance from the district for learning difficulties, including through the use of intervention strategies, that the district provides that assistance to the child, sets out requirements relating to that notice, and subjects an open-enrollment charter school to the notice requirement. The bill authorizes the notice to be provided to a child's parent at a meeting of the team established for the child under the federal Rehabilitation Act of 1973, if applicable.

S.B. 1153 requires the commissioner of education by rule to require each district and charter school to annually report through the Public Education Information Management System information regarding the total number of students enrolled in the district or school to whom the district or school provided aids, accommodations, or services under the federal Rehabilitation Act of 1973 at any time during the year for which the report is made and information regarding

the total number of students, other than those provided aids, accommodations, or services under the federal Rehabilitation Act of 1973, enrolled in the district or school with whom the district or school, as applicable, used intervention strategies at any time during the year for which the report is made. The bill requires TEA to maintain the reported information and defines "intervention strategies" as strategies in a multi-tiered system of supports that is above the level of intervention generally used in that system with all children, including response to intervention and other early intervening strategies.

S.B. 1153 applies beginning with the 2017-2018 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.