

BILL ANALYSIS

S.B. 160
By: Rodríguez
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that the availability of some special education services may be too limited because of the application of inappropriate performance indicators used to evaluate a school or district. S.B. 160 seeks to address this issue by prohibiting a monitoring system performance indicator based solely on the number or percentage of students receiving special education services.

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. 160 amends the Education Code to prohibit the commissioner of education and the Texas Education Agency (TEA) from adopting or implementing a performance indicator in any TEA monitoring system that solely measures a public school district's or open-enrollment charter school's aggregated number or percentage of enrolled students who receive special education services. This prohibition expressly does not prohibit or limit the commissioner or TEA from meeting requirements under specified federal law and its implementing regulations to address in the statewide plan the percentage of school districts and charter schools with disproportionate representation of racial and ethnic groups in special education and related services and in specific disability categories that results from inappropriate identification or to collect and examine data to determine whether significant disproportionality based on race or ethnicity is occurring in Texas and in the districts and charter schools in Texas with respect to the identification of children as children with disabilities; placement of children with disabilities in particular educational settings; and incidence, duration, and type of disciplinary actions taken against children with disabilities.

EFFECTIVE DATE

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