

BILL ANALYSIS

S.B. 2141
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Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties express a need for certain special education advocates who work with parents and students in a special education due process hearing to be subject to a voluntary code of ethics and to enter into a certain written agreement with the parents and students. S.B. 2141 seeks to address that need by providing for the voluntary code of ethics and the written agreement.

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. 2141 amends the Education Code to require the rules by which the commissioner of education adopts the additional qualifications required of a representative other than a Texas-licensed attorney for a student in a certain impartial special education due process hearing brought under federal law to require, if the representative receives monetary compensation from a person for that representation, that the representative agree to abide by a voluntary code of ethics and professional conduct during the period of representation and that the representative enter into a written agreement for representation with the person who is the subject of the special education due process hearing that includes a process for resolving any disputes between the representative and the person. The bill establishes that the required written agreement is considered confidential and prohibits its disclosure. The bill 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.