

SUBJECT: Higher education participation of persons with certain disabilities

COMMITTEE: Human Services — committee substitute recommended

VOTE: 6 ayes — Raymond, Rose, Keough, Naishtat, Peña, Price
1 nay — Spitzer
2 absent — S. King, Klick

SENATE VOTE: On final passage, April 30 — 31-0, on local and uncontested calendar

WITNESSES: (*On House companion bill, HB 1811*)
For — Gerard Jimenez, Access College Texas; Linda Litzinger;
(*Registered, but did not testify*: Chase Bearden, Coalition of Texans with Disabilities; Erin Lawler, Texas Council of Community Centers; Ted Melina Raab, Texas American Federation of Teachers; Jolene Sanders, Easter Seals Central Texas; Amy Litzinger)

Against — None

On — (*Registered, but did not testify*: Steven Aleman, Disability Rights Texas; Susan Brown, Texas Higher Education Coordinating Board)

DIGEST: CSSB 37 would add language to Education Code, ch. 61 to require the Texas Higher Education Coordinating Board (THECB) to collect and study data on the participation of persons with intellectual and developmental disabilities at public higher education institutions.

Data to be collected would include applications for admission, admissions, retention, graduation, and professional licensing. THECB would be required to conduct an ongoing study to analyze factors affecting the participation of individuals with intellectual and development disabilities in higher education. THECB would be required to conduct an ongoing study on the recruitment of persons with intellectual and developmental disabilities, including previously made

recruitment efforts, limitations on recruitment, and possible methods for recruitment. The results of the recruitment study would be submitted to the governor and Legislature by November 1 of each even-numbered year.

The bill would require institutions of higher education to submit information requested by THECB in connection with the data collection and study. THECB would be required to adopt rules to ensure the confidentiality of student medical and educational information.

This bill would take effect September 1, 2015.

**SUPPORTERS
SAY:**

CSSB 37 would help further the state's priority of promoting independence for persons with intellectual and developmental disabilities by gathering data on their participation in higher education. The data collection and ongoing study could allow THECB to coordinate future recruitment and retention efforts more effectively.

Only one private and six public higher education institutions in Texas offer postsecondary programs for individuals with these types of disabilities. The state must encourage opportunities for this population to obtain meaningful employment by promoting access to postsecondary programs.

With more jobs requiring postsecondary education, it is imperative that persons with disabilities be prepared for the 21st century workforce. Individuals with disabilities are less likely to be employed and are more likely to live in poverty. The lack of employment can lead to dependence on government-funded programs.

The data required to be gathered would be similar to data that the state has collected since 1997 on participation in higher education by members of racial and ethnic minority groups. Such information has helped THECB develop policies to increase access to college for those groups.

According to the fiscal note, the data collection and ongoing studies could be accomplished within THECB's resources.

OPPONENTS SAY: By requiring the coordinating board to collect data, conduct ongoing studies, and publish a biennial report, CSSB 37 could present an administrative burden.

NOTES: The House companion, HB 1811 by Naishtat, was considered in a public hearing of the House Human Services Committee on May 4 and left pending.

CSSB 37 differs from the Senate engrossed version in that the House substitute would require that:

- THECB analyze factors affecting the participation of persons with intellectual and developmental disabilities at higher education institutions;
- THECB conduct an ongoing study to identify issues related to recruitment of persons with intellectual and developmental disabilities and issue a biennial report on the recruitment study to the governor and Legislature; and
- higher education institutions submit data to THECB, which would adopt rules to ensure confidentiality of student medical and educational information.

Unlike the House substitute, the Senate engrossed version of the bill would have required that THECB work with the comptroller in conducting the study to avoid duplication with other studies.