

- SUBJECT:** Providing audiotape of certain individualized education programs
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 6 ayes — Aycock, Allen, Deshotel, Farney, Galindo, Huberty
- 1 nay — Bohac
- 4 absent — Dutton, González, K. King, VanDeaver
- SENATE VOTE:** On final passage, May 11 — 26-5 (Bettencourt, Hall, Nichols, Perry, Schwertner)
- WITNESSES:** For — Steven Aleman, Disability Rights Texas; Celina Moreno, Mexican-American Legal Defense Educational Fund; Rona Statman, The Arc of Texas; Jolene Sanders; Columba Wilson; (*Registered, but did not testify:* Kate Kuhlmann, Association of Texas Professional Educators; Chase Bearden, Coalition of Texans with Disabilities; Tanya Lavelle, Easter Seals Central Texas; Ted Melina Raab, American Federation of Teachers - Texas; Lindsay Gustafson, Texas Classroom Teachers Association; Yannis Banks, Texas NAACP; Ellen Arnold, Texas Parent Teacher Association; Portia Bosse, Texas State Teachers Association; Michael Hart; Linda Litzinger)
- Against — None
- On — Gene Lenz, Texas Education Agency
- BACKGROUND:** Education Code, sec. 29.005 requires a school district to establish a committee to develop a student’s individualized education program (IEP) prior to enrolling the student in a special educational program. An IEP states the goals aligned with and chosen to facilitate the student’s achievement of the state’s grade-level academic standards.
- Under sec. 29.005(d), if the parent is unable to speak English, the district is required to provide the parent with a written or audiotaped copy of the

child's IEP translated into Spanish, if Spanish is the parent's native language. If the parent speaks a language other than Spanish, the district is required to make a good faith effort to provide a written or audiotaped copy of the program translated into the parent's native language

Some school districts provide an audiotape of an entire IEP planning meeting, which can be hours long, rather than providing an audiotape of just the required elements of the IEP. Such recordings may be inadequate to ensure that a parent is advised of education services being provided to their child, as required by law.

DIGEST:

SB 811 would require a school district to provide, at the request of a parent who was unable to speak English, an audiotape in Spanish or another language of the individualized educational plan (IEP) of the child served by special education services. Audiotaped copies would have to include all required federal and state components of the IEP that were developed or revised by the IEP committee.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2015, and would apply beginning with the 2015-16 school year.