

BILL ANALYSIS

Senate Research Center

S.B. 451
By: Van de Putte, et al.
Education
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

According to the Texas Council on Autism and Pervasive Developmental Disorders, professionals, families, and advocates of students with disabilities understand that educating these students requires specialized training. However, the foremost concern of families of students with disabilities and professionals who work with them is the quality of teacher preparation.

There are relatively few consistent training opportunities for teachers who work with students with disabilities. During the 78th Legislature, Regular Session, 2003, the legislature struck the language mandating staff development training in public schools under Section 21.451 (Staff Development Requirements), Texas Education Code, and replaced it with discretionary language. Under this change, districts no longer have to provide staff development to teachers who work with students with disabilities and work primarily outside the area of special education.

S.B. 451 requires a school district, if an educator does not possess the knowledge and skills necessary to implement the individualized education program developed for a student receiving instruction from the educator, to provide the educator with training based on scientifically based research regarding effective practices in dealing with special needs students. The bill authorizes a district to determine the time and place at which the training is delivered.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 21.451, Education Code, by amending Subsection (d) and adding Subsections (e), (f), and (g), as follows:

(d) Authorizes that staff development include training in technology, conflict resolution, and discipline strategies, including classroom management, district discipline policies, and the student code of conduct adopted under Section 37.001 (Student Code of Conduct) and Chapter 37 (Discipline; Law and Order); and subject to Subsection (e), requires that staff development include training based on scientifically based research, as defined by Section 9101, No Child Left Behind Act of 2001 (20 U.S.C. Section 7801) that relates to instruction of students with disabilities and is designed for educators who work primarily outside the area of special education. Makes nonsubstantive changes.

(e) Provides that a school district is required to provide the training described by Subsection (d)(2) to an educator who works primarily outside the area of special education only if the educator does not possess the knowledge and skills necessary to implement the individualized education program developed for a student receiving instruction from the educator. Authorizes a district to determine the time and place at which training is delivered.

(f) Requires a school district, in developing or maintaining the training required by Subsection (d)(2), to consult with persons with expertise in research-based practices for students with disabilities. Provides that persons authorized to be consulted under this

subsection include colleges, universities, private and nonprofit organizations, regional education service centers, and any other persons identified as qualified by the district. Provides that this subsection applies to all training required by Subsection (d)(2), regardless of whether the training is provided at the campus or district level.

(g) Authorizes that staff development include instruction as to what is permissible under law, including opinions of the United States Supreme Court, regarding prayer in public school. Makes a nonsubstantive change.

SECTION 2. Provides that this Act applies beginning with the 2009-2010 school year.

SECTION 3. Effective date: upon passage or September 1, 2009.