

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 811
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Education
5/1/2015
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

C.S.S.B. 811 clarifies the requirement that an audio-translated individualized education program that must be provided to the Spanish-speaking parents of a child with special education needs.

Under the federal Individuals with Disabilities Education Act (IDEA), public schools are required to provide parents of children with special educational needs with information in the parent's native language. Federal law also requires that schools provide parents with copies of a child's individualized education program (IEP) at no cost. This is an important safeguard for parents to ensure that they are able to refer to a document that outlines the agreed-to services being provided their child.

Current Texas law additionally requires that school districts provide Spanish-speaking parents a written or audiotaped copy of the child's IEP translated into Spanish. If the parent's native language is a language other than Spanish, districts need only make a good faith effort to provide a written or audiotaped copy of the translated IEP. The parent may elect what form of IEP they wish to receive.

Some school districts, rather than providing an audiotaped copy of just the required elements of the IEP, provide parents an audio recording of an entire IEP planning meeting, sometimes hours long. These recordings may be inadequate in ensuring that parents are advised of education services to be provided to their child, as is required by federal and state law. In particular, meetings may not include discussion of all content that would be included in a written IEP.

The Texas Education Agency (TEA) has already recognized that simply recording an IEP planning meeting may not generally satisfy Texas law.

CS.S.B. 811 requires that the audiotaped copies include all components of the IEP required under state or federal law that are developed or revised by the committee.

C.S.S.B. 811 amends current law relating to providing a translated copy of a student's individualized education program to parents unable to speak English.

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 29.005, Education Code, by adding Subsection (d-1), as follows:

(d-1) Requires the district, in compliance with Subsection (d), to provide the child's individualized education program in audiotape form if requested by the parent. Requires that the audiotaped copies include all components of the individualized education program required under state and federal law that are developed or revised by the committee established to develop the child's individualized education program.

SECTION 2. Provides that this Act applies beginning with the 2015-2016 school year.

SECTION 3. Effective date: upon passage or September 1, 2015.