

## **BILL ANALYSIS**

Senate Research Center

S.B. 1017  
By: Powell  
Higher Education  
6/25/2019  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 1017 directs the Texas Higher Education Coordinating Board (THECB) to create an advisory council on postsecondary education for persons with intellectual and developmental disabilities (IDD).

The advisory council will be tasked with developing educational outreach materials to raise awareness in Texas of postsecondary education opportunities for distributing them to all Texas public schools.

The advisory council will also study the accessibility of higher education for individuals with IDD and create recommendations on how to remove existing barriers, which will be published in an annual report.

In addition to showcasing existing data, reports should also highlight information gaps that need to be addressed.

THECB shall appoint advisory council members, with representatives from the Texas Education Agency, the Texas Workforce Commission, and one (or more) of Texas's University Centers for Excellence in Developmental Disabilities (UCEDD). Also included will be a disability advocacy group representative, parents and guardians, students with disabilities at higher education institutions, a high school counselor, and an employment transition specialist. (Original Author's/Sponsor's Statement of Intent)

S.B. 1017 amends current law relating to the creation of the advisory council on postsecondary education for persons with intellectual and developmental disabilities.

### **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 61.0663(b), Education Code, to require the Texas Higher Education Coordinating Board (THECB) to update the inventory of all postsecondary educational programs and services provided for persons with intellectual and developmental disabilities by institutions of higher education at least annually, rather than once every two years.

SECTION 2. Amends Subchapter C, Chapter 61, Education Code, by adding Section 61.06641, as follows:

Sec. 61.06641. ACCESS TO HIGHER EDUCATION FOR PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES; ADVISORY COUNCIL. (a) Requires THECB, with the assistance of the advisory council established under this section, to:

(1) periodically review the policies and practices that increase access to higher education opportunities for persons with intellectual and developmental disabilities; and

(2) distribute educational outreach materials developed by the advisory council to increase awareness regarding postsecondary opportunities for persons with intellectual and developmental disabilities.

(b) Requires THECB to establish an advisory council on postsecondary education for persons with intellectual and developmental disabilities (advisory council), in accordance with Section 61.026 (Committees and Advisory Committees), to advise THECB on policies and practices to improve postsecondary education opportunities for persons with intellectual and developmental disabilities.

(c) Provides that the advisory council is composed of the following members appointed as follows:

(1) one member appointed by the executive director of the Texas Workforce Commission;

(2) one member appointed by the commissioner of the Texas Education Agency;

(3) a representative of the continuing advisory committee established under Section 29.006 (Continuing Advisory Committee) appointed by the governor; and

(4) the following members appointed by THECB:

(A) a representative of a University Centers for Excellence in Developmental Disabilities program in this state;

(B) a representative of a disability advocacy group;

(C) a parent or guardian of a person with an intellectual or developmental disability;

(D) a parent or guardian of a person with an intellectual or developmental disability who is currently enrolled in an institution of higher education;

(E) a person with an intellectual or developmental disability enrolled in an institution of higher education;

(F) a person with an intellectual or developmental disability who has completed a program at an institution of higher education;

(G) a high school counselor;

(H) a specialist in the transition to employment from a regional education service center, school district, or other state agency; and

(I) additional representatives with relevant experience, as needed.

(d) Provides that members of the advisory council serve two-year terms.

(e) Provides that a member of the advisory council is not entitled to compensation but is entitled to reimbursement for actual and necessary expenses incurred by the member while conducting the business of the advisory council.

(f) Requires the members of the advisory council to elect a presiding officer from among the membership.

(g) Requires the advisory council to:

(1) study the accessibility of higher education for persons with intellectual and developmental disabilities;

(2) provide advice regarding resolving barriers to accessing higher education for persons with intellectual and developmental disabilities; and

(3) identify, evaluate, and develop recommendations to address barriers to accessing higher education for persons with intellectual and developmental disabilities who are or have been in the foster care system and any data collection issues in relation to those persons.

(h) Requires the advisory council to meet at least quarterly at the call of the presiding officer.

(i) Provides that, notwithstanding Chapter 551 (Open Meetings), Government Code, or any other law, the advisory council may meet by telephone conference call, videoconference, or other similar telecommunication method. Provides that a meeting held by telephone conference call, videoconference, or other similar telecommunication method is subject to the requirements of Sections 551.125(c)-(f) (relating to telephone conference calls being subject to the requirements of other meetings and certain other requirements for telephone conference call meetings), Government Code.

(j) Requires the advisory council to submit a report to THECB annually, at a time determined by THECB. Requires the report to include certain information.

(k) Requires the advisory council, not later than December 1 of each even-numbered year, to provide a report to THECB and to the governor, the lieutenant governor, the speaker of the house of representatives, the members of the legislature, and, as necessary, other state agencies or relevant stakeholders. Requires the report to include certain information and recommendations.

(l) Requires THECB to provide administrative support for the advisory council.

SECTION 3. (a) Requires the appropriate appointing authorities, not later than January 1, 2020, to appoint the members to the advisory council as required by Section 61.06641, Education Code, as added by this Act.

(b) Requires the advisory council, not later than December 1, 2020, to complete the initial reports required under Sections 61.06641(j) and (k), Education Code, as added by this Act.

SECTION 4. Effective date: upon passage or September 1, 2019.