

1-1 By: Taylor of Galveston S.B. No. 2141
1-2 (In the Senate - Filed March 10, 2017; March 29, 2017, read
1-3 first time and referred to Committee on Education; May 9, 2017,
1-4 reported favorably by the following vote: Yeas 11, Nays 0;
1-5 May 9, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
Taylor of Galveston	X			
Lucio	X			
Bettencourt	X			
Campbell	X			
Hall	X			
Huffines	X			
Hughes	X			
Seliger	X			
Taylor of Collin	X			
Uresti	X			
West	X			

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to requirements for a representative for a student in a
1-22 special education due process hearing.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 29.0162, Education Code, is amended by
1-25 amending Subsection (b) and adding Subsection (e) to read as
1-26 follows:

1-27 (b) The commissioner by rule shall adopt additional
1-28 qualifications and requirements for ~~[required of]~~ a representative
1-29 for purposes of Subsection (a)(2). The rules must:

1-30 (1) prohibit an individual from being a representative
1-31 under Subsection (a)(2) opposing a school district if:

1-32 (A) the individual has prior employment
1-33 experience with the district; and

1-34 (B) the district raises an objection to the
1-35 individual serving as a representative; [and]

1-36 (2) include requirements that the representative have
1-37 knowledge of:

1-38 (A) special education due process rules,
1-39 hearings, and procedure; and

1-40 (B) federal and state special education laws;

1-41 (3) require that the representative agree to abide by
1-42 a voluntary code of ethics and professional conduct during the
1-43 period of representation; and

1-44 (4) require that the representative enter into a
1-45 written agreement for representation with the person who is the
1-46 subject of the special education due process hearing that includes
1-47 a process for resolving any disputes between the representative and
1-48 the person.

1-49 (e) The written agreement for representation required under
1-50 Subsection (b)(4) is considered confidential and may not be
1-51 disclosed unless otherwise required by law.

1-52 SECTION 2. This Act applies beginning with the 2017-2018
1-53 school year.

1-54 SECTION 3. This Act takes effect immediately if it receives
1-55 a vote of two-thirds of all the members elected to each house, as
1-56 provided by Section 39, Article III, Texas Constitution. If this
1-57 Act does not receive the vote necessary for immediate effect, this
1-58 Act takes effect September 1, 2017.