

By: Watson, Lucio, Van de Putte

S.B. No. 1490

A BILL TO BE ENTITLED

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

AN ACT

relating to information that must be provided to the parent of a public school student enrolled in a special education program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 26.0081, Education Code, is amended by amending Subsection (a) and adding Subsections (a-1) and (d) to read as follows:

(a) The agency shall produce and provide to school districts sufficient copies of a comprehensive, easily understood document that explains the process by which an individualized education program is developed for a student in a special education program and the rights and responsibilities of a parent concerning the process. The document must include information a parent needs to effectively participate in an admission, review, and dismissal committee meeting for the parent's child. The agency shall routinely update the document so that the document includes current state and federal law and shall provide the updated version to school districts. On receipt of an updated document, a school district shall provide a copy of the document to the parent of a student enrolled in a special education program. The agency shall update the document not later than:

(1) the first anniversary of the effective date of a change in federal law under the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) relating to the

1 development or content of an individualized education program;

2 (2) the 180th day after the effective date of a change
3 in federal regulations under the Individuals with Disabilities
4 Education Act (20 U.S.C. Section 1400 et seq.) relating to the
5 development or content of an individualized education program; or

6 (3) the 180th day after the effective date of a change
7 in state law or rules relating to the development or content of an
8 individualized education program.

9 (a-1) If S.B. No. 1490, Acts of the 80th Legislature,
10 Regular Session, 2007, takes effect before September 1, 2007, the
11 agency shall adopt a new document under Subsection (a) and
12 distribute the document to school districts not later than
13 September 1, 2007, and a school district shall distribute the
14 document to the parent of a child enrolled in a special education
15 program not later than October 1, 2007. If S.B. No. 1490, Acts of
16 the 80th Legislature, Regular Session, 2007, takes effect September
17 1, 2007, the agency shall adopt a new document under Subsection (a)
18 and distribute the document to school districts not later than
19 December 1, 2007, and a school district shall distribute the
20 document to the parent of a child enrolled in a special education
21 program not later than January 1, 2008. This subsection expires
22 January 31, 2008.

23 (d) At the annual meeting of a student's admission, review,
24 and dismissal committee, a school district must provide written
25 notice to the parent of a student with an individualized education
26 program that a current copy of the document required by this section
27 is available to the parent on the request of the parent. A school

1 district must also include the notice in the district's student
2 handbook. If a school district maintains an Internet website, the
3 district shall post on the website an Internet link for accessing
4 the document on the agency's Internet website.

5 SECTION 2. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2007.