

By: Watson

S.B. No. 1490

A BILL TO BE ENTITLED

AN ACT

1
2 relating to information that must be provided to the parent of a
3 public school student enrolled in a special education program.

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

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

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

22 (1) the first anniversary of the effective date of a
23 change in federal law under the Individuals with Disabilities
24 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 (3) the 180th day after the effective date of a change
10 in federal regulations under the Individuals with Disabilities
11 Education Act (20 U.S.C. Section 1400 et seq.) relating to the
12 development or content of an individualized education program; or

13 (a-1) The agency shall adopt a new document under subsection
14 (a) and distribute the document to school districts. A school
15 district shall distribute written notice of the availability of the
16 updated document to the parent of a child enrolled in a special
17 education program and shall provide a copy upon request. If the Act
18 takes effect immediately, the agency shall adopt the new document
19 not later than September 1, 2007 and distribute the document to the
20 parent of a child enrolled in a special education program not later
21 than October 1, 2007. If the Act takes effect on September 1, 2007,
22 the agency shall adopt the new document not later than December 1,
23 2007, and distribute the document to the parent of a child enrolled
24 in a special education program not later than January 1, 2008. This
25 subsection expires January 1, 2008.

26 (d) Each school year, a school district must provide written
27 notice to the parent of a student with an individualized education

1 program at a student's annual admission review and dismissal
2 meeting that a current copy of the document required by this section
3 is available to the parent on the request of the parent. The notice
4 must also be included in the school district's student handbook. A
5 school district shall post the document required by this section on
6 the district's Internet website if the district maintains an
7 Internet website.

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