

By: Talarico

H.B. No. 3025

A BILL TO BE ENTITLED

AN ACT

relating to certain procedures regarding a dispute relating to special education services provided by a school district or open-enrollment charter school.

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

SECTION 1. Subchapter A, Chapter 29, Education Code, is amended by adding Section 29.0043 to read as follows:

Sec. 29.0043. DISPUTE REGARDING REFERRAL FOR EVALUATION.

If a parent of a student who is eligible for or who is suspected as being eligible for special education services disputes a school district's or open-enrollment charter school's referral of the student for evaluation under Section 29.004, the district or school may provide to the parent a facilitated meeting with a school counselor regarding the potential advantages, disadvantages, benefits, and concerns of accepting or declining the evaluation on behalf of the student.

SECTION 2. Section 29.019(c), Education Code, is amended to read as follows:

(c) If a school district chooses to offer individualized education program facilitation as an alternative dispute resolution method:

(1) the district may determine whether to use independent contractors, district employees, or other qualified individuals as facilitators;

1 (2) the information provided by the district under
2 this section must include a description of any applicable
3 procedures for requesting the facilitation; ~~and~~

4 (3) the facilitation must be provided at no cost to a
5 parent; and

6 (4) a parent may request the facilitation not later
7 than the ninth calendar day following the date on which the dispute
8 arose.

9 SECTION 3. This Act applies beginning with the 2019-2020
10 school year.

11 SECTION 4. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2019.