

2020

Chapter 954

S.B. No. 139

AN ACT

1  
2 relating to a notice of educational rights for certain student  
3 evaluations.

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

5 SECTION 1. Subchapter A, Chapter 29, Education Code, is  
6 amended by adding Section 29.023 to read as follows:

7 Sec. 29.023. NOTICE OF RIGHTS. (a) The agency shall  
8 develop a notice for distribution as provided by Subsection (c) and  
9 posting on the agency's Internet website that indicates:

10 (1) the change made from 2016 to 2017 in reporting  
11 requirements for school districts and open-enrollment charter  
12 schools regarding the special education representation indicator  
13 adopted in the Performance-Based Monitoring Analysis System  
14 Manual; and

15 (2) in plain language, the rights of a child under both  
16 federal and state law and the general process available to initiate  
17 a referral of a child for a full individual and initial evaluation  
18 under Section 29.004 to determine the child's eligibility for  
19 special education services.

20 (b) A school district or open-enrollment charter school  
21 shall include in the notice developed by the agency under  
22 Subsection (a) information indicating where the local processes and  
23 procedures for initiating a referral for special education services  
24 eligibility evaluation may be found.

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1        (c) By a date established by the commissioner, each school  
2 district or open-enrollment charter school shall provide the notice  
3 to the parent of each child who attends school in the district or at  
4 the school at any time during the 2019-2020 school year. A school  
5 district or open-enrollment charter school shall also make the  
6 notice available on request to any person. The notice must be  
7 available in English and Spanish, and a school district or  
8 open-enrollment charter school shall make a good faith effort to  
9 provide the notice in the parent's native language if the parent's  
10 native language is a language other than English or Spanish.

11        (d) The notice is in addition to requirements imposed by  
12 Section 26.0081.

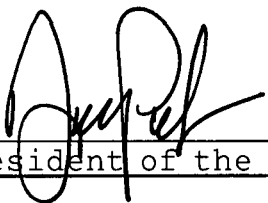
13        (e) The commissioner may adopt rules necessary to implement  
14 this section.

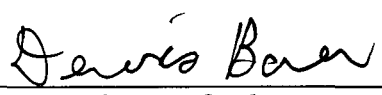
15        (f) This section expires September 1, 2023.

16        SECTION 2. This Act takes effect immediately if it receives  
17 a vote of two-thirds of all the members elected to each house, as  
18 provided by Section 39, Article III, Texas Constitution. If this  
19 Act does not receive the vote necessary for immediate effect, this  
20 Act takes effect September 1, 2019.

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S.B. No. 139

  
President of the Senate

  
Speaker of the House

I hereby certify that S.B. No. 139 passed the Senate on May 10, 2019, by the following vote: Yeas 28, Nays 3. \_\_\_\_\_

  
Secretary of the Senate

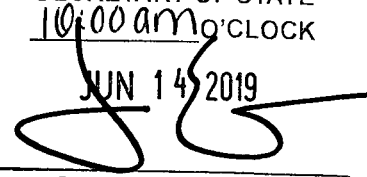
I hereby certify that S.B. No. 139 passed the House on May 21, 2019, by the following vote: Yeas 146, Nays 0, one present not voting. \_\_\_\_\_

  
Chief Clerk of the House

Approved:

6-10-2019  
Date

  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
10:00 am O'CLOCK  
JUN 14 2019  
  
Secretary of State