

1-1 By: Rodríguez S.B. No. 139
 1-2 (In the Senate - Filed November 12, 2018; February 1, 2019,
 1-3 read first time and referred to Committee on Education;
 1-4 May 7, 2019, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 2; May 7, 2019,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Taylor	X			
1-9 Lucio	X			
1-10 Bettencourt	X			
1-11 Campbell	X			
1-12 Fallon		X		
1-13 Hall		X		
1-14 Hughes	X			
1-15 Paxton	X			
1-16 Powell	X			
1-17 Watson	X			
1-18 West	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 139 By: West

1-21 A BILL TO BE ENTITLED
 1-22 AN ACT

1-23 relating to a notice of educational rights for certain student
 1-24 evaluations.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Subchapter A, Chapter 29, Education Code, is
 1-27 amended by adding Section 29.023 to read as follows:

1-28 Sec. 29.023. NOTICE OF RIGHTS. (a) The agency shall
 1-29 develop a notice for distribution as provided by Subsection (c) and
 1-30 posting on the agency's Internet website that indicates:

1-31 (1) the change made from 2016 to 2017 in reporting
 1-32 requirements for school districts and open-enrollment charter
 1-33 schools regarding the special education representation indicator
 1-34 adopted in the Performance-Based Monitoring Analysis System
 1-35 Manual; and

1-36 (2) in plain language, the rights of a child under both
 1-37 federal and state law and the general process available to initiate
 1-38 a referral of a child for a full individual and initial evaluation
 1-39 under Section 29.004 to determine the child's eligibility for
 1-40 special education services.

1-41 (b) A school district or open-enrollment charter school
 1-42 shall include in the notice developed by the agency under
 1-43 Subsection (a) information indicating where the local processes and
 1-44 procedures for initiating a referral for special education services
 1-45 eligibility evaluation may be found.

1-46 (c) By a date established by the commissioner, each school
 1-47 district or open-enrollment charter school shall provide the notice
 1-48 to the parent of each child who attends school in the district or at
 1-49 the school at any time during the 2019-2020 school year. A school
 1-50 district or open-enrollment charter school shall also make the
 1-51 notice available on request to any person. The notice must be
 1-52 available in English and Spanish, and a school district or
 1-53 open-enrollment charter school shall make a good faith effort to
 1-54 provide the notice in the parent's native language if the parent's
 1-55 native language is a language other than English or Spanish.

1-56 (d) The notice is in addition to requirements imposed by
 1-57 Section 26.0081.

1-58 (e) The commissioner may adopt rules necessary to implement
 1-59 this section.

1-60 (f) This section expires September 1, 2023.

2-1 SECTION 2. This Act takes effect immediately if it receives
2-2 a vote of two-thirds of all the members elected to each house, as
2-3 provided by Section 39, Article III, Texas Constitution. If this
2-4 Act does not receive the vote necessary for immediate effect, this
2-5 Act takes effect September 1, 2019.

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