

- SUBJECT:** Notifying parents of educational rights for certain student evaluations
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 12 ayes — Huberty, Bernal, Allen, Allison, Ashby, K. Bell, Dutton, M. González, K. King, Meyer, Talarico, VanDeaver
- 0 nays
- 1 absent — Sanford
- SENATE VOTE:** On final passage, May 10 — 28-3 (Creighton, Fallon, Hancock)
- WITNESSES:** *On House companion bill, HB 142:*
For — Chris Masey, Coalition of Texans with Disabilities; (*Registered, but did not testify:* Andrea Chevalier, Association of Texas Professional Educators; Steven Aleman, Disability Rights Texas; Traci Berry, Goodwill Central Texas; Aaron Gregg, Texas Association of the Deaf; Paige Williams, Texas Classroom Teachers Association; Linda Litzinger, Texas Parent to Parent; Kyle Ward, Texas PTA; Dee Carney, Texas School Alliance; Portia Bosse, Texas State Teachers Association; Christine Broughal, Texans for Special Education Reform; Emeline Lakrout, UT Disability Advocacy Student Coalition; Kassandra Cardenas, Lucy Marks, Felicia Miyakawa)
- Against — None
- On — (*Registered, but did not testify:* Kristin Mcguire, TCASE; Eric Marin and Justin Porter, Texas Education Agency)
- BACKGROUND:** Interested parties have suggested that parents should be provided with additional information about the process of evaluating schoolchildren to determine if they qualify for special education services.
- DIGEST:** SB 139 would require the Texas Education Agency (TEA) to develop a notice that indicated certain information about special education services

for distribution by districts and charter schools to parents and for posting on the agency's website.

The notice would have to indicate in plain language the rights of a child under federal and state law and the general process available to initiate a referral of a child for a full individual and initial evaluation to determine the child's eligibility for special education services.

The notice also would have to indicate the change made from 2016 to 2017 in reporting requirements for school districts and open-enrollment charter schools regarding the special education representation indicator adopted in the Performance-Based Monitoring Analysis System Manual.

Districts and charter schools would have to include in the notice developed by TEA information indicating where the local processes and procedures for initiating a referral for special education services eligibility evaluation could be found.

By a date established by the commissioner of education, each school district and open-enrollment charter school would have to provide the notice to the parent of each child who attended school in the district or at the school at any time during the 2019-2020 school year. The information also would have to be available on request to any person. The notice would have to be written in English and Spanish, and a district or charter school would have to make a good faith effort to provide the notice in the native language of a parent who spoke another language.

The notice would be in addition to other Education Code requirements for information concerning special education and education of students with learning difficulties.

The bill's provisions would expire on September 1, 2023.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.

