

**Detail of Bills Relevant to Special Education**

<b>Bill Number</b>	<b>Effective Date of the Act And Applicable Implementation Dates for Local Education Agencies (LEAs) and for the Texas Education Agency (TEA)</b>	<b>Action Required of LEAs</b>	<b>Action Required of the TEA</b>
Rider 70	Date of implementation for TEA: The report is due no later than January 12, 2015.	No action is required.	<p>TEA shall ensure that all accountability, monitoring, and compliance systems related to special education are non-duplicative, unified, and focus on positive results for students.</p> <p>TEA shall solicit stakeholder input with regard to this effort.</p> <p>TEA shall issue a report to the Lt. Gov, Speaker of the House, the LBB, and the presiding officers to standing legislative committees with primary jurisdiction over public education.</p> <p>The report shall reflect TEA's efforts in implementing the provisions of the rider and shall include recommendations from stakeholders, whether the recommendations were adopted, and the reasons any recommendations were rejected.</p>
HB 5	<p>Effective date for Section 31 of this Act: June 10, 2013.</p> <p>Implementation date for LEAs: the 2013-2014 school year.</p>	In accordance with Section 31 (h), the school district shall disclose to each district teacher the results of assessment instruments administered to students taught by the teacher in the subject for the school year in which the assessment instrument is administered.	

	<p>Implementation date for TEA: assessment instruments adopted or developed under this subsection shall be administered no later than the 2014-2015 school year.</p> <p>Implementation dates for TEA of Section 31(e): during the 2014-2015 and 2015-2016 school years.</p> <p>Implementation date for TEA of Subsection (e-1): the 2013-2014 school year.</p> <p>Subsection (e-1) expires December 31, 2013.</p> <p>Implementation date for TEA of Subsection (e-2): the 2013-2014 school year.</p> <p>Subsection (e-2) expires December 31, 2014.</p>		<p>In accordance with Section 31, TEA must ensure that assessment instruments provide districts with options for assessment of students.</p> <p>In accordance with Section 31, TEA must redevelop assessment instruments used with students with significant cognitive disabilities. An assessment instrument under this subsection may not require a teacher to prepare tasks or materials for a student who will be administered such an assessment instrument.</p> <p>In accordance with Section 31 (e), the agency shall release the questions and answer keys to assessment instruments as described by this subsection each year.</p> <p>(e-1) Under rules adopted by the commissioner, for the 2012-2013 school year, the agency each year shall release the questions and answer keys to each assessment instrument administered under Subsection (a), (c), (d), or (l), excluding any assessment instrument administered to a student for the purpose of retaking the assessment instrument, after the last time the instrument is administered for that school year.</p> <p>(e-2) Under rules adopted by the commissioner, for the 2013-2014 school year, the agency each year shall release the questions and answer keys to each assessment instrument administered under Subsection (b), (c), or (l), excluding any assessment instrument administered to a student for the purpose of</p>
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	<p>Implementation date for TEA of Subsection (e-3): the 2013-2014 school year.</p> <p>Subsection (e-3) expires December 31, 2014.</p> <p>Implementation date for TEA: the 2013-2014 school year.</p>		<p>retaking the assessment instrument and any assessment instrument covering a subject or course for which the questions and answer keys for the 2012-2013 assessment instrument covering that subject or course were released, after the last time the instrument is administered for the 2013-2014 school year.</p> <p>(e-3) Under rules adopted by the commissioner, for the 2013-2014 school year, the agency each year shall release the questions and answer keys to each assessment instrument administered under Subsection (a), (b), (c), (d), or (l) during the 2013-2014 school year after the last time any assessment instrument is administered for the 2013-2014 school year.</p> <p>(h) The agency shall notify school districts and campuses of the results of assessment instruments administered under this section not later than the 21st day after the date the assessment instrument is administered.</p>
<p>HB 590</p>	<p>Effective date of the Act: September 1, 2013</p> <p>Implementation date for LEAs: not later than the beginning of the 2014-2015 school year.</p>	<p>Section (c-1) requires that LEAs ensure that, when evaluating a student for visual impairment, the full individual and initial evaluation of a student required by Section 29.004 must, in accordance with commissioner rule:</p> <p>(1) include an orientation and mobility evaluation conducted:</p> <p>(A) by a person who is appropriately certified as an orientation and mobility specialist, as determined</p>	

	<p>Implementation date for TEA: no later than January 1, 2014.</p>	<p>under commissioner rule; and</p> <p>(B) in a variety of lighting conditions and in a variety of settings, including in the student's home, school, and community and in settings unfamiliar to the student; and</p> <p>(2) provide for a person who is appropriately certified as an orientation and mobility specialist to participate, as part of a multidisciplinary team, in evaluating data on which the determination of the child's eligibility is based.</p> <p>(c-2) The scope of any reevaluation by a school district of a student who has been determined, after the full individual and initial evaluation, to be eligible for the district's special education program on the basis of a visual impairment shall be determined, in accordance with 34 C.F.R. Sections 300.122 and 300.303 through 300.311, by a multidisciplinary team that includes, as provided by commissioner rule, a person described by Subsection (c-1)(1)(A).</p>	<p>The commissioner of education shall adopt rules necessary to implement Sections 30.002(c-1) and (c-2), Education Code, as added by this Act.</p>
<p>HB 617</p>	<p>Effective date: September 1, 2013</p> <p>Implementation date of Sections 29.011 and 29.0112 for TEA: Beginning of the 2013-14 school year.</p>		<p>Section 29.011 requires the commissioner to require each school district or shared services arrangement to designate at least one employee to serve as the district's or shared services arrangement's designee on</p>

	<p>TEA must complete the guide no later than September 1, 2014.</p>	<p>transition and employment services for students enrolled in special education programs under this subchapter. The commissioner shall develop minimum training guidelines for a district's or shared services arrangement's designee. An individual designated under this subsection must provide information and resources about effective transition planning and services and interagency coordination to ensure that local school staff communicate and collaborate with:</p> <ul style="list-style-type: none"> <li>(1) students enrolled in special education programs under this subchapter and the parents of those students; and</li> <li>(2) as appropriate, local and regional staff [other agencies].</li> </ul> <p>Section 29.0112 requires the agency, with assistance from the Health and Human Services Commission, to develop a transition and employment guide for students enrolled in special education programs and their parents to provide information on statewide services and programs that assist in the transition to life outside the public school system. The agency may contract with a private entity to prepare the guide.</p> <p>(b) The transition and employment guide must contain information specific to this state regarding:</p> <ul style="list-style-type: none"> <li>(1) transition services;</li> <li>(2) employment and supported employment services;</li> <li>(3) social security programs;</li> <li>(4) community and long-term services and support;</li> </ul>
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	<p>Implementation date for LEAs: the 2013-14 school year and upon completion of the guide.</p>	<p>A school district shall:</p> <p>(1) post the transition and employment guide on the district's website if the district maintains a website; and</p> <p>(2) provide written information and, if necessary, assistance to a parent regarding how to access the electronic version of the guide at:</p> <p>(A) the first meeting of the student's admission, review, and dismissal committee at which transition is discussed; or</p> <p>(B) the first committee meeting that occurs after the date the guide becomes available, if a student has already had an admission, review, and dismissal committee meeting discussing transition.</p>	<p>(5) postsecondary educational programs and services;</p> <p>(6) information sharing with health and human services agencies and providers;</p> <p>(7) guardianship and alternatives to guardianship;</p> <p>(8) self-advocacy, person-directed planning, and self-determination; and</p> <p>(9) contact information for all relevant state agencies.</p> <p>(c) The transition and employment guide must be produced in an electronic format and posted on the agency's website in a manner that permits the guide to be easily identified and accessed.</p> <p>(d) The agency must update the transition and employment guide posted on the agency's website at least once every two years.</p>
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HB 1264	Effective date: June 14, 2013.  No other implementation dates noted.	LEAs must report to TEA the number of students enrolled who are identified as having dyslexia.	TEA shall develop rule to require each school district/charter to report through PEIMS the number of enrolled students who have dyslexia. TEA must maintain the information.
HB 2619	Effective September 1, 2013	No action required of LEAs; however, LEAs must be aware that surrogate parents may be court appointed for children in temporary or permanent conservatorship of the Department of Family and Protective Services.	No action is required of TEA.
SB 2	Effective date: September 1, 2013  No other implementation dates noted.	No action required.	The Commissioner may grant a charter on the application of an eligible entity for an open-enrollment charter school intended primarily to serve students eligible to receive special education services.  The Commissioner and the SBOE shall adopt rule to administer new requirements related to charters for students with disabilities.
SB 39	Effective date: June 14, 2013  Implementation date for LEAs and for TEA: the 2013-14 school year.	LEAs are required to ensure that the changes to the comprehensive statewide plan for education of students with a visual impairment (VI) are implemented for their students.	Subsection (c) makes changes to the comprehensive statewide plan for education of students with a visual impairment (VI). The changes include ensuring that students with a VI receive the following:  (A) evaluation of the impairment; and  (B) instruction in an expanded core curriculum, which is required for students with visual impairments to succeed in classroom settings and to derive lasting, practical benefits from the education provided by school districts, including instruction in: (i) compensatory skills,

			<p>such as Braille and concept development, and other skills needed to access the rest of the curriculum;</p> <p>(ii) orientation and mobility;</p> <p>(iii) social interaction skills;</p> <p>(iv) career planning;</p> <p>(v) assistive technology, including optical devices;</p> <p>(vi) independent living skills;</p> <p>(vii) recreation and leisure enjoyment;</p> <p>(viii) self-determination; and</p> <p>(ix) sensory efficiency</p> <p>Subsection (e) requires the student's individualized education program (IEP) to provide a detailed description of the arrangements made to provide the student with the evaluation and instruction required under Subsection (c)(4) and requires that the student's IEP sets forth the plans and arrangements made for contacts with and continuing services to the student beyond regular school hours to ensure the student learns the skills and receives the instruction required under Subsection (c)(4)(B).</p>
SB 542	<p>June 14, 2013</p> <p>Implementation date for LEAs: beginning of the 2014-2015 school year.</p>	<p>Section 29.019 requires that a district that chooses to use individualized education program facilitation shall provide information to parents regarding individualized education program facilitation. The information:</p> <p>(1) must be included with other information provided to the parent of a student with a disability, although it may be provided as a separate document; and</p>	<p>Section 29.019 requires that TEA provide information to parents regarding individualized education program facilitation as an alternative dispute resolution method that may be used to avoid a potential dispute between a school district and a parent of a student with a disability.</p> <p>Information provided by the agency under this section must indicate that individualized education program facilitation is an</p>



		<p>(2) may be provided in a written or electronic format.</p> <p>Section 29.019 (c) requires that if a school district chooses to offer individualized education program facilitation as an alternative dispute resolution method:</p> <p>(1) the district may determine whether to use independent contractors, district employees, or other qualified individuals as facilitators;</p> <p>(2) the information provided by the district under this section must include a description of any applicable procedures for requesting the facilitation; and</p> <p>(3) the facilitation must be provided at no cost to a parent.</p> <p>Section 29.019 (d) clarifies that the use of any alternative dispute resolution method, including individualized education program facilitation, must be voluntary on the part of the participants, and the use or availability of any such method may not in any manner be used to deny or delay the right to pursue a special education complaint, mediation, or due process hearing in accordance with federal law.</p> <p>Section 29.019(e) clarifies that nothing in this section prohibits a school district from using individualized</p>	<p>alternative dispute resolution method that some districts may choose to provide.</p> <p>The commissioner shall adopt rules necessary to implement Section 29.019.</p>
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	<p>Implementation date for TEA: beginning of the 2014-2015 school year.</p>	<p>education program facilitation as the district's preferred method of conducting initial and annual admission, review, and dismissal committee meetings.</p>	<p>Section 29.020 requires that TEA develop rules in accordance with this section applicable to the administration of a state individualized education program facilitation project. The program shall include the provision of an independent individualized education program facilitator to facilitate an admission, review, and dismissal committee meeting with parties who are in a dispute about decisions relating to the provision of a free appropriate public education to a student with a disability. Facilitation implemented under the project must comply with rules developed under this subsection.</p> <p>(b) The rules must include:</p> <p>(1) a definition of independent individualized education program facilitation;</p> <p>(2) forms and procedures for requesting, conducting, and evaluating independent individualized education program facilitation;</p> <p>(3) training, knowledge, experience, and performance requirements for independent facilitators; and</p> <p>(4) conditions required to be met in order for the agency to provide individualized education program facilitation at no cost to the parties.</p>
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			<p>(c) If the commissioner determines that adequate funding is available, the commissioner may authorize the use of federal funds to implement the individualized education program facilitation project in accordance with this section.</p> <p>(d) The commissioner shall adopt rules necessary to implement this section.</p>
SB 709	<p>Effective date for TEA: June 14, 2013</p> <p>Implementation date: applies only to representation in due process hearings that begin on or after the effective date of the act.</p>		TEA must write rule related to qualifications of parent representatives in due process hearings who are not licensed attorneys.
SB 816	<p>Effective date: September 1, 2013.</p> <p>Implementation date for LEAs: applies to initial evaluations performed on or after September 1, 2013.</p>	<p>LEAs must ensure that initial, special education evaluations are completed no later than 45 school days following the day that the LEA receives signed, written consent from the student's parent.</p> <p>The exceptions to the 45 school day period are as follows.</p> <p>if a student has been absent from school during that period on three or more days, that period must be extended by a number of school days equal to the number of school days during that period on which the student has been absent; or</p> <p>(2) for students under five years of age by September 1 of the school year and not enrolled in public school and for students enrolled in a private or home school setting, not later than the 45th school day following the date on which the school district receives written consent</p>	

		<p>for the evaluation, signed by a student's parent or legal guardian.</p> <p>(a-1) If a school district receives written consent signed by a student's parent or legal guardian for a full individual and initial evaluation of a student at least 35 but less than 45 school days before the last instructional day of the school year, the evaluation must be completed and the written report of the evaluation must be provided to the parent or legal guardian not later than June 30 of that year. The student's admission, review, and dismissal committee shall meet not later than the 15th school day of the following school year to consider the evaluation. If a district receives written consent signed by a student's parent or legal guardian less than 35 school days before the last instructional day of the school year or if the district receives the written consent at least 35 but less than 45 school days before the last instructional day of the school year but the student is absent from school during that period on three or more days, Subsection (a)(1) applies to the date the written report of the full individual and initial evaluation is required.</p> <p>c) If a parent or legal guardian makes a written request to a school district's director of special education services or to a district administrative employee for a full individual and initial evaluation of a student, the</p>	
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	Implementation date for TEA: September 1, 2013.	<p>district shall, not later than the 15th school day after the date the district receives the request:</p> <p>(1) provide an opportunity for the parent or legal guardian to give written consent for the evaluation; or</p> <p>(2) refuse to provide the evaluation and provide the parent or legal guardian with notice of procedural safeguards under 20 U.S.C. Section 1415(b).</p>	The commissioner by rule may determine days during which year-round schools are recessed that, consistent with this subsection, are not considered to be school days for purposes of this section.
SB 906	<p>Effective date: June 14, 2013.</p> <p>Implementation date for TEA: Must adopt/implement rules no later than October 1, 2013</p>		TEA may not adopt a performance standard that indicates that the student's performance on an alternate assessment does not meet standards if the lowest level of the assessment accurately represents the student's developmental level as determined by the student's admission, review, and dismissal committee.
SB 914	<p>Effective Date: September 1, 2013.</p> <p>No other implementation date noted.</p>	<p>The Act clarifies that a student's behavior improvement plan or behavior intervention plan is a part of the student's individualized education program.</p> <p>The Act requires that LEAs ensure that teachers receive copies of their student's behavior improvement plan or behavior intervention plan.</p>	No specific action required.

SB 1226	<p>Effective date: June 14, 2013.</p> <p>Implementation date for TEA: The report must be submitted no later than September 1 of each even-numbered year</p> <p>The task force expires September 1, 2017.</p>	No action is required.	<p>TEA must jointly adopt and implement an employment first policy with the Texas Workforce Commission.</p> <p>TEA must participate in an interagency employment first task force.</p> <p>The bill assigns specific duties to the task force, including submitting a report explaining the task force's findings and recommendations to the governor, legislature, and executive commissioner.</p>
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