



# Texas Administrative Code (TAC) Updates – August 2024

Check out the [Back-to-School Updates](#) Document



# Notable Changes to SBOE Dyslexia Rule 19 TAC §74.28 – Effective June 30, 2024



## Definitions of these terms:

Screening

Testing

Treatment

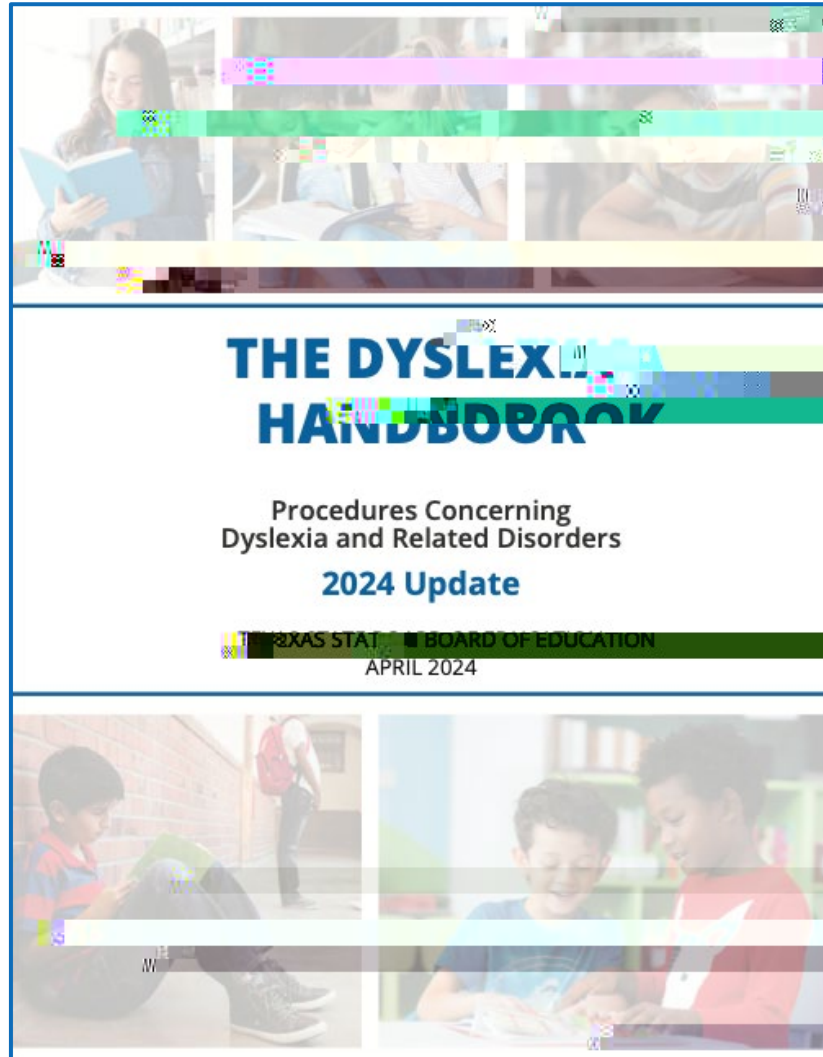
Direct dyslexia instruction

Provider of dyslexia  
instruction

~~modified by SB 1006~~



# The 2024 Dyslexia Handbook is Published



**VIEW THE DYSLEXIA  
HANDBOOK HERE:**



[tea.texas.gov/dyslexia](https://tea.texas.gov/dyslexia)





# Rules Effective July 23, 2024



## 19 TAC §89.1049. Parental Rights Regarding Adult Students.

Deletion of outdated text

## 19 TAC §89.1065. Extended School Year Services.



# Rules Effective July 30, 2024



## 19 TAC §89.1011. Full Individual and Initial Evaluation.

Identifies campus principal as an example of a district administrative employee for purposes of a parent submitting a written request for a special education evaluation; Requires the **Overview of Special Education for Parents** form for suspicions of all disabilities, not just dyslexia;

Initial ARD committee meeting: if the **30th calendar day falls during the summer** and school is not in session, the ARD committee **must meet not later than the 15th school day** to finalize decisions concerning initial eligibility, and if appropriate, IEP and placement (was by first day of school);

**Copy of written FIIE report** must be provided to parent as soon as possible after completion **but no later than five school days prior to the initial ARD committee meeting** (or not later than June 30 if the evaluation timeline was at least 35 but less than 45 school days before the last instructional day and less than 3 absences)



# Rules Effective July 30, 2024



## 19 TAC §89.1040. Eligibility Criteria

### Autism:

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Determination of autism cannot require that the student meet the requirements for a medical/psychological diagnosis; the absence of the “other” characteristics often associated with autism listed in 34 CFR §300.8(c)(1) does not exclude a student from meeting eligibility; deletion of pervasive developmental disorder mention.

### Deaf-blindness:

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Minor wording change

### Deaf or hard of hearing:

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**Deletion of the requirement for otological examination;** adds requirement for a communication assessment; instead of referring to “amplification,” the term is changed to “hearing assistive technology;” **adds a child under 3 years of age** meets criteria if the student’s record indicates the child is experiencing a developmental delay because of hearing loss or impairment, or the child has a physical or mental condition that has a high probability of resulting in a developmental delay and sensory impairment in accordance with 34 CFR §303.21.



# Rules Effective July 30, 2024



## Emotional Disturbance:

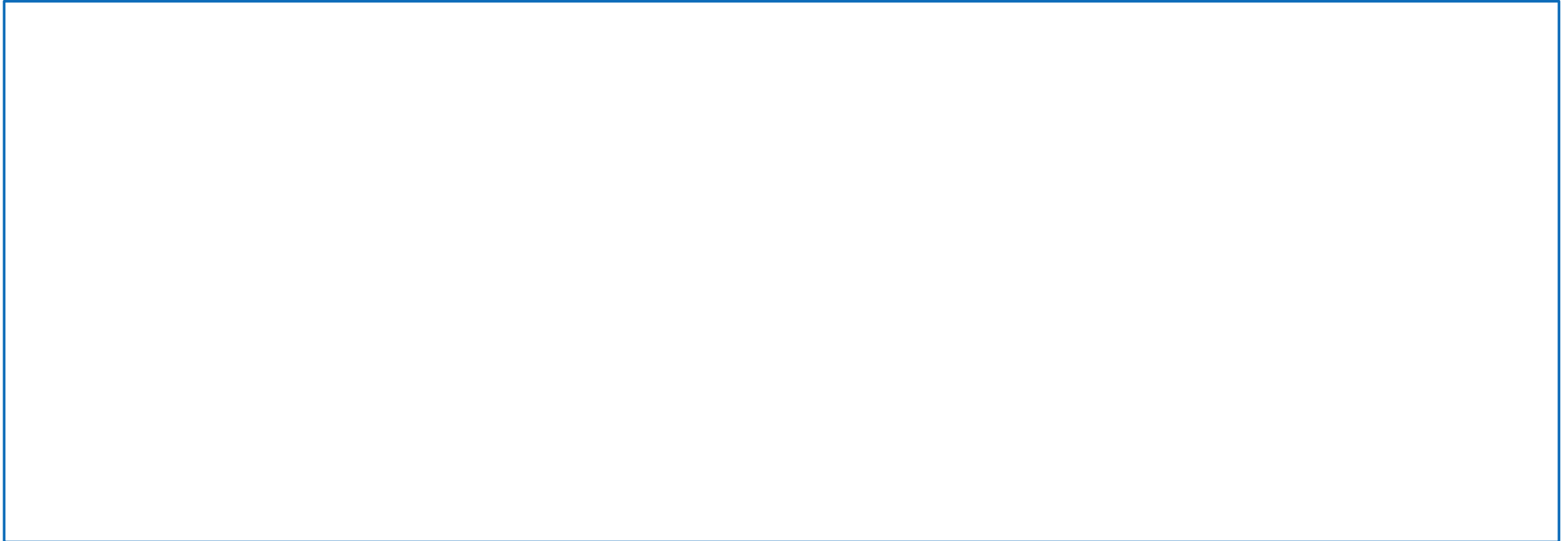
Changing to Emotional Disability

## Intellectual Disability:





# Rules Effective July 30, 2024





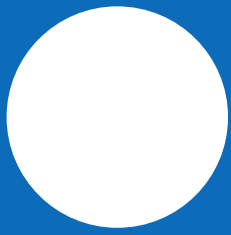




# Developmental Delay Definition



Developmental delay. A student with developmental delay is one who is **between the ages of 3-9 who is evaluated by a multidisciplinary team for at least one disability category listed in paragraphs (1)-(12) of this subsection and whose evaluation data indicates a need for special education and related services and shows evidence of, but does not clearly confirm, the presence of the suspected disability or disabilities due to the child's young age.** In these cases, an ARD committee may determine that data supports identification of developmental delay in one or more of the following areas: physical development, cognitive development, communication development, social or emotional development, or adaptive development. To use this eligibility category, multiple





# Rules Effective July 30, 2024



# SSES is now PDSES



# 19 TAC §102.1601 – Highlighted Changes



## Highlighted changes from 19 TAC §102.1601 – Effective May 28, 2024:

- (a) Change: Changed the name = Parent-Directed Special Education Services (PDSES)
- (b) Change: “Supplemental” has been replaced with “Parent-Directed” throughout.
- (c) Added/Clarified: Students who receive services at an LEA through proportionate share are NOT eligible. Added language to clarify that students must be “served under an individualized education program (IEP) in a special education program”.
- (f)(3) New Section: “TEA will establish an annual application window.”
- (f)(6) New Section: TEA will no longer reprocess applications. Parents with ineligible students can either appeal (with correct documentation – no change to the ability to appeal) or must reapply during the next school year.



## Highlighted changes from 19 TAC §102.1601 – Effective May 28, 2024:

(j) Added: School districts and open-enrollment charter schools shall notify families of the program and, **unless the school district or charter school has verified that a parent has already received or applied for a program grant**, shall provide the following at the student's admission, review, and dismissal (ARD) committee meeting:







# Rule Changes Expected to Be Effective

