

HOUSE BILL 861

By McCalmon

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 10 and Title 49, Chapter 6, relative to special education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-10-103, is amended by adding the following as a new subsection:

(d)

(1) An LEA shall notify a parent or guardian of a student at least ten (10) calendar days before the student's IEP meeting to ensure that the parent or guardian has an opportunity to attend, unless the parent or guardian and LEA mutually agree to meet prior to ten (10) calendar days in accordance with rules promulgated by the state board of education.

(2) An LEA shall provide the following to the parent or guardian of the student who is the subject of the IEP meeting at least forty-eight (48) hours prior to the IEP scheduled meeting:

(A) A copy of all evaluations and assessments of the student conducted for purposes of the student's IEP; and

(B) If the LEA creates a draft IEP for the student prior to the IEP meeting, then a copy of the student's draft IEP, unless the student's parent or guardian provides written notice to the LEA more than forty-eight (48) hours prior to the scheduled IEP meeting declining the parent's or guardian's right to receive a copy of the draft IEP.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

White
Signature of Sponsor

AMEND Senate Bill No. 1073

House Bill No. 861*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-10-103, is amended by adding the following as a new subsection:

(d)

(1) An LEA shall notify a parent or guardian of a student at least ten (10) calendar days before the student's IEP team meeting to ensure that the parent or guardian has an opportunity to attend, unless the parent or guardian and the LEA mutually agree to meet prior to ten (10) calendar days in accordance with rules promulgated by the state board of education.

(2) An LEA shall provide the following to the parent or guardian of the student who is the subject of the IEP team meeting at least forty-eight (48) hours prior to the scheduled IEP team meeting:

(A) A copy of the student's evaluation report that is to be used in the determination of the student's eligibility for special education or in the development of the draft IEP; and

(B) If the LEA creates a draft IEP for the student prior to the IEP team meeting, then a copy of the student's draft IEP, unless the student's parent or guardian provides written notice to the LEA more than forty-eight (48) hours prior to the scheduled IEP team meeting declining the parent's or guardian's right to receive a copy of the draft IEP.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.