

30 TAC 122 - Rule Interpretation Memos

- ! [Typographical error in citation 112.322 and 116.132 regarding bi-lingual notice.](#) [June 22, 1998]

Last Modified: June 22, 1998

Rule Interpretation Summary Form

REQUEST:

Rule/Regulation Citation(s):	Federal Rule: ___ State Regulation: <u> X </u>
30 TAC Chapter 122 § 122.322(a) § 122.322(a)(1) § 122.322(a)(8) § 122.322(b)	Description: Subchapter D: Public Announcement, Public Notice, Affected State Review, Notice and Comment Hearing, Notice of Proposed Final Action, EPA Review, and Public Petition
30 TAC 116 § 116.132(c)	Subchapter B: New Source Review Permits, Alternate Language Public Notice Requirements
Interpretation Request:	
<p>Question 1. Are the Texas Education Code reference citations of Title 19 Texas Administrative Code § 89.2(a) [19 TAC 89.2(a)] and 19 TAC § 89.2(g) in the above mentioned subsections and paragraphs of 30 TAC Chapters 122 and 116 incorrect? Are 19 TAC § 89.1205(a) and 19 TAC § 89.1205(g) the correct citations for bilingual education requirements ? Also, is the reference to Texas Education Code § 21.109 correct?</p> <p>Question 2. In addition, are the requirements for individual schools triggering the requirements (instead of the school district) correct as stated in 30 TAC § 122.322(a) and 30 TAC § 116.132(c)?</p>	

DETERMINATION:

Determination:
<p>Question 1. It is the Rule Interpretation Team’s (RIT’s) opinion that the correct citations in 30 TAC Chapters 122 and 116 for bilingual education should be 19 TAC §§ 89.1205(a), 89.1205(g), and Texas Education Code § 29.053.</p> <p>Question 2. The requirements specifying that the individual schools trigger the requirement for bilingual notice in 30 TAC § 122.322(a) and 30 TAC § 116.132(c) are correct and are consistent with the statutory requirements. Bilingual public notice requirements apply if the nearest elementary school or the nearest middle school provides a bilingual education program or has waived out of a required bilingual education program.</p>

Bibliography:

19 TAC § 89.1205 (1997).

Texas Education Code § 29.053 (Vernon 1996).

Texas Health & Safety Code § 382.056 (Vernon Supp. 1998).