

## **BILL ANALYSIS**

Senate Research Center  
86R26753 TSS-D

C.S.S.B. 2075  
By: Paxton  
Education  
4/22/2019  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In 1985, the Texas Legislature passed legislation requiring public schools to identify and treat students with dyslexia and related disorders. (Section 38.003, Education Code.) With no specific time period being set for when this testing must occur, kids are not being tested until much later in their education. Early identification and intervention will help improve a child's academic success. Further, by providing a knowledgeable specialist that provide the school and parents with support, families will better understand what their child is dealing with and know how to best help them with their studies.

S.B. 2075 will permit TEA to:

- effectively audit and monitor and periodically conduct site visits of all school districts to ensure that districts are complying with this section;
- identify any problems school districts experience in complying with this section, including the program approved by the State Board of Education under this section; and
- develop reasonable and appropriate remedial strategies to address school district noncompliance and ensure the purposes of this section are accomplished.

Support:

- TEA (Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 2075 amends current law relating to public school compliance with dyslexia screening, reading instrument requirements, and a requirement that a school district notify certain parents or guardians of a program providing students with reading disabilities the ability to borrow audiobooks free of charge.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Education Agency in SECTION 2 (Section 28.006, Education Code) and SECTION 3 (Section 38.003, Education Code) of this bill.

Rulemaking authority previously granted to the State Board of Education is modified in SECTION 3 (Section 38.003, Education Code) of this bill

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 7.028(a), Education Code, as follows:

- (a) Authorizes the Texas Education Agency (TEA), except as provided by Section 28.006 (Reading Diagnosis), 29.001(5) (relating to requiring TEA to develop a statewide plan with procedures designed to allow TEA to monitor and conduct certain site visits), 29.010(a) (relating to requiring TEA to adopt a system for monitoring school district compliance with certain laws regarding special education), 38.003 (Screening and Treatment For Dyslexia and Related Disorders), or 39.057 (Special Accreditation Investigations), to monitor compliance with requirements applicable to a process or

program provided by a school district, campus, program, or school granted charters under Chapter 12 (Charters), including the process described by Subchapter F (District-Level and Site-Based Decision-Making), Chapter 11, or a program described by Subchapter B (Bilingual Education and Special Language Programs), C (Compensatory Education Programs), D (Educational Programs For Gifted and Talented Students), E (Kindergarten and Prekindergarten Programs), F (Career and Technology Education Program), H (Community Education Programs), or I (Programs For Students Who Are Deaf or Hard of Hearing), Chapter 29, or Subchapter A (Alternative Settings For Behavior Management), Chapter 37, rather than Chapter 37 or Section 38.003, and the use of funds provided for such a program under Subchapter C (Special Allotments), Chapter 42, only as necessary to ensure certain criteria.

SECTION 2. Amends Section 28.006, Education Code, by adding Subsections (g-2) and (1), as follows:

(g-2) Requires a school district, in accordance with a notification program developed by the commissioner of education (commissioner) by rule, to notify the parent or guardian of each student determined, on the basis of a screening under Section 38.003 or other basis, to have dyslexia or a related disorder, or determined, on the basis of reading instrument results, to be at risk for dyslexia or other reading difficulties, of the program maintained by the Texas State Library and Archives Commission providing students with reading disabilities the ability to borrow audiobooks free of charge.

(1) Requires TEA by rule to develop procedures designed to allow TEA to:

- (1) effectively audit and monitor and periodically conduct site visits of all school districts to ensure that districts are complying with this section;
- (2) identify any problems school districts experience in complying with this section; and
- (3) develop reasonable and appropriate remedial strategies to address school district noncompliance and ensure the purposes of this section are accomplished.

SECTION 3. Amends Section 38.003, Education Code, by amending Subsection (c) and adding Subsection (c-1), as follows:

(c) Requires the State Board of Education (SBOE), subject to Subsection (c-1), to adopt any rules and standards necessary to administer this section.

(c-1) Requires TEA by rule to develop procedures designed to allow TEA to:

- (1) effectively audit and monitor and periodically conduct site visits of all school districts to ensure that districts are complying with this section, including the program approved by SBOE under this section;
- (2) identify any problems school districts experience in complying with this section, including the program approved by SBOE under this section; and
- (3) develop reasonable and appropriate remedial strategies to address school district noncompliance and ensure the purposes of this section are accomplished.

SECTION 4. Provides that this Act applies beginning with the 2019–2020 school year.

SECTION 5. Provides that TEA is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. Authorizes, but does not require, TEA, if the legislature does not appropriate money specifically for that purpose, to implement a provision of this Act using other appropriations available for that purpose.

SECTION 6. Effective date: upon passage or September 1, 2019.