

BILL ANALYSIS

Senate Research Center
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S.B. 1362
By: Shapiro
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Amid the recent management issues at the Texas Youth Commission (TYC), there have been a number of educational deficiencies identified. The assessments used for intake and for measuring educational progress have been inappropriate for a juvenile population and there has been wide variation in the quality of educational programming from one TYC facility to another, negatively impacting the education of students. Additionally, the disciplinary policies and security placements of students in TYC have often trumped the educational needs of the students. Without effective education, the risk of recidivism is high.

As proposed, S.B. 1362 requires TYC to adopt and administer reliable reading assessments to measure a student's reading proficiency and to monitor progress in reading. S.B. 1362 requires TYC to provide students who have reading deficiencies with an hour of daily reading instruction. This bill also requires teachers at TYC to receive training in appropriate content-based reading instruction and requires TYC to adopt a system-wide classroom and individual positive behavior support system that is based on behavioral research.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter E, Chapter 30, Education Code, by adding Section 30.106, as follows:

Sec. 30.106. **READING AND BEHAVIOR PLAN.** (a) Requires the Texas Youth Commission (TYC), because learning and behavior are inextricably linked and learning and improved behavior correlate with decreased recidivism rates, to not only fulfill TYC's duties under state and federal law to provide general and special educational services to students in TYC educational programs but also to implement a comprehensive plan to improve the reading skills and behavior of those students.

(b) Requires TYC, to improve the reading skills of students in TYC educational programs, to:

(1) adopt a reliable battery of reading assessments that are based on a normative sample appropriate to students in TYC educational programs; are designed to be administered on an individual basis; and allow school employees to evaluate performance in each essential component of effective reading instruction, including phonemic awareness, phonics, fluency, vocabulary, and comprehension and monitor progress in areas of deficiency specific to an individual student and provide reading performance data;

(2) administer the assessments adopted under Subdivision (1) at periodic intervals not to exceed 12 months, to each student in a TYC educational program and at least 15 days and not more than 30 days before a student is released from TYC;

(3) provide at least 60 minutes per school day of individualized reading instruction to each student in a TYC educational program who exhibits deficits in reading on the assessments adopted under Subdivision (1) by trained educators with expertise in teaching reading to struggling adolescent readers and through the use of certain scientifically based, peer-reviewed reading curricula;

(4) require each teacher in a TYC regular or special educational program who teaches English language arts, reading, mathematics, science, social studies, or career and technology education to be trained in incorporating content area reading instruction using empirically validated instructional methods that are appropriate for struggling adolescent readers; and

(5) evaluate the effectiveness of TYC's plan to increase reading skills according to certain criteria.

(c) Requires TYC, to increase the positive social behaviors of students in TYC educational programs and to create an educational environment that facilitates learning, to:

(1) adopt system-wide classroom and individual positive behavior supports that incorporate a continuum of prevention and intervention strategies that are based on current behavioral research and are systematically and individually applied to students consistent with the demonstrated level of need;

(2) require each teacher and other educational staff member in a TYC educational Program to be trained in implementing the positive behavior support system adopted under Subdivision (1); and

(3) adopt valid assessment techniques to evaluate the effectiveness of the positive behavior support system according to certain criteria.

(d) Requires TYC to consult with faculty from institutions of higher education who have expertise in reading instruction for adolescents, in juvenile corrections, and in positive behavior supports to develop and implement the plan under Subsections (b) and (c).

(e) Requires TYC, not later than December 1, 2010, to report to the legislature concerning the effectiveness of TYC's reading plan based on the criteria specified by Subsection (b)(5) and the implementation of the positive behavior support system plan under Subsection (c).

(f) Requires TYC, not later than December 1, 2012, to report to the legislature concerning the effectiveness of the positive behavior support system based on the criteria specified by Subsection (c)(3).

(g) Provides that Subsections (e) and (f) and this subsection expire January 1, 2013.

SECTION 2. (a) Requires TYC, not later than November 1, 2009, to adopt the battery of reading assessments as required by Section 30.106(b), Education Code, as added by this Act.

(b) Requires TYC, not later than January 1, 2010, to begin administering the battery of reading assessments as required by Section 30.106(b), Education Code, as added by this Act.

SECTION 3. Effective date: upon passage or September 1, 2009.