

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 7, 2009

TO: Honorable Jim McReynolds, Chair, House Committee on Corrections

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: SB1362 by Shapiro (Relating to a Texas Youth Commission comprehensive plan to improve student reading skills and behavior.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for SB1362, As Engrossed: a negative impact of (\$1,486,330) through the biennium ending August 31, 2011.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2010	(\$818,165)
2011	(\$668,165)
2012	(\$668,165)
2013	(\$668,165)
2014	(\$668,165)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1	Change in Number of State Employees from FY 2009
2010	(\$818,165)	8.0
2011	(\$668,165)	8.0
2012	(\$668,165)	8.0
2013	(\$668,165)	8.0
2014	(\$668,165)	8.0

Fiscal Analysis

The bill would require the Youth Commission (TYC) to adopt a reliable battery of reading assessments to assess youth at least every 12 months, and at least 15 days but not more than 30 days before a youth is released from TYC. TYC would also be required to provide at least 60 minutes per day of individualized reading instruction to each youth in a TYC education program who exhibits deficits in reading on the assessments, and would be prohibited from releasing such a youth on parole unless the youth participated in reading instruction to the extent required by the bill and TYC rules. The instruction must be provided by trained educators with expertise in teaching reading to struggling adolescent readers. The instruction must include the use of scientifically based, peer-reviewed curricula that have been proven effective in improving performance of struggling adolescent readers and must address individualized and differentiated reading goals. The bill would require every teacher who teaches English, reading, mathematics, science, social studies, or career technology to be trained in incorporating content area reading instruction using empirically validated instructional methods that are appropriate for struggling adolescent readers. TYC would be required to evaluate the effectiveness of the programs to increase reading skills using the criteria of an adequate rate of improvement in

reading performance monthly, a significant rate of improvement annually, and through self-reporting mechanisms.

TYC would also be required to increase positive social behaviors of youth in educational programs by adopting system-wide classroom and individual behavior supports that incorporate a continuum of prevention and intervention strategies based on current behavioral research. These behavior supports would be required to be applied systematically and individually, and each teacher would be required to be trained in implementing the positive behavior support system. TYC would be prohibited from releasing a youth in the educational program on parole unless the youth participated in the positive behavior support system to the extent required by TYC rules. TYC would be required to evaluate the effectiveness of the positive behavior support system through documentation of school-related disciplinary referrals and actions, validated measurement of systemic positive behavioral support interventions, and the number of minutes youth are out of the regular classroom because of disciplinary reasons. TYC would be required to consult with faculty from institutions of higher learning who have expertise in reading instruction for adolescents, in juvenile corrections and in positive behavior supports in developing the plan for these interventions. TYC would be required to report to the legislature on the effectiveness of the reading and positive behavior support programs by December 1, 2010.

The bill would not make an appropriation. A provision in the bill that creates a new governmental program, a new entitlement, or imposes a new duty on a governmental entity would not be mandatory during a fiscal period for which the Legislature has not made a specific appropriation to implement the provision. The bill would take effect September 1, 2009, unless it receives the necessary vote to become effective immediately.

Methodology

The bill would not require TYC to implement new programs unless an appropriation is made for that specific purpose. Unless such an appropriation is made, TYC would not be required to implement certain provisions of the bill.

In order to implement the provisions of the bill, TYC estimates the need for eight Master Certified Teachers at a salary of \$60,100 plus benefits per year. TYC's Rider 12 requires that TYC teachers be paid at the same rate as those working in the school district in which the TYC facility is located. The rate of pay for the Master Certified Teachers would be dependent upon the pay rate of similar highly skilled teachers in individual school districts. Since those individual salaries cannot be calculated without input from each school district where a TYC facility is located, we honored TYC's salary estimates for the Master Certified Teachers for the purpose of this analysis, with the understanding that those figures could vary dependent on the pay rates of individual school districts.

TYC estimates costs for salaries and wages for 8 teachers (\$961,600); benefits (\$274,730); training (\$100,000); and professional fees for higher education consultants (\$150,000) for the 2010-11 biennium, with ongoing costs of \$668,165 per year.

Technology

TYC estimates no technology impact for this bill.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 694 Youth Commission

LBB Staff: JOB, ESi, GG, AI