

1-1 By: Deuell S.B. No. 866
1-2 (In the Senate - Filed February 22, 2011; March 1, 2011,
1-3 read first time and referred to Committee on Education;
1-4 April 13, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 8, Nays 0; April 13, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 866 By: Patrick

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the education of public school students with dyslexia,
1-11 the education and training of educators who teach students with
1-12 dyslexia, and the assessment of students with dyslexia attending an
1-13 institution of higher education.

1-14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-15 SECTION 1. Section 21.044, Education Code, is amended to
1-16 read as follows:

1-17 Sec. 21.044. EDUCATOR PREPARATION. (a) The board shall
1-18 propose rules establishing the training requirements a person must
1-19 accomplish to obtain a certificate, enter an internship, or enter
1-20 an induction-year program. The board shall specify the minimum
1-21 academic qualifications required for a certificate.

1-22 (b) Any minimum academic qualifications for a certificate
1-23 specified under Subsection (a) that require a person to possess a
1-24 bachelor's degree must also require that the person receive, as
1-25 part of the curriculum for that degree, instruction in detection
1-26 and education of students with dyslexia. This subsection does not
1-27 apply to a person who obtains a certificate through an alternative
1-28 certification program adopted under Section 21.049.

1-29 (c) The instruction under Subsection (b) must:

1-30 (1) be developed by a panel of experts in the diagnosis
1-31 and treatment of dyslexia who are:

1-32 (A) employed by institutions of higher
1-33 education; and

1-34 (B) approved by the board; and

1-35 (2) include information on:

1-36 (A) characteristics of dyslexia;

1-37 (B) identification of dyslexia; and

1-38 (C) effective, multisensory strategies for
1-39 teaching students with dyslexia.

1-40 SECTION 2. Section 21.054, Education Code, is amended by
1-41 adding Subsections (b) and (c) to read as follows:

1-42 (b) Continuing education requirements for an educator who
1-43 teaches students with dyslexia must include training regarding new
1-44 research and practices in educating students with dyslexia.

1-45 (c) The training required under Subsection (b) may be
1-46 offered in an online course.

1-47 SECTION 3. Section 38.003, Education Code, is amended by
1-48 adding Subsection (b-1) to read as follows:

1-49 (b-1) Unless otherwise provided by law, a student
1-50 determined to have dyslexia during testing under Subsection (a) or
1-51 accommodated because of dyslexia may not be retested for dyslexia
1-52 for the purpose of reassessing the student's need for
1-53 accommodations until the district reevaluates the information
1-54 obtained from previous testing of the student.

1-55 SECTION 4. Subchapter A, Chapter 38, Education Code, is
1-56 amended by adding Section 38.0031 to read as follows:

1-57 Sec. 38.0031. CLASSROOM TECHNOLOGY PLAN FOR STUDENTS WITH
1-58 DYSLEXIA. (a) The agency shall establish a committee to develop a
1-59 plan for integrating technology into the classroom to help
1-60 accommodate students with dyslexia. The plan must:

1-61 (1) determine the classroom technologies that are
1-62 useful and practical in assisting public schools in accommodating
1-63 students with dyslexia, considering budget constraints of school

2-1 districts; and
2-2 (2) develop a strategy for providing those effective
2-3 technologies to students.

2-4 (b) The agency shall provide the plan and information about
2-5 the availability and benefits of the technologies identified under
2-6 Subsection (a)(1) to school districts.

2-7 (c) A member of the committee established under Subsection
2-8 (a) is not entitled to reimbursement for travel expenses incurred
2-9 by the member under this section unless agency funds are available
2-10 for that purpose.

2-11 SECTION 5. Subchapter Z, Chapter 51, Education Code, is
2-12 amended by adding Section 51.9701 to read as follows:

2-13 Sec. 51.9701. ASSESSMENT FOR DYSLEXIA. Unless otherwise
2-14 provided by law, an institution of higher education, as defined by
2-15 Section 61.003, may not reassess a student determined to have
2-16 dyslexia for the purpose of assessing the student's need for
2-17 accommodations until the institution of higher education
2-18 reevaluates the information obtained from previous assessments of
2-19 the student.

2-20 SECTION 6. (a) Except as provided by Subsections (b) and
2-21 (c) of this section, this Act applies beginning with the 2011-2012
2-22 school year.

2-23 (b) Subsection (b), Section 21.044, Education Code, as
2-24 added by this Act, applies beginning with persons who commence
2-25 enrollment in an institution of higher education during the
2-26 2011-2012 academic year.

2-27 (c) Section 51.9701, Education Code, as added by this Act,
2-28 applies beginning with the 2011-2012 academic year.

2-29 SECTION 7. This Act takes effect immediately if it receives
2-30 a vote of two-thirds of all the members elected to each house, as
2-31 provided by Section 39, Article III, Texas Constitution. If this
2-32 Act does not receive the vote necessary for immediate effect, this
2-33 Act takes effect September 1, 2011.

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