

AN ACT

relating to dyslexia screening and testing in public schools, the employment of dyslexia specialists by regional education service centers, the development of a list of training opportunities for educators regarding dyslexia, and transition planning for students enrolled in a special education program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 8, Education Code, is amended by adding Section 8.061 to read as follows:

Sec. 8.061. DYSLEXIA SPECIALIST. Each regional education service center shall employ as a dyslexia specialist a person licensed as a dyslexia therapist under Chapter 403, Occupations Code, to provide school districts served by the center with support and resources that are necessary to assist students with dyslexia and the families of students with dyslexia.

SECTION 2. Section 29.011, Education Code, is amended to read as follows:

Sec. 29.011. TRANSITION PLANNING. (a) The commissioner shall by rule adopt procedures for compliance with federal requirements relating to transition services for students who are enrolled in special education programs under this subchapter. The procedures must specify the manner in which a student's admission, review, and dismissal committee must consider, and if appropriate, address the following issues in the student's individualized

1 education program:

2 (1) appropriate student involvement in the student's
3 transition to life outside the public school system;

4 (2) if the student is younger than 18 years of age,
5 appropriate ~~[parental]~~ involvement in the student's transition by
6 the student's parents and other persons invited to participate by:

7 (A) the student's parents; or

8 (B) the school district in which the student is
9 enrolled;

10 (3) if the student is at least 18 years of age,
11 ~~[appropriate parental]~~ involvement in the student's transition and
12 future by the student's parents and other persons, if the parent or
13 other person:

14 (A) is invited to participate by the student or
15 the school district in which the student is enrolled; or

16 (B) has the student's consent to participate
17 pursuant to a supported decision-making agreement under Chapter
18 1357, Estates Code;

19 (4) appropriate ~~[any]~~ postsecondary education
20 options, including preparation for postsecondary-level coursework;

21 (5) an appropriate ~~[a]~~ functional vocational
22 evaluation;

23 (6) appropriate employment goals and objectives;

24 (7) if the student is at least 18 years of age, the
25 availability of age-appropriate instructional environments,
26 including community settings or environments that prepare the
27 student for postsecondary education or training, competitive

1 integrated employment, or independent living, in coordination with
2 the student's transition goals and objectives;

3 (8) appropriate independent living goals and
4 objectives; ~~and~~

5 (9) appropriate circumstances for facilitating a
6 referral of ~~[referring]~~ a student or the student's parents to a
7 governmental agency for services or public benefits, including a
8 referral to a governmental agency to place the student on a waiting
9 list for public benefits available to the student, such as a waiver
10 program established under Section 1915(c), Social Security Act (42
11 U.S.C. Section 1396n(c)); and

12 (10) the use and availability of appropriate:

13 (A) supplementary aids, services, curricula, and
14 other opportunities to assist the student in developing
15 decision-making skills; and

16 (B) supports and services to foster the student's
17 independence and self-determination, including a supported
18 decision-making agreement under Chapter 1357, Estates Code.

19 (a-1) A student's admission, review, and dismissal
20 committee shall annually review the issues described by Subsection
21 (a) and, if necessary, update the portions of the student's
22 individualized education program that address those issues.

23 (a-2) The commissioner shall develop and post on the
24 agency's Internet website a list of services and public benefits
25 for which referral may be appropriate under Subsection (a)(9).

26 (b) The commissioner shall require each school district or
27 shared services arrangement to designate at least one employee to

1 serve as the district's or shared services arrangement's designee
2 on transition and employment services for students enrolled in
3 special education programs under this subchapter. The
4 commissioner shall develop minimum training guidelines for a
5 district's or shared services arrangement's designee. An
6 individual designated under this subsection must provide
7 information and resources about effective transition planning and
8 services, including each issue described by Subsection (a), and
9 interagency coordination to ensure that local school staff
10 communicate and collaborate with:

11 (1) students enrolled in special education programs
12 under this subchapter and the parents of those students; and

13 (2) as appropriate, local and regional staff of the:

14 (A) Health and Human Services Commission;

15 (B) Texas Workforce Commission [~~Department of~~
16 ~~Aging and Disability Services~~];

17 (C) [~~Department of Assistive and Rehabilitative~~
18 ~~Services~~];

19 [~~(D)~~] Department of State Health Services; and

20 (D) [~~(E)~~] Department of Family and Protective
21 Services.

22 (c) The commissioner shall review and, if necessary, update
23 the minimum training guidelines developed under Subsection (b) at
24 least once every four years. In reviewing and updating the
25 guidelines, the commissioner shall solicit input from
26 stakeholders.

27 SECTION 3. Sections 29.0112(b) and (e), Education Code, are

1 amended to read as follows:

2 (b) The transition and employment guide must be written in
3 plain language and contain information specific to this state
4 regarding:

5 (1) transition services;

6 (2) employment and supported employment services;

7 (3) social security programs;

8 (4) community and long-term services and support,
9 including the option to place the student on a waiting list with a
10 governmental agency for public benefits available to the student,
11 such as a waiver program established under Section 1915(c), Social
12 Security Act (42 U.S.C. Section 1396n(c));

13 (5) postsecondary educational programs and services,
14 including the inventory maintained by the Texas Higher Education
15 Coordinating Board under Section [61.0663](#);

16 (6) information sharing with health and human services
17 agencies and providers;

18 (7) guardianship and alternatives to guardianship,
19 including a supported decision-making agreement under Chapter
20 [1357](#), Estates Code;

21 (8) self-advocacy, person-directed planning, and
22 self-determination; and

23 (9) contact information for all relevant state
24 agencies.

25 (e) A school district shall:

26 (1) post the transition and employment guide on the
27 district's website if the district maintains a website; ~~and~~

1 (2) provide written information and, if necessary,
2 assistance to a student or parent regarding how to access the
3 electronic version of the guide at:

4 (A) the first meeting of the student's admission,
5 review, and dismissal committee at which transition is discussed;
6 and [or]

7 (B) the first committee meeting at which
8 transition is discussed that occurs after the date on which the
9 guide is updated; and

10 (3) on request, provide a printed copy of the guide to
11 a student or parent [~~becomes available, if a student has already had~~
12 ~~an admission, review, and dismissal committee meeting discussing~~
13 ~~transition~~].

14 SECTION 4. Section 29.017, Education Code, is amended by
15 amending Subsections (c) and (d) and adding Subsections (c-1),
16 (c-2), (c-3), (e), and (f) to read as follows:

17 (c) Not later than one year before the 18th birthday of a
18 student with a disability, the school district at which the student
19 is enrolled shall:

20 (1) provide to the student and the student's parents:

21 (A) written notice regarding the transfer of
22 rights under this section; and

23 (B) information and resources regarding
24 guardianship, alternatives to guardianship, including a supported
25 decision-making agreement under Chapter 1357, Estates Code, and
26 other supports and services that may enable the student to live
27 independently; and

1 (2) ensure that the student's individualized education
2 program includes a statement that the district provided the notice,
3 information, and resources required under Subdivision (1).

4 (c-1) In accordance with 34 C.F.R. Section 300.520
5 [~~300.517~~], the school district shall provide written notice to
6 [~~notify~~] the student and the student's parents of the transfer of
7 rights under this section. The notice must include the information
8 and resources provided under Subsection (c)(1)(B).

9 (c-2) If a student with a disability or the student's parent
10 requests information regarding guardianship or alternatives to
11 guardianship from the school district at which the student is
12 enrolled, the school district shall provide to the student or
13 parent information and resources on supported decision-making
14 agreements under Chapter 1357, Estates Code.

15 (c-3) The commissioner shall develop and post on the
16 agency's Internet website a model form for use by school districts
17 in notifying students and parents as required by Subsections (c)
18 and (c-1). The form must include the information and resources
19 described by Subsection (c). The commissioner shall review and
20 update the form, including the information and resources, as
21 necessary.

22 (d) The commissioner shall develop and post on the agency's
23 Internet website the information and resources described by
24 Subsections (c), (c-1), and (c-2).

25 (e) Nothing in this section prohibits a student from
26 entering into a supported decision-making agreement under Chapter
27 1357, Estates Code, after the transfer of rights under this

1 section.

2 (f) The commissioner shall adopt rules implementing the
3 provisions of 34 C.F.R. Section 300.520(b) [~~300.517(b)~~].

4 SECTION 5. Sections 38.003(a) and (b-1), Education Code,
5 are amended to read as follows:

6 (a) Students enrolling in public schools in this state shall
7 be screened or tested, as appropriate, for dyslexia and related
8 disorders at appropriate times in accordance with a program
9 approved by the State Board of Education. The program must include
10 screening at the end of the school year of each student in
11 kindergarten and each student in the first grade.

12 (b-1) Unless otherwise provided by law, a student
13 determined to have dyslexia during screening or testing under
14 Subsection (a) or accommodated because of dyslexia may not be
15 rescreened or retested for dyslexia for the purpose of reassessing
16 the student's need for accommodations until the district
17 reevaluates the information obtained from previous screening or
18 testing of the student.

19 SECTION 6. Subchapter A, Chapter 38, Education Code, is
20 amended by adding Section 38.0032 to read as follows:

21 Sec. 38.0032. DYSLEXIA TRAINING OPPORTUNITIES. (a) The
22 agency shall annually develop a list of training opportunities
23 regarding dyslexia that satisfy the requirements of Section
24 21.054(b). The list of training opportunities must include at
25 least one opportunity that is available online.

26 (b) A training opportunity included in the list developed
27 under Subsection (a) must:

1 (1) comply with the knowledge and practice standards
2 of an international organization on dyslexia; and

3 (2) enable an educator to:

4 (A) understand and recognize dyslexia; and

5 (B) implement instruction that is systematic,
6 explicit, and evidence-based to meet the educational needs of a
7 student with dyslexia.

8 SECTION 7. Sections 29.011, 29.0112, and 29.017, Education
9 Code, as amended by this Act, apply beginning with the 2018-2019
10 school year.

11 SECTION 8. Section 38.003, Education Code, as amended by
12 this Act, applies beginning with the 2017-2018 school year.

13 SECTION 9. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I certify that H.B. No. 1886 was passed by the House on May 12, 2017, by the following vote: Yeas 140, Nays 3, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 1886 on May 26, 2017, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 1886 on May 28, 2017, by the following vote: Yeas 141, Nays 6, 2 present, not voting.

Chief Clerk of the House

H.B. No. 1886

I certify that H.B. No. 1886 was passed by the Senate, with amendments, on May 24, 2017, by the following vote: Yeas 27, Nays 4; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 1886 on May 28, 2017, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor