By:  Paxton, et al. S.B. No. 2075

(Miller)

A BILL TO BE ENTITLED

AN ACT

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.

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

SECTION 1.  Section 7.028(a), Education Code, is amended to read as follows:

(a)  Except as provided by Section 28.006, 29.001(5), 29.010(a), 38.003, or 39.057, the agency may monitor compliance with requirements applicable to a process or program provided by a school district, campus, program, or school granted charters under Chapter 12, including the process described by Subchapter F, Chapter 11, or a program described by Subchapter B, C, D, E, F, H, or I, Chapter 29, or Subchapter A, Chapter 37, [~~or Section 38.003,~~] and the use of funds provided for such a program under Subchapter C, Chapter 42, only as necessary to ensure:

(1)  compliance with federal law and regulations;

(2)  financial accountability, including compliance with grant requirements; and

(3)  data integrity for purposes of:

(A)  the Public Education Information Management System (PEIMS); and

(B)  accountability under Chapters 39 and 39A.

SECTION 2.  Section 28.006, Education Code, is amended by adding Subsections (g-2) and (l) to read as follows:

(g-2)  In accordance with a notification program developed by the commissioner by rule, a school district shall 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.

(l)  The agency by rule shall develop procedures designed to allow the agency 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.  Section 38.003, Education Code, is amended by amending Subsection (c) and adding Subsection (c-1) to read as follows:

(c)  Subject to Subsection (c-1), the [~~The~~] State Board of Education shall adopt any rules and standards necessary to administer this section.

(c-1)  The agency by rule shall develop procedures designed to allow the agency 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 the State Board of Education under this section;

(2)  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

(3)  develop reasonable and appropriate remedial strategies to address school district noncompliance and ensure the purposes of this section are accomplished.

SECTION 4.  This Act applies beginning with the 2019-2020 school year.

SECTION 5.  The Texas Education Agency is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the Texas Education Agency may, but is not required to, implement a provision of this Act using other appropriations available for that purpose.

SECTION 6.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.