

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**  
**Revision 1**

**April 9, 2019**

**TO:** Honorable Larry Taylor, Chair, Senate Committee on Education

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE:** **SB895** by Zaffirini (Relating to the language acquisition of children eight years of age or younger who are deaf or hard of hearing.), **Committee Report 1st House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB895, Committee Report 1st House, As Amended: a negative impact of (\$323,870) through the biennium ending August 31, 2021.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The Texas Education Agency and the Health and Human Services Commission would be required to implement a provision of the Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the agency and commission would be allowed to, but would not be required to, implement a provision of the Act using other appropriations available for the purpose.

**General Revenue-Related Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2020	(\$110,566)
2021	(\$213,304)
2022	(\$56,197)
2023	(\$56,197)
2024	(\$56,197)

## All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1	Change in Number of State Employees from FY 2019
2020	(\$110,566)	0.5
2021	(\$213,304)	0.5
2022	(\$56,197)	0.5
2023	(\$56,197)	0.5
2024	(\$56,197)	0.5

## Fiscal Analysis

The bill would amend the Education Code to require the Health and Human Services Commission (HHSC) and the Texas Education Agency (TEA) to jointly ensure the language acquisition of each child age eight years old or younger who is deaf or hard of hearing is regularly assessed using a valid and reliable tool.

The bill would further require TEA, HHSC, and the School for the Deaf (TSD) to prepare and publish on each agency's website a report on the language acquisition of children age eight years old or younger who are deaf or hard of hearing. The report would be required to include data on each child, including the child's instructional arrangement; the amount of time spent in a mainstream instructional arrangement; language acquisition services provided; time spent receiving language acquisition services; the type of hearing amplification used; the period of time the child has had access to hearing amplification; the average amount of time per day the child uses hearing amplification; tools or assessments used to assess the child's language acquisition and results obtained; the preferred unique communication mode used by the child at home; and demographic information, which would include age, race, gender, the age at the child was identified as being deaf or hard of hearing, and any other relevant demographic information specified by the Commissioner of TEA.

The report would also be required to compare progress in English literacy made by children who are deaf or hard of hearing with children of the same age who are not deaf or hard of hearing.

The bill would require TEA, HHSC, and TSD to enter into a memorandum of understanding to identify experts in deaf education and determine, in consultation with those experts, valid and reliable tools and assessments to assess the language acquisition of children eight years of age or younger who are deaf or hard of hearing.

## Methodology

TEA assumes it would have primary responsibility for collecting data and preparing the report required by the bill. This analysis assumes TEA would require \$110,566 in fiscal year 2020, \$213,304 in fiscal year 2021, \$56,197 each year thereafter, and 0.5 FTEs to implement the data collection and reporting requirements of the bill.

TEA estimates costs to modify the existing Texas Student Data System (TSDS) would total \$52,369 in fiscal year 2020 and \$157,107 in fiscal year 2021. (See Technology section below.) TEA also assumes it would require one-half Programmer V position (0.5 FTE) on an ongoing basis to process data for the required report and to prepare a comparison of English literacy between students of the same age who are deaf or hard of hearing and students who are not deaf or hard of hearing. This analysis assumes the 0.5 FTE is anticipated to cost \$58,197 in fiscal year 2020 and

\$56,197 per fiscal year thereafter. TEA assumes the data for comparing student English literacy would be obtainable from existing End of Course exams for grade levels three through eight.

If HHSC and the Early Childhood Intervention (ECI) program would be required to collect the data elements under the bill in addition to TEA, this analysis assumes it would incur significant costs to modify the ECI TKIDS database to add the required fields. HHSC states that it does not have sufficient information to provide a specific cost estimate at this time.

TSD assumes any additional costs to the agency resulting from implementing provisions of the bill could be absorbed using existing resources.

### **Technology**

Technology costs for TEA are assumed to total \$52,369 in fiscal year 2020 and \$157,107 in fiscal year 2021. TEA assumes it would need to modify TSDS to include at least six new data elements that are not currently collected and create at least four associated code tables to collect the additional data required by the bill. TEA would also be required to develop new business rules. Technology costs are assumed to include reporting and testing the enhancements to TSDS.

If HHSC and the Early Childhood Intervention (ECI) program would be required to collect the data elements under the bill, HHSC assumes it could incur significant costs to modify the ECI TKIDS database to add the required fields.

### **Local Government Impact**

Impact to local education agencies (LEAs) or local Early Childhood Intervention programs (ECI) would depend on whether LEAs or ECI programs are responsible for collecting the data and conducting the assessments required by the bill. TEA and HHSC assume the bill would have significant additional costs for LEAs and ECI programs to collect and report the required data, including additional staff time to complete data entry. Further, this analysis assumes LEAs and ECI programs could incur additional costs to administer the assessment required by the bill, including costs to hire additional speech language pathologists or other qualified assessors and costs to train local staff to use the assessment tool.

**Source Agencies:** 529 Health and Human Services Commission, 701 Texas Education Agency, 772 School for the Deaf

**LBB Staff:** WP, HL, AM, ASa, SD, RC