87R6936 CXP-D

By:  Dutton H.B. No. 3870

A BILL TO BE ENTITLED

AN ACT

relating to the program requiring dyslexia screening and testing in public schools.

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

SECTION 1.  Section 38.003, Education Code, is amended by amending Subsections (a), (b), (c), and (c-1) and adding Subsection (c-2) to read as follows:

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

(b)  In accordance with the program approved by the agency [~~State Board of Education~~], the board of trustees of each school district shall provide for the treatment of any student determined to have dyslexia or a related disorder.

(c)  Subject to Subsection (c-1), the agency [~~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 agency [~~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 agency [~~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.

(c-2)  The agency by rule shall develop a procedure for the parent or legal guardian of a student determined to have dyslexia or a related disorder or accommodated because of dyslexia to file a complaint to ensure compliance with federal and state laws and agency rules or standards regarding the screening or testing of the student under Subsection (a) or the student's treatment under Subsection (b).

SECTION 2.  Section 7.102(c)(28), Education Code, is repealed.

SECTION 3.  As soon as practicable after the effective date of this Act, the State Board of Education shall transfer its powers, duties, and functions regarding approving a program for testing students for dyslexia and related disorders to the Texas Education Agency.

SECTION 4.  This Act applies beginning with the 2021-2022 school year.

SECTION 5.  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, 2021.