

By: Dutton

H.B. No. 3870

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the program requiring dyslexia screening and testing in
3 public schools.

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

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

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

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

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

21 (c-1) The agency by rule shall develop procedures designed
22 to allow the agency to:

23 (1) effectively audit and monitor and periodically
24 conduct site visits of all school districts to ensure that

1 districts are complying with this section, including the program
2 approved by the agency [~~State Board of Education~~] under this
3 section;

4 (2) identify any problems school districts experience
5 in complying with this section, including the program approved by
6 the agency [~~State Board of Education~~] under this section; and

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

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

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18 repealed.

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

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

26 SECTION 5. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2021.