

1-1 By: Dutton, et al. (Senate Sponsor - Paxton) H.B. No. 3880
 1-2 (In the Senate - Received from the House May 17, 2021;
 1-3 May 17, 2021, read first time and referred to Committee on
 1-4 Education; May 24, 2021, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 6, Nays 3;
 1-6 May 24, 2021, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Taylor	X			
1-9 Lucio			X	
1-10 Bettencourt		X		
1-11 Hall	X			
1-12 Hughes	X			
1-13 Menéndez	X			
1-14 Paxton	X			
1-15 Perry		X		
1-16 Powell	X			
1-17 Schwertner		X		
1-18 West			X	

1-20 COMMITTEE SUBSTITUTE FOR H.B. No. 3880 By: Paxton

1-21 A BILL TO BE ENTITLED
 1-22 AN ACT

1-23 relating to a student's eligibility for special education services
 1-24 provided by a school district, including services for dyslexia and
 1-25 related disorders.

1-26 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-27 SECTION 1. This Act may be cited as the Beckley Wilson Act.

1-28 SECTION 2. Section 7.028(a), Education Code, is amended to
 1-29 read as follows:

1-30 (a) Except as provided by Section 21.006(k), 22.093(1),
 1-31 22.096, 28.006, 29.001(5), 29.010(a), ~~[38.003]~~ or 39.057, the
 1-32 agency may monitor compliance with requirements applicable to a
 1-33 process or program provided by a school district, campus, program,
 1-34 or school granted charters under Chapter 12, including the process
 1-35 described by Subchapter F, Chapter 11, or a program described by
 1-36 Subchapter B, C, D, E, F, H, or I, Chapter 29, or Subchapter A,
 1-37 Chapter 37, only as necessary to ensure:

- 1-38 (1) compliance with federal law and regulations;
- 1-39 (2) financial accountability, including compliance
 1-40 with grant requirements;

- 1-41 (3) data integrity for purposes of:
 - 1-42 (A) the Public Education Information Management
 1-43 System (PEIMS); and
 - 1-44 (B) accountability under Chapters 39 and 39A; and
 - 1-45 (4) qualification for funding under Chapter 48.

1-46 SECTION 3. Section 7.102(c)(28), Education Code, is amended
 1-47 to read as follows:

1-48 (28) The board shall develop and update, as necessary,
 1-49 guidance information for school districts on evidence-based
 1-50 practices for intervention and instruction of students with
 1-51 ~~[approve a program for testing students for]~~ dyslexia and related
 1-52 disorders and incorporate in the information input from a
 1-53 broad-based dialogue with educators and experts in the field of
 1-54 reading and dyslexia and related disorders from across the state.

1-55 The guidance information may not address:

- 1-56 (A) the evaluation and identification of
 1-57 students with dyslexia or a related disorder; or

- 1-58 (B) how intervention and instruction are to be
 1-59 accessed by a student ~~[as provided by Section 38.003].~~

1-60 SECTION 4. Section 11.252(a), Education Code, is amended to

2-1 read as follows:

2-2 (a) Each school district shall have a district improvement

2-3 plan that is developed, evaluated, and revised annually, in

2-4 accordance with district policy, by the superintendent with the

2-5 assistance of the district-level committee established under

2-6 Section 11.251. The purpose of the district improvement plan is to

2-7 guide district and campus staff in the improvement of student

2-8 performance for all student groups in order to attain state

2-9 standards in respect to the achievement indicators adopted under

2-10 Section 39.053(c). The district improvement plan must include

2-11 provisions for:

2-12 (1) a comprehensive needs assessment addressing

2-13 district student performance on the achievement indicators, and

2-14 other appropriate measures of performance, that are disaggregated

2-15 by all student groups served by the district, including categories

2-16 of ethnicity, socioeconomic status, sex, and populations served by

2-17 special programs, including students in special education programs

2-18 under Subchapter A, Chapter 29;

2-19 (2) measurable district performance objectives for

2-20 all appropriate achievement indicators for all student

2-21 populations, including students in special education programs

2-22 under Subchapter A, Chapter 29, and other measures of student

2-23 performance that may be identified through the comprehensive needs

2-24 assessment;

2-25 (3) strategies for improvement of student performance

2-26 that include:

2-27 (A) instructional methods for addressing the

2-28 needs of student groups not achieving their full potential;

2-29 (B) evidence-based practices that address the

2-30 needs of students for special programs, including:

2-31 (i) suicide prevention programs, in

2-32 accordance with Subchapter G, Chapter 38, which include a parental

2-33 or guardian notification procedure;

2-34 (ii) conflict resolution programs;

2-35 (iii) violence prevention programs; and

2-36 (iv) special education [~~dyslexia~~

2-37 ~~treatment~~] programs;

2-38 (C) dropout reduction;

2-39 (D) integration of technology in instructional

2-40 and administrative programs;

2-41 (E) positive behavior interventions and support,

2-42 including interventions and support that integrate best practices

2-43 on grief-informed and trauma-informed care;

2-44 (F) staff development for professional staff of

2-45 the district;

2-46 (G) career education to assist students in

2-47 developing the knowledge, skills, and competencies necessary for a

2-48 broad range of career opportunities;

2-49 (H) accelerated education; and

2-50 (I) implementation of a comprehensive school

2-51 counseling program under Section 33.005;

2-52 (4) strategies for providing to elementary school,

2-53 middle school, junior high school, and high school students, those

2-54 students' teachers and school counselors, and those students'

2-55 parents information about:

2-56 (A) higher education admissions and financial

2-57 aid opportunities, including state financial aid opportunities

2-58 such as the TEXAS grant program and the Teach for Texas grant

2-59 program established under Chapter 56;

2-60 (B) the need for students to make informed

2-61 curriculum choices to be prepared for success beyond high school;

2-62 and

2-63 (C) sources of information on higher education

2-64 admissions and financial aid;

2-65 (5) resources needed to implement identified

2-66 strategies;

2-67 (6) staff responsible for ensuring the accomplishment

2-68 of each strategy;

2-69 (7) timelines for ongoing monitoring of the

- 3-1 implementation of each improvement strategy;
- 3-2 (8) formative evaluation criteria for determining
- 3-3 periodically whether strategies are resulting in intended
- 3-4 improvement of student performance;
- 3-5 (9) the policy under Section 38.0041 addressing sexual
- 3-6 abuse and other maltreatment of children; and
- 3-7 (10) the trauma-informed care policy required under
- 3-8 Section 38.036.

3-9 SECTION 5. Section 21.003, Education Code, is amended by
 3-10 adding Subsection (b-1) to read as follows:

3-11 (b-1) A school district shall employ a person to provide
 3-12 services to students with dyslexia and related disorders who may be
 3-13 a therapist, practitioner, specialist, or interventionist. The
 3-14 person hired under this subsection is not required to hold a
 3-15 certificate or permit issued under Subchapter B in special
 3-16 education but must:

3-17 (1) hold an appropriate license, including a license
 3-18 issued under Chapter 403, Occupations Code;

3-19 (2) hold a certification issued by an appropriate
 3-20 association or have received training from an appropriate training
 3-21 provider, including an academic language practitioner or therapist
 3-22 certified by the Academic Language Therapy Association; or

3-23 (3) if a person qualified under Subdivision (1) or (2)
 3-24 is not available, meet the applicable training requirements for the
 3-25 position adopted by the commissioner by rule.

3-26 SECTION 6. Section 28.006(g-2), Education Code, is amended
 3-27 to read as follows:

3-28 (g-2) In accordance with a notification program developed
 3-29 by the commissioner by rule, a school district shall notify the
 3-30 parent or guardian of each student determined, on the basis of a
 3-31 screening under Section 29.0031 [~~38.003~~] or other basis, to be at
 3-32 risk for [~~have~~] dyslexia or a related disorder, or determined, on
 3-33 the basis of reading instrument results, to be at risk for dyslexia
 3-34 or other reading difficulties, of the program maintained by the
 3-35 Texas State Library and Archives Commission providing students with
 3-36 reading disabilities the ability to borrow audiobooks free of
 3-37 charge.

3-38 SECTION 7. Section 29.001, Education Code, is amended to
 3-39 read as follows:

3-40 Sec. 29.001. STATEWIDE PLAN. The agency shall develop, and
 3-41 modify as necessary, a statewide design, consistent with federal
 3-42 law, for the delivery of services to children with disabilities in
 3-43 this state that includes rules for the administration and funding
 3-44 of the special education program so that a free appropriate public
 3-45 education is available to all of those children between the ages of
 3-46 three and 21. The statewide design shall include the provision of
 3-47 services primarily through school districts and shared services
 3-48 arrangements, supplemented by regional education service centers.
 3-49 The agency shall also develop and implement a statewide plan with
 3-50 programmatic content that includes procedures designed to:

3-51 (1) ensure state compliance with requirements for
 3-52 supplemental federal funding for all state-administered programs
 3-53 involving the delivery of instructional or related services to
 3-54 students with disabilities;

3-55 (2) facilitate interagency coordination when other
 3-56 state agencies are involved in the delivery of instructional or
 3-57 related services to students with disabilities;

3-58 (3) periodically assess statewide personnel needs in
 3-59 all areas of specialization related to special education and pursue
 3-60 strategies to meet those needs through a consortium of
 3-61 representatives from regional education service centers, local
 3-62 education agencies, and institutions of higher education and
 3-63 through other available alternatives;

3-64 (4) ensure that regional education service centers
 3-65 throughout the state maintain a regional support function, which
 3-66 may include direct service delivery and a component designed to
 3-67 facilitate the placement of students with disabilities who cannot
 3-68 be appropriately served in their resident districts;

3-69 (5) allow the agency to effectively monitor and

4-1 periodically conduct site visits of all school districts to ensure
4-2 that rules adopted under this section and Section 29.0031 are
4-3 applied in a consistent and uniform manner, to ensure that
4-4 districts are complying with those rules, and to ensure that annual
4-5 statistical reports filed by the districts and not otherwise
4-6 available through the Public Education Information Management
4-7 System under Sections 48.008 and 48.009 are accurate and complete;

4-8 (6) ensure that appropriately trained personnel are
4-9 involved in the diagnostic and evaluative procedures operating in
4-10 all districts and that those personnel routinely serve on district
4-11 admissions, review, and dismissal committees;

4-12 (7) ensure that an individualized education program
4-13 for each student with a disability is properly developed,
4-14 implemented, and maintained in the least restrictive environment
4-15 that is appropriate to meet the student's educational needs;

4-16 (8) ensure that, when appropriate, each student with a
4-17 disability is provided an opportunity to participate in career and
4-18 technology and physical education classes, in addition to
4-19 participating in regular or special classes;

4-20 (9) ensure that each student with a disability is
4-21 provided necessary related services;

4-22 (10) ensure that an individual assigned to act as a
4-23 surrogate parent for a child with a disability, as provided by 20
4-24 U.S.C. Section 1415(b), is required to:

4-25 (A) complete a training program that complies
4-26 with minimum standards established by agency rule;

4-27 (B) visit the child and the child's school;

4-28 (C) consult with persons involved in the child's
4-29 education, including teachers, caseworkers, court-appointed
4-30 volunteers, guardians ad litem, attorneys ad litem, foster parents,
4-31 and caretakers;

4-32 (D) review the child's educational records;

4-33 (E) attend meetings of the child's admission,
4-34 review, and dismissal committee;

4-35 (F) exercise independent judgment in pursuing
4-36 the child's interests; and

4-37 (G) exercise the child's due process rights under
4-38 applicable state and federal law; ~~and~~

4-39 (11) ensure that each district develops a process to
4-40 be used by a teacher who instructs a student with a disability in a
4-41 regular classroom setting:

4-42 (A) to request a review of the student's
4-43 individualized education program;

4-44 (B) to provide input in the development of the
4-45 student's individualized education program;

4-46 (C) that provides for a timely district response
4-47 to the teacher's request; and

4-48 (D) that provides for notification to the
4-49 student's parent or legal guardian of that response;

4-50 (12) ensure the integration of technology to
4-51 accommodate students with dyslexia and related disorders; and

4-52 (13) ensure that training opportunities, including
4-53 continuing education that satisfies the requirements of Section
4-54 21.054(b):

4-55 (A) are accessible to school districts by
4-56 developing a list of training opportunities regarding dyslexia and
4-57 related disorders that comply with the knowledge and practice
4-58 standards of an international organization on dyslexia; and

4-59 (B) assist an educator or dyslexia service
4-60 provider in understanding and recognizing dyslexia and providing
4-61 multisensory, structured instruction that is systematic, explicit,
4-62 and evidence-based to meet the educational needs of students with
4-63 dyslexia.

4-64 SECTION 8. Section 29.002, Education Code, is amended to
4-65 read as follows:

4-66 Sec. 29.002. DEFINITIONS [DEFINITION]. In this
4-67 subchapter[, "~~special services~~" means]:

4-68 (1) "Special [~~special~~] education" means specially
4-69 designed instruction that is provided at no cost to the parent or

5-1 person standing in parental relation to meet the unique needs of a
5-2 student with a disability. [~~which may be provided by professional~~
5-3 ~~and supported by paraprofessional personnel in the regular~~
5-4 ~~classroom or in an instructional arrangement described by Section~~
5-5 ~~48.102, and]~~

5-6 (2) "Student with a disability" means a student
5-7 evaluated in accordance with Section 29.004 and the Individuals
5-8 with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) as
5-9 having:

5-10 (A) an intellectual disability, a hearing
5-11 impairment including deafness, a visual impairment including
5-12 blindness, a serious emotional disturbance, an orthopedic
5-13 impairment, autism, a traumatic brain injury, a speech or language
5-14 impairment, deaf-blindness, multiple disabilities, any other
5-15 health impairment, or a specific learning disability and who, as a
5-16 result of the disability, needs special education;

5-17 (B) noncategorical early childhood developmental
5-18 delays that prevent the student from being adequately or safely
5-19 educated in a public school without receiving special education; or

5-20 (C) dyslexia or a related disorder and who, as a
5-21 result of the dyslexia or the related disorder, needs special
5-22 education [~~related services, which are developmental, corrective,~~
5-23 ~~supportive, or evaluative services, not instructional in nature,~~
5-24 ~~that may be required for the student to benefit from special~~
5-25 ~~education instruction and for implementation of a student's~~
5-26 ~~individualized education program].~~

5-27 SECTION 9. Section 29.003(b), Education Code, is amended to
5-28 read as follows:

5-29 (b) A student is eligible to participate in a school
5-30 district's special education program if the student:

5-31 (1) is not more than 21 years of age and is identified
5-32 as a student with [~~and has~~] a visual or hearing [~~auditory~~]
5-33 impairment [~~that prevents the student from being adequately or~~
5-34 ~~safely educated in public school without the provision of special~~
5-35 ~~services]; [~~or~~]~~

5-36 (2) is at least three years of age but not more than 21
5-37 years of age and has been identified as a student with a disability
5-38 other than a visual or hearing impairment; [~~and has one~~] or

5-39 (3) is at least three years of age but not more than
5-40 five years of age and the [~~following disabilities that prevents~~
5-41 ~~the~~] student is a student evaluated as having noncategorical early
5-42 childhood developmental delays as described by Section
5-43 29.002(2)(B) [~~from being adequately or safely educated in public~~
5-44 ~~school without the provision of special services:~~

- 5-45 [~~(A) physical disability,~~
- 5-46 [~~(B) intellectual or developmental disability,~~
- 5-47 [~~(C) emotional disturbance,~~
- 5-48 [~~(D) learning disability,~~
- 5-49 [~~(E) autism,~~
- 5-50 [~~(F) speech disability, or~~
- 5-51 [~~(G) traumatic brain injury].~~

5-52 SECTION 10. Subchapter A, Chapter 29, Education Code, is
5-53 amended by adding Section 29.0031 to read as follows:

5-54 Sec. 29.0031. DYSLEXIA AND RELATED DISORDERS. (a) A school
5-55 district shall:

5-56 (1) screen students for dyslexia and related
5-57 disorders;

5-58 (2) notify the parent of or person standing in
5-59 parental relation to each student who is determined to be at risk
5-60 for dyslexia or a related disorder that the student is at risk; and

5-61 (3) make a good faith effort to ensure that the notice
5-62 provided under Subdivision (2):

- 5-63 (A) is clear and easy to understand;
- 5-64 (B) is in the recipient's native language; and
- 5-65 (C) includes information about the student's
5-66 data and measurements that led to the determination that the
5-67 student is at risk for dyslexia or a related disorder.

5-68 (b) On determining that a student is at risk for dyslexia or
5-69 a related disorder, the school district shall implement a

6-1 multisensory, structured reading instruction program as an
 6-2 intervention as part of the district's multi-tiered systems of
 6-3 support under Section 26.0081 that, to the extent possible,
 6-4 incorporates training provided to teachers under Section 21.4552.
 6-5 The district shall determine the form, content, and timing of a
 6-6 program provided under this subsection, subject to requirements for
 6-7 the program established by the commissioner by rule. The program
 6-8 adopted under this subsection may not be used to delay an evaluation
 6-9 for special education services under Section 29.004.

6-10 (c) Only a person who meets the qualifications for
 6-11 employment by a school district to provide services to students
 6-12 with dyslexia and related disorders under Section 21.003(b-1) may
 6-13 perform screenings for dyslexia and related disorders and implement
 6-14 reading instruction programs as required by this section.

6-15 (d) The commissioner shall adopt rules as necessary to
 6-16 implement this section. The rules must:

6-17 (1) require a universal screening for each student for
 6-18 dyslexia and related disorders:

6-19 (A) at the end of the school year in
 6-20 kindergarten; and

6-21 (B) before the end of the school year in first
 6-22 grade;

6-23 (2) establish, in coordination with experts and
 6-24 educators in the field of reading and dyslexia and related
 6-25 disorders from across the state, the screening requirements under
 6-26 Subsection (a);

6-27 (3) establish the requirements for reading
 6-28 instruction programs provided under Subsection (b); and

6-29 (4) establish the personnel required to deliver
 6-30 dyslexia intervention in accordance with Section 21.003(b-1).

6-31 SECTION 11. Section 30.001(b), Education Code, is amended
 6-32 to read as follows:

6-33 (b) The commissioner, with the approval of the State Board
 6-34 of Education, shall develop and implement a plan for the
 6-35 coordination of services to children with disabilities in each
 6-36 region served by a regional education service center. The plan must
 6-37 include procedures for:

6-38 (1) identifying existing public or private
 6-39 educational and related services for children with disabilities in
 6-40 each region;

6-41 (2) identifying and referring children with
 6-42 disabilities who cannot be appropriately served by the school
 6-43 district in which they reside to other appropriate programs;

6-44 (3) assisting school districts to individually or
 6-45 cooperatively develop programs to identify and provide appropriate
 6-46 services for children with disabilities;

6-47 (4) expanding and coordinating services provided by
 6-48 regional education service centers for children with disabilities;
 6-49 [and]

6-50 (5) providing for special education [~~services~~],
 6-51 including special seats, books, instructional media, and other
 6-52 supplemental supplies and services required for proper
 6-53 instruction; and

6-54 (6) ensuring services provided for students with
 6-55 dyslexia and related disorders align with guidance on
 6-56 evidence-based practices developed by the State Board of Education
 6-57 under Section 7.102(c)(28).

6-58 SECTION 12. Section 30.002(g), Education Code, is amended
 6-59 to read as follows:

6-60 (g) To facilitate implementation of this section, the
 6-61 commissioner shall develop a system to distribute from the
 6-62 foundation school fund to school districts or regional education
 6-63 service centers a special supplemental allowance for each student
 6-64 with a visual impairment and for each student with a serious visual
 6-65 disability and another medically diagnosed disability of a
 6-66 significantly limiting nature who is receiving special education
 6-67 services through any approved program. The supplemental allowance
 6-68 may be spent only for special education [~~services~~] uniquely
 6-69 required by the nature of the student's disabilities and may not be

7-1 used in lieu of educational funds otherwise available under this
7-2 code or through state or local appropriations.

7-3 SECTION 13. Section 37.146(a), Education Code, is amended
7-4 to read as follows:

7-5 (a) A complaint alleging the commission of a school offense
7-6 must, in addition to the requirements imposed by Article 45.019,
7-7 Code of Criminal Procedure:

7-8 (1) be sworn to by a person who has personal knowledge
7-9 of the underlying facts giving rise to probable cause to believe
7-10 that an offense has been committed; and

7-11 (2) be accompanied by a statement from a school
7-12 employee stating:

7-13 (A) whether the child is eligible for or receives
7-14 special education [~~services~~] under Subchapter A, Chapter 29; and

7-15 (B) the graduated sanctions, if required under
7-16 Section 37.144, that were imposed on the child before the complaint
7-17 was filed.

7-18 SECTION 14. Section 48.103, Education Code, is amended by
7-19 amending Subsections (b) and (c) and adding Subsection (c-1) to
7-20 read as follows:

7-21 (b) A school district is entitled to an allotment under
7-22 Subsection (a) only for a student who:

7-23 (1) is receiving services for dyslexia or a related
7-24 disorder in accordance with:

7-25 (A) an individualized education program
7-26 developed for the student under Section 29.005; or

7-27 (B) a plan developed for the student under
7-28 Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794);

7-29 (2) is receiving instruction that:

7-30 (A) meets applicable dyslexia intervention
7-31 components [~~program criteria~~] established by the State Board of
7-32 Education or agency; and

7-33 (B) is provided by a person with specific
7-34 training in providing that instruction; or

7-35 (3) is permitted, on the basis of having dyslexia or a
7-36 related disorder, to use modifications in the classroom or
7-37 accommodations in the administration of assessment instruments
7-38 under Section 39.023.

7-39 (c) A school district shall:

7-40 (1) ~~may~~ receive funding for a student under this
7-41 section and Section 48.102 if the student satisfies the
7-42 requirements of both sections;

7-43 (2) allocate money received under Subdivision (1) to
7-44 the district's special education budget; and

7-45 (3) prioritize the use of money received under
7-46 Subdivision (1) for the employment and retention of district
7-47 employees who are specially trained to evaluate, identify, and
7-48 provide services for dyslexia and related disorders, including a
7-49 person described by Section 21.003(b-1).

7-50 (c-1) A school district may only use funding received under
7-51 this section to supplement the district's special education budget
7-52 and not to offset or deduct from the district's special education
7-53 budget.

7-54 SECTION 15. (a) A joint interim committee is established to
7-55 study methods for screening and testing students for dyslexia and
7-56 the appropriate instruction for students with dyslexia and related
7-57 disorders.

7-58 (b) The committee shall assess:

7-59 (1) the method and efficiency with which dyslexia
7-60 programs are delivered to students;

7-61 (2) whether the dyslexia screening process used by
7-62 school districts correctly identifies students with dyslexia and
7-63 provides the intervention and curriculum necessary for those
7-64 students;

7-65 (3) whether the implementation of recommended
7-66 methodologies for students with dyslexia in the elementary grades
7-67 is successful and appropriate;

7-68 (4) methods to properly enforce and provide oversight
7-69 of dyslexia programs;

8-1 (5) parental rights related to dyslexia screening and
 8-2 programs;
 8-3 (6) methods to ensure federal funds received to
 8-4 support special education instruction for students with dyslexia
 8-5 are used to provide students with the best evidence-based
 8-6 multisensory systematic language therapy intervention available;
 8-7 and
 8-8 (7) the effectiveness of educator incentives for
 8-9 dyslexia programs.

8-10 (c) The committee consists of the following eight members:
 8-11 (1) four members of the house of representatives
 8-12 appointed by the speaker of the house of representatives; and
 8-13 (2) four members of the senate appointed by the
 8-14 lieutenant governor.

8-15 (d) The speaker of the house of representatives and the
 8-16 lieutenant governor shall each designate a co-chair from among the
 8-17 committee members.

8-18 (e) The joint interim committee has all other powers and
 8-19 duties provided to a special or select committee by the rules of the
 8-20 senate and house of representatives by Subchapter B, Chapter 301,
 8-21 Government Code, and by policies of the senate and house committees
 8-22 on administration.

8-23 (f) Not later than December 1, 2022, the joint interim
 8-24 committee shall report the committee's findings and
 8-25 recommendations to the governor and the members of the legislature.

8-26 (g) The joint interim committee established under this
 8-27 section is abolished and this section expires December 10, 2022.

8-28 SECTION 16. The following provisions of the Education Code
 8-29 are repealed:

- 8-30 (1) Section 38.003;
- 8-31 (2) Section 38.0031; and
- 8-32 (3) Section 38.0032.

8-33 SECTION 17. (a) This Act applies beginning with the
 8-34 2022-2023 school year.

8-35 (b) As soon as is practicable after the effective date of
 8-36 this Act, the commissioner of education shall adopt rules necessary
 8-37 to implement this Act using a negotiated rulemaking process under
 8-38 Chapter 2008, Government Code.

8-39 (c) As soon as is practicable after the effective date of
 8-40 this Act, each school district shall notify the parent or person
 8-41 standing in parental relation to a student who has been identified
 8-42 as having dyslexia or a related disorder and who received dyslexia
 8-43 intervention and instructional support in accordance with Section
 8-44 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), during the
 8-45 2021-2022 school year of the parent's or person's rights to have the
 8-46 student continue that support and to request a full individual
 8-47 evaluation under Section 29.004, Education Code. The commissioner
 8-48 of education shall develop and make available a model notice that a
 8-49 school district shall use to provide the notice required by this
 8-50 subsection.

8-51 (d) Not later than September 1, 2022, the Texas Education
 8-52 Agency shall provide informal guidance to school districts on the
 8-53 evaluation and identification of students with dyslexia or a
 8-54 related disorder in accordance with this Act.

8-55 SECTION 18. This Act takes effect September 1, 2021.

8-56 * * * * *