

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 12, 2023

TO: Honorable Brandon Creighton, Chair, Senate Committee on Education

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3928 by Toth (Relating to the screening of students for dyslexia and related disorders and a student's eligibility for special education services provided by a school district, including services for dyslexia and related disorders.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3928, As Engrossed : a negative impact of (\$1,172,888) through the biennium ending August 31, 2025.

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

General Revenue-Related Funds, Five- Year Impact:

<i>Fiscal Year</i>	<i>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</i>
2024	(\$439,709)
2025	(\$733,179)
2026	(\$298,948)
2027	(\$298,948)
2028	(\$298,948)

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	<i>Probable (Cost) from General Revenue Fund 1</i>	<i>Change in Number of State Employees from FY 2023</i>
2024	(\$439,709)	1.0
2025	(\$733,179)	1.0
2026	(\$298,948)	1.0
2027	(\$298,948)	1.0
2028	(\$298,948)	1.0

Fiscal Analysis

The bill would establish school district grievance procedures specific to dyslexia screening and intervention services. School districts and charter schools that receive a complaint under this procedure must submit it to the Texas Education Agency.

The bill would also establish processes for school districts to provide a Full Individual Initial Evaluation (FIIIE) for students suspected of having dyslexia or related disorders.

The bill would require school districts to employ dyslexia therapists, practitioners, specialists, or interventionists to provide intervention services to students with dyslexia and related disorders. If such a qualified provider is not available, a person who has received specified training may substitute.

In addition, the bill would require school districts to implement certain dyslexia interventions, including the development of an Individualized Education Program (IEP) for eligible students. If a parent declines the IEP, the district would be required to submit a statement to the Texas Education Agency documenting that the parent fully understands the rights they are waiving under the Individuals with Disabilities Education Act and that accommodations are available under Section 504, Rehabilitation Act of 1973.

The bill would require the Commissioner of Education to adopt rules necessary to fulfill the intent of dyslexia intervention at school districts and open-enrollment charter schools.

Methodology

The agency estimates that this bill would require technology changes that will cost \$1,172,888 in the 2024-25 biennium from the General Revenue Fund.

The agency assumes the remaining duties and responsibilities associated with implementing provisions of the bill could be accomplished by utilizing existing agency resources.

Technology

This analysis assumes TEA would require a new application for districts to submit documentation to TEA each time a parent declines an IEP for dyslexia.

The cost estimate to develop and implement the new application would be \$253,300 in fiscal year 2024, \$542,987 in fiscal year 2025, and \$108,756 each subsequent year. This would include Data Center Service costs, as well as one-time and ongoing hardware and software costs.

This analysis also assumes TEA would require one Programmer V to provide ongoing support and maintenance for the application. The annual salary and benefits costs associated with this additional FTE is estimated to be \$186,209 in fiscal year 2024, and \$190,192 in fiscal year 2025 and each subsequent year.

Local Government Impact

Local Education Agencies (LEAs) would incur costs related to the notification of FIIE rights and benefits to the parent or person standing in parental relation to all students identified as having dyslexia or a related disorder who received dyslexia intervention and instructional support in accordance with Section 504, Rehabilitation Act of 1973, during the 2022-2023 school year. In addition, some LEAs may be impacted by the requirement to employ dyslexia interventionists as outlined in the bill.

Source Agencies: 701 Texas Education Agency

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