

House Bill 1886
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subchapter B, Chapter 8, Education Code, is amended by adding Section 8.061 to read as follows:

Sec. 8.061. DYSLEXIA SPECIALIST. Each regional education service center shall employ as a dyslexia specialist a person licensed as a dyslexia therapist under Chapter 403, Occupations Code, to provide school districts served by the center with support and resources that are necessary to assist students with dyslexia and the families of students with dyslexia.

No equivalent provision.

SENATE VERSION (IE)

SECTION 1. Same as House version.

CONFERENCE

SECTION __. Section 29.006, Education Code, is amended by adding Subsections (d), (e), (f), (g), and (h) to read as follows:

(d) Committee meetings must be conducted in compliance with Chapter 551, Government Code.

(e) The committee shall provide a procedure for members of the public to speak at committee meetings. The procedure may not require a member of the public to register to speak earlier than the day of the meeting.

(f) The agency must post on the agency's Internet website:

(1) contact information for each member of the committee;

(2) notice of each open meeting of the committee;

(3) minutes of each open meeting of the committee; and

(4) guidance concerning how to submit public comments to the committee.

(g) The committee shall develop a policy to encourage public participation with the committee.

(h) Not later than January 1 of each odd-numbered year, the committee shall submit a report to the legislature with recommended changes to state law and agency rules relating to special education. The committee shall include the

House Bill 1886
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

committee's current policy on encouraging public participation, as required by Subsection (g), in the report.
[FA1]

No equivalent provision.

SECTION __. Section 29.006(d), Education Code, as added by this Act, applies only to an open meeting of the special education continuing advisory committee held on or after the effective date of this Act. [FA1]

No equivalent provision.

SECTION __. Section 29.011, Education Code, is amended to read as follows:
Sec. 29.011. TRANSITION PLANNING. (a) The commissioner shall by rule adopt procedures for compliance with federal requirements relating to transition services for students who are enrolled in special education programs under this subchapter. The procedures must specify the manner in which a student's admission, review, and dismissal committee must consider, and if appropriate, address the following issues in the student's individualized education program:
(1) appropriate student involvement in the student's transition to life outside the public school system;
(2) if the student is younger than 18 years of age, appropriate ~~parental~~ involvement in the student's transition by the student's parents and other persons invited to participate by:
(A) the student's parents; or
(B) the school district in which the student is enrolled;
(3) if the student is at least 18 years of age, ~~appropriate parental~~ involvement in the student's transition and future by the student's parents and other persons, if the parent or other person:

House Bill 1886
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(A) is invited to participate by the student or the school district in which the student is enrolled; or
(B) has the student's consent to participate pursuant to a supported decision-making agreement under Chapter 1357, Estates Code;
(4) appropriate [any] postsecondary education options, including preparation for postsecondary-level coursework;
(5) an appropriate [a] functional vocational evaluation;
(6) appropriate employment goals and objectives;
(7) if the student is at least 18 years of age, the availability of age-appropriate instructional environments, including community settings or environments that prepare the student for postsecondary education or training, competitive integrated employment, or independent living, in coordination with the student's transition goals and objectives;
(8) appropriate independent living goals and objectives; [and]
(9) appropriate circumstances for facilitating a referral of [referring] a student or the student's parents to a governmental agency for services or public benefits, including a referral to a governmental agency to place the student on a waiting list for public benefits available to the student, such as a waiver program established under Section 1915(c), Social Security Act (42 U.S.C. Section 1396n(c)); and
(10) the use and availability of appropriate:
(A) supplementary aids, services, curricula, and other opportunities to assist the student in developing decision-making skills; and
(B) supports and services to foster the student's independence and self-determination, including a supported decision-making agreement under Chapter 1357, Estates Code.
(a-1) A student's admission, review, and dismissal committee shall annually review the issues described by Subsection (a)

House Bill 1886
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

and, if necessary, update the portions of the student's individualized education program that address those issues.

(a-2) The commissioner shall develop and post on the agency's Internet website a list of services and public benefits for which referral may be appropriate under Subsection (a)(9).

(b) The commissioner shall require each school district or shared services arrangement to designate at least one employee to serve as the district's or shared services arrangement's designee on transition and employment services for students enrolled in special education programs under this subchapter. The commissioner shall develop minimum training guidelines for a district's or shared services arrangement's designee. An individual designated under this subsection must provide information and resources about effective transition planning and services, including each issue described by Subsection (a), and interagency coordination to ensure that local school staff communicate and collaborate with:

(1) students enrolled in special education programs under this subchapter and the parents of those students; and

(2) as appropriate, local and regional staff of the:

(A) Health and Human Services Commission;

(B) Texas Workforce Commission [~~Department of Aging and Disability Services~~];

(C) [~~Department of Assistive and Rehabilitative Services~~;

~~(D)~~] Department of State Health Services; and

~~(D)~~ [~~(E)~~] Department of Family and Protective Services.

(c) The commissioner shall review and, if necessary, update the minimum training guidelines developed under Subsection (b) at least once every four years. In reviewing and updating the guidelines, the commissioner shall solicit input from stakeholders. [FA2]

House Bill 1886
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

No equivalent provision.

SECTION __. Sections 29.0112(b) and (e), Education Code, are amended to read as follows:

(b) The transition and employment guide must be written in plain language and contain information specific to this state regarding:

- (1) transition services;
 - (2) employment and supported employment services;
 - (3) social security programs;
 - (4) community and long-term services and support, including the option to place the student on a waiting list with a governmental agency for public benefits available to the student, such as a waiver program established under Section 1915(c), Social Security Act (42 U.S.C. Section 1396n(c));
 - (5) postsecondary educational programs and services, including the inventory maintained by the Texas Higher Education Coordinating Board under Section 61.0663;
 - (6) information sharing with health and human services agencies and providers;
 - (7) guardianship and alternatives to guardianship, including a supported decision-making agreement under Chapter 1357, Estates Code;
 - (8) self-advocacy, person-directed planning, and self-determination; and
 - (9) contact information for all relevant state agencies.
- (e) A school district shall:
- (1) post the transition and employment guide on the district's website if the district maintains a website; ~~and~~
 - (2) provide written information and, if necessary, assistance to a student or parent regarding how to access the electronic version of the guide at:

House Bill 1886
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(A) the first meeting of the student's admission, review, and dismissal committee at which transition is discussed; and ~~[or]~~
(B) the first committee meeting at which transition is discussed that occurs after the date on which the guide is updated; and
(3) on request, provide a printed copy of the guide to a student or parent ~~[becomes available, if a student has already had an admission, review, and dismissal committee meeting discussing transition].~~ [FA2]

No equivalent provision.

SECTION __. Section 29.017, Education Code, is amended by amending Subsections (c) and (d) and adding Subsections (c-1), (c-2), (c-3), (e), and (f) to read as follows:
(c) Not later than one year before the 18th birthday of a student with a disability, the school district at which the student is enrolled shall:
(1) provide to the student and the student's parents:
(A) written notice regarding the transfer of rights under this section; and
(B) information and resources regarding guardianship, alternatives to guardianship, including a supported decision-making agreement under Chapter 1357, Estates Code, and other supports and services that may enable the student to live independently; and
(2) ensure that the student's individualized education program includes a statement that the district provided the notice, information, and resources required under Subdivision (1).
(c-1) In accordance with 34 C.F.R. Section 300.520 ~~[300.517]~~, the school district shall provide written notice to ~~[notify]~~ the student and the student's parents of the transfer of rights under this section. The notice must include the

House Bill 1886
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

information and resources provided under Subsection (c)(1)(B).

(c-2) If a student with a disability or the student's parent requests information regarding guardianship or alternatives to guardianship from the school district at which the student is enrolled, the school district shall provide to the student or parent information and resources on supported decision-making agreements under Chapter 1357, Estates Code.

(c-3) The commissioner shall develop and post on the agency's Internet website a model form for use by school districts in notifying students and parents as required by Subsections (c) and (c-1). The form must include the information and resources described by Subsection (c). The commissioner shall review and update the form, including the information and resources, as necessary.

(d) The commissioner shall develop and post on the agency's Internet website the information and resources described by Subsections (c), (c-1), and (c-2).

(e) Nothing in this section prohibits a student from entering into a supported decision-making agreement under Chapter 1357, Estates Code, after the transfer of rights under this section.

(f) The commissioner shall adopt rules implementing the provisions of 34 C.F.R. Section 300.520(b) [~~300.517(b)~~].
[FA2]

No equivalent provision.

SECTION __. Sections 29.011, 29.0112, and 29.017, Education Code, as amended by this Act, apply beginning with the 2018-2019 school year. [FA2]

House Bill 1886
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 2. Sections 38.003(a) and (b-1), Education Code, are amended 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 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-1) Unless otherwise provided by law, a student determined to have dyslexia during screening or testing under Subsection (a) or accommodated because of dyslexia may not be rescreened or retested for dyslexia for the purpose of reassessing the student's need for accommodations until the district reevaluates the information obtained from previous screening or testing of the student.

SECTION 3. Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.0032 to read as follows:

Sec. 38.0032. DYSLEXIA TRAINING OPPORTUNITIES.

(a) The agency shall annually develop a list of training opportunities regarding dyslexia that satisfy the requirements of Section 21.054(b). The list of training opportunities must include at least one opportunity that is available online.

(b) A training opportunity included in the list developed under Subsection (a) must:

(1) comply with the knowledge and practice standards of an international organization on dyslexia; and

(2) enable an educator to:

(A) understand and recognize dyslexia; and

(B) implement instruction that is systematic, explicit, and evidence-based to meet the educational needs of a student

SENATE VERSION (IE)

SECTION 2. Same as House version.

SECTION 3. Same as House version.

CONFERENCE

House Bill 1886
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

with dyslexia.

SECTION 4. Section 38.003, Education Code, as amended by this Act, applies beginning with the 2017-2018 school year.

SECTION 4. Same as House version.

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, 2017.

SECTION 5. Same as House version.