

BILL ANALYSIS

Senate Research Center

H.B. 461
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under Texas Education Agency rule, schools are required to provide instruction to students identified as having dyslexia or related disorders, establishing a need for instructors in this field. However, instruction for such individuals often is offered outside of the school system in therapy settings by privately employed instructors.

Currently, instructors in Texas working with students identified as having dyslexia or related disorders do not have to meet state-recognized standards. No state guidelines specify the amount of training or expertise required for individuals working in this field. Establishing state-recognized standards for these instructors will provide quality control in the preparation of professionals who instruct individuals with dyslexia or related disorders.

This bill creates the Dyslexia Practitioners and Therapists Title Recognition Act, which specifies that the requirements to achieve membership in the Academic Language Therapy Association as an associate academic language teacher and a certified academic language therapist are the state dyslexia practitioner title recognition standards and state dyslexia therapist title recognition standards, respectively.

H.B. 461 relates to the detection and treatment of dyslexia, including the use of certain professional titles by dyslexia practitioners and therapists, and provides a criminal penalty.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subtitle G, Title 3, Occupations Code, by adding Chapter 403, as follows:

CHAPTER 403. DYSLEXIA PRACTITIONERS AND THERAPISTS

Sec. 403.001. **SHORT TITLE.** Authorizes this chapter to be cited as the Dyslexia Practitioners and Therapists Title Recognition Act.

Sec. 403.002. **STATE TITLE RECOGNITION STANDARDS.** (a) Requires a person, to meet the state dyslexia practitioner title recognition standards, to have earned at least a bachelor's degree from an accredited public or private institution of higher education; successfully completed at least 45 hours of course work in multisensory structured language education from a training program that meets the requirements of Section 403.0025; completed at least 60 hours of supervised clinical experience in multisensory structured language education; completed at least five demonstration lessons of the practice of multisensory structured language education, each observed by an instructor from a training program that meets the requirements of Section 403.0025 and followed by a conference with and a written report by the instructor; and successfully completed a national multisensory structured language education competency examination as required by a national certifying professional organization.

(b) Requires a person, to meet the state dyslexia therapist title recognition standards, to have earned at least a bachelor's degree from an accredited public or

private institution of higher education; successfully completed at least 200 hours of course work in multisensory structure language education from a training program that meets the requirements of Section 403.0025; completed at least 700 hours of supervised clinical experience in multisensory structured language education; completed at least 10 demonstration lessons of the practice of multisensory structured language education, each observed by an instructor from a training program that meets the requirements of Section 403.0025 and followed by a conference with and a written report by the instructor; and successfully completed a national multisensory structured language education competency examination as required by a national certifying professional organization.

(c) Requires that clinical experience required under Subsections (a)(3) (relating to completing a supervised clinical experience) and (b)(3) (relating to completing a supervised clinical experience) be obtained under the supervision of a qualified instructor or an instructor from an accredited training program that meets the requirements of Section 403.0025.

Sec. 403.0025. REQUIREMENTS FOR TRAINING PROGRAMS. (a) Provides that a multisensory structured language education training program completed by the applicant for purposes of determining whether a person satisfies the training requirements under the state dyslexia practitioner or state dyslexia therapist title recognition standards is required to:

- (1) be accredited by a nationally recognized accrediting organization;
- (2) have in writing defined goals and objectives, areas of authority, and policies and procedures;
- (3) have the appropriate financial and management resources to operate the training program, including a knowledgeable administrator and standard accounting and reporting procedures;
- (4) have a physical site, equipment, materials, supplies, and environment suitable for the training program;
- (5) have a sufficient number of instructional personnel who have completed the requirements for certification in multisensory structured language education;
- (6) have been reviewed by multisensory structured language education professionals who are not affiliated with the training program;
- (7) have developed and followed procedures to maintain and improve the quality of training provided by the program;
- (8) have provided direct instruction in the principles and in each element of multisensory structured language education for a minimum of 45 contact hours of course work for training program participants who seek to meet the state dyslexia practitioner title recognition standards, and 200 contact hours of course work for training program participants who seek to meet the state dyslexia therapist title recognition standards;
- (9) have required training program participants to complete a program of supervised clinical experience in which the participants provided multisensory structured language education to students or adults, either individually or in small groups, for a minimum of 60 hours for training program participants who seek to meet the state dyslexia practitioner title recognition standards and 700 hours for training program participants who seek to meet the state dyslexia therapist title recognition standards;

(10) have required training program participants to demonstrate the application of multisensory structured language education principles of instruction by completing demonstration lessons observed by an instructor and followed by a conference with and a written report by the instructor; and

(11) have provided instruction based on the Texas Education Agency (TEA) publication "The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders (2007)," or a revised version of that publication approved by TEA.

(b) Requires that a training program require a training program participant who seeks to meet the state dyslexia practitioner title recognition standards to have completed at least five demonstration lessons described by Subsection (a)(10) and a participant who seeks to meet the state dyslexia therapist title recognition standards to have completed at least 10 demonstration lessons describe by Subsection (a)(10).

Sec. 403.003. CERTIFICATION REQUIRED. (a) Prohibits a person from using the title of, or representing to the public that the person is, a "registered dyslexia practitioner" or "associate academic language teacher" or use the initials "RDP" or "AALT" unless the person is certified by the Academic Language Therapy Association as meeting the state dyslexia practitioner title recognition standards.

(b) Prohibits a person from using the title of, or representing to the public that the person is, a "registered dyslexia therapist" or "certified academic language therapist" or use the initials "RDT" or "CALT" unless the person is certified by the Academic Language Therapy Association as meeting the state dyslexia therapist title recognition standards.

Sec. 403.004. CRIMINAL PENALTY. (a) Provides that a person commits an offense if the person violates Section 403.003.

(b) Provides that an offense under this section is a misdemeanor punishable by a fine not to exceed \$1,000.

Sec. 403.005. APPLICABILITY. Provides that this chapter does not require a school district to employ a person who meets the state dyslexia practitioner or state dyslexia therapist title recognition standards; require a person who holds a license issued under Chapter 501 (Psychologists) to meet the state dyslexia practitioner or state dyslexia therapist title recognition standards; or authorize a person who is not licensed under Chapter 401 (Speech-Language Pathologists and Audiologists) to practice audiology or speech-language pathology.

SECTION 2. (a) Provides that an interim committee is created to study and recommend legislation to increase awareness of early detection and treatment of dyslexia and related disorders. Requires the committee's study to examine early detection and intervention, access to treatment in rural areas of the state, the role of public education and higher education in detection and treatment, treatment for older students and adults, and any barriers related to accommodations for individuals with dyslexia and related disorders.

(b) Provides that the committee consists of the nine certain appointed members.

(c) Requires the committee to elect a presiding officer from among its members.

(d) Requires the committee to convene at the call of the presiding officer.

(e) Prohibits committee members from receiving compensation or reimbursement of expenses for serving on the committee.

(f) Requires the committee, not later than December 1, 2010, to report the committee's findings and recommendations to the lieutenant governor, the speaker of the house of representatives, and the governor.

(g) Requires the lieutenant governor, the speaker of the house of representatives, and the governor, not later than the 60th day after the effective date of this Act, to appoint the members of the interim committee created under this section.

SECTION 3. Provides that Section 2 of this Act expires September 1, 2011.

SECTION 4. Effective date: September 1, 2009.