

Texas HB2 Article 4: Special Education Services for Deaf/Hard of Hearing and Visual Impairments (Sections 4.41-4.49) - Incentives and Likely Results

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Opinionated Executive Summary: Good Intentions, Unintended Results

The rules in Article 4 about helping students with language learning and hearing or vision problems will not work as expected. While the goal is to help students with disabilities get the services they need, these rules cause more problems than they solve.

Instead of giving schools more freedom to help students, these rules will take away local control and create too much paperwork. Below, the analysis shows how these rules will go wrong, based on my 7-code system for evaluating problems.

The Testing Trap: More Paperwork, Less Teaching

The law says it will help young deaf and hard-of-hearing children improve their language skills, but it will actually create a huge system to collect data. Schools will be required to spend time gathering information for the state, which takes away time from actual teaching or therapy.

Teachers will have to focus on filling out even MORE reports taking away the value work of direct teaching with students. This will hurt the students who need the help because teachers will have less time to teach.

The One-Size-Does-NOT-Fit-All Problem

The law says districts must offer personalized help for students with hearing or vision problems, but it also forces schools to follow the same rules for every student. At the same time they preach that every student is different and needs different kinds of help.

Schools will lose the ability to make education plans that differ very much for each student. Instead, they will have to use systems that use a checklist approach to fit each student's needs.

Taking Away Even More Local Decisions

The law says it will help kids with hearing and vision problems get services in their own communities. But in reality, it takes away local schools' power to decide what's best for their students.

Teachers and school leaders who know their students best will have less say in important decisions. Instead, people who work for the state and don't know the students will make choices about their education.

Even More Paperwork, Less Time for Students

The law says it wants to make special education better by requiring experts like braille teachers and mobility specialists. But it will also require so much paperwork that these experts will spend more time filling out forms than actually helping students.

Instead of focusing on students, these professionals will be busy with administrative tasks. This means students will get less direct help from the people trained to work with them.

Confusing Reports Instead of Clear Communication

The law says it will make education clearer by requiring public reports on how students are doing. But these reports will be so complicated that they won't help parents understand what's happening with their child's education.

Parents will find it harder, not easier, to understand how their child is doing in school. Good communication between teachers and families will be replaced by complex forms that don't give clear information.

Why These Problems Will Happen

These issues show that the law doesn't understand how good systems can work. Helping kids with disabilities succeed depends on strong cooperation between teachers and students, local knowledge about what each student needs, and the ability to change methods when something isn't working as planned.

The law forces too many rules and reports instead of helping schools meet students' real needs. By creating too many paperwork requirements and too much state control, the law will block real progress and hurt the students, families, and teachers it's supposed to help.

Detailed Analysis

Main Table

SUCCESS: All vectors in article4_likely_results_revised have equal length: 32

Search:

Category	Incentive Created	Intended Result	Codes for Destructive Results We Will Actually Get
<input type="text" value="All"/>	<input type="text" value="All"/>	<input type="text" value="All"/>	<input type="text" value="All"/>
Language Acquisition Assessment Requirements	School districts must ensure language acquisition assessment of deaf/hard of hearing children 8 years or younger using commissioner-approved tools	Ensure systematic assessment and tracking of language development in young deaf and hard of hearing children	A, C, D, E, F
Language Acquisition Assessment Requirements	Districts must report assessment data to commissioner through PEIMS or other method on schedule set by commissioner rule	Provide data collection mechanism for monitoring language acquisition progress and outcomes across state	C, D, E, F
Language Acquisition Assessment Requirements	Commissioner must adopt rules establishing assessment data required to be reported under subsection requirements	Establish regulatory framework for consistent assessment data reporting and program evaluation	C, D, E, F
Language Acquisition Assessment Requirements	Commissioner must annually post report on language acquisition of children 8 years or younger who are deaf/hard of hearing	Create transparency and accountability through public reporting of language acquisition outcomes	D, E, F
Language Acquisition Assessment Requirements	Commissioner must use assessment data reported in determining whether to award grants under Section 29.018	Use assessment data to inform grant allocation decisions for programs serving students with disabilities	A, B, C, F
Language Acquisition Assessment Requirements	Commissioner must use assessment data in seeking federal money for projects aimed at improving outcomes for students with disabilities	Leverage assessment data to secure federal funding for evidence-based improvement projects	A, B, C, F
State Plan for Children with Impairments	Agency must develop and administer comprehensive statewide plan for education of children under 22 years who have visual impairments, are deaf/hard of hearing, or deaf-blind	Ensure comprehensive educational planning and service delivery for students with various sensory impairments	C, E, F
State Plan for Children with Impairments	Agency must develop standards and guidelines for all special education services for children with visual impairments, deaf/hard of hearing, or deaf-blind	Establish consistent quality standards for special education services across different types of impairments	C, D, F
State Plan for Children with Impairments	Agency must supervise regional education service centers in assisting school districts serving children with impairments more effectively	Improve coordination and support for local districts serving students with sensory impairments	C, E, F
State Plan for Children with Impairments	Agency must maintain effective liaison between special education programs and related initiatives of other state agencies	Create integrated approach linking special education programs with broader state health and human services	C, E, F

Showing 1 to 10 of 32 entries

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Supplemental Tables

Checking category analysis table:

SUCCESS: Category analysis vectors match

Checking code frequency table:

SUCCESS: Code frequency vectors match

Title
All
INCENTIVE CATEGORY ANALYSIS

Incentive Category	Number of Incentives
All	All
Visual Impairment Education Requirements	9
Language Acquisition Assessment Requirements	6
State Plan for Children with Impairments	6
Texas School Funding Adjustments	4
Texas School Memorandum Requirements	4
Regional Day School Legislative Intent	1
Regional Day School Statewide Plan	1
School Offense Complaint Requirements	1

Title
All
NEGATIVE RESULT CODE FREQUENCY

Negative Result Code	Frequency	Percentage
All	All	All
F	32	100
C	26	81.25
E	22	68.75
D	14	43.75
A	4	12.5
B	3	9.375
G	3	9.375

Title	
All	

KEY CODED PATTERN FINDINGS

Finding	Description
All	All
Most Destructive Pattern	Code F (decreases local control) appears in 90.625% of incentives, representing near-universal loss of local decision-making authority
State Dependency Universal Impact	Code C (increases state dependency) appears in 84.375% of incentives, creating systematic reliance on state bureaucracy across special education
Local Control Elimination	Code F (decreases local control) appears in 29 of 32 incentives, indicating comprehensive state takeover of specialized education decisions
Administrative Burden Concentration	Code E (increases admin burden) appears in 53.125% of incentives, concentrated in assessment, evaluation, and reporting requirements
Accountability Substitution Pattern	Code D (substitutes accountability for improvement) appears in 43.750% of incentives, replacing system improvement with measurement systems
Motivation Corruption in Key Areas	Code A (decreases intrinsic motivation) appears in 15.625% of incentives, undermining professional dedication in funding and assessment areas
Most Problematic Policy Categories	Visual Impairment Education Requirements (9 incentives) and Language Acquisition Assessment Requirements (6 incentives) show highest concentrations of harmful effects
People-as-Problem Approach	Code G (treats people as problem) appears in 9.375% of incentives, concentrated in school discipline and complaint procedures
Competition vs Cooperation Pattern	Code B (decreases cooperation) appears in 12.500% of incentives, primarily in competitive funding and resource allocation mechanisms

Title	
CODED ANALYSIS SUMMARY STATISTICS	

Metric	Value
Total Incentives Analyzed	32
Most Problematic Code	Code F (appears 32 times - 90.625%)
Most Frequent Code Combination	C, F (State dependency + Loss of local control)
Incentives with Code C (State Dependency)	26
Incentives with Code F (Reduced Local Control)	32
Average Codes per Incentive	3.25

Key List of Likely Negative Results

The evaluation codes are based on these axioms:

- Central planning (one size fits all) degrades everyone's performance

- Makes nearly every district action a legal matter
- Robs people of pride in their work
- Efforts at 'accountability' will not improve performance of anyone
- Cooperation within an organization is far more effective than competition
- All incentives work; some promote and some pervert the ***intention*** of the incentive

SUCCESS: Coding key vectors have equal length: 7

Search:

Code	Likely_Negative_Result
A	Decreases intrinsic motivation in favor of extrinsic motivation
B	Decreases cooperation within districts in favor of competition for resources
C	Increases dependency on State funding and bureaucracy
D	Substitutes 'accountability' for improvement of the system people work in
E	Increases district administrative burdens
F	Decreases local control and flexibility
G	Treats people as the 'problem', instead of the system they work in

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