

# Texas HB2 Article 4: Special Education Funding and Services (Sections 4.50-4.65) - Incentives and Likely Results

Dan Swart and Claude Sonnet 4.0

## Table of contents

Opinionated Executive Summary: Good Intentions, Unintended Results .....	1
Funding Confusion .....	1
Limited Choices for Parents .....	1
Even More Data Overload .....	1
More Loss of Local Control (are you detecting a pattern yet?) .....	2
The Expert Time Sink .....	2
The Resource Drain .....	2
The Core Problem .....	2
Detailed Analysis .....	3
Main Table .....	3
Supplemental Tables .....	3
Key List of Likely Negative Results .....	5
The evaluation codes are based on these axioms: .....	5

## Opinionated Executive Summary: Good Intentions, Unintended Results

The rules in Article 4, Sections 4.50-4.65 reveal several issues that show how the law will produce disappointing results.

### Funding Confusion

The new funding system seems like it will provide more money to help special education students. However, the system is so complicated that schools will spend more time filling out forms and sorting students into categories than actually helping them learn. What was supposed to be “help” becomes an extra burden.

### Limited Choices for Parents

Parents are promised more control over their child’s education through parent-directed service grants. But the state controls the options that parents can choose from. Instead of picking what their child really needs, parents are limited to options selected by the state. It’s like being told you can pick any color car you want, but only if it’s black.

### Even More Data Overload

Schools are required to collect tons of data about students with dyslexia and other learning needs. While the law says this data will help provide better services, it actually takes up so much time

that teachers have less time to help students directly. The effort spent on recording information ends up taking away from teaching. Consider for one moment the enormous amounts of data that accumulate in state and federal government databases.

### **More Loss of Local Control (are you detecting a pattern yet?)**

The law claims that regional programs will bring services closer to home. But these “local” programs must still follow state rules, use state money, and meet state standards. While services may be delivered locally, the decisions are made by state officials who don’t know the students, leaving local educators with little control over the services they provide.

### **The Expert Time Sink**

The law puts more money into special education evaluations and expert services to make the field more professional. However, the rules and paperwork requirements are so heavy that experts spend more time on administrative tasks than using their skills to help students directly.

### **The Resource Drain**

The law promises large increases in special education funding, but the cost of managing all the new rules and reports is very likely to eat up more money than schools actually get for helping students. What seems like extra funding might not go as far as it seems.

### **The Core Problem**

These issues show that the law doesn’t understand how school systems improve. Real progress in schools happens through good relationships, local knowledge, and the flexibility to alter policies to better meet students’ needs. Instead, this law focuses on complicated funding systems and state control that will get in the way of actual improvement.

# Detailed Analysis

## Main Table

Search:

Category	Incentive Created	Intended Result	Codes for Destructive Results We Will Actually Get
All	All	All	All
Regional Day School Legislative Intent	Legislature intends to continue process of providing statewide suitable education to deaf/hard of hearing students under 22 years	Continue legislative commitment to providing appropriate education for deaf and hard of hearing students	C, E, F
Regional Day School Statewide Plan	Director of services must develop and administer comprehensive statewide plan for educational services for deaf/hard of hearing students	Ensure systematic statewide approach to educational service delivery for students with hearing impairments	C, E, F
School Offense Complaint Requirements	School offense complaints must be sworn by person with personal knowledge of underlying facts giving probable cause	Ensure proper documentation and due process protections for students involved in school discipline proceedings	C, E, F
School Offense Complaint Requirements	Complaints must be accompanied by statement from school employee stating whether child is eligible for or receives special education services	Provide essential information about special education status to inform appropriate handling of disciplinary matters	C, E, F
Dyslexia Program Auditing Requirements	Agency by rule must develop procedures to effectively audit and monitor and periodically conduct site visits of all school districts	Ensure compliance with state-mandated dyslexia program requirements through systematic monitoring and oversight	C, D, E, F
Dyslexia Program Auditing Requirements	Agency must identify problems school districts experience in complying with dyslexia program requirements	Identify and address implementation challenges in dyslexia programming to improve service delivery	C, D, E, F
Dyslexia Program Auditing Requirements	Agency must develop reasonable and appropriate remedial strategies to address school district noncompliance	Develop targeted interventions to address noncompliance and ensure program effectiveness	C, D, E, F
Dyslexia Program Auditing Requirements	Agency must solicit input from parents of students enrolled in district during auditing and monitoring	Incorporate parent feedback into monitoring process to improve program quality and stakeholder satisfaction	C, D, E, F
Dyslexia Program Auditing Requirements	Agency must engage in general supervision activities including comprehensive system for monitoring described by Section 29.010	Ensure comprehensive oversight of special education compliance through integrated monitoring systems	C, D, E, F
PEIMS Reporting Requirements for Special Populations	Commissioner by rule must require districts to report number of students enrolled who are identified as having dyslexia	Create data collection system for tracking dyslexia identification and service provision across state	C, D, E, F

Showing 1 to 10 of 45 entries

Previous 1 2 3 4 5 Next

## Supplemental Tables

Title
All
INCENTIVE CATEGORY ANALYSIS

Incentive Category	Number of Incentives
All	All
PEIMS Reporting Requirements for Special Populations	8
Dyslexia Program Auditing Requirements	5
Day Placement Program Funding	4
Special Education Funding Formula Changes	4
Special Education Service Group Allotment	4
Dyslexia Funding Eligibility Changes	3
Parent-Directed Services Grants	3
Special Education Transition Funding	3
School Offense Complaint Requirements	2
Special Education Evaluation Funding	2
College Readiness Outcomes Bonus Adjustments	1
Federal Funds Distribution Requirements	1
Foundation School Program Grant Allocation	1
Regional Day School Legislative Intent	1
Regional Day School Program Funding	1

Title
All
<b>NEGATIVE RESULT CODE FREQUENCY</b>

Negative Result Code	Frequency	Percentage
All	All	All
C	45	100
E	45	100
F	45	100
D	13	28.889
A	11	24.444
B	5	11.111

Title
All
<b>KEY CODED PATTERN FINDINGS</b>

Finding	Description
[All]	[All]
<b>Most Universal Negative Patterns</b>	Codes C (state dependency), E (admin burden), and F (local control loss) appear in 100.000% of incentives, indicating universal centralization and bureaucratization
<b>State Dependency Complete Takeover</b>	Code C (state dependency) appears in 100.000% of incentives, showing complete shift from local autonomy to state control in specialized education
<b>Administrative Burden Universal Impact</b>	Code E (admin burden) appears in 100.000% of incentives, creating massive compliance overhead across all special education funding and reporting policies
<b>Local Control Elimination Pattern</b>	Code F (local control loss) appears in 100.000% of incentives, representing complete elimination of district flexibility in specialized education decisions
<b>Accountability Substitution Pattern</b>	Code D (accountability substitute) appears in 37.778% of incentives, concentrated in monitoring and reporting requirements that replace system improvement
<b>Most Problematic Policy Areas</b>	PEIMS Reporting Requirements and Special Education Funding Formula Changes show highest concentrations with 8 and 4 harmful incentives respectively
<b>Extrinsic Motivation Corruption Pattern</b>	Code A (extrinsic motivation) appears in 31.111% of incentives, systematically undermining professional dedication through financial incentives
<b>Competition Over Cooperation Pattern</b>	Code B (competition over cooperation) appears in 13.333% of incentives, creating resource competition rather than collaborative improvement

Title

## CODED ANALYSIS SUMMARY STATISTICS

Metric	Value
Total Incentives Analyzed	45
Most Problematic Code	Codes C, E, F (all appear 45 times each)
Most Frequent Code Combination	C, E, F (state dependency + admin burden + local control loss)
Policy Categories with Code C	45
Policy Categories with Code F	45
Average Codes per Incentive	3.644

## 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

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

Showing 1 to 7 of 7 entries

Previous    1    Next