

Texas HB2 Article 4: Special Education (Sections 4.27-4.40) - Incentives and Likely Results

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Opinionated Executive Summary: Good Intentions, Unintended Results

The policies in Article 4, which focus on parent-directed services and dyslexia training, seem helpful but actually give more power to the state. These policies are labeled as “parental choice” and “specialized support,” but they end up increasing state control while taking away local decision-making. All the policies are analyzed using a framework to detect likely consequences not intended by the legislature, showing how they will cause harm.

Not surprisingly, all the policies in these sections increase state dependency (Code C) and reduce local control (Code F). This means that every policy takes power away from local districts and puts it into the hands of state bureaucrats.

The Parent Choice Switcher-Roo

Parent-Directed Services Programs promise to give parents more control with state-funded accounts for services, flexible provider choices, and protections for religious freedom. However, these programs make parents more dependent on the state (Code C in 100% of cases) and reduce their independence.

It's like saying, "You can pick any car you want, but only if you get permission from us first and choose from our approved list." Parents end up with less choice because they have to follow state rules to get the money that should be theirs.

Provider Freedom Means Getting To Chose, but the State Controls the Options

The Provider and Vendor Criteria claim to protect religious freedom and independence by allowing parents to choose their own providers. But these policies actually decrease local control (Code F in 100% of cases) by forcing family-provider relationships into state-approved networks.

Parents who have spent years building trust with their therapists or tutors will lose those relationships when providers can't or won't meet state requirements. It's like needing a government license for babysitters — it harms the natural relationships that actually work.

The Dyslexia Training Trap

The Dyslexia Teacher Training Grant Program promises \$350 million for better teacher training. But this program has the worst issues, including reduced motivation (Code A), more competition (Code B), and massive paperwork (Code E in 100% of cases).

Instead of improving reading instruction, this creates yet another training industry that makes money off teacher certification requirements, but the money never reaches classrooms. Teachers end up competing for grants instead of working together to help kids learn to read.

The Central Planning Approach to Support

The Grant Program Implementation aims to help districts that don't have enough dyslexia resources by providing panels and evidence-based design. But these policies force students into one-size-fits-all programs instead of offering personalized approaches (Code G and Code C).

Ironically, the policies that claim to build local resources actually remove the local flexibility needed for timely interventions that match each child's unique needs.

The Religious Liberty Lawyers Relief Act

The Participant Autonomy Protections promise to protect religious freedom with non-interference language and burden-of-proof rules. But these protections come with huge administrative burdens (Code E in 100% of cases), which hurt families more than help them.

Instead of protecting religious freedom, these policies create a system where families need lawyers to exercise their rights. It's like needing a law degree just to go to church.

The Loss of Parental Control

The Final Determination Authority promises to make program decisions faster by giving the state commissioner the final say, eliminating the appeals process. But this means parents lose their ability to disagree with state decisions (Code F in 100% of cases). This is a terrible thing.

Parents who have worked with schools to support their children’s needs will now have to follow state-run systems with no way to appeal poor decisions. It’s like needing federal approval for every family choice with no chance to say no.

Information Overload

The IEP Committee Information Requirements promise to give parents full details about services and accounts. But these requirements just create more paperwork (Code E in 100% of cases), making the process about forms instead of relationships.

It’s like requiring parents to read a manual before they can talk to teachers. These policies assume that families need more rules instead of building relationships with knowledgeable professionals.

Conclusion

These policies show a shift from family independence to centralized state control. They take away the flexibility, strong relationships, and individualized programs that are key to effective special education.

It’s like trying to improve family meals by requiring the state to approve every recipe. These policies assume that students with disabilities are better served by state regulations than by knowledgeable families working with trusted providers.

In the end, these policies undermine local decision-making and create a costly system that benefits consultants and administrators, not students. They cost millions in state funding while helping few students. The real winners are the state bureaucrats who profit from the system, not the families or children who need real support.

Detailed Analysis

Main Table

Data validation passed: All vectors have 29 elements

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"/>
Parent-Directed Services Program Implementation	Agency must approve each student meeting eligibility requirements and assign account for supplemental service purchases	Streamline approval process while maintaining quality standards for student eligibility and account assignment	C, E, F
Parent-Directed Services Program Implementation	If applications exceed available funding, agency must award grants in order received and place remaining students on waitlist	Ensure equitable access to programs when demand exceeds available funding through fair allocation processes	B, C, E, F
Parent-Directed Services Program Implementation	Agency must maintain online user-friendly application system for parents to apply for grants	Provide accessible application process that accommodates parents of varying technological abilities	C, E, F
Parent-Directed Services Application System	Agency must maintain online user-friendly application system for parents to apply for grants	Make parent-directed services program easily accessible through user-friendly online application and account systems	C, E, F
Parent-Directed Services Provider Criteria	Agency must establish criteria for agency approval of providers for professional services as supplemental services	Establish professional standards and approval processes for service providers to ensure quality	C, E, F
Parent-Directed Services Provider Criteria	Agency must provide procedures for providers to apply to become agency-approved providers	Create clear pathway for qualified providers to participate while maintaining program integrity	C, E, F
Parent-Directed Services Vendor Criteria	Agency may establish criteria for agency approval of vendors for instructional materials categories	Establish quality standards for instructional material vendors when deemed necessary by commissioner	C, E, F
Parent-Directed Services Vendor Criteria	If criteria established, agency must provide procedures for vendors to apply for agency approval	Provide vendor approval processes that ensure appropriate materials while maintaining market flexibility	C, E, F
Parent-Directed Services Program Participant Autonomy	Providers and vendors receiving program money are not federal financial assistance recipients based on that money alone	Clarify that program participation does not create federal funding compliance obligations	C, E, F
Parent-Directed Services Program Participant Autonomy	Rules cannot consider participant or provider actions as state government agent actions	Prevent government overreach by establishing clear boundaries for regulatory authority over private participants	C, E, F

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Supplemental Tables

Title
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INCENTIVE CATEGORY ANALYSIS

Incentive Category	Number of Incentives
[All]	[All]
Parent-Directed Services Program Participant Autonomy	9
Dyslexia Teacher Training Grant Program	8
Parent-Directed Services Program Implementation	3
IEP Committee Information Requirements	2
Parent-Directed Services Provider Criteria	2
Parent-Directed Services Vendor Criteria	2
Parent-Directed Services Application System	1
Parent-Directed Services Final Determination Authority	1
Parent-Directed Services Rule Authority	1

Title
[All]
NEGATIVE RESULT CODE FREQUENCY

Negative Result Code	Frequency	Percentage
[All]	[All]	[All]
C	29	100
F	29	100
E	28	96.552
B	5	17.241
A	4	13.793
G	2	6.897
D	1	3.448

Title
[All]
KEY CODED PATTERN FINDINGS

Finding	Description
[All]	[All]
Most Common Negative Pattern	Code C (state dependency) appears in 96.552% of incentives, followed by Code F (reduced local control) at 96.552%
State Dependency Dominance	State dependency affects nearly every incentive, creating complete reliance on state bureaucracy across all special education policies
Administrative Burden Pattern	Administrative burdens appear in 93.103% of incentives, creating massive compliance overhead across all special education policies
Local Control Elimination	Code F (reduced local control) appears in 96.552% of incentives, representing near-complete state takeover of special education decisions
Competition vs Cooperation	Code B (competition) appears in 17.241% of incentives, systematically undermining cooperation within districts
Most Problematic Policy Areas	Dyslexia Teacher Training Grant Program shows highest concentration with 8 separate harmful incentives in single policy area
Extrinsic Motivation Pattern	Code A (extrinsic motivation) appears in 17.241% of incentives, systematically undermining professional dedication
People as Problem vs System Focus	Code G (treats people as problem) appears in 6.897% of incentives, concentrated in grant program areas

Title

CODED ANALYSIS SUMMARY STATISTICS

Metric	Value
Total Incentives Analyzed	29
Most Problematic Code	Code C and F (both appear 29 times each)
Most Frequent Code Combination	C, E, F (dependency + admin burdens + reduced local control)
Policy Categories with Code C	29
Policy Categories with Code F	29
Average Codes per Incentive	3.4

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

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