

By: LaMantia

S.B. No. 2236

A BILL TO BE ENTITLED

AN ACT

relating to the list of reading instruments adopted and maintained by the commissioner of education.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 28.006, Education Code, is amended by amending Subsections (b), (c), (c-1), (c-2), and (c-3) and adding Subsections (b-2), (b-3), (b-4), (f-1), and (n) to read as follows:

(b) The commissioner shall adopt a comprehensive list of reading instruments that a school district may use to diagnose ~~[student]~~ reading development and comprehension for students who are enrolled in kindergarten or in the first, second, or seventh grade. For use in diagnosing the reading development and comprehension of kindergarten students, the commissioner shall adopt ~~[a]~~ multidimensional assessment tools ~~[tool]~~ that include ~~[includes a]~~ reading instruments that test ~~[instrument and tests]~~ at least three developmental skills, including literacy. A multidimensional assessment tool administered as provided by this subsection is considered to be a reading instrument for purposes of this section. A school district ~~[district-level committee established under Subchapter F, Chapter 11,]~~ may use other ~~[adopt a list of]~~ reading instruments, ~~[for use in the district in a grade level other than kindergarten]~~ in addition to the reading instruments included on the commissioner's list. Each reading instrument adopted by the commissioner ~~[or a district-level~~

1 ~~committee]~~ must be based on scientific research concerning reading  
2 skills development and reading comprehension. A list of reading  
3 instruments adopted under this subsection must provide for  
4 diagnosing the reading development and comprehension of students  
5 participating in a program under Subchapter B, Chapter 29.

6 (b-2) The commissioner shall include on the list any reading  
7 instrument that is:

8 (1) based on scientific research concerning reading  
9 skills development and reading comprehension; and

10 (2) submitted for inclusion on the list under  
11 Subsection (b-4).

12 (b-3) The commissioner shall annually update the list of  
13 reading instruments, including multidimensional assessment tools  
14 authorized under this section.

15 (b-4) The commissioner shall provide an online resource  
16 prominently displayed on the agency's Internet website that  
17 provides information regarding the list of reading instruments  
18 maintained by the commissioner under this section and the annual  
19 process for applying for inclusion on the list, as provided by  
20 agency rule adopted under Subsection (n).

21 (c) Each school district shall administer, at the first and  
22 second grade levels, a reading instrument that is based on  
23 scientific research concerning reading skills development and  
24 reading comprehension [~~on the list adopted by the commissioner or~~  
25 ~~by the district-level committee~~]. The district shall administer  
26 the reading instrument in accordance with the commissioner's  
27 recommendations under Subsection (a)(1).

1 (c-1) Each school district shall administer at the  
2 beginning of the seventh grade a reading instrument [~~adopted by the~~  
3 ~~commissioner~~] to each student whose performance on the assessment  
4 instrument in reading administered under Section 39.023(a) to the  
5 student in grade six did not demonstrate reading proficiency, as  
6 determined by the commissioner. The district shall administer the  
7 reading instrument in accordance with the commissioner's  
8 recommendations under Subsection (a)(1).

9 (c-2) Each school district shall administer at the  
10 kindergarten level a reading instrument [~~adopted by the~~  
11 ~~commissioner under Subsection (b) or approved by the commissioner~~  
12 ~~under Subsection (b-1)]]. The district shall administer the reading  
13 instrument in accordance with the commissioner's recommendations  
14 under Subsection (a)(1).~~

15 (c-3) The commissioner by rule shall determine the  
16 performance on a [~~the~~] reading instrument adopted under Subsection  
17 (b) that indicates kindergarten readiness.

18 (f-1) A reading instrument made available under Subsection  
19 (f) may not require the purchase of an additional service or  
20 functionality to have full and complete access to the capabilities  
21 of the reading instrument.

22 (n) The agency by rule shall provide a process for annual  
23 application for inclusion of a reading instrument on the  
24 commissioner's list of reading instruments under this section.

25 SECTION 2. Section 28.006(b-1), Education Code, is  
26 repealed.

27 SECTION 3. This Act applies beginning with the 2023-2024

1 school year.

2           SECTION 4. This Act takes effect immediately if it receives  
3 a vote of two-thirds of all the members elected to each house, as  
4 provided by Section 39, Article III, Texas Constitution. If this  
5 Act does not receive the vote necessary for immediate effect, this  
6 Act takes effect September 1, 2023.