

By: Howard

H.B. No. 1914

A BILL TO BE ENTITLED

AN ACT

relating to certain requirements relating to public school reading and mathematics instruction and textbooks.

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

SECTION 1. Section 21.044, Education Code, is amended to read as follows:

Sec. 21.044. EDUCATOR PREPARATION. (a) The board shall propose rules establishing the training requirements a person must accomplish to obtain a certificate, enter an internship, or enter an induction-year program. The board shall specify the minimum academic qualifications required for a certificate.

(b) In this subsection, "essential components of reading instruction," "reading," and "scientifically based reading research" have the meanings assigned by Section 1208, No Child Left Behind Act of 2001 (20 U.S.C. Section 6368), and its subsequent amendments. The rules adopted by the board under Subsection (a) must require that for a person to obtain a certificate under which the person may teach at an elementary grade level or teach reading at any grade level, the person must complete training in reading instruction, including training in:

(1) the essential components of reading instruction;

(2) reading;

(3) spelling;

(4) grammar, punctuation, and capitalization skills;

- 1 (5) the diagnosis of reading deficiencies;
2 (6) strategies for early intervention in reading
3 deficiencies;
4 (7) scientifically based reading research on the
5 manner in which children learn to read;
6 (8) scientifically based reading research on the
7 manner in which proficient readers read;
8 (9) the structure of the English language;
9 (10) the relationships among reading, writing, and
10 spelling;
11 (11) planning and delivering appropriate reading
12 instruction based on assessment and evaluation; and
13 (12) independent student reading of high quality books
14 and the relationship of that reading to improved reading
15 performance.

16 SECTION 2. Section 21.045, Education Code, is amended by
17 amending Subsection (c) and adding Subsection (a-1) to read as
18 follows:

19 (a-1) In this subsection, "essential components of reading
20 instruction," "reading," and "scientifically based reading
21 research" have the meanings assigned by Section 1208, No Child Left
22 Behind Act of 2001 (20 U.S.C. Section 6368), and its subsequent
23 amendments. In addition to the standards established by the board
24 under Subsection (a), each educator preparation program must
25 require that a candidate for a certificate to teach at an elementary
26 grade level or to teach reading at any grade level must complete
27 training in reading instruction, including training in:

- 1 (1) the essential components of reading instruction;
- 2 (2) reading;
- 3 (3) spelling;
- 4 (4) grammar, punctuation, and capitalization skills;
- 5 (5) the diagnosis of reading deficiencies;
- 6 (6) strategies for early intervention in reading
7 deficiencies;
- 8 (7) scientifically based reading research on the
9 manner in which children learn to read;
- 10 (8) scientifically based reading research on the
11 manner in which proficient readers read;
- 12 (9) the structure of the English language;
- 13 (10) the relationships among reading, writing, and
14 spelling;
- 15 (11) planning and delivering appropriate reading
16 instruction based on assessment and evaluation; and
- 17 (12) independent student reading of high quality books
18 and the relationship of that reading to improved reading
19 performance.

20 (c) The board shall propose rules establishing performance
21 standards for the Accountability System for Educator Preparation
22 for accrediting educator preparation programs. At a minimum,
23 performance standards must be based on Subsections [~~Subsection~~] (a)
24 and (a-1). The board shall propose rules for the sanction of
25 educator preparation programs and shall annually review the
26 accreditation status of each educator preparation program.

27 SECTION 3. Section 21.048(a), Education Code, is amended to

1 read as follows:

2 (a) In this subsection, "essential components of reading
3 instruction," "reading," and "scientifically based reading
4 research" have the meanings assigned by Section 1208, No Child Left
5 Behind Act of 2001 (20 U.S.C. Section 6368), and its subsequent
6 amendments. The board shall propose rules prescribing
7 comprehensive examinations for each class of certificate issued by
8 the board. The rules must provide that the examination for a
9 certificate under which a person may teach at an elementary grade
10 level or teach reading at any grade level must assess mastery of
11 reading instruction, including:

- 12 (1) the essential components of reading instruction;
- 13 (2) reading;
- 14 (3) spelling;
- 15 (4) grammar, punctuation, and capitalization skills;
- 16 (5) the diagnosis of reading deficiencies;
- 17 (6) strategies for early intervention in reading
18 deficiencies;
- 19 (7) scientifically based reading research on the
20 manner in which children learn to read;
- 21 (8) scientifically based reading research on the
22 manner in which proficient readers read;
- 23 (9) the structure of the English language;
- 24 (10) the relationships among reading, writing, and
25 spelling;
- 26 (11) planning and delivering appropriate reading
27 instruction based on assessment and evaluation; and

1 (12) independent student reading of high quality books
2 and the relationship of that reading to improved reading
3 performance.

4 SECTION 4. Section 21.451(a), Education Code, is amended to
5 read as follows:

6 (a) The staff development provided by a school district must
7 be conducted in accordance with minimum standards developed by the
8 commissioner for program planning, preparation, and improvement.
9 The staff development:

10 (1) must include training in:

11 (A) technology;

12 (B) conflict resolution; and

13 (C) discipline strategies, including classroom
14 management, district discipline policies, and the student code of
15 conduct adopted under Section 37.001 and Chapter 37;

16 (2) must include training that:

17 (A) relates to instruction of students with
18 disabilities; and

19 (B) is designed for educators who work primarily
20 outside of the area of special education; ~~and~~

21 (3) must include, for teachers who teach reading at
22 any grade level or special education, at least five days of training
23 in the areas described by Section 21.044(b); and

24 (4) may include instruction as to what is permissible
25 under law, including opinions of the United States Supreme Court,
26 in regard to prayers in public school.

27 SECTION 5. Section 28.002, Education Code, is amended by

1 adding Subsections (b-1) and (b-2) to read as follows:

2 (b-1) The essential knowledge and skills of English
3 language arts must include reading. The reading curriculum, based
4 on scientifically based reading research, must be grade specific
5 and increase in depth and complexity from one school year to the
6 next, focus on core knowledge, and include essential components of
7 reading instruction and instruction to promote reading. In this
8 subsection, "essential components of reading instruction,"
9 "reading," and "scientifically based reading research" have the
10 meanings assigned by Section 1208, No Child Left Behind Act of 2001
11 (20 U.S.C. Section 6368), and its subsequent amendments.

12 (b-2) The essential knowledge and skills for mathematics
13 for grades one through eight, based on scientific research, must be
14 grade specific and increase in depth and complexity from one school
15 year to the next, focus on core knowledge, and include basic
16 computational knowledge and skills.

17 SECTION 6. Section 31.023, Education Code, is amended by
18 amending Subsection (a) and adding Subsections (a-1) and (a-2) to
19 read as follows:

20 (a) For each subject and grade level, the State Board of
21 Education shall adopt two lists of textbooks. The conforming list
22 includes each textbook submitted for the subject and grade level
23 that meets applicable physical specifications adopted by the State
24 Board of Education, ~~and~~ contains material covering each element
25 of the essential knowledge and skills of the subject and grade level
26 as determined by the State Board of Education under Section 28.002
27 presented in an educationally effective manner as proven by

1 scientifically based research, and is adopted under Section 31.024.

2 The nonconforming list includes each textbook submitted for the
3 subject and grade level that:

4 (1) meets applicable physical specifications adopted
5 by the State Board of Education;

6 (2) contains material covering at least half, but not
7 all, of the elements of the essential knowledge and skills of the
8 subject and grade level presented in an educationally effective
9 manner as proven by scientifically based research; and

10 (3) is adopted under Section 31.024.

11 (a-1) In addition to the requirements of Subsection (a), to
12 be placed on the conforming or nonconforming list, a reading
13 textbook must include essential components of reading instruction
14 and instruction to promote reading, as defined by Section 1208, No
15 Child Left Behind Act of 2001 (20 U.S.C. Section 6368), and its
16 subsequent amendments, and reflect an increase in depth and
17 complexity from one school year to the next.

18 (a-2) In addition to the requirements of Subsection (a), to
19 be placed on the conforming or nonconforming list, a mathematics
20 textbook for grade one or above through grade eight must contain
21 instruction in basic computational skills that increases in depth
22 and complexity from one school year to the next.

23 SECTION 7. Subchapter B, Chapter 31, Education Code, is
24 amended by adding Section 31.031 to read as follows:

25 Sec. 31.031. TEACHER EDITIONS OF READING TEXTBOOKS. Each
26 teacher edition of a reading textbook must address:

27 (1) the structure of the English language;

- 1 (2) the relationships among reading, writing, and
2 spelling;
3 (3) planning and delivering appropriate reading
4 instruction based on assessment and evaluation; and
5 (4) independent student reading of high quality books
6 and the relationship of that reading to improved reading
7 performance.

8 SECTION 8. Sections 39.023(a) and (g), Education Code, are
9 amended to read as follows:

10 (a) The agency shall adopt or develop appropriate
11 criterion-referenced assessment instruments designed to assess
12 essential knowledge and skills in pre-reading, reading, writing,
13 mathematics, social studies, and science. All students, except
14 students assessed under Subsection (b) or (l) or exempted under
15 Section 39.027, shall be assessed in:

16 (1) mathematics, annually in grades three through
17 seven without the aid of technology and in grades eight through 11
18 with the aid of technology on any assessment instruments that
19 include algebra;

20 (2) reading, annually in grades three through nine;

21 (3) writing, including spelling and grammar, in grades
22 four and seven;

23 (4) English language arts, in grade 10;

24 (5) social studies, in grades eight and 10; [~~and~~]

25 (6) science, in grades five and 10; and

26 (7) pre-reading, including phoneme awareness, letter
27 sound knowledge, and letter knowledge, in kindergarten.

1 (g) The State Board of Education may adopt one appropriate,
2 nationally recognized, norm-referenced assessment instrument in
3 reading and mathematics to be administered to a selected sample of
4 students in the spring. The board shall adopt one appropriate,
5 nationally recognized, norm-referenced assessment instrument in
6 basic reading and reading comprehension to be administered to all
7 nonexempt students in grade three. Each [~~If adopted, a~~]
8 norm-referenced assessment instrument must be a secured test. The
9 state may pay the costs of purchasing and scoring the optional
10 norm-referenced [~~adopted~~] assessment instrument and of
11 distributing the results of that [~~the adopted~~] instrument to the
12 school districts. The state shall pay the costs of purchasing and
13 scoring the third-grade reading assessment instrument and of
14 distributing the results of that instrument to the school
15 districts. A district [~~that administers the norm-referenced test~~
16 ~~adopted under this subsection~~] shall report the results of each
17 norm-referenced assessment instrument administered by the district
18 under this subsection to the agency in a manner prescribed by the
19 commissioner.

20 SECTION 9. Notwithstanding the textbook review and adoption
21 requirements under Section 31.022, Education Code, or the textbook
22 review and adoption cycle the State Board of Education adopts under
23 that section, the board shall review and adopt reading textbooks
24 that satisfy requirements under Section 31.023, Education Code, as
25 amended by this Act, and accompanying teacher edition reading
26 textbooks that satisfy requirements under Section 31.031,
27 Education Code, as added by this Act, as soon as practicable.

1 SECTION 10. Sections 1-8 of this Act apply beginning with
2 the 2003-2004 school year.

3 SECTION 11. This Act takes effect immediately if it
4 receives a vote of two-thirds of all the members elected to each
5 house, as provided by Section 39, Article III, Texas Constitution.
6 If this Act does not receive the vote necessary for immediate
7 effect, this Act takes effect September 1, 2003.