

By: Howard

H.B. No. 221

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). The board's rules 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;

(5) the diagnosis of reading deficiencies;

1 (6) strategies for early intervention in reading
2 deficiencies;

3 (7) scientifically based reading research on the
4 manner in which children learn to read;

5 (8) scientifically based reading research on the
6 manner in which proficient readers read;

7 (9) the structure of the English language;

8 (10) the relationships among reading, writing, and
9 spelling;

10 (11) planning and delivering appropriate reading
11 instruction based on assessment and evaluation; and

12 (12) independent student reading of high quality books
13 and the relationship of that reading to improved reading
14 performance.

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

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

27 (1) the essential components of reading instruction;

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

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

26 SECTION 3. Section 21.048(a), Education Code, is amended to
27 read as follows:

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

10 (1) the essential components of reading instruction;

11 (2) reading;

12 (3) spelling;

13 (4) grammar, punctuation, and capitalization skills;

14 (5) the diagnosis of reading deficiencies;

15 (6) strategies for early intervention in reading
16 deficiencies;

17 (7) scientifically based reading research on the
18 manner in which children learn to read;

19 (8) scientifically based reading research on the
20 manner in which proficient readers read;

21 (9) the structure of the English language;

22 (10) the relationships among reading, writing, and
23 spelling;

24 (11) planning and delivering appropriate reading
25 instruction based on assessment and evaluation; and

26 (12) independent student reading of high quality books
27 and the relationship of that reading to improved reading

1 performance.

2 SECTION 4. Section 21.451, Education Code, is amended by
3 adding Subsection (b-1) to read as follows:

4 (b-1) The staff development must include, for teachers who
5 teach reading at any grade level or special education, at least five
6 days of training in the areas described by Section 21.044(b).

7 SECTION 5. Section 28.002, Education Code, is amended by
8 adding Subsections (b-1) and (b-2) to read as follows:

9 (b-1) The essential knowledge and skills of English
10 language arts must include reading. The reading curriculum, based
11 on scientifically based reading research, must be grade specific
12 and increase in depth and complexity from one school year to the
13 next, focus on core knowledge, and include essential components of
14 reading instruction and instruction to promote reading. In this
15 subsection, "essential components of reading instruction,"
16 "reading," and "scientifically based reading research" have the
17 meanings assigned by Section 1208, No Child Left Behind Act of 2001
18 (20 U.S.C. Section 6368).

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

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

27 (a) For each subject and grade level, the State Board of

1 Education shall adopt two lists of textbooks. The conforming list
2 includes each textbook submitted for the subject and grade level
3 that meets applicable physical specifications adopted by the State
4 Board of Education, ~~and~~ contains material covering each element
5 of the essential knowledge and skills of the subject and grade level
6 as determined by the State Board of Education under Section 28.002
7 presented in an educationally effective manner as proven by
8 scientifically based research, and is adopted under Section 31.024.

9 The nonconforming list includes each textbook submitted for the
10 subject and grade level that:

11 (1) meets applicable physical specifications adopted
12 by the State Board of Education;

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

17 (3) is adopted under Section 31.024.

18 (a-1) In addition to the requirements of Subsection (a), to
19 be placed on the conforming or nonconforming list, a reading
20 textbook must include essential components of reading instruction
21 and instruction to promote reading, as defined by Section 1208, No
22 Child Left Behind Act of 2001 (20 U.S.C. Section 6368), and reflect
23 an increase in depth and complexity from one school year to the
24 next.

25 (a-2) In addition to the requirements of Subsection (a), to
26 be placed on the conforming or nonconforming list, a mathematics
27 textbook for grade one or above through grade eight must contain

1 instruction in basic computational skills that increases in depth
2 and complexity from one school year to the next.

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

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

7 (1) the structure of the English language;

8 (2) the relationships among reading, writing, and
9 spelling;

10 (3) planning and delivering appropriate reading
11 instruction based on assessment and evaluation; and

12 (4) independent student reading of high quality books
13 and the relationship of that reading to improved reading
14 performance.

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

17 (a) The agency shall adopt or develop appropriate
18 criterion-referenced assessment instruments designed to assess
19 essential knowledge and skills in pre-reading, reading, writing,
20 mathematics, social studies, and science. All students, except
21 students assessed under Subsection (b) or (l) or exempted under
22 Section 39.027, shall be assessed in:

23 (1) mathematics, annually in grades three through
24 seven without the aid of technology and in grades eight through 11
25 with the aid of technology on any assessment instruments that
26 include algebra;

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

1 (3) writing, including spelling and grammar, in grades
2 four and seven;

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

4 (5) social studies, in grades eight and 10;

5 (6) science, in grades five, eight, and 10; ~~and~~

6 (7) pre-reading, including phoneme awareness, letter
7 sound knowledge, and letter knowledge, in kindergarten; and

8 (8) any other subject and grade required by federal
9 law.

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

1 commissioner.

2 SECTION 9. Notwithstanding the textbook review and adoption
3 requirements under Section 31.022, Education Code, or the textbook
4 review and adoption cycle the State Board of Education adopts under
5 that section, the board shall review and adopt reading textbooks
6 that satisfy requirements under Section 31.023, Education Code, as
7 amended by this Act, and accompanying teacher edition reading
8 textbooks that satisfy requirements under Section 31.031,
9 Education Code, as added by this Act, as soon as practicable.

10 SECTION 10. Sections 1-8 of this Act apply beginning with
11 the 2005-2006 school year.

12 SECTION 11. This Act takes effect immediately if it
13 receives a vote of two-thirds of all the members elected to each
14 house, as provided by Section 39, Article III, Texas Constitution.
15 If this Act does not receive the vote necessary for immediate
16 effect, this Act takes effect September 1, 2005.