

Amend CSHB 2162 (house committee report) as follows:

(1) On page 1, strike lines 11 through 13 and substitute the following:

amending Subsections (a), (b), (c), (c-1), (c-2), (c-3), and (j) and adding Subsections (a-1), (b-2), (b-3), (b-4), (d-1), (g-3), (g-4), (g-5), (g-6), and (n) to read as follows:

(2) Strike page 2, line 7 through page 5, line 4, and substitute the following:

(b) The commissioner shall adopt a comprehensive list of reading instruments that a school district or open-enrollment charter school shall select from for ~~[may]~~ use in diagnosing ~~[to diagnose student]~~ reading development and comprehension for students who are enrolled in kindergarten through third grade. A reading instrument included on the commissioner's list must include the foundational literacy components of phonemic and phonological awareness, phonics, vocabulary, fluency, and comprehension. 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 the foundational literacy components. 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 or open-enrollment charter school ~~[district-level committee established under Subchapter F, Chapter 11,]~~ may use other ~~[adopt a list of]~~ reading instruments, subject to Subsection (b-4), ~~[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 included on the list adopted by the commissioner or administered by a school district or open-enrollment charter school ~~[or a district-level committee]~~ must:

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

(2) [~~. A list of reading instruments adopted under this subsection must~~] provide for diagnosing the reading

development and comprehension of students participating in a program under Subchapter B, Chapter 29;

(3) provide progress monitoring capabilities;

(4) provide a diagnostic tool to assist teachers in developing research-based targeted instruction;

(5) allow screening of students three times each school year;

(6) assess only foundational literacy components not already mastered by the student; and

(7) assess whether a student needs reading instruction intervention.

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

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

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

(b-3) The commissioner shall update the list of reading instruments at least once every four years, including multidimensional assessment tools authorized under this section.

(b-4) A school district or open-enrollment charter school that uses one or more reading instruments not included on the commissioner's list in accordance with Subsection (b) must submit the instrument to the commissioner to verify the instrument satisfies the requirements of this section. The commissioner shall place on the commissioner's list a reading instrument that satisfies the requirements of this section.

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

(c-1) Each school district and open-enrollment charter school shall administer at the beginning of the seventh grade a

reading instrument included on the list adopted by the commissioner to each student whose performance on the assessment instrument in reading administered under Section 39.023(a) to the student in grade six did not demonstrate reading proficiency, as determined by the commissioner. The district or school shall administer the reading instrument in accordance with the commissioner's policies adopted [~~recommendations~~] under Subsection (a)(1).

(c-2) Each school district and open-enrollment charter school shall administer at the kindergarten level a reading instrument included on the list adopted by the commissioner [~~under Subsection (b) or approved by the commissioner under Subsection (b-1)~~]. The district or school shall administer the reading instrument in accordance with the commissioner's policies adopted [~~recommendations~~] under Subsection (a)(1).

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

(d-1) The commissioner shall prominently display on the agency's Internet website information regarding the commissioner's list of reading instruments maintained under this section and the process for applying for inclusion on the list, as provided by agency rule adopted under Subsection (n).

(3) On page 7, between lines 14 and 15, insert the following:

(n) The agency by rule shall provide a process under which a school district or open-enrollment charter school may submit an application for inclusion of a reading instrument on the commissioner's list of reading instruments maintained under this section.

(4) Strike page 10, lines 11 and 12, and substitute the following:

SECTION 6. Section 28.006(b-1), Education Code, is repealed.