

## **BILL ANALYSIS**

Senate Research Center

H.B. 123  
By: Dutton et al. (Creighton)  
Education K-16  
5/26/2025  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

H.B. 123 amends current law relating to measures to support kindergarten readiness and early literacy and numeracy skills for public school students and to funding to support those measures.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the commissioner of education is modified in SECTION 8 (Section 28.006, Education Code) of this bill.

Rulemaking authority is expressly granted to the commissioner of education in SECTION 9 (Sections 28.0063, 28.0064, 28.0065, and 28.0071, Education Code), SECTION 10 (Section 28.02111, Education Code) and SECTION 18 (Section 48.0052, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 12.104(b), Education Code, as follows:

(b) Provides that an open-enrollment charter school is subject to certain provisions, including a prohibition, restriction, or requirement, as applicable, imposed by Title 2 (Public Education) or a rule adopted under this title, relating to certain matters, including reading and mathematics instruments and reading interventions under Sections 28.006 (Reading Diagnosis), 28.0063, and 28.0064, rather than reading instruments and accelerated reading instruction programs under Section 28.006.

SECTION 2. Amends the heading to Section 21.4552, Education Code, to read as follows:

Sec. 21.4552. TEACHER LITERACY ACHIEVEMENT AND READING INTERVENTION ACADEMIES.

SECTION 3. Amends Section 21.4552, Education Code, by amending Subsections (b) and (d) and adding Subsections (d-1), (g), (h), and (i), as follows:

(b) Deletes existing text providing that a literacy achievement academy developed under this section, for teachers who provide reading instruction to students at the seventh or eighth grade level, is required to include training in administration of the reading instrument required by Section 28.006(c-1) (relating to requiring each school district to administer at the beginning of the seventh grade a reading instrument adopted by the commissioner of education (commissioner) to certain students) and interpretation of the results of the reading instrument required by Section 28.006(c-1) and strategies, based on scientific research regarding effective reading instruction, for long-term intensive intervention to target identified student needs in word recognition, vocabulary, fluency, and comprehension. Makes nonsubstantive changes.

(d) Provides that, except as provided by Subsection (d-1) from funds provided under Section 48.108 (Early Education Allotment) or other available funds, rather than provides from funds appropriated for that purpose, a classroom teacher who provides instruction to students in kindergarten through third grade and completes, rather than attends, a literacy achievement academy is entitled to receive a stipend from the school district in the

amount determined by the commissioner. Authorizes a district, from funds appropriated for that purpose, to provide a stipend to a classroom teacher who provides instruction to students in a grade level above third grade. Makes a conforming change.

(d-1) Provides that a school district is not required to provide a stipend under Subsection (d) to a classroom teacher if the teacher attends the literacy achievement academy as part of an educator preparation program in which the teacher is enrolled, attends the literacy achievement academy on a day or during hours of service included in the term of the teacher's contract, or is not directed or approved by the school district at which the teacher is employed to attend the literacy achievement academy.

(g) Requires Texas Education Agency (TEA) to develop a method for evaluating a literacy achievement academy to determine the effectiveness of the academy, including whether the academy improves teaching practices and student literacy proficiency. Requires a school district or open-enrollment charter school to provide any information requested by TEA for purposes of evaluating literacy achievement academies under this subsection.

(h) Requires the commissioner, in addition to the literacy achievement academies developed under Subsection (a) (relating to requiring the commissioner to develop and make available literacy achievement academies for teachers who provide reading instruction to students at any grade level), to develop and make available reading intervention academies for teachers or other professionals who provide reading interventions to students who require targeted instruction in foundational reading skills.

(i) Authorizes the commissioner to establish an advisory board to assist TEA in fulfilling TEA's duties under this section. Provides that Chapter 2110 (State Agency Advisory Committees), Government Code, does not apply to an advisory board established under this subsection.

SECTION 4. Amends the heading to Section 21.4553, Education Code, to read as follows:

Sec. 21.4553. TEACHER MATHEMATICS ACHIEVEMENT AND INTERVENTIONIST ACADEMIES.

SECTION 5. Amends Section 21.4553, Education Code, by amending Subsection (d) and adding Subsections (d-1), (g), (h), and (i), as follows:

(d) Provides that, except as provided by Subsection (d-1), from funds provided under Section 48.108 (Early Education Allotment) or other available funds, rather than from funds appropriated for that purpose, a classroom teacher who completes, rather than attends, a mathematics achievement academy is entitled to receive a stipend from the school district in the amount determined by the commissioner. Makes a conforming change.

(d-1) Provides that a school district is not required to provide a stipend under Subsection (d) to a classroom teacher if the teacher attends the mathematics achievement academy as part of an educator preparation program in which the teacher is enrolled, attends the mathematics achievement academy on a day or during hours of service included in the term of the teacher's contract, or is not directed or approved by the school district at which the teacher is employed to attend the mathematics achievement academy.

(g) Requires TEA to develop a method for evaluating a mathematics achievement academy to determine the effectiveness of the academy, including whether the academy improves teaching practices and student math proficiency. Requires a school district or open-enrollment charter school to provide any information requested by TEA for purposes of evaluating mathematics achievement academies under this subsection.

(h) Requires the commissioner, in addition to the mathematics achievement academies developed under Subsection (a) (relating to requiring the commissioner to develop and

make available mathematics achievement academies for teachers who provide mathematics instruction to students at any grade level), to develop and make available mathematics interventionist academies for a teacher or other professional who provides mathematics interventions to students who require targeted instruction in foundational mathematics skills.

(i) Authorizes the commissioner to establish an advisory board to assist TEA in fulfilling TEA's duties under this section. Requires that a recommendation of the advisory board be made available to the public. Provides that Chapter 2110, Government Code, does not apply to an advisory board established under this subsection.

SECTION 6. Amends Section 25.085(d), Education Code, as follows:

(d) Requires a school enrolled in a school district, unless specifically exempted by Section 25.086 (Exemptions), to attend certain programs, including a reading intervention program, rather than an accelerated reading instruction program, to which the student is assigned under Section 28.0064, rather than 28.006(g) (relating to requiring a school district to notify the parent or guardian of each student in a certain grade who is determined, on the basis of reading instrument results, to be at risk for dyslexia or other reading difficulties).

SECTION 7. Amends the heading to Section 28.006, Education Code, to read as follows:

Sec. 28.006. KINDERGARTEN READING READINESS.

SECTION 8. Amends Section 28.006, Education Code, by amending Subsections (a), (b), (b-1), (c-2), (c-3), (d), (f), and (h) and adding Subsection (n) and (o), as follows:

(a) Requires the commissioner to develop certain recommendations for school districts, including for administering reading instruments to measure students' foundational literacy skills in reading development and comprehension, rather than to diagnose student reading development and comprehension.

(b) Requires the commissioner to adopt a reading instrument that a school district is required to use at the beginning of the school year to measure a kindergarten student's foundational literacy skills in reading development and comprehension. Authorizes a reading instrument adopted under this subsection to include other developmental skills as part of a multidimensional assessment tool. Requires that a reading instrument adopted by the commissioner be based on scientific research concerning foundational literacy skills in reading development and comprehension and provide for measuring the foundational literacy skills in reading development and comprehension of students, including students participating in a program under Subchapter B (Bilingual Education and Special Language Programs), Chapter 29 (Educational Programs).

Deletes existing text requiring the commissioner to adopt a list of reading instruments that a school district is authorized to use to diagnose student reading development and comprehension. Deletes existing text requiring the commissioner, for use diagnosing the reading development and comprehension of kindergarten students, to adopt a multidimensional assessment tool that includes a reading instrument and tests at least three developmental skills, including literacy. Deletes existing text providing that a multidimensional assessment tool administered as provided by this subsection is considered to be a reading instrument for purposes of this section. Deletes existing text authorizing a district-level committee established under Subchapter F (District-Level and Site-Based Decision-Making), Chapter 11 (School Districts), to adopt a list of reading instruments for use in the district in a grade level other than kindergarten in addition to the reading instruments on the commissioner's list. Deletes existing text providing that each reading instrument adopted by the commissioner or a district-level committee is required to be based on scientific research concerning reading skills development and reading comprehension. Deletes existing text requiring that a list of reading instruments adopted under this subsection provide for diagnosing the reading development and

comprehension of students participating in a program under Subchapter B, Chapter 29. Makes conforming and nonsubstantive changes.

(b-1) Authorizes the commissioner to approve not more than two alternative reading instruments, rather than an alternative reading instrument, for use in measuring, rather than diagnosing, the foundational literacy skills in reading development and comprehension of kindergarten students that complies with the requirements under Subsection (b).

(c-2) Requires each school district, not later than the 60th day after the beginning of the school year, to administer at the kindergarten level a reading instrument adopted by the commissioner under Subsection (b) or approved by the commissioner under Subsection (b-1). Requires the district to administer the reading instrument in accordance with the commissioner's recommendations under Subsection (a)(1) (relating to requiring the commission to develop recommendations for school districts for administering reading instruments to measure students' foundational literacy skills in and reading development and comprehension) policies developed by commissioner rule. Makes a conforming change.

(c-3) Requires the commissioner by rule to determine the performance on a reading instrument adopted or approved under this section, that indicates kindergarten readiness. Requires that each reading instrument adopted or approved under this section provide for the ability to compare the performance that indicates kindergarten readiness on that instrument with the performance that indicates kindergarten readiness on other instruments adopted or approved under this section. Makes a nonsubstantive change.

(d) Requires the superintendent of each school district to:

(1) report to the commissioner and the board of trustees of the district the results of a reading instrument administered to students under this section;

(2) not later than the 30th, calendar day after the date on which the results of a reading instrument are available, rather than 60th calendar day after the date on which a reading instrument was administered, report, in writing or electronically, to a student's parent or guardian the student's results on the instrument; and

(3) makes no changes to this subdivision.

Makes a conforming change to this subsection.

(f) Requires TEA to ensure reading instruments adopted or approved under this section, rather than at least one reading instrument for each grade level for which a reading instrument is required to be administered under this section, are available to school districts at no cost. Make a nonsubstantive change.

(h) Requires the school district to make a good faith effort to ensure that the report, rather than the notice, required under Subsection (d)(2) is provided either in person or electronically, rather than in person or by regular mail, and that the report is clear and easy to understand and is written in English and in the parent or guardian's native language.

(n) Prohibits the performance of students in kindergarten on a reading instrument adopted or approved under this section from being considered for any purpose under Chapter 39 (Public School System Accountability) or 39A (Accountability Inventions and Sanctions).

(o) Provides that nothing in this section is authorized to be construed to circumvent or supplant federal or state law regarding a student who participates in a special education program under Subchapter A (Special Education Program), Chapter 29, or a student who

is suspected to have a disability and may be eligible to participate in a special education program under that subchapter.

SECTION 9. Amends Subchapter A, Chapter 28, Education Code, by adding Sections 28.0063, 28.0064, 28.0065, and 28.0071, as follows:

Sec. 28.0063. EARLY LITERACY AND NUMERACY INSTRUMENTS. (a) Requires the commissioner to adopt a list of reading and mathematics instruments approved or developed by the commissioner for use by school districts in kindergarten through grade three to measure students' foundational literacy skills in reading development and comprehension and foundational numeracy skills in mathematics.

(b) Requires that a reading or mathematics instrument adopted under Subsection (a):

(1) be based on scientific research concerning, as applicable foundational literacy skills in reading development and comprehension or foundational numeracy skills in mathematics;

(2) be capable of being administered at the beginning, middle, and end of the school year;

(3) be designed to assess the performance of students in, as applicable, the foundational literacy skills components of the essential knowledge and skills adopted under Section 28.002 (Required Curriculum) for language arts or the foundational numeracy skills components of the essential knowledge and skills adopted under Section 28.002 for mathematics;

(4) be capable of monitoring student progress in a manner that allows school district staff to identify specific foundational literacy or numeracy skills in need of targeted instruction;

(5) assess whether a student's skills identified as in need of targeted instruction indicate that the student is at risk, as determined by the commissioner, of not achieving satisfactory performance on the third grade reading or mathematics assessment administered under Section 39.023 (Adoption and Administration of Instruments);

(6) for a reading instrument for students in kindergarten and first grade, include the applicable elements and criteria to serve as the required screenings for dyslexia and related disorders under Section 38.003 (Screening and Treatment for Dyslexia and Related Disorders); and

(7) for a reading instrument, allow a school district to generate a report regarding a student's reading progress that is clear and easy to understand that is authorized to be distributed to the student's parent in English, Spanish, or, to the extent practicable, any other language spoken by the parent.

(c) Requires the commissioner to update the list of reading and mathematics instruments adopted under Subsection (a) not less than once every four years, ensure the list adopted under Subsection (a) includes multiple reading and mathematics instruments and instruments not developed by the commissioner, develop a process by which a school district is authorized to submit an instrument to the commissioner for approval, and make publicly available the criteria for the evaluation and approval of an instrument submitted to the commissioner.

(d) Requires that the instruments adopted or approved under this section be administered as follows: for kindergarten, at the middle and end of the school

year; for first and second grade, at the beginning, middle, and end of the school year; and for third grade, at the beginning and middle of the school year.

(e) Requires the commissioner to align and determine comparability of the instruments administered under this section with certain instruments.

(f) Authorizes the commissioner, if the commissioner determines that an interim assessment instrument adopted under Section 39.023(o) (relating to requiring TEA to adopt or develop optional interim assessment instruments for each subject or course for each grade level subject to assessment under Section 39.023) provides the same intended outcomes as an instrument adopted or approved under this section, to substitute that interim assessment instrument for an instrument adopted or approved under this section.

(g) Requires a school district to administer to students in kindergarten through third grade a reading instrument and a mathematics instrument adopted under Subsection (a) in accordance with requirements and recommendations established by the commissioner under this section, including requirements or recommendations related to administering the instruments, training staff on the instruments, and applying the results of the instruments to the district's instructional program.

(h) Requires the superintendent of each school district to report to the commissioner and the board of trustees of the district the results of a reading or mathematics instrument administered to students under this section and not later than the 30th calendar day after the date on which the results of a reading or mathematics instrument are available, report, in writing or electronically, to a student's parent or guardian the student's results on the instrument, for a reading instrument, the report described by Subsection (b)(7), and if the student is determined to be at risk for dyslexia or a related disorder based on the results of the reading instrument, information regarding that determination.

(i) Requires TEA to establish a list of reading and mathematics instruments adopted under Subsection (a) for which the agency has negotiated a price. Provides that a school district is not required to use a method provided by Section 44.031 (Purchasing Contracts) to purchase an instrument on the list established under this subsection.

(j) Authorizes a student's parent or guardian to submit a written request to the administrator of the campus at which the student is enrolled to opt the student out of the administration of a reading or mathematics instrument required under this section. Prohibits a school district from encouraging or directing a parent or guardian to submit a written request under this subsection.

(k) Requires the commissioner to adopt rules as necessary to implement this section.

(l) Provides that Section 2001.0045 (Requirement for Rule Increasing Costs to Regulated Persons), Government Code, does not apply to a rule adopted under this section.

(m) Prohibits the performance of student in kindergarten, first grade, or second grade on a reading or mathematics instrument adopted or approved under this section from being considered for any purpose under Chapter 39 or 39A.

(n) Authorizes a school district to comply with the requirements of Subsection (g) by administering a reading or mathematics instrument selected by the board of trustees of the school district that meets the requirements of Subsection (b) until the commissioner adopts the list of reading and mathematics instruments under Subsection (a). Provides that this subsection expires September 1, 2029.

Sec. 28.0064. EARLY LITERACY INTERVENTION FOR CERTAIN STUDENTS. (a) Requires school district, if a student's results on two consecutive reading instruments administered under Section 28.0063 indicate that the student is at risk, as determined by the commissioner, of not achieving satisfactory performance in foundational literacy, as soon as practicable following the receipt of the student's results, to provide reading interventions to the student.

(b) Provides that reading interventions provided under Subsection (a) are required to meet certain requirements and authorized to use certain augmentation methods to supplement the interventions and instructional materials provided to the student.

(c) Requires the school district to continue providing reading intervention to a student under this section until the earlier of the date on which the student is no longer determined to be at risk, as determined by the commissioner, of not achieving satisfactory performance in foundational literacy on a reading instrument administered under Section 28.0063 or the student begins the fourth grade.

(d) Prohibits a school district, in providing reading interventions under this section, from removing a student, except under circumstances for which a student enrolled in the same grade level who is not receiving reading interventions would be removed, from instruction in the foundation curriculum and enrichment curriculum adopted under Section 28.002 for the grade level in which the student is enrolled or recess or other physical activity that is available to other students enrolled in the same grade level.

(e) Requires TEA to approve one or more products that use an automated, computerized, or other augmented method for providing reading interventions. Provides that TEA is authorized to approve a product under this subsection only if evidence indicates that the product is effective at promoting mastery of foundational literacy skills.

(f) Requires TEA, subject to appropriation, to ensure that at least one product approved under Subsection (e) is available to school districts at no or reduced cost.

(g) Authorizes a student's parent or guardian to submit a written request to the administrator of the campus at which the student is enrolled to opt the student out of all or part of a reading intervention requirement under Subsection (b). Prohibits a school district from encouraging or directing a parent or guardian to submit a written request under this subsection that would allow the district to not provide reading interventions to the student.

(h) Requires a school district to provide to the parent or guardian of a student receiving reading interventions under this section the notice required under Section 26.0081(d) (relating to requiring each school district to notify a parent of each certain child that the district provides that assistance to the child).

(i) Provides that nothing in this section is authorized to be construed to prevent or discourage reading interventions for a student whose results on a reading instrument administered under Section 28.0063 indicate that the student is at risk, as determined by the commissioner, of not achieving satisfactory performance in foundational literacy.

(j) Provides that nothing in this section is authorized to be construed to circumvent or supplant federal or state law regarding a student who participates in a special education program under Subchapter A, Chapter 29, or a student who is

suspected to have a disability and who may be eligible to participate in a special education program under that subchapter.

(k) Requires the commissioner to adopt rules as necessary to implement this section, including rules that define appropriate standards for implementing reading interventions that meet the requirements of Subsection (b).

(l) Provides that Section 2001.0045, Government Code, does not apply to a rule adopted under this section

(m) Provides that a school district is not required to comply with the requirements of this section until the commissioner adopts a list of reading and mathematics instruments under Section 28.0063 and designates the first school year that districts are required to comply with this section. Provides that this subsection expires September 1, 2029.

Sec. 28.0065. ADAPTIVE VOCABULARY ASSESSMENT PILOT PROGRAM. (a) Requires TEA to develop and implement an adaptive vocabulary assessment pilot program to assess vocabulary development in students in kindergarten through third grade.

(b) Authorizes TEA to develop an assessment under the pilot program to assess students in grades other than grades described by Subsection (a).

(c) Provides that nothing in this section is authorized to be construed to circumvent or supplant federal or state law regarding a student who participates in a special education program under Subchapter A, Chapter 29, or a student who is suspected to have a disability and who may be eligible to participate in a special education program under that subchapter.

(d) Authorizes the commissioner to adopt rules as necessary to implement this section.

Sec. 28.0071. MATHEMATICS TRAINING FOR KINDERGARTEN THROUGH THIRD GRADE. (a) Requires each school district and open-enrollment charter school to ensure that:

(1) not later than the 2031–2032 school year, each classroom teacher that provides instruction in mathematics to students in kindergarten through third grade and each principal, assistant principal, mathematics instructional coach, and mathematics interventionist at a campus with one of those grade levels has attended a teacher mathematics achievement academy developed under Section 21.4553; and

(2) each classroom teacher and principal initially employed in a grade level or at a campus described by Subdivision (1) for the 2031–2032 school year or a subsequent school year has attended a teacher mathematics achievement academy developed under Section 21.4553 by the end of the teacher's or principal's first year of placement in that grade level or campus.

(b) Requires TEA to provide assistance to school districts and open-enrollment charter schools in complying with the requirements under this section.

(c) Requires TEA to monitor the implementation of this section and periodically report to the legislature on the implementation of this section and the effectiveness of this section in improving educational outcomes.

(d) Authorizes the commissioner to adopt rules to implement this section.



SECTION 10. Amends Subchapter B, Chapter 28, Education Code, by adding Section 28.02111, as follows:

**Sec. 28.02111. FIRST THROUGH THIRD GRADE SUPPLEMENTARY SUPPORTS.**

(a) Requires the commissioner to establish and administer a program designed to help improve student proficiency in reading by providing a grant in an amount provided under Section 48.317 through which the student's parent is authorized to purchase tutoring services from TEA-approved providers to:

(1) a student at or below the third grade level who, beginning in the first grade, fails to perform satisfactorily on two or more assessment instruments administered to the student; and

(2) a student at or below the third grade level who fails to perform satisfactorily on two or more assessment instruments administered to the student after receiving the full extent of services available to the student under a grant provided under Subdivision (1), regardless of whether the student received the services and failed to perform satisfactorily on the assessment instruments during the same school year.

(b) Requires the student's parents, not later than the 30th day after the date a student receives a grant under Subsection (a), to select TEA-approved provider from which the parent will purchase tutoring services or provide to the school district or open-enrollment charter school in which the student is enrolled written notice of the parent's decision to opt the student out of the supplementary supports under this section. Authorizes the district or school in which the student is enrolled, if the parent does not select a provider or provide notice opting the student out of the supplementary supports during the period described by this subsection, to select the provider.

(c) Requires TEA to maintain a system of online accounts under which each student described by Subsection (a) is assigned an account for the student's parent to access the grant described by Subsection (a) and implement the program in a manner that ensures ease of use for parents of students who are eligible for a grant under this section, and fidelity of spending.

(d) Authorizes a student to receive not more than one grant under Subsection (a)(1) and one grant under Subsection (a)(2), unless additional grants are provided for by appropriation.

(e) Authorizes TEA to reserve from the total amount of money available for purposes of the program an amount, not to exceed five percent of the total amount, to cover TEA's cost of administering the program.

(f) Provides that a school district or open-enrollment charter school in which a third grade student who receives a grant under this section is enrolled remains subject to the requirements to provide accelerated instruction under Section 28.0211 (Accelerated Instruction; Modified Teacher Assignment).

(g) Requires a school district or open-enrollment charter school to provide to the parent of a student described by Subsection (a) notice of the student's eligibility for a grant under this section, in a form and manner established by TEA.

(h) Provides that a decision by the commissioner regarding the program under this section is final and prohibited from being appealed.

(i) Requires the commissioner to adopt rules as necessary to implement this section.

SECTION 11. Amends Section 29.0031, Education Code, by adding Subsection (e) to require a school district to notify the parent of a student identified with dyslexia or a related disorder of the Talking Book Program administered by the Texas State Library and Archives Commission (TSLAC) and other available audio book services.

SECTION 12. Amends Section 29.1543, Education Code, as follows:

Sec. 29.1543. **EARLY EDUCATION REPORTS.** Requires that a campus-level report containing information from the previous school year on early education in school districts and open-enrollment charter schools under this section contain certain information, including a description of the reading instruments, rather than the diagnostic reading instruments, administered in accordance with Section 28.006(c-2), rather than 28.006(c) or (c-2), the number of students who were administered a reading instrument administered in accordance with Section 28.006(c-2), and the number of students whose scores from a reading instrument administered in accordance with Section 28.006(c-2) indicate kindergarten readiness in reading, rather than reading proficiency. Makes conforming changes.

SECTION 13. Amends Section 29.161(c), Education Code, to require that the school readiness certification system meet certain requirements, including being capable of fulfilling the reporting and notice requirements of Section 28.006(d), rather than Sections 28.006(d) and (g).

SECTION 14. Amends Section 29.167, Education Code, by amending Subsections (b-1) and (b-3) and adding Subsection (b-4), as follows:

(b-1) Requires each teacher for a prekindergarten class provided by an entity with which a school district contracts to provide a prekindergarten program, notwithstanding Subsection (b) (relating to requiring each teacher for a prekindergarten program class to meet certain requirements), to meet certain requirements, including being certified under Subchapter B (Certification of Educators), Chapter 21 (Educators), to teach prekindergarten or supervised by a person who meets the requirements under Subsection (b) and, when appropriate, be appropriately certified or be supervised by a person who is appropriately certified to provide effective instruction to emergent bilingual students, as defined by Section 29.052 (Definitions), enrolled in the prekindergarten program. Makes nonsubstantive changes.

(b-3) Provides that Subsections (b-1), (b-2) (relating to authorizing a person who supervises a prekindergarten program provided by an entity with which a school district contracts for that purpose to supervise multiple prekindergarten classrooms to meet certain criteria), and (b-4) and this subsection expire September 1, 2029. Makes a nonsubstantive change.

(b-4) Provides that Subsections (b-1) and (b-2) apply to any prekindergarten class provided by an entity with which a school district contracts to provide a prekindergarten program under Section 29.153 (Free Prekindergarten Programs).

SECTION 15. Amends Subchapter B-1, Chapter 31, Education Code, by adding Section 31.0754, as follows;

Sec. 31.0754. **COMMUNICATION REGARDING HIGH QUALITY INSTRUCTIONAL MATERIALS.** (a) Authorizes the commissioner, notwithstanding Chapter 2113 (Use of Appropriated Money), Government Code, to enter into contracts or agreements and engage in efforts to communicate information to parents, classroom teachers, school districts, and open-enrollment charter schools regarding the educational value, particularly the impact on reading and math achievement, of open education resource instructional materials made available under Subchapter B-1 (Open Education Resource Instructional Materials), including activities to promote, market, and advertise the content included in and how to use those materials.

(b) Authorizes the commissioner to use appropriated funds or funds appropriated for the development of open education resource instructional materials under this subchapter to pay for activities authorized under this section.

SECTION 16. Amends Section 38.003, Education Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Requires the State Board of Education (SBOE) to identify the necessary criteria and elements that provide for universal screening for dyslexia and related disorders for students in kindergarten and first grade.

Deletes existing text requiring students enrolling in public schools in this state are to be screened or tested, as appropriate, for dyslexia and related disorders at appropriate times in accordance with a program approved by SBOE. Deletes existing text requiring that the program include screening at the end of the school year of each student in kindergarten and each student in the first grade.

(a-1) Requires that the criteria and elements identified under Subsection (a) be included in the reading instruments adopted or approved under Section 28.0063 and administered in accordance with the timelines established under that section.

SECTION 17. Amends Section 39.333, Education Code, as follows:

Sec. 39.333. REGIONAL AND DISTRICT LEVEL REPORT. Deletes existing text requiring TEA, as part of the comprehensive biennial report under Section 39.332 (Comprehensive Biennial Report), to submit a regional and district level report covering the preceding two school years and containing an evaluation of accelerated instruction programs offered under Section 28.006, including an assessment of the quality of such programs and the performance of students enrolled in such programs. Makes nonsubstantive changes.

SECTION 18. Amends Subchapter A, Chapter 48, Education Code, by adding Section 48.0052, as follows:

Sec. 48.0052. INCENTIVE FOR ADDITIONAL INSTRUCTIONAL DAYS FOR READING INTERVENTIONS. (a) Requires the commissioner to adjust the average daily attendance of a school district or open-enrollment charter school under Section 48.005 (Average Daily Attendance) in the manner provided by Subsection (b) if the district or school:

(1) does not qualify for funding under Section 48.0051 (Incentive for Additional Instructional Days);

(2) provides the minimum number of minutes of operational and instructional time required under Section 25.081 (Operations of School) and commissioner rules adopted under that section; and

(3) offers up to an additional 30 days of half-day instruction consisting of reading interventions described by Section 28.0064 for students who are required to be provided reading interventions under that section.

(b) Requires the commissioner, for a school district or open-enrollment charter school described by Subsection (a), to increase the average daily attendance of the district or school under Section 48.005 by 50 percent of the amount that results from the quotient of the sum of attendance by students described by Subsection (a)(3) for each of the additional instructional days of half-day instruction that are provided divided by 175.

(c) Requires TEA to assist school districts and open-enrollment charter schools in qualifying for the incentive under this section.

(d) Requires the commissioner to adopt rules necessary for the implementation of this section.

SECTION 19. Amends Section 48.108, Education Code, by amending Subsections (a), (b), and (c) and adding Subsection (a-1), as follows:

(a) Provides that for each student in average daily attendance in kindergarten through third grade, a school district is entitled to an annual allotment equal to the basic allotment multiplied by 0.01. Makes substantive changes.

(a-1) Creates this subsection from existing text. Provides that, in addition to the allotment under Subsection (a), a school district is entitled to an annual allotment equal to the basic allotment multiplied by 0.1 for each student in average daily attendance in kindergarten through third grade who meet certain criteria. Makes a nonsubstantive change.

(b) Requires that funds allocated under this section be used to fund certain programs, including the attendance of teachers employed by the district at teacher literacy achievement academies under Section 21.4552 or teacher mathematics achievement academies under Section 21.4553 and prekindergarten programs under Subchapters E (Kindergarten and Prekindergarten Programs) and E-1 (High Quality Prekindergarten Program Requirements), Chapter 29. Makes nonsubstantive changes.

(c) Makes a conforming change to this subsection.

SECTION 20. Amends Subchapter C, Chapter 48, Education Code, by adding Section 48.122, as follows:

Sec. 48.122. **EARLY LITERACY INTERVENTION ALLOTMENT.** (a) Provides that, except as provided by Subsections (b) and (c), for each enrolled student receiving reading interventions under Section 28.0064, a school district is entitled to an annual allotment of \$250, or a greater amount provided by appropriation.

(b) Prohibits a school district from receiving funding under this section for a student for which the district receives an allotment under Section 48.103 (Allotment for Student with Dyslexia or Related Disorder).

(c) Authorizes a school district to receive funding under this section for not more than 15 percent of students enrolled in the district in kindergarten through third grade.

SECTION 21. Amends Subchapter G, Chapter 48, Education Code, by adding Section 48.317, as follows:

Sec. 48.317. **FIRST THROUGH THIRD GRADE SUPPLEMENTARY SUPPORTS GRANT; FUNDING ADJUSTMENT.** (a) Provide that a student to whom TEA provides a grant under Section 28.02111(a)(1) or (2) is entitled to receive an amount of \$400, or a greater amount provided by appropriation.

(b) Authorizes a student receive not more than one grant under Sections 28.02111(a)(1) and one grant under Section 28.02111(a)(2), unless additional grants are provided for by appropriation.

(c) Requires TEA, subject to Subsection (e), beginning with the 2030–2031 school year, to reduce the school district's entitlement under this chapter each school year by the amount calculated under Subsection (d) for each student who fails to perform satisfactorily on a reading assessment instrument administered under Section 39.023 in the third grade, received and used a grant under Section 28.02111 during the preceding school year, and was enrolled in the district from kindergarten through third grade.

(d) Provides that the amount calculated for a student for purposes of Subsection (c) is the difference between the total amount of grants received by the student under Section 28.02111 and the amount of money, if any, remaining in the account assigned to the student under that section at the end of third grade.

(e) Requires TEA, for a student described by Subsection (c) who is eligible to participate in a school district's special education program under Section 29.003 (Eligibility Criteria), to reduce the district's entitlement in accordance with Subsection (c) by \$200 for each grant the student received under Section 28.02111.

(f) Requires that any money remaining in an account assigned to a student under Section 28.02111 at the end of third grade be returned for deposit in the foundation school fund.

(g) Provides that, notwithstanding Section 7.057 (Appeals), a determination by the commissioner under this section is final and prohibited from being appealed.

**SECTION 22. Repealer: Section 7.058 (Research on Mathematics Skills Acquisition and Program Effectiveness), Education Code.**

Repealers: Sections 21.4552(f) (relating to providing that this section expires September 1, 2027) and 21.4553(f) (relating to relating to providing that this section expires September 1, 2027), Education Code.

Repealers: Sections 28.006(c) (relating to requiring each school district to administer a reading instrument on the list adopted by the commissioner or by the district-level committee) and (c-1) (relating to requiring each school district to administer at the beginning of the seventh grade a reading instrument adopted by the commissioner to certain students), Education Code.

Repealers: Sections 28.006(g) (relating to requiring a school district to notify the parent or guardian of each student in a certain grade who is determined, on the basis of reading instrument results, to be at risk for dyslexia or other reading difficulties) and (g-1) (relating to requiring a school district to provide additional reading instruction and intervention to certain students to improve the student's reading skills in the relevant areas identified through the assessment instrument), Education Code.

Repealers: Sections 28.006(g-2) (relating to requiring a school district to notify the parent or guardian of certain students of the program maintained by TSLAC providing students with reading disabilities the ability to borrow audiobooks free of charge) and (i) (relating to requiring the commissioner to certify whether sufficient funds have been appropriated statewide for the purposes of this section), Education Code.

Repealers: Sections 28.006(j) (relating to providing that the commissioner is required to evaluate the program that fails to meet the standard of performance and is authorized to implement interventions or sanctions) and (k) (relating to providing that the parental notification of a student's results on the reading instrument and to implement of an accelerated reading instruction program is authorized to be implemented only if the commissioner certifies certain criteria has been met), Education Code.

Repealer: Section 28.007 (Mathematics Diagnosis), Education Code.

**SECTION 23. Provides that Sections 12.104 (Applicability of Title), 21.4552, 21.4553, 25.085 (Compulsory School Attendance), 28.006, 29.1543, 29.167 (High Quality Curriculum and Teacher Requirements), and 39.333, Education Code, as amended by this Act, and Sections 28.0063, 28.0064, 28.0065, and 28.02111, Education Code, as added by this Act, apply beginning with the 2025–2026 school year.**

SECTION 24. (a) Effective date, Section 48.108, Education Code, as amended by this Act, and Sections 48.0052, 48.122, and 48.317, Education Code, as added by this Act: September 1, 2025.

(b) Effective date, except as provided by Subsection (a) of this section: upon passage or September 1, 2025.