

By: \_\_\_\_\_ .B. No. \_\_\_\_\_

Substitute the following for .B. No. \_\_\_\_\_:

By: \_\_\_\_\_ C.S. .B. No. \_\_\_\_\_

A BILL TO BE ENTITLED

1 AN ACT

2 relating to measures to support kindergarten readiness and early  
3 literacy and numeracy skills for public school students, to vision  
4 screenings for public and private school students, and to funding  
5 to support those measures.

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

7 SECTION 1. Section 12.104(b), Education Code, is amended to  
8 read as follows:

9 (b) An open-enrollment charter school is subject to:

10 (1) a provision of this title establishing a criminal  
11 offense;

12 (2) the provisions in Chapter 554, Government Code;  
13 and

14 (3) a prohibition, restriction, or requirement, as  
15 applicable, imposed by this title or a rule adopted under this  
16 title, relating to:

17 (A) the Public Education Information Management  
18 System (PEIMS) to the extent necessary to monitor compliance with  
19 this subchapter as determined by the commissioner;

20 (B) criminal history records under Subchapter C,  
21 Chapter 22;

22 (C) reading and mathematics instruments and  
23 reading interventions [~~accelerated reading instruction programs~~]  
24 under Sections [~~Section~~] 28.006, 28.0063, and 28.0064;

- 1 (D) accelerated instruction under Section  
2 28.0211;
- 3 (E) high school graduation requirements under  
4 Section 28.025;
- 5 (F) special education programs under Subchapter  
6 A, Chapter 29;
- 7 (G) bilingual education under Subchapter B,  
8 Chapter 29;
- 9 (H) prekindergarten programs under Subchapter E  
10 or E-1, Chapter 29, except class size limits for prekindergarten  
11 classes imposed under Section 25.112, which do not apply;
- 12 (I) extracurricular activities under Section  
13 33.081;
- 14 (J) discipline management practices or behavior  
15 management techniques under Section 37.0021;
- 16 (K) health and safety under Chapter 38;
- 17 (L) the provisions of Subchapter A, Chapter 39;
- 18 (M) public school accountability and special  
19 investigations under Subchapters A, B, C, D, F, G, and J, Chapter  
20 39, and Chapter 39A;
- 21 (N) the requirement under Section 21.006 to  
22 report an educator's misconduct;
- 23 (O) intensive programs of instruction under  
24 Section 28.0213;
- 25 (P) the right of a school employee to report a  
26 crime, as provided by Section 37.148;
- 27 (Q) bullying prevention policies and procedures

1 under Section 37.0832;

2 (R) the right of a school under Section 37.0052  
3 to place a student who has engaged in certain bullying behavior in a  
4 disciplinary alternative education program or to expel the student;

5 (S) the right under Section 37.0151 to report to  
6 local law enforcement certain conduct constituting assault or  
7 harassment;

8 (T) a parent's right to information regarding the  
9 provision of assistance for learning difficulties to the parent's  
10 child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);

11 (U) establishment of residency under Section  
12 25.001;

13 (V) school safety requirements under Sections  
14 37.0814, 37.108, 37.1081, 37.1082, 37.1083, 37.1084, 37.1085,  
15 37.1086, 37.109, 37.113, 37.114, 37.1141, 37.115, 37.207, and  
16 37.2071 and Subchapter J, Chapter 37;

17 (W) the early childhood literacy and mathematics  
18 proficiency plans under Section 11.185;

19 (X) the college, career, and military readiness  
20 plans under Section 11.186; and

21 (Y) parental options to retain a student under  
22 Section 28.02124.

23 SECTION 2. The heading to Section 21.4552, Education Code,  
24 is amended to read as follows:

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

27 SECTION 3. Section 21.4552, Education Code, is amended by

1 amending Subsections (b) and (d) and adding Subsections (d-1), (g),  
2 (h), and (i) to read as follows:

3 (b) A literacy achievement academy developed under this  
4 section:

5 (1) for teachers who provide reading instruction to  
6 students at the kindergarten or first, second, or third grade  
7 level:

8 (A) must include training in:

9 (i) effective and systematic instructional  
10 practices in reading, including phonemic awareness, phonics,  
11 fluency, vocabulary, and comprehension; and

12 (ii) the use of empirically validated  
13 instructional methods that are appropriate for struggling readers;  
14 and

15 (B) may include training in effective  
16 instructional practices in writing;

17 (2) for teachers who provide reading instruction to  
18 students at the fourth or fifth grade level:

19 (A) must include effective instructional  
20 practices that promote student development of reading  
21 comprehension and inferential and critical thinking;

22 (B) must provide training in the use of  
23 empirically validated instructional methods that are appropriate  
24 for struggling readers; and

25 (C) may include material on writing instruction;

26 (3) for teachers who provide reading instruction to  
27 students at the sixth, seventh, or eighth grade level, must include

1 training in:

2 (A) strategies to be implemented in English  
3 language arts and other subject areas for multisyllable word  
4 reading, vocabulary development, and comprehension of expository  
5 and narrative text;

6 (B) an adaptation framework that enables  
7 teachers to respond to differing student strengths and needs,  
8 including adaptations for students of limited English proficiency  
9 or students receiving special education services under Subchapter  
10 A, Chapter 29;

11 (C) collaborative strategies to increase active  
12 student involvement and motivation to read; and

13 (D) other areas identified by the commissioner as  
14 essential components of reading instruction; and

15 (4) ~~[for teachers who provide reading instruction to  
16 students at the seventh or eighth grade level, must include  
17 training in:~~

18 ~~[(A) administration of the reading instrument  
19 required by Section 28.006(c-1); and~~

20 ~~[(B) interpretation of the results of the reading  
21 instrument required by Section 28.006(c-1) and strategies, based on  
22 scientific research regarding effective reading instruction, for  
23 long-term intensive intervention to target identified student  
24 needs in word recognition, vocabulary, fluency, and comprehension,  
25 and~~

26 ~~[(5)]~~ for teachers who provide instruction in  
27 mathematics, science, or social studies to students at the sixth,

1 seventh, or eighth grade level, must include training in:

2 (A) strategies for incorporating reading  
3 instruction into the curriculum for the subject area taught by the  
4 teacher; and

5 (B) other areas identified by the commissioner.

6 (d) Except as provided by Subsection (d-1), from funds  
7 provided under Section 48.108 or other available [From] funds  
8 [appropriated for that purpose], a classroom teacher who provides  
9 instruction to students in kindergarten through third grade and  
10 completes [attends] a literacy achievement academy is entitled to  
11 receive a stipend from the school district in the amount determined  
12 by the commissioner. From funds appropriated for that purpose, a  
13 district may provide a stipend to a classroom teacher who provides  
14 instruction to students in a grade level above third grade. A  
15 stipend received under this subsection is not considered in  
16 determining whether a school district is paying the classroom  
17 teacher the minimum monthly salary under Section 21.402.

18 (d-1) A school district is not required to provide a stipend  
19 under Subsection (d) to a classroom teacher if the teacher:

20 (1) attends the literacy achievement academy as part  
21 of an educator preparation program in which the teacher is  
22 enrolled;

23 (2) attends the literacy achievement academy on a day  
24 or during hours of service included in the term of the teacher's  
25 contract; or

26 (3) is not directed or approved by the school district  
27 at which the teacher is employed to attend the literacy achievement

1 academy.

2 (g) The agency shall develop a method for evaluating a  
3 literacy achievement academy to determine the effectiveness of the  
4 academy, including whether the academy improves teaching practices  
5 and student literacy proficiency. A school district or  
6 open-enrollment charter school shall provide any information  
7 requested by the agency for purposes of evaluating literacy  
8 achievement academies under this subsection.

9 (h) In addition to the literacy achievement academies  
10 developed under Subsection (a), the commissioner shall develop and  
11 make available reading intervention academies for teachers or other  
12 professionals who provide reading interventions to students who  
13 require targeted instruction in foundational reading skills.

14 (i) The commissioner may establish an advisory board to  
15 assist the agency in fulfilling the agency's duties under this  
16 section. Chapter 2110, Government Code, does not apply to an  
17 advisory board established under this subsection.

18 SECTION 4. The heading to Section 21.4553, Education Code,  
19 is amended to read as follows:

20 Sec. 21.4553. TEACHER MATHEMATICS ACHIEVEMENT AND  
21 INTERVENTIONIST ACADEMIES.

22 SECTION 5. Section 21.4553, Education Code, is amended by  
23 amending Subsection (d) and adding Subsections (d-1), (g), (h), and  
24 (i) to read as follows:

25 (d) Except as provided by Subsection (d-1), from funds  
26 provided under Section 48.108 or other available [From] funds  
27 [appropriated for that purpose], a classroom teacher who completes

1 ~~[attends]~~ a mathematics achievement academy is entitled to receive  
2 a stipend from the school district in the amount determined by the  
3 commissioner. A stipend received under this subsection is not  
4 considered in determining whether a district is paying the  
5 classroom teacher the minimum monthly salary under Section 21.402.

6 (d-1) A school district is not required to provide a stipend  
7 under Subsection (d) to a classroom teacher if the teacher:

8 (1) attends the mathematics achievement academy as  
9 part of an educator preparation program in which the teacher is  
10 enrolled;

11 (2) attends the mathematics achievement academy on a  
12 day or during hours of service included in the term of the teacher's  
13 contract; or

14 (3) is not directed or approved by the school district  
15 at which the teacher is employed to attend the mathematics  
16 achievement academy.

17 (g) The agency shall develop a method for evaluating a  
18 mathematics achievement academy to determine the effectiveness of  
19 the academy, including whether the academy improves teaching  
20 practices and student math proficiency. A school district or  
21 open-enrollment charter school shall provide any information  
22 requested by the agency for purposes of evaluating mathematics  
23 achievement academies under this subsection.

24 (h) In addition to the mathematics achievement academies  
25 developed under Subsection (a), the commissioner shall develop and  
26 make available mathematics interventionist academies for a teacher  
27 or other professional who provides mathematics interventions to



1 students who require targeted instruction in foundational  
2 mathematics skills.

3 (i) The commissioner may establish an advisory board to  
4 assist the agency in fulfilling the agency's duties under this  
5 section. Chapter 2110, Government Code, does not apply to an  
6 advisory board established under this subsection.

7 SECTION 6. Section 25.085(d), Education Code, is amended to  
8 read as follows:

9 (d) Unless specifically exempted by Section 25.086, a  
10 student enrolled in a school district must attend:

11 (1) an extended-year program for which the student is  
12 eligible that is provided by the district for students identified  
13 as likely not to be promoted to the next grade level or tutorial  
14 classes required by the district under Section 29.084;

15 (2) a reading intervention program [~~an accelerated~~  
16 ~~reading instruction program~~] to which the student is assigned under  
17 Section 28.0064 [~~28.006(g)~~];

18 (3) an accelerated instruction program to which the  
19 student is assigned under Section 28.0211;

20 (4) a basic skills program to which the student is  
21 assigned under Section 29.086; or

22 (5) a summer program provided under Section 37.008(1)  
23 or Section 37.021.

24 SECTION 7. The heading to Section 28.006, Education Code,  
25 is amended to read as follows:

26 Sec. 28.006. KINDERGARTEN READING READINESS [~~DIAGNOSIS~~].

27 SECTION 8. Section 28.006, Education Code, is amended by

1 amending Subsections (a), (b), (b-1), (c-2), (c-3), (d), (f), and  
2 (h) and adding Subsection (n) to read as follows:

3 (a) The commissioner shall develop recommendations for  
4 school districts for:

5 (1) administering reading instruments to measure  
6 students' foundational literacy skills in [~~diagnose student~~]  
7 reading development and comprehension;

8 (2) training educators in administering the reading  
9 instruments; and

10 (3) applying the results of the reading instruments to  
11 the instructional program.

12 (b) The commissioner shall adopt a [~~list of~~] reading  
13 instrument [~~instruments~~] that a school district shall [~~may~~] use at  
14 the beginning of the school year to measure a kindergarten  
15 student's foundational literacy skills in [~~diagnose student~~]  
16 reading development and comprehension. A reading instrument  
17 adopted under this subsection may include other developmental  
18 skills as part of [~~For use in diagnosing the reading development and~~  
19 ~~comprehension of kindergarten students, the commissioner shall~~  
20 ~~adopt~~] a multidimensional assessment tool [~~that includes a reading~~  
21 ~~instrument and tests at least three developmental skills, including~~  
22 ~~literacy. A multidimensional assessment tool administered as~~  
23 ~~provided by this subsection is considered to be a reading~~  
24 ~~instrument for purposes of this section. A district-level~~  
25 ~~committee established under Subchapter F, Chapter 11, may adopt a~~  
26 ~~list of reading instruments for use in the district in a grade level~~  
27 ~~other than kindergarten in addition to the reading instruments on~~

1 ~~the commissioner's list~~]. A [Each] reading instrument adopted by  
2 the commissioner [~~or a district-level committee~~] must be based on  
3 scientific research concerning foundational literacy skills in  
4 reading [~~skills~~] development and [~~reading~~] comprehension and [~~.—A~~  
5 ~~list of reading instruments adopted under this subsection must~~]  
6 provide for measuring [~~diagnosing~~] the foundational literacy  
7 skills in reading development and comprehension of students,  
8 including students participating in a program under Subchapter B,  
9 Chapter 29.

10 (b-1) The commissioner may approve not more than two [~~an~~]  
11 alternative reading instruments [~~instrument~~] for use in measuring  
12 [~~diagnosing~~] the foundational literacy skills in reading  
13 development and comprehension of kindergarten students that  
14 complies with the requirements under Subsection (b).

15 (c-2) Not later than the 60th day after the beginning of the  
16 school year, each [~~Each~~] school district shall administer at the  
17 kindergarten level a reading instrument adopted by the commissioner  
18 under Subsection (b) or approved by the commissioner under  
19 Subsection (b-1). The district shall administer the reading  
20 instrument in accordance with the commissioner's recommendations  
21 under Subsection (a)(1) and policies developed by commissioner  
22 rule.

23 (c-3) The commissioner by rule shall determine the  
24 performance on a [~~the~~] reading instrument adopted or approved under  
25 this section [~~Subsection (b)~~] that indicates kindergarten  
26 readiness. Each reading instrument adopted or approved under this  
27 section must provide for the ability to compare the performance

1 that indicates kindergarten readiness on that instrument with the  
2 performance that indicates kindergarten readiness on other  
3 instruments adopted or approved under this section.

4 (d) The superintendent of each school district shall:

5 (1) report to the commissioner and the board of  
6 trustees of the district the results of a [the] reading instrument  
7 administered to students under this section [instruments];

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

13 (3) using the school readiness certification system  
14 provided to the school district in accordance with Section  
15 29.161(e), report electronically each student's raw score on the  
16 reading instrument to the agency for use in the school readiness  
17 certification system.

18 (f) The agency shall ensure [at least one] reading  
19 instruments adopted or approved [instrument for each grade level  
20 for which a reading instrument is required to be administered]  
21 under this section are [is] available to school districts at no  
22 cost.

23 (h) The school district shall make a good faith effort to  
24 ensure that the report [notice] required under Subsection (d)(2)  
25 [this section] is provided either in person or electronically [by  
26 regular mail] and that the report [notice] is clear and easy to  
27 understand and is written in English and in the parent or guardian's

1 native language.

2 (n) Nothing in this section may be construed to circumvent  
3 or supplant federal or state law regarding a student who  
4 participates in a special education program under Subchapter A,  
5 Chapter 29, or a student who is suspected to have a disability and  
6 who may be eligible to participate in a special education program  
7 under that subchapter.

8 SECTION 9. Subchapter A, Chapter 28, Education Code, is  
9 amended by adding Sections 28.0063, 28.0064, 28.0065, and 28.0071  
10 to read as follows:

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

17 (b) A reading or mathematics instrument adopted under  
18 Subsection (a) must:

19 (1) be based on scientific research concerning, as  
20 applicable:

21 (A) foundational literacy skills in reading  
22 development and comprehension; or

23 (B) foundational numeracy skills in mathematics;

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

26 (3) be designed to assess the performance of students  
27 in, as applicable:

1                   (A) the foundational literacy skills components  
2 of the essential knowledge and skills adopted under Section 28.002  
3 for language arts; or

4                   (B) the foundational numeracy skills components  
5 of the essential knowledge and skills adopted under Section 28.002  
6 for mathematics;

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

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

16                   (6) for a reading instrument for students in  
17 kindergarten and first grade, include the applicable elements and  
18 criteria to serve as the required screenings for dyslexia and  
19 related disorders under Section 38.003; and

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

25                   (c) The commissioner shall:

26                   (1) update the list of reading and mathematics  
27 instruments adopted under Subsection (a) not less than once every

1 four years;

2 (2) ensure the list adopted under Subsection (a)  
3 includes multiple reading and mathematics instruments and  
4 instruments not developed by the commissioner;

5 (3) develop a process by which a school district may  
6 submit an instrument to the commissioner for approval; and

7 (4) make publicly available the criteria for the  
8 evaluation and approval of an instrument submitted to the  
9 commissioner.

10 (d) The instruments adopted or approved under this section  
11 shall be administered as follows:

12 (1) for kindergarten, at the middle and end of the  
13 school year;

14 (2) for first and second grade, at the beginning,  
15 middle, and end of the school year; and

16 (3) for third grade, at the beginning and middle of the  
17 school year.

18 (e) The commissioner shall align and determine  
19 comparability of the instruments administered under this section  
20 with the following instruments:

21 (1) an instrument adopted or approved under Section  
22 28.006 that is administered to a kindergarten student at the  
23 beginning of the school year; and

24 (2) a third grade assessment instrument adopted or  
25 developed under Section 39.023 that is administered at the end of  
26 the school year for a third grade student.

27 (f) If the commissioner determines that an interim

1 assessment instrument adopted under Section 39.023(o) provides the  
2 same intended outcomes as an instrument adopted or approved under  
3 this section, the commissioner may substitute that interim  
4 assessment instrument for an instrument adopted or approved under  
5 this section.

6 (g) A school district shall administer to students in  
7 kindergarten through third grade a reading instrument and a  
8 mathematics instrument adopted under Subsection (a) in accordance  
9 with requirements and recommendations established by the  
10 commissioner under this section, including requirements or  
11 recommendations related to:

- 12 (1) administering the instruments;
- 13 (2) training staff on the instruments; and
- 14 (3) applying the results of the instruments to the  
15 district's instructional program.

16 (h) The superintendent of each school district shall:

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

20 (2) not later than the 30th calendar day after the date  
21 on which the results of a reading or mathematics instrument are  
22 available, report, in writing or electronically, to a student's  
23 parent or guardian:

24 (A) the student's results on the instrument;  
25 (B) for a reading instrument, the report  
26 described by Subsection (b)(7); and

27 (C) if the student is determined to be at risk for



1 dyslexia or a related disorder based on the results of the reading  
2 instrument, information regarding that determination.

3 (i) The agency shall establish a list of reading and  
4 mathematics instruments adopted under Subsection (a) for which the  
5 agency has negotiated a price. A school district is not required to  
6 use a method provided by Section 44.031 to purchase an instrument on  
7 the list established under this subsection.

8 (j) A student's parent or guardian may submit a written  
9 request to the administrator of the campus at which the student is  
10 enrolled to opt the student out of the administration of a reading  
11 or mathematics instrument required under this section. A school  
12 district may not encourage or direct a parent or guardian to submit  
13 a written request under this subsection.

14 (k) The commissioner shall adopt rules as necessary to  
15 implement this section.

16 (l) Section 2001.0045, Government Code, does not apply to a  
17 rule adopted under this section.

18 (m) A school district may comply with the requirements of  
19 Subsection (g) by administering a reading or mathematics instrument  
20 selected by the board of trustees of the school district that meets  
21 the requirements of Subsection (b) until the commissioner adopts  
22 the list of reading and mathematics instruments under Subsection  
23 (a). This subsection expires September 1, 2029.

24 Sec. 28.0064. EARLY LITERACY INTERVENTION FOR CERTAIN  
25 STUDENTS. (a) If a student's results on two consecutive reading  
26 instruments administered under Section 28.0063 indicate that the  
27 student is at risk, as determined by the commissioner, of not

1 achieving satisfactory performance in foundational literacy, a  
2 school district shall, as soon as practicable following the receipt  
3 of the student's results, provide reading interventions to the  
4 student.

5 (b) Reading interventions provided under Subsection (a):

6 (1) must include targeted instruction in the  
7 foundational literacy skills identified as areas in need of  
8 targeted instruction by the reading instrument administered under  
9 Section 28.0063;

10 (2) must ensure that the student receives the  
11 interventions during a period and at a frequency sufficient to  
12 address the areas described by Subdivision (1);

13 (3) must include effective instructional materials  
14 designed for reading intervention;

15 (4) must be provided by a person:

16 (A) with training in reading interventions and in  
17 the applicable instructional materials described by Subdivision  
18 (3); and

19 (B) under the oversight of the school district;

20 (5) must, to the extent possible, be provided by one  
21 person for the entirety of the student's reading intervention  
22 period;

23 (6) may use automated, computerized, or other  
24 augmented methods to deliver or supplement the interventions and  
25 instructional materials provided to the student; and

26 (7) must meet any additional requirements adopted by  
27 the commissioner.

1       (c) A school district shall continue providing reading  
2 intervention to a student under this section until the earlier of  
3 the date on which:

4           (1) the student is no longer determined to be at risk,  
5 as determined by the commissioner, of not achieving satisfactory  
6 performance in foundational literacy on a reading instrument  
7 administered under Section 28.0063; or

8           (2) the student begins the fourth grade.

9       (d) In providing reading interventions under this section,  
10 a school district may not remove a student, except under  
11 circumstances for which a student enrolled in the same grade level  
12 who is not receiving reading interventions would be removed, from:

13           (1) instruction in the foundation curriculum and  
14 enrichment curriculum adopted under Section 28.002 for the grade  
15 level in which the student is enrolled; or

16           (2) recess or other physical activity that is  
17 available to other students enrolled in the same grade level.

18       (e) The agency shall approve one or more products that use  
19 an automated, computerized, or other augmented method for providing  
20 reading interventions. The agency may approve a product under this  
21 subsection only if evidence indicates that the product is effective  
22 at promoting mastery of foundational literacy skills.

23       (f) Subject to appropriation, the agency shall ensure that  
24 at least one product approved under Subsection (e) is available to  
25 school districts at no or reduced cost.

26       (g) A student's parent or guardian may submit a written  
27 request to the administrator of the campus at which the student is

1 enrolled to opt the student out of all or part of a reading  
2 intervention requirement under Subsection (b). A school district  
3 may not encourage or direct a parent or guardian to submit a written  
4 request under this subsection that would allow the district to not  
5 provide reading interventions to the student.

6 (h) A school district must provide to the parent or guardian  
7 of a student receiving reading interventions under this section the  
8 notice required under Section 26.0081(d).

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

14 (j) Nothing in this section may be construed to circumvent  
15 or supplant federal or state law regarding a student who  
16 participates in a special education program under Subchapter A,  
17 Chapter 29, or a student who is suspected to have a disability and  
18 who may be eligible to participate in a special education program  
19 under that subchapter.

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

24 (l) Section 2001.0045, Government Code, does not apply to a  
25 rule adopted under this section.

26 (m) A school district is not required to comply with the  
27 requirements of this section until the commissioner adopts a list

1 of reading and mathematics instruments under Section 28.0063 and  
2 designates the first school year that districts must comply with  
3 this section. This subsection expires September 1, 2029.

4 Sec. 28.0065. ADAPTIVE VOCABULARY ASSESSMENT PILOT  
5 PROGRAM. (a) The agency shall develop and implement an adaptive  
6 vocabulary assessment pilot program to assess vocabulary  
7 development in students in kindergarten through third grade.

8 (b) The agency may develop an assessment under the pilot  
9 program to assess students in grades other than grades described by  
10 Subsection (a).

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

17 (d) The commissioner may adopt rules as necessary to  
18 implement this section.

19 Sec. 28.0071. MATHEMATICS TRAINING FOR KINDERGARTEN  
20 THROUGH EIGHTH GRADE. (a) Each school district and  
21 open-enrollment charter school shall ensure that:

22 (1) not later than the 2031-2032 school year, each  
23 classroom teacher that provides instruction in mathematics to  
24 students in kindergarten through eighth grade and each principal,  
25 assistant principal, mathematics instructional coach, and  
26 mathematics interventionist at a campus with one of those grade  
27 levels has attended a teacher mathematics achievement academy

1 developed under Section 21.4553; and

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

8 (b) The agency shall provide assistance to school districts  
9 and open-enrollment charter schools in complying with the  
10 requirements under this section.

11 (c) The agency shall:

12 (1) monitor the implementation of this section; and

13 (2) periodically report to the legislature on the  
14 implementation of this section and the effectiveness of this  
15 section in improving educational outcomes.

16 (d) The commissioner may adopt rules to implement this  
17 section.

18 SECTION 10. Subchapter B, Chapter 28, Education Code, is  
19 amended by adding Section 28.02111 to read as follows:

20 Sec. 28.02111. FIRST THROUGH THIRD GRADE SUPPLEMENTARY  
21 SUPPORTS. (a) The commissioner shall establish and administer a  
22 program designed to help improve student proficiency in reading by  
23 providing a grant in an amount provided under Section 48.317  
24 through which the student's parent may purchase tutoring services  
25 from agency-approved providers to:

26 (1) a student at or below the third grade level who,  
27 beginning in the first grade, fails to perform satisfactorily on

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

9 (b) Not later than the 30th day after the date a student  
10 receives a grant under Subsection (a), the student's parent must  
11 select the agency-approved provider from which the parent will  
12 purchase tutoring services or provide to the school district or  
13 open-enrollment charter school in which the student is enrolled  
14 written notice of the parent's decision to opt the student out of  
15 the supplementary supports under this section. If the parent does  
16 not select a provider or provide notice opting the student out of  
17 the supplementary supports during the period described by this  
18 subsection, the district or school in which the student is enrolled  
19 shall select the provider.

20 (c) The agency shall:

21 (1) maintain a system of online accounts under which  
22 each student described by Subsection (a) is assigned an account for  
23 the student's parent to access the grant described by Subsection  
24 (a); and

25 (2) implement the program in a manner that ensures:

26 (A) ease of use for parents of students who are  
27 eligible for a grant under this section; and

1                   (B) fidelity of spending.

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

5           (e) The agency may reserve from the total amount of money  
6 available for purposes of the program an amount, not to exceed five  
7 percent of the total amount, to cover the agency's cost of  
8 administering the program.

9           (f) A school district or open-enrollment charter school in  
10 which a third grade student who receives a grant under this section  
11 is enrolled remains subject to the requirements to provide  
12 accelerated instruction under Section 28.0211.

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

17           (h) A decision by the commissioner regarding the program  
18 under this section is final and may not be appealed.

19           (i) The commissioner shall adopt rules as necessary to  
20 implement this section.

21           SECTION 11. Section 29.0031, Education Code, is amended by  
22 adding Subsection (e) to read as follows:

23           (e) A school district shall notify the parent of a student  
24 identified with dyslexia or a related disorder of the Talking Book  
25 Program administered by the Texas State Library and Archives  
26 Commission and other available audio book services.

27           SECTION 12. Section 29.1543, Education Code, is amended to



1 read as follows:

2           Sec. 29.1543. EARLY EDUCATION REPORTS. The agency shall  
3 produce and make available to the public on the agency's Internet  
4 website annual district and campus-level reports containing  
5 information from the previous school year on early education in  
6 school districts and open-enrollment charter schools. A report  
7 under this section must contain:

8           (1) the information required by Section 29.1532(c) to  
9 be reported through the Public Education Information Management  
10 System (PEIMS);

11           (2) a description of the [~~diagnostic~~] reading  
12 instruments administered in accordance with Section 28.006(c-2)  
13 [~~28.006(c) or (c-2)~~];

14           (3) the number of students who were administered a  
15 [~~diagnostic~~] reading instrument administered in accordance with  
16 Section 28.006(c-2) [~~28.006(c) or (c-2)~~];

17           (4) the number of students whose scores from a  
18 [~~diagnostic~~] reading instrument administered in accordance with  
19 Section 28.006(c-2) [~~28.006(c) or (c-2)~~] indicate kindergarten  
20 readiness in reading [~~proficiency~~];

21           (5) the number of kindergarten students who were  
22 enrolled in a prekindergarten program in the previous school year  
23 in the same district or school as the district or school in which  
24 the student attends kindergarten;

25           (6) the number and percentage of students who perform  
26 satisfactorily on the third grade reading or mathematics assessment  
27 instrument administered under Section 39.023, disaggregated by

1 whether the student was eligible for free prekindergarten under  
2 Section 29.153;

3 (7) the number of students described by Subdivision  
4 (6) who attended kindergarten in the district, disaggregated by:

5 (A) whether the student met the kindergarten  
6 readiness standard on a [~~the~~] reading instrument adopted under  
7 Section 28.006;

8 (B) whether the student attended prekindergarten  
9 in the district; and

10 (C) the type of prekindergarten the student  
11 attended, if applicable; and

12 (8) the information described by Subdivisions (6) and  
13 (7) disaggregated by whether the student is educationally  
14 disadvantaged.

15 SECTION 13. Section 29.161(c), Education Code, is amended  
16 to read as follows:

17 (c) The system must:

18 (1) be reflective of research in the field of early  
19 childhood care and education;

20 (2) be well-grounded in the cognitive, social, and  
21 emotional development of young children;

22 (3) apply a common set of criteria to each program  
23 provider seeking certification, regardless of the type of program  
24 or source of program funding; and

25 (4) be capable of fulfilling the reporting and notice  
26 requirements of Section [~~Sections~~] 28.006(d) [~~and (g)~~].

27 SECTION 14. Section 29.167, Education Code, is amended by

1 amending Subsections (b-1) and (b-3) and adding Subsection (b-4) to  
2 read as follows:

3 (b-1) Notwithstanding Subsection (b), each teacher for a  
4 prekindergarten class provided by an entity with which a school  
5 district contracts to provide a prekindergarten program must:

6 (1) be certified under Subchapter B, Chapter 21, to  
7 teach prekindergarten or supervised by a person who meets the  
8 requirements under Subsection (b); ~~and~~

9 (2) have one of the following qualifications:

10 (A) at least two years' experience of teaching in  
11 a nationally accredited child care program or a Texas Rising Star  
12 Program and:

13 (i) a Child Development Associate (CDA)  
14 credential or another early childhood education credential  
15 approved by the agency; or

16 (ii) certification offered through a  
17 training center accredited by Association Montessori  
18 Internationale or through the Montessori Accreditation Council for  
19 Teacher Education; or

20 (B) a qualification described by Subsection  
21 (b)(2)(A), (D), (E), or (F); and

22 (3) when appropriate, be appropriately certified or be  
23 supervised by a person who is appropriately certified to provide  
24 effective instruction to emergent bilingual students, as defined by  
25 Section 29.052, enrolled in the prekindergarten program.

26 (b-3) Subsections (b-1), ~~and~~ (b-2), and (b-4) and this  
27 subsection expire September 1, 2029.

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

5       SECTION 15. Subchapter B-1, Chapter 31, Education Code, is  
6 amended by adding Section 31.0754 to read as follows:

7       Sec. 31.0754. COMMUNICATION REGARDING HIGH QUALITY  
8 INSTRUCTIONAL MATERIALS. (a) Notwithstanding Chapter 2113,  
9 Government Code, the commissioner may enter into contracts or  
10 agreements and engage in efforts to communicate information to  
11 parents, classroom teachers, school districts, and open-enrollment  
12 charter schools regarding the educational value, particularly the  
13 impact on reading and math achievement, of open education resource  
14 instructional materials made available under this subchapter,  
15 including activities to promote, market, and advertise the content  
16 included in and how to use those materials.

17       (b) The commissioner may use appropriated funds or funds  
18 appropriated for the development of open education resource  
19 instructional materials under this subchapter to pay for activities  
20 authorized under this section.

21       SECTION 16. Section 38.003, Education Code, is amended by  
22 amending Subsection (a) and adding Subsection (a-1) to read as  
23 follows:

24       (a) The State Board of Education shall identify the  
25 necessary criteria and elements that provide for universal  
26 screening [~~Students enrolling in public schools in this state shall~~  
27 ~~be screened or tested, as appropriate,~~] for dyslexia and related

1 disorders for students [~~at appropriate times in accordance with a~~  
2 ~~program approved by the State Board of Education. The program must~~  
3 ~~include screening at the end of the school year of each student]~~ in  
4 kindergarten and [~~each student in the]~~ first grade.

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

9 SECTION 17. Subchapter A, Chapter 38, Education Code, is  
10 amended by adding Section 38.0355 to read as follows:

11 Sec. 38.0355. VISION SCREENING AND CARE GRANT PROGRAM. (a)  
12 In this section:

13 (1) "Eligible student" means a student who:

14 (A) has been identified as having a vision  
15 disorder or other vision problem requiring vision care under the  
16 screening program described by Section 36.004, Health and Safety  
17 Code; and

18 (B) is educationally disadvantaged.

19 (2) "Vision care" includes eye exams and assistive or  
20 corrective visual devices, including glasses or contact lenses.

21 (b) From money appropriated or otherwise available for the  
22 purpose, the agency shall establish and administer a grant program  
23 for school districts and open-enrollment charter schools to screen  
24 students for vision disorders or other vision problems in addition  
25 to those described by Section 36.004, Health and Safety Code, and  
26 provide vision care to eligible students.

27 (c) A grant provided under this section:

1           (1) must be used to pay for costs associated with  
2 providing vision screening or care as described by Subsection (b);  
3 and

4           (2) may not be used to supplant any other money  
5 provided for the same purpose.

6           (d) The agency may solicit and accept gifts, grants, and  
7 donations for purposes of this section.

8           SECTION 18. Section 39.333, Education Code, is amended to  
9 read as follows:

10           Sec. 39.333. REGIONAL AND DISTRICT LEVEL REPORT. As part of  
11 the comprehensive biennial report under Section 39.332, the agency  
12 shall submit a regional and district level report covering the  
13 preceding two school years and containing:

14           (1) a summary of school district compliance with the  
15 student/teacher ratios and class-size limitations prescribed by  
16 Sections 25.111 and 25.112, including:

17                   (A) the number of campuses and classes at each  
18 campus granted an exception from Section 25.112; and

19                   (B) for each campus granted an exception from  
20 Section 25.112, a statement of whether the campus has been awarded a  
21 distinction designation under Subchapter G or has been identified  
22 as an unacceptable campus under Chapter 39A;

23           (2) a summary of the exemptions and waivers granted to  
24 campuses and school districts under Section 7.056 or 39.232 and a  
25 review of the effectiveness of each campus or district following  
26 deregulation;

27           (3) an evaluation of the performance of the system of

1 regional education service centers based on the indicators adopted  
2 under Section 8.101 and client satisfaction with services provided  
3 under Subchapter B, Chapter 8; and

4 (4) [~~an evaluation of accelerated instruction~~  
5 ~~programs offered under Section 28.006, including an assessment of~~  
6 ~~the quality of such programs and the performance of students~~  
7 ~~enrolled in such programs; and~~

8 [(5)] the number of classes at each campus that are  
9 currently being taught by individuals who are not certified in the  
10 content areas of their respective classes.

11 SECTION 19. Subchapter A, Chapter 48, Education Code, is  
12 amended by adding Section 48.0052 to read as follows:

13 Sec. 48.0052. INCENTIVE FOR ADDITIONAL INSTRUCTIONAL DAYS  
14 FOR READING INTERVENTIONS. (a) The commissioner shall adjust the  
15 average daily attendance of a school district or open-enrollment  
16 charter school under Section 48.005 in the manner provided by  
17 Subsection (b) if the district or school:

18 (1) does not qualify for funding under Section  
19 48.0051;

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

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

27 (b) For a school district or open-enrollment charter school

1 described by Subsection (a), the commissioner shall increase the  
2 average daily attendance of the district or school under Section  
3 48.005 by 50 percent of the amount that results from the quotient of  
4 the sum of attendance by students described by Subsection (a)(3)  
5 for each of the additional instructional days of half-day  
6 instruction that are provided divided by 175.

7 (c) The agency shall assist school districts and  
8 open-enrollment charter schools in qualifying for the incentive  
9 under this section.

10 (d) The commissioner shall adopt rules necessary for the  
11 implementation of this section.

12 SECTION 20. Section 48.108, Education Code, is amended by  
13 amending Subsections (a), (b), and (c) and adding Subsection (a-1)  
14 to read as follows:

15 (a) For each student in average daily attendance in  
16 kindergarten through third grade, a school district is entitled to  
17 an annual allotment equal to the basic allotment multiplied by  
18 0.01.

19 (a-1) In addition to the allotment under Subsection (a), a  
20 school district is entitled to an annual allotment equal to the  
21 basic allotment multiplied by 0.1 for each student in average daily  
22 attendance in kindergarten through third grade who [0.1 if the  
23 student] is:

- 24 (1) educationally disadvantaged; or  
25 (2) an emergent bilingual student, as defined by  
26 Section 29.052, and is in a bilingual education or special language  
27 program under Subchapter B, Chapter 29.



1 (b) Funds allocated under this section must be used to fund:

2 (1) the attendance of teachers employed by the  
3 district at teacher literacy achievement academies under Section  
4 21.4552 or teacher mathematics achievement academies under Section  
5 21.4553;

6 (2) prekindergarten programs under Subchapters E and  
7 E-1, Chapter 29; and

8 (3) programs and services designed to improve student  
9 performance in reading and mathematics in prekindergarten through  
10 third grade, including programs and services designed to assist the  
11 district in achieving the goals set in the district's early  
12 childhood literacy and mathematics proficiency plans adopted under  
13 Section 11.185.

14 (c) A school district is entitled to an allotment under each  
15 subdivision of Subsection (a-1) [~~(a)~~] for which a student  
16 qualifies.

17 SECTION 21. Subchapter C, Chapter 48, Education Code, is  
18 amended by adding Section 48.122 to read as follows:

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

24 (b) A school district may not receive funding under this  
25 section for a student for which the district receives an allotment  
26 under Section 48.103.

27 (c) A school district may receive funding under this section

1 for not more than 15 percent of students enrolled in the district in  
2 kindergarten through third grade.

3 SECTION 22. Subchapter G, Chapter 48, Education Code, is  
4 amended by adding Section 48.317 to read as follows:

5 Sec. 48.317. FIRST THROUGH THIRD GRADE SUPPLEMENTARY  
6 SUPPORTS GRANT; FUNDING ADJUSTMENT. (a) A student to whom the  
7 agency provides a grant under Section 28.02111(a)(1) or (2) is  
8 entitled to receive an amount of \$400, or a greater amount provided  
9 by appropriation.

10 (b) A student may receive not more than one grant under  
11 Section 28.02111(a)(1) and one grant under Section 28.02111(a)(2),  
12 unless additional grants are provided for by appropriation.

13 (c) Subject to Subsection (e), beginning with the 2030-2031  
14 school year, the agency shall reduce the school district's  
15 entitlement under this chapter each school year by the amount  
16 calculated under Subsection (d) for each student who:

17 (1) fails to perform satisfactorily on a reading  
18 assessment instrument administered under Section 39.023 in the  
19 third grade;

20 (2) received and used a grant under Section 28.02111  
21 during the preceding school year; and

22 (3) was enrolled in the district from kindergarten  
23 through third grade.

24 (d) The amount calculated for a student for purposes of  
25 Subsection (c) is the difference between the total amount of grants  
26 received by the student under Section 28.02111 and the amount of  
27 money, if any, remaining in the account assigned to the student

1 under that section at the end of third grade.

2 (e) For a student described by Subsection (c) who is  
3 eligible to participate in a school district's special education  
4 program under Section 29.003, the agency shall reduce the  
5 district's entitlement in accordance with Subsection (c) by \$200  
6 for each grant the student received under Section 28.02111.

7 (f) Any money remaining in an account assigned to a student  
8 under Section 28.02111 at the end of third grade shall be returned  
9 for deposit in the foundation school fund.

10 (g) Notwithstanding Section 7.057, a determination by the  
11 commissioner under this section is final and may not be appealed.

12 SECTION 23. Section 36.004(b-1), Health and Safety Code, is  
13 amended to read as follows:

14 (b-1) The rules must allow an individual who attends a  
15 public or private school to be screened:

16 (1) using photoscreening to detect vision disorders;

17 [~~and~~]

18 (2) using an electronic eye chart as a substitute for a  
19 printed eye chart to assess visual acuity; and

20 (3) using visual screening techniques to detect depth  
21 perception issues and color blindness.

22 SECTION 24. Section 36.006, Health and Safety Code, is  
23 amended by adding Subsections (a-1) and (a-2) to read as follows:

24 (a-1) The form prescribed by the department under  
25 Subsection (a) must include:

26 (1) separate spaces for the student's first and last  
27 name;

- 1           (2) a space for the preschool's or school's name;  
2           (3) a space for the student's grade level; and  
3           (4) information for a student's parents regarding  
4 available resources for low-cost vision care.

5           (a-2) The department shall biennially update the form  
6 information required under Subsection (a-1)(4).

7           SECTION 25. The following provisions of the Education Code  
8 are repealed:

- 9           (1) Section 7.058;  
10          (2) Section 21.4552(f);  
11          (3) Section 21.4553(f);  
12          (4) Sections 28.006(c), (c-1), (g), (g-1), (g-2), (i),  
13 (j), and (k); and  
14          (5) Section 28.007.

15          SECTION 26. As soon as practicable after the effective date  
16 of this Act, the executive commissioner of the Health and Human  
17 Services Commission shall adopt rules necessary to implement the  
18 changes in law made by this Act to Chapter 36, Health and Safety  
19 Code.

20          SECTION 27. Sections 12.104, 21.4552, 21.4553, 25.085,  
21 28.006, 29.1543, 29.167, and 39.333, Education Code, as amended by  
22 this Act, and Sections 28.0063, 28.0064, 28.0065, and 28.02111,  
23 Education Code, as added by this Act, apply beginning with the  
24 2025-2026 school year.

25          SECTION 28. (a) Section 48.108, Education Code, as amended  
26 by this Act, and Sections 48.0052, 48.122, and 48.317, Education  
27 Code, as added by this Act, take effect September 1, 2025.

1           (b) Except as provided by Subsection (a) of this section,  
2 this Act takes effect immediately if it receives a vote of  
3 two-thirds of all the members elected to each house, as provided by  
4 Section 39, Article III, Texas Constitution. If this Act does not  
5 receive the vote necessary for immediate effect, this Act takes  
6 effect September 1, 2025.