

BILL ANALYSIS

Senate Research Center
76R3864 CAS-D

S.B. 1
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Education
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As Filed

DIGEST

Currently, a significant number of people graduate from school without enough reading ability to secure employment in an education-driven economy. While their peers become better prepared for post-secondary education and employment, the deficient readers, as part of a less-educated society, demand more of social services and are more likely to commit crimes. Schools, required to intervene early in the reading performance of a student, could ensure a society educated with better readers.

S.B. 1 requires early reading intervention by schools. Schools would identify students who have proven to read poorly and establish an accelerated reading program for them. If a student continues to perform poorly, a grade placement committee would target the specific academic needs of the student. As a final measure toward establishing reading proficiency, the performance committee would retain the student in the student's current grade level. Early intervention begins with the kindergarten class of 1999-2000, and the earliest grade retention for that class would be the 2002-2003 school year. Parents may appeal retention to the committee.

PURPOSE

As proposed, S.B. 1 requires early reading intervention by schools.

RULEMAKING AUTHORITY

Rulemaking authority is given to the commissioner of education in SECTION 4 (Chapter 28B, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 12.104(b), Education Code, to subject open-enrollment schools to a prohibition, restriction, or requirement imposed on this title regarding reading programs and accelerated instruction. Makes conforming changes.

SECTION 2. Amends Section 25.085(d), Education Code, to make a conforming change.

SECTION 3. Amends Section 28.006, Education Code, by amending Subsection (g) and adding Subsections (g)-(i) to require a school district to notify parents of a student in either kindergarten, first, or second grade who is below acceptable reading levels. Requires the district to implement a research-based accelerated reading instruction program for a child below such levels beginning in certain school years. Provides that Subsections (h) and (i) expire on January 1, 2002.

SECTION 4. Amends Chapter 28B, Education Code, by adding Section 28.0211, as follows:

Sec. 28.0211. SATISFACTORY PERFORMANCE ON ASSESSMENT INSTRUMENTS REQUIRED; ACCELERATED INSTRUCTION. Prohibits a student who failed the reading assessment instrument under Section 39.023 to pass to certain grades, except as provided by Subsection (e). Requires the school district to provide two additional opportunities to take the assessment instrument to the student and to administer accelerated reading programs at each failure, or take certain steps in the event the student continues to fail, including the establishment of a grade placement committee and an accelerated instructional group. Sets

forth requirements for the group. Requires the school district to notify the student's parents whether the student fails the assessment, is assigned to an instructional program, and the possibility of retention. Requires the student to remain in the same grade level if the student does not pass the assessment within three attempts, in accordance with Subsection (a). Authorizes parents to appeal the retention. Requires the school to give parents written notice of the appeal. Authorizes the grade placement committee (committee) to evaluate the request. Authorizes the committee to promote the student only if the student meets certain criteria. Prohibits a student from being promoted on the basis of the committee's decision, unless it is unanimous. Requires the commissioner of education (commissioner) to determine, by rule, the timeliness of meetings and decisions. Provides that this section does not create a property interest in promotion and that the committee's decision is final and may not be appealed. Sets forth requirements for the school district in providing instruction for a student, who after three attempts, failed to perform satisfactorily on an assessment instrument. Provides that this section does not preclude retaining at a grade level a student who performs satisfactorily on an assessment instrument. Requires the commissioner to adopt rules necessary to implement this section. Sets forth the several grades to which the assessment instrument applies.

SECTION 5. Amends Section 39.024(b), Education Code, to offer an incentive program to students for the purposes of and to carry out Section 28.0211.

SECTION 6. Amends Section 39.051(b), Education Code, to set forth information required to be on performance indicators, including the number of students promoted through the grade placement committee process under Section 28.02211, the subject of the assessment instrument, and the performance of students. Makes conforming changes.

SECTION 7. Amends Section 39.052(b), Education Code, to make a make a conforming change.

SECTION 8. Amends Section 39.072(b), Education Code, to make a make a conforming change.

SECTION 9. Amends Section 39.073(b), Education Code, to make a make a conforming change.

SECTION 10. Amends Section 39.074(b), Education Code, to make a make a conforming change.

SECTION 11. Effective date: September 1, 1999.

SECTION 12. Emergency clause.