

BILL ANALYSIS

Senate Research Center
77R4426 BDH-D

S.B. 682
By: Van de Putte
Education
3/8/2001
As Filed

DIGEST AND PURPOSE

For more than 70 years, Texas public schools have primarily used the whole-word or whole-language methods of teaching reading. In addition, the public schools have taught mathematics concepts to familiarity rather than to mastery. As proposed, S.B. 682 requires school districts, home-rule school districts, charter schools, and open-enrollment schools to provide their students with a foundation curriculum, accelerated instruction, bilingual education, and special education programs, tutorial services, and adult education programs that use educational methods based on scientific research. The bill also requires educators to be adequately prepared to implement educational methods based on scientific research.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 7.102(c)(4), Education Code, to require the State Board of Education (board) to establish curriculum and graduation requirements as required by Chapter 28.

SECTION 2. Amends Section 8.051(d), Education Code, to provide that training and assistance in teaching each subject area assessed under Section 39.023 using methods based on scientific research is a core service each regional education service center is required to maintain.

SECTION 3. Amends Section 11.201(d), Education Code, to add administrative responsibility and leadership for the planning, operation, supervision, and evaluation of curricula based on scientific research for elementary reading, spelling, and mathematics to the list of duties of the superintendent.

SECTION 4. Amends Section 11.202(b), Education Code, to require each principal to set specific education objectives for the principal's campus, including, for elementary school principals, the implementation of curricula based on scientific research for reading, spelling, and mathematics through the planning process under Section 11.253.

SECTION 5. Amends Section 11.252(a), Education Code, to add instructional methods, including methods based on scientific research for reading, spelling, and mathematics, for addressing the needs of student groups not achieving their full potential, research-based reading programs, and, where appropriate, training in the use of curricula based on scientific research for reading, spelling, and mathematics for professional staff in the district to the list of strategies for improvement of student performance.

SECTION 6. Amends Section 12.013(b), Education Code, to add curriculum requirements under Sections 28.002(a)(1)(A) and (B) to the list of prohibitions, restrictions, or requirements imposed by this title or a rule adopted under this title to which a home-rule school district is subject.

SECTION 7. Amends Section 12.056(b), Education Code, to make a conforming change regarding a campus or program for which a charter is granted under this subchapter.

SECTION 8. Amends Section 12.104(b), Education Code, to make a conforming change regarding an open-enrollment charter school.

SECTION 9. Amends Section 19.004(c), Education Code, to require a district to develop educational and vocational training programs specifically designed for certain people, including an educational curriculum based on scientific research to teach reading, spelling, and mathematics to those persons who test at or below the sixth grade level on approved placement tests.

SECTION 10. Amends Section 21.045, Education Code, by adding Subsection (e), to provide that the educator preparation accreditation standards must include, not later than September 1, 2002, the requirement that elementary teachers display knowledge of educational curricula based on scientific research for teaching reading, spelling, and mathematics. Provides that this subsection expires January 1, 2003.

SECTION 11. Amends Section 21.046(b), Education Code, to add curriculum and instruction management, including for elementary school principals knowledge of effective implementation methods for educational curricula based on scientific research for elementary reading, spelling, and mathematics to the list of qualifications for certification a principal must emphasize.

SECTION 12. Amends Section 21.047(c), Education Code, to provide that a comprehensive field-based teacher program must, for elementary school teachers, emphasize the use of educational methods and curricula based on scientific research for teaching elementary reading, spelling, and mathematics.

SECTION 13. Amends Section 21.0481(c), Education Code, to provide that for a person to be eligible for a master reading teacher certificate the person must satisfactorily complete a knowledge-based and skills-based course of instruction on the science of teaching children to read that emphasizes the use of educational methods based on scientific research, among certain criteria.

SECTION 14. Amends Section 21.451(b), Education Code, to authorize campus staff development to include activities that enable the campus staff to study educational methods based on scientific research.

SECTION 15. Amends Section 28.002, Education Code, by amending Subsections (a) and (i) and adding Subsection (l), as follows:

(a) Requires each school district that offers kindergarten through grade 12 to offer, as a required curriculum a foundation curriculum that includes English language arts and mathematics, including elementary reading, morphographic spelling, and elementary mathematics using educational methods based on scientific research.

(i) Provides an exception to the board's rulemaking authority.

(l) Provides that any method used to teach elementary reading, spelling, or mathematics must be based on scientific research.

SECTION 16. Amends Section 29.057, Education Code, by adding Subsection (d) to provide that curriculum used for teaching reading, spelling, and mathematics in bilingual education or special education programs must be based on scientific research.

SECTION 17. Amends Sections 29.081(b) and (e), Education Code, to provide that accelerated instruction must consist of educational methods based on scientific research. Authorizes a school district to use a private or public community-based dropout recovery education program based on

scientific research to provide alternative education programs for students at risk of dropping out of school.

SECTION 18. Amends Section 29.084(a), Education Code, to authorize each school district to provide, at the district's schools, tutorial services based on scientific research.

SECTION 19. Amends Section 29.153(f), Education Code, to provide, rather than require, that a district's prekindergarten program be designed to develop skills necessary for success in the regular public school curriculum, including language, mathematics, and social skills. Provides that the program must be based on scientific research.

SECTION 20. Amends Section 29.253, Education Code, to provide that adult education programs must be based on scientific research.

SECTION 21. Amends Section 31.029, Education Code, to require the board to purchase or otherwise acquire textbooks that are based on scientific research for use in bilingual education classes.

SECTION 22. Amends Section 37.002(a), Education Code, to provide that the first time a student is referred to the principal, the principal must determine the student's educational performance level by administering a reading decoding and comprehension placement test and a mathematics placement test. Provides that if a student's test performance is two or more grade levels below the student's assigned grade level, the principal must place the student in an appropriate corrective reading or mathematics program that uses methods based on scientific research. Requires the principal, if a student's performance is equal to or greater than the student's assigned grade level, or if the student continues to act in an inappropriate manner after being placed in a corrective educational program that uses methods based on scientific research, to employ appropriate discipline management techniques consistent with the student code of conduct adopted under Section 37.001.

SECTION 23. Amends Section 37.008(a), Education Code, to require each school district to provide an alternative education program that provides a reading, spelling, and mathematics curriculum based on scientific research.

SECTION 24. Amends Section 37.011(h), Education Code, to provide that a student who is not performing at grade level on entering a juvenile justice alternative education program, as determined by the student's performance on certain placement tests, must be placed in a corrective educational program that uses methods based on scientific research.

SECTION 25. Amends Section 37.055, Education Code, to provide that a certain agreement must include a statement of the student's behavioral and learning objectives, including a description of the educational methods based on scientific research and the behavioral modification methods that the school district intends to use to meet the objectives and the school district's acknowledgment that the district will use the best educational methods based on scientific research available to accomplish the learning objectives. Authorizes a parent to obtain a court order from a district court in the county in which the school district is located requiring the superintendent of the school district to comply with an agreement made under this section. Authorizes a superintendent who violates a court order issued under this section to be punished for contempt of court.

SECTION 26. Amends Section 38.003(b), Education Code, to require the board of trustees of each school district to provide, in accordance with the program approved by the board, for the treatment of any student determined to have dyslexia or a related disorder, including a corrective reading program based on scientific research that had proven successful in providing dyslexia remediation.

SECTION 27. Requires the board, notwithstanding the textbook review and adoption requirements under Section 31.022, Education Code, or the textbook review and adoption cycle the board adopts under that section, to review and adopt reading, spelling, and mathematics textbooks and

accompanying teacher editions that are based on scientific research that satisfy requirements under Section 28.002(a)(1)(A) and (B), Education Code, as amended by this Act, as soon as practicable.

SECTION 28. Effective date: July 1, 2001, or September 1, 2001