

- SUBJECT:** Requiring intensive reading and language intervention pilot program
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 7 ayes — Eissler, Branch, Delisi, Hochberg, Mowery, Olivo, Patrick  
0 nays  
2 absent — Zedler, Dutton
- WITNESSES:** For — Steve Miller, Scientific Learning Corporation; Mike Moses; (*Registered, but did not testify:* Amy Beneski, Texas Association of School Administrators; Sandi Borden, Texas Elementary Principals and Supervisors Association; Holly Eaton, Texas Classroom Teachers Association; Bill Hammond, Texas Association of Business; Jesse Romero, Texas Association for Bilingual Education T.A.B.E.; Julie Shields, Texas Association of School Boards)
- BACKGROUND:** Education Code, sec. 28.0211 prohibits students from being promoted to the next grade if they do not pass the reading portion of the TAKS test in the 3rd, 5th, and 8th grades. School districts must provide students who do not pass the TAKS with at least two additional opportunities to retake the test. Each time a student fails the test, the district must provide accelerated instruction in the portion of the test that the student failed.
- The 79th Legislature in 2005 authorized the Texas Education Agency (TEA) to establish an intensive reading and language intervention program, with individual campuses that had failed to improve student performance on the reading portion of the TAKS test eligible to participate.
- If the pilot program were established, TEA would adopt minimum criteria for the program, including neuroscience-based, scientifically validated methods, interventions, or instructional tools that were proven to accelerate learning, cognitive ability, and language proficiency.
- The principal of a participating campus, in consultation with teachers at the campus, would select the students to participate in the pilot program. A participating campus would complete an assessment on each student

before and after the student participated in the program to measure the student's progress.

The commissioner could provide up to \$6 million in funding appropriated to provide the instruction to improve student performance on the reading section of the TAKS test.

The pilot program could be made available during the 2005-06 and 2006-07 school years. The authorization for the program is scheduled to expire July 1, 2007.

**DIGEST:**

HB 1270 would require the TEA commissioner to establish the pilot program authorized in Education Code, sec. 29.094, for intensive reading and language intervention. Campuses that had failed to improve student performance in reading on the TAKS test would be eligible to participate.

The program would have to be made available to participating campuses during the 2007-08 and 2008-09 school years. A vendor for the intensive language intervention program approved by TEA and selected to operate the program would have to provide the Legislature, by December 31, 2008, with a report describing student progress.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2007.

**SUPPORTERS  
SAY:**

HB 1277 would give the TEA an opportunity to test intensive reading and language intervention for students struggling with the TAKS test by requiring the pilot program for intensive reading and learning intervention to be implemented. Some vendors, after years of scientific research, have produced products that are proving successful in reading and language instruction. The bill would provide an opportunity for them to prove their programs with Texas students. Rapid advances in neuro-science could help to close the gap between student potential and performance with intensive reading and language intervention. Schools now experimenting with this type of instruction already are showing significant gains.

The bill would not affect bilingual education initiatives or funding set aside for these programs. It simply would authorize the commissioner to use funds already earmarked for intensive instruction to help students pass the reading portion of the TAKS exam.

OPPONENTS  
SAY:

HB 1270 would authorize TEA to use up to \$6 million to hire private vendors to operate a pilot program in intensive reading and language instruction. Rather than investing in solutions offered by for-profit vendors, TEA should apply the \$6 million toward funding smaller classes, tutoring, early childhood intervention, and other concrete approaches, which if sufficiently funded, could help students master the reading portion of the TAKS test.

NOTES:

The companion bill, SB 494 by Van de Putte, has been referred to the Senate Education Committee.

The House-passed version of HB 1 by Chisum, the general appropriations bill for fiscal 2008-09, would authorize the TEA commissioner to spend up to \$1 million from funds appropriated for the Student Success Initiative and from state and federal English as a second language (ESL) and limited English proficiency (LEP) funds for establishing an intensive reading instruction and English language proficiency pilot program. The Art. 11 “wish list” includes an appropriation of up to \$6 million, from the same sources, and would require the TEA commissioner to establish the pilot program, contingent on enactment of HB 1270; otherwise, it would authorize the commissioner to spend up to \$1 million for the pilot program.