

**Reading Instruments** The commissioner of education shall adopt a list of reading instruments that a school district may use to diagnose student reading development and comprehension.

For use in diagnosing the reading development and comprehension of kindergarten students, the commissioner shall adopt a multidimensional assessment tool that includes a reading instrument and tests at least three developmental skills. A multidimensional assessment tool is considered to be a reading instrument.

The district-level committee may adopt a list of reading instruments in addition to the reading instruments on the commissioner's list for a grade level other than kindergarten. Each reading instrument adopted by the district-level committee shall be based on scientific research concerning reading skills development and reading comprehension. A list of adopted reading instruments shall provide for diagnosing the reading development and comprehension of students participating in a bilingual or special language program.

*Education Code 28.006(a)–(b)*

Kindergarten

Each district shall administer at the kindergarten level a reading instrument adopted by the commissioner or an alternative reading instrument approved by the commissioner. The district shall administer the reading instrument in accordance with the commissioner's recommendations.

The commissioner may approve an alternative reading instrument for use in diagnosing the reading development and comprehension of kindergarten students that complies with the requirements above.

The commissioner by rule shall determine the performance on the reading instrument that indicates kindergarten readiness.

*Education Code 28.006(b-1), (c-2)–(c-3)*

First and Second  
Grades

A district shall administer, at first- and second-grade levels, a reading instrument on the list adopted by the commissioner or by the district-level committee. A district shall administer the reading instrument in accordance with the commissioner's recommendations.

Seventh Grade

A district shall administer a diagnostic reading instrument during the first six weeks of the school year to each student in grade 7 whose performance on the grade 6 state reading assessment did not meet the passing standard. If a student was administered the modified state assessment in reading, the admission, review, and dismissal (ARD) committee may determine if the diagnostic assessment is appropriate for use with that student.

A student in grade 7 who does not have a score for the state reading assessment in grade 6 may be given an equivalent comprehension assessment. If that student does not meet the passing standard, the student must be administered the diagnostic reading assessment.

A district must use the Texas Middle School Fluency Assessment and/or an alternate diagnostic reading instrument. A district must submit an alternate diagnostic reading instrument to the Texas Education Agency (TEA) for approval. An alternate diagnostic instrument must:

1. Be based on published scientific research in reading;
2. Be age and grade-level appropriate, valid, and reliable;
3. Identify specific skill difficulties in word analysis, fluency, and comprehension; and
4. Assist the teacher in making individualized instructional decisions based on the assessment results.

Reports

A superintendent shall:

1. Report to the commissioner and the board the results of the reading instruments;
2. Not later than the 60th calendar day after the date on which a reading instrument was administered, report, in writing, to a student's parent or guardian the student's results on the reading instrument; and
3. Using the school readiness certification system, report each student's raw score on the reading instrument to TEA using the school readiness certification system.

Cost

TEA shall ensure at least one reading instrument for each grade level for which a reading instrument is required to be administered is available to districts at no cost.

Notice to Parents

A district shall notify the parent or guardian of each student in kindergarten, first grade, or second grade who is determined, on the basis of reading instrument results, to be at risk for dyslexia or other reading difficulties. A district shall make a good-faith effort to ensure that this notice is provided in person or by regular mail, is clear and easy to understand, and is written in English and in the parent or guardian's native language.

Accelerated  
Reading Instruction  
Program

A district shall implement an accelerated reading instruction program that provides reading instruction that addresses reading deficiencies to those students and shall determine the form,

content, and timing of that program. [See Accelerated Reading Instruction Program at EHBC(LEGAL)]

*Education Code 28.006; 19 TAC 101.6001*