



Update on the *Commissioner's List of Recommended Phonics Programs*

HB3 requires the use of a phonics curriculum.

June 2019:

HB3 passes requiring use of a phonics curriculum ([TEC §28.0062](#))

Feb/March 2023:

TEA publishes preliminary list of products that comply with phonics curriculum rule

April 2022: Rule on phonics curriculum becomes effective ([19 TAC §74.2001](#))

Overview of HB3 Phonics Curriculum Statute

- Each school district and open-enrollment charter school shall provide for the **use of a phonics curriculum** that uses **systematic direct instruction** in kindergarten through third grade to ensure all students obtain necessary early literacy skills ([TEC §28.0062](#))



Overview of HB3 Phonics Curriculum Rule (19 TAC §74.2001)

1

A phonics curriculum must...

2

A phonics curriculum may...

3

A phonics curriculum may not...

4

Products with evidence base

Overview of HB3 Phonics Curriculum Rule

1

A phonics curriculum must...

2

A phonics curriculum may...

3

A phonics curriculum may not...

4

Products with evidence base

Examples include but not limited to:

- A: align with a subset of the developing and sustaining foundational language skills portion of the TEKS;
- C: provide concise, direct, explicit, and systematic phonics instruction with cumulative review;
- H: include the quality components addressed in a phonics-specific rubric approved by the commissioner of education for use in the Texas Resource Review. (Note: To comply with this portion of the rule, products must earn at least 80% of the points possible for each category in the Texas Resource Review (TRR) phonics rubric.)

Overview of HB3 Phonics Curriculum Rule

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A phonics curriculum must...

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A phonics curriculum may not...

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Products with evidence base

- (A) function as a stand-alone phonics program, be part of a core language arts program, or act as a supplemental foundational literacy skills program; and
- (B) include scaffolded application in specific daily instructional sequences and routines.

Overview of HB3 Phonics Curriculum Rule

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Products with evidence base

- (A) teach word recognition, when teaching students to read in English, through visual memory, guessing, the shape of a word, or the use of pictures or context clues to decode words instead of explicitly teaching words that cannot be sounded out and that do not follow the rules of phonics; or
- (B) be used solely for intervention purposes rather than for core instruction implementation.

Overview of HB3 Phonics Curriculum Rule

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Products with evidence base

- A phonics program that does not meet all criteria in section 1 may be used by a school district or open-enrollment charter school if the program has a **strong evidence base** and is **used in conjunction with a phonics program that meets all criteria** in section 1.

Overview of HB3 Phonics Curriculum Rule (19 TAC §74.2001)

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Products with evidence base

COMING MARCH 2023

Publish list of products that comply with the rule requirements and do not contain any of the prohibited content.

COMING WINTER 2023

Publishing list of additional materials that meet evidence base requirements

To support school systems in complying with this statute, phonics materials were vetted to establish the *Commissioner's Recommended List of Phonics Programs*.

TEA has vetted a list of products against rule requirements and plans to publish a set that comply with the rule.

- This included a requirement to meet a set of defined quality criteria identified in English and Spanish phonics rubrics
- Quality reviews were conducted via the TRR process designed to provide comprehensive and user-friendly information about the quality of instructional materials, using evidence captured by teams of Texas educators trained on a Texas-specific quality rubric.



What is next for districts?

- By mid-March, expect a TAA with the list of phonics materials
- Districts are currently required to comply with the statute and associated rule that was effective April 2022.
- Districts should evaluate their current approach to using phonics curriculum to ensure compliance.
- Over the next two years, districts may choose to use any of the materials on the Commissioner's list which have already been verified as complying with the rule.





Appendix

School districts must provide for the use of phonics curriculum that uses systematic direct instruction in kindergarten through third grade.

- [Texas Education Code §28.0062\(a\)\(1\)](#)—Each school district and open-enrollment charter shall provide for the use of a phonics curriculum that uses systematic direct instruction in kindergarten through third grade to ensure all students obtain necessary early literacy skills. (Note: The commissioner was granted authority to adopt rules to implement this statute.)
- [19 Texas Administrative Code §74.2001\(b\)\(1\)](#)—A phonics curriculum must:
 - A. align with a subset of the developing and sustaining foundational language skills portion of the TEKS;
 - B. align with current and confirmed research in reading and cognitive science;
 - C. provide concise, direct, explicit, and systematic phonics instruction with cumulative review;
 - D. provide specific daily instructional sequences and routines, which include modeling, guided practice, and application with immediate, corrective feedback;
 - E. include ongoing practice opportunities in isolation and in connected, controlled text that follows the instructional focus;
 - F. include assessments to measure and monitor student progress;
 - G. provide specific guidance after monitoring progress to support students in reaching mastery of a concept or to accelerate instruction as needed; and
 - H. include the quality components addressed in a phonics-specific rubric approved by the commissioner of education for use in the Texas Resource Review.

The rule provides some flexibility regarding the instructional approach and strictly prohibits other approaches.

- [19 Texas Administrative Code §74.2001\(b\)\(2\)](#)—The program **may**:
 - A. function as a stand-alone phonics program, be part of a core language arts program, or act as a supplemental foundational literacy skills program; and
 - B. include scaffolded application in specific daily instructional sequences and routines.
- [19 Texas Administrative Code §74.2001\(b\)\(3\)](#)—The program **may not**:
 - A. teach word recognition, when teaching students to read in English, through visual memory, guessing, the shape of a word, or the use of pictures or context clues to decode words instead of explicitly teaching words that cannot be sounded out and that do not follow the rules of phonics; or
 - B. Be used solely for intervention purposes rather than for core instruction implementation.

Materials were selected for the phonics review if they met one or more of the criteria listed below.

1

Market Share:
10% or more of districts requested the product be reviewed

2

SBOE Adopted:
Materials were adopted by the SBOE in *Proclamation 2019* for ELAR or SLAR

3

Publisher Application:
Publishers voluntarily submitted materials for review