

Texas HB2 Article 5: Early Childhood Education (Sections 5.10-5.17) - Incentives and Likely Results

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Table of contents

Opinionated Executive Summary: Good Ideas, Unintended Results	1
Testing Is No Substitute for an Effective Education Process	1
Teachers Lose Control of Their Methods	1
The Illusion of Choice	2
The Grant Money Trap	2
More Rules for Prekindergarten	2
The “Free” Testing Problem	2
The Core Issue	2
Detailed Analysis	3
Main Table	3
Supplemental Tables	4
Key List of Likely Negative Results	5
The evaluation codes are based on these axioms:	5

Opinionated Executive Summary: Good Ideas, Unintended Results

This law creates a huge system of testing and training that takes control away from teachers, parents, and local schools. Here are the main problems:

Testing Is No Substitute for an Effective Education Process

Young kids from kindergarten through third grade now have to take reading and math tests three times each year. The state says this helps find students who need extra help, but really, it’s about controlling what happens in classrooms. Teachers already know which kids need help without the state telling them when to assess it.

Standardized testing is an attempt to build in quality by inspection. General Motors, Ford, Chevrolet, and the federal government are prime failures of this notion.

Teachers Lose Control of Their Methods

All teachers who teach math from kindergarten through eighth grade must now take state-required training classes. This assumes teachers’ teaching methods aren’t good enough. Teachers who have been successful for years are forced to follow the state’s way of teaching, even if their own methods work better.

The Illusion of Choice

Students are placed in special reading programs that they “must attend unless exempted.” This sounds like parents have a choice, but in reality, almost all students are put into the same programs. Parents and teachers lose the power to choose what each child really needs.

The Grant Money Trap

The state offers parents money to pay for tutoring for students who are struggling. This sounds helpful, but it actually makes families rely on state funding instead of fixing the problems in their homes and local schools. Schools will now have to accept any level of quality proffered by state-sponsored tutors.

More Rules for Prekindergarten

The law adds new rules about who can offer prekindergarten classes and how they must work with outside companies. This makes it much harder for local schools to run their own programs. Schools have to follow state rules even when working with private companies.

The “Free” Testing Problem

The state provides “free” reading and math tests to schools, but these tests cost schools more in the long run. Schools must spend money on teacher training, reporting, and following new rules. Schools may think they are saving money, but they end up spending much more.

The Core Issue

These rules make it seem like education is improving, but they actually hurt students by taking away the freedom and local choices that help meaningful learning happen. The state now controls nearly every decision that teachers, parents, and local schools used to make together. This destroys the teamwork and creativity that make schools successful.

In the end, early childhood education is being changed from a system that was controlled by local parents and professionals into a state-managed, rules-focused system. This change is likely to make education far less effective while increasing costs and complexity.

Detailed Analysis

Main Table

Search:

Category	Incentive Created	Intended Result	Codes for Destructive Results We Will Actually Get
All	All	All	All
Early Literacy and Numeracy Instrument Requirements	Commissioner shall adopt list of reading and mathematics instruments for measuring foundational literacy and numeracy skills in kindergarten through grade three	Establish consistent statewide approach to measuring foundational literacy and numeracy skills across early elementary grades	C, D, E, F
Reading and Mathematics Instrument Scientific Research Requirements	Reading and mathematics instruments must be based on scientific research concerning foundational literacy skills and foundational numeracy skills in mathematics	Ensure reading and mathematics assessments are grounded in evidence-based practices for measuring foundational skills development	C, D, E, F
Reading and Mathematics Instrument Administration Schedule Requirements	Instruments must be capable of being administered at beginning middle and end of school year and designed to assess student performance	Provide systematic assessment schedule that captures student progress at key points throughout school year for instructional planning	C, D, E, F
Reading and Mathematics Instrument Progress Monitoring Requirements	Instruments must be capable of monitoring student progress to identify specific foundational skills in need of targeted instruction	Enable districts to identify specific skill deficits and provide targeted interventions based on individual student assessment results	C, D, E, F, G
Reading and Mathematics Instrument Risk Assessment Requirements	Instruments must assess whether student skills indicate risk of not achieving satisfactory performance on third grade reading or mathematics assessment	Identify students at risk of not meeting grade-level expectations to provide early intervention before academic failure occurs	C, D, E, F, G
Reading and Mathematics Instrument Dyslexia Screening Requirements	Reading instruments for kindergarten and first grade must include applicable elements to serve as required screenings for dyslexia and related disorders	Integrate dyslexia screening into regular reading assessment to ensure early identification of students with reading difficulties	C, D, E, F, G
Reading and Mathematics Instrument Parent Reporting Requirements	Reading instruments must allow districts to generate clear progress reports in English Spanish or other languages spoken by parents	Ensure parents receive clear and understandable information about student reading progress in language they can comprehend	C, D, E, F
Reading and Mathematics Instrument Update Requirements	Commissioner must update list of instruments not less than once every four years and ensure list includes multiple instruments	Maintain current and effective assessment instruments that reflect advances in educational research and assessment technology	C, D, E, F
Reading and Mathematics Instrument Approval Process Requirements	Commissioner must develop process for districts to submit instruments for approval and make evaluation criteria publicly available	Provide pathway for districts to use locally-selected assessment instruments while maintaining state oversight and quality standards	C, D, E, F
Reading and Mathematics Instrument Administration Requirements	Districts must administer instruments for kindergarten at middle and end of year and first through third grade at beginning middle and end	Ensure consistent and comprehensive assessment of student foundational skills development throughout early elementary grades	C, D, E, F

Showing 1 to 10 of 45 entries

Previous 1 2 3 4 5 Next

Supplemental Tables

Title
All
INCENTIVE CATEGORY ANALYSIS

Incentive Category	Number of Incentives
All	All
Adaptive Vocabulary Assessment Pilot Program Development	1
Dyslexia Student Talking Book Program Notification Requirements	1
Early Education District and Campus Level Reporting Requirements	1
Early Literacy Intervention Agency Product Approval	1
Early Literacy Intervention Continuity Requirements	1
Early Literacy Intervention Curriculum Protection Requirements	1
Early Literacy Intervention Duration Limits	1
Early Literacy Intervention Free Product Provision	1
Early Literacy Intervention Frequency and Duration Requirements	1
Early Literacy Intervention Instructional Materials Requirements	1
Early Literacy Intervention Parent Notice Requirements	1
Early Literacy Intervention Parent Opt-Out Provisions	1
Early Literacy Intervention Staff Training Requirements	1
Early Literacy Intervention Student Risk Determination	1
Early Literacy Intervention Targeted Instruction Requirements	1

Title
All
NEGATIVE RESULT CODE FREQUENCY

Negative Result Code	Frequency	Percentage
All	All	All
C	45	100
D	45	100
F	45	100
E	41	91.111
G	14	31.111
A	3	6.667

Title	
All	

KEY CODED PATTERN FINDINGS

Finding	Description
All	All
Most Universal Negative Pattern	Codes C, D, E, F appear in 100.000% of incentives, indicating universal state dependency, accountability substitution, administrative burden, and local control elimination
State Dependency Complete Takeover	Code C (state dependency) appears in 100.000% of incentives, representing complete state control over early childhood assessment, intervention, and teacher training
Accountability Substitution Pattern	Code D (accountability substitute) appears in 100.000% of incentives, replacing educational improvement with comprehensive measurement and compliance systems
Administrative Burden Universal Impact	Code E (administrative burden) appears in 97.778% of incentives, creating massive compliance overhead across assessment, intervention, and training requirements
Local Control Elimination	Code F (local control reduction) appears in 100.000% of incentives, eliminating local flexibility in assessment choices, intervention methods, and professional development
People-as-Problem Systematic Pattern	Code G (people as problem) appears in 46.667% of incentives, systematically treating teachers, students, and parents as problems requiring state correction
Extrinsic Motivation Corruption Pattern	Code A (extrinsic motivation) appears in 8.889% of incentives, undermining professional dedication through grant dependency and free resource provision
Most Problematic Policy Areas	Mathematics training requirements and reading intervention programs show highest concentrations of harmful codes, particularly treating educators and students as problems
Assessment and Intervention System Control	Combined assessment and intervention system creates comprehensive state control over early childhood education decision-making at all levels

Title	
CODED ANALYSIS SUMMARY STATISTICS	

Metric	Value
Total Incentives Analyzed	45
Most Problematic Code	Codes C, D, F (all appear 45 times each)
Most Frequent Code Combination	C, D, E, F (dependency + accountability + burden + control)
Policy Categories with Code C	45
Policy Categories with Code F	45
Average Codes per Incentive	4.3

Key List of Likely Negative Results

The evaluation codes are based on these axioms:

- Central planning (one size fits all) degrades everyone's performance

- Makes nearly every district action a legal matter
- Robs people of pride in their work
- Efforts at 'accountability' will not improve performance of anyone
- Cooperation within an organization is far more effective than competition
- All incentives work; some promote and some pervert the ***intention*** of the incentive

Search:

Code	Likely_Negative_Result
A	Decreases intrinsic motivation in favor of extrinsic motivation
B	Decreases cooperation within districts in favor of competition for resources
C	Increases dependency on State funding and bureaucracy
D	Substitutes 'accountability' for improvement of the system people work in
E	Increases district administrative burdens
F	Decreases local control and flexibility
G	Treats people as the 'problem', instead of the system they work in

Showing 1 to 7 of 7 entries
Previous 1 Next