

House Engrossed Senate Bill

FILED

**KEN BENNETT
SECRETARY OF STATE**

State of Arizona
Senate
Forty-ninth Legislature
Second Regular Session
2010

CHAPTER 142

SENATE BILL 1119

AN ACT

REPEALING SECTION 15-248.01, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 15-248.01; PROVIDING FOR THE DELAYED REPEAL OF SECTION 15-248.01, ARIZONA REVISED STATUTES, AS ADDED BY THIS ACT; RELATING TO THE DEPARTMENT OF EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Repeal

3 Section 15-248.01, Arizona Revised Statutes, is repealed.

4 Sec. 2. Title 15, chapter 2, article 2, Arizona Revised Statutes, is
5 amended by adding a new section 15-248.01, to read:

6 15-248.01. Task force on K-3 accountability and assessments

7 A. THE TASK FORCE ON K-3 ACCOUNTABILITY AND ASSESSMENTS IS ESTABLISHED
8 IN THE DEPARTMENT OF EDUCATION CONSISTING OF THE SUPERINTENDENT OF PUBLIC
9 INSTRUCTION OR THE SUPERINTENDENT'S DESIGNEE AND THE FOLLOWING MEMBERS, EACH
10 OF WHOM SHALL BE APPOINTED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION:

11 1. THREE PERSONS, EACH OF WHOM IS EMPLOYED BY A DIFFERENT SCHOOL
12 DISTRICT IN THIS STATE THAT PROVIDES INSTRUCTION IN KINDERGARTEN PROGRAMS AND
13 GRADES ONE THROUGH THREE AND THAT HAS AN AVERAGE DAILY MEMBERSHIP OF AT LEAST
14 THIRTY-FIVE THOUSAND.

15 2. THREE PERSONS, EACH OF WHOM IS EMPLOYED BY A DIFFERENT SCHOOL
16 DISTRICT IN THIS STATE THAT PROVIDES INSTRUCTION IN KINDERGARTEN PROGRAMS AND
17 GRADES ONE THROUGH THREE AND THAT HAS AN AVERAGE DAILY MEMBERSHIP OF AT LEAST
18 ONE THOUSAND FIVE HUNDRED BUT NOT MORE THAN THIRTY-FIVE THOUSAND.

19 3. THREE PERSONS, EACH OF WHOM IS EMPLOYED BY A DIFFERENT SCHOOL
20 DISTRICT IN THIS STATE THAT PROVIDES INSTRUCTION IN KINDERGARTEN PROGRAMS AND
21 GRADES ONE THROUGH THREE AND THAT HAS AN AVERAGE DAILY MEMBERSHIP OF NOT MORE
22 THAN ONE THOUSAND FIVE HUNDRED.

23 4. THREE PERSONS, EACH OF WHOM IS EMPLOYED BY A DIFFERENT CHARTER
24 SCHOOL IN THIS STATE THAT PROVIDES INSTRUCTION IN KINDERGARTEN PROGRAMS AND
25 GRADES ONE THROUGH THREE.

26 B. THE TASK FORCE SHALL ELECT A NEW CHAIRPERSON FROM AMONG ITS MEMBERS
27 EACH CALENDAR YEAR. A QUORUM SHALL CONSIST OF A MAJORITY OF THE MEMBERS.
28 THE TASK FORCE SHALL MEET AT LEAST ONCE EACH CALENDAR QUARTER.

29 C. THE APPOINTED MEMBERS OF THE TASK FORCE SERVE AT THE PLEASURE OF
30 THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

31 D. THE DEPARTMENT OF EDUCATION SHALL PROVIDE STAFF SUPPORT, ASSISTANCE
32 AND RESOURCES TO THE TASK FORCE.

33 E. TASK FORCE MEMBERS ARE ELIGIBLE TO RECEIVE COMPENSATION PURSUANT TO
34 SECTION 38-611.

35 F. THE TASK FORCE SHALL:

36 1. EXAMINE AND EVALUATE BEST PRACTICES IN ACCOUNTABILITY AND
37 ASSESSMENT MEASURES AND MEASURES OF ACADEMIC GAINS FOR SCHOOLS THAT PROVIDE
38 INSTRUCTION IN KINDERGARTEN PROGRAMS AND GRADES ONE THROUGH THREE.

39 2. CONDUCT TRIAL EXAMINATIONS OF PUPILS IN KINDERGARTEN PROGRAMS AND
40 GRADES ONE THROUGH THREE.

41 3. SOLICIT AND ACCEPT FUNDING FROM ANY LAWFUL PUBLIC AND PRIVATE
42 SOURCE TO CARRY OUT THE TASK FORCE'S ACTIVITIES. THE SUPERINTENDENT OF
43 PUBLIC INSTRUCTION SHALL MAINTAIN MONIES COLLECTED PURSUANT TO THIS PARAGRAPH
44 IN A SEPARATE ACCOUNT ON THE BOOKS OF THE DEPARTMENT OF EDUCATION.

1 4. SUBMIT AN ANNUAL REPORT ON OR BEFORE DECEMBER 1 REGARDING THE TASK
2 FORCE'S FINDINGS TO THE GOVERNOR, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
3 AND THE PRESIDENT OF THE SENATE. COPIES OF THIS REPORT SHALL BE PROVIDED TO
4 THE SECRETARY OF STATE.

5 G. SCHOOL DISTRICTS AND CHARTER SCHOOLS MAY VOLUNTARILY PARTICIPATE IN
6 THE MEASUREMENT OF ACADEMIC GAINS DEVELOPED BY THE TASK FORCE PURSUANT TO
7 THIS SECTION.

8 H. THE DEPARTMENT OF EDUCATION SHALL DEVELOP MECHANISMS TO ALLOW A
9 SCHOOL DISTRICT OR CHARTER SCHOOL THAT VOLUNTARILY PARTICIPATES IN THE
10 MEASUREMENT OF ACADEMIC GAINS DEVELOPED BY THE TASK FORCE PURSUANT TO THIS
11 SECTION TO IMPROVE ITS SCHOOL CLASSIFICATION DESIGNATED PURSUANT TO SECTION
12 15-241 IF THE SCHOOL DISTRICT'S OR CHARTER SCHOOL'S ACADEMIC GAINS MEET THE
13 CRITERIA DEVELOPED BY THE DEPARTMENT OF EDUCATION AND APPROVED BY THE STATE
14 BOARD OF EDUCATION. THE STATE BOARD OF EDUCATION SHALL REVIEW AND APPROVE
15 THE MECHANISMS DEVELOPED BY THE DEPARTMENT OF EDUCATION.

16 I. THE DEPARTMENT OF EDUCATION SHALL ESTABLISH PROCEDURES TO MAINTAIN
17 THE INTEGRITY OF THE TESTING PROCESS THAT WILL BE USED TO MEASURE ACADEMIC
18 GAINS DEVELOPED BY THE TASK FORCE PURSUANT TO THIS SECTION, INCLUDING
19 PROCEDURES FOR TESTING AND SCORING VALIDITY AND RELIABILITY. THE STATE BOARD
20 OF EDUCATION SHALL REVIEW AND APPROVE THE TESTING PROCESS DEVELOPED BY THE
21 TASK FORCE.

22 Sec. 3. Delayed repeal

23 Section 15-248.01, Arizona Revised Statutes, as added by this act, is
24 repealed from and after June 30, 2016.

APPROVED BY THE GOVERNOR APRIL 23, 2010.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 26, 2010.

Passed the House April 8, 2010,

by the following vote: 46 Ayes,

9 Nays, 5 Not Voting

[Signature]
Speaker of the House

Cheryl Laube
Chief Clerk of the House

Passed the Senate February 15, 2010,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR
This Bill was received by the Governor this
_____ day of _____, 20____,
at _____ o'clock _____ M.

Secretary to the Governor~~

~~Approved this _____ day of
_____, 20____,
at _____ o'clock _____ M.

Governor of Arizona~~

S.B. 1119
Third Reading

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE
This Bill was received by the Secretary of State
this _____ day of _____, 20____,
at _____ o'clock _____ M.

Secretary of State~~

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 19, 2010

by the following vote: 28 *Ayes*

0 Nays, 2 Not Voting

Robert D. Brown
President of the Senate

Charmion Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

19 day of April, 20 10

at 3:00p. o'clock P. M.

Lucretia Bendke
Secretary to the Governor

Approved this 23rd day of

April

at 5:35 o'clock P. M.

Janice K. Brewer
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 26th day of April, 20 10

S.B. 1119

at 12:30 o'clock P. M.

Ken Blumenthal
Secretary of State