

House Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-first Legislature
Second Regular Session
2014

CHAPTER 172

HOUSE BILL 2501

AN ACT

AMENDING SECTION 15-701, ARIZONA REVISED STATUTES; RELATING TO SCHOOL CURRICULUM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-701, Arizona Revised Statutes, is amended to
3 read:

4 15-701. Common school; promotions; requirements; certificate;
5 supervision of eighth grades by superintendent of
6 high school district; high school admissions;
7 academic credit

8 A. The state board of education shall:

9 1. Prescribe a minimum course of study, as defined in section 15-101
10 and incorporating the academic standards adopted by the state board of
11 education, to be taught in the common schools.

12 2. Prescribe competency requirements for the promotion of pupils from
13 the eighth grade and competency requirements for the promotion of pupils from
14 the third grade incorporating the academic standards in at least the areas of
15 reading, writing, mathematics, science and social studies. Notwithstanding
16 section 15-521, paragraph 3- 4, the competency requirements for the promotion
17 of pupils from the third grade shall include the following:

18 (a) A requirement that a pupil not be promoted from the third grade if
19 the pupil obtains a score on the reading portion of the Arizona instrument to
20 measure standards test, or a successor test, that demonstrates that the
21 pupil's reading falls far below the third grade level.

22 (b) A mechanism to allow a school district governing board or the
23 governing body of a charter school to promote a pupil from the third grade
24 who obtains a score on the reading portion of the Arizona instrument to
25 measure standards test, or a successor test, that demonstrates that the
26 pupil's reading falls far below the third grade level for any of the
27 following:

28 (i) A good cause exemption if the pupil is an English learner or a
29 limited English proficient student as defined in section 15-751 and has had
30 fewer than two years of English language instruction.

31 (ii) A PUPIL WHO IS a child with a disability as defined in section
32 15-761 if the pupil's individualized education program team and the pupil's
33 parent or guardian ~~agrees~~ AGREE that promotion is appropriate based on the
34 pupil's individualized education program.

35 (c) Intervention and remedial strategies developed by the state board
36 of education for pupils who are not promoted from the third grade. A school
37 district governing board or the governing body of a charter school shall
38 offer at least one of the intervention and remedial strategies developed by
39 the state board of education. The parent or guardian of a pupil who is not
40 promoted from the third grade and the pupil's teacher and principal may
41 choose the most appropriate intervention and remedial strategies that will be
42 provided to that pupil. The intervention and remedial strategies developed
43 by the state board of education shall include:

44 (i) A requirement that the pupil be assigned to a different teacher
45 for reading instruction.

1 (ii) Summer school reading instruction.

2 (iii) In the next academic year, intensive reading instruction that
3 occurs before, during or after the regular school day, or any combination of
4 before, during and after the regular school day.

5 (iv) Online reading instruction.

6 3. Provide for universal screening of pupils in preschool programs,
7 kindergarten programs and grades one through three that is designed to
8 identify pupils who have reading deficiencies pursuant to section 15-704.

9 4. Develop intervention and remedial strategies pursuant to paragraph
10 2, subdivision (c) of this subsection for pupils in kindergarten programs and
11 grades one through three who are identified as having reading deficiencies
12 pursuant to section 15-704.

13 5. Distribute guidelines for the school districts to follow in
14 prescribing criteria for the promotion of pupils from grade to grade in the
15 common schools. These guidelines shall include recommended procedures for
16 ensuring that the cultural background of a pupil is taken into consideration
17 when criteria for promotion are being applied.

18 B. ~~Beginning in the 2010-2011 school year,~~ School districts and
19 charter schools shall provide annual written notification to parents of
20 pupils in kindergarten programs and first, second and third grades that a
21 pupil who obtains a score on the reading portion of the Arizona instrument to
22 measure standards test, or a successor test, that demonstrates the pupil is
23 reading far below the third grade level will not be promoted from the third
24 grade. If the school has determined that the pupil is substantially
25 deficient in reading before the end of grade three, the school district or
26 charter school shall provide to the parent of that pupil a separate written
27 notification of the reading deficiency that includes the following
28 information:

29 1. A description of the current reading services provided to the
30 pupil.

31 2. A description of the available supplemental instructional services
32 and supporting programs that are designed to remediate reading deficiencies.
33 Each school district or charter school shall offer at least one intervention
34 strategy and at least one remedial strategy for pupils with reading
35 deficiencies. The notification shall list the intervention and remedial
36 strategies offered and shall instruct the parent or guardian to choose the
37 strategy that will be implemented for that child.

38 3. Parental strategies to assist the pupil to attain reading
39 proficiency.

40 4. A statement that the pupil will not be promoted from the third
41 grade if the pupil obtains a score on the reading portion of the Arizona
42 instrument to measure standards test, or a successor test, that demonstrates
43 the pupil is reading far below the third grade level, unless the pupil is
44 exempt from mandatory retention in grade three or the pupil qualifies for an
45 exemption pursuant to subsection A of this section.

1 5. A description of the school district or charter school policies on
2 midyear promotion to a higher grade.

3 C. Pursuant to the guidelines that the state board of education
4 distributes, the governing board of a school district shall:

5 1. Prescribe curricula that include the academic standards in the
6 required subject areas pursuant to subsection A, paragraph 1 of this section.

7 2. Prescribe criteria for the promotion of pupils from grade to grade
8 in the common schools in the school district. These criteria shall include
9 accomplishment of the academic standards in at least reading, writing,
10 mathematics, science and social studies, as determined by district
11 assessment. Other criteria may include additional measures of academic
12 achievement and attendance.

13 D. The governing board may prescribe the course of study and
14 competency requirements for promotion that are in addition to or higher than
15 the course of study and competency requirements the state board prescribes.

16 E. A teacher shall determine whether to promote or retain a pupil in
17 grade in a common school as provided in section 15-521, paragraph 3- 4 on the
18 basis of the prescribed criteria. The governing board, if it reviews the
19 decision of a teacher to promote or retain a pupil in grade in a common
20 school as provided in section 15-342, paragraph 11, shall base its decision
21 on the prescribed criteria.

22 F. A governing board may provide and issue certificates of promotion
23 to pupils whom it promotes from the eighth grade of a common school. Such
24 certificates shall be signed by the principal or superintendent of schools.
25 Where there is no principal or superintendent of schools, the certificates
26 shall be signed by the teacher of an eighth grade. The certificates shall
27 admit the holders to any high school in the state.

28 ~~G. A governing board may request certificates of promotion from the~~
29 ~~county school superintendent. If a governing board requests these~~
30 ~~certificates from the county school superintendent, the county school~~
31 ~~superintendent shall furnish and sign the certificates.~~

32 ~~H.~~ G. Within any high school district or union high school district,
33 the superintendent of the high school district shall supervise the work of
34 the eighth grade of all schools employing no superintendent or principal.

35 ~~I.~~ H. A school district shall not deny a pupil who is between the
36 ages of sixteen and twenty-one years admission to a high school because the
37 pupil does not hold an eighth grade certificate. Governing boards shall
38 establish procedures for determining the admissibility of pupils who are
39 under sixteen years of age and who do not hold eighth grade certificates.

40 ~~J.~~ I. The state board of education shall adopt rules to allow common
41 school pupils who can demonstrate competency in a particular academic course
42 or subject to obtain academic credit for the course or subject without
43 enrolling in the course or subject.

44 J. A SCHOOL DISTRICT MAY CONDUCT A CEREMONY TO HONOR PUPILS WHO HAVE
45 BEEN PROMOTED FROM THE EIGHTH GRADE.

APPROVED BY THE GOVERNOR APRIL 23, 2014.

Passed the House February 25, 2014

Passed the Senate April 22, 2014

by the following vote: 58 Ayes,

by the following vote: 27 Ayes,

1 Nays, 1 Not Voting

1 Nays, 2 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

[Signature]
Cheryl Laube
Chief Clerk of the House

[Signature]
Charmaine Bellamy
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

23rd day of April, 2014

at 11:50 o'clock A M.

[Signature]
Secretary to the Governor

Approved this 23rd day of

April

at 3:09 o'clock P M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 24th day of April, 2014

at 8:57 o'clock a M.

[Signature]
Secretary of State

H.B. 2501