

House Engrossed Senate Bill

**FILED**

**MICHELE REAGAN**

**SECRETARY OF STATE**

State of Arizona  
Senate  
Fifty-third Legislature  
First Regular Session  
2017

CHAPTER 67

**SENATE BILL 1131**

AN ACT

AMENDING SECTIONS 15-211, 15-701, 15-704, 15-741, 15-742 AND 15-743,  
ARIZONA REVISED STATUTES; RELATING TO SCHOOL CURRICULA.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-211, Arizona Revised Statutes, is amended to  
3 read:

4 15-211. K-3 reading program; receipt and use of monies;  
5 additional funding; report; program termination

6 A. The department of education shall administer a K-3 reading  
7 program to improve the reading proficiency of pupils in kindergarten  
8 programs and grades one, two and three in the public schools of this  
9 state.

10 B. Each school district and charter school shall submit to the  
11 department of education a plan for improving the reading proficiency of  
12 its pupils in kindergarten programs and grades one, two and three. The  
13 plan shall include baseline data on the reading proficiency of its pupils  
14 in kindergarten programs and grades one, two and three and a budget for  
15 spending monies from both the K-3 support level weight and the K-3 reading  
16 support level weight established in section 15-943. Each school district  
17 and charter school shall annually submit to the department of education on  
18 or before October 1 an updated K-3 reading program plan that includes data  
19 on program expenditures and results, except that beginning in fiscal year  
20 2016-2017, a school district or charter school that is assigned a letter  
21 grade of A or B pursuant to section 15-241 shall submit this plan only in  
22 odd-numbered years.

23 C. School districts and charter schools shall use monies generated  
24 by the K-3 reading support level weight established in section 15-943 only  
25 on INSTRUCTIONAL PURPOSES INTENDED TO IMPROVE reading ~~programs~~ PROFICIENCY  
26 for pupils in kindergarten programs and grades one, two and three with  
27 particular emphasis on pupils in kindergarten programs and grades one and  
28 two.

29 D. Each school district and charter school that is assigned a  
30 letter grade of C, D or F pursuant to section 15-241 or that has more than  
31 ten percent of its pupils in grade three WHO DO NOT DEMONSTRATE SUFFICIENT  
32 reading ~~far below the third grade level~~ SKILLS AS ESTABLISHED BY THE STATE  
33 BOARD OF EDUCATION according to the reading portion of the ~~Arizona~~  
34 ~~instrument to measure standards test, or a successor test,~~ STATEWIDE  
35 ASSESSMENT shall receive monies generated by the K-3 reading support level  
36 weight established in section 15-943 only after the K-3 reading program  
37 plan of the school district or charter school has been SUBMITTED, reviewed  
38 and recommended for approval by the department of education and approved  
39 by the state board of education. THE STATE BOARD OF EDUCATION MUST GIVE  
40 APPROVAL TO A SCHOOL DISTRICT OR CHARTER SCHOOL BEFORE ANY PORTION OF THE  
41 MONIES GENERATED BY THE K-3 READING SUPPORT LEVEL WEIGHT MAY BE  
42 DISTRIBUTED TO THE SCHOOL DISTRICT OR CHARTER SCHOOL PURSUANT TO THIS  
43 SUBSECTION.

44 E. Pupils in a charter school that is in its first year of  
45 operation and that is sponsored by the state board of education, the state

1 board for charter schools, a university under the jurisdiction of the  
2 Arizona board of regents, a community college district or a group of  
3 community college districts are eligible for the K-3 reading support level  
4 weight.

5 F. The department of education shall solicit gifts, grants and  
6 donations from any lawful public or private source in order to provide  
7 additional funding for the K-3 reading program.

8 G. The state board of education may establish rules and policies  
9 for the K-3 reading program, including:

10 1. The proper use of monies in accordance with subsection C of this  
11 section.

12 2. The distribution of monies by the department of education in  
13 accordance with subsection B of this section.

14 3. The compliance of reading proficiency plans submitted pursuant  
15 to subsection B of this section with section 15-704.

16 H. PURSUANT TO SUBSECTION G OF THIS SECTION, THE DEPARTMENT OF  
17 EDUCATION SHALL DEVELOP PROGRAM IMPLEMENTATION GUIDANCE FOR SCHOOL  
18 DISTRICTS AND CHARTER SCHOOLS TO ASSIST SCHOOLS IN ADMINISTERING AN  
19 EFFECTIVE K-3 READING PROGRAM PLAN. THIS GUIDANCE SHALL INCLUDE  
20 IDENTIFYING AND RECOMMENDING APPROPRIATE PROGRAM EXPENDITURES, PROVIDING  
21 TECHNICAL OVERSIGHT AND ASSISTANCE FOR ANNUALLY UPDATING READING PROGRAM  
22 PLANS, SELECTING AND ADOPTING EVIDENCE-BASED READING CURRICULA AND  
23 PROVIDING AND PROMOTING TEACHER PROFESSIONAL DEVELOPMENT THAT IS BASED ON  
24 EVIDENCE-BASED READING RESEARCH. THE DEPARTMENT SHALL PRIORITIZE SUPPORTS  
25 AND INTERVENTIONS, INCLUDING ENROLLMENT IN READING TRAININGS AND  
26 PROFESSIONAL DEVELOPMENT, FOR SCHOOL DISTRICTS AND CHARTER SCHOOLS THAT  
27 HAVE THE HIGHEST PERCENTAGE OF PUPILS WHO DO NOT DEMONSTRATE SUFFICIENT  
28 READING SKILLS AS ESTABLISHED BY THE STATE BOARD OF EDUCATION. THE  
29 DEPARTMENT SHALL DEPOSIT ANY MONIES RECEIVED FOR OFFERING READING  
30 TRAININGS OR PROFESSIONAL DEVELOPMENT INTO THE DEPARTMENT OF EDUCATION  
31 PROFESSIONAL DEVELOPMENT REVOLVING FUND ESTABLISHED BY SECTION 15-237.01.

32 I. ON OR BEFORE DECEMBER 15, THE DEPARTMENT OF EDUCATION SHALL  
33 SUBMIT AN ANNUAL REPORT ON THE K-3 READING PROGRAM TO THE GOVERNOR, THE  
34 PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES  
35 AND SHALL PROVIDE A COPY OF THIS ANNUAL REPORT TO THE SECRETARY OF STATE,  
36 THE STATE BOARD OF EDUCATION AND THE CHAIRPERSONS OF THE EDUCATION  
37 COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES. THE REPORT  
38 SHALL CONTAIN ALL OF THE FOLLOWING:

39 1. INFORMATION ON THE IMPROVEMENT OF K-3 READING IN THIS STATE,  
40 INCLUDING ACHIEVEMENT DATA STATEWIDE AND ACHIEVEMENT DATA AT THE SCHOOL  
41 DISTRICT AND CHARTER SCHOOL LEVEL. THE INFORMATION PURSUANT TO THIS  
42 PARAGRAPH SHALL INCLUDE DATA AND INFORMATION ON CONTINUED PROFICIENCY ON  
43 THE STATEWIDE ASSESSMENT IN SUBSEQUENT GRADES.

44 2. A DESCRIPTION OF THE ACTIVITIES OF THE DEPARTMENT TO SUPPORT  
45 SCHOOL DISTRICTS AND CHARTER SCHOOLS IN IMPROVING K-3 READING.

1           3. SPECIFIC FINDINGS ON METHODS BY WHICH THE DEPARTMENT MAY  
2 CONTINUE TO IMPROVE SUPPORT AND ASSISTANCE FOR SCHOOL DISTRICTS AND  
3 CHARTER SCHOOLS IN THE ADMINISTRATION OF K-3 READING PROGRAM PLANS.

4           4. INFORMATION AND DATA ON K-3 READING PROGRAM PLANS THROUGHOUT  
5 THIS STATE AND THE EXPENDITURE OF K-3 READING MONIES BY SCHOOL DISTRICTS  
6 AND CHARTER SCHOOLS.

7           5. DATA REPORTED PURSUANT TO SECTION 15-701, SUBSECTION A,  
8 PARAGRAPH 2, SUBDIVISION (d).

9           ~~H.~~ J. The program established by this section ends on July 1, 2022  
10 pursuant to section 41-3102.

11           Sec. 2. Section 15-701, Arizona Revised Statutes, is amended to  
12 read:

13           15-701. Common school; promotions; requirements; certificate;  
14   supervision of eighth grades by superintendent of  
15   high school district; high school admissions;  
16   academic credit; definition

17           A. The state board of education shall:

18           1. Prescribe a minimum course of study, as defined in section  
19 15-101 and incorporating the academic standards adopted by the state board  
20 of education, to be taught in the common schools.

21           2. Prescribe competency requirements for the promotion of pupils  
22 from the eighth grade and competency requirements for the promotion of  
23 pupils from the third grade incorporating the academic standards in at  
24 least the areas of reading, writing, mathematics, science and social  
25 studies. Notwithstanding section 15-521, paragraph 4, the competency  
26 requirements for the promotion of pupils from the third grade shall  
27 include the following:

28           (a) A requirement that a pupil not be promoted from the third grade  
29 if the pupil obtains a score on the reading portion of the ~~Arizona~~  
30 ~~instrument to measure standards test, or a successor test,~~ STATEWIDE  
31 ASSESSMENT that ~~demonstrates that the pupil's reading falls far below the~~  
32 ~~third grade level or the equivalent~~ DOES NOT DEMONSTRATE SUFFICIENT  
33 READING SKILLS as established by the board. A pupil may not be retained  
34 if data regarding the pupil's performance on the ~~Arizona instrument to~~  
35 ~~measure standards test, or a successor test,~~ STATEWIDE ASSESSMENT is not  
36 available before the ~~start~~ END of the following CURRENT academic year. A  
37 pupil who is not retained due to the unavailability of test data must  
38 receive EVIDENCE-BASED intervention and remedial strategies pursuant to  
39 subdivision (c) of this paragraph if the third grade assessment data  
40 ~~subsequently demonstrates that the pupil's reading ability falls far below~~  
41 ~~the third grade level or the equivalent~~ DOES NOT DEMONSTRATE SUFFICIENT  
42 READING SKILLS.

43           (b) A mechanism to allow a school district governing board or the  
44 governing body of a charter school to promote ~~a pupil~~ from the third grade  
45 ~~who obtains a score on the reading portion of the Arizona instrument to~~

1 ~~measure standards test, or a successor test, that demonstrates that the~~  
2 ~~pupil's reading falls far below the third grade level for any of the~~  
3 ~~following~~ A PUPIL WHO DOES NOT DEMONSTRATE SUFFICIENT READING SKILLS  
4 PURSUANT TO SUBDIVISION (a) OF THIS PARAGRAPH IF THE PUPIL:

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

8 (ii) ~~A pupil who~~ Is in the process of a special education referral  
9 or evaluation for placement in special education, ~~a pupil who~~ has been  
10 diagnosed as having a significant reading impairment, including dyslexia,  
11 or ~~a pupil who~~ is a child with a disability as defined in section 15-761  
12 if the pupil's individualized education program team and the pupil's  
13 parent or guardian agree that promotion is appropriate based on the  
14 pupil's individualized education program.

15 (iii) HAS DEMONSTRATED OR SUBSEQUENTLY DEMONSTRATES SUFFICIENT  
16 READING SKILLS OR ADEQUATE PROGRESS TOWARDS SUFFICIENT READING SKILLS OF  
17 THE THIRD GRADE READING STANDARDS AS EVIDENCED THROUGH A COLLECTION OF  
18 READING ASSESSMENTS APPROVED BY THE STATE BOARD OF EDUCATION, WHICH  
19 INCLUDES AN ALTERNATIVE STANDARDIZED READING ASSESSMENT APPROVED BY THE  
20 STATE BOARD.

21 ~~(iii)~~ (iv) ~~A pupil who~~ Receives intervention and remedial services  
22 during the summer or subsequent school year pursuant to subdivision (c) of  
23 this paragraph and demonstrates sufficient progress ~~may be promoted from~~  
24 ~~the third grade~~ based on guidelines issued pursuant to subsection B,  
25 paragraph 5-6 of this section.

26 (c) EVIDENCE-BASED intervention and remedial strategies developed  
27 by the state board of education for pupils who are not promoted from the  
28 third grade. A school district governing board or the governing body of a  
29 charter school shall offer ~~at least~~ MORE THAN one of the intervention and  
30 remedial strategies developed by the state board of education. The parent  
31 or guardian of a pupil who is not promoted from the third grade and the  
32 pupil's teacher and principal may choose the most appropriate intervention  
33 and remedial strategies that will be provided to that pupil. The  
34 intervention and remedial strategies developed by the state board of  
35 education shall include:

36 (i) A requirement that the pupil be assigned ~~to a different teacher~~  
37 for EVIDENCE-BASED reading instruction BY A DIFFERENT TEACHER WHO WAS  
38 DESIGNATED IN THAT TEACHER'S MOST RECENT PERFORMANCE EVALUATION IN ONE OF  
39 THE TOP TWO PERFORMANCE CLASSIFICATIONS PURSUANT TO SECTION 15-203,  
40 SUBSECTION A, PARAGRAPH 38.

41 (ii) Summer school reading instruction.

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

1 (iv) SMALL GROUP AND TEACHER-LED EVIDENCE-BASED READING  
2 INSTRUCTION, WHICH MAY INCLUDE COMPUTER-BASED OR online reading  
3 instruction.

4 (d) A REQUIREMENT THAT A SCHOOL DISTRICT GOVERNING BOARD OR CHARTER  
5 SCHOOL GOVERNING BODY THAT PROMOTES A PUPIL PURSUANT TO SUBDIVISION (b) OF  
6 THIS PARAGRAPH PROVIDE ANNUAL REPORTING TO THE DEPARTMENT OF EDUCATION ON  
7 OR BEFORE OCTOBER 1 THAT INCLUDES INFORMATION ON THE TOTAL NUMBER OF  
8 PUPILS SUBJECT TO THE RETENTION PROVISIONS OF SUBDIVISION (a) OF THIS  
9 PARAGRAPH, THE TOTAL NUMBER OF STUDENTS PROMOTED PURSUANT TO SUBDIVISION  
10 (b) OF THIS PARAGRAPH, THE TOTAL NUMBER OF PUPILS RETAINED IN GRADE THREE  
11 AND THE INTERVENTIONS ADMINISTERED PURSUANT TO SUBDIVISION (c) OF THIS  
12 PARAGRAPH.

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

16 4. Develop EVIDENCE-BASED intervention and remedial strategies  
17 pursuant to paragraph 2, subdivision (c) of this subsection for pupils in  
18 kindergarten programs and grades one through three who are identified as  
19 having reading deficiencies pursuant to section 15-704.

20 5. Distribute guidelines for the school districts to follow in  
21 prescribing criteria for the promotion of pupils from grade to grade in  
22 the common schools. These guidelines shall include recommended procedures  
23 for ensuring that the cultural background of a pupil is taken into  
24 consideration when criteria for promotion are being applied.

25 B. School districts and charter schools shall provide annual  
26 written notification to parents of pupils in kindergarten programs and  
27 first, second and third grades that a pupil ~~who obtains a score on the~~  
28 ~~reading portion of the Arizona instrument to measure standards test, or a~~  
29 ~~successor test, that demonstrates the pupil is reading far below the third~~  
30 ~~grade level~~ WHO DOES NOT DEMONSTRATE SUFFICIENT READING SKILLS PURSUANT TO  
31 SUBSECTION A OF THIS SECTION will not be promoted from the third grade.  
32 ~~If the school has determined that the pupil is substantially deficient in~~  
33 ~~reading before the end of grade three, the school district or charter~~  
34 ~~school~~ SCHOOL DISTRICTS AND CHARTER SCHOOLS SHALL IDENTIFY EACH PUPIL WHO  
35 IS AT RISK OF READING BELOW GRADE LEVEL IN KINDERGARTEN AND GRADES ONE,  
36 TWO AND THREE, BASED ON LOCAL OR STATEWIDE ASSESSMENTS, AND shall provide  
37 to the parent of that pupil a ~~separate~~ SPECIFIC written notification of  
38 the reading deficiency that includes the following information:

39 1. A DESCRIPTION OF THE PUPIL'S SPECIFIC INDIVIDUAL NEEDS.

40 ~~1.~~ 2. A description of the current reading services provided to  
41 the pupil.

42 ~~2.~~ 3. A description of the available supplemental instructional  
43 services and supporting programs that are designed to remediate reading  
44 deficiencies. Each school district or charter school shall offer ~~at least~~  
45 MORE THAN one EVIDENCE-BASED intervention strategy and ~~at least~~ MORE THAN

1 one remedial strategy DEVELOPED BY THE STATE BOARD OF EDUCATION for pupils  
2 with reading deficiencies. The notification shall list the intervention  
3 and remedial strategies offered and shall instruct the parent ~~or guardian~~  
4 to choose, in consultation with the pupil's teacher, the ~~strategy~~ MOST  
5 APPROPRIATE STRATEGIES that will be PROVIDED AND implemented for that  
6 child.

7 ~~3.~~ 4. Parental strategies to assist the pupil to attain reading  
8 proficiency.

9 ~~4.~~ 5. A statement that the pupil will not be promoted from the  
10 third grade if the pupil ~~obtains a score on the reading portion of the~~  
11 ~~Arizona instrument to measure standards test, or a successor test, that~~  
12 ~~demonstrates the pupil is reading far below the third grade level~~ DOES NOT  
13 DEMONSTRATE SUFFICIENT READING SKILLS PURSUANT TO SUBSECTION A, PARAGRAPH  
14 2, SUBDIVISION (a) OF THIS SECTION, unless the pupil is exempt from  
15 mandatory retention in grade three or the pupil qualifies for an exemption  
16 pursuant to subsection A, PARAGRAPH 2, SUBDIVISION (b) of this section.

17 ~~5.~~ 6. A description of the school district or charter school  
18 policies on midyear promotion to a higher grade.

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

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

24 2. Prescribe criteria for the promotion of pupils from grade to  
25 grade in the common schools in the school district. These criteria shall  
26 include accomplishment of the academic standards in at least reading,  
27 writing, mathematics, science and social studies, as determined by  
28 district assessment. Other criteria may include additional measures of  
29 academic achievement and attendance.

30 D. The governing board may prescribe the course of study and  
31 competency requirements for promotion that are in addition to or higher  
32 than the course of study and competency requirements the state board  
33 prescribes.

34 E. A teacher shall determine whether to promote or retain a pupil  
35 in grade in a common school as provided in section 15-521, paragraph 4 on  
36 the basis of the prescribed criteria. The governing board, if it reviews  
37 the decision of a teacher to promote or retain a pupil in grade in a  
38 common school as provided in section 15-342, paragraph 11, shall base its  
39 decision on the prescribed criteria.

40 F. A governing board may provide and issue certificates of  
41 promotion to pupils whom it promotes from the eighth grade of a common  
42 school. Such certificates shall be signed by the principal or  
43 superintendent of schools. Where there is no principal or superintendent  
44 of schools, the certificates shall be signed by the teacher of an eighth

1 grade. The certificates shall admit the holders to any high school in the  
2 state.

3 G. Within any high school district or union high school district,  
4 the superintendent of the high school district shall supervise the work of  
5 the eighth grade of all schools employing no superintendent or principal.

6 H. A school district shall not deny a pupil who is between the ages  
7 of sixteen and twenty-one years admission to a high school because the  
8 pupil does not hold an eighth grade certificate. Governing boards shall  
9 establish procedures for determining the admissibility of pupils who are  
10 under sixteen years of age and who do not hold eighth grade certificates.

11 I. The state board of education shall adopt rules to allow common  
12 school pupils who can demonstrate competency in a particular academic  
13 course or subject to obtain academic credit for the course or subject  
14 without enrolling in the course or subject.

15 J. A school district may conduct a ceremony to honor pupils who  
16 have been promoted from the eighth grade.

17 K. For the purposes of this section, "dyslexia" means a brain-based  
18 learning difference that impairs a person's ability to read and spell,  
19 that is independent of intelligence and that typically causes a person to  
20 read at levels lower than expected.

21 Sec. 3. Section 15-704, Arizona Revised Statutes, is amended to  
22 read:

23 15-704. Reading proficiency; definitions

24 A. Each school district or charter school that provides instruction  
25 in kindergarten programs and grades one through three shall select and  
26 administer screening, ongoing diagnostic and classroom based instructional  
27 reading assessments, including a motivational assessment, as defined by  
28 the state board of education, to monitor student progress. Each school  
29 shall use the diagnostic information to plan appropriate and effective  
30 intervention.

31 B. Each school district or charter school that provides instruction  
32 for pupils in kindergarten programs and grades one through three shall  
33 conduct a curriculum evaluation and adopt ~~a scientifically based~~ AN  
34 EVIDENCE-BASED reading curriculum that includes the essential components  
35 of reading instruction. All school districts and charter schools that  
36 offer instruction in kindergarten programs and grades one through three  
37 shall provide ongoing teacher training based on ~~scientifically based~~  
38 EVIDENCE-BASED reading research.

39 C. Each school district or charter school that provides instruction  
40 in kindergarten programs and grades one through three shall devote  
41 reasonable amounts of time to explicit instruction and independent reading  
42 in grades one through three.

43 D. A pupil in grade three who does not ~~meet or exceed~~ DEMONSTRATE  
44 PROFICIENCY ON the reading standards measured by the ~~Arizona instrument to~~  
45 ~~measure standards test~~ STATEWIDE ASSESSMENT administered pursuant to

1 section 15-741 shall be provided CORE READING INSTRUCTION AND intensive,  
2 EVIDENCE-BASED reading instruction as defined by the state board of  
3 education until the pupil meets these standards.

4 E. The governing board of each school district and the governing  
5 body of each charter school shall determine the percentage of pupils at  
6 each school in grade three who do not ~~meet~~ DEMONSTRATE PROFICIENCY ON the  
7 reading standards prescribed by the state board of education and measured  
8 by the ~~Arizona instrument to measure standards test~~ STATEWIDE ASSESSMENT  
9 administered pursuant to section 15-741. If more than twenty percent of  
10 students in grade three at either the individual school level or at the  
11 school district level do not ~~meet~~ DEMONSTRATE PROFICIENCY ON the  
12 standards, the governing board or governing body shall conduct a review of  
13 its reading program that includes curriculum and professional development  
14 in light of current, ~~scientifically based~~ EVIDENCE-BASED reading research.

15 F. Based on the review required in subsection E of this section,  
16 the governing board or governing body and the school principal of each  
17 school that does not ~~meet~~ DEMONSTRATE PROFICIENCY ON the reading  
18 standards, in conjunction with school council members, if applicable,  
19 shall develop methods of best practices for teaching reading based on  
20 essential components of reading instruction and supported by  
21 ~~scientifically based~~ EVIDENCE-BASED reading research. These methods shall  
22 be adopted at a public meeting and shall be implemented the following  
23 academic year.

24 G. Subsections E and F of this section shall be coordinated with  
25 efforts to develop and implement an improvement plan if required pursuant  
26 to section 15-241.02.

27 H. For the purposes of this section:

28 1. "Essential components of reading instruction" means explicit and  
29 systematic instruction in the following:

- 30 (a) Phonemic awareness.  
31 (b) Phonics.  
32 (c) Vocabulary development.  
33 (d) Reading fluency.  
34 (e) Reading comprehension.

35 2. "EVIDENCE-BASED READING RESEARCH" MEANS RESEARCH THAT  
36 DEMONSTRATES EITHER:

37 (a) A STATISTICALLY SIGNIFICANT EFFECT ON IMPROVING STUDENT  
38 OUTCOMES OR OTHER RELEVANT OUTCOMES BASED ON EITHER:

39 (i) STRONG EVIDENCE FROM AT LEAST ONE WELL-DESIGNED AND  
40 WELL-IMPLEMENTED EXPERIMENTAL STUDY.

41 (ii) MODERATE EVIDENCE FROM AT LEAST ONE WELL-DESIGNED AND  
42 WELL-IMPLEMENTED QUASI-EXPERIMENTAL STUDY.

43 (iii) PROMISING EVIDENCE FROM AT LEAST ONE WELL-DESIGNED AND  
44 WELL-IMPLEMENTED CORRELATIONAL STUDY WITH STATISTICAL CONTROLS FOR  
45 SELECTION BIAS.

1 (b) A RATIONALE BASED ON HIGH-QUALITY RESEARCH FINDINGS OR POSITIVE  
2 EVALUATION THAT AN ACTIVITY, STRATEGY OR INTERVENTION IS LIKELY TO IMPROVE  
3 STUDENT OUTCOMES OR OTHER RELEVANT OUTCOMES AND THAT INCLUDES ONGOING  
4 EFFORTS TO EXAMINE THE EFFECTS OF THESE ACTIVITIES, STRATEGIES OR  
5 INTERVENTIONS.

6 ~~2.~~ 3. "Reading" means a complex system of deriving meaning from  
7 print that requires all of the following:

8 (a) The skills and knowledge to understand how phonemes or speech  
9 sounds are connected to print.

10 (b) The ability to decode unfamiliar words.

11 (c) The ability to read fluently.

12 (d) Sufficient background information and vocabulary to foster  
13 reading comprehension.

14 (e) The development of appropriate active strategies to construct  
15 meaning from print.

16 (f) The development and maintenance of a motivation to read.

17 ~~3. "Scientifically based reading research" means research that~~  
18 ~~meets all of the following:~~

19 ~~(a) Applies rigorous, systematic and objective procedures to obtain~~  
20 ~~valid knowledge relevant to reading development, reading instruction and~~  
21 ~~reading difficulties.~~

22 ~~(b) Employs systematic empirical methods that draw on observation~~  
23 ~~or experiment.~~

24 ~~(c) Involves rigorous data analyses that are adequate to test the~~  
25 ~~stated hypotheses and justify the general conclusions drawn.~~

26 ~~(d) Relies on measurements or observational methods that provide~~  
27 ~~valid data across evaluators and observers and across multiple~~  
28 ~~measurements and observations.~~

29 ~~(e) Has been accepted by a peer reviewed journal or approved by a~~  
30 ~~panel of independent experts through a comparably rigorous, objective and~~  
31 ~~scientific review.~~

32 ~~(f) Contains all of the elements of the essential components of~~  
33 ~~reading instruction.~~

34 Sec. 4. Section 15-741, Arizona Revised Statutes, is amended to  
35 read:

36 15-741. Assessment of pupils

37 A. The state board of education shall:

38 1. Adopt rules for purposes of this article pursuant to title 41,  
39 chapter 6.

40 2. Adopt and implement ~~an Arizona instrument to measure standards~~  
41 ~~test~~ A STATEWIDE ASSESSMENT to measure pupil achievement of the state  
42 board adopted academic standards in reading, writing and mathematics in at  
43 least four grades designated by the board. The board shall determine the  
44 manner of implementation. The board may administer assessments of the  
45 academic standards in social studies and science, except that a pupil

1 shall not be required to meet or exceed the social studies or science  
2 standards measured by the ~~Arizona instrument to measure standards test~~  
3 STATEWIDE ASSESSMENT.

4 3. Ensure that the tests prescribed in this section are uniform  
5 throughout the state.

6 4. Ensure that the tests prescribed in this section are able to be  
7 scored in an objective manner and that the tests are not intended to  
8 advocate any sectarian, partisan or denominational viewpoint.

9 5. Ensure that the tests prescribed in this article collect only  
10 types of pupil nontest data that are approved by the state board of  
11 education at a public meeting and published on the website of the state  
12 board of education pursuant to paragraph 7 of this subsection.

13 6. Include within its budget all costs pertaining to the tests  
14 prescribed in this article. If sufficient monies are appropriated, the  
15 state board may provide achievement test services to school districts that  
16 request assistance in testing pupils in grades additional to those  
17 required by this section.

18 7. Survey teachers, principals and superintendents on ~~achievement~~  
19 ~~related~~ ACHIEVEMENT-RELATED nontest indicators, including information on  
20 graduation rates by ethnicity and dropout rates by ethnicity for each  
21 grade level. Before the survey, the state board of education shall  
22 approve at a public meeting the nontest indicators on which data will be  
23 collected and shall post in a prominent position on the home page of the  
24 state board's website a link to the nontest indicators entitled "what  
25 nontest data does the state of Arizona collect about Arizona pupils?".  
26 The linked web page shall state the types of data collected, the reasons  
27 for the collection of the data and the entities with which the data is  
28 shared. In conducting the survey and collecting data, the state board of  
29 education shall not violate the provisions of the family educational  
30 rights and privacy act (P.L. 93-380), as amended, nor disclose personally  
31 identifiable information.

32 8. Establish a fair and consistent method and standard by which  
33 test scores from schools in a district may be evaluated taking into  
34 consideration demographic data. The board shall establish intervention  
35 strategies to assist schools with scores below the acceptable standard.  
36 The board shall annually review district and school scores and shall offer  
37 assistance to school districts in analyzing data and implementing  
38 intervention strategies. The board shall use the adopted test and methods  
39 of data evaluation for a period of at least ten years.

40 9. Participate in other assessments that provide national  
41 comparisons as needed.

42 10. REQUIRE IN THE CONTRACT FOR THE STATEWIDE ASSESSMENT PURSUANT  
43 TO THIS SECTION THAT TEST SCORES AND ASSESSMENT DATA FROM THE THIRD GRADE  
44 READING PORTION OF THE STATEWIDE ASSESSMENT ADOPTED PURSUANT TO THIS  
45 SECTION BE RECEIVED BY LOCAL EDUCATION AGENCIES ON OR BEFORE MAY 15 OF

1 EACH ACADEMIC YEAR AND THE SCORES AND ASSESSMENT DATA FROM ALL OTHER  
2 PORTIONS OF THE STATEWIDE ASSESSMENT ADOPTED PURSUANT TO THIS SECTION BE  
3 RECEIVED BY LOCAL EDUCATION AGENCIES ON OR BEFORE MAY 25 OF EACH ACADEMIC  
4 YEAR. THE STATE BOARD SHALL IMPOSE PENALTIES ON THE CONTRACTOR FOR SCORES  
5 RECEIVED AFTER THESE DATES.

6 B. The achievement tests adopted by the state board as provided in  
7 subsection A of this section shall be given at least annually. Nontest  
8 indicator data and other information shall be collected at the same time  
9 as the collection of achievement test data.

10 C. Local school district governing boards shall:

11 1. Administer the tests prescribed in subsection A of this section.

12 2. Survey teachers, principals and superintendents on achievement  
13 related nontest indicator data as required by the state board, including  
14 information related to district graduation and dropout rates. In  
15 conducting the survey and collecting data, the governing board shall not  
16 violate the provisions of the family educational rights and privacy act  
17 (P.L. 93-380), as amended, nor disclose personally identifiable  
18 information.

19 D. Any additional assessments for high school pupils that are  
20 adopted by the state board of education after November 24, 2009 shall be  
21 designed to measure college and career readiness of pupils.

22 E. A test for penmanship shall not be required pursuant to this  
23 article.

24 Sec. 5. Section 15-742, Arizona Revised Statutes, is amended to  
25 read:

26 15-742. Contract for purchase of tests

27 A. The state board of education shall enter into contracts with  
28 contractors for the purchase of the tests adopted by the state board  
29 PURSUANT TO SECTIONS 15-203 AND 15-741. Notwithstanding section 41-2546,  
30 the state board may enter into contracts for the purchase of nationally  
31 standardized norm-referenced tests pursuant to this section for a duration  
32 of up to ten years. The contracts may also provide for the distribution  
33 of the tests to the school districts and the scoring of the tests.

34 B. Contractors shall give a cash or corporate surety bond payable  
35 to this state and approved by the state board indemnifying the state in  
36 the test purchases in an amount not less than five hundred nor more than  
37 ten thousand dollars as may be determined by the state board. The  
38 contractor shall faithfully comply with the conditions of the contract and  
39 shall furnish to the state the tests as provided in the contract at prices  
40 not exceeding the lowest prices then granted to any buyer. If there is a  
41 decrease in the prices given to a person purchasing such tests from the  
42 contractor, the state shall have the benefit of the decrease in price.

43 C. The contractor shall file with the state board a sworn statement  
44 stating the lowest prices for which the contractor's series of tests is  
45 sold anywhere in the United States.

1 D. ANY CONTRACT ENTERED INTO PURSUANT TO THIS SECTION SHALL REQUIRE  
2 THAT TEST SCORES AND ASSESSMENT DATA FROM THE THIRD GRADE READING PORTION  
3 OF THE STATEWIDE ASSESSMENT ADOPTED PURSUANT TO SECTION 15-741 BE RECEIVED  
4 BY LOCAL EDUCATION AGENCIES ON OR BEFORE MAY 15 OF EACH ACADEMIC YEAR AND  
5 THE SCORES AND ASSESSMENT DATA FROM ALL OTHER PORTIONS OF THE STATEWIDE  
6 ASSESSMENT ADOPTED PURSUANT TO SECTION 15-741 BE RECEIVED BY LOCAL  
7 EDUCATION AGENCIES ON OR BEFORE MAY 25 OF EACH ACADEMIC YEAR.

8 ~~D.~~ E. If a contractor violates a condition of the contract, the  
9 attorney general, upon request of the state board of education, shall  
10 institute an action for damages on the bond of the contractor.

11 Sec. 6. Section 15-743, Arizona Revised Statutes, is amended to  
12 read:

13 15-743. Test results; annual report

14 A. The state board of education shall provide annual reports for  
15 every school and district and the state as a whole. The state board shall  
16 annually submit these reports to school districts, the legislature and the  
17 county school superintendents and shall make them available to the public.  
18 The state board shall publish and distribute the reports by September 1  
19 and shall also provide a cumulative summary of the reports every five  
20 years. The annual reports and cumulative summary results shall include:

21 1. Average and range scores on the ~~Arizona instrument to measure~~  
22 ~~standards test~~ STATEWIDE ASSESSMENT ADOPTED PURSUANT TO SECTION 15-741.

23 2. Standardized test scores by subject area according to  
24 percentiles and stanines for the school, school district, county, state  
25 and nation.

26 3. ~~Achievement related~~ ACHIEVEMENT-RELATED nontest indicator data  
27 collected in the survey of teachers, principals and superintendents as  
28 required by section 15-741, including information related to dropout rates  
29 by ethnicity for each grade level and graduation rates and postsecondary  
30 employment and education by ethnicity. In reporting such data, the state  
31 board of education shall not violate the provisions of the family  
32 educational rights and privacy act (P.L. 93-380), as amended, nor disclose  
33 personally identifiable information.

34 4. The numbers of pupils who have completed the academic standards  
35 at grades three, eight and twelve.

36 B. Test results on individual pupils shall not be made available to  
37 the public by name or individually identifiable reference.

38 C. The state board shall provide a copy of the results from the  
39 tests prescribed in section 15-741, subsection A for each school district  
40 to that school district. No results may be released to the public until  
41 ten days after the reports are provided to each school district.

42 D. The state board shall provide each school district participating  
43 in the testing program with a copy of each pupil's standardized  
44 norm-referenced test scores in reading, language arts and mathematics, and  
45 the associated grade equivalents, percentiles and stanines for the school,

1 school district, county, state and nation, a report of pupil progress on  
2 an ongoing and annual basis, showing the trends in gain or loss in pupil  
3 achievement over time in reading, language arts and mathematics for all  
4 years in which pupils are enrolled in the school district for an entire  
5 school year and for which this information is available and a report of  
6 the pupil progress for pupils not enrolled in a district for an entire  
7 school year. The state board shall also provide each school district with  
8 each pupil's ~~Arizona instrument to measure standards test~~ STATEWIDE  
9 ASSESSMENT scores and the ~~Arizona instrument to measure standards test~~  
10 STATEWIDE ASSESSMENT scores for the school, district, county and state.

11 E. The school district shall provide a parent or guardian of each  
12 pupil participating in the standardized norm-referenced testing part of  
13 the program with a copy of the pupil's score in reading, language arts and  
14 mathematics, and the percentiles and stanines. The school district shall  
15 provide a parent or guardian of each pupil with a copy of the pupil's  
16 scores on the ~~Arizona instrument to measure standards test~~ STATEWIDE  
17 ASSESSMENT and the associated scores for the school, district, county and  
18 state. The school district shall make available to the public through the  
19 reports those scores for each school in the district and for the school  
20 district, county, state and nation.

21 ~~F. Each pupil's Arizona instrument to measure standards test~~  
22 ~~results for grade twelve shall be recorded on the pupil's high school~~  
23 ~~transcript. The state board of education shall prescribe the format for~~  
24 ~~recording Arizona instrument to measure standards test results on high~~  
25 ~~school transcripts.~~

26 F. ANY TESTING WINDOW ESTABLISHED AND EXECUTED BY THE DEPARTMENT OF  
27 EDUCATION OR THE STATE BOARD OF EDUCATION FOR THE ADMINISTRATION OF THE  
28 STATEWIDE ASSESSMENT ADOPTED PURSUANT TO SECTION 15-741 MAY NOT BE LONGER  
29 THAN FOUR CONSECUTIVE SCHOOL WEEKS AND SHALL ENSURE THAT LOCAL EDUCATION  
30 AGENCIES RECEIVE TEST SCORES AND ASSESSMENT DATA FROM THE THIRD GRADE  
31 READING PORTION OF THE STATEWIDE ASSESSMENT ON OR BEFORE MAY 15 OF EACH  
32 ACADEMIC YEAR AND THE SCORES AND ASSESSMENT DATA FROM ALL OTHER PORTIONS  
33 OF THE STATEWIDE ASSESSMENT ADOPTED PURSUANT TO SECTION 15-741 ARE  
34 RECEIVED BY LOCAL EDUCATION AGENCIES ON OR BEFORE MAY 25 OF EACH ACADEMIC  
35 YEAR.

36 G. NOTWITHSTANDING SUBSECTION F OF THIS SECTION AND SECTIONS 15-741  
37 AND 15-742, THE DEPARTMENT OF EDUCATION, SUBJECT TO REVIEW AND APPROVAL BY  
38 THE STATE BOARD OF EDUCATION, MAY ADJUST THE TESTING WINDOW FOR THE  
39 STATEWIDE ASSESSMENT ADOPTED PURSUANT TO SECTION 15-741 IN ACADEMIC YEARS  
40 THAT THE STATE BOARD OF EDUCATION IS REVISING CURRENT PROFICIENCY LEVELS  
41 OR IS ESTABLISHING NEW PROFICIENCY LEVELS FOR THE STATEWIDE ASSESSMENT  
42 ADOPTED PURSUANT TO SECTION 15-741.

**APPROVED BY THE GOVERNOR MARCH 24, 2017.**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 24, 2017.**

Passed the House March 20, 2017,

by the following vote: 47 Ayes,

10 Nays, 3 Not Voting

[Signature]  
Speaker of the House  
*Pro Tempore*

[Signature]  
Chief Clerk of the House

Passed the Senate February 16, 2017,

by the following vote: 28 Ayes,

1 Nays, 1 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~~

~~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~~

S.B. 1131

SENATE CONCURS IN HOUSE  
AMENDMENTS AND FINAL PASSAGE

Passed the Senate March 21, 2017

by the following vote: 29 Ayes,

1 Nays, 0 Not Voting

*Stuart B. Hall*  
President of the Senate

*Susan Owens*  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

21<sup>st</sup> day of March, 20 17

at 2:47 o'clock P. M.

*[Signature]*  
Secretary to the Governor

Approved this 24 day of

March, 2017

at 2:20 o'clock P. M.

*Jay D. Jany*  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 24 day of March, 20 17

at 5:05 o'clock P. M.

*Michelle Reagan*  
Secretary of State