

State of Arizona  
Senate  
Fifty-second Legislature  
Second Regular Session  
2016

**CHAPTER 226**  
**SENATE BILL 1430**

AN ACT

AMENDING SECTIONS 15-211 AND 15-241, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-241.02; AMENDING SECTIONS 15-704, 15-901.06 AND 15-973.01, ARIZONA REVISED STATUTES; RELATING TO SCHOOL ACCOUNTABILITY.

(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; program termination

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

10 B. On or before October 1, 2012, each school district and charter  
11 school shall submit to the state board of education a plan for improving the  
12 reading proficiency of its pupils in kindergarten programs and grades one,  
13 two and three. The plan shall include baseline data on the reading  
14 proficiency of its pupils in kindergarten programs and grades one, two and  
15 three and a budget for spending monies from both the K-3 support level weight  
16 and the K-3 reading support level weight established in section 15-943.  
17 Beginning in fiscal year 2013-2014 and each fiscal year thereafter, each  
18 school district and charter school shall submit to the state board of  
19 education on or before October 1 an updated K-3 reading program plan that  
20 includes data on program expenditures and results.

21 C. School districts and charter schools shall use monies generated by  
22 the K-3 reading support level weight established in section 15-943 only on  
23 reading programs for pupils in kindergarten programs and grades one, two and  
24 three with particular emphasis on pupils in kindergarten programs and grades  
25 one and two.

26 D. Each school district and charter school that is assigned a letter  
27 grade of C, D or F pursuant to section 15-241, ~~subsection H~~ or that has more  
28 than ten ~~per cent~~ PERCENT of its pupils in grade three reading far below the  
29 third grade level according to the reading portion of the Arizona instrument  
30 to measure standards test, or a successor test, shall receive monies  
31 generated by the K-3 reading support level weight established in section  
32 15-943 only after the K-3 reading program plan of the school district or  
33 charter school has been approved by the state board of education.

34 E. Pupils in a charter school that is in its first year of operation  
35 and that is sponsored by the state board of education, the state board for  
36 charter schools, a university under the jurisdiction of the Arizona board of  
37 regents, a community college district or a group of community college  
38 districts are eligible for the K-3 reading support level weight.

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

42 G. The program established by this section ends on July 1, 2022  
43 pursuant to section 41-3102.

1           Sec. 2. Section 15-241, Arizona Revised Statutes, is amended to read:  
2           15-241. School, charter school and school district  
3           accountability; annual achievement profiles;  
4           classification; letter grade system; profiles;  
5           appeals process; failing schools tutoring fund;  
6           definition

7           A. The department of education shall compile an annual achievement  
8 profile for each public school ~~and school district~~ AND LOCAL EDUCATION  
9 AGENCY.

10          B. Each school, CHARTER HOLDER and school district shall submit to the  
11 department any data that is required and requested and that is necessary to  
12 compile the achievement profile. A school ~~or school district~~ OR LOCAL  
13 EDUCATION AGENCY that fails to submit the information that is necessary is  
14 not eligible to receive monies from the classroom site fund established by  
15 section 15-977.

16          C. ~~The department shall establish a baseline achievement profile for~~  
17 ~~each school and school district. The baseline achievement profile~~ THE ANNUAL  
18 ACHIEVEMENT PROFILE COMPILED BY THE DEPARTMENT shall be used to determine a  
19 standard measurement of acceptable academic progress for each school ~~and~~  
20 ~~school district~~ AND LOCAL EDUCATION AGENCY and a school ~~and school district~~  
21 AND LOCAL EDUCATION AGENCY classification pursuant to subsection ~~H~~ F of this  
22 section. Any disclosure of educational records compiled by the department of  
23 education pursuant to this section shall comply with the family educational  
24 rights and privacy act of 1974 (20 United States Code section 1232g).

25          ~~D. The achievement profile for schools and school districts that offer~~  
26 ~~instruction in kindergarten programs and grades one through eight, or any~~  
27 ~~combination of those programs or grades, shall include the following school~~  
28 ~~academic performance indicators:~~

29           1. ~~The Arizona measure of academic progress. The department shall~~  
30 ~~compute the extent of academic progress made by the pupils in each school and~~  
31 ~~school district during the course of each year.~~

32           2. ~~The Arizona instrument to measure standards test. The department~~  
33 ~~shall compute the percentage of pupils who meet or exceed the standard on the~~  
34 ~~Arizona instrument to measure standards test, as prescribed by the state~~  
35 ~~board of education. The superintendent of public instruction and the~~  
36 ~~department may calculate academic gain on the Arizona instrument to measure~~  
37 ~~standards test according to each of the school classifications prescribed in~~  
38 ~~subsection G of this section on a statewide basis, for each school district~~  
39 ~~in this state and for each school by determining the average scale scores for~~  
40 ~~students in the current academic year as compared to the average scale scores~~  
41 ~~for the previous academic year for the same students.~~

42           3. ~~Academic performance and academic gain on the science portion of~~  
43 ~~the Arizona instrument to measure standards test.~~

44           4. ~~The results of English language learners tests administered~~  
45 ~~pursuant to section 15-756, subsection B, section 15-756.05 and section~~  
46 ~~15-756.06.~~

1 ~~E. The achievement profile for schools and school districts that offer~~  
2 ~~instruction in grades nine through twelve, or any combination of those~~  
3 ~~grades, shall include the following school academic performance indicators:~~

4 ~~1. The Arizona measure of academic progress. The department shall~~  
5 ~~compute the extent of academic progress made by the pupils at each school.~~

6 ~~2. The Arizona instrument to measure standards test. The department~~  
7 ~~shall compute the percentage of pupils pursuant to subsection G of this~~  
8 ~~section who meet or exceed the standard on the Arizona instrument to measure~~  
9 ~~standards test, as prescribed by the state board of education. The~~  
10 ~~superintendent of public instruction and the department may calculate~~  
11 ~~academic gain on the Arizona instrument to measure standards test according~~  
12 ~~to each of the school classifications prescribed in subsection G of this~~  
13 ~~section on a statewide basis, for each school district in this state and for~~  
14 ~~each school by determining the average scale scores for students in the~~  
15 ~~current academic year as compared to the average scale scores for the~~  
16 ~~previous academic year for the same students.~~

17 ~~3. Academic performance and academic gain on the science portion of~~  
18 ~~the Arizona instrument to measure standards test.~~

19 ~~4. The annual dropout rate.~~

20 ~~5. The annual graduation rate.~~

21 ~~6. The results of English language learners tests administered~~  
22 ~~pursuant to section 15-756, subsection B, section 15-756.05 and section~~  
23 ~~15-756.06.~~

24 ~~F. Schools and school districts that offer instruction in all or a~~  
25 ~~combination of the grades specified in subsections D and E of this section~~  
26 ~~shall include a single achievement profile for that school and school~~  
27 ~~district that includes the school academic performance indicators specified~~  
28 ~~in subsections D and E of this section.~~

29 D. THE ANNUAL ACHIEVEMENT PROFILE FOR SCHOOLS AND LOCAL EDUCATION  
30 AGENCIES SHALL INCLUDE, AT A MINIMUM, THE FOLLOWING ACADEMIC PERFORMANCE  
31 INDICATORS:

32 1. MULTIPLE MEASURES OF ACADEMIC PERFORMANCE OR OTHER ACADEMICALLY  
33 RELEVANT INDICATORS OF SCHOOL QUALITY THAT ARE APPROPRIATE TO ASSESS THE  
34 EDUCATIONAL IMPACT OF A SCHOOL DURING THE ACADEMIC YEAR AS DETERMINED BY THE  
35 STATE BOARD OF EDUCATION.

36 2. ACADEMIC PROGRESS ON STATEWIDE ASSESSMENTS ADOPTED PURSUANT TO  
37 SECTION 15-741 IN ENGLISH LANGUAGE ARTS AND MATHEMATICS.

38 3. ACADEMIC PROGRESS ON THE ENGLISH LANGUAGE LEARNER ASSESSMENTS  
39 ADMINISTERED PURSUANT TO SECTION 15-756, SUBSECTION B AND SECTIONS 15-756.05  
40 AND 15-756.06.

41 4. PROGRESS TOWARD COLLEGE AND CAREER READINESS FOR ALL SCHOOLS AND  
42 LOCAL EDUCATION AGENCIES THAT OFFER INSTRUCTION IN ANY OF GRADES NINE THROUGH  
43 TWELVE.

44 ~~G.~~ E. Subject to final adoption by the state board of education, the  
45 department shall determine the criteria for each school and ~~school district~~  
46 LOCAL EDUCATION AGENCY classification LABEL using a ~~research-based~~

1 RESEARCHED-BASED methodology. The methodology DEVELOPED IN COLLABORATION  
2 WITH A COALITION OF QUALIFIED TECHNICAL AND POLICY STAKEHOLDERS, AT A  
3 MINIMUM, shall include the performance of pupils at all achievement levels,  
4 account for pupil mobility, account for the distribution of pupil achievement  
5 at each school ~~and school district~~ AND LOCAL EDUCATION AGENCY and include  
6 longitudinal indicators of academic performance. ~~The methodology may include~~  
7 ~~a measure of the perception of educational quality at the school or school~~  
8 ~~district by parents, pupils, staff and community stakeholders. Fifty per~~  
9 ~~cent of the school and school district classification determination shall~~  
10 ~~consist of academic performance measurements. Fifty per cent of the academic~~  
11 ~~performance measurement shall consist of a measurement of academic gain for~~  
12 ~~all pupils enrolled at the school or school district and fifty per cent of~~  
13 ~~the academic performance measurements shall consist of a measurement of the~~  
14 ~~twenty-five per cent of pupils with the lowest academic performance~~  
15 ~~measurement enrolled at the school or school district.~~ For the purposes of  
16 this subsection, "~~research based~~ RESEARCHED-BASED methodology" means the  
17 systematic and objective application of statistical and quantitative research  
18 principles to ~~determine a standard measurement of acceptable academic~~  
19 ~~progress for each school and school district~~ CALCULATE THE INDICATORS USED TO  
20 DETERMINE A THROUGH F LETTER GRADES.

21 ~~H. F. Except as provided in subsection EE of this section, The ANNUAL~~  
22 ~~achievement profile shall be used to determine a school and school district~~  
23 ~~AND LOCAL EDUCATION AGENCY classification that uses a~~ BASED ON AN A THROUGH F  
24 ~~letter grade system as follows:~~

25 ~~1. A school or school district assigned a letter grade of A shall~~  
26 ~~demonstrate an excellent level of performance.~~

27 ~~2. A school or school district assigned a letter grade of B shall~~  
28 ~~demonstrate an above average level of performance.~~

29 ~~3. A school or school district assigned a letter grade of C shall~~  
30 ~~demonstrate an average level of performance.~~

31 ~~4. A school or school district assigned a letter grade of D shall~~  
32 ~~demonstrate a below average level of performance.~~

33 ~~5. A school or school district assigned a letter grade of F shall~~  
34 ~~demonstrate a failing level of performance.~~

35 ADOPTED BY THE STATE BOARD OF  
36 EDUCATION IN WHICH A LETTER GRADE OF A REFLECTS AN EXCELLENT LEVEL OF  
37 PERFORMANCE AND A LETTER GRADE OF F REFLECTS A FAILING LEVEL OF PERFORMANCE.  
38 THE A THROUGH F LETTER GRADE SYSTEM SHALL INDICATE EXPECTED STANDARDS OF  
39 PERFORMANCE FOR ALL SCHOOLS AND THE MANNER IN WHICH SCHOOLS MAY RISE ABOVE OR  
40 FALL BELOW THOSE EXPECTED STANDARDS OF PERFORMANCE. The state board of  
41 education may also assign a school a letter grade of F if the state board of  
42 education determines that the school is among the "persistently lowest-  
43 achieving schools" in the state under the federal school accountability  
44 requirements pursuant to section 1003(g) of the elementary and secondary  
45 education act (20 United States Code section 6303).

46 ~~I. G.~~ G. The classification for each school and the criteria used to  
determine classification pursuant to ~~subsection G~~ SUBSECTIONS E AND F of this

1 section shall be included on the school report card prescribed in section  
2 15-746.

3 ~~H.~~ H. Subject to final adoption by the state board of education, the  
4 department of education shall ~~develop a parallel achievement profile for USE~~  
5 ~~ACHIEVEMENT PROFILES APPROPRIATELY TO ASSESS THE EDUCATIONAL IMPACT OF~~  
6 accommodation schools, alternative schools ~~as defined by the state board of~~  
7 ~~education~~ and extremely small schools, ~~MAY DEVELOP PROFILES FOR SCHOOLS THAT~~  
8 ~~PARTICIPATE IN THE BOARD EXAMINATION SYSTEM PRESCRIBED IN CHAPTER 7, ARTICLE~~  
9 ~~6 OF THIS TITLE AND SCHOOLS THAT PARTICIPATE IN ARIZONA ONLINE INSTRUCTION~~  
10 ~~PURSUANT TO SECTION 15-808 AND MAY DEVELOP OTHER EXCEPTIONS as defined~~  
11 ~~PRESCRIBED~~ by the state board of education for the purposes of this section.

12 ~~K. If a school is assigned a letter grade of D, within ninety days~~  
13 ~~after receiving notice of the designation, the governing board shall develop~~  
14 ~~an improvement plan for the school, submit a copy of the plan to the~~  
15 ~~superintendent of public instruction and the county educational service~~  
16 ~~agency and supervise the implementation of the plan. The plan shall include~~  
17 ~~necessary components as identified by the state board of education. Within~~  
18 ~~thirty days after submitting the improvement plan to the superintendent of~~  
19 ~~public instruction and the county educational service agency, the governing~~  
20 ~~board shall hold a special public meeting in each school that has been~~  
21 ~~assigned a letter grade of D and shall present the respective improvement~~  
22 ~~plans that have been developed for each school. The school district~~  
23 ~~governing board, within thirty days of receiving notice of the designation,~~  
24 ~~shall provide written notification of the classification to each residence~~  
25 ~~within the attendance area of the school. The notice shall explain the~~  
26 ~~improvement plan process and provide information regarding the public meeting~~  
27 ~~required by this subsection.~~

28 ~~L. A school that has not submitted an improvement plan pursuant to~~  
29 ~~subsection K of this section is not eligible to receive monies from the~~  
30 ~~classroom site fund established by section 15-977 for every day that a plan~~  
31 ~~has not been received by the superintendent of public instruction within the~~  
32 ~~time specified in subsection K of this section plus an additional ninety~~  
33 ~~days. The state board of education shall require the superintendent of the~~  
34 ~~school district to testify before the board and explain the reasons that an~~  
35 ~~improvement plan for that school has not been submitted.~~

36 ~~M. If a charter school is assigned a letter grade of D, within thirty~~  
37 ~~days the school shall notify the parents of the students attending the school~~  
38 ~~of the classification. The notice shall explain the improvement plan process~~  
39 ~~and provide information regarding the public meeting required by this~~  
40 ~~subsection. Within ninety days of receiving the classification, the charter~~  
41 ~~holder shall present an improvement plan to the charter sponsor at a public~~  
42 ~~meeting and submit a copy of the plan to the superintendent of public~~  
43 ~~instruction. The improvement plan shall include necessary components as~~  
44 ~~identified by the state board of education. For every day that an~~  
45 ~~improvement plan is not received by the superintendent of public instruction~~  
46 ~~and the county educational service agency, the school is not eligible to~~

1 ~~receive monies from the classroom site fund established by section 15-977 for~~  
2 ~~every day that a plan has not been received by the superintendent of public~~  
3 ~~instruction within the time specified in subsection K of this section plus an~~  
4 ~~additional ninety days. The charter holder shall appear before the~~  
5 ~~sponsoring board and explain why the improvement plan has not been submitted.~~

6 ~~N. The department of education shall establish an appeals process, to~~  
7 ~~be approved by the state board of education, for a school to appeal data used~~  
8 ~~to determine the achievement profile of the school. The criteria established~~  
9 ~~shall be based on mitigating factors and may include a visit to the school~~  
10 ~~site by the department of education.~~

11 ~~O. If a school is assigned a letter grade of D for a third consecutive~~  
12 ~~year, the department of education shall visit the school site to confirm the~~  
13 ~~classification data and to review the implementation of the school's~~  
14 ~~improvement plan. The school shall be assigned a letter grade of F unless an~~  
15 ~~alternate letter grade is assigned after an appeal pursuant to subsection N~~  
16 ~~of this section. A school that is assigned a letter grade of D for less than~~  
17 ~~three consecutive years may also be assigned a letter grade of F if the state~~  
18 ~~board of education determines that there is no reasonable likelihood that the~~  
19 ~~school will achieve an average level of performance within the next two~~  
20 ~~years.~~

21 ~~P. The school district governing board, within thirty days of~~  
22 ~~receiving notice of the school being assigned a letter grade of F, shall~~  
23 ~~provide written notification of the classification to each residence in the~~  
24 ~~attendance area of the school. The notice shall explain the improvement plan~~  
25 ~~process and provide information regarding the public meeting required by~~  
26 ~~subsection S of this section.~~

27 ~~Q. The superintendent of public instruction in collaboration with the~~  
28 ~~county educational service agency, based on need, shall assign a solutions~~  
29 ~~team to a school assigned a letter grade of D, a school assigned a letter~~  
30 ~~grade of F or any other school pursuant to a mutual agreement between the~~  
31 ~~department of education and the school composed of master teachers, fiscal~~  
32 ~~analysts and curriculum assessment experts who are certified by the state~~  
33 ~~board of education as Arizona academic standards technicians. The department~~  
34 ~~of education or the county educational service agency may hire or contract~~  
35 ~~with administrators, principals and teachers who have demonstrated experience~~  
36 ~~with the characteristics and situations in a school assigned a letter grade~~  
37 ~~of D or F and may use these personnel as part of the solutions team. The~~  
38 ~~department of education shall work with staff at the school to assist in~~  
39 ~~curricula alignment and shall instruct teachers on how to increase pupil~~  
40 ~~academic progress, considering the school's achievement profile. The~~  
41 ~~solutions team shall consider the existing improvement plan to assess the~~  
42 ~~need for changes to curriculum, professional development and resource~~  
43 ~~allocation and shall present a statement of its findings to the school~~  
44 ~~administrator and district superintendent. Within forty five days after the~~  
45 ~~presentation of the solutions team's statement of findings, the school~~  
46 ~~district governing board, in cooperation with each school within the school~~

1 ~~district that is assigned a letter grade of D and its assigned solutions team~~  
2 ~~representative, shall develop and submit to the department of education and~~  
3 ~~the county educational service agency an action plan that details the manner~~  
4 ~~in which the school district will assist the school as the school~~  
5 ~~incorporates the findings of the solutions team into the improvement plan.~~  
6 ~~The department of education shall review the action plan and shall either~~  
7 ~~accept the action plan or return the action plan to the school district for~~  
8 ~~modification. If the school district does not submit an approved action plan~~  
9 ~~within forty-five days, the state board of education may direct the~~  
10 ~~superintendent of public instruction to withhold up to ten per cent of state~~  
11 ~~monies that the school district would otherwise be entitled to receive each~~  
12 ~~month until the plan is submitted to the department of education and the~~  
13 ~~county educational service agency, at which time those monies shall be~~  
14 ~~returned to the school district.~~

15 ~~R. The parent or the guardian of the pupil may apply to the department~~  
16 ~~of education, in a manner determined by the department of education, for a~~  
17 ~~certificate of supplemental instruction from the failing schools tutoring~~  
18 ~~fund established by this section. Pupils attending a school assigned a~~  
19 ~~letter grade of D or F or a pupil who has failed to pass one or more portions~~  
20 ~~of the Arizona instrument to measure standards test in grades eight through~~  
21 ~~twelve in order to graduate from high school may select an alternative~~  
22 ~~tutoring program in academic standards from a provider that is certified by~~  
23 ~~the state board of education. To qualify, the provider must state in writing~~  
24 ~~a level of academic improvement for the pupil that includes a timeline for~~  
25 ~~improvement that is agreed to by the parent or guardian of the pupil. The~~  
26 ~~state board of education shall annually review academic performance levels~~  
27 ~~for providers certified pursuant to this subsection and may remove a provider~~  
28 ~~at a public hearing from an approved list of providers if that provider fails~~  
29 ~~to meet its stated level of academic improvement. The state board of~~  
30 ~~education shall determine the application guidelines and the maximum value~~  
31 ~~for each certificate of supplemental instruction. The state board of~~  
32 ~~education shall annually complete a market survey in order to determine the~~  
33 ~~maximum value for each certificate of supplemental instruction. This~~  
34 ~~subsection shall not be construed to require the state to provide additional~~  
35 ~~monies beyond the monies provided pursuant to section 42-5029, subsection E,~~  
36 ~~paragraph 7.~~

37 ~~S. Within sixty days of receiving notification of a school being~~  
38 ~~assigned a letter grade of F, the school district governing board shall~~  
39 ~~evaluate needed changes to the existing improvement plan for the school,~~  
40 ~~consider recommendations from the solutions team, submit a copy of the plan~~  
41 ~~to the superintendent of public instruction and the county educational~~  
42 ~~service agency and supervise the implementation of the plan. Within thirty~~  
43 ~~days after submitting the improvement plan to the superintendent of public~~  
44 ~~instruction, the governing board shall hold a public meeting in each school~~  
45 ~~that has been assigned a letter grade of F and shall present the respective~~  
46 ~~improvement plans that have been developed for each school.~~



1 ~~T. A school that has not submitted an improvement plan pursuant to~~  
2 ~~subsection S of this section is not eligible to receive monies from the~~  
3 ~~classroom site fund established by section 15-977 for every day that a plan~~  
4 ~~has not been received by the superintendent of public instruction within the~~  
5 ~~time specified in subsection S of this section plus an additional ninety~~  
6 ~~days. The state board of education shall require the superintendent of the~~  
7 ~~school district to testify before the board and explain the reasons that an~~  
8 ~~improvement plan for that school has not been submitted.~~

9 ~~U. If a charter school is assigned a letter grade of F, the department~~  
10 ~~of education shall immediately notify the charter school's sponsor. The~~  
11 ~~charter school's sponsor shall either take action to restore the charter~~  
12 ~~school to acceptable performance or revoke the charter school's charter.~~  
13 ~~Within thirty days the school shall notify the parents of the students~~  
14 ~~attending the school of the classification and of any pending public meetings~~  
15 ~~to review the issue.~~

16 ~~V. A school that has been assigned a letter grade of F shall be~~  
17 ~~evaluated by the department of education to determine if the school failed to~~  
18 ~~properly implement its school improvement plan, align the curriculum with~~  
19 ~~academic standards, provide teacher training, prioritize the budget or~~  
20 ~~implement other proven strategies to improve academic performance. After~~  
21 ~~visiting the school site pursuant to subsection O of this section, the~~  
22 ~~department of education shall submit to the state board of education a~~  
23 ~~recommendation to proceed pursuant to subsections Q, R and S of this section~~  
24 ~~or that the school be subject to a public hearing to determine if the school~~  
25 ~~failed to properly implement its improvement plan and the reasons for the~~  
26 ~~department's recommendation.~~

27 ~~W. If the department does recommend a public hearing, the state board~~  
28 ~~of education shall meet and may provide by a majority vote at the public~~  
29 ~~hearing for the continued operation of the school as allowed by this~~  
30 ~~subsection. The state board of education shall determine whether~~  
31 ~~governmental, nonprofit and private organizations may submit applications to~~  
32 ~~the state board to fully or partially manage the school. The state board's~~  
33 ~~determination shall include:~~

34 ~~1. If and to what extent the local governing board may participate in~~  
35 ~~the operation of the school including personnel matters.~~

36 ~~2. If and to what extent the state board of education shall~~  
37 ~~participate in the operation of the school.~~

38 ~~3. Resource allocation pursuant to subsection Y of this section.~~

39 ~~4. Provisions for the development and submittal of a school~~  
40 ~~improvement plan to be presented in a public meeting at the school.~~

41 ~~5. A suggested time frame for the alternative operation of the school.~~

42 ~~X. The state board shall periodically review the status of a school~~  
43 ~~that is operated by an organization other than the school district governing~~  
44 ~~board to determine whether the operation of the school should be returned to~~  
45 ~~the school district governing board. Before the state board makes a~~  
46 ~~determination, the state board or its designee shall meet with the school~~

1 ~~district governing board or its designee to determine the time frame,~~  
2 ~~operational considerations and the appropriate continuation of existing~~  
3 ~~improvements that are necessary to assure a smooth transition of authority~~  
4 ~~from the other organization back to the school district governing board.~~

5 ~~Y. If an alternative operation plan is provided pursuant to subsection~~  
6 ~~W of this section, the state board of education shall pay for the operation~~  
7 ~~of the school and shall adjust the school district's district additional~~  
8 ~~assistance pursuant to section 15-961, base support level pursuant to section~~  
9 ~~15-943, monies distributed from the classroom site fund established by~~  
10 ~~section 15-977 and transportation support level pursuant to section 15-945 to~~  
11 ~~accurately reflect any reduction in district services that are no longer~~  
12 ~~provided to that school by the district. The state board of education may~~  
13 ~~modify the school district's revenue control limit, the district support~~  
14 ~~level and the general budget limit calculated pursuant to section 15-947 by~~  
15 ~~an amount that corresponds to this reduction in services. The state board of~~  
16 ~~education shall retain the portion of state aid that would otherwise be due~~  
17 ~~the school district for the school and shall distribute that portion of state~~  
18 ~~aid directly to the organization that contracts with the state board of~~  
19 ~~education to operate the school.~~

20 ~~Z. If the state board of education determines that a charter school~~  
21 ~~failed to properly implement its improvement plan, the sponsor of the charter~~  
22 ~~school shall revoke the charter school's charter.~~

23 ~~AA. If there are more than two schools in a district and more than~~  
24 ~~one-half, or in any case more than five, of the schools in the district are~~  
25 ~~assigned a letter grade of F for more than two consecutive years, in the next~~  
26 ~~election of members of the governing board the election ballot shall contain~~  
27 ~~the following statement immediately above the listing of governing board~~  
28 ~~candidates:~~

29 ~~Within the last five years, (number of schools) schools in the~~  
30 ~~\_\_\_\_\_ school district have been assigned a letter grade of F~~  
31 ~~or designated as "schools failing to meet academic standards" by~~  
32 ~~the superintendent of public instruction.~~

33 ~~BB. At least twice each year the department of education shall publish~~  
34 ~~in a newspaper of general circulation in each county of this state a list of~~  
35 ~~schools that are assigned a letter grade of F.~~

36 I. THE DEPARTMENT OF EDUCATION SHALL ESTABLISH A PROCESS FOR A SCHOOL  
37 OR LOCAL EDUCATION AGENCY TO CORRECT STUDENT DATA USED TO DETERMINE THE  
38 SCHOOL'S OR LOCAL EDUCATION AGENCY'S ANNUAL ACHIEVEMENT PROFILE. THE STATE  
39 BOARD OF EDUCATION SHALL ESTABLISH AN APPEALS PROCESS TO ALLOW A SCHOOL OR  
40 LOCAL EDUCATION AGENCY TO APPEAL THE SCHOOL'S OR LOCAL EDUCATION AGENCY'S  
41 FINAL LETTER GRADE BASED ON MITIGATING FACTORS IDENTIFIED BY THE BOARD. THE  
42 BOARD MAY DELEGATE THE ADMINISTRATION OF THE APPEALS PROCESS TO THE  
43 DEPARTMENT OF EDUCATION.

44 ~~CC.~~ J. The failing schools tutoring fund is established consisting of  
45 monies collected pursuant to section 42-5029, subsection E as designated for  
46 this purpose. The department of education shall administer the fund. The

1 department of education may use monies from the fund to purchase materials  
2 designed to assist students to meet the Arizona academic standards and to  
3 achieve a passing score on ~~the Arizona instrument to measure standards test~~  
4 ~~in order to graduate from high school~~ ASSESSMENTS ADOPTED BY THE STATE BOARD  
5 OF EDUCATION.

6 ~~DD. The department of education may develop a classification label for~~  
7 ~~school districts and charter school operators. If the department of~~  
8 ~~education develops a classification label for school districts and charter~~  
9 ~~school operators, the classification label may be developed from the~~  
10 ~~following components:~~

11 ~~1. Measures of academic progress.~~

12 ~~2. Pupil assessment data.~~

13 ~~3. The attendance rates and graduation rates of pupils who are~~  
14 ~~educated in that charter school operator's charter schools or in that school~~  
15 ~~district's schools.~~

16 ~~4. The percentage of the parents of pupils enrolled in that charter~~  
17 ~~school operator's charter schools or in that school district's schools that~~  
18 ~~categorizes the quality of their child's education as excellent on a parental~~  
19 ~~rating of school quality.~~

20 ~~EE. The state board of education shall determine appropriate~~  
21 ~~modifications to the criteria used to calculate achievement profiles for~~  
22 ~~schools that participate in the board examination system prescribed in~~  
23 ~~chapter 7, article 6 of this title.~~

24 ~~FF. The state board of education shall adopt guidelines to include~~  
25 ~~supplementary training in reading instruction for teachers who provide~~  
26 ~~instruction to pupils in a kindergarten program or grade one, two or three in~~  
27 ~~an improvement plan pursuant to subsection K of this section.~~

28 ~~GG. In addition to any other corrective procedures prescribed in this~~  
29 ~~section and section 15-241.01, a school that has been assigned a letter grade~~  
30 ~~of D or F for two consecutive years shall implement a science, technology,~~  
31 ~~engineering and mathematics intervention strategy under the supervision of~~  
32 ~~the state board of education.~~

33 ~~HH. In addition to any other corrective procedures prescribed in this~~  
34 ~~section a school district that has been assigned a letter grade of D or F for~~  
35 ~~two consecutive years shall implement a parent involvement strategy. The~~  
36 ~~parent involvement strategy shall be included in the school improvement plan~~  
37 ~~for each applicable school within the district, as prescribed in subsection K~~  
38 ~~of this section.~~

39 ~~II. The department of education shall publish criteria for a school or~~  
40 ~~school district's exit status from a previous assignment of a letter grade of~~  
41 ~~F in accordance with this section. The criteria shall prescribe the actions~~  
42 ~~and results necessary to be deemed to have complied with this section~~  
43 ~~regarding school improvement, including the proper implementation of a school~~  
44 ~~improvement plan pursuant to subsection V of this section. These criteria~~  
45 ~~shall be provided to a school or school district if it is assigned a letter~~  
46 ~~grade of F pursuant to this section.~~

1 K. FOR THE PURPOSES OF THIS SECTION, "ACADEMIC PROGRESS" MEANS  
2 MEASURES OF BOTH PROFICIENCY AND ACADEMIC GAIN.

3 Sec. 3. Title 15, chapter 2, article 2, Arizona Revised Statutes, is  
4 amended by adding section 15-241.02, to read:

5 15-241.02. School improvement plans: solutions teams:  
6 withholding of state monies

7 A. IF A SCHOOL IS ASSIGNED A LETTER GRADE OF D PURSUANT TO SECTION  
8 15-241, WITHIN NINETY DAYS AFTER RECEIVING NOTICE OF THE CLASSIFICATION, THE  
9 SCHOOL DISTRICT GOVERNING BOARD SHALL DEVELOP AN IMPROVEMENT PLAN FOR THE  
10 SCHOOL, SUBMIT A COPY OF THE PLAN TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION  
11 AND THE COUNTY EDUCATIONAL SERVICE AGENCY AND SUPERVISE THE IMPLEMENTATION OF  
12 THE PLAN. THE GOVERNING BOARD SHALL INCLUDE IN THE PLAN NECESSARY COMPONENTS  
13 AS IDENTIFIED BY THE STATE BOARD OF EDUCATION. WITHIN THIRTY DAYS AFTER  
14 SUBMITTING THE IMPROVEMENT PLAN TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION  
15 AND THE COUNTY EDUCATIONAL SERVICE AGENCY, THE GOVERNING BOARD SHALL HOLD A  
16 PUBLIC MEETING IN EACH SCHOOL THAT HAS BEEN ASSIGNED A LETTER GRADE OF D AND  
17 SHALL PRESENT THE RESPECTIVE IMPROVEMENT PLANS THAT HAVE BEEN DEVELOPED FOR  
18 EACH SCHOOL. THE GOVERNING BOARD, WITHIN THIRTY DAYS AFTER RECEIVING NOTICE  
19 OF THE CLASSIFICATION, SHALL PROVIDE WRITTEN NOTIFICATION OF THE  
20 CLASSIFICATION TO EACH RESIDENCE WITHIN THE ATTENDANCE AREA OF THE SCHOOL.  
21 THE NOTICE SHALL EXPLAIN THE IMPROVEMENT PLAN PROCESS AND PROVIDE INFORMATION  
22 REGARDING THE PUBLIC MEETING REQUIRED BY THIS SUBSECTION.

23 B. A SCHOOL THAT HAS NOT SUBMITTED AN IMPROVEMENT PLAN PURSUANT TO  
24 SUBSECTION A OF THIS SECTION IS NOT ELIGIBLE TO RECEIVE MONIES FROM THE  
25 CLASSROOM SITE FUND ESTABLISHED BY SECTION 15-977 FOR EVERY DAY THAT A PLAN  
26 HAS NOT BEEN RECEIVED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION WITHIN THE  
27 TIME SPECIFIED IN SUBSECTION A OF THIS SECTION PLUS AN ADDITIONAL NINETY  
28 DAYS. THE STATE BOARD OF EDUCATION SHALL REQUIRE THE SUPERINTENDENT OF THE  
29 SCHOOL DISTRICT TO TESTIFY BEFORE THE BOARD AND EXPLAIN THE REASONS THAT AN  
30 IMPROVEMENT PLAN FOR THAT SCHOOL HAS NOT BEEN SUBMITTED.

31 C. IF A CHARTER SCHOOL IS ASSIGNED A LETTER GRADE OF D PURSUANT TO  
32 SECTION 15-241, WITHIN THIRTY DAYS THE SCHOOL SHALL NOTIFY THE PARENTS OF THE  
33 STUDENTS ATTENDING THE SCHOOL OF THE CLASSIFICATION. THE NOTICE SHALL  
34 EXPLAIN THE IMPROVEMENT PLAN PROCESS AND PROVIDE INFORMATION REGARDING THE  
35 PUBLIC MEETING REQUIRED BY THIS SUBSECTION. WITHIN NINETY DAYS AFTER  
36 RECEIVING THE CLASSIFICATION, THE CHARTER HOLDER SHALL PRESENT AN IMPROVEMENT  
37 PLAN TO THE CHARTER SPONSOR AT A PUBLIC MEETING AND SUBMIT A COPY OF THE PLAN  
38 TO THE SPONSOR OF THE CHARTER SCHOOL. THE CHARTER HOLDER SHALL INCLUDE IN  
39 THE IMPROVEMENT PLAN NECESSARY COMPONENTS AS IDENTIFIED BY THE STATE BOARD OF  
40 EDUCATION. THE SCHOOL IS NOT ELIGIBLE TO RECEIVE MONIES FROM THE CLASSROOM  
41 SITE FUND ESTABLISHED BY SECTION 15-977 FOR EVERY DAY THAT AN IMPROVEMENT  
42 PLAN HAS NOT BEEN RECEIVED BY THE SPONSOR OF THE CHARTER SCHOOL WITHIN THE  
43 TIME SPECIFIED IN THIS SUBSECTION PLUS AN ADDITIONAL NINETY DAYS. THE  
44 CHARTER HOLDER SHALL APPEAR BEFORE THE SPONSORING BOARD AND EXPLAIN WHY THE  
45 IMPROVEMENT PLAN HAS NOT BEEN SUBMITTED.

1 D. IF A SCHOOL IS ASSIGNED A LETTER GRADE OF D PURSUANT TO SECTION  
2 15-241 FOR A THIRD CONSECUTIVE YEAR, THE DEPARTMENT OF EDUCATION SHALL VISIT  
3 THE SCHOOL SITE TO CONFIRM THE CLASSIFICATION DATA AND TO REVIEW THE  
4 IMPLEMENTATION OF THE SCHOOL'S IMPROVEMENT PLAN. THE SCHOOL SHALL BE  
5 ASSIGNED A LETTER GRADE OF F UNLESS AN ALTERNATE LETTER GRADE IS ASSIGNED  
6 AFTER AN APPEAL PURSUANT TO SECTION 15-241, SUBSECTION I. A SCHOOL THAT IS  
7 ASSIGNED A LETTER GRADE OF D FOR FEWER THAN THREE CONSECUTIVE YEARS MAY ALSO  
8 BE ASSIGNED A LETTER GRADE OF F IF THE STATE BOARD OF EDUCATION DETERMINES  
9 THAT THERE IS NO REASONABLE LIKELIHOOD THAT THE SCHOOL WILL ACHIEVE AN  
10 AVERAGE LEVEL OF PERFORMANCE WITHIN THE NEXT TWO YEARS.

11 E. THE SUPERINTENDENT OF PUBLIC INSTRUCTION AND THE COUNTY EDUCATIONAL  
12 SERVICE AGENCY SHALL COLLABORATE TO ASSIGN A SOLUTIONS TEAM TO A SCHOOL  
13 ASSIGNED A LETTER GRADE OF D PURSUANT TO SECTION 15-241 OR A SCHOOL ASSIGNED  
14 A LETTER GRADE OF F PURSUANT TO SECTION 15-241 BASED ON ACADEMIC NEED AND  
15 AVAILABLE RESOURCES. COUNTY EDUCATIONAL SERVICE AGENCIES MAY ENTER INTO  
16 AGREEMENTS TO PROVIDE SERVICES TO SCHOOLS FROM OTHER COUNTIES. ANY OTHER  
17 SCHOOL, SUBJECT TO AVAILABLE RESOURCES, MAY BE ASSIGNED A SOLUTIONS TEAM  
18 PURSUANT TO A MUTUAL AGREEMENT BETWEEN THE DEPARTMENT OF EDUCATION OR THE  
19 COUNTY EDUCATION SERVICE AGENCY, OR BOTH, AND THE SCHOOL. THE SOLUTIONS TEAM  
20 SHALL BE COMPOSED OF MASTER TEACHERS, FISCAL ANALYSTS AND CURRICULUM  
21 ASSESSMENT EXPERTS WHO ARE CERTIFIED BY THE STATE BOARD OF EDUCATION AS  
22 ARIZONA ACADEMIC STANDARDS TECHNICIANS. THE DEPARTMENT OF EDUCATION OR THE  
23 COUNTY EDUCATIONAL SERVICE AGENCY MAY HIRE OR CONTRACT WITH ADMINISTRATORS,  
24 PRINCIPALS AND TEACHERS WHO HAVE DEMONSTRATED EXPERIENCE IN IMPROVING  
25 ACADEMIC OUTCOMES AND MAY USE THESE PERSONNEL AS PART OF THE SOLUTIONS TEAM.  
26 THE DEPARTMENT OF EDUCATION SHALL WORK WITH STAFF AT THE SCHOOL TO ASSIST IN  
27 CURRICULA ALIGNMENT AND SHALL INSTRUCT TEACHERS ON HOW TO INCREASE PUPIL  
28 ACADEMIC PROGRESS, CONSIDERING THE SCHOOL'S ANNUAL ACHIEVEMENT PROFILE. THE  
29 SOLUTIONS TEAM SHALL CONSIDER THE EXISTING IMPROVEMENT PLAN TO ASSESS THE  
30 NEED FOR CHANGES TO CURRICULA, PROFESSIONAL DEVELOPMENT AND RESOURCE  
31 ALLOCATION AND SHALL PRESENT A STATEMENT OF ITS FINDINGS TO THE SCHOOL  
32 ADMINISTRATOR AND DISTRICT SUPERINTENDENT. WITHIN FORTY-FIVE DAYS AFTER THE  
33 PRESENTATION OF THE SOLUTIONS TEAM'S STATEMENT OF FINDINGS, THE SCHOOL  
34 DISTRICT GOVERNING BOARD, IN COOPERATION WITH EACH SCHOOL WITHIN THE SCHOOL  
35 DISTRICT THAT IS ASSIGNED A LETTER GRADE OF D AND ITS ASSIGNED SOLUTIONS TEAM  
36 REPRESENTATIVE, SHALL DEVELOP AND SUBMIT TO THE DEPARTMENT OF EDUCATION AND  
37 THE COUNTY EDUCATIONAL SERVICE AGENCY AN ACTION PLAN THAT DETAILS THE MANNER  
38 IN WHICH THE SCHOOL DISTRICT WILL ASSIST THE SCHOOL AS THE SCHOOL  
39 INCORPORATES THE FINDINGS OF THE SOLUTIONS TEAM INTO THE IMPROVEMENT PLAN.  
40 THE DEPARTMENT OF EDUCATION SHALL REVIEW THE ACTION PLAN AND SHALL EITHER  
41 ACCEPT THE ACTION PLAN OR RETURN THE ACTION PLAN TO THE SCHOOL DISTRICT FOR  
42 MODIFICATION. IF THE SCHOOL DISTRICT DOES NOT SUBMIT AN APPROVED ACTION PLAN  
43 WITHIN FORTY-FIVE DAYS, THE STATE BOARD OF EDUCATION MAY DIRECT THE  
44 SUPERINTENDENT OF PUBLIC INSTRUCTION TO WITHHOLD UP TO TEN PERCENT OF STATE  
45 MONIES THAT THE SCHOOL DISTRICT WOULD OTHERWISE BE ENTITLED TO RECEIVE EACH  
46 MONTH UNTIL THE PLAN IS SUBMITTED TO THE DEPARTMENT OF EDUCATION AND THE

1 COUNTY EDUCATIONAL SERVICE AGENCY, AT WHICH TIME THOSE MONIES SHALL BE  
2 RETURNED TO THE SCHOOL DISTRICT.

3 F. THE PARENT OR GUARDIAN OF A PUPIL MAY APPLY TO THE DEPARTMENT OF  
4 EDUCATION, IN A MANNER DETERMINED BY THE DEPARTMENT OF EDUCATION, FOR A  
5 CERTIFICATE OF SUPPLEMENTAL INSTRUCTION FROM THE FAILING SCHOOLS TUTORING  
6 FUND ESTABLISHED BY SECTION 15-241. PUPILS ATTENDING A SCHOOL ASSIGNED A  
7 LETTER GRADE OF D OR F MAY SELECT AN ALTERNATIVE TUTORING PROGRAM IN ACADEMIC  
8 STANDARDS FROM A PROVIDER THAT IS CERTIFIED BY THE STATE BOARD OF EDUCATION.  
9 TO QUALIFY, THE PROVIDER MUST STATE IN WRITING A LEVEL OF ACADEMIC  
10 IMPROVEMENT FOR THE PUPIL THAT INCLUDES A TIMELINE FOR IMPROVEMENT THAT IS  
11 AGREED TO BY THE PARENT OR GUARDIAN OF THE PUPIL. THE STATE BOARD OF  
12 EDUCATION SHALL ANNUALLY REVIEW ACADEMIC PERFORMANCE LEVELS FOR CERTIFIED  
13 PROVIDERS AND MAY REMOVE A PROVIDER AT A PUBLIC HEARING FROM AN APPROVED LIST  
14 OF PROVIDERS IF THAT PROVIDER FAILS TO MEET ITS STATED LEVEL OF ACADEMIC  
15 IMPROVEMENT. THE STATE BOARD OF EDUCATION SHALL DETERMINE THE APPLICATION  
16 GUIDELINES AND THE MAXIMUM VALUE FOR EACH CERTIFICATE OF SUPPLEMENTAL  
17 INSTRUCTION. THE STATE BOARD OF EDUCATION SHALL ANNUALLY COMPLETE A MARKET  
18 SURVEY IN ORDER TO DETERMINE THE MAXIMUM VALUE FOR EACH CERTIFICATE OF  
19 SUPPLEMENTAL INSTRUCTION. THIS SUBSECTION DOES NOT REQUIRE THIS STATE TO  
20 PROVIDE ADDITIONAL MONIES BEYOND THE MONIES PROVIDED PURSUANT TO SECTION  
21 42-5029, SUBSECTION E, PARAGRAPH 7.

22 G. WITHIN SIXTY DAYS AFTER RECEIVING NOTIFICATION OF A SCHOOL BEING  
23 ASSIGNED A LETTER GRADE OF F PURSUANT TO SECTION 15-241, THE SCHOOL DISTRICT  
24 GOVERNING BOARD SHALL EVALUATE NEEDED CHANGES TO THE EXISTING SCHOOL  
25 IMPROVEMENT PLAN, CONSIDER RECOMMENDATIONS FROM THE SOLUTIONS TEAM, SUBMIT A  
26 COPY OF THE PLAN TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION AND THE COUNTY  
27 EDUCATIONAL SERVICE AGENCY AND SUPERVISE THE IMPLEMENTATION OF THE PLAN.  
28 WITHIN THIRTY DAYS AFTER SUBMITTING THE IMPROVEMENT PLAN TO THE  
29 SUPERINTENDENT OF PUBLIC INSTRUCTION AND THE COUNTY EDUCATIONAL SERVICE  
30 AGENCY, THE GOVERNING BOARD SHALL HOLD A PUBLIC MEETING IN EACH SCHOOL THAT  
31 HAS BEEN ASSIGNED A LETTER GRADE OF F AND SHALL PRESENT THE RESPECTIVE  
32 IMPROVEMENT PLANS THAT HAVE BEEN DEVELOPED FOR EACH SCHOOL. THE GOVERNING  
33 BOARD, WITHIN THIRTY DAYS AFTER RECEIVING NOTICE OF THE CLASSIFICATION, SHALL  
34 PROVIDE WRITTEN NOTIFICATION OF THE CLASSIFICATION TO EACH RESIDENCE IN THE  
35 ATTENDANCE AREA OF THE SCHOOL. THE NOTICE SHALL EXPLAIN THE IMPROVEMENT PLAN  
36 PROCESS AND PROVIDE INFORMATION REGARDING THE PUBLIC MEETING REQUIRED BY THIS  
37 SUBSECTION.

38 H. A SCHOOL THAT HAS NOT SUBMITTED AN IMPROVEMENT PLAN PURSUANT TO  
39 SUBSECTION G OF THIS SECTION IS NOT ELIGIBLE TO RECEIVE MONIES FROM THE  
40 CLASSROOM SITE FUND ESTABLISHED BY SECTION 15-977 FOR EVERY DAY THAT A PLAN  
41 HAS NOT BEEN RECEIVED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION WITHIN THE  
42 TIME SPECIFIED IN SUBSECTION G OF THIS SECTION PLUS AN ADDITIONAL NINETY  
43 DAYS. THE STATE BOARD OF EDUCATION SHALL REQUIRE THE SUPERINTENDENT OF THE  
44 SCHOOL DISTRICT TO TESTIFY BEFORE THE BOARD AND EXPLAIN THE REASONS THAT AN  
45 IMPROVEMENT PLAN FOR THAT SCHOOL HAS NOT BEEN SUBMITTED.

1 I. IF A CHARTER SCHOOL IS ASSIGNED A LETTER GRADE OF F PURSUANT TO  
2 SECTION 15-241, THE DEPARTMENT OF EDUCATION SHALL IMMEDIATELY NOTIFY THE  
3 CHARTER SCHOOL'S SPONSOR. THE CHARTER SCHOOL'S SPONSOR SHALL EITHER TAKE  
4 ACTION TO RESTORE THE CHARTER SCHOOL TO ACCEPTABLE PERFORMANCE OR REVOKE THE  
5 CHARTER SCHOOL'S CHARTER. WITHIN THIRTY DAYS, THE CHARTER SCHOOL SHALL  
6 NOTIFY THE PARENTS OF THE STUDENTS ATTENDING THE SCHOOL OF THE CLASSIFICATION  
7 AND OF ANY PENDING PUBLIC MEETINGS TO REVIEW THE ISSUE.

8 J. THE DEPARTMENT OF EDUCATION SHALL EVALUATE A SCHOOL THAT HAS BEEN  
9 ASSIGNED A LETTER GRADE OF F PURSUANT TO SECTION 15-241 TO DETERMINE WHETHER  
10 THE SCHOOL, CHARTER HOLDER OR SCHOOL DISTRICT FAILED TO PROPERLY IMPLEMENT  
11 ITS SCHOOL IMPROVEMENT PLAN, ALIGN THE CURRICULA WITH ACADEMIC STANDARDS,  
12 PROVIDE TEACHER TRAINING, PRIORITIZE THE BUDGET OR IMPLEMENT OTHER PROVEN  
13 STRATEGIES TO IMPROVE ACADEMIC PERFORMANCE. AFTER VISITING THE SCHOOL SITE  
14 PURSUANT TO SUBSECTION D OF THIS SECTION, THE DEPARTMENT OF EDUCATION SHALL  
15 SUBMIT TO THE STATE BOARD OF EDUCATION A RECOMMENDATION EITHER TO PROCEED  
16 PURSUANT TO SUBSECTIONS E, F AND G OF THIS SECTION OR THAT THE SCHOOL BE  
17 SUBJECT TO A PUBLIC HEARING TO DETERMINE WHETHER THE SCHOOL FAILED TO  
18 PROPERLY IMPLEMENT ITS IMPROVEMENT PLAN AND THE REASONS FOR THE DEPARTMENT'S  
19 RECOMMENDATION. IF THE SCHOOL IS A CHARTER SCHOOL, THE DEPARTMENT SHALL  
20 SUBMIT A REPORT TO THE SPONSOR OF THE CHARTER SCHOOL. THE SPONSOR SHALL MAKE  
21 A DETERMINATION PURSUANT TO SUBSECTION N OF THIS SECTION.

22 K. IF THE DEPARTMENT RECOMMENDS A PUBLIC HEARING, THE STATE BOARD OF  
23 EDUCATION SHALL MEET AND MAY PROVIDE BY A MAJORITY VOTE AT THE PUBLIC HEARING  
24 FOR THE CONTINUED OPERATION OF THE SCHOOL AS ALLOWED BY THIS SUBSECTION. THE  
25 STATE BOARD OF EDUCATION SHALL DETERMINE WHETHER GOVERNMENTAL, NONPROFIT AND  
26 PRIVATE ORGANIZATIONS MAY SUBMIT APPLICATIONS TO THE STATE BOARD TO FULLY OR  
27 PARTIALLY MANAGE THE SCHOOL. THE STATE BOARD'S DETERMINATION SHALL INCLUDE:

28 1. IF AND TO WHAT EXTENT THE LOCAL GOVERNING BOARD MAY PARTICIPATE IN  
29 THE OPERATION OF THE SCHOOL, INCLUDING PERSONNEL MATTERS.

30 2. IF AND TO WHAT EXTENT THE STATE BOARD WILL PARTICIPATE IN THE  
31 OPERATION OF THE SCHOOL.

32 3. RESOURCE ALLOCATION PURSUANT TO SUBSECTION M OF THIS SECTION.

33 4. PROVISIONS FOR THE DEVELOPMENT AND SUBMITTAL OF A SCHOOL  
34 IMPROVEMENT PLAN TO BE PRESENTED IN A PUBLIC MEETING AT THE SCHOOL.

35 5. A SUGGESTED TIME FRAME FOR THE ALTERNATIVE OPERATION OF THE SCHOOL.

36 L. THE STATE BOARD OF EDUCATION SHALL PERIODICALLY REVIEW THE STATUS  
37 OF A SCHOOL THAT IS OPERATED BY AN ORGANIZATION OTHER THAN THE SCHOOL  
38 DISTRICT GOVERNING BOARD TO DETERMINE WHETHER THE OPERATION OF THE SCHOOL  
39 SHOULD BE RETURNED TO THE SCHOOL DISTRICT GOVERNING BOARD. BEFORE THE STATE  
40 BOARD MAKES A DETERMINATION, THE STATE BOARD OR ITS DESIGNEE SHALL MEET WITH  
41 THE SCHOOL DISTRICT GOVERNING BOARD OR ITS DESIGNEE TO DETERMINE THE TIME  
42 FRAME, OPERATIONAL CONSIDERATIONS AND APPROPRIATE CONTINUATION OF EXISTING  
43 IMPROVEMENTS THAT ARE NECESSARY TO ENSURE A SMOOTH TRANSITION OF AUTHORITY  
44 FROM THE OTHER ORGANIZATION BACK TO THE SCHOOL DISTRICT GOVERNING BOARD.

45 M. IF AN ALTERNATIVE OPERATION PLAN IS PROVIDED PURSUANT TO SUBSECTION  
46 L OF THIS SECTION, THE STATE BOARD OF EDUCATION SHALL PAY FOR THE OPERATION

1 OF THE SCHOOL AND SHALL ADJUST THE SCHOOL DISTRICT'S DISTRICT ADDITIONAL  
2 ASSISTANCE PURSUANT TO SECTION 15-961, BASE SUPPORT LEVEL PURSUANT TO SECTION  
3 15-943, MONIES DISTRIBUTED FROM THE CLASSROOM SITE FUND ESTABLISHED BY  
4 SECTION 15-977 AND TRANSPORTATION SUPPORT LEVEL PURSUANT TO SECTION 15-945 TO  
5 ACCURATELY REFLECT ANY REDUCTION IN DISTRICT SERVICES THAT ARE NO LONGER  
6 PROVIDED TO THAT SCHOOL BY THE DISTRICT. THE STATE BOARD MAY MODIFY THE  
7 SCHOOL DISTRICT'S REVENUE CONTROL LIMIT, THE DISTRICT SUPPORT LEVEL AND THE  
8 GENERAL BUDGET LIMIT CALCULATED PURSUANT TO SECTION 15-947 BY AN AMOUNT THAT  
9 CORRESPONDS TO THIS REDUCTION IN SERVICES. THE STATE BOARD SHALL RETAIN THE  
10 PORTION OF STATE AID THAT WOULD OTHERWISE BE DUE THE SCHOOL DISTRICT FOR THE  
11 SCHOOL AND SHALL DISTRIBUTE THAT PORTION OF STATE AID DIRECTLY TO THE  
12 ORGANIZATION THAT CONTRACTS WITH THE STATE BOARD TO OPERATE THE SCHOOL.

13 N. IF THE SPONSOR OF A CHARTER SCHOOL DETERMINES THAT A CHARTER HOLDER  
14 FAILED TO PROPERLY IMPLEMENT ITS IMPROVEMENT PLAN, THE SPONSOR OF THE CHARTER  
15 SCHOOL SHALL REVOKE THE CHARTER SCHOOL'S CHARTER.

16 O. IF THERE ARE MORE THAN TWO SCHOOLS IN A DISTRICT AND MORE THAN  
17 ONE-HALF, OR IN ANY CASE MORE THAN FIVE, OF THE SCHOOLS IN THE DISTRICT ARE  
18 ASSIGNED A LETTER GRADE OF F PURSUANT TO SECTION 15-241 FOR MORE THAN TWO  
19 CONSECUTIVE YEARS, IN THE NEXT ELECTION OF GOVERNING BOARD MEMBERS THE  
20 ELECTION BALLOT SHALL CONTAIN THE FOLLOWING STATEMENT IMMEDIATELY ABOVE THE  
21 LISTING OF GOVERNING BOARD CANDIDATES:

22 WITHIN THE LAST FIVE YEARS, (NUMBER OF SCHOOLS) SCHOOLS IN  
23 THE \_\_\_\_\_ SCHOOL DISTRICT HAVE BEEN ASSIGNED A LETTER GRADE  
24 OF D OR F.

25 P. AT LEAST TWICE EACH YEAR THE DEPARTMENT OF EDUCATION SHALL PUBLISH  
26 IN A NEWSPAPER OF GENERAL CIRCULATION IN EACH COUNTY OF THIS STATE A LIST OF  
27 SCHOOLS THAT ARE ASSIGNED A LETTER GRADE OF F PURSUANT TO SECTION 15-241.

28 Q. THE STATE BOARD OF EDUCATION SHALL ADOPT GUIDELINES TO INCLUDE  
29 SUPPLEMENTARY TRAINING IN READING INSTRUCTION FOR TEACHERS WHO PROVIDE  
30 INSTRUCTION TO PUPILS IN A KINDERGARTEN PROGRAM OR GRADE ONE, TWO OR THREE IN  
31 AN IMPROVEMENT PLAN PURSUANT TO SUBSECTION A OF THIS SECTION.

32 R. IN ADDITION TO ANY OTHER CORRECTIVE PROCEDURES PRESCRIBED IN THIS  
33 SECTION AND SECTIONS 15-241 AND 15-241.01, A SCHOOL THAT HAS BEEN ASSIGNED A  
34 LETTER GRADE OF D OR F FOR TWO CONSECUTIVE YEARS SHALL IMPLEMENT A SCIENCE,  
35 TECHNOLOGY, ENGINEERING AND MATHEMATICS INTERVENTION STRATEGY UNDER THE  
36 SUPERVISION OF THE STATE BOARD OF EDUCATION.

37 S. IN ADDITION TO ANY OTHER CORRECTIVE PROCEDURES PRESCRIBED IN THIS  
38 SECTION, A SCHOOL DISTRICT THAT HAS BEEN ASSIGNED A LETTER GRADE OF D OR F  
39 PURSUANT TO SECTION 15-241 FOR TWO CONSECUTIVE YEARS SHALL IMPLEMENT A PARENT  
40 INVOLVEMENT STRATEGY. THE PARENT INVOLVEMENT STRATEGY SHALL BE INCLUDED IN  
41 THE SCHOOL IMPROVEMENT PLAN FOR EACH APPLICABLE SCHOOL WITHIN THE DISTRICT,  
42 AS PRESCRIBED IN SUBSECTION A OR G OF THIS SECTION, AS APPLICABLE.

43 T. THE DEPARTMENT OF EDUCATION SHALL PUBLISH CRITERIA FOR A SCHOOL'S  
44 OR SCHOOL DISTRICT'S EXIT STATUS FROM A PREVIOUS ASSIGNMENT OF A LETTER GRADE  
45 OF F IN ACCORDANCE WITH THIS SECTION. THE CRITERIA SHALL PRESCRIBE THE  
46 ACTIONS AND RESULTS NECESSARY TO BE DEEMED TO HAVE COMPLIED WITH THIS SECTION



1 REGARDING SCHOOL IMPROVEMENT, INCLUDING THE PROPER IMPLEMENTATION OF A SCHOOL  
2 IMPROVEMENT PLAN PURSUANT TO SUBSECTION J OF THIS SECTION. THESE CRITERIA  
3 SHALL BE PROVIDED TO A SCHOOL OR SCHOOL DISTRICT IF IT IS ASSIGNED A LETTER  
4 GRADE OF F PURSUANT TO SECTION 15-241.

5 Sec. 4. Section 15-704, Arizona Revised Statutes, is amended to read:  
6 15-704. Reading proficiency: definitions

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

13 B. Each school district or charter school that provides instruction  
14 for pupils in kindergarten programs and grades one through three shall  
15 conduct a curriculum evaluation and adopt a scientifically based reading  
16 curriculum that includes the essential components of reading instruction.  
17 All school districts and charter schools that offer instruction in  
18 kindergarten programs and grades one through three shall provide ongoing  
19 teacher training based on scientifically based reading research.

20 C. Each school district or charter school that provides instruction in  
21 kindergarten programs and grades one through three shall devote reasonable  
22 amounts of time to explicit instruction and independent reading in grades one  
23 through three.

24 D. A pupil in grade three who does not meet or exceed the reading  
25 standards measured by the Arizona instrument to measure standards test  
26 administered pursuant to section 15-741 shall be provided intensive reading  
27 instruction as defined by the state board of education until the pupil meets  
28 these standards.

29 E. The governing board of each school district and the governing body  
30 of each charter school shall determine the percentage of pupils at each  
31 school in grade three who do not meet the reading standards prescribed by the  
32 state board of education and measured by the Arizona instrument to measure  
33 standards test administered pursuant to section 15-741. If more than twenty  
34 ~~per cent~~ PERCENT of students in grade three at either the individual school  
35 level or at the school district level do not meet the standards, the  
36 governing board or governing body shall conduct a review of its reading  
37 program that includes curriculum and professional development in light of  
38 current, scientifically based reading research.

39 F. Based on the review required in subsection E of this section, the  
40 governing board or governing body and the school principal of each school  
41 that does not meet the reading standards, in conjunction with school council  
42 members, if applicable, shall develop methods of best practices for teaching  
43 reading based on essential components of reading instruction and supported by  
44 scientifically based reading research. These methods shall be adopted at a  
45 public meeting and shall be implemented the following academic year.

1 G. Subsections E and F of this section shall be coordinated with  
2 efforts to develop and implement an improvement plan if required pursuant to  
3 section ~~15-241~~ 15-241.02.

4 H. For the purposes of this section:

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

- 7 (a) Phonemic awareness.
- 8 (b) Phonics.
- 9 (c) Vocabulary development.
- 10 (d) Reading fluency.
- 11 (e) Reading comprehension.

12 2. "Reading" means a complex system of deriving meaning from print  
13 that requires all of the following:

- 14 (a) The skills and knowledge to understand how phonemes or speech  
15 sounds are connected to print.
- 16 (b) The ability to decode unfamiliar words.
- 17 (c) The ability to read fluently.
- 18 (d) Sufficient background information and vocabulary to foster reading  
19 comprehension.
- 20 (e) The development of appropriate active strategies to construct  
21 meaning from print.
- 22 (f) The development and maintenance of a motivation to read.

23 3. "Scientifically based reading research" means research that meets  
24 all of the following:

- 25 (a) Applies rigorous, systematic and objective procedures to obtain  
26 valid knowledge relevant to reading development, reading instruction and  
27 reading difficulties.
- 28 (b) Employs systematic empirical methods that draw on observation or  
29 experiment.
- 30 (c) Involves rigorous data analyses that are adequate to test the  
31 stated hypotheses and justify the general conclusions drawn.
- 32 (d) Relies on measurements or observational methods that provide valid  
33 data across evaluators and observers and across multiple measurements and  
34 observations.
- 35 (e) Has been accepted by a peer reviewed journal or approved by a  
36 panel of independent experts through a comparably rigorous, objective and  
37 scientific review.
- 38 (f) Contains all of the elements of the essential components of  
39 reading instruction.

40 Sec. 5. Section 15-901.06, Arizona Revised Statutes, is amended to  
41 read:

42 15-901.06. Dropout recovery programs; written learning plan;  
43 requirements; definitions

44 A. Each school district and charter school that provides instruction  
45 to high school pupils may offer a dropout recovery program for eligible  
46 pupils.

1 B. The state board of education shall prescribe standards and  
2 achievement testing requirements for dropout recovery programs that attempt  
3 to ensure that the programs are compatible with public school education goals  
4 and requirements. The standards shall require dropout recovery programs to  
5 do all of the following:

6 1. Provide ~~curriculum~~ CURRICULA aligned to the academic standards  
7 adopted by the state board of education. The ~~curriculum~~ CURRICULA may be  
8 delivered online. A provider of Arizona online instruction pursuant to  
9 section 15-808 may not also operate a dropout recovery program pursuant to  
10 this section.

11 2. Provide standardized tests required by federal and state law.

12 3. Make available appropriate and sufficient supports for pupils,  
13 including tutoring, career counseling and college counseling.

14 4. Comply with federal and state laws governing pupils with  
15 disabilities.

16 5. Meet state requirements for high school graduation.

17 C. Each eligible pupil WHO IS enrolled in a dropout recovery program  
18 shall have a written learning plan developed by the pupil's assigned mentor.  
19 The written learning plan shall include the following elements:

20 1. The start date and anticipated end date of the plan.

21 2. Courses to be completed by the pupil during the academic year.

22 3. Whether courses will be taken sequentially or concurrently.

23 4. State competency exams to be taken, as necessary.

24 5. Expectations for satisfactory monthly progress.

25 6. Expectations for contact with the pupil's assigned mentor.

26 D. The monthly participation in a dropout recovery program shall be  
27 recorded on or before the tenth school day of each month and shall be  
28 reported to the department of education at the same time as other data  
29 required pursuant to section 15-1042. Monthly participation calculations  
30 shall include:

31 1. Newly enrolled pupils who have a written learning plan on file on  
32 or before the first school day of the previous month.

33 2. Pupils who met the expectations for satisfactory monthly progress  
34 in the previous month.

35 3. Pupils who did not meet the expectations for satisfactory monthly  
36 progress in the previous month but did meet the expectations in the month  
37 before the previous month.

38 4. Pupils who met expectations for program reentry in the revised  
39 written learning plan in the previous month.

40 E. Because dropout recovery pupils are not expected to regularly  
41 attend classes at the district facilities, standard procedures for recording  
42 pupil attendance cannot be effectively applied to those students. For pupils  
43 participating in a dropout recovery program, an eligible pupil shall be  
44 counted as being in attendance in the school's average daily attendance  
45 calculations pursuant to subsection F of this section if the pupil meets one  
46 of the following conditions:

1           1. Is in the first month of enrollment in the program and completes  
2 the program orientation during that month.

3           2. Is enrolled in teacher-facilitated courses and meets the  
4 expectations for satisfactory monthly progress for the current or previous  
5 month. A pupil who does not meet expectations for monthly progress for two  
6 or more consecutive months shall not be reported as being in attendance until  
7 the pupil meets the expectations for program reentry.

8           3. Meets the expectations for program reentry in the revised written  
9 learning plan.

10          F. If a pupil is enrolled in a school district or charter school other  
11 than the school district or charter school that participates in the dropout  
12 recovery program and also participates in a dropout recovery program in the  
13 same fiscal year, the average daily membership as prescribed in section  
14 15-901, subsection A, paragraph 1, subdivisions (a) and (b) for that pupil in  
15 the school district or charter school and in a dropout recovery program shall  
16 not exceed 1.0, except that if the pupil is enrolled in a dropout recovery  
17 program and a joint technical education district, the average daily  
18 membership provisions of section 15-393 apply. If the pupil is enrolled in  
19 both a school district or charter school and a dropout recovery program in  
20 the same fiscal year and the sum of the average daily membership and average  
21 daily attendance for that pupil is greater than 1.0 or the amount prescribed  
22 in section 15-393 if the pupil is enrolled in a joint technical education  
23 district, the sum shall be reduced to 1.0 or to the amount specified in  
24 section 15-393 if the pupil is enrolled in a joint technical education  
25 district and shall be apportioned between the school district or charter  
26 school and the joint technical education district, if applicable, and the  
27 dropout recovery program based on the proportionate shares of average daily  
28 membership in the school district or charter school and the average daily  
29 attendance in the dropout recovery program. The uniform system of financial  
30 records shall include guidelines for the apportionment of pupil enrollment  
31 and attendance as provided in this subsection. Pupils in a dropout recovery  
32 program do not incur absences for purposes of this subsection and may  
33 generate average daily attendance for attendance during any hour of the day,  
34 during any day of the week and at any time between July 1 and June 30 of each  
35 fiscal year. The average daily attendance of a pupil who participates in a  
36 dropout recovery program shall not exceed 1.0 or the amount prescribed in  
37 section 15-393 if the pupil is enrolled in a joint technical education  
38 district, and shall be calculated by fulfilling the requirements of  
39 subsection E of this section. Average daily membership shall not be  
40 calculated on the one hundredth day of instruction for the purposes of this  
41 section.

42          G. Notwithstanding section 15-901, subsection A, paragraph 1, the  
43 average daily membership for pupils enrolled in a dropout recovery program  
44 shall equal the average daily attendance of the pupils.

45          H. School districts and charter schools shall be responsible for  
46 tuition charges and fees related to pupil participation in a dropout recovery

1 program, including course materials and access to technology for use with  
2 online courses.

3 I. School districts and charter schools may contract with an  
4 educational management organization to provide a dropout recovery program.  
5 If contracting with an educational management organization, the school  
6 district or charter school shall ensure that all of the following  
7 requirements are met:

8 1. The educational management organization is accredited by a regional  
9 accrediting body.

10 2. Teachers provided by the educational management organization hold a  
11 current teaching license from any state and a valid Arizona fingerprint  
12 clearance card pursuant to section 15-534, and teachers of core subjects are  
13 highly qualified in the subjects to which they are assigned.

14 J. Dropout recovery programs shall be classified as alternative  
15 schools and shall be subject to the accountability provisions of section  
16 15-241, ~~subsection J.~~

17 K. Entities that are contracted to provide dropout recovery programs  
18 may conduct outreach to encourage pupils who are not currently enrolled in a  
19 school district or charter school in this state to return to school.  
20 Entities that are contracted to provide dropout recovery programs shall not  
21 conduct advertising or marketing campaigns directed at pupils who are  
22 currently enrolled in a school district or charter school, or undertake any  
23 other activity that encourages pupils who are currently enrolled in a school  
24 district or charter school to stop attending school in order to qualify for a  
25 dropout recovery program.

26 L. For the purposes of this section:

27 1. "Eligible pupil" means a pupil who, if enrolled, would be eligible  
28 for placement in an alternative school but who is not currently enrolled in a  
29 school district or charter school and who has been withdrawn from a school  
30 district or charter school for at least thirty days, unless the district  
31 determines that the student is unable to participate in other district  
32 programs.

33 2. "Satisfactory monthly progress" means an amount of progress that is  
34 measurable on a monthly basis and that, if continued for twelve months, would  
35 result in the same amount of academic credit being awarded to the pupil as  
36 would be awarded to a pupil in a traditional education program who completes  
37 a full school year. Satisfactory monthly progress may include a lesser  
38 required amount of progress for the first two months that a pupil  
39 participates in the program.

40 Sec. 6. Section 15-973.01, Arizona Revised Statutes, is amended to  
41 read:

42 15-973.01. Assistance for education fund

43 A. The assistance for education fund is established consisting of  
44 monies received pursuant to section 43-617.

45 B. The state board of education shall administer the fund. On notice  
46 from the state board, the state treasurer shall invest and divest monies in

1 the fund as provided by section 35-313 and monies earned from investments  
2 shall be credited to the fund. Monies in the fund:  
3 1. Are continuously appropriated to the state board of education.  
4 2. Are exempt from the provisions of section 35-190, relating to  
5 lapsing of appropriations.  
6 C. The state board of education shall distribute monies in the fund to  
7 the department of education to fund solutions teams assigned to schools  
8 pursuant to section ~~15-241~~ 15-241.02.  
9 Sec. 7. Letter grades; data; school years 2016-2017 and 2017-2018  
10 A. For the 2016-2017 school year, the department of education may  
11 release data for school districts, schools and charter schools based on  
12 assessments conducted during the 2015-2016 school year and school districts,  
13 schools and charter schools may publish letter grades pursuant to the  
14 methodology adopted by the state board of education.  
15 B. For the 2017-2018 school year, the department of education shall  
16 publish letter grades based on data collected during the 2016-2017 school  
17 year.

APPROVED BY THE GOVERNOR MAY 12, 2016.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 12, 2016.