

COMMITTEE ON EDUCATION

SENATE AMENDMENTS TO S.B. 1461

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Title 15, chapter 2, article 1, Arizona Revised Statutes,  
3 is amended by adding section 15-219, to read:

4 15-219. Dyslexia and reading disability screening,  
5 intervention, accommodation and technology;  
6 continuing education

7 THE STATE BOARD OF EDUCATION SHALL ADOPT RULES TO ALLOW CERTIFICATED  
8 TEACHERS AND ADMINISTRATORS TO COUNT TRAINING REGARDING SCREENING,  
9 INTERVENTION, ACCOMMODATION, USE OF TECHNOLOGY AND ADVOCACY FOR STUDENTS WITH  
10 READING IMPAIRMENTS, INCLUDING DYSLEXIA, AS CONTINUING EDUCATION CREDITS.

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

12 15-701. Common school; promotions; requirements; certificate;  
13 supervision of eighth grades by superintendent of  
14 high school district; high school admissions;  
15 academic credit; definition

16 A. The state board of education shall:

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

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

26 (a) A requirement that a pupil not be promoted from the third grade if  
27 the pupil 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 or the equivalent as  
3 established by the board. A pupil may not be retained if data regarding the  
4 pupil's performance on the Arizona instrument to measure standards test, or a  
5 successor test, is not available before the start of the following academic  
6 year. A pupil who is not retained due to the unavailability of test data  
7 must receive intervention and remedial strategies pursuant to subdivision (c)  
8 of this paragraph if the third grade assessment data subsequently  
9 demonstrates that the pupil's reading ability falls far below the third grade  
10 level or the equivalent.

11 (b) A mechanism to allow a school district governing board or the  
12 governing body of a charter school to promote a pupil from the third grade  
13 who obtains a score on the reading portion of the Arizona instrument to  
14 measure standards test, or a successor test, that demonstrates that the  
15 pupil's reading falls far below the third grade level for any of the  
16 following:

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

20 (ii) A pupil who is a child with a disability as defined in section  
21 15-761 if the pupil's individualized education program team and the pupil's  
22 parent or guardian agree that promotion is appropriate based on the pupil's  
23 individualized education program.

24 (iii) THE SCHOOL DISTRICT GOVERNING BOARD OR THE CHARTER SCHOOL  
25 GOVERNING BODY ACCEPTS A PARENT'S REQUEST FOR AN EXEMPTION FOR A PUPIL WHO  
26 DOES NOT MEET ANY OF THE EXEMPTIONS PRESCRIBED IN ITEMS (i) AND (ii) OF THIS  
27 SUBDIVISION. WITHIN THIRTY DAYS AFTER RECEIPT OF NOTIFICATION THAT THE PUPIL  
28 WILL NOT BE PROMOTED FROM THE THIRD GRADE, A PARENT MAY SUBMIT A WRITTEN  
29 REQUEST TO THE SCHOOL DISTRICT GOVERNING BOARD OR THE CHARTER SCHOOL  
30 GOVERNING BODY FOR AN EXEMPTION PURSUANT TO THIS ITEM. THE WRITTEN REQUEST  
31 SHALL INCLUDE DOCUMENTATION AND A RATIONALE DEMONSTRATING THAT THE PUPIL MAY  
32 HAVE A SPEECH AND LANGUAGE IMPAIRMENT OR SIGNIFICANT READING IMPAIRMENT,

1 INCLUDING DYSLEXIA. THE SCHOOL DISTRICT GOVERNING BOARD OR THE CHARTER SCHOOL  
2 GOVERNING BODY SHALL ISSUE A WRITTEN ACCEPTANCE OR REJECTION OF THE PARENT'S  
3 EXEMPTION REQUEST PURSUANT TO THIS ITEM WITHIN THIRTY DAYS AFTER RECEIPT OF  
4 THE PARENT'S REQUEST. A SCHOOL DISTRICT OR CHARTER SCHOOL SHALL PROVIDE  
5 APPROPRIATE EVIDENCE-BASED READING SUPPORT SERVICES AND ASSISTANCE TO A PUPIL  
6 WHO IS ISSUED AN EXEMPTION PURSUANT TO THIS ITEM.

7 (c) Intervention and remedial strategies developed by the state board  
8 of education for pupils who are not promoted from the third grade. A school  
9 district governing board or the governing body of a charter school shall  
10 offer at least one of the intervention and remedial strategies developed by  
11 the state board of education. The parent or guardian of a pupil who is not  
12 promoted from the third grade and the pupil's teacher and principal may  
13 choose the most appropriate intervention and remedial strategies that will be  
14 provided to that pupil. The intervention and remedial strategies developed  
15 by the state board of education shall include:

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

18 (ii) Summer school reading instruction.

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

22 (iv) Online reading instruction.

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

26 4. Develop intervention and remedial strategies pursuant to paragraph  
27 2, subdivision (c) of this subsection for pupils in kindergarten programs and  
28 grades one through three who are identified as having reading deficiencies  
29 pursuant to section 15-704.

30 5. Distribute guidelines for the school districts to follow in  
31 prescribing criteria for the promotion of pupils from grade to grade in the  
32 common schools. These guidelines shall include recommended procedures for

1 ensuring that the cultural background of a pupil is taken into consideration  
2 when criteria for promotion are being applied.

3 B. School districts and charter schools shall provide annual written  
4 notification to parents of pupils in kindergarten programs and first, second  
5 and third grades that a pupil who obtains a score on the reading portion of  
6 the Arizona instrument to measure standards test, or a successor test, that  
7 demonstrates the pupil is reading far below the third grade level will not be  
8 promoted from the third grade. If the school has determined that the pupil  
9 is substantially deficient in reading before the end of grade three, the  
10 school district or charter school shall provide to the parent of that pupil a  
11 separate written notification of the reading deficiency that includes the  
12 following information:

13 1. A description of the current reading services provided to the  
14 pupil.

15 2. A description of the available supplemental instructional services  
16 and supporting programs that are designed to remediate reading deficiencies.  
17 Each school district or charter school shall offer at least one intervention  
18 strategy and at least one remedial strategy for pupils with reading  
19 deficiencies. The notification shall list the intervention and remedial  
20 strategies offered and shall instruct the parent or guardian to choose the  
21 strategy that will be implemented for that child.

22 3. Parental strategies to assist the pupil to attain reading  
23 proficiency.

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

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

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

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

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

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

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

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

26          G. Within any high school district or union high school district, the  
27 superintendent of the high school district shall supervise the work of the  
28 eighth grade of all schools employing no superintendent or principal.

29          H. A school district shall not deny a pupil who is between the ages of  
30 sixteen and twenty-one years admission to a high school because the pupil  
31 does not hold an eighth grade certificate. Governing boards shall establish

1 procedures for determining the admissibility of pupils who are under sixteen  
2 years of age and who do not hold eighth grade certificates.

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

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

9 K. FOR THE PURPOSES OF THIS SECTION, "DYSLEXIA" MEANS A BRAIN-BASED  
10 LEARNING DIFFERENCE THAT IMPAIRS A PERSON'S ABILITY TO READ AND SPELL, THAT  
11 IS INDEPENDENT OF INTELLIGENCE AND THAT TYPICALLY CAUSES A PERSON TO READ AT  
12 LEVELS LOWER THAN EXPECTED."

13 Amend title to conform

2/13/15  
3:43 PM  
S: MS/l's