

State of Arizona
Senate
Fifty-third Legislature
Second Regular Session
2018

SENATE BILL 1056

AN ACT

AMENDING SECTIONS 15-241 AND 15-346, ARIZONA REVISED STATUTES; RELATING TO
THE STATE BOARD OF EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-241, Arizona Revised Statutes, is amended to
3 read:

4 15-241. School, charter school and school district
5 accountability; annual achievement profiles;
6 classification; letter grade system; profiles;
7 appeals process; failing schools tutoring fund;
8 definition

9 A. The department of education shall compile an annual achievement
10 profile for each public school and local education agency.

11 B. Each school, charter holder and school district shall submit to
12 the department any data that is required and requested and that is
13 necessary to compile the achievement profile. A school or local education
14 agency that fails to submit the information that is necessary is not
15 eligible to receive monies from the classroom site fund established by
16 section 15-977.

17 C. The annual achievement profile compiled by the department shall
18 be used to determine a standard measurement of acceptable academic
19 progress for each school and local education agency and a school and local
20 education agency classification pursuant to subsection F of this section.
21 Any disclosure of educational records compiled by the department of
22 education pursuant to this section shall comply with the family
23 educational rights and privacy act of 1974 (20 United States Code section
24 1232g).

25 D. The annual achievement profile for schools and local education
26 agencies shall include, at a minimum, the following academic performance
27 indicators:

28 1. Multiple measures of academic performance or other academically
29 relevant indicators of school quality that are appropriate to assess the
30 educational impact of a school during the academic year as determined by
31 the state board of education.

32 2. Academic progress on statewide assessments adopted pursuant to
33 section 15-741 in English language arts and mathematics.

34 3. Academic progress on the English language learner assessments
35 administered pursuant to section 15-756, subsection B and sections
36 15-756.05 and 15-756.06.

37 4. Progress toward college and career readiness for all schools and
38 local education agencies that offer instruction in any of grades nine
39 through twelve.

40 E. Subject to final adoption by the state board of education, the
41 department shall determine the criteria for each school and local
42 education agency classification label using a researched-based
43 methodology. The methodology developed in collaboration with a coalition
44 of qualified technical and policy stakeholders, at a minimum, shall
45 include the performance of pupils at all achievement levels, account for

1 pupil mobility, account for the distribution of pupil achievement at each
2 school and local education agency and include longitudinal indicators of
3 academic performance. For the purposes of this subsection,
4 "researched-based methodology" means the systematic and objective
5 application of statistical and quantitative research principles to
6 calculate the indicators used to determine A through F letter grades.

7 F. The annual achievement profile shall be used to determine a
8 school and local education agency classification based on an A through F
9 letter grade system adopted by the state board of education in which a
10 letter grade of A reflects an excellent level of performance and a letter
11 grade of F reflects a failing level of performance. The A through F
12 letter grade system shall indicate expected standards of performance for
13 all schools and the manner in which schools may rise above or fall below
14 those expected standards of performance. The state board of education may
15 also assign a school a letter grade of F if the state board of education
16 determines that the school is among the "persistently lowest-achieving
17 schools" in the state under the federal school accountability requirements
18 pursuant to section 1003(g) of the elementary and secondary education act
19 (20 United States Code section 6303).

20 G. The classification for each school and the criteria used to
21 determine classification pursuant to subsections E and F of this section
22 shall be included on the school report card prescribed in section 15-746.

23 H. Subject to final adoption by the state board of education, the
24 department of education shall use achievement profiles appropriately to
25 assess the educational impact of accommodation schools, alternative
26 schools and extremely small schools, may develop profiles for schools that
27 participate in the board examination system prescribed in chapter 7,
28 article 6 of this title and schools that participate in Arizona online
29 instruction pursuant to section 15-808 and may develop other exceptions as
30 prescribed by the state board of education for the purposes of this
31 section.

32 I. The department of education shall establish a process for a
33 school or local education agency to correct student data used to determine
34 the school's or local education agency's annual achievement profile. The
35 state board of education shall establish an appeals process to allow a
36 school or local education agency to appeal the school's or local education
37 agency's final letter grade based on mitigating factors identified by the
38 board. The board may delegate the administration of the appeals process
39 to the department of education.

40 J. The failing schools tutoring fund is established consisting of
41 monies collected pursuant to section 42-5029, subsection E as designated
42 for this purpose. The department of education shall administer the fund.
43 The department of education may use monies from the fund to purchase
44 materials designed to assist students to meet the Arizona academic

1 standards and to achieve a passing score on assessments adopted by the
2 state board of education.

3 K. IF THE STATE BOARD OF EDUCATION USES CHRONIC ABSENTEEISM AS A
4 FACTOR IN DETERMINING ANNUAL ACHIEVEMENT PROFILES OR LETTER GRADE
5 CLASSIFICATIONS PURSUANT TO THIS SECTION, A PUPIL WHO IS ABSENT DUE TO A
6 CHRONIC HEALTH PROBLEM AS DEFINED IN SECTION 15-346 IS NOT CONSIDERED
7 CHRONICALLY ABSENT FOR THE PURPOSE OF THIS DETERMINATION.

8 ~~K.~~ L. For the purposes of this section, "academic progress" means
9 measures of both proficiency and academic gain.

10 Sec. 2. Section 15-346, Arizona Revised Statutes, is amended to
11 read:

12 15-346. Policies and procedures concerning pupils with
13 chronic health problems; definition

14 A. The governing board shall adopt policies and procedures
15 concerning pupils with chronic health problems in consultation with
16 parents, teachers and at least one health professional. The policies and
17 procedures shall be designed to provide continuing learning for pupils
18 with chronic health problems while they are absent from school and to
19 provide for the integration of pupils with chronic health problems into
20 the regular education program as much as possible. The policies and
21 procedures shall include provisions for:

22 1. Homework availability to ensure that pupils with chronic health
23 problems have the opportunity to keep up with assignments and avoid losing
24 credit because of their absence from school.

25 2. Flexibility in physical education activity requirements so that
26 pupils with chronic health problems may participate in the regular
27 physical education program to the extent that their health permits.

28 B. Nothing in this section shall be construed to obstruct,
29 interfere with or override the rights of parents or guardians concerning
30 the education and health care of pupils with chronic health problems.
31 Nothing in this section shall be construed to authorize school personnel
32 to either:

33 1. Authorize absences from school for a pupil with a chronic health
34 problem without the prior consent of the pupil's parent or guardian.

35 2. Recommend, prescribe or provide medication to a pupil with a
36 chronic health problem without the prior consent of the pupil's parent or
37 guardian.

38 C. For the purposes of this section, "pupils with chronic health
39 problems" means:

40 1. Pupils who are not homebound, but who are unable to attend
41 regular classes for intermittent periods of one or more consecutive days
42 because of illness, **INCLUDING MENTAL ILLNESS**, disease, pregnancy
43 complications or accident as certified by a health professional who is
44 licensed pursuant to title 32, chapter 7, 8, 13, 14, 17 or 25 or a

1 registered nurse practitioner who is licensed pursuant to title 32,
2 chapter 15.

3 2. Pupils who suffer from a condition requiring management on a
4 long-term basis as certified by a health professional who is licensed
5 pursuant to title 32, chapter 7, 8, 13, 14, 17 or 25 or a registered nurse
6 practitioner who is licensed pursuant to title 32, chapter 15.

7 3. Pupils who have an infant with a severe health problem as
8 certified by a health professional who is licensed pursuant to title 32,
9 chapter 7, 8, 13, 14, 17 or 25 or a registered nurse practitioner who is
10 licensed pursuant to title 32, chapter 15.