State of Arizona
Senate
Fifty-fourth Legislature
First Regular Session
2019

CHAPTER 198
SENATE BILL 1318

AN ACT

AMENDING SECTIONS 15-211, 15-219, 15-501.01 AND 15-704, ARIZONA REVISED STATUTES; RELATING TO THE DEPARTMENT OF EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

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

15-211. K-3 reading program; dyslexia specialist; dyslexia training; receipt and use of monies; additional funding; report; program termination

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

B. The department of education shall designate a dyslexia specialist for the department to provide school districts and charter schools with support and resources that are necessary to assist students with dyslexia.

C. On or before July 1, 2021, each school district and charter school shall ensure that at least one kindergarten through third grade teacher in each school has received training related to dyslexia that complies with the requirements prescribed in Section 15-219.

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

E. School districts and charter schools shall use monies generated by the K-3 reading support level weight established in section 15-943 only on instructional purposes based on the plan submitted pursuant to subsection D of this section intended to improve reading proficiency for pupils in kindergarten programs and grades one, two and three with particular emphasis on pupils in kindergarten programs and grades one and two.

F. Each school district and charter school that is assigned a letter grade of C, D or F pursuant to section 15-241 or that has more than ten percent of its pupils in grade three who do not demonstrate sufficient reading skills as established by the state board of education according to the reading portion of the statewide assessment shall receive monies generated by the K-3 reading support level weight established in section...
15-943 only after the K-3 reading program plan of the school district or
charter school has been submitted, reviewed and recommended for approval
by the department of education and approved by the state board of
education. The state board of education must give approval to a school
district or charter school before any portion of the monies generated by
the K-3 reading support level weight may be distributed to the school
district or charter school pursuant to this subsection.

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

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

G. I. The state board of education may establish rules and
policies for the K-3 reading program, including:
1. The proper use of monies in accordance with subsection E of
this section.
2. The distribution of monies by the department of education in
accordance with subsection D of this section.
3. The compliance of reading proficiency plans submitted pursuant
to subsection D of this section with section 15-704.

J. Pursuant to subsection I of this section, the department
of education shall develop program implementation guidance for school
districts and charter schools to assist schools in administering an
effective K-3 evidence-based reading program plan. This guidance shall
include identifying and recommending appropriate program expenditures,
providing technical oversight and assistance for annually updating reading
program plans, selecting and adopting evidence-based reading curricula and
providing and promoting teacher professional development that is based on
evidence-based reading research. The department shall prioritize supports
and interventions, including enrollment in reading trainings and
professional development, for school districts and charter schools that
have the highest percentage of pupils who do not demonstrate sufficient
reading skills as established by the state board of education. The
department shall deposit any monies received for offering reading
trainings or professional development, including coaching, in the
department of education professional development revolving fund
established by section 15-237.01.

K. On or before December 15, the department of education shall
submit an annual report on the K-3 reading program to the governor, the
president of the senate and the speaker of the house of representatives
and shall provide a copy of this annual report to the secretary of state,
the state board of education and the chairpersons of the education committees of the senate and the house of representatives. The report shall contain all of the following:

1. Information on the improvement of K-3 reading in this state, including achievement data statewide and achievement data at the school district and charter school level. The information pursuant to this paragraph shall include data and information on continued proficiency on the statewide assessment in subsequent grades.

2. A description of the activities of the department to support school districts and charter schools in improving K-3 reading.

3. Specific findings on methods by which the department may continue to improve support and assistance for school districts and charter schools in the administration of K-3 reading program plans.

4. Information and data on K-3 reading program plans throughout this state and the expenditure of K-3 reading monies by school districts and charter schools.

5. Data reported pursuant to section 15-701, subsection A, paragraph 2, subdivision (d).

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

Sec. 2. Section 15-219, Arizona Revised Statutes, is amended to read:

15-219. Dyslexia and reading impairment screening, intervention, accommodation and technology; continuing education; rules; training

A. The state board of education shall adopt rules to allow certificated teachers and administrators to count training regarding screening, intervention, accommodation, use of technology and advocacy for students with reading impairments, including dyslexia, as continuing education credits.

B. THE DEPARTMENT OF EDUCATION SHALL ANNUALLY DEVELOP A LIST OF TRAINING OPPORTUNITIES RELATED TO DYSLEXIA THAT SATISFY THE REQUIREMENTS PRESCRIBED IN SUBSECTION C OF THIS SECTION.

C. THE TRAINING OPPORTUNITIES RELATED TO DYSLEXIA DEVELOPED PURSUANT TO THIS SECTION MUST MEET PROFESSIONAL DEVELOPMENT REQUIREMENTS AND ALL OF THE FOLLOWING REQUIREMENTS:

1. INCLUDE AT LEAST ONE TRAINING OPPORTUNITY THAT IS PROVIDED ENTIRELY ONLINE.

2. INCLUDE THE KNOWLEDGE AND PRACTICE STANDARDS OF AN INTERNATIONAL ORGANIZATION ON DYSLEXIA THAT IS DESIGNATED BY THE DEPARTMENT OF EDUCATION.

3. ENABLE TEACHERS TO UNDERSTAND AND RECOGNIZE DYSLEXIA.

4. ENABLE TEACHERS TO IMPLEMENT STRUCTURED LITERACY INSTRUCTION THAT IS SYSTEMATIC, EXPLICIT, MULTISENSORY AND EVIDENCE-BASED TO MEET THE EDUCATIONAL NEEDS OF STUDENTS WITH DYSLEXIA.
Sec. 3. Section 15-501.01, Arizona Revised Statutes, is amended to read:

15-501.01. Requirements for teachers; teaching certificates; rules; reciprocity; placement

A. Notwithstanding any other law, all teachers who are certificated pursuant to this section must have a baccalaureate degree and a valid fingerprint clearance card.

B. The state board of education shall adopt rules for the issuance of the following types of certificates for teachers to reflect the source of the training the teacher obtains:

2. Alternative teaching certificate for persons who obtain training pursuant to subsection C, paragraph 1 of this section.
3. Subject-matter expert standard teaching certificate for persons who obtain training pursuant to subsection C, paragraph 5 of this section.
4. Classroom-based standard teaching certificate for persons who obtain training from a school district or charter school.
5. Career and technical education teaching certificate.

C. The state board of education shall adopt rules to carry out the purposes of this section. The rules:

1. Shall provide for a variety of alternative teacher and administrator preparation programs that allow for variations in program sequence and design to apply for program approval. The state board shall adopt rules pursuant to this paragraph designed to allow for a variety of formats and shall not require a prescribed answer or design from the program provider in order to obtain approval from the state board. Any rules adopted by the state board pursuant to this paragraph shall be substantially different from the rules adopted for the approval of traditional preparation programs and may not unnecessarily restrict a variety of alternative preparation programs from operating and providing instruction in this state. The state board shall evaluate each program provider based on the program's ability to prepare teachers and administrators and to recruit teachers and administrators with a variety of experiences and talents. The state board shall allow universities under the jurisdiction of the Arizona board of regents, community colleges in this state, private postsecondary institutions licensed by this state, school districts, charter schools, professional organizations, nonprofit organizations and private entities to apply for program approval and shall create application procedures and certification criteria that are substantially less restrictive than those for traditional preparation programs. At the completion of an alternative preparation program, graduates shall:
   (a) Hold a bachelor's degree from an accredited postsecondary education institution.
(b) If applicable, demonstrate professional knowledge and subject knowledge proficiency pursuant to section 15-533.

(c) Obtain a valid fingerprint clearance card pursuant to section 15-534.

(d) If applicable, complete training in structured English immersion as prescribed by the state board pursuant to section 15-756.09.

(e) If applicable, complete training in research-based systematic phonics instruction as prescribed in paragraph 2 of this subsection.

(f) Demonstrate the required proficiency in the Constitutions of the United States and Arizona as prescribed in section 15-532.

2. Shall require applicants for all certificates for common school instruction to complete, from a public or private provider, at least forty-five classroom hours or three college-level credit hours, or the equivalent, in both research-based:

(a) Systematic phonics instruction.

(b) Reading instruction, including training on assessments, instructional practices and interventions to improve student reading proficiency. BEGINNING JULY 1, 2021, INSTRUCTION PROVIDED PURSUANT TO THIS SUBDIVISION MUST MEET THE REQUIREMENTS FOR DYSLEXIA TRAINING PRESCRIBED IN SECTION 15-219.

3. Shall not require a teacher to obtain a master's degree or to take any additional graduate courses as a condition of certification or recertification.

4. Shall allow but shall not require the superintendent of a school district to obtain certification from the state board of education.

5. Shall provide for the issuance of a subject-matter expert standard teaching certificate to persons who have expertise in a content area or subject matter. Persons who are certified pursuant to this paragraph shall complete training, if applicable, in structured English immersion as prescribed by the state board pursuant to section 15-756.09. Persons who are certified pursuant to this paragraph are exempt from the subject knowledge proficiency requirements prescribed in section 15-533 and from the proficiency requirements prescribed in section 15-532 on the Constitutions of the United States and Arizona. Persons who are subject to subdivision (a) of this paragraph are also exempt from the professional knowledge proficiency requirements pursuant to section 15-533. A person who obtains a subject-matter expert standard teaching certificate pursuant to this paragraph may provide instruction in the person's field of expertise in grades six through twelve at any public school in this state. Issuance of the subject-matter expert standard teaching certificate may not be conditioned on the person's employment with a local education agency. A person who meets the requirements of this paragraph shall be issued a subject-matter expert standard teaching certificate without having to demonstrate professional knowledge proficiency pursuant to section 15-533, except that the person shall have at least two years to
demonstrate professional knowledge proficiency pursuant to section 15-533. School districts shall evaluate and provide support pursuant to section 15-537 to teachers who are certified pursuant to this paragraph. If a person fails to meet the professional knowledge requirements of this section within two years, the department of education or state board of education may temporarily suspend the subject-matter expert standard teaching certificate. A certificate that is temporarily suspended pursuant to this paragraph is not considered a disciplinary action, and a person shall be allowed to correct the deficiency within the remaining time of the subject-matter expert standard teaching certification. This paragraph does not require a person who has obtained another type of teaching certificate from the state board to obtain a subject-matter expert standard teaching certificate pursuant to this paragraph in order to provide instruction in grades six through twelve. A person is eligible for a subject-matter expert standard teaching certificate pursuant to this paragraph if the person has a baccalaureate degree and meets any of the following requirements:

(a) Has taught courses relevant to a content area or subject matter for the last two consecutive years and for a total of at least three years at one or more regionally or nationally accredited public or private postsecondary institutions. A person demonstrates compliance with this requirement by providing the state board with written proof of employment for specific durations from one or more qualifying postsecondary institutions.

(b) Has either a baccalaureate degree, a master's degree or a doctoral degree in a specific subject area that is relevant to a content area or subject matter taught in public schools.

(c) Demonstrates expertise through relevant work experience of at least five years in a field that is relevant to a content area or subject matter taught in public schools. A person demonstrates compliance with this requirement by providing the state board with written proof of employment.

6. Notwithstanding section 15-533, shall exempt persons applying for a secondary education certificate from the subject knowledge portion of the proficiency examination if the state board determines that the person has work experience in science, technology, engineering or mathematics and can demonstrate adequate knowledge of a particular subject through a postsecondary education degree or twenty-four credit hours of relevant coursework.

7. Shall allow for a certificate issued to a person pursuant to subsection B, paragraph 1, 3, 4 or 5 of this section or section 15-203 or 15-782.01, as applicable, to be both issued and renewed for at least twelve years and may not require more than fifteen hours of continuing education credits each year in order to renew that certificate pursuant to this paragraph.
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8. Shall allow for a certificate issued to a person pursuant to subsection B of this section or section 15-132, 15-203 or 15-782.01, as applicable, and any endorsement or approved area related to that certificate, to be renewed at least two years but not more than ten years after that certificate expires without any other requirements adopted by the state board of education or the department of education if the person is in good standing, has at least ten years of verified full-time experience in this state in the area in which the person is seeking renewed certification and possesses a valid fingerprint clearance card issued pursuant to section 15-534. A certificate renewed pursuant to this paragraph shall be identical to the expired certificate.

D. The rules for certification reciprocity shall include a requirement that the applicant possess a comparable valid certification from another state and be in good standing with that other state. An applicant who possesses a valid certification from another state and a fingerprint clearance card pursuant to section 15-534 and who is in good standing with that other state shall be issued a comparable standard certificate or a comparable certificate issued pursuant to section 15-132, 15-203 or 15-782.01, as applicable, without any other requirements from the state board of education or the department of education. A person who is issued a certificate pursuant to this subsection is not required to meet any requirement prescribed in section 15-533.

E. Placement decisions of teaching intern certificate holders issued pursuant to subsection C, paragraph 1 of this section and section 15-552 shall be based on agreements between the teacher preparation provider, the provider's partner organizations and the local education agency. The practices of the department of education and the rules and policies of the state board of education may not restrict placement of teaching intern certification holders based on local education agency instructional models and may only consider the academic quality of the school, the effectiveness of the teaching intern certification holder's on-site mentor and the opportunity for a wide variety of schools and school models to access teaching intern certification holders.

F. Notwithstanding subsection A of this section, the following persons are not required to have a baccalaureate degree:

1. A teacher who is otherwise exempt by law from obtaining a baccalaureate degree and who provides instruction in STEM or career and technical education pursuant to section 15-782.01.

2. A person who obtains any of the following:
   (a) A Native American language certificate.
   (b) A student teaching intern certificate.
   (c) A junior reserve officer training corps certificate.
(d) An athletic coaching certificate.
(e) An emergency substitute certificate.

Sec. 4. Section 15-704, Arizona Revised Statutes, is amended to read:

15-704. Reading proficiency; dyslexia screening plan; definitions

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

B. ON OR BEFORE JULY 1, 2020, THE DEPARTMENT OF EDUCATION SHALL DEVELOP A DYSLEXIA SCREENING PLAN THAT MEETS ALL OF THE FOLLOWING REQUIREMENTS:

1. ENSURES THAT WITHIN FORTY-FIVE CALENDAR DAYS AFTER THE BEGINNING OF EACH SCHOOL YEAR OR WITHIN FORTY-FIVE CALENDAR DAYS AFTER A STUDENT ENROLLMENT OCCURS AFTER THE FIRST DAY OF SCHOOL, EVERY STUDENT WHO IS ENROLLED IN A KINDERGARTEN PROGRAM OR GRADE ONE IN A PUBLIC SCHOOL IN THIS STATE IS SCREENED FOR INDICATORS OF DYSLEXIA.

2. PROVIDES GUIDANCE FOR NOTIFICATIONS SENT BY PUBLIC SCHOOLS TO PARENTS OF STUDENTS WHO ARE IDENTIFIED AS HAVING INDICATORS OF DYSLEXIA BASED ON A SCREENING FOR INDICATORS.

3. IS DEVELOPED COLLABORATIVELY WITH THE DYSLEXIA SPECIALIST FOR THE DEPARTMENT DESIGNATED PURSUANT TO SECTION 15-211, AND OTHER EXPERTS ON DYSLEXIA, INCLUDING REPRESENTATIVES IN THIS STATE OF AN INTERNATIONAL ORGANIZATION ON DYSLEXIA.

4. ENSURES THAT SCREENING FOR INDICATORS OF DYSLEXIA INCLUDES THE FOLLOWING:

   (a) PHONOLOGICAL AND PHONEMIC AWARENESS.
   (b) RAPID NAMING SKILLS.
   (c) CORRESPONDENCE BETWEEN SOUNDS AND LETTERS.
   (d) NONSENSE WORD REPETITION.
   (e) SOUND SYMBOL RECOGNITION.

C. THE SCREENING FOR INDICATORS OF DYSLEXIA MAY BE INTEGRATED WITH READING PROFICIENCY SCREENINGS AS PRESCRIBED IN THIS SECTION.

D. Each school district or charter school that provides instruction for pupils in kindergarten programs and grades one through three shall conduct a curriculum evaluation and adopt an evidence-based reading curriculum that includes the essential components of reading instruction. All school districts and charter schools that offer instruction in kindergarten programs and grades one through three shall provide ongoing teacher training based on evidence-based reading research.
C. E. Each school district or charter school that provides instruction in kindergarten programs and grades one through three shall devote reasonable amounts of time to explicit evidence-based instruction and independent reading in grades one through three.

D. F. A pupil in grade three who does not demonstrate proficiency on the reading standards measured by the statewide assessment administered pursuant to section 15-741 shall be provided core reading instruction and intensive, evidence-based reading instruction as defined by the state board of education until the pupil meets these standards.

E. G. The governing board of each school district and the governing body of each charter school shall determine the percentage of pupils at each school in grade three who do not demonstrate proficiency on the reading standards prescribed by the state board of education and measured by the statewide assessment administered pursuant to section 15-741. If more than twenty percent of students in grade three at either the individual school level or at the school district level do not demonstrate proficiency on the standards, the governing board or governing body shall conduct a review of its reading program that includes curriculum and professional development in light of current, evidence-based reading research.

F. H. Based on the review required in subsection E G of this section, the governing board or governing body and the school principal of each school that does not demonstrate proficiency on the reading standards, in conjunction with school council members, if applicable, shall develop methods of best practices for teaching reading based on essential components of reading instruction and supported by evidence-based reading research. These methods shall be adopted at a public meeting and shall be implemented the following academic year.

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

H. J. For the purposes of this section:

1. "Essential components of reading instruction" means explicit and systematic instruction in the following:
   (a) Phonological awareness, including phonemic awareness.
   (b) Phonics encoding and decoding.
   (c) Vocabulary development.
   (d) Reading fluency as demonstrated by automatic reading of text.
   (e) Reading comprehension of written text.
   (f) Written and oral expression, including spelling and handwriting.
2. "Evidence-based reading research" means research that demonstrates either:
   (a) A statistically significant effect on improving student outcomes or other relevant outcomes based on either:
       (i) Strong evidence from at least one well-designed and well-implemented experimental study.
       (ii) Moderate evidence from at least one well-designed and well-implemented quasi-experimental study.
       (iii) Promising evidence from at least one well-designed and well-implemented correlational study with statistical controls for selection bias.
   (b) A rationale based on high-quality research findings or positive evaluation that an activity, strategy or intervention is likely to improve student outcomes or other relevant outcomes and that includes ongoing efforts to examine the effects of these activities, strategies or interventions.

3. "Reading" means a complex system of deriving meaning from written text that requires all of the following:
   (a) The skills and knowledge to understand how phonemes or speech sounds are connected to written text.
   (b) The ability to decode unfamiliar words.
   (c) The ability to read fluently.
   (d) Sufficient background information and vocabulary to foster reading comprehension.
   (e) The development of appropriate active strategies to construct meaning from written text.
   (f) The development and maintenance of a motivation to read.

Sec. 5. Study committee on dyslexia screening, intervention and funding for pupils identified as having indicators of dyslexia; membership; duties; report; delayed repeal

A. The study committee on dyslexia screening, intervention and funding for pupils identified as having indicators of dyslexia is established consisting of:
   1. Three members of the senate who are appointed by the president of the senate, two of whom are members of the majority party and one of whom is a member of the minority party.
   2. Three members of the house of representatives who are appointed by the speaker of the house of representatives, two of whom are members of the majority party and one of whom is a member of the minority party.
   3. A resident of this state who is a member of an international organization on dyslexia and who is appointed by the president of the senate.
4. A speech-language pathologist with training and experience in early literacy development, including structured literacy instruction that is systematic, explicit, multisensory and evidence based, who is appointed by the speaker of the house of representatives.

5. A parent of a pupil who has been diagnosed with dyslexia and who is enrolled in a public school in this state, who is appointed by the president of the senate.

6. An employee of the department of education who is appointed by the superintendent of public instruction.

7. The superintendent of a school district in this state, or the superintendent's designee, who is appointed by the superintendent of public instruction.

8. A charter school representative who is appointed by the speaker of the house of representatives.

9. A reading specialist who is appointed by the superintendent of public instruction.

B. The president of the senate shall designate one of the members appointed pursuant to subsection A of this section as the chairperson of the study committee.

C. The study committee shall meet as often as the members deem necessary.

D. The study committee shall:

1. Examine and make recommendations to the department of education regarding dyslexia screening, intervention and delivery of supports for pupils identified as having indicators of dyslexia, including developing resource materials, professional development activities and funding for pupils identified as having indicators of dyslexia.

2. Develop recommendations and resource materials that meet all of the following:

   (a) Identify valid and reliable screening and evaluation assessments and protocols that can be used and the appropriate personnel to administer such screening in order to identify pupils with indicators of dyslexia as part of an ongoing reading progress monitoring system, a multitiered system of supports and special education eligibility determinations in schools.

   (b) Recommend structured literacy instruction that is systematic, explicit, multisensory and evidence-based to meet the needs of pupils identified as having indicators of dyslexia for use in all public schools in this state.

   (c) Recommend intervention systems, including effective dyslexia intervention programs, to address dyslexia or characteristics of dyslexia for use by schools in multitiered systems of support and for services as appropriate for pupils who are eligible for special education.
(d) Develop and implement preservice and in-service professional development activities to address dyslexia identification and intervention, including using accessible print materials and assistive technology, within degree programs such as education, reading, special education, speech-language pathology and psychology.

3. Review teacher certification and professional development requirements as they relate to the needs of pupils with dyslexia.

4. Examine the barriers to accurate information on the prevalence of pupils with dyslexia across the state and recommend a process for accurate reporting of demographic data.

5. Study and evaluate current practices for diagnosing, treating and educating pupils with dyslexia in this state.

6. Examine how current laws and regulations affect pupils with dyslexia.

E. The senate shall provide staff assistance to the study committee as directed by the president of the senate.

F. On or before December 1, 2019, the study committee shall submit a report of its findings and recommendations to the president of the senate and the speaker of the house of representatives and shall provide a copy of this report to the secretary of state.

G. This section is repealed from and after January 15, 2020.

Sec. 6. Emergency

This act is an emergency measure that is necessary to preserve the public peace, health or safety and is operative immediately as provided by law.

APPROVED BY THE GOVERNOR MAY 8, 2019.