

REFERENCE TITLE: schools; transfer students; competency requirements

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

# **SB 1418**

Introduced by  
Senators Quezada: Dalessandro, Rios; Representative Andrade

AN ACT

AMENDING SECTIONS 15-701 AND 15-701.01, ARIZONA REVISED STATUTES; RELATING  
TO SCHOOL CURRICULA.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-701, Arizona Revised Statutes, is amended to  
3 read:

4 15-701. Common school; promotions; requirements; certificate;  
5 supervision of eighth grades by superintendent of  
6 high school district; high school admissions;  
7 academic credit; definition

8 A. The state board of education shall:

9 1. Prescribe a minimum course of study, ~~as defined in section~~  
10 ~~15-101 and~~ incorporating the academic standards adopted by the state board  
11 of education, ~~to be taught in the common schools.~~

12 2. Prescribe competency requirements for the promotion of pupils  
13 from the eighth grade and competency requirements for the promotion of  
14 pupils from the third grade incorporating the academic standards in at  
15 least the areas of reading, writing, mathematics, science and social  
16 studies. The competency requirements for the promotion of pupils from the  
17 third grade shall include the following:

18 (a) A requirement that a pupil not be promoted from the third grade  
19 if the pupil obtains a score on the reading portion of the statewide  
20 assessment that does not demonstrate sufficient reading skills as  
21 established by the STATE board. A pupil may not be retained if data  
22 regarding the pupil's performance on the statewide assessment is not  
23 available before the end of the current academic year. A pupil who is not  
24 retained due to the unavailability of test data must receive  
25 evidence-based intervention and remedial strategies pursuant to  
26 subdivision (c) of this paragraph if the third grade assessment data  
27 subsequently does not demonstrate sufficient reading skills.

28 (b) A mechanism to allow a school district governing board or the  
29 governing body of a charter school to promote from the third grade a pupil  
30 who does not demonstrate sufficient reading skills pursuant to subdivision  
31 (a) of this paragraph if the pupil:

32 (i) Is an English learner or a limited English proficient student  
33 as defined in section 15-751 and has had fewer than two years of English  
34 language instruction.

35 (ii) Is in the process of a special education referral or  
36 evaluation for placement in special education, has been diagnosed as  
37 having a significant reading impairment, including dyslexia, or is a child  
38 with a disability as defined in section 15-761 if the pupil's  
39 individualized education program team and the pupil's parent or guardian  
40 agree that promotion is appropriate based on the pupil's individualized  
41 education program.

42 (iii) Has demonstrated or subsequently demonstrates sufficient  
43 reading skills or adequate progress ~~towards~~ TOWARD sufficient reading  
44 skills of the third grade reading standards as evidenced through a  
45 collection of reading assessments approved by the state board of

1 education, which includes an alternative standardized reading assessment  
2 approved by the state board.

3 (iv) Receives intervention and remedial services during the summer  
4 or a subsequent school year pursuant to subdivision (c) of this paragraph  
5 and demonstrates sufficient progress based on guidelines issued pursuant  
6 to subsection B, paragraph 6 of this section.

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

17 (i) A requirement that the pupil be assigned for evidence-based  
18 reading instruction by a different teacher who was designated in that  
19 teacher's most recent performance evaluation in one of the top two  
20 performance classifications pursuant to section 15-203, subsection A,  
21 paragraph 38.

22 (ii) Summer school reading instruction.

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

26 (iv) Small group and teacher-led evidence-based reading  
27 instruction, which may include computer-based or online reading  
28 instruction.

29 (d) A requirement that a school district governing board or charter  
30 school governing body that promotes a pupil pursuant to subdivision (b) of  
31 this paragraph provide annual reporting to the department of education on  
32 or before October 1 that includes information on the total number of  
33 pupils subject to the retention provisions of subdivision (a) of this  
34 paragraph, the total number of students promoted pursuant to subdivision  
35 (b) of this paragraph, the total number of pupils retained in grade three  
36 and the interventions administered pursuant to subdivision (c) of this  
37 paragraph.

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

41 4. Develop evidence-based intervention and remedial strategies  
42 pursuant to paragraph 2, subdivision (c) of this subsection for pupils in  
43 kindergarten programs and grades one through three who are identified as  
44 having reading deficiencies pursuant to section 15-704.

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

6           B. School districts and charter schools shall provide annual  
7 written notification to parents of pupils in kindergarten programs and  
8 first, second and third grades that a pupil who does not demonstrate  
9 sufficient reading skills pursuant to subsection A of this section will  
10 not be promoted from the third grade. School districts and charter  
11 schools shall identify each pupil who is at risk of reading below grade  
12 level in kindergarten and grades one, two and three, based on local or  
13 statewide assessments, and shall provide to the parent of that pupil a  
14 specific written notification of the reading deficiency that includes the  
15 following information:

16           1. A description of the pupil's specific individual needs.

17           2. A description of the current reading services provided to the  
18 pupil.

19           3. A description of the available supplemental instructional  
20 services and supporting programs that are designed to remediate reading  
21 deficiencies. Each school district or charter school shall offer more than  
22 one evidence-based intervention strategy and more than one remedial  
23 strategy developed by the state board of education for pupils with reading  
24 deficiencies. The notification shall list the intervention and remedial  
25 strategies offered and shall instruct the parent to choose, in  
26 consultation with the pupil's teacher, the most appropriate strategies to  
27 be provided and implemented for that child.

28           4. Parental strategies to assist the pupil to attain reading  
29 proficiency.

30           5. A statement that the pupil will not be promoted from the third  
31 grade if the pupil does not demonstrate sufficient reading skills pursuant  
32 to subsection A, paragraph 2, subdivision (a) of this section, unless the  
33 pupil is exempt from mandatory retention in grade three or the pupil  
34 qualifies for an exemption pursuant to subsection A, paragraph 2,  
35 subdivision (b) of this section.

36           6. A description of the school district or charter school policies  
37 on midyear promotion to a higher grade.

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

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

43           2. Prescribe criteria for the promotion of pupils from grade to  
44 grade in the common schools in the school district. These criteria shall  
45 include accomplishment of the academic standards in at least reading,

1 writing, mathematics, science and social studies, as determined by  
2 district assessment. Other criteria may include additional measures of  
3 academic achievement and attendance.

4 D. The governing board may prescribe the course of study and  
5 competency requirements for promotion that are in addition to or higher  
6 than the course of study and competency requirements the state board  
7 prescribes.

8 E. A teacher shall determine whether to promote or retain a pupil  
9 in grade in a common school on the basis of the prescribed criteria. The  
10 governing board, if it reviews the decision of a teacher to promote or  
11 retain a pupil in grade in a common school as provided in section 15-342,  
12 paragraph 11, shall base its decision on the prescribed criteria.

13 F. A governing board may provide and issue certificates of  
14 promotion to pupils whom it promotes from the eighth grade of a common  
15 school. Such certificates shall be signed by the principal or  
16 superintendent of schools. ~~where~~ IF there is no principal or  
17 superintendent of schools, the certificates shall be signed by the teacher  
18 of an eighth grade. The certificates shall admit the holders to any high  
19 school in the state.

20 G. Within any high school district or union high school district,  
21 the superintendent of the high school district shall supervise the work of  
22 the eighth grade of all schools employing no superintendent or principal.

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

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

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

34 K. IF A PUPIL TRANSFERS INTO A SCHOOL DISTRICT OR CHARTER SCHOOL  
35 AND SUBSEQUENTLY DOES NOT MEET THE COMPETENCY REQUIREMENTS FOR THE  
36 PROMOTION OF PUPILS FROM THE THIRD OR EIGHTH GRADE, THE SCHOOL, SCHOOL  
37 DISTRICT OR CHARTER SCHOOL INTO WHICH THE PUPIL TRANSFERRED IS NOT  
38 REQUIRED TO REPORT OR COUNT THAT PUPIL'S FAILURE TO BE PROMOTED UNLESS THE  
39 PUPIL CONTINUES TO NOT MEET THE COMPETENCY REQUIREMENTS FOR THE PROMOTION  
40 OF PUPILS FROM THE THIRD OR EIGHTH GRADE ONE YEAR AFTER THAT PUPIL  
41 ORIGINALLY FAILED TO MEET THE COMPETENCY REQUIREMENTS FOR PROMOTION.

42 ~~K.~~ L. For the purposes of this section, "dyslexia" means a  
43 condition that:

- 44 1. Is neurological in origin.



1 accomplishment of the academic standards in at least reading, writing,  
2 mathematics, science and social studies, as determined by district  
3 assessment. Other criteria may include additional measures of academic  
4 achievement and attendance. Pursuant to the prescribed graduation  
5 requirements adopted by the state board of education, the governing board  
6 may approve a rigorous computer science course that would fulfill a  
7 mathematics course required for graduation from high school. The  
8 governing board may approve a rigorous computer science course only if the  
9 rigorous computer science course includes significant mathematics content  
10 and the governing board determines the high school where the rigorous  
11 computer science course is offered has sufficient capacity, infrastructure  
12 and qualified staff, including competent teachers of computer science.  
13 The school district governing board or charter school governing body may  
14 determine the method and manner in which to administer a test that is  
15 identical to the civics portion of the naturalization test used by the  
16 United States citizenship and immigration services. A pupil who does not  
17 obtain a passing score on the test that is identical to the civics portion  
18 of the naturalization test may retake the test until the pupil obtains a  
19 passing score.

20 C. The governing board may prescribe the course of study and  
21 competency requirements for the graduation of pupils from high school that  
22 are in addition to or higher than the course of study and competency  
23 requirements that the state board prescribes.

24 D. The governing board may prescribe competency requirements for  
25 the passage of pupils in courses that are required for graduation from  
26 high school.

27 E. A teacher shall determine whether to pass or fail a pupil in a  
28 course in high school on the basis of the competency requirements, if any  
29 have been prescribed. The governing board, if it reviews the decision of  
30 a teacher to pass or fail a pupil in a course in high school as provided  
31 in section 15-342, paragraph 11, shall base its decision on the competency  
32 requirements, if any have been prescribed.

33 F. Graduation requirements established by the governing board may  
34 be met by a pupil who passes courses in the required or elective subjects  
35 at a community college or university, if the course is at a higher level  
36 than the course taught in the high school attended by the pupil or, if the  
37 course is not taught in the high school, the level of the course is equal  
38 to or higher than the level of a high school course. The governing board  
39 shall determine ~~if~~ WHETHER the subject matter of the community college or  
40 university course is appropriate to the specific requirement the pupil  
41 intends it to fulfill and ~~if~~ WHETHER the level of the community college or  
42 university course is less than, equal to or higher than a high school  
43 course, and the governing board shall award one-half of a Carnegie unit  
44 for each three semester hours of credit that the pupil earns in an  
45 appropriate community college or university course. If a pupil is not

1 satisfied with the decision of the governing board regarding the amount of  
2 credit granted or the subjects for which credit is granted, the pupil may  
3 request that the state board of education review the decision of the  
4 governing board, and the state board shall make the final determination of  
5 the amount of credit to be given the pupil and for which subjects. The  
6 governing board shall not limit the number of credits that is required for  
7 high school graduation and that may be met by taking community college or  
8 university courses. For the purposes of this subsection:

9 1. "Community college" means an educational institution that is  
10 operated by a community college district as defined in section 15-1401 or  
11 a postsecondary educational institution under the jurisdiction of an  
12 Indian tribe recognized by the United States department of the interior.

13 2. "University" means a university under the jurisdiction of the  
14 Arizona board of regents.

15 G. A pupil who transfers from a private school shall be provided  
16 with a list that indicates those credits that have been accepted and  
17 denied by the school district. A pupil may request to take an examination  
18 in each particular course in which credit has been denied. The school  
19 district shall accept the credit for each particular course in which the  
20 pupil takes an examination and receives a passing score on a test designed  
21 and evaluated by a teacher in the school district who teaches the subject  
22 matter on which the examination is based. In addition to the above  
23 requirements, the governing board of a school district may prescribe  
24 requirements for the acceptance of the credits of pupils who transfer from  
25 a private school.

26 H. If a pupil who was previously enrolled in a charter school or  
27 school district enrolls in a school district in this state, the school  
28 district shall accept credits earned by the pupil in courses or  
29 instructional programs at the charter school or school district. The  
30 governing board of a school district may adopt a policy concerning the  
31 application of transfer credits for the purpose of determining whether a  
32 credit earned by a pupil who was previously enrolled in a school district  
33 or charter school will be assigned as an elective or core credit.

34 I. A pupil who transfers credit from a charter school, a school  
35 district or Arizona online instruction shall be provided with a list that  
36 indicates which credits have been accepted as elective credits and which  
37 credits have been accepted as core credits by the school district or  
38 charter school. Within ten school days after receiving the list, the  
39 pupil may request to take an examination in each particular course in  
40 which core credit has been denied. The school district or charter school  
41 shall accept the credit as a core credit for each particular course in  
42 which the pupil takes an examination and receives a passing score on a  
43 test that is aligned to the competency requirements adopted pursuant to  
44 this section and that is designed and evaluated by a teacher in the school  
45 district or charter school who teaches the subject matter on which the

1 examination is based. If a pupil is enrolled in a school district or  
2 charter school and that pupil also participates in Arizona online  
3 instruction between May 1 and July 31, the school district or charter  
4 school shall not require proof of payment as a condition of the school  
5 district or charter school accepting credits earned from the online course  
6 provider.

7 J. The state board of education shall adopt rules to allow high  
8 school pupils who can demonstrate competency in a particular academic  
9 course or subject to obtain academic credit for the course or subject  
10 without enrolling in the course or subject.

11 K. Pupils who earn a Grand Canyon diploma pursuant to article 6 of  
12 this chapter are exempt from the graduation requirements prescribed in  
13 this section. Pupils who earn a Grand Canyon diploma are entitled to all  
14 the rights and privileges of persons who graduate with a high school  
15 diploma issued pursuant to this section, including access to postsecondary  
16 scholarships and other forms of student financial aid and access to all  
17 forms of postsecondary education. Notwithstanding any other law, a pupil  
18 who is eligible for a Grand Canyon diploma may elect to remain in high  
19 school through grade twelve and shall not be prevented from enrolling at a  
20 high school after the pupil becomes eligible for a Grand Canyon diploma.  
21 A pupil who is eligible for a Grand Canyon diploma and who elects not to  
22 pursue one of the options prescribed in section 15-792.03 may only be  
23 readmitted to that high school or another high school in this state  
24 pursuant to policies adopted by the school district of readmission.

25 L. IF A PUPIL TRANSFERS INTO A SCHOOL DISTRICT OR CHARTER SCHOOL  
26 AND SUBSEQUENTLY DOES NOT MEET THE REQUIREMENTS FOR THE GRADUATION OF  
27 PUPILS FROM HIGH SCHOOL, THE SCHOOL, SCHOOL DISTRICT OR CHARTER SCHOOL  
28 INTO WHICH THE PUPIL TRANSFERRED IS NOT REQUIRED TO REPORT OR COUNT THAT  
29 PUPIL'S FAILURE TO GRADUATE UNLESS THE PUPIL CONTINUES TO NOT MEET THE  
30 GRADUATION REQUIREMENTS FOR PUPILS FROM HIGH SCHOOL ONE YEAR AFTER THAT  
31 PUPIL ORIGINALLY FAILED TO MEET THE GRADUATION REQUIREMENTS.