

REFERENCE TITLE: schools; improvements; turnaround plans

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

SB 1457

Introduced by
Senator Allen S

AN ACT

REPEALING SECTION 15-241.01, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 15-241.01; RELATING TO THE DEPARTMENT OF EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Repeal

3 Section 15-241.01, Arizona Revised Statutes, is repealed.

4 Sec. 2. Title 15, chapter 2, article 2, Arizona Revised Statutes,
5 is amended by adding a new section 15-241.01, to read:

6 15-241.01. School improvement; school turnaround plan

7 A. IF AT LEAST ONE-HALF OF THE SCHOOLS IN A SCHOOL DISTRICT ARE
8 ASSIGNED A LETTER GRADE OF D OR F PURSUANT TO SECTION 15-241 OR IF ANY
9 SCHOOL IN A SCHOOL DISTRICT IS ASSIGNED A LETTER GRADE OF F AND HAS BEEN
10 ASSIGNED A LETTER GRADE OF D OR F FOR TWO OF THE LAST THREE YEARS, THE
11 DEPARTMENT OF EDUCATION MAY SUBMIT TO THE STATE BOARD OF EDUCATION A
12 RECOMMENDATION FOR A PUBLIC HEARING TO DETERMINE WHETHER THE SCHOOL
13 DISTRICT OR SCHOOL SHOULD BE SUBJECT TO A SCHOOL TURNAROUND PLAN AND THE
14 REASONS FOR THAT RECOMMENDATION. IF THE DEPARTMENT DOES NOT RECOMMEND A
15 PUBLIC HEARING WITHIN THREE MONTHS AFTER LETTER GRADE ASSIGNMENTS FOR THE
16 SCHOOL DISTRICTS OR SCHOOLS DESCRIBED IN THIS SUBSECTION, THE STATE BOARD
17 MAY INITIATE A SCHOOL TURNAROUND PLAN HEARING FOR THE SCHOOL DISTRICT OR
18 SCHOOL. THE SCHOOL DISTRICT SHALL COMPILE THE INFORMATION REQUIRED
19 PURSUANT TO PARAGRAPHS 1 THROUGH 8 OF THIS SUBSECTION. THE DEPARTMENT OR
20 THE STATE BOARD SHALL INCLUDE IN THE RECOMMENDATION OR THE CALL FOR A
21 HEARING THE FOLLOWING INFORMATION:

22 1. WHETHER THE SCHOOL DISTRICT HAS PREVIOUSLY PARTICIPATED OR IS
23 CURRENTLY PARTICIPATING IN A SCHOOL IMPROVEMENT PROGRAM FOR ANY OF THE
24 DISTRICT'S SCHOOLS THAT ARE ASSIGNED A LETTER GRADE OF D OR F AND THE
25 RESULTS OF THAT PARTICIPATION.

26 2. A LISTING OF THE SCHOOL IMPROVEMENT STRATEGIES THAT HAVE
27 PREVIOUSLY BEEN USED OR ARE CURRENTLY IN USE BY THE SCHOOL DISTRICT AT THE
28 SCHOOLS THAT ARE ASSIGNED A LETTER GRADE OF D OR F.

29 3. THE EXTENT, IF AT ALL, TO WHICH THE SCHOOL DISTRICT
30 ADMINISTRATORS AND THE SCHOOL DISTRICT GOVERNING BOARD IMPACTED THE
31 ASSIGNMENT OF THE LETTER GRADES OF D AND F TO THE DISTRICT'S SCHOOLS.

32 4. INFORMATION PROVIDED BY THE SCHOOL PRINCIPAL OR HEAD TEACHER ON
33 THE FACTORS THAT HAVE CONTRIBUTED TO THE SCHOOL THAT HAS BEEN ASSIGNED A
34 LETTER GRADE OF D OR F.

35 5. A LISTING OF THE CURRICULA, FORMATIVE ASSESSMENTS AND OTHER
36 INSTRUCTIONAL TOOLS USED BY TEACHERS IN ANY OF THE SCHOOLS THAT ARE
37 ASSIGNED A LETTER GRADE OF D OR F.

38 6. A LISTING OF PROFESSIONAL DEVELOPMENT OPPORTUNITIES PROVIDED BY
39 THE SCHOOL DISTRICT TO TEACHERS IN THE SCHOOLS THAT ARE ASSIGNED A LETTER
40 GRADE OF D OR F.

41 7. WHETHER THOSE SCHOOLS ASSIGNED A LETTER GRADE OF D OR F HAVE
42 DEMONSTRATED REASONABLE ACADEMIC GROWTH AS DETERMINED BY THE MEASURE OF
43 ACADEMIC PROGRESS ESTABLISHED PURSUANT TO THIS SECTION.

44 8. WHETHER THE SCHOOL IS OR HAS BEEN SUBJECT TO RECEIVERSHIP
45 PURSUANT TO SECTION 15-103.

1 B. IF THE STATE BOARD OF EDUCATION HOLDS A HEARING, THE STATE BOARD
2 SHALL REVIEW ALL OF THE INFORMATION PROVIDED IN SUBSECTION A OF THIS
3 SECTION AND ANY OTHER INFORMATION REQUESTED AND SHALL PROVIDE AN
4 OPPORTUNITY FOR THE SCHOOL DISTRICT TO PROVIDE ADDITIONAL INFORMATION OR
5 COMMENT AT THE PUBLIC HEARING. THE STATE BOARD SHALL VOTE AT THE PUBLIC
6 HEARING TO DETERMINE WHETHER A SCHOOL TURNAROUND PLAN SHOULD BE
7 IMPLEMENTED.

8 C. IF THE STATE BOARD OF EDUCATION DETERMINES BY MAJORITY VOTE TO
9 IMPLEMENT A SCHOOL TURNAROUND PLAN, THE STATE BOARD SHALL SOLICIT OR
10 CHOOSE FROM A LIST OF PREVIOUSLY SOLICITED ENTITIES A GOVERNMENTAL,
11 NONPROFIT OR PRIVATE ORGANIZATION OR PERSONS TO MANAGE THE SCHOOL
12 TURNAROUND PLAN FOR THE SCHOOL DISTRICT OR SCHOOL. THESE ORGANIZATIONS OR
13 PERSONS SHALL DEMONSTRATE PROVEN RESULTS IN SCHOOL TURNAROUND OR IN
14 OPERATING PUBLIC SCHOOLS THAT HAVE BEEN ASSIGNED A LETTER GRADE OF A OR B
15 PURSUANT TO SECTION 15-241 AND ABOVE AVERAGE GROWTH FOR STUDENTS WHO ARE
16 ACADEMICALLY BELOW AT LEAST ONE OR TWO GRADE LEVELS BASED ON STATE
17 ASSESSMENTS. EACH ORGANIZATION OR PERSON WHO ANSWERS THE STATE BOARD'S
18 SOLICITATION SHALL PROVIDE A NARRATIVE ON THE PERSON'S OR ORGANIZATION'S
19 PROVEN STRATEGIES FOR SCHOOL IMPROVEMENT. THE STATE BOARD SHALL ENSURE
20 THAT THE ORGANIZATION OR PERSON SELECTED DOES NOT HAVE ANY FINANCIAL
21 CONFLICT OF INTEREST PERTAINING TO THE SCHOOL DISTRICT OR SCHOOL THAT IS
22 SUBJECT TO THE SCHOOL TURNAROUND PLAN.

23 D. IF THE STATE BOARD OF EDUCATION APPROVES THE IMPLEMENTATION OF A
24 SCHOOL TURNAROUND PLAN, THE STATE BOARD SHALL ALLOW THE SCHOOL DISTRICT TO
25 CHOOSE AN ORGANIZATION OR PERSON FROM THE LIST PURSUANT TO SUBSECTION C OF
26 THIS SECTION OR SUBMIT THE NAME OF AN ALTERNATIVE ORGANIZATION OR PERSON.
27 THE STATE BOARD SHALL EVALUATE THE ALTERNATIVE SELECTION PURSUANT TO THE
28 REQUIREMENTS PRESCRIBED IN SUBSECTION C OF THIS SECTION. IF THE STATE
29 BOARD DETERMINES THAT THE ALTERNATIVE SELECTION QUALIFIES, THE SCHOOL
30 DISTRICT MAY SELECT THE ALTERNATIVE ORGANIZATION OR PERSON. IF THE
31 ALTERNATIVE ORGANIZATION OR PERSON IS NOT SELECTED, THE STATE BOARD SHALL
32 SELECT FROM THE LIST PURSUANT TO SUBSECTION C OF THIS SECTION AFTER
33 OBTAINING FEEDBACK FROM THE SCHOOL DISTRICT OR SCHOOL.

34 E. THE STATE BOARD OF EDUCATION SHALL IMMEDIATELY DETERMINE WHICH
35 POWERS PRESCRIBED IN SUBSECTION G OF THIS SECTION WILL BE TEMPORARILY
36 GRANTED TO THE APPOINTED ORGANIZATION OR PERSON. THE AUTHORITY GRANTED
37 PURSUANT TO THIS SUBSECTION IS EFFECTIVE UNTIL THE STATE BOARD REVIEWS THE
38 SCHOOL TURNAROUND PLAN AS DESCRIBED IN SUBSECTION H OF THIS SECTION.

39 F. THE ORGANIZATION OR PERSON APPOINTED PURSUANT TO SUBSECTION C OR
40 D OF THIS SECTION SHALL FULLY REVIEW AND INVESTIGATE THE SCHOOL DISTRICT'S
41 OR SCHOOL'S EDUCATIONAL AFFAIRS AND SHALL SUBMIT TO THE STATE BOARD OF
42 EDUCATION A DETAILED REPORT LISTING THE FINDINGS OF THAT INVESTIGATION.
43 THIS REPORT SHALL INCLUDE A SCHOOL TURNAROUND PLAN THAT DETAILS HOW THE
44 SCHOOL DISTRICT OR SCHOOL WILL RAISE THE LEVEL OF ACADEMIC ACHIEVEMENT SO
45 THAT ALL OF THE SCHOOLS IN THE SCHOOL DISTRICT ARE ASSIGNED GRADE LETTERS

1 OF A, B OR C PURSUANT TO SECTION 15-241. THE PLAN SHALL INCLUDE THE
2 FOLLOWING:

3 1. A PROPOSED TIMELINE FOR IMPROVING ACADEMIC ACHIEVEMENT.

4 2. A PROPOSED TIMELINE AND DETAILS CONCERNING HOW THE ORGANIZATION
5 OR PERSON WILL TRANSITION THE ADMINISTRATION OF THE SCHOOL DISTRICT OR
6 SCHOOL BACK TO THE SCHOOL DISTRICT GOVERNING BOARD.

7 G. THE ORGANIZATION OR PERSON SHALL SUBMIT THE REPORT PURSUANT TO
8 SUBSECTION F OF THIS SECTION WITHIN ONE HUNDRED TWENTY DAYS AFTER THE DATE
9 THAT THE ORGANIZATION OR PERSON WAS APPOINTED BY THE STATE BOARD OF
10 EDUCATION. IF APPROVED BY THE STATE BOARD, THE SCHOOL TURNAROUND PLAN MAY
11 AUTHORIZE THE APPOINTED ORGANIZATION OR PERSON TO DO ANY OF THE FOLLOWING:

12 1. OVERRIDE ANY DECISIONS OF THE SCHOOL DISTRICT GOVERNING BOARD OR
13 THE SCHOOL DISTRICT SUPERINTENDENT, OR BOTH, CONCERNING THE MANAGEMENT AND
14 OPERATION OF THE SCHOOL DISTRICT OR SCHOOL, AND INITIATE AND MAKE
15 DECISIONS CONCERNING THE MANAGEMENT AND OPERATION OF THE SCHOOL DISTRICT
16 OR SCHOOL, INCLUDING CONVERTING THE SCHOOL TO A CHARTER SCHOOL.

17 2. HIRE PERSONNEL, TERMINATE PERSONNEL AND CANCEL EXISTING
18 EMPLOYMENT CONTRACTS, INCLUDING THE DISTRICT SUPERINTENDENT'S CONTRACT, TO
19 THE EXTENT ALLOWED BY LAW. THE APPOINTED ORGANIZATION OR PERSON MAY
20 REFUSE TO REEMPLOY ANY CERTIFICATED TEACHER WHO IS CURRENTLY EMPLOYED AT
21 THE SCHOOL THAT IS ASSIGNED A LETTER GRADE OF D OR F OR MAY REQUIRE
22 TEACHERS TO INTERVIEW TO RETAIN EMPLOYMENT.

23 3. ATTEND ANY SCHOOL DISTRICT GOVERNING BOARD AND ADMINISTRATIVE
24 STAFF MEETINGS.

25 4. SUPERVISE THE ACTIVITIES OF THE SCHOOL DISTRICT'S OR SCHOOL'S
26 STAFF, INCLUDING REASSIGNING THE DUTIES AND RESPONSIBILITIES OF PERSONNEL
27 IN A MANNER THAT, AS DETERMINED BY THE APPOINTED ORGANIZATION OR PERSON,
28 BEST SUITS THE NEEDS OF THE SCHOOL DISTRICT OR SCHOOL.

29 5. TO THE EXTENT ALLOWED BY LAW, CANCEL OR RENEGOTIATE ANY
30 CONTRACT.

31 6. APPLY FOR AND OVERSEE ANY FEDERAL, STATE OR LOCAL GRANTS OR
32 OTHER FUNDING AVAILABLE TO THE SCHOOL OR SCHOOL DISTRICT FOR SCHOOL
33 IMPROVEMENT ACTIVITIES.

34 H. THE STATE BOARD OF EDUCATION SHALL PERIODICALLY REVIEW THE
35 STATUS OF A SCHOOL DISTRICT OR SCHOOL THAT IS OPERATING UNDER A SCHOOL
36 TURNAROUND PLAN PURSUANT TO THIS SECTION TO DETERMINE WHETHER OPERATION OF
37 THE SCHOOL DISTRICT OR SCHOOL SHOULD BE RETURNED TO THE SCHOOL DISTRICT
38 GOVERNING BOARD. BEFORE THE STATE BOARD MAKES A DETERMINATION TO
39 TERMINATE A SCHOOL TURNAROUND PLAN, THE STATE BOARD OR ITS DESIGNEE SHALL
40 MEET WITH THE SCHOOL DISTRICT GOVERNING BOARD OR ITS DESIGNEE TO ESTABLISH
41 AN APPROPRIATE TIME FRAME AND ADDRESS ANY ADDITIONAL OPERATIONAL
42 CONSIDERATIONS THAT ARE NECESSARY TO ENSURE A SMOOTH TRANSITION OF
43 AUTHORITY FROM THE APPOINTED ORGANIZATION OR PERSON BACK TO THE SCHOOL
44 DISTRICT GOVERNING BOARD. WHEN DETERMINING WHETHER TO TERMINATE A SCHOOL
45 TURNAROUND PLAN, THE STATE BOARD SHALL CONSIDER WHETHER THE DISTRICT'S

1 SCHOOLS OR SCHOOL MADE SIGNIFICANT ACADEMIC GAINS AS DETERMINED BY
2 INDIVIDUAL SCHOOL ACHIEVEMENT PROFILES ESTABLISHED PURSUANT TO THIS
3 SECTION.

4 I. IF AT ANY TIME THE STATE BOARD OF EDUCATION DETERMINES THAT THE
5 PROGRESS OF AN ORGANIZATION OR PERSON WHO IS APPOINTED PURSUANT TO THIS
6 SUBSECTION OR SUBSECTION C OR D OF THIS SECTION IS INSUFFICIENT, THE STATE
7 BOARD MAY REMOVE THAT ORGANIZATION OR PERSON AND MAKE AN ALTERNATIVE
8 APPOINTMENT. ALL AUTHORITY GRANTED PURSUANT TO THE APPROVED SCHOOL
9 TURNAROUND PLAN SHALL BE TRANSFERRED TO THE NEWLY APPOINTED ORGANIZATION
10 OR PERSON. THE STATE BOARD MAY REQUIRE THE NEWLY APPOINTED ORGANIZATION
11 OR PERSON TO PREPARE A REVISED SCHOOL TURNAROUND PLAN AS DESCRIBED IN
12 SUBSECTION G OF THIS SECTION.

13 J. ALL PROJECTED EXPENSES AND COSTS OF AN ORGANIZATION OR PERSON
14 APPOINTED BY THE STATE BOARD OF EDUCATION SHALL BE PRESENTED TO THE STATE
15 BOARD AND THE SCHOOL DISTRICT DURING THE ONE HUNDRED TWENTY-DAY REVIEW
16 PERIOD. THE STATE BOARD SHALL REVIEW THE EXPENSES AND COSTS AT LEAST
17 TWICE EACH CALENDAR YEAR TO ENSURE THAT THE EXPENSES AND COSTS ARE
18 REASONABLE AND APPROPRIATE. ALL EXPENSES AND COSTS SHALL BE PAID BY THE
19 SCHOOL DISTRICT.

20 K. THE OPERATION OF A SCHOOL DISTRICT BY AN APPOINTED ORGANIZATION
21 OR PERSON MAY NOT INTERFERE WITH THE ELECTION OF SCHOOL DISTRICT GOVERNING
22 BOARD MEMBERS.

23 L. THE SCHOOL DISTRICT SHALL INDEMNIFY THE ORGANIZATION OR PERSON
24 APPOINTED PURSUANT TO SUBSECTION C, D OR I OF THIS SECTION IF THAT
25 ORGANIZATION OR PERSON IS MADE OR THREATENED TO BE MADE A PARTY TO ANY
26 LITIGATION BY REASON OF THE ORGANIZATION'S OR PERSON'S STATUS UNDER THIS
27 SECTION AND IF THE ORGANIZATION OR PERSON ACTED IN GOOD FAITH AND IN A
28 MANNER THE ORGANIZATION OR PERSON BELIEVED TO BE LAWFUL AND IN THE BEST
29 INTEREST OF THE SCHOOL DISTRICT OR SCHOOL.

30 M. ALL INFORMATION RECEIVED AND RECORDS OR REPORTS KEPT BY THE
31 STATE BOARD OF EDUCATION DURING AN INVESTIGATION RESULTING FROM A
32 COMPLAINT AGAINST AN APPOINTED ORGANIZATION OR PERSON ARE CONFIDENTIAL AND
33 ARE NOT PUBLIC RECORDS.

34 N. THE STATE BOARD OF EDUCATION MAY AUTHORIZE THE CONTINUED
35 APPOINTMENT OF THE APPOINTED ORGANIZATION OR PERSON IF STUDENT ACHIEVEMENT
36 IN THE SCHOOL DISTRICT OR SCHOOL IMPROVES TO A LETTER GRADE OF A, B OR C
37 PURSUANT TO SECTION 15-241 AND MAY DO SO FOR ALL OF THE DISTRICT SCHOOLS
38 OR FOR INDIVIDUAL SCHOOLS WITHIN THE DISTRICT. THE SCHOOL DISTRICT MAY
39 PETITION THE STATE BOARD FOR CONTROL OF THE DISTRICT OR INDIVIDUAL SCHOOLS
40 ONCE THE SCHOOL OR SCHOOLS HAVE BEEN ASSIGNED A LETTER GRADE OF A AND B.
41 THE STATE BOARD MAY IMPOSE A TRANSITION PLAN IF THE STATE BOARD APPROVES
42 THE PETITION OR CONSIDERS ALTERNATIVE PROVIDERS.

43 O. THE STATE BOARD OF EDUCATION SHALL REQUIRE TURNAROUND PLANS TO
44 DEMONSTRATE ALL OF THE FOLLOWING:

- 45 1. THE DEVELOPMENT OF POSITIVE STUDENT-TEACHER RELATIONSHIPS.

- 1 2. A FOCUS ON ACHIEVING RESULTS.
- 2 3. THE USE OF FORMATIVE EVALUATIONS.
- 3 4. THE DELIVERY OF EFFECTIVE LESSONS AND TARGETED INTERVENTION.
- 4 5. COLLABORATIVE EFFICACY AND INSTRUCTIONAL EXPERTISE.
- 5 P. THE STATE BOARD OF EDUCATION MAY TAKE ACTION PURSUANT TO THIS
- 6 SECTION FOR A SCHOOL DISTRICT THAT IS IN RECEIVERSHIP PURSUANT TO SECTION
- 7 15-103.