

REFERENCE TITLE: schools; dyslexia; literacy; appropriations

State of Arizona  
Senate  
Fifty-fourth Legislature  
Second Regular Session  
2020

## **SB 1544**

Introduced by  
Senators Borrelli: Carter, Kerr; Representative Pawlik

AN ACT

AMENDING SECTIONS 15-211 AND 15-704, ARIZONA REVISED STATUTES;  
APPROPRIATING MONIES; RELATING TO LITERACY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

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

4 15-211. K-3 reading program; dyslexia specialist; dyslexia  
5 training; receipt and use of monies; additional  
6 funding; report; program termination

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

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

15 C. On or before July 1, ~~2021~~ 2022, each school district and charter  
16 school shall ensure that at least one kindergarten through third grade  
17 teacher in each school has received training related to dyslexia that  
18 complies with the requirements prescribed in section 15-219.

19 D. Each school district and charter school shall submit to the  
20 department of education a plan for improving the reading proficiency of  
21 the school district's or the charter school's pupils in kindergarten  
22 programs and grades one, two and three. The plan shall include baseline  
23 data on the reading proficiency of the school district's or the charter  
24 school's pupils in kindergarten programs and grades one, two and three and  
25 a budget for spending monies from both the K-3 support level weight and  
26 the K-3 reading support level weight established in section 15-943. Each  
27 school district and charter school shall annually submit to the department  
28 of education on or before October 1 an updated K-3 reading program plan  
29 that includes data on program expenditures and results, except that a  
30 school district or charter school that is assigned a letter grade of A or  
31 B pursuant to section 15-241 shall submit this plan only in odd-numbered  
32 years.

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

40 F. Each school district and charter school that is assigned a  
41 letter grade of C, D or F pursuant to section 15-241 or that has more than  
42 ten percent of its pupils in grade three who do not demonstrate sufficient  
43 reading skills as established by the state board of education according to  
44 the reading portion of the statewide assessment shall receive monies  
45 generated by the K-3 reading support level weight established in section

1 15-943 only after the K-3 reading program plan of the school district or  
2 charter school has been submitted, reviewed and recommended for approval  
3 by the department of education and approved by the state board. The state  
4 board must give approval to a school district or charter school before any  
5 portion of the monies generated by the K-3 reading support level weight  
6 may be distributed to the school district or charter school pursuant to  
7 this subsection.

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

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

17 I. The state board of education may establish rules and policies  
18 for the K-3 reading program, including:

19 1. The proper use of monies in accordance with subsection E of this  
20 section.

21 2. The distribution of monies by the department of education in  
22 accordance with subsection D of this section.

23 3. The compliance of reading proficiency plans submitted pursuant  
24 to subsection D of this section with section 15-704.

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

42 K. On or before December 15, the department of education shall  
43 submit an annual report on the K-3 reading program to the governor, the  
44 president of the senate and the speaker of the house of representatives  
45 and shall provide a copy of this annual report to the secretary of state,

1 the state board of education and the chairpersons of the education  
2 committees of the senate and the house of representatives. The report  
3 shall contain all of the following:

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

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

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

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

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

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

21 Sec. 2. Section 15-704, Arizona Revised Statutes, is amended to  
22 read:

23 15-704. Reading proficiency; dyslexia screening plan;  
24 definitions

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

32 B. On or before July 1, ~~2020~~ 2021, the department of education  
33 shall develop a dyslexia screening plan that meets all of the following  
34 requirements:

35 1. Ensures that within forty-five calendar days after the beginning  
36 of each school year or within forty-five calendar days after a student  
37 enrollment occurs after the first day of school, every student who is  
38 enrolled in a kindergarten program or grade one in a public school in this  
39 state is screened for indicators of dyslexia.

40 2. Provides guidance for notifications sent by public schools to  
41 parents of students who are identified as having indicators of dyslexia  
42 based on a screening for indicators.

1           3. Is developed collaboratively with the dyslexia specialist for  
2 the department designated pursuant to section 15-211, and other experts on  
3 dyslexia, including representatives in this state of an international  
4 organization on dyslexia.

5           4. Ensures that screening for indicators of dyslexia includes the  
6 following:

- 7           (a) Phonological and phonemic awareness.
- 8           (b) Rapid naming skills.
- 9           (c) Correspondence between sounds and letters.
- 10          (d) Nonsense word ~~repetition~~ FLUENCY.
- 11          (e) Sound symbol recognition.

12          C. The screening for indicators of dyslexia may be integrated with  
13 reading proficiency screenings as prescribed in this section.

14          D. Each school district or charter school that provides instruction  
15 for pupils in kindergarten programs and grades one through three shall  
16 conduct a curriculum evaluation and adopt an evidence-based reading  
17 curriculum that includes the essential components of reading instruction.  
18 All school districts and charter schools that offer instruction in  
19 kindergarten programs and grades one through three shall provide ongoing  
20 teacher training based on evidence-based reading research.

21          E. Each school district or charter school that provides instruction  
22 in kindergarten programs and grades one through three shall devote  
23 reasonable amounts of time to explicit evidence-based instruction and  
24 independent reading in grades one through three.

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

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

41          H. Based on the review required in subsection G of this section,  
42 the governing board or governing body and the school principal of each  
43 school that does not demonstrate proficiency on the reading standards, in  
44 conjunction with school council members, if applicable, shall develop  
45 methods of best practices for teaching reading based on essential

1 components of reading instruction and supported by evidence-based reading  
2 research. These methods shall be adopted at a public meeting and shall be  
3 implemented the following academic year.

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

7 J. For the purposes of this section:

8 1. "Essential components of reading instruction" means explicit and  
9 systematic instruction in the following:

10 (a) Phonological awareness, including phonemic awareness.

11 (b) Phonics encoding and decoding.

12 (c) Vocabulary development.

13 (d) Reading fluency as demonstrated by automatic reading of text.

14 (e) Reading comprehension of written text.

15 (f) Written and oral expression, including spelling and  
16 handwriting.

17 2. "Evidence-based reading research" means research that  
18 demonstrates either:

19 (a) A statistically significant effect on improving student  
20 outcomes or other relevant outcomes based on either:

21 (i) Strong evidence from at least one well-designed and  
22 well-implemented experimental study.

23 (ii) Moderate evidence from at least one well-designed and  
24 well-implemented quasi-experimental study.

25 (iii) Promising evidence from at least one well-designed and  
26 well-implemented correlational study with statistical controls for  
27 selection bias.

28 (b) A rationale based on high-quality research findings or positive  
29 evaluation that an activity, strategy or intervention is likely to improve  
30 student outcomes or other relevant outcomes and that includes ongoing  
31 efforts to examine the effects of these activities, strategies or  
32 interventions.

33 3. "Reading" means a complex system of deriving meaning from  
34 written text that requires all of the following:

35 (a) The skills and knowledge to understand how phonemes or speech  
36 sounds are connected to written text.

37 (b) The ability to decode unfamiliar words.

38 (c) The ability to read fluently.

39 (d) Sufficient background information and vocabulary to foster  
40 reading comprehension.

41 (e) The development of appropriate active strategies to construct  
42 meaning from written text.

43 (f) The development and maintenance of a motivation to read.



1 D. Based on the level of available appropriations, the department  
2 of education shall select the local education providers that will receive  
3 the early literacy assessment tool, including the training, from among  
4 those that apply to the department in a manner prescribed by the  
5 department. In selecting the applicants, the department shall do all of  
6 the following:

7 1. Select local education providers from various regions of this  
8 state and of varying student population size.

9 2. Give preference to local education providers with the highest  
10 percentages of students in kindergarten programs and first, second and  
11 third grades who are below program or grade-level expectations in reading.

12 3. Give preference to local education providers with the highest  
13 percentages of schools that are eligible to receive monies under title I  
14 of the elementary and secondary education act of 1965 (P.L. 89-10; 79  
15 Stat. 27).

16 E. A local education provider that is selected to receive the early  
17 literacy assessment tool in one budget year is not required to reapply in  
18 subsequent budget years. To the extent possible within available  
19 appropriations, the department of education shall annually increase the  
20 number of local education providers that receive the early literacy  
21 assessment tool.

22 F. The department of education may choose to provide the early  
23 literacy assessment tool only to those schools of a selected school  
24 district that are eligible to receive monies under title I of the  
25 elementary and secondary education act of 1965 (P.L. 89-10; 79 Stat. 27).

26 G. On or before September 1, 2022 and September 1, 2024, the  
27 department of education shall submit a report of its findings and  
28 recommendations to the governor, the president of the senate, the speaker  
29 of the house of representatives, the chairpersons of the house of  
30 representatives and senate education committees, or their successor  
31 committees, and the joint legislative budget committee and shall provide a  
32 copy of this report to the secretary of state. The reports shall include  
33 all of the following:

34 1. The percentage of students who are enrolled in kindergarten  
35 programs and first, second and third grades throughout this state and who  
36 are receiving services using the early literacy assessment tool.

37 2. The number of local education providers that have received the  
38 early literacy assessment tool.

39 3. The improvements, if any, in the reading skill levels of  
40 students who received or are receiving services using the early literacy  
41 assessment tool.

42 4. The amount of appropriations required to purchase an adequate  
43 number of software licenses to enable the local education providers in  
44 this state to use the early literacy assessment tool in all of the



1 kindergarten programs and first, second and third grade classes in this  
2 state.

3 H. This section is repealed from and after December 31, 2025.

4 I. For the purposes of this section, "local education provider"  
5 means a school district or a charter school that enrolls students in  
6 kindergarten programs and first, second and third grades.

7 Sec. 4. Appropriations; department of education; dyslexia and  
8 literacy services

9 A. The sum of \$2,000,000 and three FTE positions are appropriated  
10 from the state general fund in fiscal year 2020-2021 to the department of  
11 education for the following purposes:

12 1. Designating a dyslexia specialist for the department of  
13 education to provide school districts and charter schools with support and  
14 resources as prescribed in section 15-211, subsection B, Arizona Revised  
15 Statutes.

16 2. Developing a list of training opportunities related to dyslexia  
17 pursuant to section 15-219, Arizona Revised Statutes.

18 3. Developing a dyslexia screening plan pursuant to section 15-704,  
19 Arizona Revised Statutes, as amended by this act.

20 4. Providing early literacy professional development to teachers  
21 across this state.

22 5. Improving the reading proficiency of pupils in kindergarten  
23 programs and grades one, two and three, including administering the  
24 reading program prescribed in section 15-211, Arizona Revised Statutes, as  
25 amended by this act.

26 6. Gathering, aggregating and analyzing statewide data related to  
27 early literacy and dyslexia.

28 B. The sum of \$2,000,000 is appropriated from the state general  
29 fund in fiscal year 2020-2021 to the department of education for  
30 distribution to school districts and charter schools for the following  
31 purposes:

32 1. Providing additional funding to support pupils with  
33 language-based learning struggles, including dyslexia.

34 2. Enhancing professional development and expanding teacher  
35 training opportunities.

36 3. Improving screening measures and intervention materials.

37 4. Providing intensive instruction for pupils who meet any of the  
38 following criteria:

39 (a) Are eligible for special education as a pupil with a specific  
40 learning disability in reading or writing, or both.

41 (b) Have a section 504 plan as defined in section 15-731, Arizona  
42 Revised Statutes.

43 (c) Have a documented diagnosis of dyslexia.

44 (d) Are eligible for tier two or tier three services under the  
45 multitiered system of support.