CHAPTER 120

HOUSE BILL 2026

AN ACT

AMENDING SECTIONS 15-211, 15-501.01 AND 15-701, ARIZONA REVISED STATUTES; RELATING TO SCHOOLS.

(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; annual report

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, 2022, 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 the school district's or the charter school's pupils in kindergarten programs and grades one, two and three. The plan shall include baseline data on the reading proficiency of the school district's or the charter school's 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 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. The state
board 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.

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.

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.

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).

Sec. 2. 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 8 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 that, within three years after a certificate for
elementary education or early childhood education is issued, the
certificate holder 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) Science of reading instruction, including 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. Beginning August 1, 2025, shall establish a literacy endorsement
as a requirement for all certificated teachers who provide literacy
instruction in kindergarten programs or in any of grades one through
grade

five as determined by the board. The rules shall require that a
certificated teacher who receives a certificate after August 1, 2025 and
who provides literacy instruction in kindergarten programs or in any of

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grades one through grade five must obtain a literacy endorsement within three years after the teacher's certificate is issued. The rules shall require that a certificated teacher who received a certificate before August 1, 2025 and who provides literacy instruction in kindergarten programs or in any of grades one through grade five must obtain a literacy endorsement on or before August 1, 2028. The literacy endorsement shall require the teacher to complete evidence-based science of reading training or coursework as determined by the board and to pass a literacy instruction assessment to show that the teacher is capable of doing all of the following:

(a) Effectively teaching foundational reading skills, phonemic PHONOLOGICAL awareness, phonics, fluency, vocabulary and comprehension.
(b) Implementing reading instruction using high-quality instructional materials.
(c) Providing effective instruction and interventions for students with reading deficiencies, including students with characteristics of dyslexia.

4. Beginning August 1, 2022, shall require all approved educator preparation programs in elementary education and early childhood education to require the courses that are necessary to obtain a literacy endorsement pursuant to paragraph 3 of this subsection.

5. Shall establish a process to allow a local education agency, at the request of a teacher, to verify to the department of education that the teacher possesses the instructional knowledge and skills prescribed in paragraph 3 of this subsection, demonstrated through classroom observations and student achievement data across subgroups using evidence-based measures. A certificated teacher who has had a local education agency verify the teacher's knowledge and skills in the science of reading pursuant to this paragraph is not required to complete the coursework, training or assessment requirements prescribed in paragraph 3 of this subsection to obtain the literacy endorsement.

6. 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.

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

8. 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.
9. 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.

10. 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.

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

A. The state board of education shall:

1. Prescribe a minimum course of study incorporating the academic
standards adopted by the state board of education to be taught in the
common schools.

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

(a) A requirement that a pupil not be promoted from the third grade
if the pupil obtains a score on the reading portion of the statewide
assessment that does not demonstrate sufficient reading skills as
established by the state board. A pupil may not be retained PURSUANT TO
THIS SUBDIVISION if data regarding the pupil's performance on the
statewide assessment is not available before the end of the current
academic year AND MAY NOT BE RETAINED MORE THAN ONCE. A pupil who is not
retained due to the unavailability of test data must receive
evidence-based intervention and remedial strategies pursuant to
subdivision (c) of this paragraph if the third grade assessment data
subsequently does not demonstrate sufficient reading skills.

(b) A mechanism to allow a school district governing board or the
governing body of a charter school to promote from the third grade a pupil
who does not demonstrate sufficient reading skills pursuant to subdivision
(a) of this paragraph if the pupil:
(i) Is an English learner or a limited English proficient student as defined in section 15-751 and has had fewer than \textit{two} \textit{THREE} years of English language instruction.

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

(iii) Has demonstrated or subsequently demonstrates sufficient reading skills or adequate progress toward sufficient reading skills of the third grade reading standards as evidenced through a collection of reading assessments approved by the state board of education, which includes an alternative standardized reading assessment approved by the state board.

(iv) Receives intervention and remedial services during the summer or a subsequent school year pursuant to subdivision (c) of this paragraph and demonstrates sufficient progress based on guidelines issued pursuant to subsection B, paragraph 7 of this section.

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

(i) A requirement that the pupil be assigned for evidence-based reading instruction by a different teacher who was designated in that teacher's most recent performance evaluation in one of the top two performance classifications.

(ii) Summer school reading instruction.

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

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

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

3. Provide for universal screening of pupils in preschool programs, kindergarten programs and grades one through three that is designed to identify pupils who have reading deficiencies pursuant to section 15-704. If sufficient monies are appropriated, beginning in the 2022-2023 school year, the state board of education shall adopt a statewide kindergarten entry evaluation tool to administer to pupils in kindergarten programs within forty-five calendar days after the beginning of each school year or within forty-five calendar days after a pupil enrolls.

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

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

B. School districts and charter schools shall provide annual written notification to parents of pupils in kindergarten programs and first, second and third grades that a pupil who does not demonstrate sufficient reading skills pursuant to subsection A of this section will not be promoted from the third grade. School districts and charter schools shall identify each pupil who is at risk of reading below grade level in kindergarten and grades one, two and three, based on local or statewide assessments, and shall provide to the parent of that pupil a specific written notification of the reading deficiency within three weeks after identifying the reading deficiency. The notification shall include the following information:

1. A description of the pupil's specific individual needs.
2. A description of the current reading services provided to the pupil.
3. A description of the available supplemental instructional services and supporting programs that are designed to remediate reading deficiencies. Each school district or charter school shall offer more than one evidence-based intervention strategy and more than one remedial strategy developed by the state board of education for pupils with reading deficiencies. The notification shall list the intervention and remedial strategies offered and shall instruct the parent to choose, in consultation with the pupil's teacher, the most appropriate strategies to be provided and implemented for that child.
4. Parental strategies to assist the pupil to attain reading proficiency.

5. The frequency with which the school district or charter school will provide timely updates and information to the parent on the pupil's progress toward reading proficiency.

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

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

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

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

2. Prescribe criteria for the promotion of pupils from grade to grade in the common schools in the school district. These criteria shall include accomplishment of the academic standards in at least reading, writing, mathematics, science and social studies, as determined by district assessment. Other criteria may include additional measures of academic achievement and attendance.

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

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

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

G. Within any high school district or union high school district, the superintendent of the high school district shall supervise the work of the eighth grade of all schools employing no superintendent or principal.
H. A school district shall not deny a pupil who is between the ages of sixteen and twenty-one years admission to a high school because the pupil does not hold an eighth grade certificate. Governing boards shall establish procedures for determining the admissibility of pupils who are under sixteen years of age and who do not hold eighth grade certificates.

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

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

K. For the purposes of this section, "dyslexia" means a condition that:
   1. Is neurological in origin.
   2. Is characterized by difficulties with accurate or fluent word recognition and by poor spelling and decoding abilities, including difficulties that typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and to the provision of effective classroom instruction.
   3. May include secondary consequences such as problems with reading comprehension and reduced reading experience that may impede the growth of vocabulary and background knowledge.

APPROVED BY THE GOVERNOR APRIL 13, 2022.