

REFERENCE TITLE: literacy; dyslexia screening; appropriations

State of Arizona  
House of Representatives  
Fifty-fifth Legislature  
First Regular Session  
2021

## **HB 2137**

Introduced by  
Representatives Pawlik: Butler, Jermaine, Salman, Schwiebert, Stahl  
Hamilton, Udall, Senators Bowie, Boyer

AN ACT

AMENDING SECTIONS 15-211, 15-501.01 AND 15-704, ARIZONA REVISED STATUTES;  
RELATING TO SCHOOL INSTRUCTION.

(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~~ 2023, 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 2027 pursuant to section 41-3102.

21 Sec. 2. Section 15-501.01, Arizona Revised Statutes, is amended to  
22 read:

23 15-501.01. Requirements for teachers; teaching certificates;  
24 rules; reciprocity; placement

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

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

31 1. Standard teaching certificate.

32 2. Alternative teaching certificate for persons who obtain training  
33 pursuant to subsection C, paragraph 1 of this section.

34 3. Subject-matter expert standard teaching certificate for persons  
35 who obtain training pursuant to subsection C, paragraph 5 of this section.

36 4. Classroom-based standard teaching certificate for persons who  
37 obtain training from a school district or charter school.

38 5. Career and technical education teaching certificate.

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

41 1. Shall provide for a variety of alternative teacher and  
42 administrator preparation programs that allow for variations in program  
43 sequence and design to apply for program approval. The state board shall  
44 adopt rules pursuant to this paragraph designed to allow for a variety of  
45 formats and shall not require a prescribed answer or design from the

1 program provider in order to obtain approval from the state board. Any  
2 rules adopted by the state board pursuant to this paragraph shall be  
3 substantially different from the rules adopted for the approval of  
4 traditional preparation programs and may not unnecessarily restrict a  
5 variety of alternative preparation programs from operating and providing  
6 instruction in this state. The state board shall evaluate each program  
7 provider based on the program's ability to prepare teachers and  
8 administrators and to recruit teachers and administrators with a variety  
9 of experiences and talents. The state board shall allow universities  
10 under the jurisdiction of the Arizona board of regents, community colleges  
11 in this state, private postsecondary institutions licensed by this state,  
12 school districts, charter schools, professional organizations, nonprofit  
13 organizations and private entities to apply for program approval and shall  
14 create application procedures and certification criteria that are  
15 substantially less restrictive than those for traditional preparation  
16 programs. At the completion of an alternative preparation program,  
17 graduates shall:

18 (a) Hold a bachelor's degree from an accredited postsecondary  
19 education institution.

20 (b) If applicable, demonstrate professional knowledge and subject  
21 knowledge proficiency pursuant to section 15-533.

22 (c) Obtain a valid fingerprint clearance card pursuant to section  
23 15-534.

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

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

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

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

34 (a) RESEARCH-BASED systematic phonics instruction.

35 (b) RESEARCH-BASED SCIENCE OF READING INSTRUCTION.

36 ~~(b)~~ (c) RESEARCH-BASED reading instruction, including training on  
37 assessments, instructional practices and interventions to improve student  
38 reading proficiency. Beginning July 1, 2021, instruction provided  
39 pursuant to this subdivision must meet the requirements for dyslexia  
40 training prescribed in section 15-219.

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

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

1           5. Shall provide for the issuance of a subject-matter expert  
2 standard teaching certificate to persons who have expertise in a content  
3 area or subject matter. Persons who are certified pursuant to this  
4 paragraph shall complete training, if applicable, in structured English  
5 immersion as prescribed by the state board pursuant to section 15-756.09.  
6 Persons who are certified pursuant to this paragraph are exempt from the  
7 subject knowledge proficiency requirements prescribed in section 15-533  
8 and from the proficiency requirements prescribed in section 15-532 on the  
9 Constitutions of the United States and Arizona. Persons who are subject  
10 to subdivision (a) of this paragraph are also exempt from the professional  
11 knowledge proficiency requirements pursuant to section 15-533. A person  
12 who obtains a subject-matter expert standard teaching certificate pursuant  
13 to this paragraph may provide instruction in the person's field of  
14 expertise in grades six through twelve at any public school in this state.  
15 Issuance of the subject-matter expert standard teaching certificate may  
16 not be conditioned on the person's employment with a local education  
17 agency. A person who meets the requirements of this paragraph shall be  
18 issued a subject-matter expert standard teaching certificate without  
19 having to demonstrate professional knowledge proficiency pursuant to  
20 section 15-533, except that the person shall have at least two years to  
21 demonstrate professional knowledge proficiency pursuant to section 15-533.  
22 School districts shall evaluate and provide support pursuant to section  
23 15-537 to teachers who are certified pursuant to this paragraph. If a  
24 person fails to meet the professional knowledge requirements of this  
25 section within two years, the department of education or state board of  
26 education may temporarily suspend the subject-matter expert standard  
27 teaching certificate. A certificate that is temporarily suspended  
28 pursuant to this paragraph is not considered a disciplinary action, and a  
29 person shall be allowed to correct the deficiency within the remaining  
30 time of the subject-matter expert standard teaching certification. This  
31 paragraph does not require a person who has obtained another type of  
32 teaching certificate from the state board to obtain a subject-matter  
33 expert standard teaching certificate pursuant to this paragraph in order  
34 to provide instruction in grades six through twelve. A person is eligible  
35 for a subject-matter expert standard teaching certificate pursuant to this  
36 paragraph if the person has a baccalaureate degree and meets any of the  
37 following requirements:

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

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

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

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

16 7. Shall allow for a certificate issued to a person pursuant to  
17 subsection B, paragraph 1, 3, 4 or 5 of this section or section 15-203 or  
18 15-782.01, as applicable, to be both issued and renewed for at least  
19 twelve years and may not require more than fifteen hours of continuing  
20 education credits each year in order to renew that certificate pursuant to  
21 this paragraph.

22 8. Shall allow for a certificate issued to a person pursuant to  
23 subsection B of this section or section 15-132, 15-203 or 15-782.01, as  
24 applicable, and any endorsement or approved area related to that  
25 certificate, to be renewed at least two years but not more than ten years  
26 after that certificate expires without any other requirements adopted by  
27 the state board of education or the department of education if the person  
28 is in good standing, has at least ten years of verified full-time  
29 experience in this state in the area in which the person is seeking  
30 renewed certification and possesses a valid fingerprint clearance card  
31 issued pursuant to section 15-534. A certificate renewed pursuant to this  
32 paragraph shall be identical to the expired certificate.

33 D. The rules for certification reciprocity shall include a  
34 requirement that the applicant possess a comparable valid certification  
35 from another state and be in good standing with that other state. An  
36 applicant who possesses a valid certification from another state and a  
37 fingerprint clearance card pursuant to section 15-534 and who is in good  
38 standing with that other state shall be issued a comparable standard  
39 certificate or a comparable certificate issued pursuant to section 15-132,  
40 15-203 or 15-782.01, as applicable, without any other requirements from  
41 the state board of education or the department of education. A person who  
42 is issued a certificate pursuant to this subsection is not required to  
43 meet any requirement prescribed in section 15-533.

44 E. Placement decisions of teaching intern certificate holders  
45 issued pursuant to subsection C, paragraph 1 of this section and section

1 15-552 shall be based on agreements between the teacher preparation  
2 provider, the provider's partner organizations and the local education  
3 agency. The practices of the department of education and the rules and  
4 policies of the state board of education may not restrict placement of  
5 teaching intern certification holders based on local education agency  
6 instructional models and may only consider the academic quality of the  
7 school, the effectiveness of the teaching intern certification holder's  
8 on-site mentor and the opportunity for a wide variety of schools and  
9 school models to access teaching intern certification holders.

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

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

15 2. A person who obtains any of the following:

16 (a) A Native American language certificate.

17 (b) A student teaching intern certificate.

18 (c) A junior reserve officer training corps certificate.

19 (d) An athletic coaching certificate.

20 (e) An emergency substitute certificate.

21 Sec. 3. Section 15-704, Arizona Revised Statutes, is amended to  
22 read:

23 15-704. Reading proficiency; dyslexia screening plan;  
24 appropriations; purposes; exemptions; 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~~ 2022, 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.

43 3. Is developed collaboratively with the dyslexia specialist for  
44 the department designated pursuant to section 15-211, and other experts on



1 dyslexia, including representatives in this state of an international  
2 organization on dyslexia.

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

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

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

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

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

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

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

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

1 research. These methods shall be adopted at a public meeting and shall be  
2 implemented the following academic year.

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

6 J. THE SUM OF \$800,000 IS APPROPRIATED FROM THE STATE GENERAL FUND  
7 IN FISCAL YEAR 2021-2022 AND EACH FISCAL YEAR THEREAFTER TO THE DEPARTMENT  
8 OF EDUCATION TO DISTRIBUTE TO SCHOOL DISTRICTS AND CHARTER SCHOOLS TO  
9 PROVIDE PUPIL SCREENING FOR INDICATORS OF DYSLEXIA. THE APPROPRIATIONS  
10 MADE IN THIS SUBSECTION ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190  
11 RELATING TO LAPSING OF APPROPRIATIONS.

12 K. THE SUM OF \$280,000 IS APPROPRIATED FROM THE STATE GENERAL FUND  
13 IN FISCAL YEAR 2021-2022 AND EACH FISCAL YEAR THEREAFTER TO THE DEPARTMENT  
14 OF EDUCATION FOR THE FOLLOWING PURPOSES:

15 1. ADDING THREE FULL-TIME EMPLOYEE POSITIONS TO IMPLEMENT THE  
16 REQUIREMENTS OF THIS SECTION AND SECTION 15-211.

17 2. PROVIDING EARLY LITERACY PROFESSIONAL DEVELOPMENT TO TEACHERS IN  
18 THIS STATE.

19 3. AUGMENTING THE READING PROGRAMS ESTABLISHED PURSUANT TO THIS  
20 SECTION AND SECTIONS 15-211 AND 15-701.

21 4. GATHERING, AGGREGATING AND ANALYZING STATEWIDE DATA RELATED TO  
22 EARLY LITERACY AND DYSLEXIA.

23 5. ESTABLISHING A REGIONAL TRAINING MODEL FOR TEACHER TRAINING AND  
24 ENHANCING AWARENESS OF THE INDICATORS OF DYSLEXIA.

25 L. THE APPROPRIATIONS MADE IN SUBSECTION K OF THIS SECTION ARE  
26 EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF  
27 APPROPRIATIONS.

28 ~~J.~~ M. For the purposes of this section:

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

31 (a) Phonological awareness, including phonemic awareness.

32 (b) Phonics encoding and decoding.

33 (c) Vocabulary development.

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

35 (e) Reading comprehension of written text.

36 (f) Written and oral expression, including spelling and  
37 handwriting.

38 2. "Evidence-based reading research" means research that  
39 demonstrates either:

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

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

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

1 (iii) Promising evidence from at least one well-designed and  
2 well-implemented correlational study with statistical controls for  
3 selection bias.

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

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

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

13 (b) The ability to decode unfamiliar words.

14 (c) The ability to read fluently.

15 (d) Sufficient background information and vocabulary to foster  
16 reading comprehension.

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

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