

Senate Engrossed

CTEDs; letter grades; exclusion.

State of Arizona  
Senate  
Fifty-fifth Legislature  
First Regular Session  
2021

# SENATE BILL 1311

AN ACT

AMENDING SECTIONS 15-241 AND 15-393.01, ARIZONA REVISED STATUTES; RELATING  
TO CAREER TECHNICAL EDUCATION DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-241, Arizona Revised Statutes, is amended to  
3 read:

4 15-241. School, charter school and school district  
5 accountability; annual achievement profiles;  
6 classification; letter grade system; profiles;  
7 appeals process; failing schools tutoring fund;  
8 definition

9 A. On or before November 1 of each year, the department of  
10 education shall compile for each public school and local education agency,  
11 and shall recommend to the state board of education, an annual achievement  
12 profile that consists of an educational dashboard that reflects the  
13 achievement for each public school and local education agency on the  
14 academic and educational performance indicators prescribed in subsection D  
15 of this section, **EXCEPT THAT A CAREER TECHNICAL EDUCATION DISTRICT MAY NOT**  
16 **BE ASSIGNED A LETTER GRADE PURSUANT TO THIS SECTION.** The department shall  
17 provide any technical assistance needed by the state board to make final  
18 adoption of the annual achievement profile.

19 B. Each school, charter holder and school district shall submit to  
20 the department of education any data that is required and requested and  
21 that is necessary to compile the achievement profile. A school or local  
22 education agency that fails to submit the information that is necessary is  
23 not eligible to receive monies from the classroom site fund established by  
24 section 15-977.

25 C. The annual achievement profile compiled by the department of  
26 education and recommended to the state board of education shall be used to  
27 determine a standard measurement of acceptable academic progress for each  
28 school and local education agency and a school and local education agency  
29 classification pursuant to subsection G of this section. Any disclosure  
30 of educational records compiled by the department pursuant to this section  
31 shall comply with the family educational rights and privacy act of 1974  
32 (20 United States Code section 1232g).

33 D. The annual achievement profile for schools and local education  
34 agencies shall include, at a minimum, the following academic and  
35 educational performance indicators:

36 1. Multiple measures of academic performance or other academically  
37 relevant indicators of school quality that are appropriate to assess the  
38 educational impact of a school during the academic year as determined by  
39 the state board of education.

40 2. Academic progress on assessments adopted pursuant to sections  
41 15-741 and 15-741.02 in English language arts and mathematics.

42 3. Academic progress on the English language learner assessments  
43 administered pursuant to section 15-756, subsection B and section  
44 15-756.05.

1           4. Progress toward college and career readiness for all schools and  
2 local education agencies that offer instruction in any of grades nine  
3 through twelve.

4           5. Academic progress on assessments administered pursuant to  
5 section 15-741.02.

6           6. Multiple measures of educational performance or other relevant  
7 indicators of school quality that assess a school's educational impact,  
8 such as graduation rates and attendance rates.

9           E. If neither the school nor the school district meets the minimum  
10 student count as recommended by the department of education and approved  
11 by the state board of education for any of the performance indicators  
12 prescribed in subsection D of this section, the performance indicator  
13 shall not be factored into the letter grade assigned pursuant to this  
14 section.

15           F. Subject to final adoption by the state board of education, the  
16 department of education shall determine the criteria for each school and  
17 local education agency classification on each performance indicator of the  
18 annual achievement profile prescribed in subsection D of this section  
19 using a researched-based methodology and shall recommend to the state  
20 board for final adoption the criteria for each school and local education  
21 agency classification. The department shall develop the methodology in  
22 collaboration with a coalition of qualified technical and policy  
23 stakeholders appointed by the state board. The department shall provide  
24 technical assistance and, on request, student or statewide performance  
25 indicator data needed to determine and calculate the methodology and final  
26 letter grades. At a minimum, the methodology shall include the  
27 performance of pupils at all achievement levels, account for pupil  
28 mobility, account for the distribution of pupil achievement at each school  
29 and local education agency and include longitudinal indicators of academic  
30 performance. For the purposes of this subsection, "researched-based  
31 methodology" means the systematic and objective application of statistical  
32 and quantitative research principles to calculate the indicators used to  
33 determine A through F letter grades.

34           G. The annual achievement profile shall use classifications based  
35 on an A through F letter grade system adopted by the state board of  
36 education in which a letter grade of A reflects an excellent level of  
37 performance and a letter grade of F reflects a failing level of  
38 performance. The A through F letter grade system shall be applied to each  
39 performance indicator of the annual achievement profile prescribed in  
40 subsection D of this section, and the state board shall assign an overall  
41 letter grade for the public school or local education agency. The A  
42 through F letter grade system shall indicate expected standards of  
43 performance for all schools on each performance indicator of the annual  
44 achievement profile prescribed in subsection D of this section and the  
45 manner in which schools may rise above or fall below those expected

1 standards of performance. The state board may also assign a school a  
2 letter grade of F on each performance indicator of the annual achievement  
3 profile prescribed in subsection D of this section if the state board  
4 determines that the school is among the persistently lowest-achieving  
5 schools in the state on the majority of the performance indicators of the  
6 annual achievement profile under the federal school accountability  
7 requirements pursuant to section 1003(g) of the elementary and secondary  
8 education act (20 United States Code section 6303).

9 H. The classification on each performance indicator of the annual  
10 achievement profile for each school and the criteria used to determine  
11 classification pursuant to subsections F and G of this section shall be  
12 included on the school report card prescribed in section 15-746.

13 I. Subject to final adoption by the state board of education, the  
14 department of education shall use achievement profiles appropriately to  
15 assess the educational impact of accommodation schools, alternative  
16 schools and extremely small schools, may develop profiles for schools that  
17 participate in the board examination system prescribed in chapter 7,  
18 article 6 of this title and schools that participate in Arizona online  
19 instruction pursuant to section 15-808 and may develop other exceptions as  
20 prescribed by the state board for the purposes of this section.

21 J. The department of education shall establish a process, including  
22 a deadline for when requests must be submitted, for a school or local  
23 education agency to correct student data used to determine the school's or  
24 local education agency's annual achievement profile. If a correction to  
25 student data is required, the department shall notify the school or local  
26 education agency of the data correction process and shall annually process  
27 student data correction requests. The state board of education shall  
28 establish an appeals process to allow a school or local education agency  
29 to appeal the school's or local education agency's final letter grade, or  
30 a letter grade applied to a performance indicator prescribed in subsection  
31 D of this section, based on mitigating factors, including achievement  
32 profile designations based on incorrect data, identified by the  
33 department.

34 K. The failing schools tutoring fund is established consisting of  
35 monies collected pursuant to section 42-5029, subsection E and section  
36 42-5029.02, subsection A, paragraph 8 as designated for this purpose. The  
37 department of education shall administer the fund. The department may use  
38 monies from the fund to purchase materials designed to assist students to  
39 meet the Arizona academic standards and to achieve a passing score on  
40 assessments adopted by the state board of education.

41 L. For the purposes of this section, "academic progress" means  
42 measures of both proficiency and academic gain.

1           Sec. 2. Section 15-393.01, Arizona Revised Statutes, is amended to  
2 read:

3           15-393.01. Career technical education districts; annual  
4           report; performance and accountability

5           A. The department of education shall include each career technical  
6 education district in the department's annual achievement profiles  
7 required by section 15-241, **EXCEPT THAT A CAREER TECHNICAL EDUCATION**  
8 **DISTRICT MAY NOT BE ASSIGNED A LETTER GRADE PURSUANT TO SECTION 15-241.**

9 Subject to approval by the state board of education, the department ~~of~~  
10 ~~education~~ shall develop specific criteria applicable to career technical  
11 education districts that may not be based solely on the criteria  
12 prescribed in the Carl D. Perkins vocational education act, as amended by  
13 the Carl D. Perkins vocational and applied technology education act  
14 amendments of 1990, as amended by the Carl D. Perkins vocational and  
15 technical education act of 1998, ~~and shall include career technical~~  
16 ~~education districts in the letter grade classification system prescribed~~  
17 ~~in section 15-241.~~ The department shall include all of the following  
18 performance indicators in the annual achievement profiles ~~and letter grade~~  
19 ~~classification~~ and provide a copy of the information to each career  
20 technical education district governing board:

21           1. The graduation rate of all students enrolled in a career and  
22 technical education program or course.

23           2. The completion rate for each program offered by the career  
24 technical education district.

25           3. Performance on assessments required pursuant to section 15-391,  
26 paragraph 4, subdivision (b).

27           4. Postgraduation employment rates, postsecondary enrollment rates  
28 and military service rates for students who complete a career and  
29 technical education program.

30           B. A career technical education district is subject to the  
31 performance audits pursuant to section 41-1279.03, subsection A,  
32 paragraph 9. The auditor general shall consider the differences and  
33 applicable laws for a career technical education district when conducting  
34 a performance audit for a career technical education district.

35           C. On or before December 31 of each year, the career and technical  
36 education division of the department of education shall submit a career  
37 technical education district annual report to the governor, the president  
38 of the senate and the speaker of the house of representatives and shall  
39 submit a copy of this report to the secretary of state. The career and  
40 technical education division of the department of education shall submit a  
41 copy of this report to the joint legislative budget committee for review.  
42 The annual report shall include the following:

43           1. The average daily membership of each career technical education  
44 district, including the average daily membership of each centralized

1 campus, satellite campus and leased centralized campus as defined in  
2 section 15-393.

3 2. The actual student count of each career technical education  
4 district, including the student count of each centralized campus,  
5 satellite campus and leased centralized campus as defined in section  
6 15-393.

7 3. The programs and corresponding courses offered by each career  
8 technical education district, including the location of each program and  
9 course.

10 4. For each career technical education district based on program or  
11 course location:

12 (a) The student enrollment of each program and corresponding  
13 course.

14 (b) The percentage of students who enrolled in the second year of  
15 each program and corresponding course relative to the number of students  
16 in the same cohort who enrolled in the first year of each program and  
17 corresponding course.

18 (c) The percentage of students who completed each program relative  
19 to the number of students in the same cohort who began the program.

20 5. The costs associated with each program offered by the career  
21 technical education district.

22 6. A listing of any programs or courses that were discontinued by  
23 review of the career and technical education division pursuant to section  
24 15-393, subsection V.

25 7. A listing of any programs or courses that were continued by  
26 review of the career and technical education division pursuant to section  
27 15-393, subsection V.

28 8. A listing of any programs or courses that were added by the  
29 career and technical education division.

30 9. For applicable school districts, the required maintenance of  
31 effort and how monies were used to supplement and not supplant base year  
32 career and technical education courses, including expenditures related to  
33 personnel, equipment and facilities.

34 10. Any other data or information deemed necessary by the  
35 department of education.

36 D. The office of the auditor general, in consultation with the  
37 department of education, shall develop and establish uniform cost  
38 reporting guidelines, policies and procedures for career technical  
39 education district programs. Any guideline, policy or procedure shall  
40 allow for the effective comparison of cost between career technical  
41 education district programs.