

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

SENATE BILL 1403

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~~ 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
46 15-943 only after the K-3 reading program plan of the school district or

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

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

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

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

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

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

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

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

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

1 committees of the senate and the house of representatives. The report
2 shall contain all of the following:

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

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

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

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

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

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

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

22 15-501.01. Requirements for teachers; teaching certificates;
23 rules; reciprocity; placement

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

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

30 1. Standard teaching certificate.

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

33 3. Subject-matter expert standard teaching certificate for persons
34 who obtain training pursuant to subsection C, paragraph ~~5~~ 7 of this
35 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
46 program provider in order to obtain approval from the state board. Any

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

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

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

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

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

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

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

29 2. Shall require ~~applicants for all certificates for common school~~
30 ~~instruction to~~ THAT, WITHIN THREE YEARS AFTER A CERTIFICATE FOR ELEMENTARY
31 EDUCATION OR EARLY CHILDHOOD EDUCATION IS ISSUED, THE CERTIFICATE HOLDER
32 complete, from a public or private provider, at least forty-five classroom
33 hours or three college-level credit hours, or the equivalent, in both
34 research-based:

35 (a) SCIENCE OF READING INSTRUCTION, INCLUDING systematic phonics
36 instruction.

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

42 3. BEGINNING AUGUST 1, 2025, SHALL ESTABLISH A LITERACY ENDORSEMENT
43 AS A REQUIREMENT FOR ALL CERTIFICATED TEACHERS WHO PROVIDE LITERACY
44 INSTRUCTION IN KINDERGARTEN PROGRAMS OR IN ANY OF GRADES ONE THROUGH GRADE
45 FIVE AS DETERMINED BY THE BOARD. THE LITERACY ENDORSEMENT SHALL REQUIRE
46 THE TEACHER TO COMPLETE TRAINING OR COURSEWORK AS DETERMINED BY THE BOARD

1 AND TO PASS A LITERACY INSTRUCTION ASSESSMENT TO SHOW THAT THE TEACHER IS
2 CAPABLE OF DOING ALL OF THE FOLLOWING:

3 (a) EFFECTIVELY TEACHING FOUNDATIONAL READING SKILLS, PHONEMIC
4 AWARENESS, PHONICS, FLUENCY, VOCABULARY AND COMPREHENSION.

5 (b) IMPLEMENTING READING INSTRUCTION USING HIGH-QUALITY
6 INSTRUCTIONAL MATERIALS.

7 (c) PROVIDING EFFECTIVE INSTRUCTION AND INTERVENTIONS FOR STUDENTS
8 WITH READING DEFICIENCIES, INCLUDING STUDENTS WITH CHARACTERISTICS OF
9 DYSLEXIA.

10 4. BEGINNING AUGUST 1, 2022, SHALL REQUIRE ALL APPROVED EDUCATOR
11 PREPARATION PROGRAMS IN ELEMENTARY EDUCATION AND EARLY CHILDHOOD EDUCATION
12 TO REQUIRE THE COURSES THAT ARE NECESSARY TO OBTAIN A LITERACY
13 ENDORSEMENT.

14 ~~3.~~ 5. Shall not require a teacher to obtain a master's degree or
15 to take any additional graduate courses as a condition of certification or
16 recertification.

17 ~~4.~~ 6. Shall allow but shall not require the superintendent of a
18 school district to obtain certification from the state board of education.

19 ~~5.~~ 7. Shall provide for the issuance of a subject-matter expert
20 standard teaching certificate to persons who have expertise in a content
21 area or subject matter. Persons who are certified pursuant to this
22 paragraph shall complete training, if applicable, in structured English
23 immersion as prescribed by the state board pursuant to section 15-756.09.
24 Persons who are certified pursuant to this paragraph are exempt from the
25 subject knowledge proficiency requirements prescribed in section 15-533
26 and from the proficiency requirements prescribed in section 15-532 on the
27 Constitutions of the United States and Arizona. Persons who are subject
28 to subdivision (a) of this paragraph are also exempt from the professional
29 knowledge proficiency requirements pursuant to section 15-533. A person
30 who obtains a subject-matter expert standard teaching certificate pursuant
31 to this paragraph may provide instruction in the person's field of
32 expertise in grades six through twelve at any public school in this state.
33 Issuance of the subject-matter expert standard teaching certificate may
34 not be conditioned on the person's employment with a local education
35 agency. A person who meets the requirements of this paragraph shall be
36 issued a subject-matter expert standard teaching certificate without
37 having to demonstrate professional knowledge proficiency pursuant to
38 section 15-533, except that the person shall have at least two years to
39 demonstrate professional knowledge proficiency pursuant to section 15-533.
40 School districts shall evaluate and provide support pursuant to section
41 15-537 to teachers who are certified pursuant to this paragraph. If a
42 person fails to meet the professional knowledge requirements of this
43 section within two years, the department of education or state board of
44 education may temporarily suspend the subject-matter expert standard
45 teaching certificate. A certificate that is temporarily suspended
46 pursuant to this paragraph is not considered a disciplinary action, and a

1 person shall be allowed to correct the deficiency within the remaining
2 time of the subject-matter expert standard teaching certification. This
3 paragraph does not require a person who has obtained another type of
4 teaching certificate from the state board to obtain a subject-matter
5 expert standard teaching certificate pursuant to this paragraph in order
6 to provide instruction in grades six through twelve. A person is eligible
7 for a subject-matter expert standard teaching certificate pursuant to this
8 paragraph if the person has a baccalaureate degree and meets any of the
9 following requirements:

10 (a) Has taught courses relevant to a content area or subject matter
11 for the last two consecutive years and for a total of at least three years
12 at one or more regionally or nationally accredited public or private
13 postsecondary institutions. A person demonstrates compliance with this
14 requirement by providing the state board with written proof of employment
15 for specific durations from one or more qualifying postsecondary
16 institutions.

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

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

25 ~~6-~~ 8. Notwithstanding section 15-533, shall exempt persons
26 applying for a secondary education certificate from the subject knowledge
27 portion of the proficiency examination if the state board determines that
28 the person has work experience in science, technology, engineering or
29 mathematics and can demonstrate adequate knowledge of a particular subject
30 through a postsecondary education degree or twenty-four credit hours of
31 relevant coursework.

32 ~~7-~~ 9. Shall allow for a certificate issued to a person pursuant to
33 subsection B, paragraph 1, 3, 4 or 5 of this section or section 15-203 or
34 15-782.01, as applicable, to be both issued and renewed for at least
35 twelve years and may not require more than fifteen hours of continuing
36 education credits each year in order to renew that certificate pursuant to
37 this paragraph.

38 ~~8-~~ 10. Shall allow for a certificate issued to a person pursuant
39 to subsection B of this section or section 15-132, 15-203 or 15-782.01, as
40 applicable, and any endorsement or approved area related to that
41 certificate, to be renewed at least two years but not more than ten years
42 after that certificate expires without any other requirements adopted by
43 the state board of education or the department of education if the person
44 is in good standing, has at least ten years of verified full-time
45 experience in this state in the area in which the person is seeking
46 renewed certification and possesses a valid fingerprint clearance card

1 issued pursuant to section 15-534. A certificate renewed pursuant to this
2 paragraph shall be identical to the expired certificate.

3 D. The rules for certification reciprocity shall include a
4 requirement that the applicant possess a comparable valid certification
5 from another state and be in good standing with that other state. An
6 applicant who possesses a valid certification from another state and a
7 fingerprint clearance card pursuant to section 15-534 and who is in good
8 standing with that other state shall be issued a comparable standard
9 certificate or a comparable certificate issued pursuant to section 15-132,
10 15-203 or 15-782.01, as applicable, without any other requirements from
11 the state board of education or the department of education. A person who
12 is issued a certificate pursuant to this subsection is not required to
13 meet any requirement prescribed in section 15-533.

14 E. Placement decisions of teaching intern certificate holders
15 issued pursuant to subsection C, paragraph 1 of this section and section
16 15-552 shall be based on agreements between the teacher preparation
17 provider, the provider's partner organizations and the local education
18 agency. The practices of the department of education and the rules and
19 policies of the state board of education may not restrict placement of
20 teaching intern certification holders based on local education agency
21 instructional models and may only consider the academic quality of the
22 school, the effectiveness of the teaching intern certification holder's
23 on-site mentor and the opportunity for a wide variety of schools and
24 school models to access teaching intern certification holders.

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

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

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

- 31 (a) A Native American language certificate.
- 32 (b) A student teaching intern certificate.
- 33 (c) A junior reserve officer training corps certificate.
- 34 (d) An athletic coaching certificate.
- 35 (e) An emergency substitute certificate.

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

38 15-704. Reading proficiency; dyslexia screening plan;
39 definitions

40 A. Each school district or charter school that provides instruction
41 in kindergarten programs and grades one through three shall select and
42 administer screening, ongoing diagnostic and classroom-based instructional
43 reading assessments, including a motivational assessment, as defined by
44 the state board of education, to monitor student progress. Each school
45 shall use the diagnostic information to plan evidence-based appropriate
46 and effective instruction and intervention.

1 B. On or before July 1, ~~2020~~ 2022, the department of education
2 shall develop a dyslexia screening plan that meets all of the following
3 requirements:

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

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

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

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

18 (a) Phonological and phonemic awareness.

19 (b) Rapid naming skills.

20 (c) Correspondence between sounds and letters.

21 (d) Nonsense word ~~repetition~~ FLUENCY.

22 (e) Sound symbol recognition.

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

25 D. Each school district or charter school that provides instruction
26 for pupils in kindergarten programs and grades one through three shall
27 conduct a curriculum evaluation and adopt an evidence-based reading
28 curriculum that includes the essential components of reading instruction.
29 All school districts and charter schools that offer instruction in
30 kindergarten programs and grades one through three shall provide ongoing
31 teacher training based on evidence-based reading research.

32 E. Each school district or charter school that provides instruction
33 in kindergarten programs and grades one through three shall devote
34 reasonable amounts of time to explicit evidence-based instruction and
35 independent reading in grades one through three.

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

41 G. The governing board of each school district and the governing
42 body of each charter school shall determine the percentage of pupils at
43 each school in grade three who do not demonstrate proficiency on the
44 reading standards prescribed by the state board of education and measured
45 by the statewide assessment administered pursuant to section 15-741. If
46 more than twenty percent of students in grade three at either the

1 individual school level or at the school district level do not demonstrate
2 proficiency on the standards, the governing board or governing body shall
3 conduct a review of its reading program that includes curriculum and
4 professional development in light of current, evidence-based reading
5 research.

6 H. Based on the review required in subsection G of this section,
7 the governing board or governing body and the school principal of each
8 school that does not demonstrate proficiency on the reading standards, in
9 conjunction with school council members, if applicable, shall develop
10 methods of best practices for teaching reading based on essential
11 components of reading instruction and supported by evidence-based reading
12 research. These methods shall be adopted at a public meeting and shall be
13 implemented the following academic year.

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

17 J. For the purposes of this section:

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

- 20 (a) Phonological awareness, including phonemic awareness.
- 21 (b) Phonics encoding and decoding.
- 22 (c) Vocabulary development.
- 23 (d) Reading fluency as demonstrated by automatic reading of text.
- 24 (e) Reading comprehension of written text.
- 25 (f) Written and oral expression, including spelling and
26 handwriting.

27 2. "Evidence-based reading research" means research that
28 demonstrates either:

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

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

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

35 (iii) Promising evidence from at least one well-designed and
36 well-implemented correlational study with statistical controls for
37 selection bias.

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

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

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

1 (b) The ability to decode unfamiliar words.

2 (c) The ability to read fluently.

3 (d) Sufficient background information and vocabulary to foster
4 reading comprehension.

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

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

8 Sec. 4. Retroactivity

9 A. Section 15-211, Arizona Revised Statutes, as amended by this
10 act, applies retroactively to from and after June 30, 2021.

11 B. Section 15-704, Arizona Revised Statutes, as amended by this
12 act, applies retroactively to from and after June 30, 2020.