

House Engrossed

schools; test results; letter classification

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

CHAPTER 19

HOUSE BILL 2402

AN ACT

AMENDING SECTION 15-741, ARIZONA REVISED STATUTES; RELATING TO ASSESSMENT
AND ACCOUNTABILITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-741, Arizona Revised Statutes, is amended to
3 read:

4 15-741. Assessment of pupils

5 A. The state board of education shall:

6 1. Adopt rules for THE purposes of this article pursuant to title
7 41, chapter 6.

8 2. Adopt and implement a statewide assessment to measure pupil
9 achievement of the state board-adopted academic standards in reading,
10 writing and mathematics in at least four grades designated by the state
11 board. The state board shall determine the manner of implementation. The
12 state board may administer assessments of the academic standards in social
13 studies and science, except that a pupil shall not be required to meet or
14 exceed the social studies or science standards measured by the statewide
15 assessment.

16 3. Ensure that the tests prescribed in this section are uniform
17 throughout ~~the~~ THIS state.

18 4. Ensure that the tests prescribed in this section are able to be
19 scored in an objective manner and are not intended to advocate any
20 sectarian, partisan or denominational viewpoint.

21 5. Ensure that the tests prescribed in this article collect only
22 types of pupil nontest data that are approved by the state board at a
23 public meeting and published on the website of the state board pursuant to
24 paragraph 7 of this subsection.

25 6. Include within its budget all costs pertaining to the tests
26 prescribed in this article. If sufficient monies are appropriated, the
27 state board may provide achievement test services to school districts that
28 request assistance in testing pupils in grades additional to those
29 required by this section.

30 7. Survey teachers, principals and superintendents on
31 achievement-related nontest indicators, including information on
32 graduation rates by ethnicity and dropout rates by ethnicity for each
33 grade level. Before the survey, the state board shall approve at a public
34 meeting the nontest indicators on which data will be collected and shall
35 post in a prominent position on the home page of the state board's website
36 a link to the nontest indicators entitled "What nontest data does the
37 state of Arizona collect about Arizona pupils?". The linked web page
38 shall state the types of data collected, the reasons for the collection of
39 the data and the entities with which the data is shared. In conducting
40 the survey and collecting data, the state board shall not violate the
41 provisions of the family educational rights and privacy act (P.L. 93-380),
42 as amended, or disclose personally identifiable information.

1 8. Establish a fair and consistent method and standard by which
2 test scores from schools in a district may be evaluated taking into
3 consideration demographic data. The state board shall establish
4 intervention strategies to assist schools with scores below the acceptable
5 standard. The state board shall annually review district and school
6 scores and shall offer assistance to school districts in analyzing data
7 and implementing intervention strategies. The state board shall use the
8 adopted test and methods of data evaluation for a period of at least ten
9 years.

10 9. Participate in other assessments that provide national
11 comparisons as needed.

12 10. Require in the contract for the statewide assessment pursuant
13 to this section that test scores and assessment data from the third grade
14 reading portion of the statewide assessment adopted pursuant to this
15 section be received by local education agencies on or before May 15 of
16 each academic year and that the scores and assessment data from all other
17 portions of the statewide assessment adopted pursuant to this section be
18 received by local education agencies on or before May 25 of each academic
19 year. The state board shall impose penalties on the contractor for scores
20 received after these dates. IF THE STATE BOARD ALTERS THE STATEWIDE
21 ASSESSMENT TESTING WINDOW FOR ANY REASON, THE STATE BOARD MAY ADJUST THE
22 DATES BY WHICH LOCAL EDUCATION AGENCIES ARE REQUIRED TO RECEIVE THE SCORES
23 AND ASSESSMENT DATA PROPORTIONATELY. IF THE STATE BOARD ADJUSTS THE DATES
24 BY WHICH LOCAL EDUCATION AGENCIES ARE REQUIRED TO RECEIVE THE SCORES AND
25 ASSESSMENT DATA, THE STATE BOARD MAY NOT IMPOSE PENALTIES ON THE
26 CONTRACTOR UNLESS THE SCORES AND ASSESSMENT DATA ARE RECEIVED AFTER THE
27 ADJUSTED DATES.

28 B. The achievement tests adopted by the state board as provided in
29 subsection A of this section shall be given at least annually. Nontest
30 indicator data and other information shall be collected at the same time
31 as the collection of achievement test data.

32 C. Local school district governing boards shall:

33 1. Administer the tests prescribed in subsection A of this section.
34 2. Survey teachers, principals and superintendents on
35 achievement-related nontest indicator data as required by the state board,
36 including information related to district graduation and dropout rates.
37 In conducting the survey and collecting data, the governing board shall
38 not violate the provisions of the family educational rights and privacy
39 act (P.L. 93-380), as amended, or disclose personally identifiable
40 information.

41 D. Any additional assessments for high school pupils that are
42 adopted by the state board after November 24, 2009 shall be designed to
43 measure college and career readiness of pupils.

44 E. A test for penmanship shall not be required pursuant to this
45 article.

1 F. If a local education agency requests a raw data file of
2 assessment data for the pupils tested at the local education agency, the
3 department of education shall fulfill the request in a format that is
4 usable for assessment diagnostics within thirty days after the request.
5 The local education agency shall follow all applicable student data
6 privacy laws and may not publicly disclose individual student achievement
7 results.

8 G. On request, a school district or charter school may administer
9 the statewide assessment in the form of a written test.

10 Sec. 2. School and school district letter grades: transition
11 process

12 A. Notwithstanding any other law, the department of education may
13 not assign schools or school districts letter grade classifications
14 pursuant to section 15-241, Arizona Revised Statutes, for school year
15 2020-2021.

16 B. Notwithstanding subsection A of this section, the department of
17 education shall continue to collect and publish data in school year
18 2020-2021 concerning the academic and educational performance, indicators
19 for schools and school districts prescribed in section 15-241, subsections
20 C and D, Arizona Revised Statutes.

21 C. For the purposes of sections 15-241, 15-241.01, 15-241.02 and
22 15-537 and title 15, chapter 19, Arizona Revised Statutes, and subject to
23 final adoption by the state board of education, the department of
24 education shall develop criteria to identify schools and school districts
25 for school year 2020-2021 that demonstrate a below average level of
26 performance.

27 D. Notwithstanding any other law, during school year 2020-2021, the
28 governing board of a school district may adopt alternative policies
29 regarding performance based funding pursuant to section 15-977, subsection
30 B, Arizona Revised Statutes, or policies regarding dismissal or nonrenewal
31 procedures for teachers who continue to be designated in the lowest
32 performance classification pursuant to section 15-537, subsection D,
33 Arizona Revised Statutes.

34 Sec. 3. Retroactivity

35 This act applies retroactively to from and after June 30, 2020.

APPROVED BY THE GOVERNOR FEBRUARY 15, 2021.

FILED IN THE OFFICE OF THE SECRETARY OF STATE FEBRUARY 15, 2021.