

House Engrossed
CTEDs; letter grades; exclusion

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

CHAPTER 25

HOUSE BILL 2301

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.

APPROVED BY THE GOVERNOR FEBRUARY 18, 2021.

FILED IN THE OFFICE OF THE SECRETARY OF STATE FEBRUARY 18, 2021.