

House Engrossed

~~literacy endorsement; noncertificated teachers~~  
(now: early literacy; reading plans)

State of Arizona  
House of Representatives  
Fifty-fifth Legislature  
Second Regular Session  
2022

**CHAPTER 120**  
**HOUSE BILL 2026**

AN ACT

AMENDING SECTIONS 15-211, 15-501.01 AND 15-701, ARIZONA REVISED STATUTES;  
RELATING TO SCHOOLS.

(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; annual report

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, 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

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

21 15-501.01. Requirements for teachers; teaching certificates;  
22 rules; reciprocity; placement

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

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

29 1. Standard teaching certificate.

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

32 3. Subject-matter expert standard teaching certificate for persons  
33 who obtain training pursuant to subsection C, paragraph 8 of this section.

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

36 5. Career and technical education teaching certificate.

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

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

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

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

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

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

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

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

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

28 2. Shall require that, within three years after a certificate for  
29 elementary education or early childhood education is issued, the  
30 certificate holder complete, from a public or private provider, at least  
31 forty-five classroom hours or three college-level credit hours, or the  
32 equivalent, in both research-based:

33 (a) Science of reading instruction, including systematic phonics  
34 instruction.

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

40 3. Beginning August 1, 2025, shall establish a literacy endorsement  
41 as a requirement for all certificated teachers who provide literacy  
42 instruction in kindergarten programs or in any of grades one through ~~grade~~  
43 five as determined by the board. The rules shall require that a  
44 certificated teacher who receives a certificate after August 1, 2025 and  
45 who provides literacy instruction in kindergarten programs or in any of

1 grades one through ~~grade~~ five must obtain a literacy endorsement within  
2 three years after the teacher's certificate is issued. The rules shall  
3 require that a certificated teacher who received a certificate before  
4 August 1, 2025 and who provides literacy instruction in kindergarten  
5 programs or in any of grades one through ~~grade~~ five must obtain a literacy  
6 endorsement on or before August 1, 2028. The literacy endorsement shall  
7 require the teacher to complete evidence-based science of reading training  
8 or coursework as determined by the board and to pass a literacy  
9 instruction assessment to show that the teacher is capable of doing all of  
10 the following:

11 (a) Effectively teaching foundational reading skills, ~~phonemic~~  
12 PHONOLOGICAL awareness, phonics, fluency, vocabulary and comprehension.

13 (b) Implementing reading instruction using high-quality  
14 instructional materials.

15 (c) Providing effective instruction and interventions for students  
16 with reading deficiencies, including students with characteristics of  
17 dyslexia.

18 4. Beginning August 1, 2022, shall require all approved educator  
19 preparation programs in elementary education and early childhood education  
20 to require the courses that are necessary to obtain a literacy endorsement  
21 pursuant to paragraph 3 of this subsection.

22 5. Shall establish a process to allow a local education agency, at  
23 the request of a teacher, to verify to the department of education that  
24 the teacher possesses the instructional knowledge and skills prescribed in  
25 paragraph 3 of this subsection, demonstrated through classroom  
26 observations and student achievement data across subgroups using  
27 evidence-based measures. A certificated teacher who has had a local  
28 education agency verify the teacher's knowledge and skills in the science  
29 of reading pursuant to this paragraph is not required to complete the  
30 coursework, training or assessment requirements prescribed in paragraph 3  
31 of this subsection to obtain the literacy endorsement.

32 6. Shall not require a teacher to obtain a master's degree or to  
33 take any additional graduate courses as a condition of certification or  
34 recertification.

35 7. Shall allow but shall not require the superintendent of a school  
36 district to obtain certification from the state board of education.

37 8. Shall provide for the issuance of a subject-matter expert  
38 standard teaching certificate to persons who have expertise in a content  
39 area or subject matter. Persons who are certified pursuant to this  
40 paragraph shall complete training, if applicable, in structured English  
41 immersion as prescribed by the state board pursuant to section 15-756.09.  
42 Persons who are certified pursuant to this paragraph are exempt from the  
43 subject knowledge proficiency requirements prescribed in section 15-533  
44 and from the proficiency requirements prescribed in section 15-532 on the  
45 Constitutions of the United States and Arizona. Persons who are subject

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

29 (a) Has taught courses relevant to a content area or subject matter  
30 for the last two consecutive years and for a total of at least three years  
31 at one or more regionally or nationally accredited public or private  
32 postsecondary institutions. A person demonstrates compliance with this  
33 requirement by providing the state board with written proof of employment  
34 for specific durations from one or more qualifying postsecondary  
35 institutions.

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

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

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

8           10. Shall allow for a certificate issued to a person pursuant to  
9 subsection B, paragraph 1, 3, 4 or 5 of this section or section 15-203 or  
10 15-782.01, as applicable, to be both issued and renewed for at least  
11 twelve years and may not require more than fifteen hours of continuing  
12 education credits each year in order to renew that certificate pursuant to  
13 this paragraph.

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

25           D. The rules for certification reciprocity shall include a  
26 requirement that the applicant possess a comparable valid certification  
27 from another state and be in good standing with that other state. An  
28 applicant who possesses a valid certification from another state and a  
29 fingerprint clearance card pursuant to section 15-534 and who is in good  
30 standing with that other state shall be issued a comparable standard  
31 certificate or a comparable certificate issued pursuant to section 15-132,  
32 15-203 or 15-782.01, as applicable, without any other requirements from  
33 the state board of education or the department of education. A person who  
34 is issued a certificate pursuant to this subsection is not required to  
35 meet any requirement prescribed in section 15-533.

36           E. Placement decisions of teaching intern certificate holders  
37 issued pursuant to subsection C, paragraph 1 of this section and section  
38 15-552 shall be based on agreements between the teacher preparation  
39 provider, the provider's partner organizations and the local education  
40 agency. The practices of the department of education and the rules and  
41 policies of the state board of education may not restrict placement of  
42 teaching intern certification holders based on local education agency  
43 instructional models and may only consider the academic quality of the  
44 school, the effectiveness of the teaching intern certification holder's



1 on-site mentor and the opportunity for a wide variety of schools and  
2 school models to access teaching intern certification holders.

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

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

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

9 (a) A Native American language certificate.

10 (b) A student teaching intern certificate.

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

12 (d) An athletic coaching certificate.

13 (e) An emergency substitute certificate.

14 Sec. 3. Section 15-701, Arizona Revised Statutes, is amended to  
15 read:

16 15-701. Common school; promotions; requirements; certificate;  
17 supervision of eighth grades by superintendent of  
18 high school district; high school admissions;  
19 academic credit; definition

20 A. The state board of education shall:

21 1. Prescribe a minimum course of study incorporating the academic  
22 standards adopted by the state board of education to be taught in the  
23 common schools.

24 2. Prescribe competency requirements for the promotion of pupils  
25 from the eighth grade and competency requirements for the promotion of  
26 pupils from the third grade incorporating the academic standards in at  
27 least the areas of reading, writing, mathematics, science and social  
28 studies. The competency requirements for the promotion of pupils from the  
29 third grade shall include the following:

30 (a) A requirement that a pupil not be promoted from the third grade  
31 if the pupil obtains a score on the reading portion of the statewide  
32 assessment that does not demonstrate sufficient reading skills as  
33 established by the state board. A pupil may not be retained **PURSUANT TO**  
34 **THIS SUBDIVISION** if data regarding the pupil's performance on the  
35 statewide assessment is not available before the end of the current  
36 academic year **AND MAY NOT BE RETAINED MORE THAN ONCE**. A pupil who is not  
37 retained due to the unavailability of test data must receive  
38 evidence-based intervention and remedial strategies pursuant to  
39 subdivision (c) of this paragraph if the third grade assessment data  
40 subsequently does not demonstrate sufficient reading skills.

41 (b) A mechanism to allow a school district governing board or the  
42 governing body of a charter school to promote from the third grade a pupil  
43 who does not demonstrate sufficient reading skills pursuant to subdivision  
44 (a) of this paragraph if the pupil:

1 (i) Is an English learner or a limited English proficient student  
2 as defined in section 15-751 and has had fewer than ~~two~~ THREE years of  
3 English language instruction.

4 (ii) Is in the process of a special education referral or  
5 evaluation for placement in special education, has been diagnosed as  
6 having a significant reading impairment, including dyslexia, or is a child  
7 with a disability as defined in section 15-761 if the pupil's  
8 individualized education program team and the pupil's parent or guardian  
9 agree that promotion is appropriate based on the pupil's individualized  
10 education program.

11 (iii) Has demonstrated or subsequently demonstrates sufficient  
12 reading skills or adequate progress toward sufficient reading skills of  
13 the third grade reading standards as evidenced through a collection of  
14 reading assessments approved by the state board of education, which  
15 includes an alternative standardized reading assessment approved by the  
16 state board.

17 (iv) Receives intervention and remedial services during the summer  
18 or a subsequent school year pursuant to subdivision (c) of this paragraph  
19 and demonstrates sufficient progress based on guidelines issued pursuant  
20 to subsection B, paragraph 7 of this section.

21 (c) Evidence-based intervention and remedial strategies developed  
22 by the state board of education for pupils who are not promoted from the  
23 third grade. A school district governing board or the governing body of a  
24 charter school shall offer more than one of the intervention and remedial  
25 strategies developed by the state board of education. The parent or  
26 guardian of a pupil who is not promoted from the third grade and the  
27 pupil's teacher and principal may choose the most appropriate intervention  
28 and remedial strategies that will be provided to that pupil. The  
29 intervention and remedial strategies developed by the state board of  
30 education shall include:

31 (i) A requirement that the pupil be assigned for evidence-based  
32 reading instruction by a different teacher who was designated in that  
33 teacher's most recent performance evaluation in one of the top two  
34 performance classifications.

35 (ii) Summer school reading instruction.

36 (iii) In the next academic year, intensive reading instruction that  
37 occurs before, during or after the regular school day, or any combination  
38 of before, during and after the regular school day.

39 (iv) Small group and teacher-led evidence-based reading  
40 instruction, which may include computer-based or online reading  
41 instruction.

42 (d) A requirement that a school district governing board or charter  
43 school governing body that promotes a pupil pursuant to subdivision (b) of  
44 this paragraph provide annual reporting to the department of education on  
45 or before October 1 that includes information on the total number of

1 pupils subject to the retention provisions of subdivision (a) of this  
2 paragraph, the total number of students promoted pursuant to subdivision  
3 (b) of this paragraph, the total number of pupils retained in grade three  
4 and the interventions administered pursuant to subdivision (c) of this  
5 paragraph.

6 3. Provide for universal screening of pupils in preschool programs,  
7 kindergarten programs and grades one through three that is designed to  
8 identify pupils who have reading deficiencies pursuant to section 15-704.  
9 If sufficient monies are appropriated, beginning in the 2022-2023 school  
10 year, the state board of education shall adopt a statewide kindergarten  
11 entry evaluation tool to administer to pupils in kindergarten programs  
12 within forty-five calendar days after the beginning of each school year or  
13 within forty-five calendar days after a pupil enrolls.

14 4. Develop evidence-based intervention and remedial strategies  
15 pursuant to paragraph 2, subdivision (c) of this subsection for pupils in  
16 kindergarten programs and grades one through three who are identified as  
17 having reading deficiencies pursuant to section 15-704.

18 5. Distribute guidelines for the school districts to follow in  
19 prescribing criteria for the promotion of pupils from grade to grade in  
20 the common schools. These guidelines shall include recommended procedures  
21 for ensuring that the cultural background of a pupil is taken into  
22 consideration when criteria for promotion are being applied.

23 B. School districts and charter schools shall provide annual  
24 written notification to parents of pupils in kindergarten programs and  
25 first, second and third grades that a pupil who does not demonstrate  
26 sufficient reading skills pursuant to subsection A of this section will  
27 not be promoted from the third grade. School districts and charter  
28 schools shall identify each pupil who is at risk of reading below grade  
29 level in kindergarten and grades one, two and three, based on local or  
30 statewide assessments, and shall provide to the parent of that pupil a  
31 specific written notification of the reading deficiency within three weeks  
32 after identifying the reading deficiency. The notification shall include  
33 the following information:

34 1. A description of the pupil's specific individual needs.

35 2. A description of the current reading services provided to the  
36 pupil.

37 3. A description of the available supplemental instructional  
38 services and supporting programs that are designed to remediate reading  
39 deficiencies. Each school district or charter school shall offer more than  
40 one evidence-based intervention strategy and more than one remedial  
41 strategy developed by the state board of education for pupils with reading  
42 deficiencies. The notification shall list the intervention and remedial  
43 strategies offered and shall instruct the parent to choose, in  
44 consultation with the pupil's teacher, the most appropriate strategies to  
45 be provided and implemented for that child.

1           4. Parental strategies to assist the pupil to attain reading  
2 proficiency.

3           5. The frequency with which the school district or charter school  
4 will provide timely updates and information to the parent on the pupil's  
5 progress toward reading proficiency.

6           6. A statement that the pupil will not be promoted from the third  
7 grade if the pupil does not demonstrate sufficient reading skills pursuant  
8 to subsection A, paragraph 2, subdivision (a) of this section, unless the  
9 pupil is exempt from mandatory retention in grade three or the pupil  
10 qualifies for an exemption pursuant to subsection A, paragraph 2,  
11 subdivision (b) of this section.

12           7. A description of the school district or charter school policies  
13 on midyear promotion to a higher grade.

14           C. Pursuant to the guidelines that the state board of education  
15 distributes, the governing board of a school district shall:

16           1. Prescribe curricula that include the academic standards in the  
17 required subject areas pursuant to subsection A, paragraph 1 of this  
18 section.

19           2. Prescribe criteria for the promotion of pupils from grade to  
20 grade in the common schools in the school district. These criteria shall  
21 include accomplishment of the academic standards in at least reading,  
22 writing, mathematics, science and social studies, as determined by  
23 district assessment. Other criteria may include additional measures of  
24 academic achievement and attendance.

25           D. The governing board may prescribe the course of study and  
26 competency requirements for promotion that are in addition to or higher  
27 than the course of study and competency requirements the state board  
28 prescribes.

29           E. A teacher shall determine whether to promote or retain a pupil  
30 in a grade in a common school on the basis of the prescribed  
31 criteria. The governing board, if it reviews the decision of a teacher to  
32 promote or retain a pupil in a grade in a common school as provided in  
33 section 15-342, paragraph 11, shall base its decision on the prescribed  
34 criteria.

35           F. A governing board may provide and issue certificates of  
36 promotion to pupils whom it promotes from the eighth grade of a common  
37 school. Such certificates shall be signed by the principal or  
38 superintendent of schools. If there is no principal or superintendent of  
39 schools, the certificates shall be signed by the teacher of an eighth  
40 grade. The certificates shall admit the holders to any high school in the  
41 state.

42           G. Within any high school district or union high school district,  
43 the superintendent of the high school district shall supervise the work of  
44 the eighth grade of all schools employing no superintendent or principal.

1           H. A school district shall not deny a pupil who is between the ages  
2 of sixteen and twenty-one years admission to a high school because the  
3 pupil does not hold an eighth grade certificate. Governing boards shall  
4 establish procedures for determining the admissibility of pupils who are  
5 under sixteen years of age and who do not hold eighth grade certificates.

6           I. The state board of education shall adopt rules to allow common  
7 school pupils who can demonstrate competency in a particular academic  
8 course or subject to obtain academic credit for the course or subject  
9 without enrolling in the course or subject.

10          J. A school district may conduct a ceremony to honor pupils who  
11 have been promoted from the eighth grade.

12          K. For the purposes of this section, "dyslexia" means a condition  
13 that:

14           1. Is neurological in origin.

15           2. Is characterized by difficulties with accurate or fluent word  
16 recognition and by poor spelling and decoding abilities, including  
17 difficulties that typically result from a deficit in the phonological  
18 component of language that is often unexpected in relation to other  
19 cognitive abilities and to the provision of effective classroom  
20 instruction.

21           3. May include secondary consequences such as problems with reading  
22 comprehension and reduced reading experience that may impede the growth of  
23 vocabulary and background knowledge.

APPROVED BY THE GOVERNOR APRIL 13, 2022.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 13, 2022.