

House Engrossed

individualized education programs; dyslexia diagnosis

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

CHAPTER 196
HOUSE BILL 2170

AN ACT

AMENDING SECTION 15-763, ARIZONA REVISED STATUTES; RELATING TO SPECIAL
EDUCATION FOR EXCEPTIONAL CHILDREN.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-763, Arizona Revised Statutes, is amended to
3 read:

4 15-763. Plan for providing special education; definition

5 A. All school districts and charter schools shall develop policies
6 and procedures for providing special education to all children with
7 disabilities within the district or charter school. All children with
8 disabilities shall receive special education programming commensurate with
9 their abilities and needs. Each child shall be ensured access to the
10 general curriculum and an opportunity to meet the state's academic
11 standards. If appropriate to meet the needs of a pupil and to ensure
12 access to the general education curriculum, specially designed instruction
13 that is in accordance with a pupil's individualized education program may
14 be delivered in a variety of education settings by a general education
15 teacher or other certificated personnel provided that special education
16 personnel certificated pursuant to section 15-203 are involved in the
17 planning, progress monitoring and, when appropriate, ~~involved in the~~
18 delivery of the specially designed instruction. IF, PURSUANT TO SECTION
19 15-761, PARAGRAPH 2, SUBDIVISION (a), THE PUPIL IS FOUND TO NEED SPECIAL
20 EDUCATION AND RELATED SERVICES BECAUSE OF A SPECIFIC LEARNING DISABILITY,
21 THE PUPIL'S INDIVIDUALIZED EDUCATION PROGRAM SHALL INDICATE WHETHER THE
22 PUPIL HAS BEEN DIAGNOSED WITH DYSLEXIA. Pupils who receive special
23 education shall not be required to achieve passing scores on the statewide
24 assessment or the test that is identical to the civics portion of the
25 naturalization test under section 15-701.01 in order to graduate from high
26 school unless the pupil is learning at a level appropriate for the pupil's
27 grade level in a specific academic area and unless a passing score on the
28 statewide assessment or the test that is identical to the civics portion
29 of the naturalization test under section 15-701.01 is specifically
30 required in a specific academic area by the pupil's individualized
31 education program as mutually agreed on by the pupil's parents and the
32 pupil's individualized education program team or the pupil, if the pupil
33 is at least eighteen years of age. The pupil's individualized education
34 program shall include any necessary testing accommodations. Special
35 education services shall be provided at no cost to the parents of children
36 with disabilities.

37 B. The state board of education shall adopt guidelines to define a
38 parent's or guardian's role or a pupil's role, if the pupil is at least
39 eighteen years of age, in the development of a pupil's section 504 plan as
40 defined in section 15-731, including testing and testing accommodations.

41 C. For the purposes of determining the services to pupils served by
42 private schools under existing federal law, the state shall consider the
43 term to include homeschooled pupils.

44 D. If federal monies are provided to a school district or a charter
45 school for special education services to homeschooled or private schooled

1 pupils, the school district or charter school shall provide the services
2 to both the homeschooled pupils and the private schooled pupils in the
3 same manner.

4 E. For the purposes of this section, "special education" has the
5 same meaning prescribed in section 15-1201.

APPROVED BY THE GOVERNOR MAY 13, 2025.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 13, 2025.