

REFERENCE TITLE: K-3 reading; promotion; retention; penalties

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HB 2480

Introduced by
Representative Gress

AN ACT

AMENDING TITLE 15, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 15-211.01; AMENDING SECTION 15-701, ARIZONA REVISED
STATUTES; RELATING TO SCHOOL CURRICULA.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 15, chapter 2, article 1, Arizona Revised
3 Statutes, is amended by adding section 15-211.01, to read:

4 15-211.01. K-3 reading program; withholding of state monies;
5 remediation plan

6 A. THE STATE BOARD OF EDUCATION SHALL DIRECT THE SUPERINTENDENT OF
7 PUBLIC INSTRUCTION TO WITHHOLD TEN PERCENT OF THE STATE MONIES THAT A
8 SCHOOL DISTRICT OR CHARTER SCHOOL WOULD OTHERWISE BE ENTITLED TO RECEIVE
9 EACH MONTH IF THE PERCENTAGE OF THIRD GRADE STUDENTS WHO ARE ENROLLED IN
10 THE SCHOOL DISTRICT OR CHARTER SCHOOL AND WHO SCORE ABOVE THE TWO LOWEST
11 ACHIEVEMENT LEVELS ON THE READING PORTION OF THE STATEWIDE ASSESSMENT IS
12 LESS THAN:

- 13 1. FIFTY PERCENT IN THE 2027-2028 SCHOOL YEAR.
- 14 2. SIXTY PERCENT IN THE 2028-2029 SCHOOL YEAR.
- 15 3. SEVENTY-FIVE PERCENT IN THE 2029-2030 SCHOOL YEAR.

16 B. A SCHOOL DISTRICT OR CHARTER SCHOOL THAT IS SUBJECT TO THE
17 WITHHOLDING OF STATE MONIES PURSUANT TO SUBSECTION A OF THIS SECTION MAY
18 SUBMIT TO THE STATE BOARD OF EDUCATION A REMEDIATION PLAN FOR IMPROVING
19 THE READING PROFICIENCY OF THE SCHOOL DISTRICT'S OR CHARTER SCHOOL'S
20 STUDENTS IN KINDERGARTEN PROGRAMS AND GRADES ONE, TWO AND THREE. IF THE
21 STATE BOARD APPROVES A SCHOOL DISTRICT'S OR CHARTER SCHOOL'S REMEDIATION
22 PLAN, THE DEPARTMENT OF EDUCATION SHALL RETURN MONIES THAT WERE WITHHELD
23 PURSUANT TO SUBSECTION A OF THIS SECTION TO THE SCHOOL DISTRICT OR CHARTER
24 SCHOOL. THE SCHOOL DISTRICT OR CHARTER SCHOOL MAY USE MONIES RETURNED
25 PURSUANT TO THIS SUBSECTION ONLY FOR INSTRUCTION PURPOSES BASED ON THE
26 REMEDIATION PLAN OR THE PLAN SUBMITTED PURSUANT TO SECTION 15-211,
27 SUBSECTION D.

28 Sec. 2. Section 15-701, Arizona Revised Statutes, is amended to
29 read:

30 15-701. Common schools; promotions; requirements;
31 certificate; supervision of eighth grades by
32 superintendent of high school district; high school
33 admissions; academic credit; definition

34 A. The state board of education shall:

35 1. Prescribe a minimum course of study incorporating the academic
36 standards adopted by the state board of education to be taught in the
37 common schools.

38 2. Prescribe competency requirements for the promotion of pupils
39 from the eighth grade and competency requirements for the promotion of
40 pupils from the third grade that incorporate the academic standards in at
41 least the areas of reading, writing, mathematics, science and social
42 studies. The competency requirements for the promotion of pupils from the
43 third grade shall include the following:

1 (a) A requirement that a pupil not be promoted from the third grade
2 if the pupil obtains a score on the reading portion of the statewide
3 assessment that ~~does not demonstrate sufficient reading skills as~~
4 ~~established by the state board~~ IS IN ONE OF THE TWO LOWEST ACHIEVEMENT
5 LEVELS. A pupil may not be retained pursuant to this subdivision if data
6 regarding the pupil's performance on the statewide assessment is not
7 available before the end of the current academic year ~~and may not be~~
8 ~~retained more than once~~. A pupil who is not retained due to the
9 unavailability of test data must receive evidence-based intervention and
10 remedial strategies pursuant to subdivision (c) of this paragraph if the
11 ~~third grade assessment data subsequently does not demonstrate sufficient~~
12 ~~reading skills~~ PUPIL OBTAINS A SCORE ON THE READING PORTION OF THE
13 STATEWIDE ASSESSMENT THAT IS IN ONE OF THE TWO LOWEST ACHIEVEMENT LEVELS.

14 (b) A mechanism to allow a school district governing board or
15 charter school governing body to promote from the third grade a pupil who
16 ~~does not demonstrate sufficient reading skills~~ OBTAINS A SCORE ON THE
17 READING PORTION OF THE STATEWIDE ASSESSMENT THAT IS IN ONE OF THE TWO
18 LOWEST ACHIEVEMENT LEVELS pursuant to subdivision (a) of this paragraph if
19 THE PUPIL'S PARENT DOES NOT ELECT TO HAVE THE PUPIL RETAINED AND THE
20 TEACHER WHO PROVIDES LITERACY INSTRUCTION TO THE PUPIL NOTIFIES THE SCHOOL
21 PRINCIPAL OR HIGHEST RANKING SCHOOL OFFICIAL IN WRITING THAT THE PUPIL
22 SHOULD BE PROMOTED FROM THE THIRD GRADE BECAUSE AN EXCEPTION TO THE
23 RETENTION REQUIREMENT APPLIES AND THE PUPIL'S PROMOTION IS APPROVED BY A
24 MAJORITY VOTE OF THE SCHOOL DISTRICT GOVERNING BOARD OR CHARTER SCHOOL
25 GOVERNING BODY NOT MORE THAN TEN SCHOOL DAYS AFTER THE DATE ON WHICH THE
26 TEACHER NOTIFIES THE SCHOOL PRINCIPAL OR HIGHEST RANKING SCHOOL OFFICIAL
27 PURSUANT TO THIS SUBDIVISION. FOR THE PURPOSES OF THIS SUBDIVISION, AN
28 EXCEPTION TO THE RETENTION REQUIREMENT MAY APPLY ONLY IF the pupil:

29 (i) Is an English learner or a limited English proficient student
30 as defined in section 15-751 and has had fewer than ~~three~~ TWO years of
31 English language instruction.

32 (ii) Is in the process of a special education referral or
33 evaluation for placement in special education, has been diagnosed as
34 having a significant reading impairment, including dyslexia, or is a child
35 with a disability as defined in section 15-761 if the pupil's
36 individualized education program team and the pupil's parent or guardian
37 agree that promotion is appropriate based on the pupil's individualized
38 education program.

39 (iii) Has demonstrated or subsequently demonstrates sufficient
40 reading skills or adequate progress toward sufficient reading skills of
41 the third grade reading standards as evidenced through a collection of
42 reading assessments approved by the state board of education, which
43 includes an alternative standardized reading assessment approved by the
44 state board.

1 (iv) ~~Receives~~ RECEIVED intervention and remedial services ~~during~~
2 ~~the summer or a subsequent~~ FOR AT LEAST TWO school year YEARS pursuant to
3 subdivision (c) of this paragraph and ~~demonstrates sufficient progress~~
4 ~~based on guidelines issued pursuant to subsection B, paragraph 7 of this~~
5 ~~section~~ WAS RETAINED IN A KINDERGARTEN PROGRAM OR ANY OF GRADES ONE
6 THROUGH THREE FOR A TOTAL OF AT LEAST TWO YEARS.

7 (c) Evidence-based intervention and remedial strategies developed
8 by the state board of education for pupils who are not promoted from the
9 third grade. A school district governing board or charter school
10 governing body shall offer more than one of the intervention and remedial
11 strategies developed by the state board of education. The parent or
12 guardian of a pupil who is not promoted from the third grade and the
13 pupil's teacher and principal may choose the most appropriate intervention
14 and remedial strategies that will be provided to that pupil. The
15 intervention and remedial strategies developed by the state board of
16 education shall include:

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

21 (ii) Summer school reading instruction.

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

25 (iv) Small group and teacher-led evidence-based reading
26 instruction, which may include computer-based or online reading
27 instruction.

28 (d) A requirement that a school district governing board or charter
29 school governing body that promotes a pupil pursuant to subdivision (b) of
30 this paragraph provide annual reporting to the department of education on
31 or before October 1 that includes information on the total number of
32 pupils subject to the retention provisions of subdivision (a) of this
33 paragraph, the total number of students promoted pursuant to subdivision
34 (b) of this paragraph, the total number of pupils retained in grade three
35 and the interventions administered pursuant to subdivision (c) of this
36 paragraph.

37 3. Provide for universal screening of pupils in preschool programs,
38 kindergarten programs and grades one through three that is designed to
39 identify pupils who have reading deficiencies pursuant to section 15-704.

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

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

6 B. School districts and charter schools shall provide annual
7 written notification to parents of pupils in kindergarten programs and
8 first, second and third grades that a pupil who ~~does not demonstrate~~
9 ~~sufficient reading skills pursuant to subsection A of this section~~ OBTAINS
10 A SCORE ON THE READING PORTION OF THE STATEWIDE ASSESSMENT THAT IS IN ONE
11 OF THE TWO LOWEST ACHIEVEMENT LEVELS will not be promoted from the third
12 grade. School districts and charter schools shall identify each pupil who
13 is at risk of reading below grade level in kindergarten and grades one,
14 two and three and shall provide to the parent of that pupil a specific
15 written notification of the reading deficiency within three weeks after
16 identifying the reading deficiency. The notification shall include the
17 following information:

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

19 2. A description of the current reading services provided to the
20 pupil.

21 3. A description of the available supplemental instructional
22 services and supporting programs that are designed to remediate reading
23 deficiencies. Each school district or charter school shall offer more
24 than one evidence-based intervention strategy and more than one remedial
25 strategy developed by the state board of education for pupils with reading
26 deficiencies. A SCHOOL DISTRICT OR CHARTER SCHOOL MAY OFFER AN INTENSIVE
27 ACCELERATION CLASS THAT PROVIDES READING INSTRUCTION AND INTERVENTION TO
28 ANY PUPIL WHO IS NOT PROMOTED FROM THE THIRD GRADE UNTIL THE PUPIL
29 DEMONSTRATES SUFFICIENT READING SKILLS ON AN ALTERNATIVE STANDARDIZED
30 READING ASSESSMENT APPROVED BY THE STATE BOARD. The notification PURSUANT
31 TO THIS SUBSECTION shall list the intervention and remedial strategies
32 offered and shall instruct the parent to choose, in consultation with the
33 pupil's teacher, the most appropriate strategies to be provided and
34 implemented for that child.

35 4. Parental strategies to assist the pupil to attain reading
36 proficiency.

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

40 6. A statement that the pupil will not be promoted from the third
41 grade if the pupil ~~does not demonstrate sufficient reading skills pursuant~~
42 ~~to subsection A, paragraph 2, subdivision (a) of this section~~ OBTAINS A
43 SCORE ON THE READING PORTION OF THE STATEWIDE ASSESSMENT THAT IS IN ONE OF
44 THE TWO LOWEST ACHIEVEMENT LEVELS, unless the pupil is exempt from

1 mandatory retention in grade three or the pupil qualifies for an exemption
2 pursuant to subsection A, paragraph 2, subdivision (b) of this section.

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

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

7 1. Prescribe curricula that include the academic standards in the
8 required subject areas pursuant to subsection A, paragraph 1 of this
9 section.

10 2. Prescribe criteria for the promotion of pupils from grade to
11 grade in the common schools in the school district. These criteria shall
12 include accomplishment of the academic standards in at least reading,
13 writing, mathematics, science and social studies, as determined by
14 district assessment. Other criteria may include additional measures of
15 academic achievement and attendance.

16 D. The governing board may prescribe the course of study and
17 competency requirements for promotion that are in addition to or higher
18 than the course of study and competency requirements the state board
19 prescribes.

20 E. A teacher shall determine whether to promote or retain a pupil
21 in a grade in a common school on the basis of the prescribed criteria.
22 The governing board, if it reviews the decision of a teacher to promote or
23 retain a pupil in a grade in a common school as provided in section
24 15-342, paragraph 11, shall base its decision on the prescribed criteria.

25 F. A governing board may provide and issue certificates of
26 promotion to pupils whom it promotes from the eighth grade of a common
27 school. Such certificates shall be signed by the principal or
28 superintendent of schools. If there is no principal or superintendent of
29 schools, the certificates shall be signed by an eighth grade teacher. The
30 certificates shall admit the holders to any high school in this state.

31 G. Within any high school district or union high school district,
32 the superintendent of the high school district shall supervise the work of
33 the eighth grade of all schools that do not employ a superintendent or
34 principal.

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

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

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

- 1 K. For the purposes of this section, "dyslexia" means a condition
2 that:
- 3 1. Is neurological in origin.
 - 4 2. Is characterized by difficulties with accurate or fluent word
5 recognition and by poor spelling and decoding abilities, including
6 difficulties that typically result from a deficit in the phonological
7 component of language that is often unexpected in relation to other
8 cognitive abilities and to the provision of effective classroom
9 instruction.
 - 10 3. May include secondary consequences such as problems with reading
11 comprehension and reduced reading experience that may impede the growth of
12 vocabulary and background knowledge.