CHAPTER 67

SENATE BILL 1131

AN ACT

AMENDING SECTIONS 15-211, 15-701, 15-704, 15-741, 15-742 AND 15-743, ARIZONA REVISED STATUTES; RELATING TO SCHOOL CURRICULA.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 15-211, Arizona Revised Statutes, is amended to read:

15-211. K-3 reading program; receipt and use of monies; additional funding; report; program termination

A. The department of education shall administer a K-3 reading program to improve the reading proficiency of pupils in kindergarten programs and grades one, two and three in the public schools of this state.

B. Each school district and charter school shall submit to the department of education a plan for improving the reading proficiency of its pupils in kindergarten programs and grades one, two and three. The plan shall include baseline data on the reading proficiency of its pupils in kindergarten programs and grades one, two and three and a budget for spending monies from both the K-3 support level weight and the K-3 reading support level weight established in section 15-943. Each school district and charter school shall annually submit to the department of education on or before October 1 an updated K-3 reading program plan that includes data on program expenditures and results, except that beginning in fiscal year 2016-2017, a school district or charter school that is assigned a letter grade of A or B pursuant to section 15-241 shall submit this plan only in odd-numbered years.

C. School districts and charter schools shall use monies generated by the K-3 reading support level weight established in section 15-943 only on INSTRUCTIONAL PURPOSES INTENDED TO IMPROVE reading programs PROFICIENCY for pupils in kindergarten programs and grades one, two and three with particular emphasis on pupils in kindergarten programs and grades one and two.

D. Each school district and charter school that is assigned a letter grade of C, D or F pursuant to section 15-241 or that has more than ten percent of its pupils in grade three WHO DO NOT DEMONSTRATE SUFFICIENT reading far below the third grade level SKILLS AS ESTABLISHED BY THE STATE BOARD OF EDUCATION according to the reading portion of the Arizona instrument to measure standards test, or a successor test, STATEWIDE ASSESSMENT shall receive monies generated by the K-3 reading support level weight established in section 15-943 only after the K-3 reading program plan of the school district or charter school has been SUBMITTED, reviewed and recommended for approval by the department of education and approved by the state board of education. THE STATE BOARD OF EDUCATION MUST GIVE APPROVAL TO A SCHOOL DISTRICT OR CHARTER SCHOOL BEFORE ANY PORTION OF THE MONIES GENERATED BY THE K-3 READING SUPPORT LEVEL WEIGHT MAY BE DISTRIBUTED TO THE SCHOOL DISTRICT OR CHARTER SCHOOL PURSUANT TO THIS SUBSECTION.

E. Pupils in a charter school that is in its first year of operation and that is sponsored by the state board of education, the state
board for charter schools, a university under the jurisdiction of the 
Arizona board of regents, a community college district or a group of 
community college districts are eligible for the K-3 reading support level
weight.

F. The department of education shall solicit gifts, grants and 
donations from any lawful public or private source in order to provide 
additional funding for the K-3 reading program.

G. The state board of education may establish rules and policies 
for the K-3 reading program, including:
1. The proper use of monies in accordance with subsection C of this 
section.
2. The distribution of monies by the department of education in 
accordance with subsection B of this section.
3. The compliance of reading proficiency plans submitted pursuant 
to subsection B of this section with section 15-704.

H. PURSUANT TO SUBSECTION G OF THIS SECTION, THE DEPARTMENT OF 
EDUCATION SHALL DEVELOP PROGRAM IMPLEMENTATION GUIDANCE FOR SCHOOL 
DISTRICTS AND CHARTER SCHOOLS TO ASSIST SCHOOLS IN ADMINISTERING AN 
effective K-3 READING PROGRAM PLAN. THIS GUIDANCE SHALL INCLUDE 
IDENTIFYING AND RECOMMENDING APPROPRIATE PROGRAM EXPENDITURES, PROVIDING 
TECHNICAL OVERSIGHT AND ASSISTANCE FOR ANNUALLY UPDATING READING PROGRAM 
PLANS, SELECTING AND ADOPTING EVIDENCE-BASED READING CURRICULA AND 
PROVIDING AND PROMOTING TEACHER PROFESSIONAL DEVELOPMENT THAT IS BASED ON 
EVIDENCE-BASED READING RESEARCH. THE DEPARTMENT SHALL PRIORITIZE SUPPORTS 
AND INTERVENTIONS, INCLUDING ENROLLMENT IN READING TRAININGS AND 
PROFESSIONAL DEVELOPMENT, FOR SCHOOL DISTRICTS AND CHARTER SCHOOLS THAT 
HAVE THE HIGHEST PERCENTAGE OF PUPILS WHO DO NOT DEMONSTRATE SUFFICIENT 
READING SKILLS AS ESTABLISHED BY THE STATE BOARD OF EDUCATION. THE 
DEPARTMENT SHALL DEPOSIT ANY MONIES RECEIVED FOR OFFERING READING 
TRAININGS OR PROFESSIONAL DEVELOPMENT INTO THE DEPARTMENT OF EDUCATION 
PROFESSIONAL DEVELOPMENT REVOLVING FUND ESTABLISHED BY SECTION 15-237.01.

I. ON OR BEFORE DECEMBER 15, THE DEPARTMENT OF EDUCATION SHALL 
SUBMIT AN ANNUAL REPORT ON THE K-3 READING PROGRAM TO THE GOVERNOR, THE 
PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES 
AND SHALL PROVIDE A COPY OF THIS ANNUAL REPORT TO THE SECRETARY OF STATE, 
THE STATE BOARD OF EDUCATION AND THE CHAIRPERSONS OF THE EDUCATION 
COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES. THE REPORT 
SHALL CONTAIN ALL OF THE FOLLOWING:
1. INFORMATION ON THE IMPROVEMENT OF K-3 READING IN THIS STATE, 
INCLUDING ACHIEVEMENT DATA STATEWIDE AND ACHIEVEMENT DATA AT THE SCHOOL 
DISTRICT AND CHARTER SCHOOL LEVEL. THE INFORMATION PURSUANT TO THIS 
PARAGRAPH SHALL INCLUDE DATA AND INFORMATION ON CONTINUED PROFICIENCY ON 
THE STATEWIDE ASSESSMENT IN SUBSEQUENT GRADES.
2. A DESCRIPTION OF THE ACTIVITIES OF THE DEPARTMENT TO SUPPORT 
SCHOOL DISTRICTS AND CHARTER SCHOOLS IN IMPROVING K-3 READING.
3. SPECIFIC FINDINGS ON METHODS BY WHICH THE DEPARTMENT MAY CONTINUE TO IMPROVE SUPPORT AND ASSISTANCE FOR SCHOOL DISTRICTS AND CHARTER SCHOOLS IN THE ADMINISTRATION OF K-3 READING PROGRAM PLANS.

4. INFORMATION AND DATA ON K-3 READING PROGRAM PLANS THROUGHOUT THIS STATE AND THE EXPENDITURE OF K-3 READING MONIES BY SCHOOL DISTRICTS AND CHARTER SCHOOLS.

5. DATA REPORTED PURSUANT TO SECTION 15-701, SUBSECTION A, PARAGRAPH 2, SUBDIVISION (d).

H. J. The program established by this section ends on July 1, 2022 pursuant to section 41-3102.

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

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

A. The state board of education shall:

1. Prescribe a minimum course of study, as defined in section 15-101 and incorporating the academic standards adopted by the state board of education, to be taught in the common schools.

2. Prescribe competency requirements for the promotion of pupils from the eighth grade and competency requirements for the promotion of pupils from the third grade incorporating the academic standards in at least the areas of reading, writing, mathematics, science and social studies. Notwithstanding section 15-521, paragraph 4, the competency requirements for the promotion of pupils from the third grade shall include the following:

   (a) A requirement that a pupil not be promoted from the third grade if the pupil obtains a score on the reading portion of the Arizona instrument to measure standards test or a successor test, STATEWIDE ASSESSMENT that demonstrates that the pupil's reading falls far below the third grade level or the equivalent DOES NOT DEMONSTRATE SUFFICIENT READING SKILLS as established by the board. A pupil may not be retained if data regarding the pupil's performance on the Arizona instrument to measure standards test or a successor test, STATEWIDE ASSESSMENT is not available before the start END of the following CURRENT academic year. A pupil who is not retained due to the unavailability of test data must receive EVIDENCE-BASED intervention and remedial strategies pursuant to subdivision (c) of this paragraph if the third grade assessment data subsequently demonstrates that the pupil's reading ability falls far below the third grade level or the equivalent DOES NOT DEMONSTRATE SUFFICIENT READING SKILLS.

   (b) A mechanism to allow a school district governing board or the governing body of a charter school to promote a pupil from the third grade who obtains a score on the reading portion of the Arizona instrument to study.
measure standards test, or a successor test, that demonstrates that the pupil's reading falls far below the third grade level for any of the following: A PUPIL WHO DOES NOT DEMONSTRATE SUFFICIENT READING SKILLS PURSUANT TO SUBDIVISION (a) OF THIS PARAGRAPH IF THE PUPIL:

(i) A good cause exemption if the pupil is an English learner or a limited English proficient student as defined in section 15-751 and has had fewer than two years of English language instruction.

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

(iii) A pupil who demonstrates or subsequently demonstrates sufficient reading skills or adequate progress towards sufficient reading skills of the third grade reading standards as evidenced through a collection of reading assessments approved by the state board of education, which includes an alternative standardized reading assessment approved by the state board.

(iv) A pupil who receives intervention and remedial services during the summer or subsequent school year pursuant to subdivision (c) of this paragraph and demonstrates sufficient progress may be promoted from the third grade based on guidelines issued pursuant to subsection B, paragraph 5a of this section.

(c) EVIDENCE-BASED intervention and remedial strategies developed by the state board of education for pupils who are not promoted from the third grade. A school district governing board or the governing body of a charter school shall offer at least MORE THAN one of the intervention and remedial strategies developed by the state board of education. The parent or guardian of a pupil who is not promoted from the third grade and the pupil's teacher and principal may choose the most appropriate intervention and remedial strategies that will be provided to that pupil. The intervention and remedial strategies developed by the state board of education shall include:

(i) A requirement that the pupil be assigned to a different teacher for EVIDENCE-BASED reading instruction BY A DIFFERENT TEACHER WHO WAS DESIGNATED IN THAT TEACHER'S MOST RECENT PERFORMANCE EVALUATION IN ONE OF THE TOP TWO PERFORMANCE CLASSIFICATIONS PURSUANT TO SECTION 15-203, SUBSECTION A, PARAGRAPH 38.

(ii) Summer school reading instruction.

(iii) In the next academic year, intensive reading instruction that occurs before, during or after the regular school day, or any combination of before, during and after the regular school day.
(iv) SMALL GROUP AND TEACHER-LED EVIDENCE-BASED READING INSTRUCTION, WHICH MAY INCLUDE COMPUTER-BASED OR online reading instruction.

(d) A REQUIREMENT THAT A SCHOOL DISTRICT GOVERNING BOARD OR CHARTER SCHOOL GOVERNING BODY THAT PROMOTES A PUPIL PURSUANT TO SUBDIVISION (b) OF THIS PARAGRAPH PROVIDE ANNUAL REPORTING TO THE DEPARTMENT OF EDUCATION ON OR BEFORE OCTOBER 1 THAT INCLUDES INFORMATION ON THE TOTAL NUMBER OF PUPILS SUBJECT TO THE RETENTION PROVISIONS OF SUBDIVISION (a) OF THIS PARAGRAPH, THE TOTAL NUMBER OF STUDENTS PROMOTED PURSUANT TO SUBDIVISION (b) OF THIS PARAGRAPH, THE TOTAL NUMBER OF PUPILS RETAINED IN GRADE THREE AND THE INTERVENTIONS ADMINISTERED PURSUANT TO SUBDIVISION (c) OF THIS PARAGRAPH.

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

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

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

B. School districts and charter schools shall provide annual written notification to parents of pupils in kindergarten programs and first, second and third grades that a pupil who obtains a score on the reading portion of the Arizona instrument to measure standards test, or a successor test, that demonstrates the pupil is reading far below the third grade level who does not demonstrate sufficient reading skills pursuant to subsection A of this section will not be promoted from the third grade. If the school has determined that the pupil is substantially deficient in reading before the end of grade three, the school district or charter school DISTRICTS AND CHARTER SCHOOLS SHALL IDENTIFY EACH PUPIL WHO IS AT RISK OF READING BELOW GRADE LEVEL IN KINDERGARTEN AND GRADES ONE, TWO AND THREE, BASED ON LOCAL OR STATEWIDE ASSESSMENTS, AND shall provide to the parent of that pupil a separate SPECIFIC written notification of the reading deficiency that includes the following information:

1. A DESCRIPTION OF THE PUPIL'S SPECIFIC INDIVIDUAL NEEDS.

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

3. A description of the available supplemental instructional services and supporting programs that are designed to remediate reading deficiencies. Each school district or charter school shall offer at least MORE THAN one EVIDENCE-BASED intervention strategy and at least MORE THAN
one remedial strategy DEVELOPED BY THE STATE BOARD OF EDUCATION for pupils with reading deficiencies. The notification shall list the intervention and remedial strategies offered and shall instruct the parent or guardian to choose, in consultation with the pupil's teacher, the strategy MOST APPROPRIATE STRATEGIES that will be PROVIDED AND implemented for that child.

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

5. A statement that the pupil will not be promoted from the third grade if the pupil obtains a score on the reading portion of the Arizona instrument to measure standards test, or a successor test, that demonstrates the pupil is reading far below the third grade level DOES NOT DEMONSTRATE SUFFICIENT READING SKILLS PURSUANT TO SUBSECTION A, PARAGRAPH 2, SUBDIVISION (a) OF THIS SECTION, unless the pupil is exempt from mandatory retention in grade three or the pupil qualifies for an exemption pursuant to subsection A, PARAGRAPH 2, SUBDIVISION (b) of this section.

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

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

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

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

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

E. A teacher shall determine whether to promote or retain a pupil in grade in a common school as provided in section 15-521, paragraph 4 on the basis of the prescribed criteria. The governing board, if it reviews the decision of a teacher to promote or retain a pupil in grade in a common school as provided in section 15-342, paragraph 11, shall base its decision on the prescribed criteria.

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

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

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

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

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

K. For the purposes of this section, “dyslexia” means a brain-based learning difference that impairs a person's ability to read and spell, that is independent of intelligence and that typically causes a person to read at levels lower than expected.

Sec. 3. Section 15-704, Arizona Revised Statutes, is amended to read:

15-704. Reading proficiency; definitions

A. Each school district or charter school that provides instruction in kindergarten programs and grades one through three shall select and administer screening, ongoing diagnostic and classroom based instructional reading assessments, including a motivational assessment, as defined by the state board of education, to monitor student progress. Each school shall use the diagnostic information to plan appropriate and effective intervention.

B. Each school district or charter school that provides instruction in kindergarten programs and grades one through three shall conduct a curriculum evaluation and adopt a scientifically based AN EVIDENCE-BASED reading curriculum that includes the essential components of reading instruction. All school districts and charter schools that offer instruction in kindergarten programs and grades one through three shall provide ongoing teacher training based on scientifically based EVIDENCE-BASED reading research.

C. Each school district or charter school that provides instruction in kindergarten programs and grades one through three shall devote reasonable amounts of time to explicit instruction and independent reading in grades one through three.

D. A pupil in grade three who does not meet or exceed DEMONSTRATE PROFICIENCY ON the reading standards measured by the Arizona instrument to measure standards test STATEWIDE ASSESSMENT administered pursuant to
section 15-741 shall be provided **CORE READING INSTRUCTION AND intensive, EVIDENCE-BASED** reading instruction as defined by the state board of education until the pupil meets these standards.

E. The governing board of each school district and the governing body of each charter school shall determine the percentage of pupils at each school in grade three who do not **meet DEMONSTRATE PROFICIENCY ON the reading standards prescribed by the state board of education and measured by the Arizona instrument to measure standards test STATEWIDE ASSESSMENT administered pursuant to section 15-741.** If more than twenty percent of students in grade three at either the individual school level or at the school district level do not **meet DEMONSTRATE PROFICIENCY ON the standards,** the governing board or governing body shall conduct a review of its reading program that includes curriculum and professional development in light of current, **scientifically based EVIDENCE-BASED** reading research.

F. Based on the review required in subsection E of this section, the governing board or governing body and the school principal of each school that does not **meet DEMONSTRATE PROFICIENCY ON the reading standards,** in conjunction with school council members, if applicable, shall develop methods of best practices for teaching reading based on essential components of reading instruction and supported by **scientifically based EVIDENCE-BASED** reading research. These methods shall be adopted at a public meeting and shall be implemented the following academic year.

G. Subsections E and F of this section shall be coordinated with efforts to develop and implement an improvement plan if required pursuant to section 15-241.02.

H. For the purposes of this section:

1. "**Essential components of reading instruction**" means explicit and systematic instruction in the following:
   (a) Phonemic awareness.
   (b) Phonics.
   (c) Vocabulary development.
   (d) Reading fluency.
   (e) Reading comprehension.

2. "**EVIDENCE-BASED READING RESEARCH**" MEANS RESEARCH THAT \( a \) **STATISTICALLY SIGNIFICANT EFFECT ON IMPROVING STUDENT OUTCOMES OR OTHER RELEVANT OUTCOMES BASED ON EITHER:**
   (i) **STRONG EVIDENCE FROM AT LEAST ONE WELL-DESIGNED AND WELL-IMPLEMENTED EXPERIMENTAL STUDY.**
   (ii) **MODERATE EVIDENCE FROM AT LEAST ONE WELL-DESIGNED AND WELL-IMPLEMENTED QUASI-EXPERIMENTAL STUDY.**
   (iii) **PROMISING EVIDENCE FROM AT LEAST ONE WELL-DESIGNED AND WELL-IMPLEMENTED CORRELATIONAL STUDY WITH STATISTICAL CONTROLS FOR SELECTION BIAS.**
(b) A RATIONALE BASED ON HIGH-QUALITY RESEARCH FINDINGS OR POSITIVE EVALUATION THAT AN ACTIVITY, STRATEGY OR INTERVENTION IS LIKELY TO IMPROVE STUDENT OUTCOMES OR OTHER RELEVANT OUTCOMES AND THAT INCLUDES ONGOING EFFORTS TO EXAMINE THE EFFECTS OF THESE ACTIVITIES, STRATEGIES OR INTERVENTIONS.

2. 3. “Reading” means a complex system of deriving meaning from print that requires all of the following:
   (a) The skills and knowledge to understand how phonemes or speech sounds are connected to print.
   (b) The ability to decode unfamiliar words.
   (c) The ability to read fluently.
   (d) Sufficient background information and vocabulary to foster reading comprehension.
   (e) The development of appropriate active strategies to construct meaning from print.
   (f) The development and maintenance of a motivation to read.

3. “Scientifically based reading research” means research that meets all of the following:
   (a) Applies rigorous, systematic and objective procedures to obtain valid knowledge relevant to reading development, reading instruction and reading difficulties.
   (b) Employs systematic empirical methods that draw on observation or experiment.
   (c) Involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn.
   (d) Relies on measurements or observational methods that provide valid data across evaluators and observers and across multiple measurements and observations.
   (e) Has been accepted by a peer reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective and scientific review.
   (f) Contains all of the elements of the essential components of reading instruction.

Sec. 4. Section 15-741, Arizona Revised Statutes, is amended to read:

15-741. Assessment of pupils
A. The state board of education shall:
1. Adopt rules for purposes of this article pursuant to title 41, chapter 6.
2. Adopt and implement an Arizona instrument to measure standards test A STATEWIDE ASSESSMENT to measure pupil achievement of the state board adopted academic standards in reading, writing and mathematics in at least four grades designated by the board. The board shall determine the manner of implementation. The board may administer assessments of the academic standards in social studies and science, except that a pupil
shall not be required to meet or exceed the social studies or science standards measured by the Arizona instrument to measure standards test STATEWIDE ASSESSMENT.

3. Ensure that the tests prescribed in this section are uniform throughout the state.

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

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

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

7. Survey teachers, principals and superintendents on achievement-related ACHIEVEMENT-RELATED nontest indicators, including information on graduation rates by ethnicity and dropout rates by ethnicity for each grade level. Before the survey, the state board of education shall approve at a public meeting the nontest indicators on which data will be collected and shall post in a prominent position on the home page of the state board's website a link to the nontest indicators entitled "what nontest data does the state of Arizona collect about Arizona pupils?". The linked web page shall state the types of data collected, the reasons for the collection of the data and the entities with which the data is shared. In conducting the survey and collecting data, the state board of education shall not violate the provisions of the family educational rights and privacy act (P.L. 93-380), as amended, nor disclose personally identifiable information.

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

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

10. REQUIRE IN THE CONTRACT FOR THE STATEWIDE ASSESSMENT PURSUANT TO THIS SECTION THAT TEST SCORES AND ASSESSMENT DATA FROM THE THIRD GRADE READING PORTION OF THE STATEWIDE ASSESSMENT ADOPTED PURSUANT TO THIS SECTION BE RECEIVED BY LOCAL EDUCATION AGENCIES ON OR BEFORE MAY 15 OF
EACH ACADEMIC YEAR AND THE SCORES AND ASSESSMENT DATA FROM ALL OTHER PORTIONS OF THE STATEWIDE ASSESSMENT ADOPTED PURSUANT TO THIS SECTION BE RECEIVED BY LOCAL EDUCATION AGENCIES ON OR BEFORE MAY 25 OF EACH ACADEMIC YEAR. THE STATE BOARD SHALL IMPOSE PENALTIES ON THE CONTRACTOR FOR SCORES RECEIVED AFTER THESE DATES.

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

C. Local school district governing boards shall:
   1. Administer the tests prescribed in subsection A of this section.
   2. Survey teachers, principals and superintendents on achievement related nontest indicator data as required by the state board, including information related to district graduation and dropout rates. In conducting the survey and collecting data, the governing board shall not violate the provisions of the family educational rights and privacy act (P.L. 93-380), as amended, nor disclose personally identifiable information.

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

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

Sec. 5. Section 15-742, Arizona Revised Statutes, is amended to read:

15-742. Contract for purchase of tests
A. The state board of education shall enter into contracts with contractors for the purchase of the tests adopted by the state board PURSUANT TO SECTIONS 15-203 AND 15-741. Notwithstanding section 41-2546, the state board may enter into contracts for the purchase of nationally standardized norm-referenced tests pursuant to this section for a duration of up to ten years. The contracts may also provide for the distribution of the tests to the school districts and the scoring of the tests.

B. Contractors shall give a cash or corporate surety bond payable to this state and approved by the state board indemnifying the state in the test purchases in an amount not less than five hundred nor more than ten thousand dollars as may be determined by the state board. The contractor shall faithfully comply with the conditions of the contract and shall furnish to the state the tests as provided in the contract at prices not exceeding the lowest prices then granted to any buyer. If there is a decrease in the prices given to a person purchasing such tests from the contractor, the state shall have the benefit of the decrease in price.

C. The contractor shall file with the state board a sworn statement stating the lowest prices for which the contractor's series of tests is sold anywhere in the United States.
D. ANY CONTRACT ENTERED INTO PURSUANT TO THIS SECTION SHALL REQUIRE THAT TEST SCORES AND ASSESSMENT DATA FROM THE THIRD GRADE READING PORTION OF THE STATEWIDE ASSESSMENT ADOPTED PURSUANT TO SECTION 15-741 BE RECEIVED BY LOCAL EDUCATION AGENCIES ON OR BEFORE MAY 15 OF EACH ACADEMIC YEAR AND THE SCORES AND ASSESSMENT DATA FROM ALL OTHER PORTIONS OF THE STATEWIDE ASSESSMENT ADOPTED PURSUANT TO SECTION 15-741 BE RECEIVED BY LOCAL EDUCATION AGENCIES ON OR BEFORE MAY 25 OF EACH ACADEMIC YEAR.

E. If a contractor violates a condition of the contract, the attorney general, upon request of the state board of education, shall institute an action for damages on the bond of the contractor.

Sec. 6. Section 15-743, Arizona Revised Statutes, is amended to read:

15-743. Test results; annual report
A. The state board of education shall provide annual reports for every school and district and the state as a whole. The state board shall annually submit these reports to school districts, the legislature and the county school superintendents and shall make them available to the public. The state board shall publish and distribute the reports by September 1 and shall also provide a cumulative summary of the reports every five years. The annual reports and cumulative summary results shall include:

1. Average and range scores on the Arizona instrument to measure standards test STATEWIDE ASSESSMENT ADOPTED PURSUANT TO SECTION 15-741.

2. Standardized test scores by subject area according to percentiles and stanines for the school, school district, county, state and nation.

3. Achievement-related ACHIEVEMENT-RELATED nontest indicator data collected in the survey of teachers, principals and superintendents as required by section 15-741, including information related to dropout rates by ethnicity for each grade level and graduation rates and postsecondary employment and education by ethnicity. In reporting such data, the state board of education shall not violate the provisions of the family educational rights and privacy act (P.L. 93-380), as amended, nor disclose personally identifiable information.

4. The numbers of pupils who have completed the academic standards at grades three, eight and twelve.

B. Test results on individual pupils shall not be made available to the public by name or individually identifiable reference.

C. The state board shall provide a copy of the results from the tests prescribed in section 15-741, subsection A for each school district to that school district. No results may be released to the public until ten days after the reports are provided to each school district.

D. The state board shall provide each school district participating in the testing program with a copy of each pupil's standardized norm-referenced test scores in reading, language arts and mathematics, and the associated grade equivalents, percentiles and stanines for the school,
school district, county, state and nation, a report of pupil progress on an ongoing and annual basis, showing the trends in gain or loss in pupil achievement over time in reading, language arts and mathematics for all years in which pupils are enrolled in the school district for an entire school year and for which this information is available and a report of the pupil progress for pupils not enrolled in a district for an entire school year. The state board shall also provide each school district with each pupil's Arizona instrument to measure standards test STATEWIDE ASSESSMENT scores and the Arizona instrument to measure standards test STATEWIDE ASSESSMENT scores for the school, district, county and state. 

E. The school district shall provide a parent or guardian of each pupil participating in the standardized norm-referenced testing part of the program with a copy of the pupil's score in reading, language arts and mathematics, and the percentiles and stanines. The school district shall provide a parent or guardian of each pupil with a copy of the pupil's scores on the Arizona instrument to measure standards test STATEWIDE ASSESSMENT and the associated scores for the school, district, county and state. The school district shall make available to the public through the reports those scores for each school in the district and for the school district, county, state and nation.

F. Each pupil's Arizona instrument to measure standards test results for grade twelve shall be recorded on the pupil's high school transcript. The state board of education shall prescribe the format for recording Arizona instrument to measure standards test results on high school transcripts.

F. ANY TESTING WINDOW ESTABLISHED AND EXECUTED BY THE DEPARTMENT OF EDUCATION OR THE STATE BOARD OF EDUCATION FOR THE ADMINISTRATION OF THE STATEWIDE ASSESSMENT ADOPTED PURSUANT TO SECTION 15-741 MAY NOT BE LONGER THAN FOUR CONSECUTIVE SCHOOL WEEKS AND SHALL ENSURE THAT LOCAL EDUCATION AGENCIES RECEIVE TEST SCORES AND ASSESSMENT DATA FROM THE THIRD GRADE READING PORTION OF THE STATEWIDE ASSESSMENT ON OR BEFORE MAY 15 OF EACH ACADEMIC YEAR AND THE SCORES AND ASSESSMENT DATA FROM ALL OTHER PORTIONS OF THE STATEWIDE ASSESSMENT ADOPTED PURSUANT TO SECTION 15-741 ARE RECEIVED BY LOCAL EDUCATION AGENCIES ON OR BEFORE MAY 25 OF EACH ACADEMIC YEAR.

S.B. 1131

APPROVED BY THE GOVERNOR MARCH 24, 2017.