

15-211. K-3 reading program; receipt and use of monies; additional funding; 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 § 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 § 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 § 15-943 only on INSTRUCTIONAL PURPOSES INTENDED TO IMPROVE reading PROFICIENCY programs 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 § 15-241 or that has more than ten percent of its pupils in grade three WHO DO NOT DEMONSTRATE SUFFICIENT reading ~~for~~ SKILLS AS ESTABLISHED BY THE STATE BOARD OF EDUCATION ~~below the third grade level~~ according to the reading ENGLISH LANGUAGE ARTS portion of the STATEWIDE ASSESSMENT Arizona instrument to measure standards test, or a successor test, shall receive monies generated by the K-3 reading support level weight established in § 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.

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 § 15-704.

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

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 § 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 § 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,~~ ENGLISH LANGUAGE ARTS STATEWIDE ASSESSMENT that DOES NOT demonstrate that the pupil's reading SUFFICIENT READING SKILLS falls far below the third grade level or the equivalent as established by the board, PROVIDED THAT A PUPIL SHALL NOT BE RETAINED TWICE IN GRADE THREE. 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 of the following academic year. A pupil who is not retained due to the unavailability of test data must receive intervention and remedial strategies pursuant to subdivision (c) of this paragraph if the third grade assessment data subsequently DOES NOT demonstrate SUFFICIENT READING SKILLS that the pupil's reading ability falls far below the third grade level or the equivalent.

(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 DOES NOT DEMONSTRATE SUFFICIENT READING SKILLS PURSUANT TO SUBDIVISION (a) OF THIS PARAGRAPH ~~obtains a score on the reading portion of the Arizona instrument to 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:

(i) A ~~good cause exemption~~ if the pupil WHO is an English learner or a limited English proficient student as defined in § 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 § 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 DEMONSTRATED OR SUBSEQUENTLY DEMONSTRATES PROFICIENCY OF ALL GRADE 3 READING STANDARDS AS EVIDENCED THROUGH A COLLECTION OF READING ASSESSMENTS DEVELOPED AND APPROVED BY THE STATE BOARD OF EDUCATION, WHICH INCLUDES AN ALTERNATIVE STANDARDIZED READING ASSESSMENT AS DEVELOPED AND APPROVED BY THE 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 6 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 one of~~ 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 WHO IS DESIGNATED IN ONE OF THE TOP TWO PERFORMANCE CLASSIFICATIONS IN THE TEACHER'S MOST RECENT EVALUATION.

(ii) Summer school EVIDENCE-BASED reading instruction WITH A TEACHER WHO IS DESIGNATED IN ONE OF THE TOP TWO PERFORMANCE CLASSIFICATIONS IN THE TEACHER'S MOST RECENT EVALUATION.

(iii) In the next academic year, intensive EVIDENCE-BASED 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) ~~Online~~ TEACHER-LED SMALL GROUP EVIDENCE-BASED reading instruction, WHICH MAY INCLUDE ONLINE INSTRUCTION.

(d) ANY SCHOOL DISTRICT GOVERNING BOARD OR THE GOVERNING BODY OF A CHARTER SCHOOL THAT PROMOTES A PUPIL BASED ON THE PROVISIONS OF PARAGRAPH 2, SUBDIVISION (b) OF THIS SUBSECTION SHALL SUBMIT AN ANNUAL REPORT TO THE STATE BOARD OF EDUCATION BY OCTOBER 1 OF EACH YEAR, WHICH INCLUDES INFORMATION ON THE TOTAL NUMBER OF PUPILS SUBJECT TO THE RETENTION PROVISIONS OF PARAGRAPH 2, SUBDIVISION (a) OF THIS SUBSECTION, THE TOTAL NUMBER OF STUDENTS PROMOTED BASED ON THE PROVISIONS OF PARAGRAPH 2, SUBDIVISION (b) OF THIS SUBSECTION, AND THE TOTAL NUMBER OF PUPILS ACTUALLY RETAINED.

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 § 15-704.

4. Develop 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 § 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, PARAGRAPH 2, SUBDIVISION (a) OF THIS SECTION will not be promoted from the third grade. SCHOOLS AND CHARTER SCHOOLS SHALL IDENTIFY EACH PUPIL WHO ~~if the school has determined that the pupil is substantially deficient in reading~~ BELOW GRADE LEVEL IN KINDERGARTEN AND GRADES ONE AND TWO ~~before the end of grade three~~, BASED UPON LOCAL OR STATEWIDE ASSESSMENTS, ~~the school district or charter school~~ AND shall provide to the parent OR GUARDIAN of that pupil ~~a separate~~ SPECIFIC written notification of the reading deficiency that includes the following information:

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

~~2.1.~~ A description of the current reading services provided to the pupil.

~~3. 2.~~ 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 one intervention strategy and at least one remedial strategy~~ THE INTERVENTION AND REMEDIAL STRATEGIES 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 the strategy that will be implemented for that child.~~ THE PARENT OR GUARDIAN OF A PUPIL AND THE PUPIL'S TEACHER AND PRINCIPAL MAY CHOOSE THE MOST APPROPRIATE INTERVENTION AND REMEDIAL STRATEGIES THAT WILL BE PROVIDED TO THAT PUPIL.

~~34.~~ Parental strategies to assist the pupil to attain reading proficiency.

45. 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 ~~PROGRESS ON~~ 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.

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

[Repeat C-K verbatim]

§ 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 for pupils in kindergarten programs and grades one through three shall conduct a curriculum evaluation and adopt a ~~scientifically~~ 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~~ 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~~ ENGLISH LANGUAGE ARTS STATEWIDE ASSESSMENT administered pursuant to § 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~~ ENGLISH LANGUAGE ARTS STATEWIDE ASSESSMENT administered pursuant to § 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~~ 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~~ 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 § 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. “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 EVIDENCE-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.~~ DEMONSTRATES A STATISTICALLY SIGNIFICANT EFFECT ON IMPROVING STUDENT OUTCOMES OR OTHER RELEVANT OUTCOMES BASED ON:

(i) STRONG EVIDENCE FROM AT LEAST ONE WELL-DESIGNED AND WELL-IMPLEMENTED EXPERIMENTAL STUDY; OR

(ii) MODERATE EVIDENCE FROM AT LEAST ONE WELL-DESIGNED AND WELL-IMPLEMENTED QUASI-EXPERIMENTAL STUDY; OR

(iii) PROMISING EVIDENCE FROM AT LEAST ONE WELL-DESIGNED AND WELL-IMPLEMENTED CORRELATIONAL STUDY WITH STATISTICAL CONTROLS FOR SELECTION BIAS; OR

~~(b) Employs systematic empirical methods that draw on observation or experiment.~~ DEMONSTRATES A RATIONALE BASED ON HIGH-QUALITY RESEARCH FINDINGS OR POSITIVE EVALUATION THAT SUCH ACTIVITY, STRATEGY, OR INTERVENTION IS LIKELY TO IMPROVE STUDENT OUTCOMES OR OTHER RELEVANT OUTCOMES; AND

~~(c) Involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn. INCLUDES ONGOING EFFORTS TO EXAMINE THE EFFECTS OF SUCH ACTIVITY, STRATEGY, OR INTERVENTION.~~

~~(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.~~

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