



Arizona State Board of Education

NOTICE OF SPECIAL MEETING

Pursuant to Arizona Revised Statutes (A.R.S.) 38-431.02, notice is hereby given to the members of the Arizona State Board of Education and to the general public that the Board will hold a special meeting, open to the public, on **Tuesday, September 5, 2017, at 9:00 AM at the Arizona Department of Education, Room 122**, 1535 W. Jefferson, Phoenix, AZ 85007. A copy of the agenda for the meeting is attached. The Board reserves the right to change the order of items on the agenda, with the exception of public hearings. One or more members of the Board may participate telephonically.

Pursuant to A.R.S. §38-431.02 (H), the Board may discuss and take action concerning any matter listed on the agenda.

Pursuant to A.R.S. § 38-431.03(A)(3), the Board may vote to convene in executive session for discussion or consultation for legal advice from the Board's attorneys concerning any item on this agenda.

Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting the State Board Office at (602) 542-5057. Requests should be made as early as possible to allow time to arrange the accommodation.

DATED AND POSTED this 31st day of August, 2017

Arizona State Board of Education

By: _____

Karol Schmidt
Executive Director
(602) 542-5057

Tuesday, September 5, 2017
9:00 AM

Arizona Department of Education, Room 122
1535 W. Jefferson, Phoenix, AZ 85007

SPECIAL MEETING AGENDA
ARIZONA STATE BOARD OF EDUCATION
Tuesday, September 5, 2017
9:00 AM
Arizona Department of Education, Room 122
1535 W. Jefferson, Phoenix, AZ 85007

AGENDA

9:00 AM CALL TO ORDER, PLEDGE OF ALLEGIANCE, PRAYER AND ROLL CALL

1. CALL TO THE PUBLIC: This is the time for the public to comment. Members of the Board may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. 38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date.
2. STUDY SESSION: Presentation and discussion regarding revisions and setting cut scores on A-F School Accountability letter grades
3. GENERAL SESSION
 - A. Presentation, discussion and possible action on revising the timeline for the calculation and issuance of A-F school letter grades for:
 1. Alternative Education Schools
 2. Arizona Online Schools (AOI)
 - B. Presentation, discussion and possible action regarding public comment policy
 - C. Presentation, discussion and possible action regarding proposed amendments to Board rule R7-2-401 regarding Special Education Standards for Public Agencies Providing Educational Services:
 1. Terminate current rulemaking of proposed amendments to Board rule R7-2-401 regarding Special Education Standards for Public Agencies Providing Educational Services.
 2. Open new rulemaking record for proposed amendments to Board rule R7-2-401 regarding Special Education Standards for Public Agencies Providing Educational Services.

ADJOURN

A – F Model Analysis, Part Deux

Accountability Advisory Group

Wendy Davy, Peoria Unified * Ildi Laczko-Kerr, Arizona Charter Association * Alexandra Mistak, Peoria Unified *
Joe O'Reilly, Mesa Unified * Matt Strom, Chandler Unified * Kathy Marston, Phoenix Elementary *
Sean Rickert, Pima Unified * Kevin Kilborn, Saddle Mountain Unified * Mary Berg, Leona Group *
John Wilson, Tempe Elementary * Nichole Peterson, K12 * Maya Aleksic, Tempe Union *
Jason Piontkowski, Madison Elementary * Amy Schlessman, Rose Academy * Anju Kuriakose, Higley Unified *
Debbie Penn, Vail Unified * Rebecca Bolnick, Kyrene Elementary * Harriet Caruso, Career Success Schools *
Jay Midyett, Amphitheatre Unified * Sarah Gamble, Primavera * Roger Freeman, Littelton Elementary *
Gail Pletnick, Dysart Unified * Anna McCauley, Scottsdale Unified *

Agenda

- Board directed AAG to model data, and AAG is presenting outstanding issues for the Board to consider.
- As Board instructed, AAG will present methodologies that address each outstanding issue.
- Present three cut score methodologies that Board directed AAG to model and Board will determine what best aligns to Board's policy.

Board Directed Outstanding Issues:

- Develop a model that allows schools to access the full range of points.
- Determine if there is a way to distinguish schools based on graduation rate.
- Create a way to give partial credit in the SGT calculation.
- Provide 'pure' grading methods and standard deviation method cut scores with no adjustments for the number of schools in a letter grade category.
- Provide an analysis of different models and a recommendation.

State Board Goals For Letter Grades

- Minimize the impact of wealth and poverty on the letter grade
- All schools would have the potential of getting an A
- The letter grades represent:

Letter Grade	Level of performance	Descriptor
A	Excellent	High performance on statewide assessment, significant student growth, high 4 year graduation rates, moving students to proficiency at a higher rate than state average; overall performance is significantly higher than state average
B	Performing	High performance on statewide assessment and/or significant student growth and/or higher 4 year graduation rates and/or moving students to proficiency at a higher rate than state average
C	Partially Performing	Meeting expectations but needs improvement on some indicators – proficiency or growth or graduation rate
D	Minimally Performing	Few students are proficient and/or making growth and/or graduating within 4 years relative to the state average
F	Failing	Systematic failures in proficiency, growth and graduation rates (below 67%); performance is in bottom 5% of the state

K-8 Growth Rate Weighting Methods

AAG uses the terminology “weighting” but also could be “point calculations”

Addressing Restricted Growth Points

Method #1: Adjust weights for SGP and SGT

SGP

HP	0	0.4	1.25
P	0	0.6	1.5
PP	0	0.8	1.75
MP	0	1	2
	Low	Average	High

SGT

HP	0	1
P	0	1.1
PP	0	1.2
MP	0	1.3
	Did Not Meet Target	Met or Exceeded Target

Concerns raised by Board:

- SGP is more heavily weighted than SGT
- SGT is an all or nothing calculation

Addressing: Restricted Growth Points

Method #2: Adjust weights for SGP and SGT, giving more weight to the average growth category and assign partial credit for SGT

SGP

HP	0.00	0.50	1.00
P	0.00	0.70	1.20
PP	0.00	0.90	1.80
MP	0.00	1.00	2.00
	Low	Average	High

SGT

HP	0.00	0.50	1.00
P	0.00	0.70	1.20
PP	0.00	0.90	1.80
MP	0.00	1.00	2.00
	Below	At/Near	Above

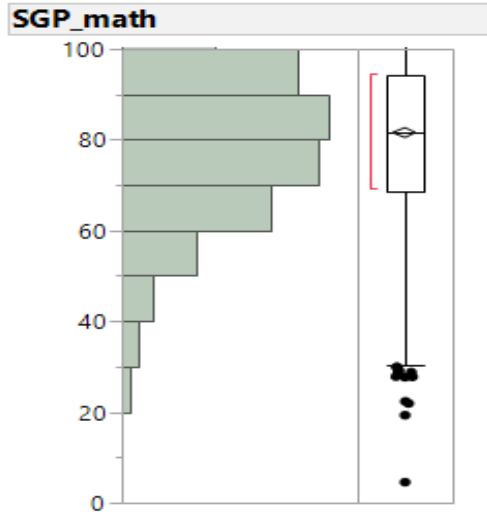
This method addresses concerns raised by Board:

- SGP is equally weighted with SGT
- Creates at/near grouping (+/- 10 points around the target) for SGT rather than an “all or nothing”

K-8 SGP Methods

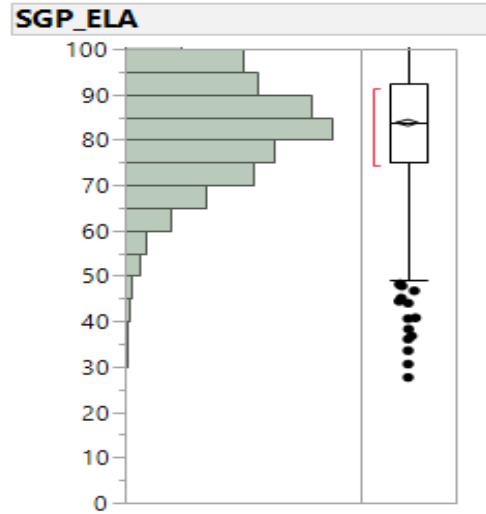
Method #1

HP	0.00	0.40	1.25
P	0.00	0.60	1.50
PP	0.00	0.80	1.75
MP	0.00	1.00	2.00
	Low	Average	High



Quantiles		
100.0%	maximum	155.38
99.5%		134.441
97.5%		119.865
90.0%		106.118
75.0%	quartile	94.24
50.0%	median	81.41
25.0%	quartile	68.62
10.0%		57.676
2.5%		40.549
0.5%		27.7982
0.0%	minimum	4.55

Summary Statistics	
Mean	81.598875
Std Dev	19.616635
Std Err Mean	0.5267278
Upper 95% Mean	82.632145
Lower 95% Mean	80.565605
N	1387

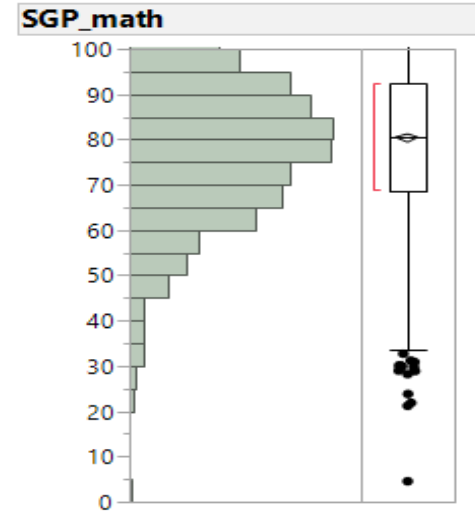


Quantiles		
100.0%	maximum	142.8
99.5%		120.389
97.5%		110.567
90.0%		100.238
75.0%	quartile	92.34
50.0%	median	83.85
25.0%	quartile	75.04
10.0%		67.238
2.5%		54.959
0.5%		40.4414
0.0%	minimum	27.62

Summary Statistics	
Mean	83.69796
Std Dev	13.767207
Std Err Mean	0.3696644
Upper 95% Mean	84.423122
Lower 95% Mean	82.972797
N	1387

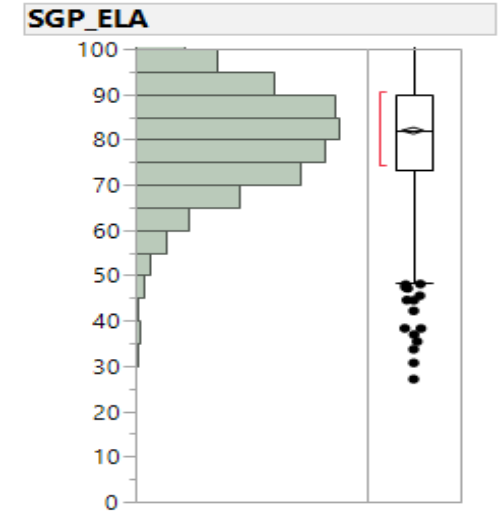
Method #2

HP	0.00	0.50	1.00
P	0.00	0.70	1.20
PP	0.00	0.90	1.80
MP	0.00	1.00	2.00
	Low	Average	High



Quantiles		
100.0%	maximum	150.25
99.5%		128.263
97.5%		117.117
90.0%		103.548
75.0%	quartile	92.31
50.0%	median	80.49
25.0%	quartile	68.47
10.0%		57.678
2.5%		40.918
0.5%		28.9646
0.0%	minimum	4.55

Summary Statistics	
Mean	80.358046
Std Dev	18.693119
Std Err Mean	0.5019305
Upper 95% Mean	81.342672
Lower 95% Mean	79.373421
N	1387



Quantiles		
100.0%	maximum	142
99.5%		118.6584
97.5%		108.046
90.0%		98.278
75.0%	quartile	90.07
50.0%	median	81.84
25.0%	quartile	73.34
10.0%		66.002
2.5%		55.349
0.5%		38.3076
0.0%	minimum	27.09

Summary Statistics	
Mean	81.840252
Std Dev	13.298404
Std Err Mean	0.3570765
Upper 95% Mean	82.540721
Lower 95% Mean	81.139784
N	1387

Summary of Impact SGP Methods

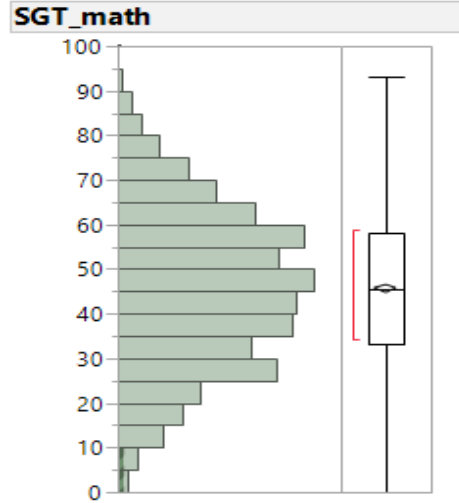
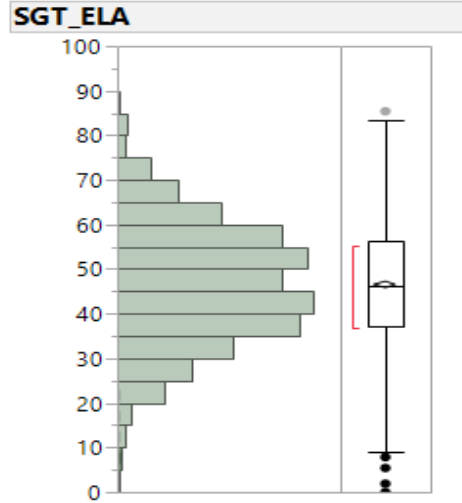
Math	Mean	Standard Deviation	Range
Method #1	81.6	19.6	4.6- 155.4
Method #2	80.4	18.7	4.6-150

Reading	Mean	Standard Deviation	Range
Method #1	83.7	13.8	27.6-142.8
Method #2	81.8	13.3	27.1-142

K-8 SGT Methods

Method #1

HP	0.00	1
P	0.00	1.1
PP	0.00	1.2
MP	0.00	1.3
	Did Not Meet	Met



Quantiles		
100.0%	maximum	85.4
99.5%		81.2096
97.5%		72.117
90.0%		63.502
75.0%	quartile	56.16
50.0%	median	46.33
25.0%	quartile	37.15
10.0%		29.218
2.5%		20.813
0.5%		10.1312
0.0%	minimum	0

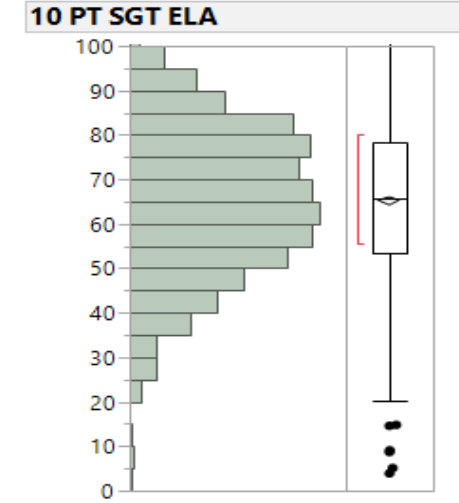
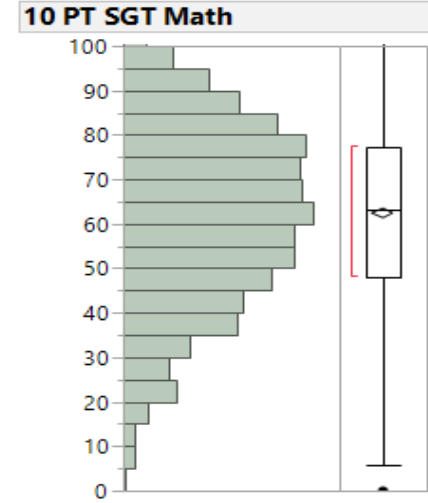
Quantiles		
100.0%	maximum	102.54
99.5%		89.5858
97.5%		79.846
90.0%		68.444
75.0%	quartile	58.01
50.0%	median	45.58
25.0%	quartile	33.34
10.0%		22.732
2.5%		12.264
0.5%		4.5252
0.0%	minimum	0

Summary Statistics	
Mean	46.463764
Std Dev	13.37978
Std Err Mean	0.3592616
Upper 95% Mean	47.168519
Lower 95% Mean	45.759008
N	1387

Summary Statistics	
Mean	45.727787
Std Dev	17.654316
Std Err Mean	0.4740375
Upper 95% Mean	46.657695
Lower 95% Mean	44.797878
N	1387

Method #2

HP	0.00	0.50	1.00
P	0.00	0.70	1.20
PP	0.00	0.90	1.80
MP	0.00	1.00	2.00
	Below	At/Near	Above



Quantiles		
100.0%	maximum	124.1
99.5%		113.112
97.5%		99.93
90.0%		88.9
75.0%	quartile	77.4
50.0%	median	63
25.0%	quartile	48.1
10.0%		34.58
2.5%		20.07
0.5%		9.658
0.0%	minimum	0

Quantiles		
100.0%	maximum	113.9
99.5%		108.178
97.5%		96.26
90.0%		87.12
75.0%	quartile	78.2
50.0%	median	65.6
25.0%	quartile	53.5
10.0%		42.7
2.5%		29.7
0.5%		19.876
0.0%	minimum	3.9

Summary Statistics	
Mean	62.373396
Std Dev	20.964263
Std Err Mean	0.5629131
Upper 95% Mean	63.47765
Lower 95% Mean	61.269142
N	1387

Summary Statistics	
Mean	65.318457
Std Dev	17.402822
Std Err Mean	0.4672846
Upper 95% Mean	66.235119
Lower 95% Mean	64.401796
N	1387

Summary of Impact SGT Changes

Math	Mean	Standard Deviation	Range
Method #1	45.7	17.7	0-102.5
Method #2	62.4	21	0-124.1

Reading	Mean	Standard Deviation	Range
Method #1	46.5	13.4	0-83.4
Method #2	65.3	17.4	3.9-113.9

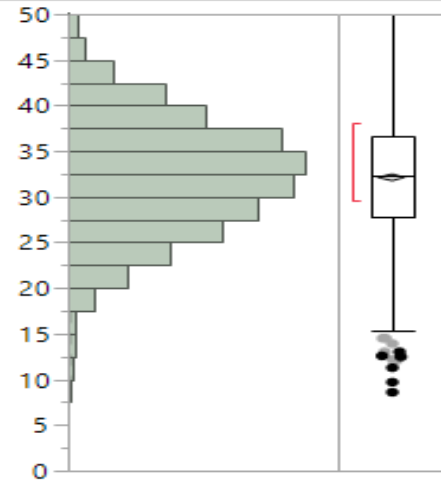
K-8 Combined Growth Methods Comparison

Method #1

HP	0.00	1
P	0.00	1.1
PP	0.00	1.2
MP	0.00	1.3
	Did Not Meet	Met

Distributions

Growth Points



Quantiles

100.0%	maximum	50
99.5%		48.706
97.5%		44.273
90.0%		40.472
75.0%	quartile	36.73
50.0%	median	32.38
25.0%	quartile	27.87
10.0%		23.746
2.5%		18.876
0.5%		12.574
0.0%	minimum	8.6

Summary Statistics

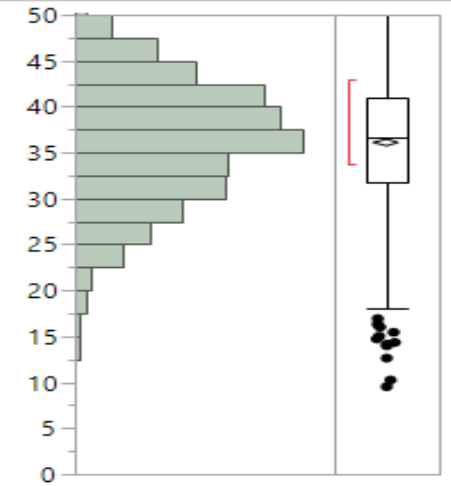
Mean	32.157578
Std Dev	6.475172
Std Err Mean	0.1738654
Upper 95% Mean	32.498645
Lower 95% Mean	31.81651
N	1387

Method #2

HP	0.00	0.50	1.00
P	0.00	0.70	1.20
PP	0.00	0.90	1.80
MP	0.00	1.00	2.00
	Below	At/Near	Above

Distributions

Growth Points



Quantiles

100.0%	maximum	50
99.5%		50
97.5%		47.856
90.0%		44.66
75.0%	quartile	41.02
50.0%	median	36.71
25.0%	quartile	31.68
10.0%		27.15
2.5%		22.151
0.5%		14.7066
0.0%	minimum	9.53

Summary Statistics

Mean	36.121572
Std Dev	6.780204
Std Err Mean	0.1820558
Upper 95% Mean	36.478706
Lower 95% Mean	35.764437
N	1387

Summary of Impact SGP and SGT Changes

	Mean	Standard Deviation	Range
Method #1	32.2	6.5	8.6-50
Method #2	36.1	6.8	9.6-50

K-8 Correlation to Poverty

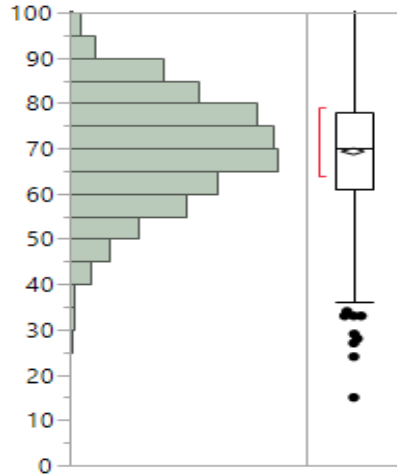
	Proficiency	Growth	Percentage (Total Points/ Eligible Points)
Method #1	-0.798	-0.261	-0.539
Method #2	-0.798	-0.263	-0.541

K-8 Total Score Impact

Method #1

Method #2

Distributions
Percentage (Total Points/Eligible Points)

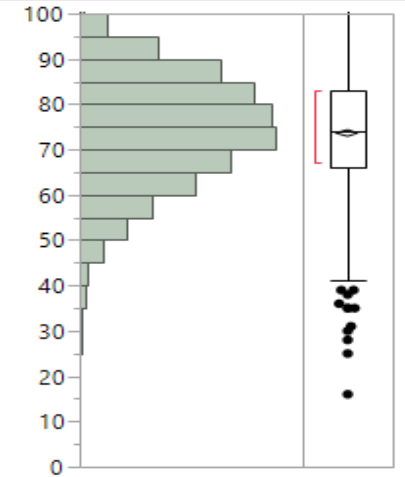


Quantiles		
100.0%	maximum	102
99.5%		96.06
97.5%		91
90.0%		85
75.0%	quartile	78
50.0%	median	70
25.0%	quartile	61
10.0%		54
2.5%		44
0.5%		33
0.0%	minimum	15

Summary Statistics	
Mean	69.403028
Std Dev	12.039009
Std Err Mean	0.3232604
Upper 95% Mean	70.037161
Lower 95% Mean	68.768896
N	1387

HP	0.00	0.50	1.00
P	0.00	0.70	1.20
PP	0.00	0.90	1.80
MP	0.00	1.00	2.00
	Below	At/Near	Above

Distributions
Percentage (Total Points/Eligible Points)



Quantiles		
100.0%	maximum	102
99.5%		99
97.5%		95
90.0%		89
75.0%	quartile	83
50.0%	median	74
25.0%	quartile	66
10.0%		57
2.5%		47
0.5%		35
0.0%	minimum	16

Summary Statistics	
Mean	73.625811
Std Dev	12.409639
Std Err Mean	0.3332122
Upper 95% Mean	74.279466
Lower 95% Mean	72.972156
N	1387

HP	0.00	1
P	0.00	1.1
PP	0.00	1.2
MP	0.00	1.3
	Did Not Meet	Met

Summary of Impact on Total Points

	Mean	Standard Deviation	Range
Method #1	69.4	12	15-102
Method #2	73.6	12.4	16-102

K-8 Growth Method Recommendation

- Recommendation: The AAG unanimously prefers method #2 to calculate growth for elementary schools and high schools.
- Rationale:
 - This method best addresses the concerns raised by the Board.
 - Provides differentiation in the SGT calculation, i.e., partial credit
 - The method uses the same weights for SGP and SGT which:
 - Makes the method clear and transparent
 - Addresses the concern about over weighting SGP
 - Increased the amount of points that schools received for average growth (SGP) while still maintaining a reasonable correlation to poverty.

Cut Score Analyses

Addressing Letter Grade Cut Score Methods

- AAG examined the growth weightings presented last week (Method One) and the new weightings (Method Two).
- AAG applied the changes individually and then combined.
- For each iteration we present the resulting letter grade distribution for each grading model (90-80-70-60, 80-70-60-50, Standard deviation).

Addressing Letter Grade Cut Scores* Methods

90% - 80% - 70% - 60%	80% - 70% - 60% - 50%	Standard Deviation
Traditional grading approach.**	Traditional grading approach adjusted to reflect the actual range of scores.**	Set letter grades based on the number of standard deviations above or below the mean.***

*Letter grade cut points reflect the percent of possible points earned.

**No additional adjustments were made to F cut scores to limit the number of F schools.

*** Standard deviations are not adjusted.

SGP

HP	0	0.4	1.25
P	0	0.6	1.5
PP	0	0.8	1.75
MP	0	1	2
	Low	Average	High

SGT

HP	0	1
P	0	1.1
PP	0	1.2
MP	0	1.3
	Did Not Meet Target	Met or Exceeded Target

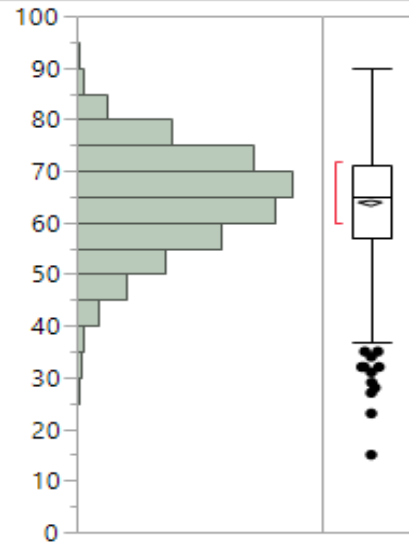
Impact Data: K-8 Method #1

Keep the same weights as presented last week

Apply them in the three models and determine the percent at each letter grade

Impact of Method 1 SGP on Total Points

Percentage (Total Points/Eligible Points)



Quantiles

100.0%	maximum	90
99.5%		87.06
97.5%		81
90.0%		76
75.0%	quartile	71
50.0%	median	65
25.0%	quartile	57
10.0%		51
2.5%		42
0.5%		31.94
0.0%	minimum	15

Summary Statistics

Mean	63.788753
Std Dev	9.9745385
Std Err Mean	0.2678271
Upper 95% Mean	64.314143
Lower 95% Mean	63.263362
N	1387

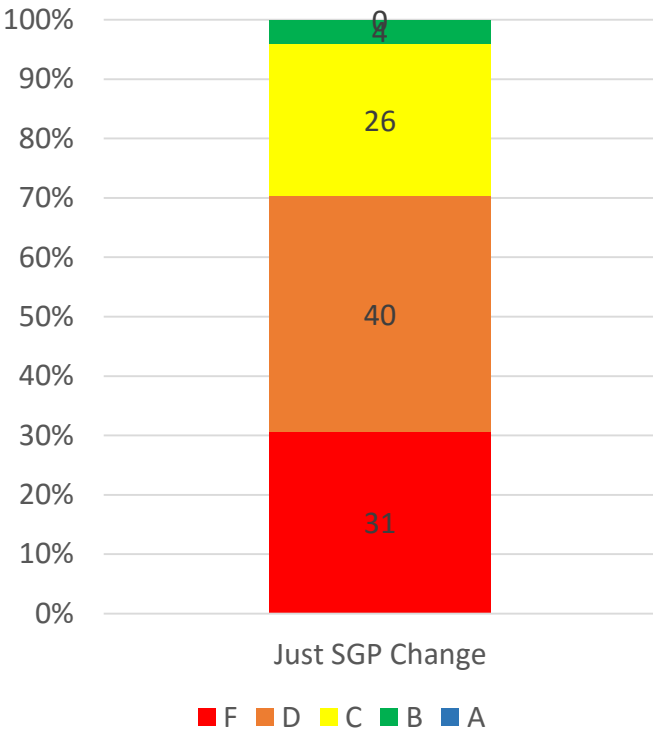
Letter Grade Impact— Just SGP

— Method #1

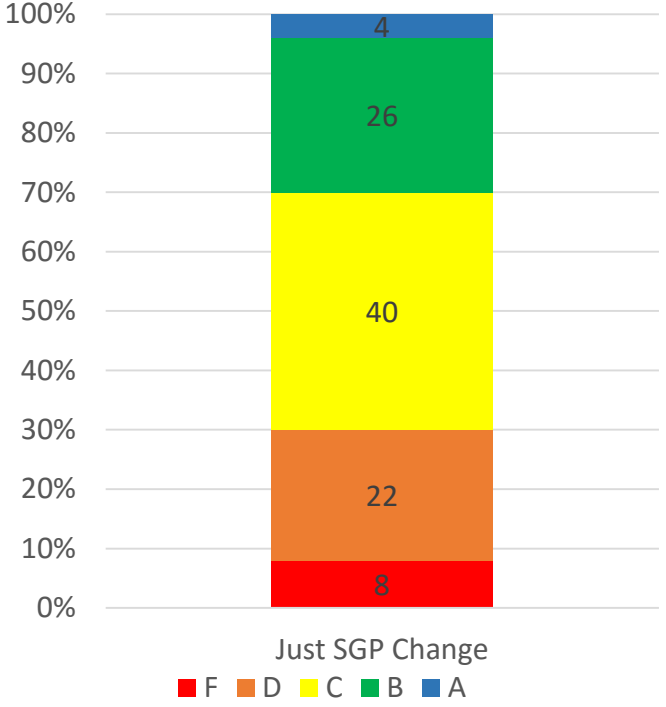
HP	0	0.4	1.25
P	0	0.6	1.5
PP	0	0.8	1.75
MP	0	1	2
	Low	Average	High

HP	0	1
P	0	1.1
PP	0	1.2
MP	0	1.3
	Did Not Meet Target	Met of Exceeded Target

90% - 80% - 70% - 60%

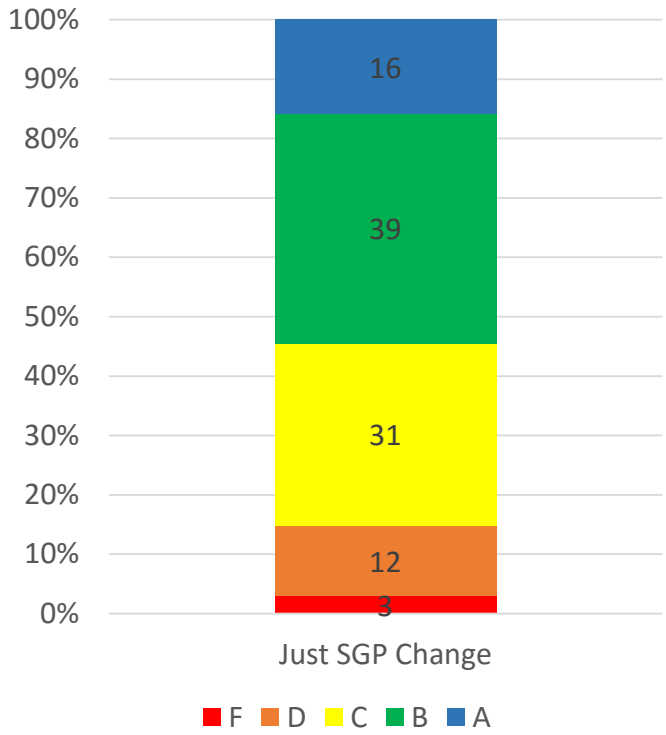


80% - 70% - 60% - 50%



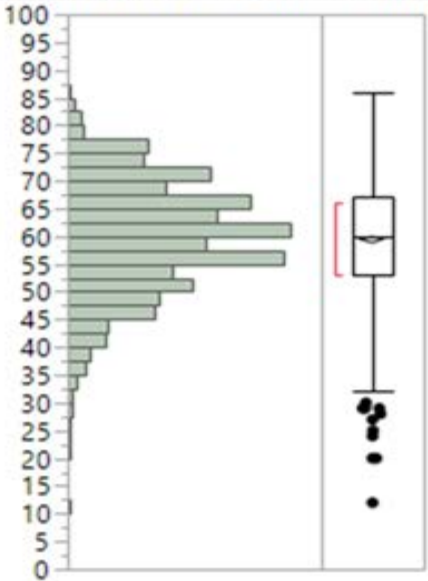
Standard Deviation

74% - 64% - 54% - 44%



Impact of Method 1 SGT on Total Points

Percentage (Total Points/Eligible Points)



Quantiles		
100.0%	maximum	86
99.5%		83
97.5%		77
90.0%		73
75.0%	quartile	67
50.0%	median	60
25.0%	quartile	53
10.0%		46
2.5%		38
0.5%		27.94
0.0%	minimum	12

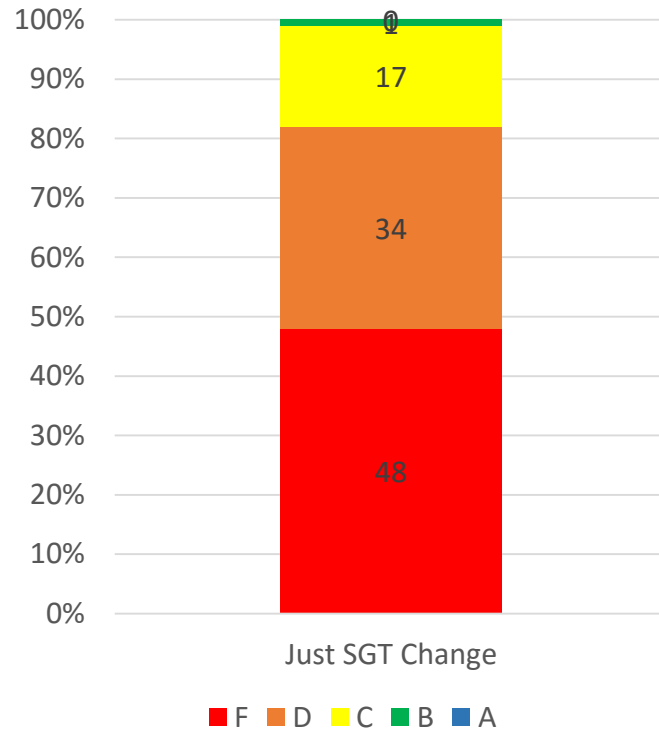
Summary Statistics	
Mean	59.444124
Std Dev	10.333348
Std Err Mean	0.2774616
Upper 95% Mean	59.988414
Lower 95% Mean	58.899834
N	1387

Letter Grade Impact – Just SGT – Method #1

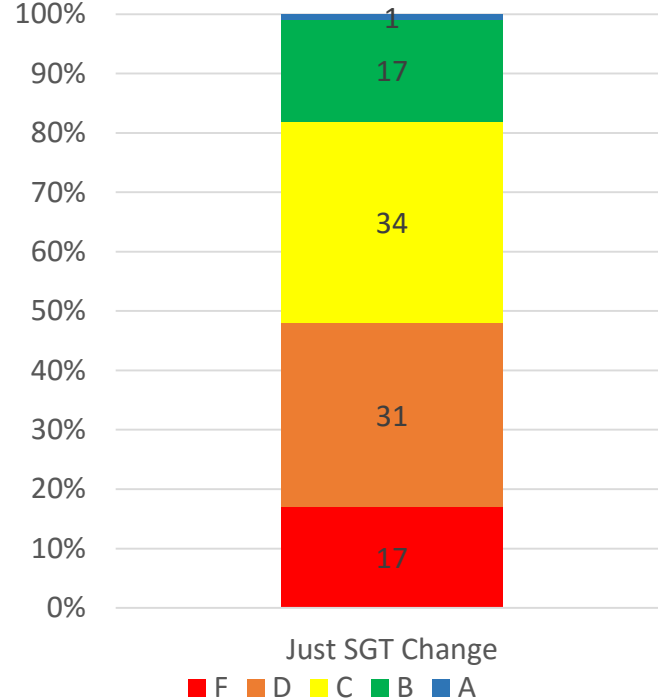
HP	0	0.4	1.25
P	0	0.6	1.5
PP	0	0.8	1.75
MP	0	1	2
	Low	Average	High

HP	0	1
P	0	1.1
PP	0	1.2
MP	0	1.3
	Did Not Meet Target	Met of Exceeded Target

90% - 80% - 70% - 60%

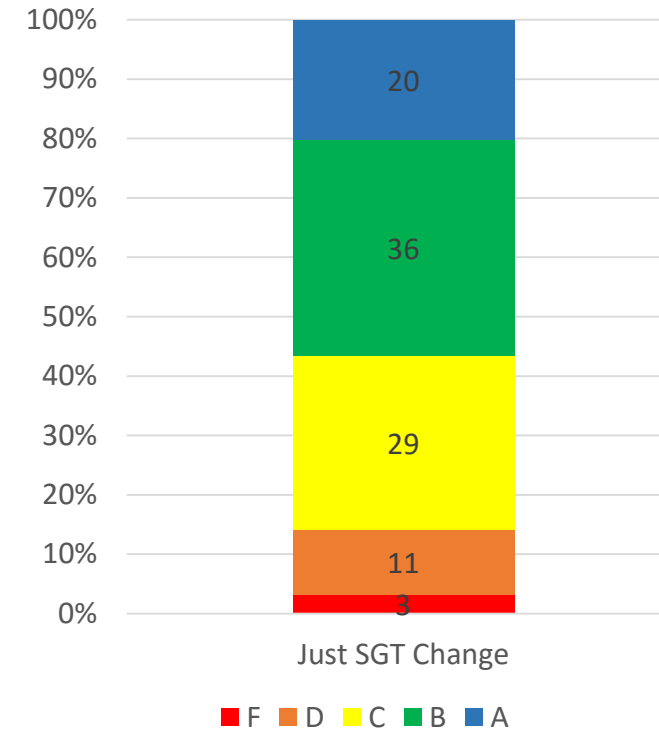


80% - 70% - 60% - 50%



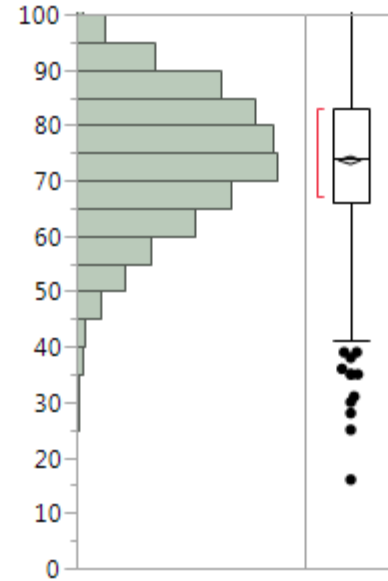
Standard Deviation

69% – 59% – 49% – 39%



Impact of Method 1 SGP & SGT on Total Points

Percentage (Total Points/Eligible Points)



Quantiles

100.0%	maximum	107
99.5%		100
97.5%		95
90.0%		89
75.0%	quartile	83
50.0%	median	74
25.0%	quartile	66
10.0%		57
2.5%		47
0.5%		35
0.0%	minimum	16

Summary Statistics

Mean	73.638789
Std Dev	12.43697
Std Err Mean	0.3339461
Upper 95% Mean	74.293883
Lower 95% Mean	72.983694
N	1387

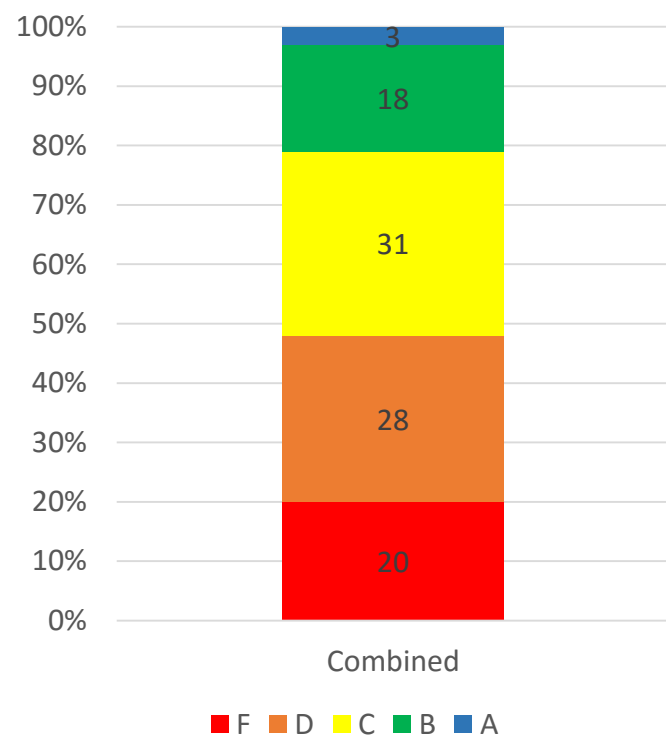
Letter Grade Impact –SGP & SGT

– Method #1

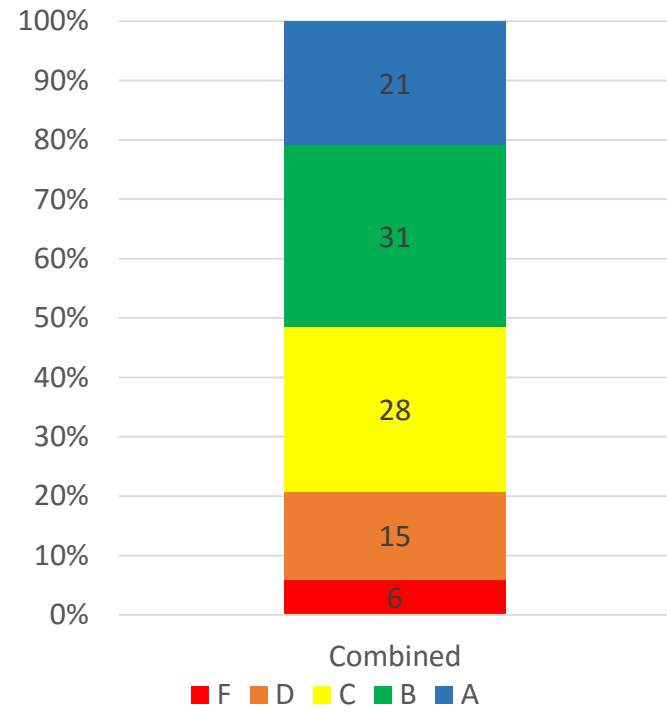
HP	0	0.4	1.25
P	0	0.6	1.5
PP	0	0.8	1.75
MP	0	1	2
	Low	Average	High

HP	0	1
P	0	1.1
PP	0	1.2
MP	0	1.3
	Did Not Meet Target	Met of Exceeded Target

90% - 80% - 70% - 60%

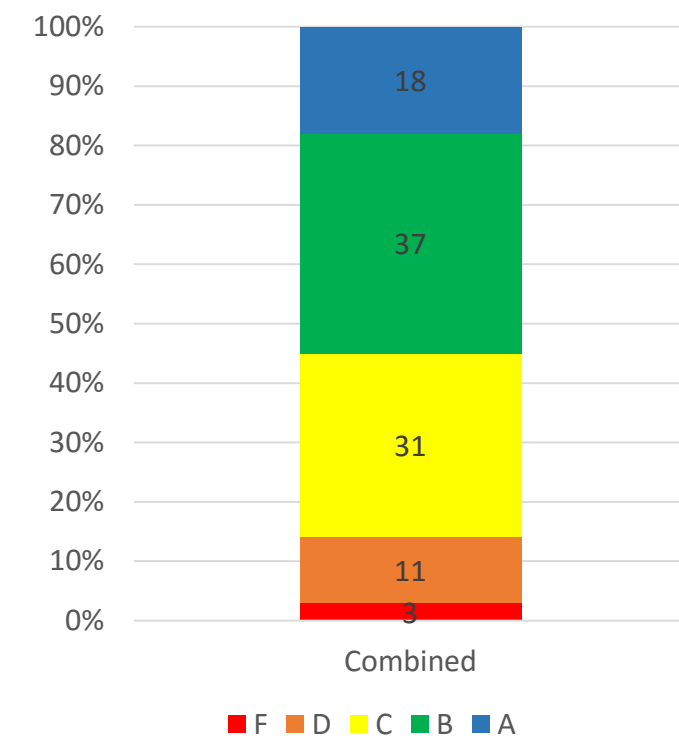


80% - 70% - 60% - 50%



Standard Deviation

81% – 69% –57%– 45%



SGP

HP	0.00	0.50	1.00
P	0.00	0.70	1.20
PP	0.00	0.90	1.80
MP	0.00	1.00	2.00
	Low	Average	High

SGT

HP	0.00	0.50	1.00
P	0.00	0.70	1.20
PP	0.00	0.90	1.80
MP	0.00	1.00	2.00
	Below	At/Near	Above

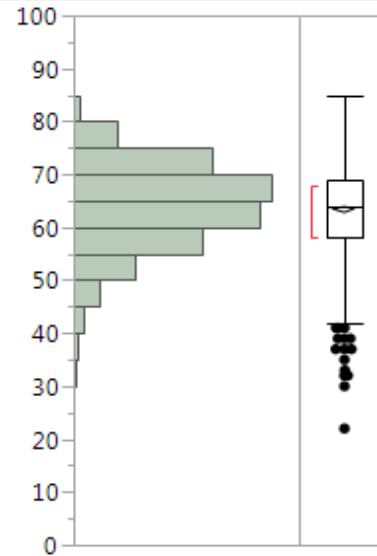
Impact Data: K-8 Method #2

Add an At/Near Target rating

Make weights for SGP and SGT the same for clearer communication and equal weighting

Impact of Method 2 SGP on Total Points

Percentage (Total Points/Eligible Points)



Quantiles

100.0%	maximum	85
99.5%		81.06
97.5%		77
90.0%		73
75.0%	quartile	69
50.0%	median	64
25.0%	quartile	58
10.0%		53
2.5%		45.7
0.5%		36.88
0.0%	minimum	22

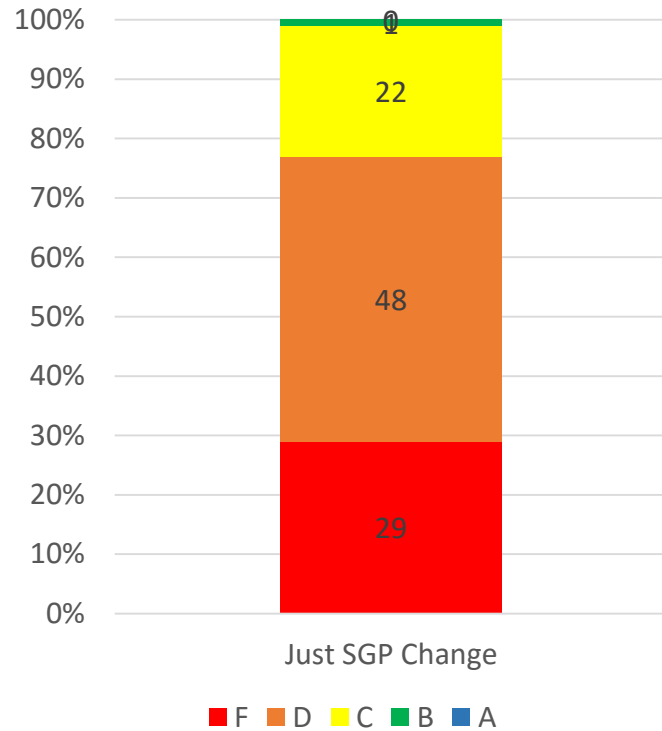
Summary Statistics

Mean	63.377794
Std Dev	8.0418295
Std Err Mean	0.2159318
Upper 95% Mean	63.801382
Lower 95% Mean	62.954205
N	1387

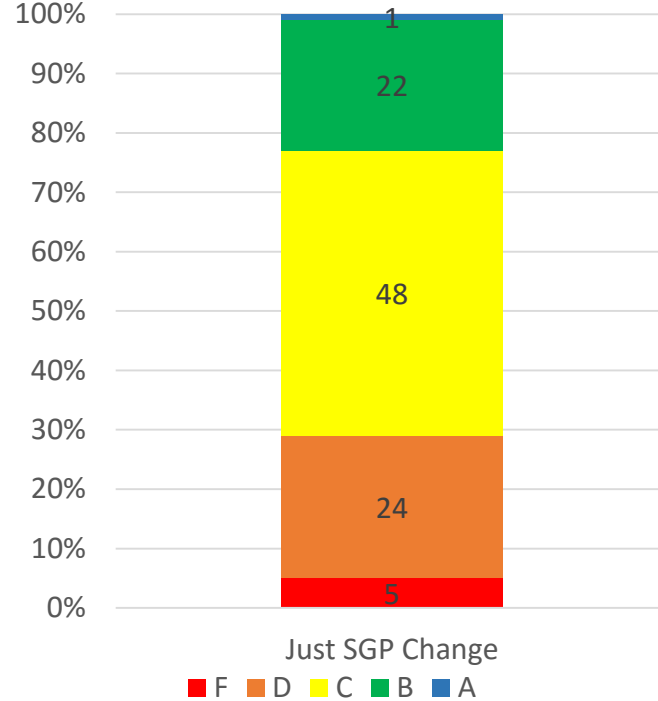
Letter Grade Impact – Just SGP – Method #2

	SGP			SGT		
	Low	Average	High	Below	At/Near	Above
HP	0.00	0.50	1.00	0.00	0.50	1.00
P	0.00	0.70	1.20	0.00	0.70	1.20
PP	0.00	0.90	1.80	0.00	0.90	1.80
MP	0.00	1.00	2.00	0.00	1.00	2.00

90% - 80% - 70% - 60%

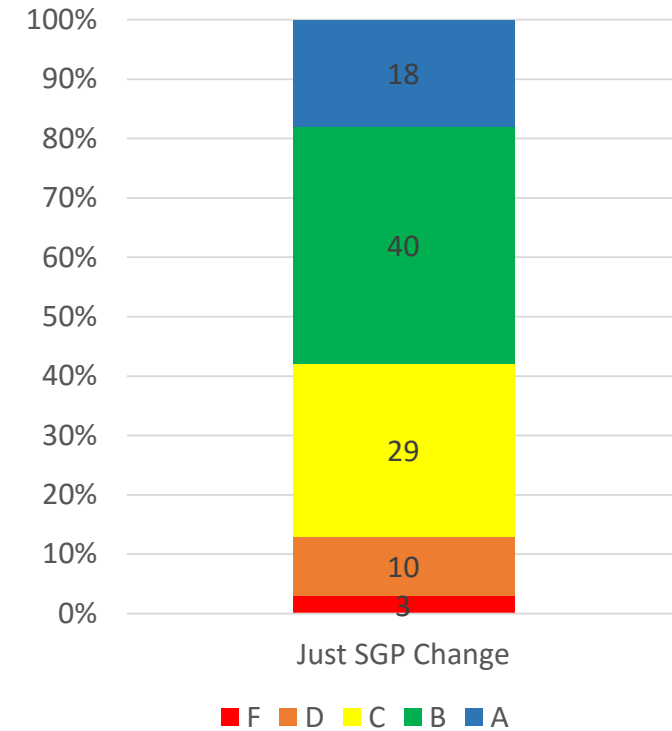


80% - 70% - 60% - 50%



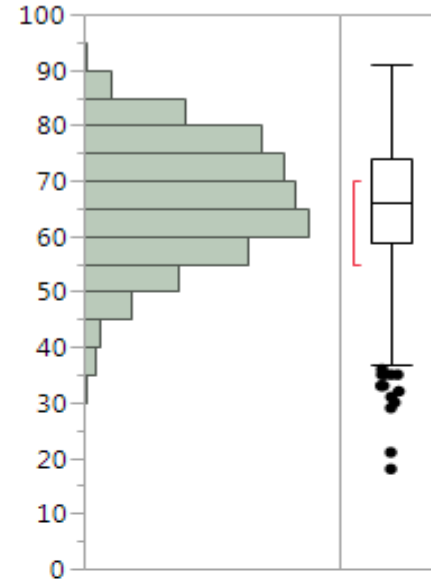
Standard Deviation

71% - 63% - 55% - 47%



Impact of Method 2 SGT on Total Points

Percentage (Total Points/Eligible Points)



Quantiles

100.0%	maximum	91
99.5%		89
97.5%		84
90.0%		80
75.0%	quartile	74
50.0%	median	66
25.0%	quartile	59
10.0%		52
2.5%		45
0.5%		37
0.0%	minimum	18

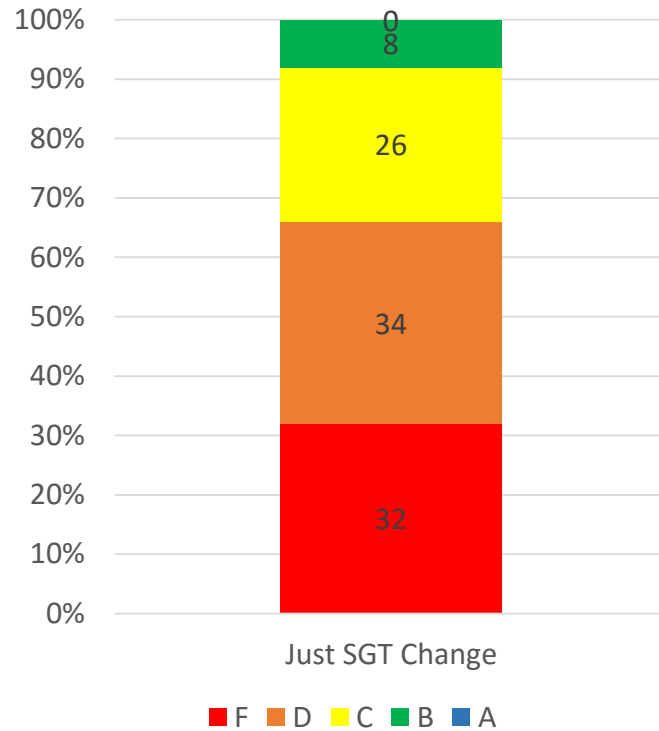
Summary Statistics

Mean	66.066683
Std Dev	10.519903
Std Err Mean	0.0352563
Upper 95% Mean	66.135785
Lower 95% Mean	65.997581
N	89033

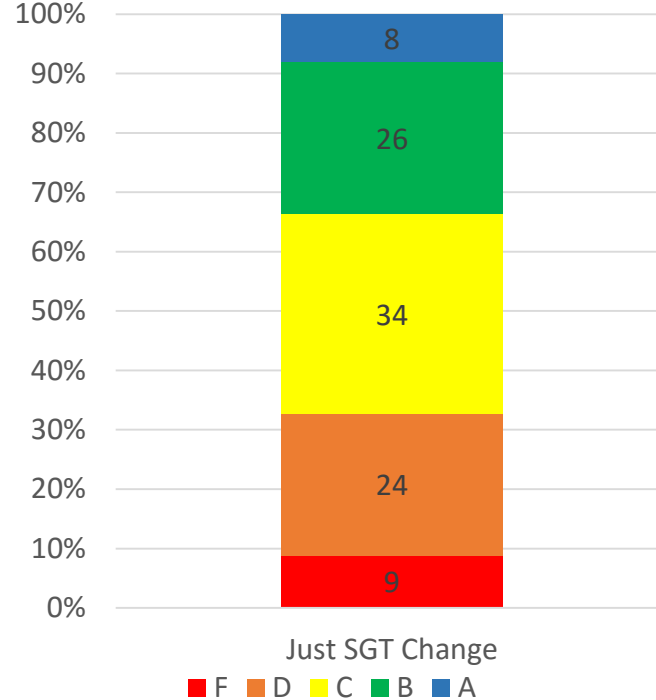
Letter Grade Impact – Just SGT – Method #2

	SGP			SGT		
	Low	Average	High	Below	At/Near	Above
HP	0.00	0.50	1.00	0.00	0.50	1.00
P	0.00	0.70	1.20	0.00	0.70	1.20
PP	0.00	0.90	1.80	0.00	0.90	1.80
MP	0.00	1.00	2.00	0.00	1.00	2.00

90% - 80% - 70% - 60%

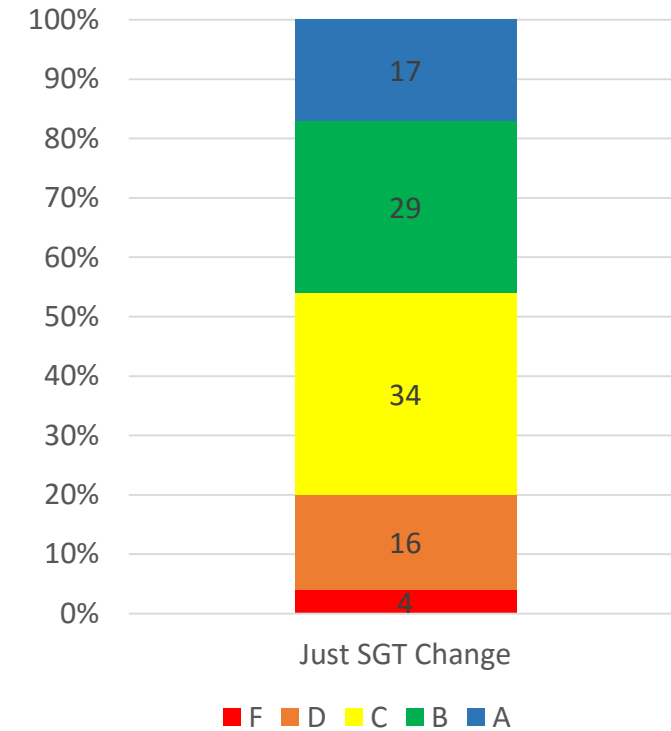


80% - 70% - 60% - 50%



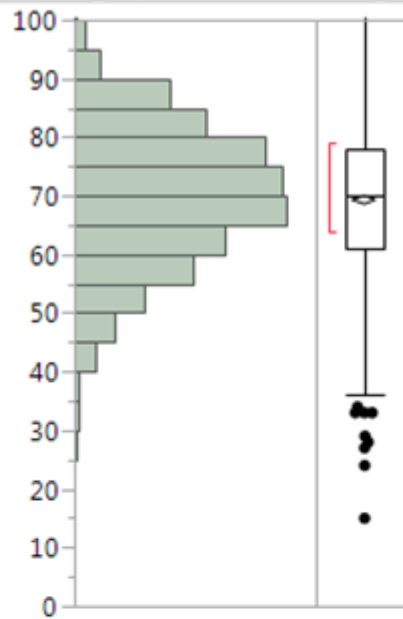
Standard Deviation

76% - 66% - 56% - 46%



Impact of Method 2 SGP & SGT on Total Points

Percentage (Total Points/Eligible Points)



Quantiles

100.0%	maximum	102
99.5%		96.06
97.5%		91
90.0%		85
75.0%	quartile	78
50.0%	median	70
25.0%	quartile	61
10.0%		54
2.5%		44
0.5%		33
0.0%	minimum	15

Summary Statistics

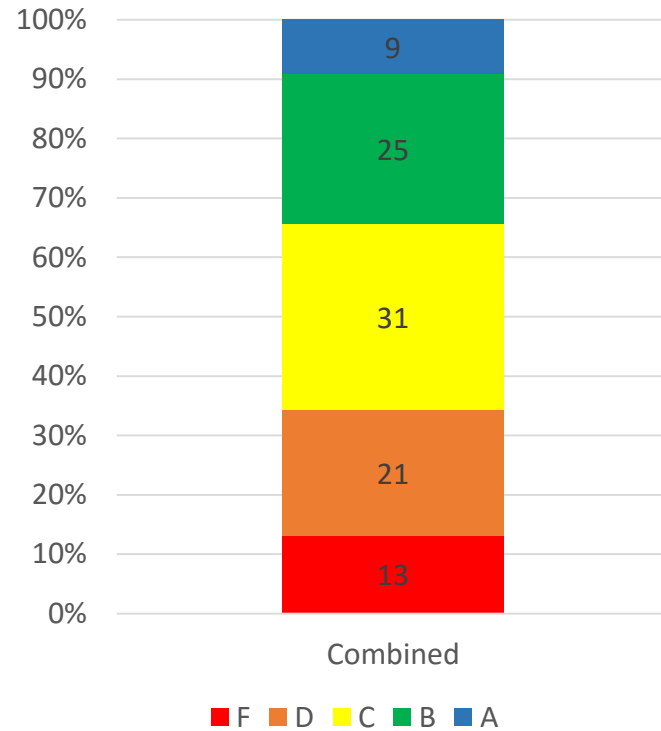
Mean	69.403028
Std Dev	12.039009
Std Err Mean	0.3232604
Upper 95% Mean	70.037161

Letter Grade Impact –SGP & SGT

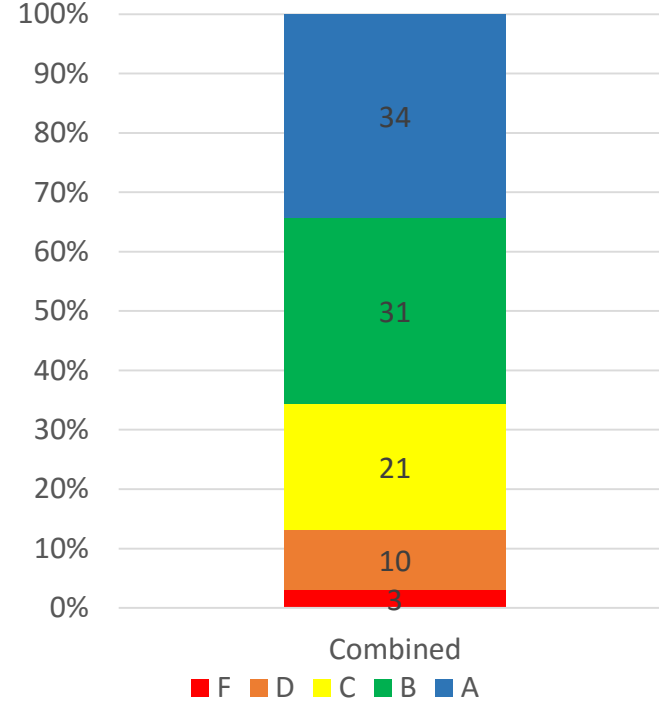
– Method #2

	SGP			SGT		
	Low	Average	High	Below	At/Near	Above
HP	0.00	0.50	1.00	0.00	0.50	1.00
P	0.00	0.70	1.20	0.00	0.70	1.20
PP	0.00	0.90	1.80	0.00	0.90	1.80
MP	0.00	1.00	2.00	0.00	1.00	2.00

90% - 80% - 70% - 60%

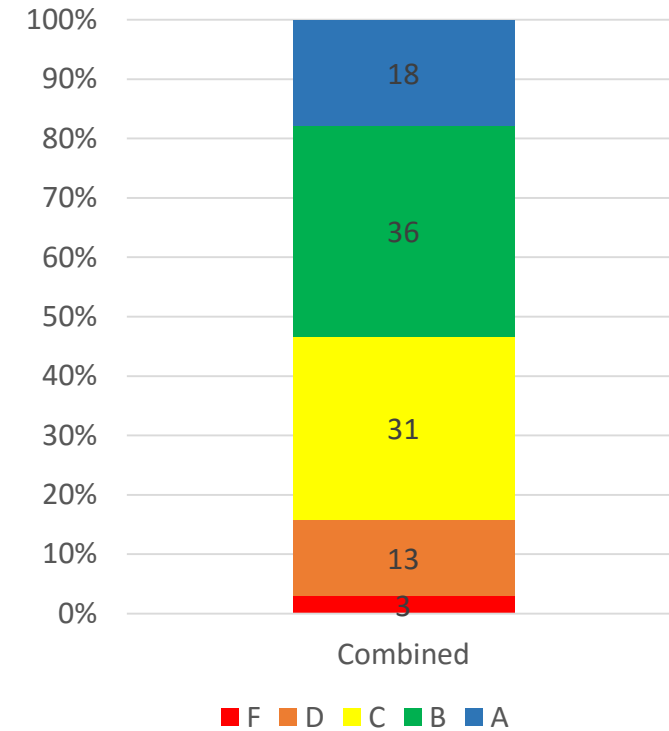


80% - 70% - 60% - 50%



Standard Deviation

86% – 74% – 62%– 50%



K-8 Cut Score Methods Summary

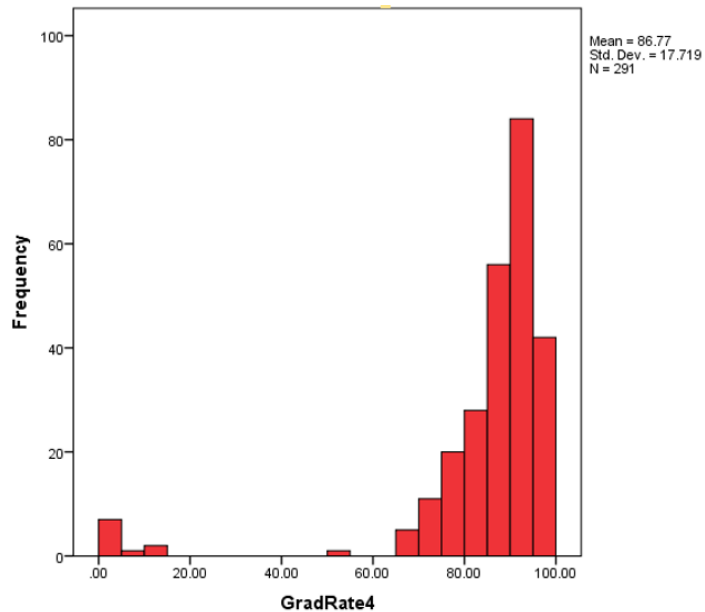
	A	B	C	D	F
Method #1 SGP	74+	64+	54+	44+	<44
Method #1 SGT	69+	59+	49+	39+	<39
Method #1 SGP & SGT	81+	69+	57+	45+	<45
Method #2 SGP	71+	63+	55+	47+	<47
Method #2 SGT	76+	66+	56+	46+	<46
Method #2 SGP & SGT	86+	74+	62+	50+	<50

9 – 12 Growth Rate Weighting Methods

Graduation Points

We made the current 4-5-6-7 year graduation rate calculation worth 10 points and made improvement of the four-year graduation rate worth 10 points. This distributed the points more widely.

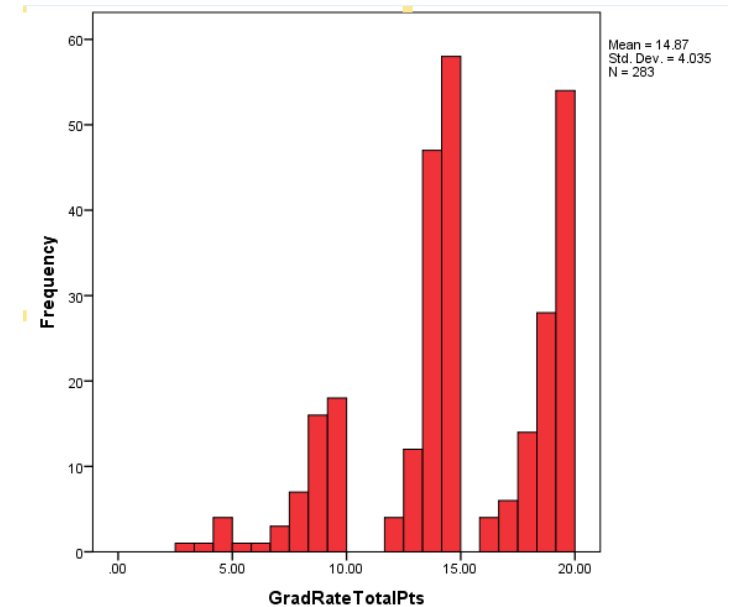
The four year grad rate is bunched at a 80%+ so grad rate points did not distinguish schools.



The Governor's goals, the ESSA plan, and the Progress Meter focus on improving the 4 year graduation rate. So, we are proposing adding a graduation rate improvement measure.

Schools improving graduation rates more than 2 percentage points or who are at a 95%+ rate would receive 10 points. Schools at or near their prior year rate (+/- 2 pts.) would receive 5 points. Schools that decline more than 2 points would get no points.

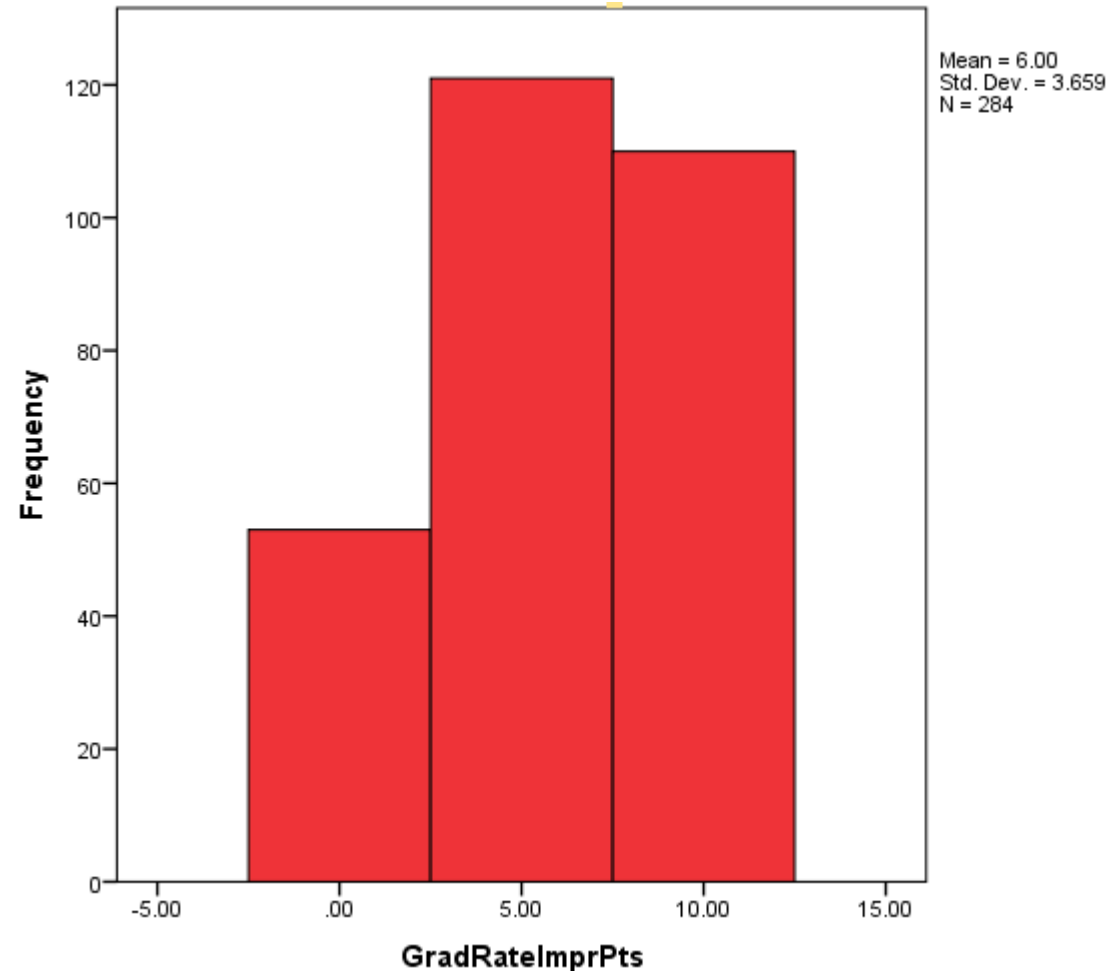
By combining the points for the 4-5-6-7 year graduation rate and the points for improvement, schools are distributed more widely.



If We Rate Schools on Improvement In The 4-Year Grad Rate We Do Differentiate Among Schools

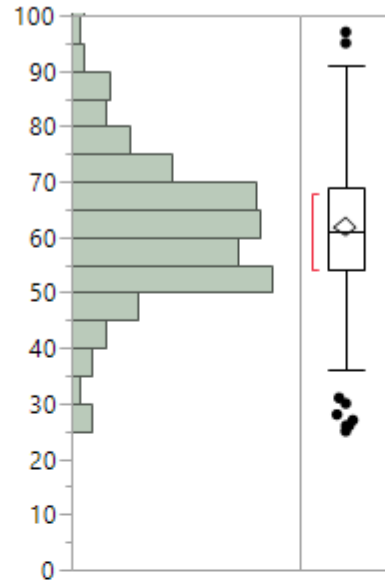
0 points	If grad rate decreases more than 2% pts from baseline year
5 points	+/- 2% of baseline year
10 points	Maintain 95% grad rate or increase more than 2%

AAG recommends that the ADE evaluate lower thresholds or an alternative methodology to address concerns about schools with 90% or greater graduation rates not getting full points.



Impact of Grad Rate on Total Points

Percentage (Total Points/Eligible Points)



Quantiles

100.0%	maximum	114
99.5%		109.455
97.5%		92.9
90.0%		78.9
75.0%	quartile	69
50.0%	median	61
25.0%	quartile	54
10.0%		47
2.5%		33.625
0.5%		25.505
0.0%	minimum	25

Summary Statistics

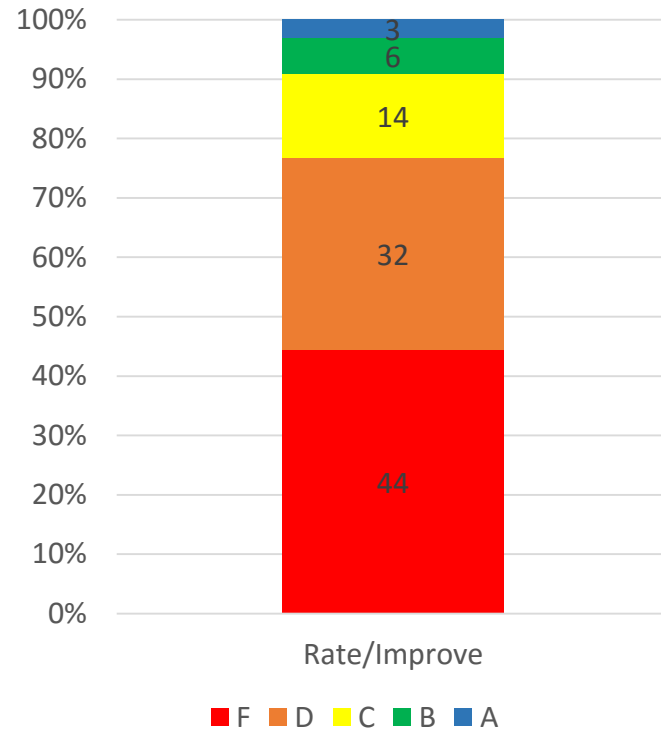
Mean	61.853333
Std Dev	13.692215
Std Err Mean	0.7905204
Upper 95% Mean	63.409022
Lower 95% Mean	60.297645
N	300

Letter Grade Impact – Changing Grad Rate

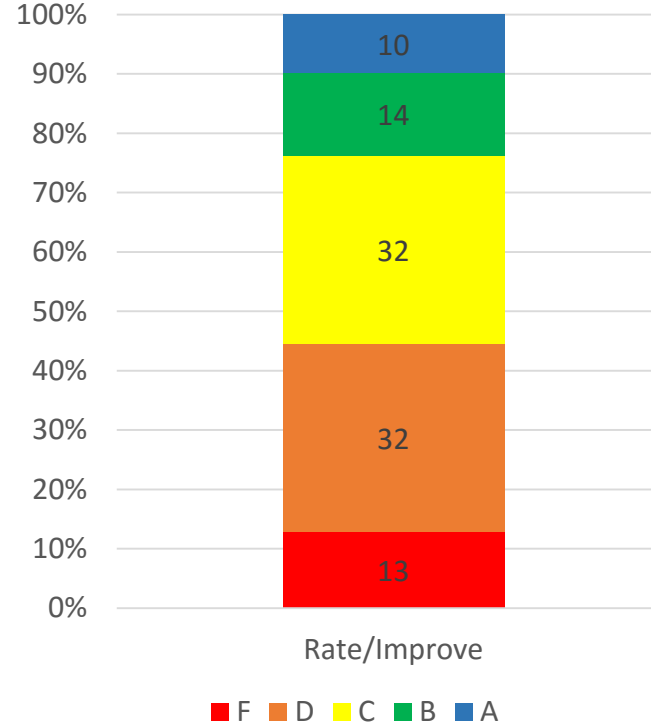
Ten points for 4-5-6-7 year graduation rate, ten points for improving the 4 year graduation rate

Standard Deviation

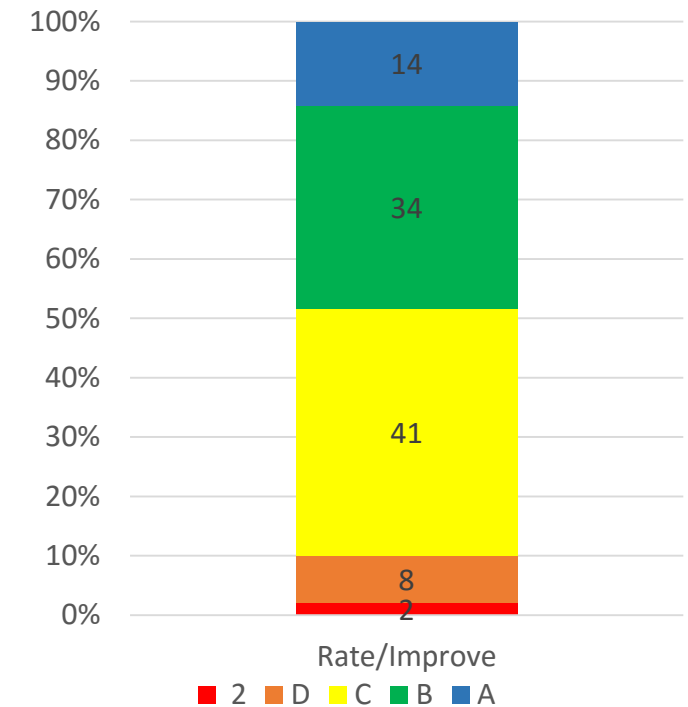
90% - 80% - 70% - 60%



80% - 70% - 60% - 50%



76%-62%-48%-34%



SGP

HP	0	0.4	1.25
P	0	0.6	1.5
PP	0	0.8	1.75
MP	0	1	2
	Low	Average	High

SGT

HP	0	1
P	0	1.1
PP	0	1.2
MP	0	1.3
	Did Not Meet Target	Met or Exceeded Target

Impact Data: HS Method #1

Keep the same weights as presented last week

Addressing Restricted Growth Points

Method #1: Adjust weights for SGP and SGT

SGP

HP	0	0.4	1.25
P	0	0.6	1.5
PP	0	0.8	1.75
MP	0	1	2
	Low	Average	High

SGT

HP	0	1
P	0	1.1
PP	0	1.2
MP	0	1.3
	Did Not Meet Target	Met or Exceeded Target

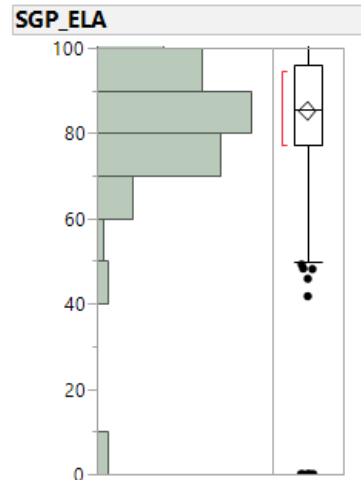
Concerns raised by Board:

- SGP is more heavily weighted than SGT
- SGT is an all or nothing calculation

HS SGP Methods

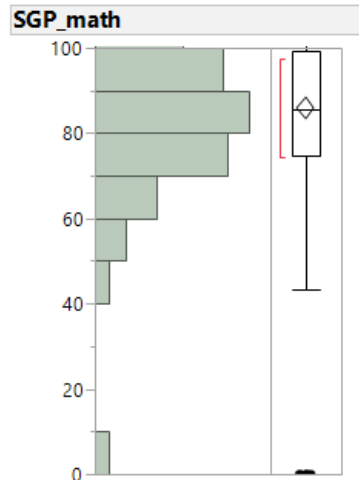
Method #1

HP	0.00	0.40	1.25
P	0.00	0.60	1.50
PP	0.00	0.80	1.75
MP	0.00	1.00	2.00
	Low	Average	High



Quantiles		
100.0%	maximum	140
99.5%		138.98495
97.5%		115.57
90.0%		106.042
75.0%	quartile	95.9525
50.0%	median	85.39
25.0%	quartile	77.345
10.0%		69.335
2.5%		43.90725
0.5%		0
0.0%	minimum	0

Summary Statistics	
Mean	85.295967
Std Dev	19.392084
Std Err Mean	1.1196025
Upper 95% Mean	87.499266
Lower 95% Mean	83.092668
N	300

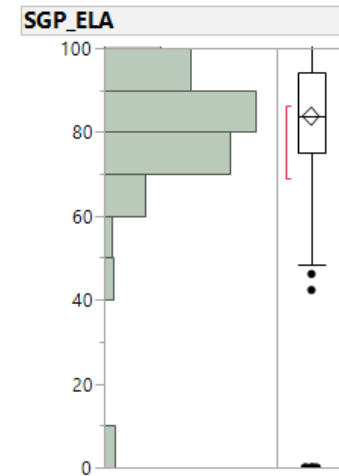


Quantiles		
100.0%	maximum	139.17
99.5%		138.0489
97.5%		128.031
90.0%		111.889
75.0%	quartile	99.3325
50.0%	median	85.695
25.0%	quartile	74.705
10.0%		61.447
2.5%		43.469
0.5%		0
0.0%	minimum	0

Summary Statistics	
Mean	85.890967
Std Dev	21.98965
Std Err Mean	1.2695731
Upper 95% Mean	88.389397
Lower 95% Mean	83.392536
N	300

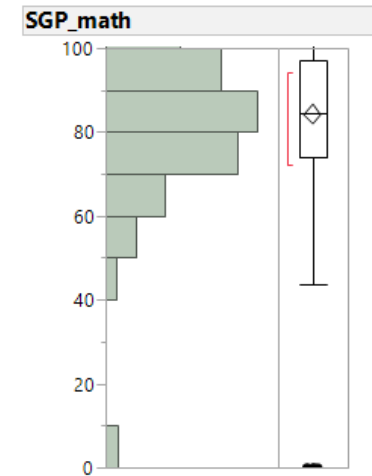
Method #2

HP	0.00	0.50	1.00
P	0.00	0.70	1.20
PP	0.00	0.90	1.80
MP	0.00	1.00	2.00
	Low	Average	High



Quantiles		
100.0%	maximum	138.8
99.5%		136.5477
97.5%		115.8675
90.0%		104.731
75.0%	quartile	94.2125
50.0%	median	83.86
25.0%	quartile	75.2225
10.0%		69.074
2.5%		44.3355
0.5%		0
0.0%	minimum	0

Summary Statistics	
Mean	83.8269
Std Dev	18.92307
Std Err Mean	1.092524
Upper 95% Mean	85.97691
Lower 95% Mean	81.67689
N	300



Quantiles		
100.0%	maximum	132.5
99.5%		132.3283
97.5%		120.77625
90.0%		108.669
75.0%	quartile	96.9525
50.0%	median	84.4
25.0%	quartile	73.9825
10.0%		61.796
2.5%		44.14975
0.5%		0
0.0%	minimum	0

Summary Statistics	
Mean	84.247067
Std Dev	20.597341
Std Err Mean	1.189188
Upper 95% Mean	86.587305
Lower 95% Mean	81.906828
N	300

Summary of Impact SGP Methods

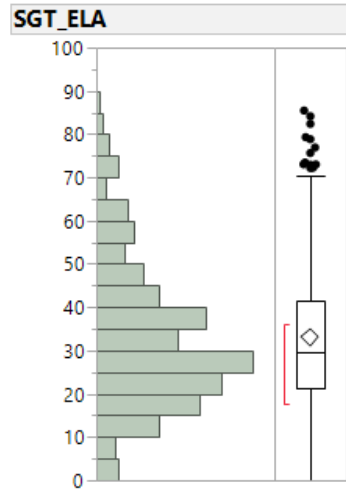
Math	Mean	Standard Deviation	Range
Method #1	85.9	22	0-139.2
Method #2	84.2	20.6	0-132.5

Reading	Mean	Standard Deviation	Range
Method #1	85.3	19.4	0-140
Method #2	83.8	18.9	0-138.8

HS SGT Methods

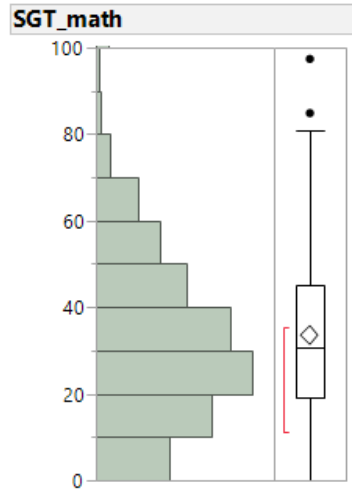
Method #1

HP	0.00	1
P	0.00	1.1
PP	0.00	1.2
MP	0.00	1.3
	Did Not Meet	Met



Quantiles		
100.0%	maximum	85.46
99.5%		84.79845
97.5%		74.50025
90.0%		59.42
75.0%	quartile	41.49
50.0%	median	29.605
25.0%	quartile	21.365
10.0%		14.15
2.5%		5.21
0.5%		0
0.0%	minimum	0

Summary Statistics	
Mean	33.1107
Std Dev	17.206341
Std Err Mean	0.9934086
Upper 95% Mean	35.065658
Lower 95% Mean	31.155742
N	300

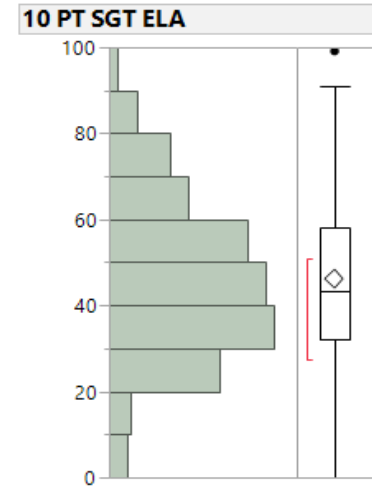


Quantiles		
100.0%	maximum	106.94
99.5%		106.12695
97.5%		82.78575
90.0%		60.389
75.0%	quartile	45.2625
50.0%	median	30.74
25.0%	quartile	19.2425
10.0%		9.611
2.5%		1.4015
0.5%		0
0.0%	minimum	0

Summary Statistics	
Mean	33.5796
Std Dev	20.556997
Std Err Mean	1.1868588
Upper 95% Mean	35.915255
Lower 95% Mean	31.243945
N	300

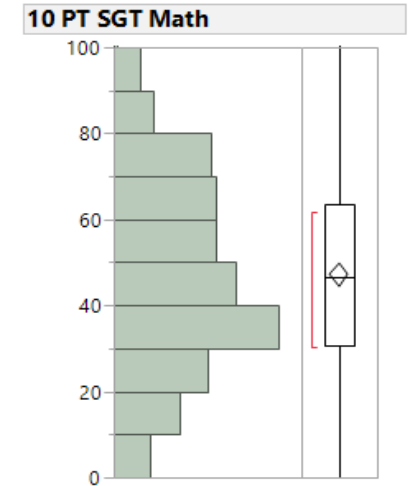
Method #2

HP	0.00	0.50	1.00
P	0.00	0.70	1.20
PP	0.00	0.90	1.80
MP	0.00	1.00	2.00
	Below	At/Near	Above



Quantiles		
100.0%	maximum	99.1
99.5%		95.0095
97.5%		86.4425
90.0%		72.17
75.0%	quartile	58.3
50.0%	median	43.5
25.0%	quartile	32.3
10.0%		24.43
2.5%		8.9075
0.5%		0
0.0%	minimum	0

Summary Statistics	
Mean	46.115333
Std Dev	18.971172
Std Err Mean	1.0953012
Upper 95% Mean	48.270809
Lower 95% Mean	43.959858
N	300



Quantiles		
100.0%	maximum	103.1
99.5%		101.1305
97.5%		91.3425
90.0%		76.8
75.0%	quartile	63.65
50.0%	median	46.5
25.0%	quartile	30.85
10.0%		18.3
2.5%		4.515
0.5%		0
0.0%	minimum	0

Summary Statistics	
Mean	47.153
Std Dev	22.777485
Std Err Mean	1.3150587
Upper 95% Mean	49.740943
Lower 95% Mean	44.565057
N	300

Summary of Impact SGT Changes

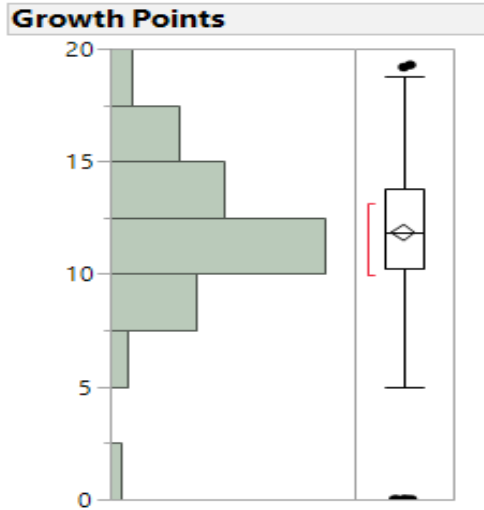
Math	Mean	Standard Deviation	Range
Method #1	33.6	20.6	0-107
Method #2	47.2	22.8	0-103.1

Reading	Mean	Standard Deviation	Range
Method #1	33	17.2	0-85.5
Method #2	46.1	19	0-103.1

HS Growth Methods Comparison

Method #1

HP	0.00	1
P	0.00	1.1
PP	0.00	1.2
MP	0.00	1.3
	Did Not Meet	Met

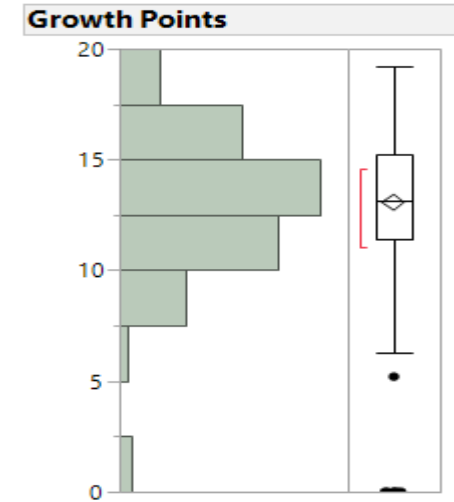


Quantiles		
100.0%	maximum	19.28
99.5%		19.2295
97.5%		18.0635
90.0%		15.828
75.0%	quartile	13.7575
50.0%	median	11.825
25.0%	quartile	10.2475
10.0%		8.323
2.5%		5.3565
0.5%		0
0.0%	minimum	0

Summary Statistics	
Mean	11.8592
Std Dev	3.1827438
Std Err Mean	0.1837558
Upper 95% Mean	12.220818
Lower 95% Mean	11.497582
N	300

Method #2

HP	0.00	0.50	1.00
P	0.00	0.70	1.20
PP	0.00	0.90	1.80
MP	0.00	1.00	2.00
	Below	At/Near	Above



Quantiles		
100.0%	maximum	19.24
99.5%		19.2198
97.5%		18.68975
90.0%		16.954
75.0%	quartile	15.2
50.0%	median	13.16
25.0%	quartile	11.43
10.0%		9.234
2.5%		5.767
0.5%		0
0.0%	minimum	0

Summary Statistics	
Mean	13.048667
Std Dev	3.2919619
Std Err Mean	0.1900615
Upper 95% Mean	13.422694
Lower 95% Mean	12.674639
N	300

Summary of Impact SGP and SGT Changes

	Mean	Standard Deviation	Range
Method #1	11.9	3.2	0-19.3
Method #2	13	3.3	0-19.2

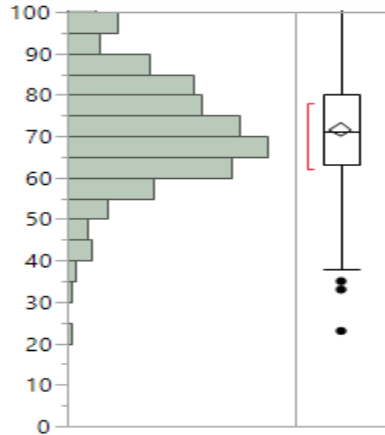
HS Growth Total Score Impact

Method #1

HP	0.00	1
P	0.00	1.1
PP	0.00	1.2
MP	0.00	1.3
	Did Not Meet	Met

Distributions

Percentage (Total Points/Eligible Points)



Quantiles

100.0%	maximum	105
99.5%		104.495
97.5%		101.475
90.0%		89
75.0%	quartile	80
50.0%	median	71
25.0%	quartile	63
10.0%		56
2.5%		43.525
0.5%		28.05
0.0%	minimum	23

Summary Statistics

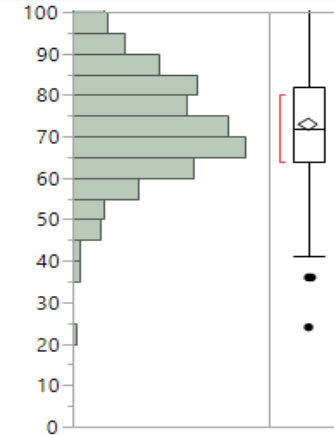
Mean	71.643333
Std Dev	13.740407
Std Err Mean	0.7933028
Upper 95% Mean	73.204497
Lower 95% Mean	70.082169
N	300

Method #2

HP	0.00	0.50	1.00
P	0.00	0.70	1.20
PP	0.00	0.90	1.80
MP	0.00	1.00	2.00
	Below	At/Near	Above

Distributions

Percentage (Total Points/Eligible Points)



Quantiles

100.0%	maximum	105
99.5%		104.495
97.5%		100.475
90.0%		90
75.0%	quartile	82
50.0%	median	72
25.0%	quartile	64
10.0%		57
2.5%		45.525
0.5%		30.06
0.0%	minimum	24

Summary Statistics

Mean	72.996667
Std Dev	13.48739
Std Err Mean	0.7786948
Upper 95% Mean	74.529083
Lower 95% Mean	71.46425
N	300

Summary of Impact on Total Points

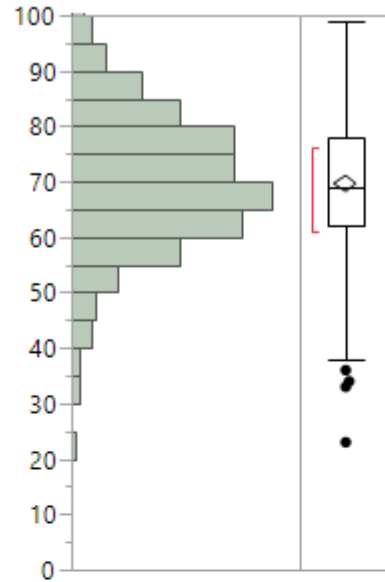
	Mean	Standard Deviation	Range
Method #1	71.6	13.7	23-105
Method #2	73	13.5	24-105

HS Correlation to Poverty

	Proficiency	Growth	Percentage (Total Points/Eligible Points)
Method #1	-0.700	0.020	-0.641
Method #2	-0.700	0.029	-0.654

Impact of Method 1 SGP on Total Points

Percentage (Total Points/Eligible Points)



Quantiles

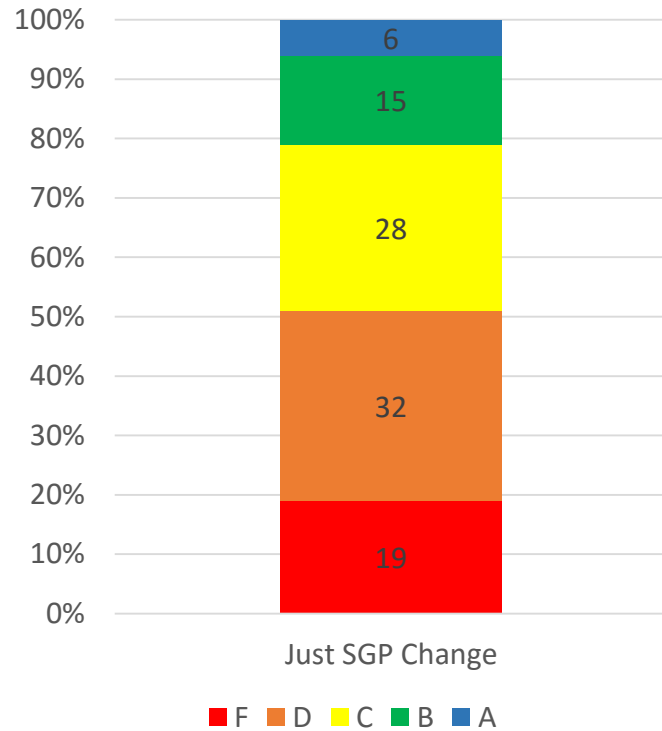
100.0%	maximum	105
99.5%		104.495
97.5%		97
90.0%		86
75.0%	quartile	78
50.0%	median	69
25.0%	quartile	62
10.0%		55
2.5%		42
0.5%		28.05
0.0%	minimum	23

Summary Statistics

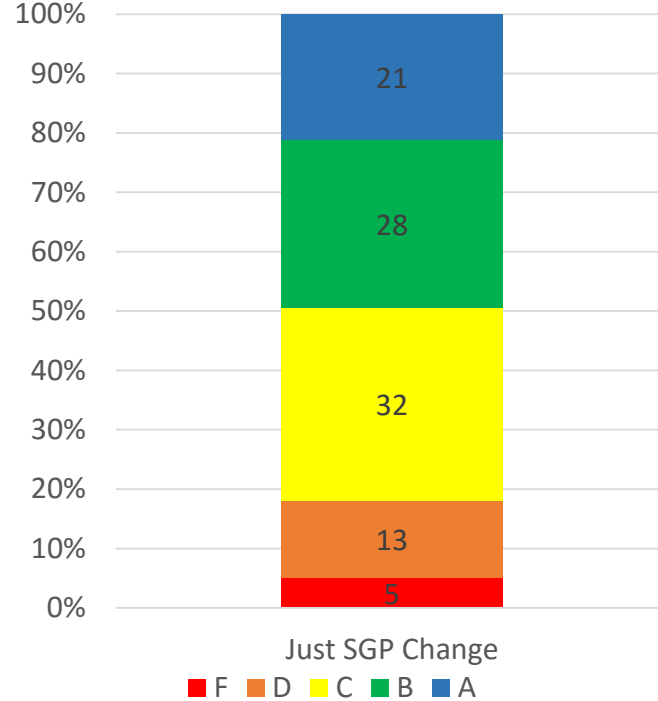
Mean	69.693333
Std Dev	12.929936
Std Err Mean	0.7465102
Upper 95% Mean	71.162413
Lower 95% Mean	68.224254
N	300

Letter Grade Impact – Just Changing SGP – Method #1

90% - 80% - 70% - 60%

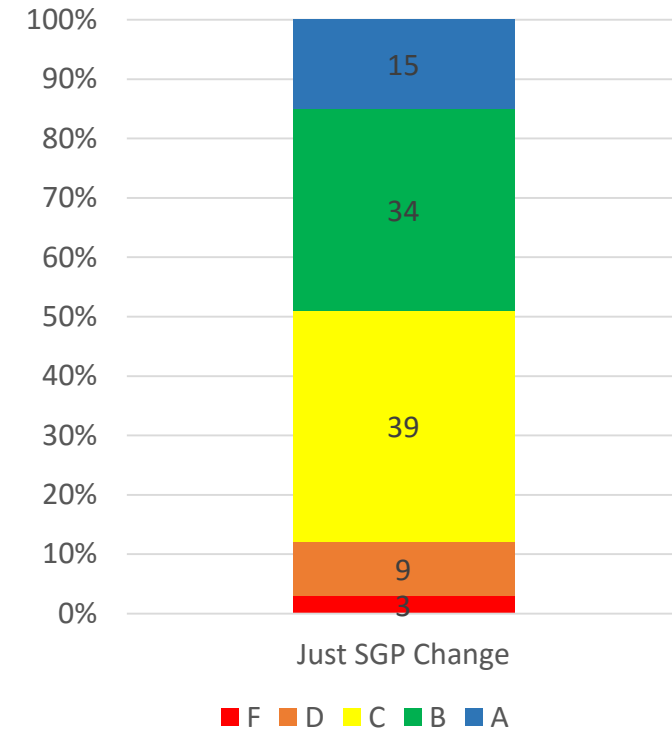


80% - 70% - 60% - 50%



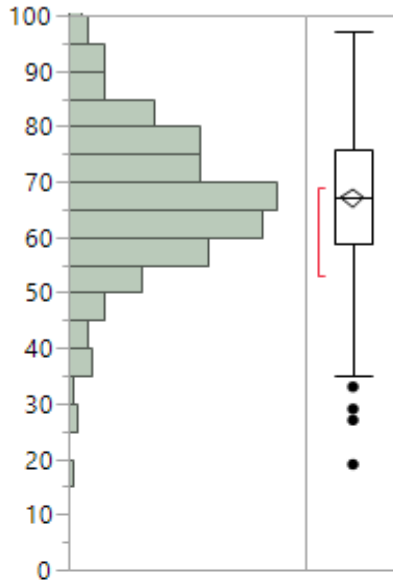
Standard Deviation

83%-70%-57%-44%



Impact of Method 1 SGT on Total Points

Percentage (Total Points/Eligible Points)



Quantiles

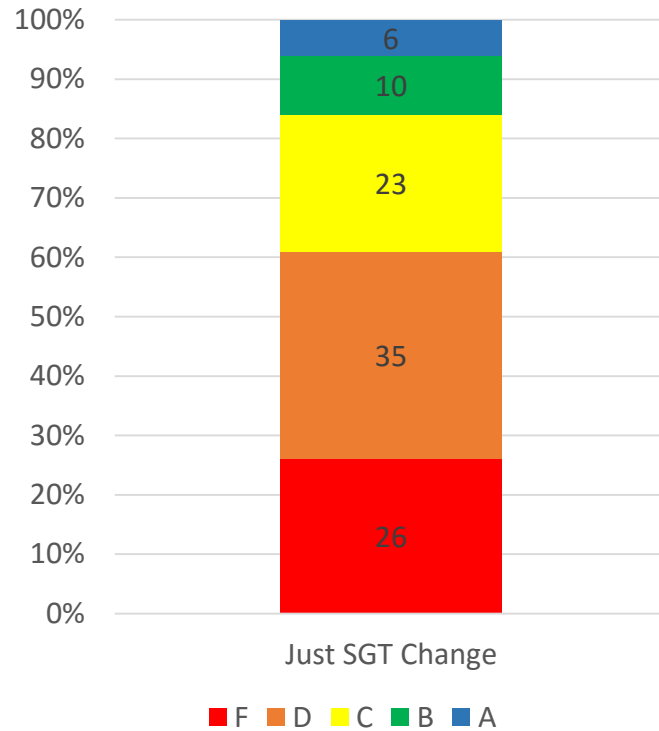
100.0%	maximum	105
99.5%		104.495
97.5%		96
90.0%		84
75.0%	quartile	75.75
50.0%	median	67
25.0%	quartile	59
10.0%		51
2.5%		37.525
0.5%		23.04
0.0%	minimum	19

Summary Statistics

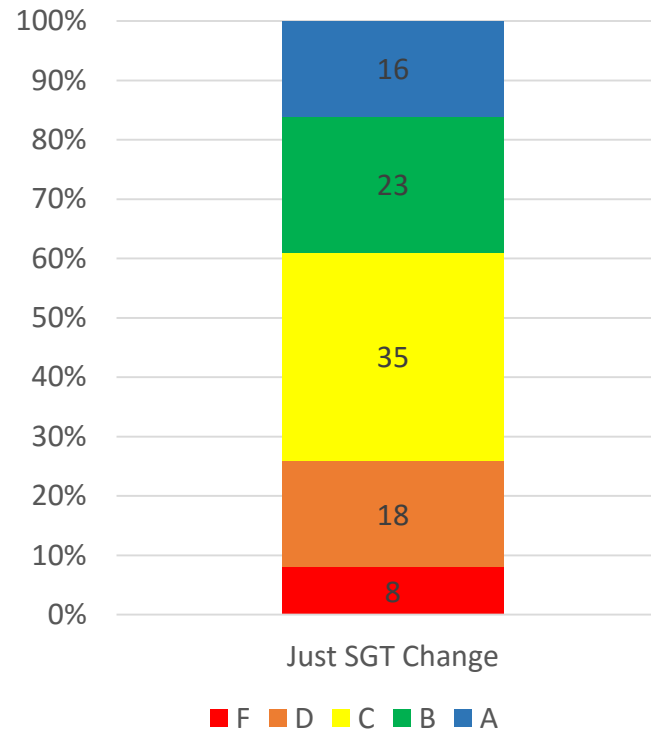
Mean	67.056667
Std Dev	13.565158
Std Err Mean	0.7831847
Upper 95% Mean	68.597919
Lower 95% Mean	65.515414
N	300

Letter Grade Impact– Just Changing SGT – Method #1

90% - 80% - 70% - 60%

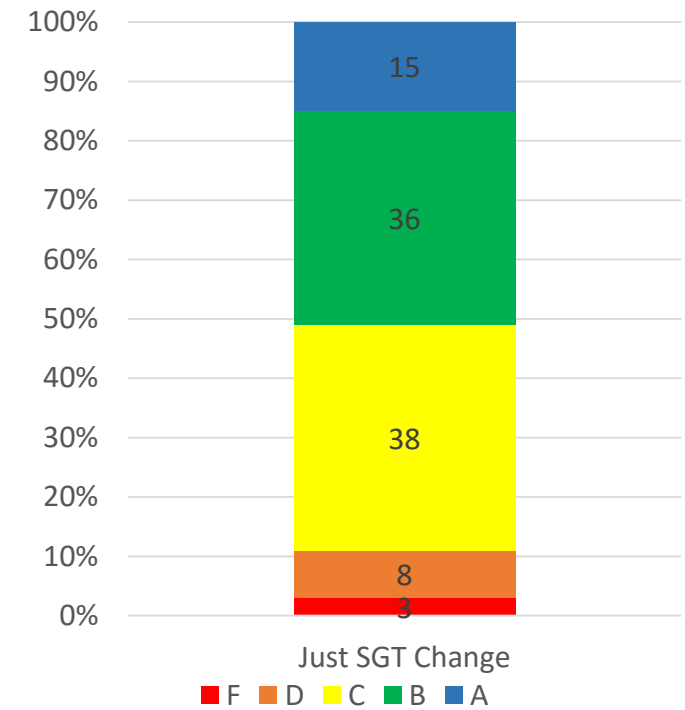


80% - 70% - 60% - 50%



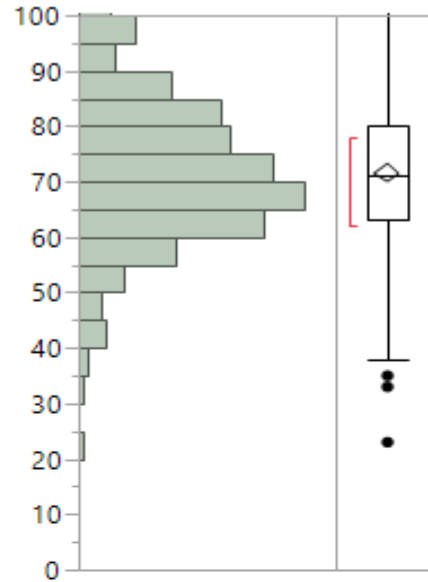
Standard Deviation

81%-67%-53%-39%



Impact of Method 1 SGP & SGT on Total Points

Percentage (Total Points/Eligible Points)



Quantiles

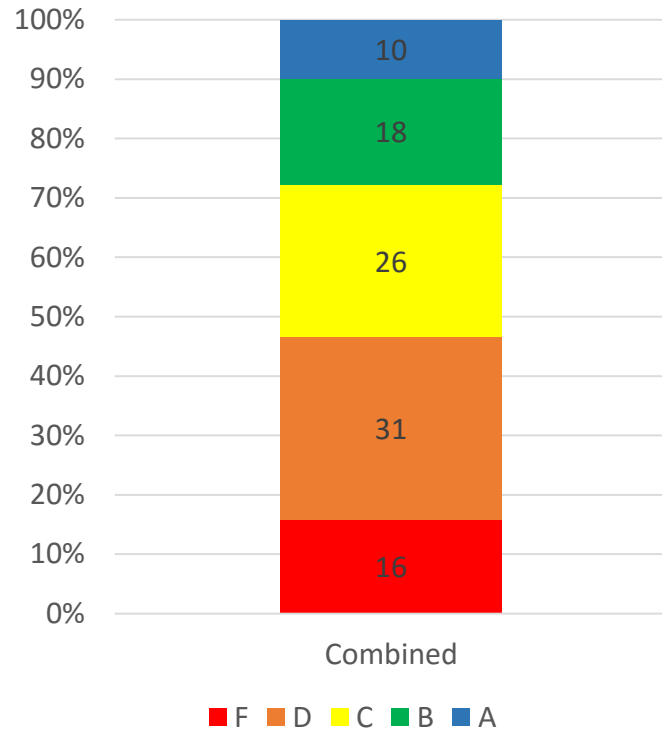
100.0%	maximum	105
99.5%		104.495
97.5%		101.475
90.0%		89
75.0%	quartile	80
50.0%	median	71
25.0%	quartile	63
10.0%		56
2.5%		43.525
0.5%		28.05
0.0%	minimum	23

Summary Statistics

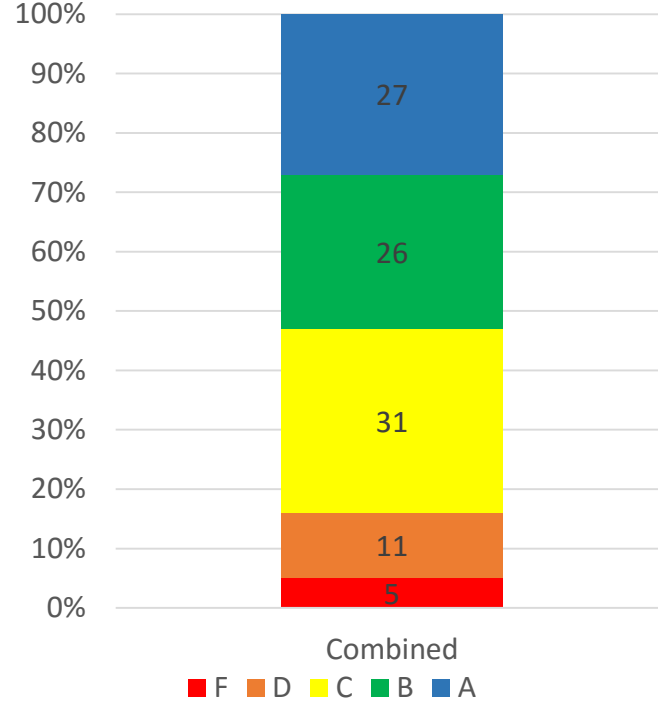
Mean	71.643333
Std Dev	13.740407
Std Err Mean	0.7933028
Upper 95% Mean	73.204497
Lower 95% Mean	70.082169
N	300

Letter Grade Impact – Changing SGP & SGT – Method #1

90% - 80% - 70% - 60%

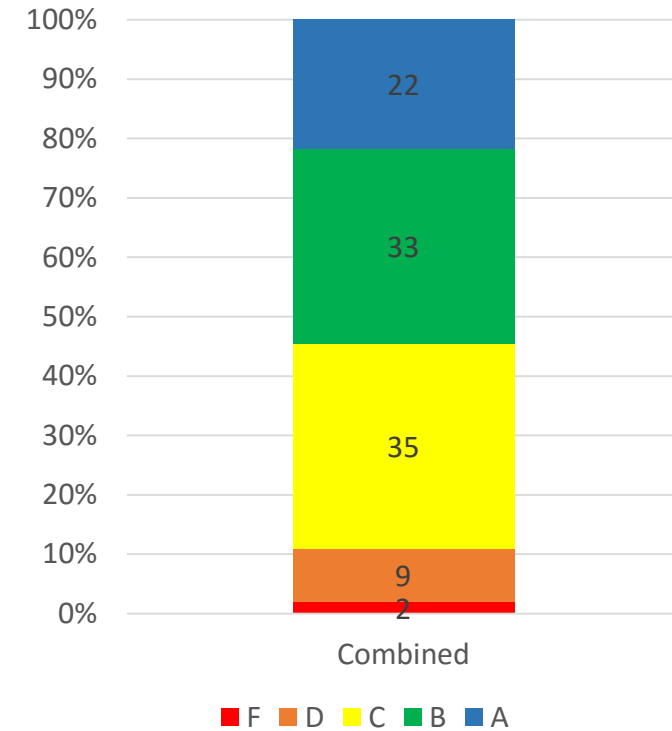


80% - 70% - 60% - 50%



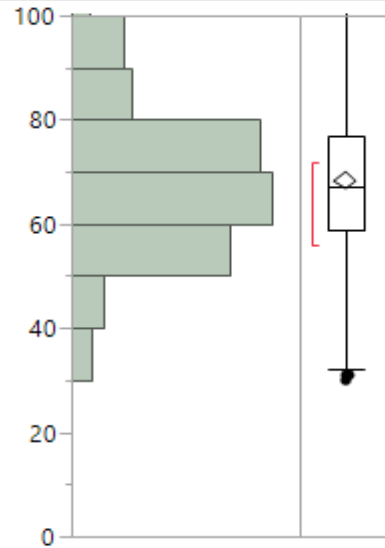
Standard Deviation

84%-71%-58%-45



Impact of Method 1 SGP & SGT & Grad on Total Points

Percentage (Total Points/Eligible Points)



Quantiles

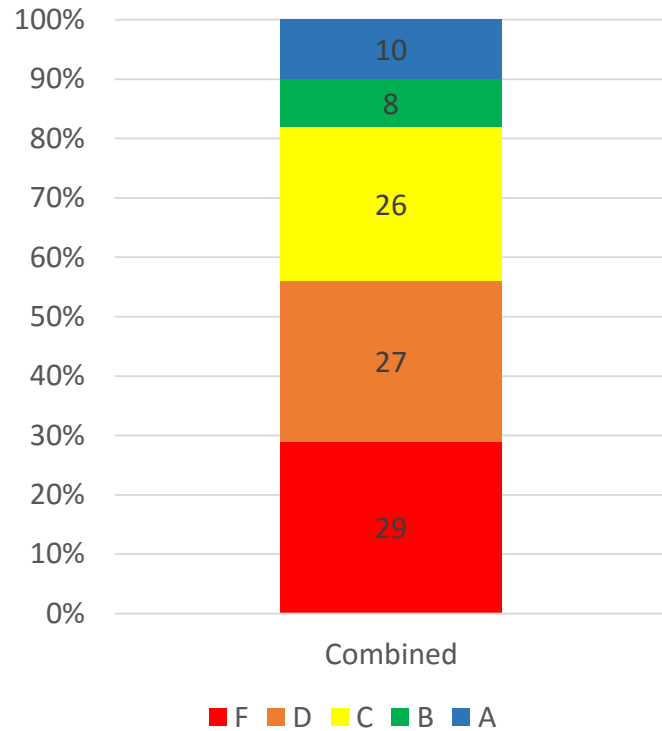
100.0%	maximum	134
99.5%		123.9
97.5%		102
90.0%		89.9
75.0%	quartile	77
50.0%	median	67
25.0%	quartile	59
10.0%		51.1
2.5%		36.625
0.5%		30.505
0.0%	minimum	30

Summary Statistics

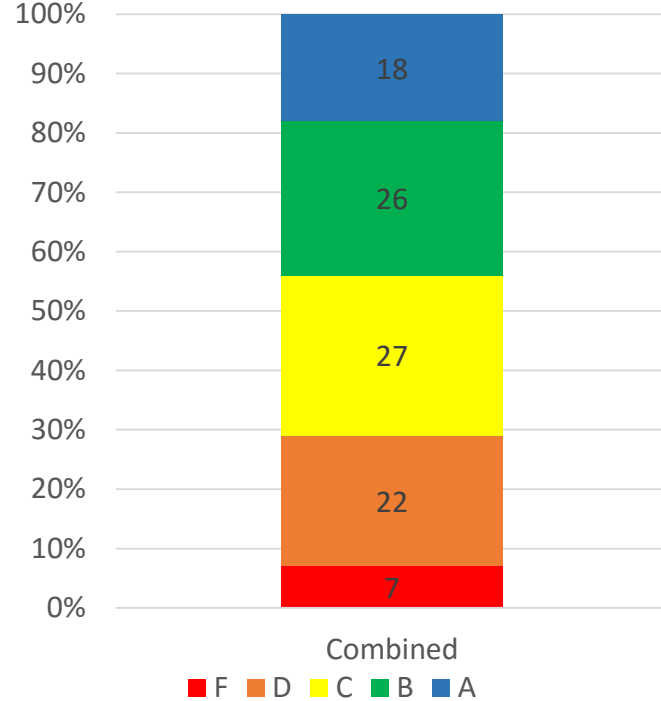
Mean	68.403333
Std Dev	15.130447
Std Err Mean	0.8735568
Upper 95% Mean	70.122432
Lower 95% Mean	66.684235
N	300

Letter Grade Impact – Changing SGP, SGT & Grad Rate – Method #1

90% - 80% - 70% - 60%

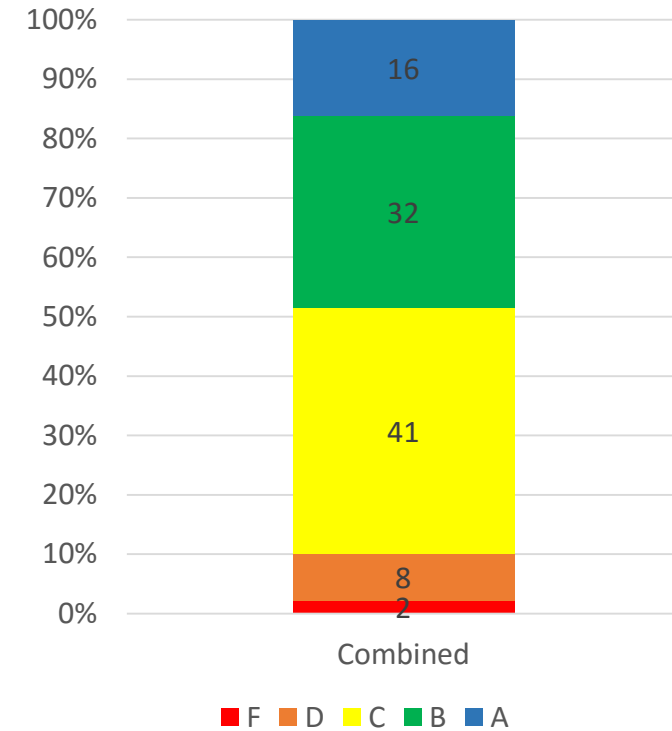


80% - 70% - 60% - 50%



Standard Deviation

83%-68%-53%-38%



SGP

HP	0.00	0.50	1.00
P	0.00	0.70	1.20
PP	0.00	0.90	1.80
MP	0.00	1.00	2.00
	Low	Average	High

SGT

HP	0.00	0.50	1.00
P	0.00	0.70	1.20
PP	0.00	0.90	1.80
MP	0.00	1.00	2.00
	Below	At/Near	Above

Impact Data: HS Method #2

Add an At/Near Target rating

Make weights for SGP and SGT the same for clearer communication and equal weighting

Addressing: Restricted Growth Points

Method #2: Adjust weights for SGP and SGT, giving more weight to the average growth category and assign partial credit for SGT

SGP

HP	0.00	0.50	1.00
P	0.00	0.70	1.20
PP	0.00	0.90	1.80
MP	0.00	1.00	2.00
	Low	Average	High

SGT

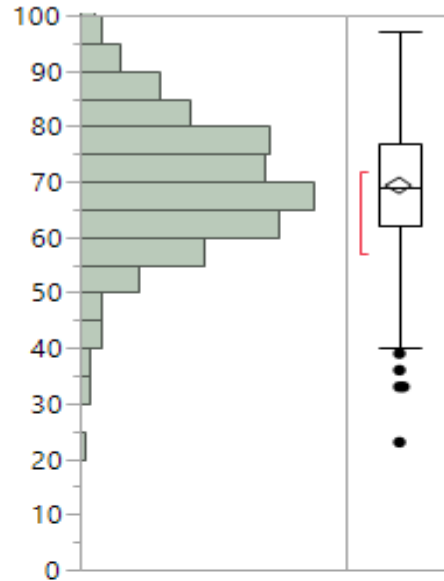
HP	0.00	0.50	1.00
P	0.00	0.70	1.20
PP	0.00	0.90	1.80
MP	0.00	1.00	2.00
	Below	At/Near	Above

This method addresses concerns raised by Board:

- SGP is equally weighted with SGT
- Creates at/near grouping (+/- 10 points around the target) for SGT rather than an “all or nothing”

Impact of Method 2 SGP on Total Points

Percentage (Total Points/Eligible Points)



Quantiles

100.0%	maximum	105
99.5%		104.495
97.5%		95.475
90.0%		86
75.0%	quartile	77
50.0%	median	69
25.0%	quartile	62
10.0%		55
2.5%		41.525
0.5%		28.05
0.0%	minimum	23

Summary Statistics

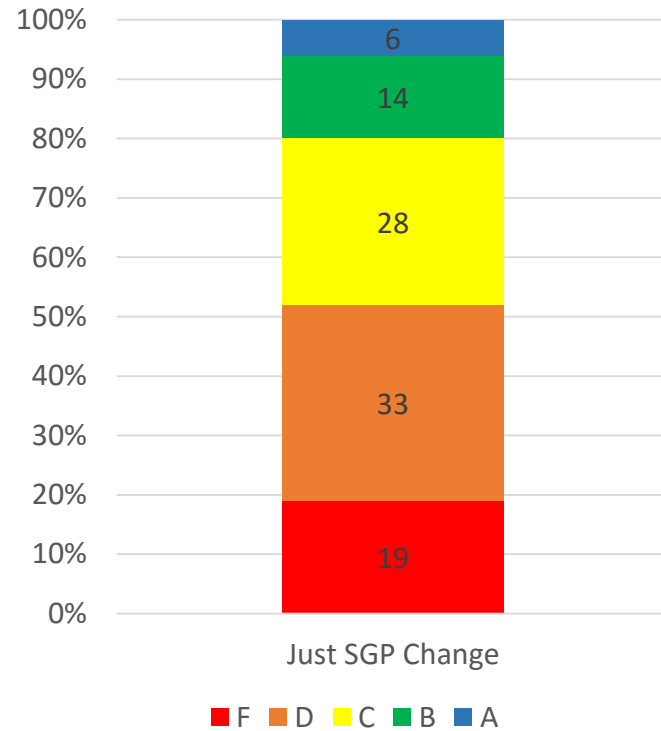
Mean	69.48
Std Dev	12.711473
Std Err Mean	0.7338972
Upper 95% Mean	70.924258
Lower 95% Mean	68.035742
N	300

Letter Grade Impact – Just SGP

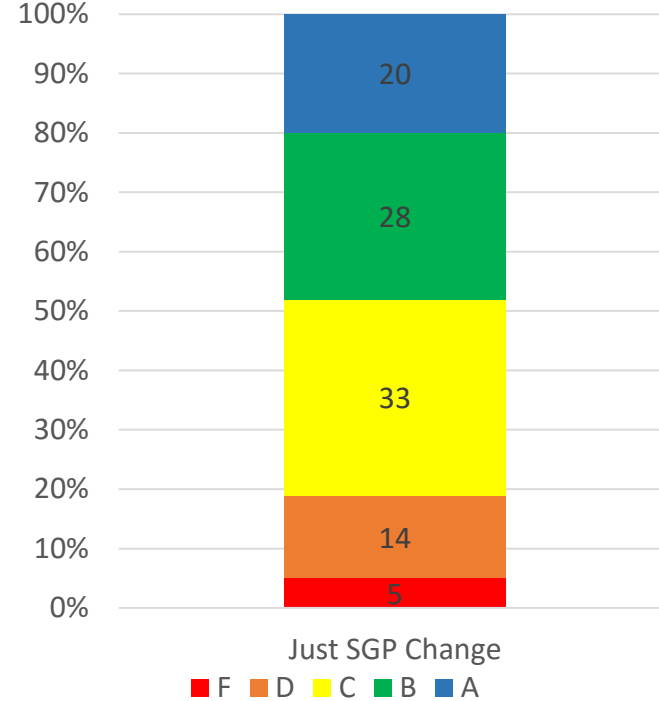
– Method #2

	SGP			SGT		
	Low	Average	High	Below	At/Near	Above
HP	0.00	0.50	1.00	0.00	0.50	1.00
P	0.00	0.70	1.20	0.00	0.70	1.20
PP	0.00	0.90	1.80	0.00	0.90	1.80
MP	0.00	1.00	2.00	0.00	1.00	2.00

90% - 80% - 70% - 60%

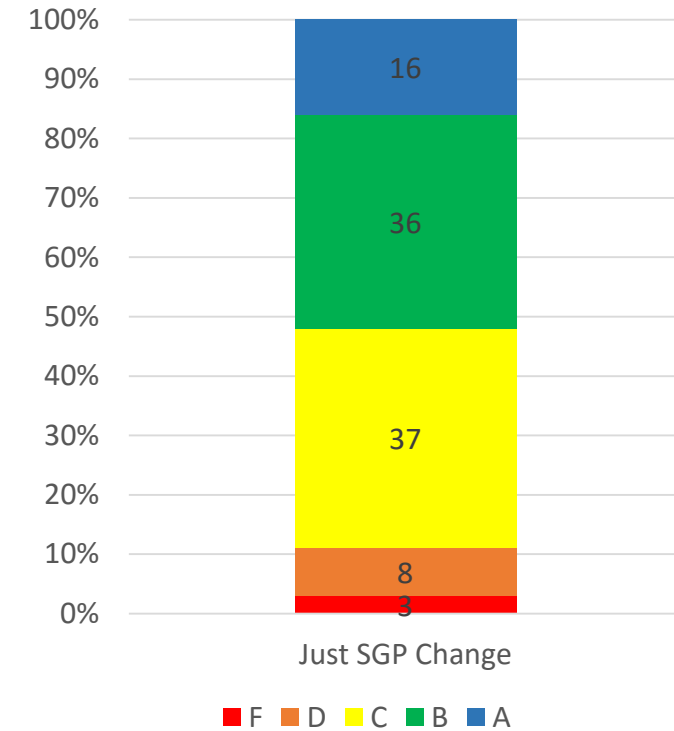


80% - 70% - 60% - 50%



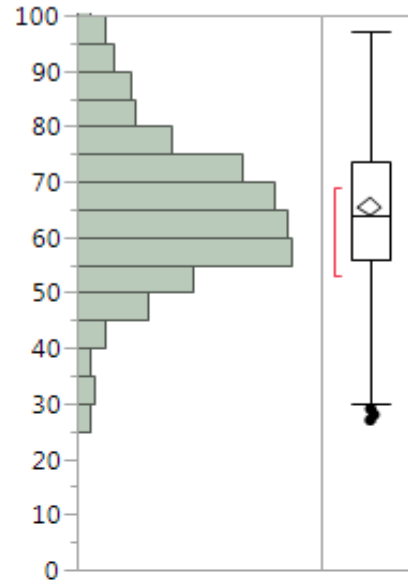
Standard Deviation

82%-69%-56%-43%



Impact of Method 2 SGT on Total Points

Percentage (Total Points/Eligible Points)



Quantiles

100.0%	maximum	124
99.5%		115.415
97.5%		96.475
90.0%		86
75.0%	quartile	73.75
50.0%	median	64
25.0%	quartile	56
10.0%		49
2.5%		34.625
0.5%		27.505
0.0%	minimum	27

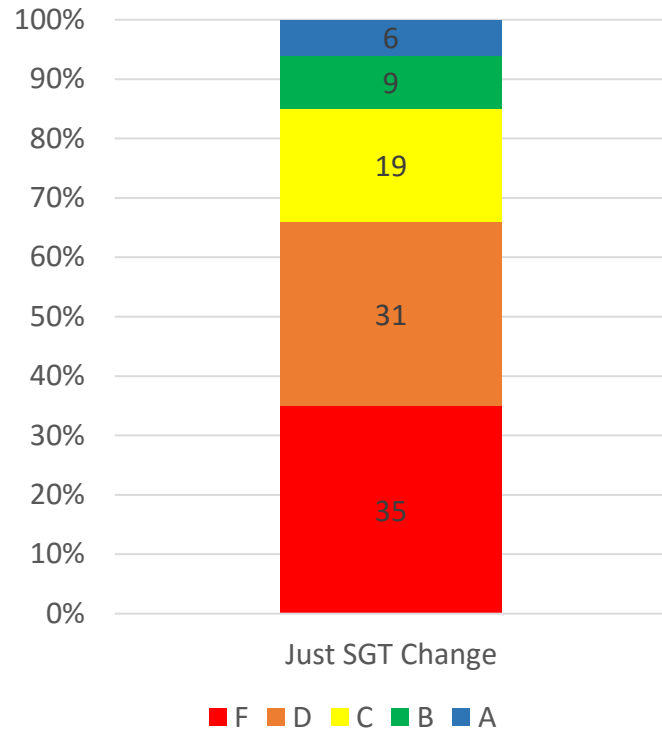
Summary Statistics

Mean	65.436667
Std Dev	14.649734
Std Err Mean	0.8458028
Upper 95% Mean	67.101147
Lower 95% Mean	63.772186
N	300

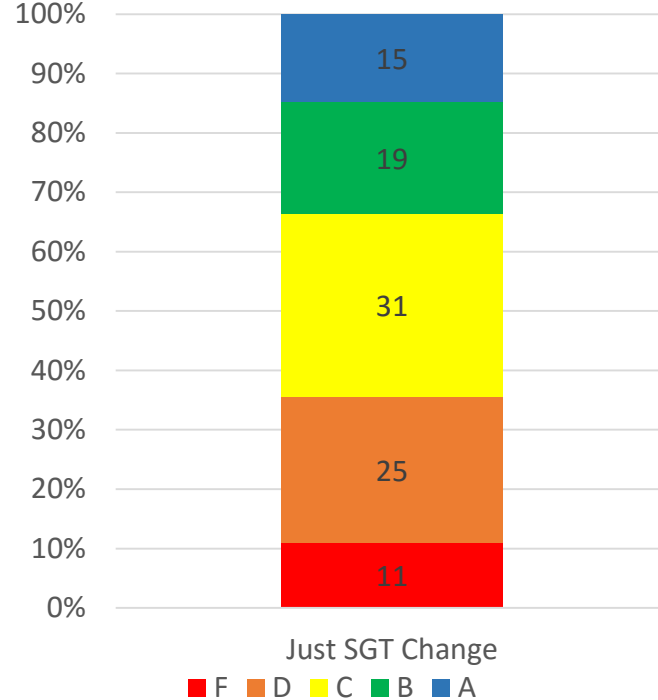
Letter Grade Impact – Just SGT – Method #2

	SGP			SGT		
	Low	Average	High	Below	At/Near	Above
HP	0.00	0.50	1.00	0.00	0.50	1.00
P	0.00	0.70	1.20	0.00	0.70	1.20
PP	0.00	0.90	1.80	0.00	0.90	1.80
MP	0.00	1.00	2.00	0.00	1.00	2.00

90% - 80% - 70% - 60%

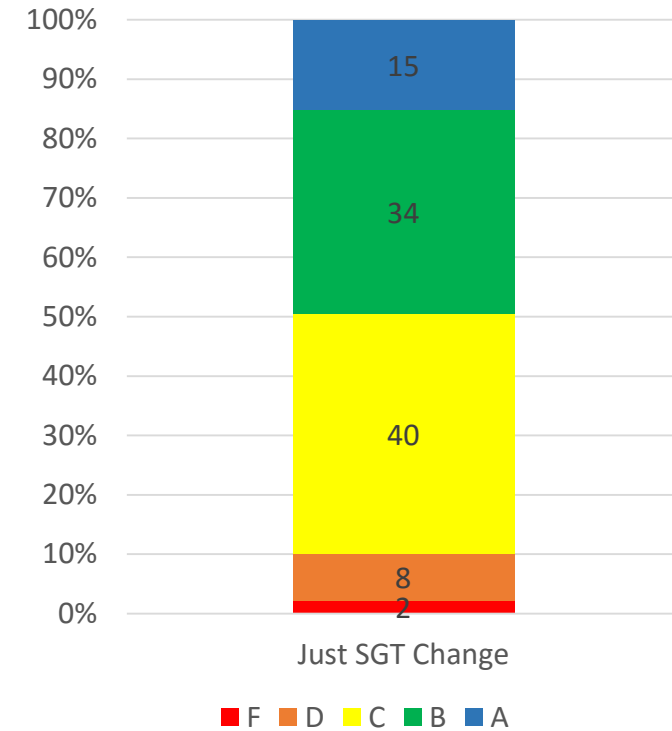


80% - 70% - 60% - 50%



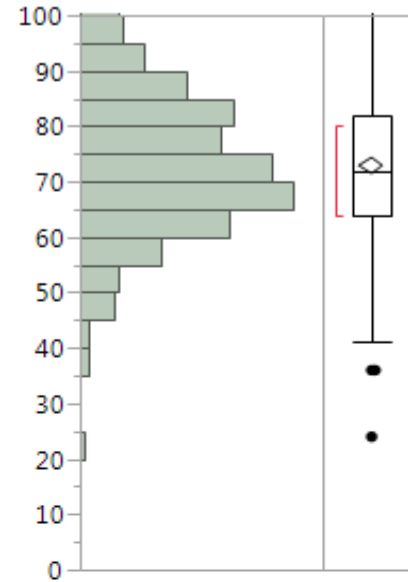
Standard Deviation

80%-65%-50%-35%



Impact of Method 2 SGP & SGT on Total Points

Percentage (Total Points/Eligible Points)



Quantiles

100.0%	maximum	105
99.5%		104.495
97.5%		100.475
90.0%		90
75.0%	quartile	82
50.0%	median	72
25.0%	quartile	64
10.0%		57
2.5%		45.525
0.5%		30.06
0.0%	minimum	24

Summary Statistics

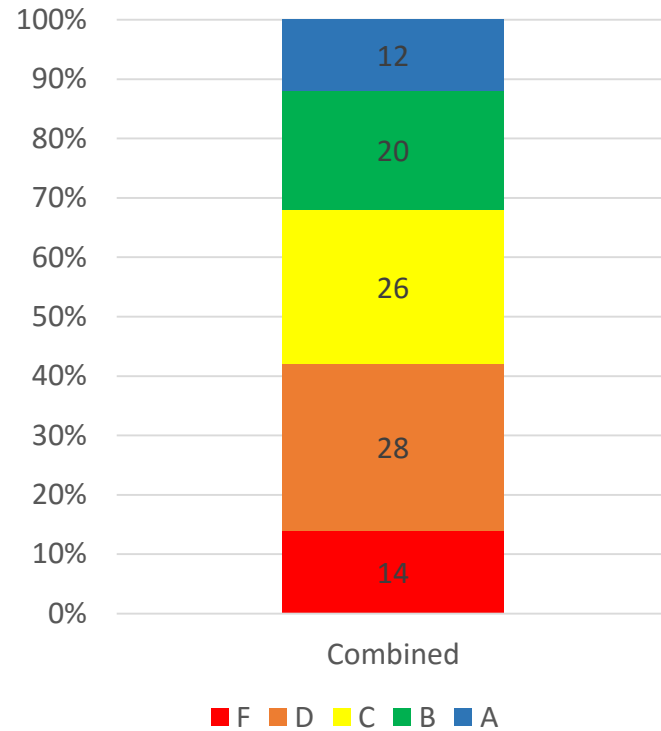
Mean	72.996667
Std Dev	13.48739
Std Err Mean	0.7786948
Upper 95% Mean	74.529083
Lower 95% Mean	71.46425
N	300

Letter Grade Impact –SGP & SGT

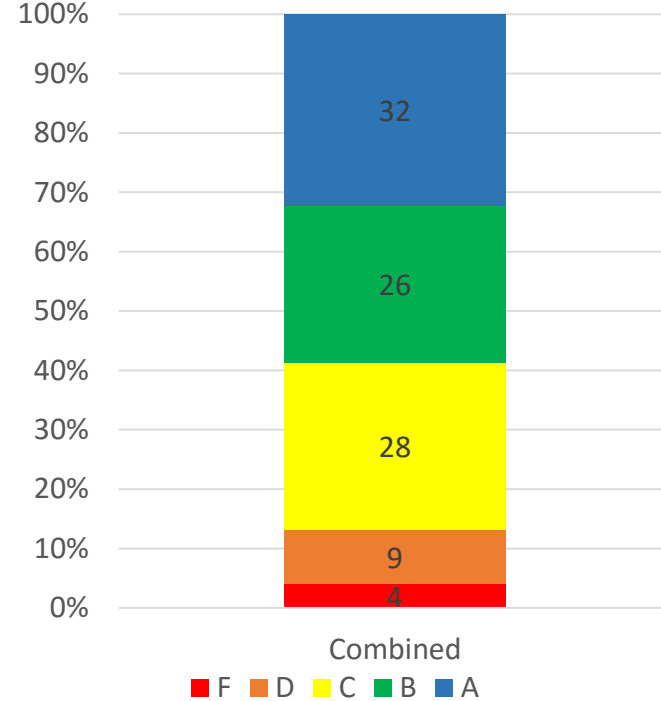
– Method #2

	SGP			SGT		
	Low	Average	High	Below	Above	Above
HP	0.00	0.50	1.00	0.00	0.50	1.00
P	0.00	0.70	1.20	0.00	0.70	1.20
PP	0.00	0.90	1.80	0.00	0.90	1.80
MP	0.00	1.00	2.00	0.00	1.00	2.00

90% - 80% - 70% - 60%

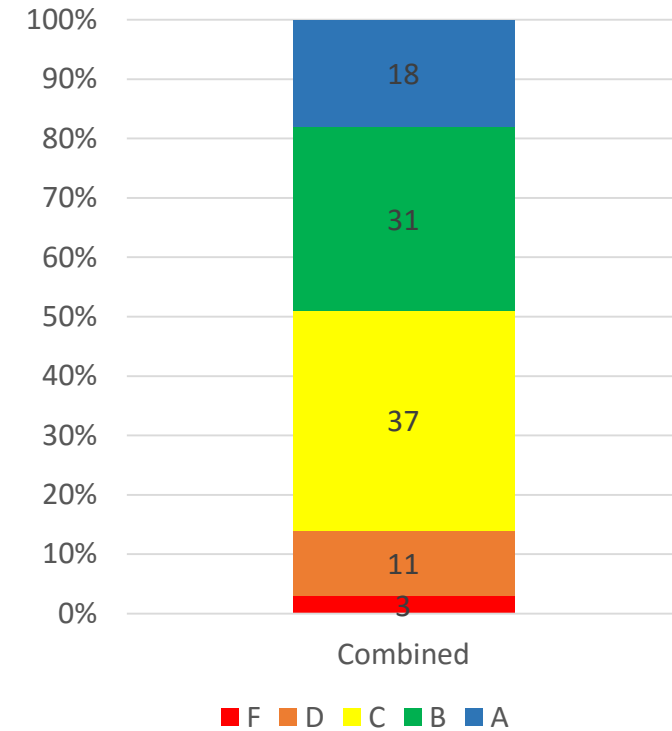


80% - 70% - 60% - 50%



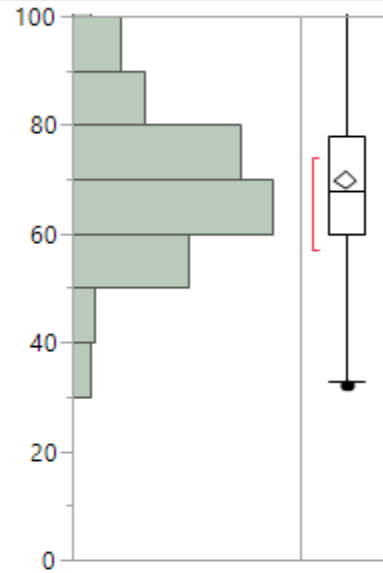
Standard Deviation

86%-73%-60%-47%



Impact of Method 2 SGP & SGT & Grad on Total Points

Percentage (Total Points/Eligible Points)



Quantiles

100.0%	maximum	134
99.5%		125.415
97.5%		101
90.0%		90.9
75.0%	quartile	78
50.0%	median	68
25.0%	quartile	60
10.0%		53
2.5%		37.575
0.5%		32
0.0%	minimum	32

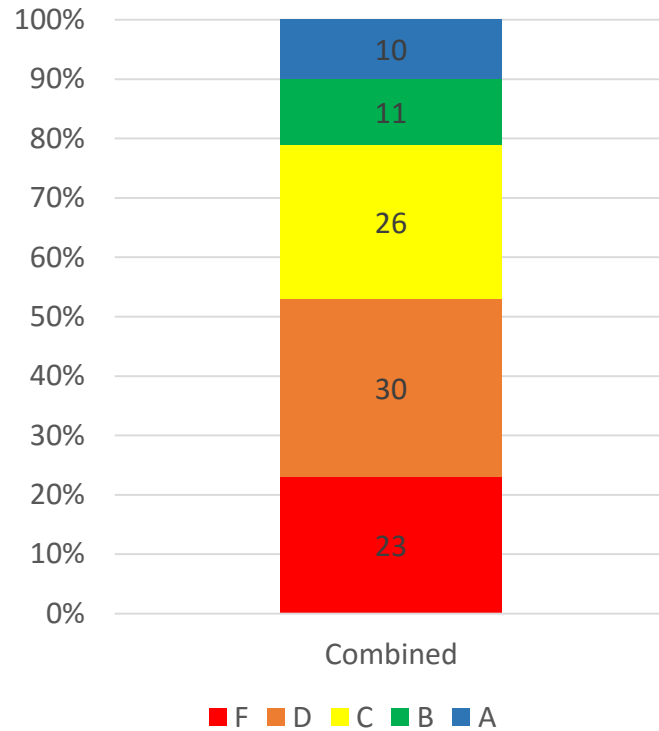
Summary Statistics

Mean	69.776667
Std Dev	15.031298
Std Err Mean	0.8678324
Upper 95% Mean	71.4845
Lower 95% Mean	68.068834
N	300

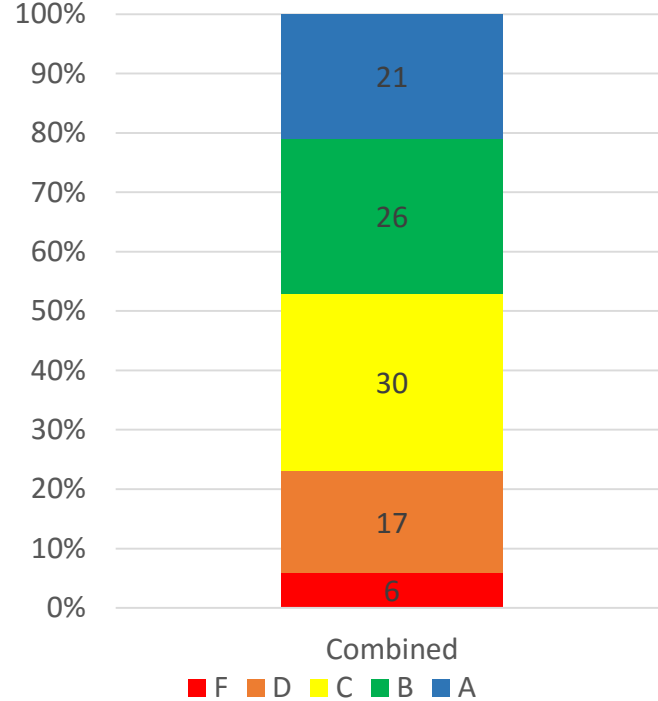
Letter Grade Impact—SGP, SGT & Grad Rate – Method #2

	SGP			SGT		
	Low	Average	High	Below	At/Near	Above
HP	0.00	0.50	1.00	0.00	0.50	1.00
P	0.00	0.70	1.20	0.00	0.70	1.20
PP	0.00	0.90	1.80	0.00	0.90	1.80
MP	0.00	1.00	2.00	0.00	1.00	2.00

90% - 80% - 70% - 60%

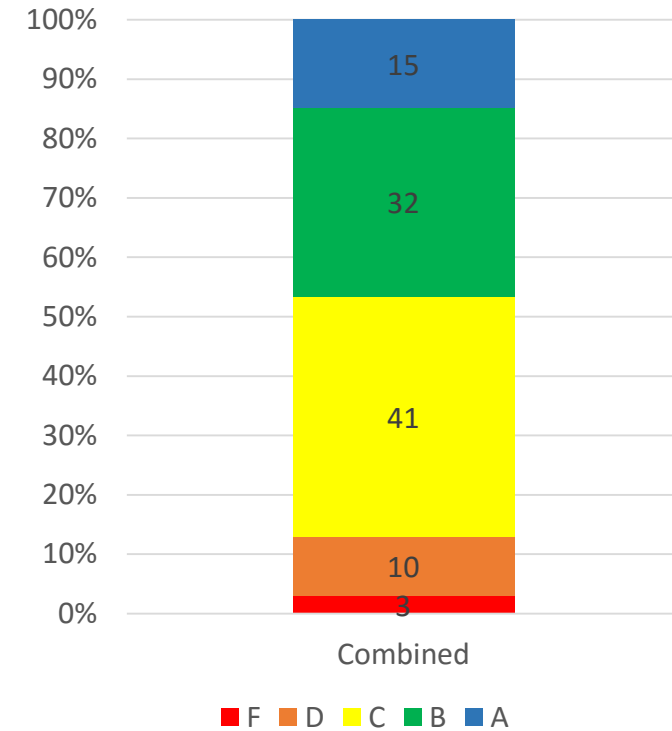


80% - 70% - 60% - 50%



Standard Deviation

85%-70%-55%-40%



9-12 Cut Score Methods Summary

	A	B	C	D	F
GRAD	76+	62+	48+	34+	<34
Method #1 SGP	83+	70+	57+	44+	<44
Method #1 SGT	81+	67+	53+	39+	<39
Method #1 SGP & SGT	84+	71+	58+	45+	<45
Method #1 SGP & SGT & GRAD	83+	68+	53+	38+	<38
Method #2 SGP	82+	69+	56+	43+	<43
Method #2 SGT	80+	65+	50+	35+	<35
Method #2 SGP & SGT	86+	73+	60+	47+	<41
Method #2 SGP & SGT & GRAD	85+	70+	55+	40+	<40

9-12 Growth Method Recommendation

- Recommendation: The AAG unanimously prefers method #2 to calculate growth for elementary schools and high schools.
- Rationale:
 - Provides differentiation in the SGT calculation, i.e., partial credit
 - The method uses the same weights for SGP and SGT which:
 - Makes the method clear and transparent
 - Addresses the concern about over weighting SGP
 - Increased the amount of points that schools received for average growth (SGP) while still maintaining a reasonable correlation to poverty.

9-12 Grad Rate Recommendation

- AAG unanimously recommends that the ADE evaluate lower thresholds or an alternative methodology to address concerns about the high overall grad rate threshold.

EXECUTIVE SUMMARY

Issue: Presentation, discussion and possible action regarding revising a timeline for calculating and issuing A-F school letter grades for alternative schools

Action/Discussion Item

Information Item

Background and Discussion

Pursuant to A.R.S. § 15-241, the Board is charged with the final approval of criteria for each school and school district local education agency (“LEA”) classification label used to determine A through F letter grades. A.R.S. § 15-241 (H) states that subject to final adoption by the State Board of Education, the Department of Education (ADE) shall use achievement profiles to appropriately assess the educational impact of accommodation schools and alternative schools.

At its June meeting, the Board adopted a timeline to set cut scores and issue letter grades. Based on proposed revisions, and to allow a period of time for ADE to verify those revisions, the Board voted on a revised timeline at the August 28, 2017 meeting. The revised timeline only applied to traditional schools and did not include alternative schools or Arizona Online Instruction (AOI).

Following the August 28, 2017 meeting, board staff requested input from ADE and the Alternative Schools Accountability Advisory Group (Alt AAG) on the development of a revised timeline. The Alt AAG provided a proposed timeline which is attached and copied below.

Several factors impact a revised timeline for alternative schools. ADE has indicated it will be unable to provide impact data until after completing its work on the traditional A-F model. Additionally, alternative schools need time to collect and report self-reported data which will then need to be analyzed to ensure differentiation and validity.

Option 1 - Revised Timeline Proposed by Alternative AAG

- September 25, 2017 - SBE takes action to approve the working accountability framework for alternative high schools, so that all alternative schools are able to submit data.
 - SBE approves a one-year hiatus for alternative school letter grades. Data will be available to inform continuous improvement at schools as it is available.
 - ADE provides Alt AAG impact data for K-8 Alt schools so data-informed refinements can be made to Alt K-8 model.

- October & November 2017 - High schools on the ADE alternative school list gather and submit their data regarding credit earned, CCRI, and if they choose, School Option 1 for Graduation Rate using redefinition of cohort.

Contact Information:

Dr. Karol Schmidt, Executive Director, State Board of Education
Catcher Baden, Deputy Director, State Board of Education

EXECUTIVE SUMMARY

- December 2017 - Alt AAG reviews impact data.
- January 2018 - Alt AAG presents impact data to SBE.
- February 2018 - SBE approves the alternative school frameworks.
- March 2018 - SBE sets alternative school cut scores.
- May and June 2018 - ADE gathers data for SY 17-18 from alternative schools.
- August 2018 - Alternative school letter grades are issued.

Option 2 - Revised Timeline Proposed by Board Staff

- September 5, 2017 - Board adopts a timeline for Alternative Schools A-F letter grades.
- September 22, 2017 - Board reviews and provides direction regarding the working accountability framework for alternative high schools.
 - Board provides feedback and direction regarding the K-8 Alternative School Model.
- October 23, 2017 - Board reviews impact data and provides direction if necessary.
- December 4, 2017 - Board reviews impact data, including self-reported data, and approves Alternative Schools K-8 and 9-12 models.
- January 2018 - Board sets cut scores.
- Mid-January 2018 – Letter grades are issued to Alternative LEAs, subject to embargo.
- February 2018 - Embargo lifted for Alternative schools; letter grades released to all, including the media.

Recommendation to the Board

It is recommended that the Board revise the timeline for calculating and issuing the A-F school letter grades for alternative schools.

Contact Information:

Dr. Karol Schmidt, Executive Director, State Board of Education
Catcher Baden, Deputy Director, State Board of Education

To: Tim Carter, SBE President; Lucas Narducci, SBE Vice President; Diane Douglas, Superintendent of Public Instruction

From: Carol Lippert, ADE Associate Superintendent; Kelly Koenig, ADE Associate Superintendent

Re: ESSA Follow-Up from State Board of Education Meeting (8/28/2017)

Date: August 31, 2017

Cc: Karol Schmidt, SBE Executive Director; Catcher Baden, SBE Deputy Executive Director

At the August 28, 2017 meeting of the State Board of Education, ADE staff was directed to gather information to clarify ESSA requirements as they relate to alternative school accountability systems. Specifically, ADE staff was asked to investigate: the use of *Accuplacer* (or other assessments) as an assessment option (menu of assessments), the definition of cohort, and the definition of graduation rate. In the course of this conversation, we also sought additional clarification regarding the use of a different accountability system under ESSA for alternative and AOI schools.

We were offered the following guidance:

1. Regarding the use of a separate accountability system for alternative and AOI schools:
 - a. *USDOE Response: The ESEA requires a State to include all public schools in its system of annual meaningful differentiation. A State may only develop an alternative methodology for annual meaningful differentiation for schools for which an accountability determination cannot be made using that system. If a State is able to make accountability determinations using its system of annual meaningful differentiation for alternative and AOI schools, it would not be permitted to develop an alternative methodology for those schools.*
 - i. *Note that the ESEA requires a State to identify at least the lowest-performing five percent of Title I schools, but does not place a limit on the number of such schools that may be identified for comprehensive support and improvement (i.e., a State may over-identify schools for Comprehensive Support and Improvement).*
 - ii. *A State may permit differentiated improvement activities that utilize evidence-based interventions in the case of a school that predominantly serves students returning to education after having exited secondary school without a regular high school diploma or who, based on their grade or age, are significantly off track to accumulate sufficient academic credits to meet the high school graduation requirements.*
 - b. This means that, for the purposes of ESEA reauthorized in 2015 as ESSA, Arizona is not permitted to utilize a separate accountability system for alternative and AOI schools. Because it is clear that alternative schools that serve under-credited and over-aged students will be more likely to fall with the lowest percentages of schools, the SEA is

permitted to provide differentiated types of interventions through the school improvement systems.

- c. ADE, however, is unwilling to change the accountability system without the input of stakeholders and the State Board. As a result, we will not remove the A-F proposed accountability system for Alternative and AOI schools until a final determination is made by the State Board. Language has been added to our state plan submission to clarify that a separate accountability system is allowable under state statute.
2. Regarding a Menu of Assessments:
 - a. Though ESSA allows for a “menu of assessments,” it allows for them only at the high school level.
 - i. It does not allow for alternative assessments to be used in lieu of the statewide assessment for accountability purposes.
 - ii. Any assessment beyond the statewide assessment must be nationally recognized. Accuplacer, is not to our knowledge, a nationally recognized assessment for the purposes of ESSA academic achievement measures.
 - iii. Any assessment used for accountability purposes must be given to all eligible students (95% tested requirement).
 - b. At the elementary level, this means that schools will have to continue administering AzMERIT end of course assessments even if the district were to choose an additional assessment.
 - c. At the high school level, the statewide assessment for Algebra 1 and either ELA 9, 10 or 11 must be the assessment that is utilized for accountability purposes under ESSA. Any additional assessment put into place via Arizona’s Menu of Assessments statute (ARS §15-741.02) can be offered by a district but would not become the assessment utilized for the academic achievement indicator under ESSA accountability.
 3. Regarding a definition for Cohort – cohort is specifically defined in ESSA, and Arizona does not have flexibility to change this definition. The text is quoted below:
 - a. EXTENDED-YEAR ADJUSTED COHORT GRADUATION RATE.—
 - i. (A) IN GENERAL.—The term “extended-year adjusted cohort graduation rate” means the fraction— (i) the denominator of which consists of the number of students who form the original cohort of entering first-time students in grade 9 enrolled in the high school no later than the date by which student membership data must be collected annually by State educational agencies for submission to the National Center for Education Statistics under section 153 of the Education Sciences Reform Act of 2002 (20 U.S.C. 9543), adjusted by— (I) adding the students who joined that cohort, after the date of the determination of the original cohort; and (II) subtracting only those students who left that cohort, after the date of the determination of the original cohort, as described in subparagraph (B); and (ii) the numerator of which— (I) consists of the sum of— (aa) the number of students in the cohort, as adjusted under clause (i), who earned a regular high school diploma before, during, or at the conclusion of— (AA) one or more additional years beyond the fourth year of high school; or (BB)

a summer session immediately following the additional year of high school; and (bb) all students with the most significant cognitive disabilities in the cohort, as adjusted under clause (i), assessed using the alternate assessment aligned to alternate academic achievement standards under section 1111(b)(2)(D) and awarded a State-defined alternate diploma that is— (AA) standards-based; (BB) aligned with the State requirements for the regular high school diploma; and (CC) obtained within the time period for which the State ensures the availability of a free appropriate public education under section 612(a)(1) of the Individuals with Disabilities Education Act (20 U.S.C. 1412(a)(1)); and (II) shall not include any student awarded a recognized equivalent of a diploma, such as a general equivalency diploma, certificate of completion, certificate of attendance, or similar lesser credential.

- ii. (B) COHORT REMOVAL.—To remove a student from a cohort, a school or local educational agency shall require documentation, or obtain documentation from the State educational agency, to confirm that the student has transferred out, emigrated to another country, or transferred to a prison or juvenile facility, or is deceased.
- iii. (C) TRANSFERRED OUT.—For purposes of this paragraph, the term “transferred out” has the meaning given the term in clauses (i), (ii), and (iii) of paragraph (25)(C).
- iv. (D) SPECIAL RULES.— (i) SCHOOLS STARTING AFTER GRADE 9.—For those high schools that start after grade 9, the original cohort shall be calculated for the earliest high school grade students attend no later than the date by which student membership data is collected annually by State educational agencies for submission to the National Center for Education Statistics pursuant to section 153 of the Education Sciences Reform Act of 2002 (20 U.S.C. 9543). (ii) VERY SMALL SCHOOLS.—A State educational agency may calculate the extended year adjusted cohort graduation rate described under this paragraph for a high school with an average enrollment over a 4- year period of less than 100 students for the purposes of section 1111(c)(4) by— (I) averaging the extended-year adjusted cohort graduation rate of the school over a period of three years; or (II) establishing a minimum number of students that must be included in the cohort described in clause (i) of subparagraph (A) that will provide a valid graduation rate calculation as determined by the Secretary, below which the school shall be exempt from differentiation and identification under such section.

4. Regarding Graduation Rate:

- a. USDOE response: *Although graduation rate is not specifically defined in law, the preference is that states use a 4th year graduation rate. States are allowed to include graduation rates for 5th year and beyond.*

TO: State Board of Education

FROM: Alternative Accountability Advisory Group - Mary Berg, Leona Group; Todd Brown, Eastpointe; Harriet Caruso, Career Success; Wendy Davy, Peoria Unified; Sue Durkin, International Commerce; Binky Jones, Ombudsman; David Reed, Grad Solutions; Amy Schlessman, Rose Operating System for Education; Wayne Tucker, PPEP schools; Donald Mitchell, Andrew Szczepaniak, Jason Tourville, Primavera

DATE: Thursday, August 31, 2017

RE: Alternative School Accountability Framework & Proposed Timeline for Letter Grades

Thank you for this opportunity to provide feedback and input as you consider and approve achievement profiles that appropriately assess the educational impact of accommodation and alternative schools.

Alternative School Accountability Framework

We have been attending diligently State Board of Education meetings and its A-F School Accountability *Ad Hoc* Advisory Committee meetings since October 2016 and working as the Alternative Accountability Advisory Group since re-convened by the Arizona Department of Education in November 2016.

The development and revisions of the traditional frameworks informed our work. We have presented a consensus working draft framework to the State Board of Education, have reviewed the summary of public feedback on that draft, and responded to SBE members' comments/questions at the meeting on Monday, August 28.

We respectfully request an alternative timeline for alternative school letter grades. As responsible educational researchers and accountability experts, we need to see impact data to accurately and effectively make recommendations. Some of the impact data such as AzMERIT scores or Academic Persistence is available from ADE Accountability, yet much data, the data identified as most appropriate for alternative education students, will need to be self-reported by alternative schools. Self-reported data is found in the CCRI, as it is for traditional schools, and includes additional alternative school data such as School Option 1 in Graduation Rate, as well as credit earned to meet graduation requirements while keeping students engaged. It would not be responsible to issue alternative letter grades for SY 2016-2017 within the time period that is now occurring. We submit the following alternative timeline:

Recommended Timeline for Alternative School Accountability Frameworks

September 25, 2017	SBE takes action to approve the working accountability framework for alternative high schools, so that all alternative schools are able to submit data. SBE approves a one-year hiatus for alternative school letter grades. Data will be available to inform continuous improvement at schools as it is available. ADE provides Alt AAG impact data for K-8 Alt schools so data-informed refinements can be made to Alt K-8 model.
October & November 2017	High schools on the ADE alternative school list gather and submit their data regarding credit earned, CCRI, and if they choose, School Option 1 for Graduation Rate using redefinition of cohort.
December 2017	Alt AAG reviews impact data.
January 2018	Alt AAG presents impact data to SBE.
February 2018	SBE approves the alternative school frameworks.
March 2018	SBE sets alternative school cut scores.
May and June 2018	ADE gathers data for SY 17-18 from alternative schools.
August 2018	Alternative school letter grades are issued.

We, the Alternative Accountability Advisory Group, have worked with national organizations and associations reviewing their policy analysis, research, and best practice to inform our work here in Arizona. We have incorporated that work into our consensus framework.

Precedent was set in 2011 that alternative school letter grades were issued for the first time in 2012. As an Accountability Advisory Group member who participated at the time has said, “We postponed giving alternative schools labels in 2011 because we did not have enough impact data to make a reasonable recommendation. We needed time to try different models for alt schools. The board approved to postpone labels for alternative and small schools for one year.” You, as the current State Board of Education, set a 2017 precedent by postponing by one year the issuance of letter grades for small schools. We respectfully, and with integrity brought by awareness that we must review impact data, request a similar hiatus.

Traditional high schools had approximately 10 weeks to submit their College and Career Readiness data. Those weeks were during summer months when students are often not as fully present as they are now. Further, the average alternative school size is 90. Alternative school professionals often work multiple tasks. They will strive to meet deadlines, yet we hope the

revised timeline would give them much needed time to complete this reporting task while the school year is in full swing. Very necessary communication about self-reporting expectations will need to take place in October 2016. Webinars and training will provide assistance to schools in understanding the frameworks' components and how to collect and compile their data in order to meet submission deadlines.

Thank you again for your consideration of this very important matter.

EXECUTIVE SUMMARY

Issue:	Presentation, discussion and possible action regarding revising a timeline for calculating and issuing A-F school letter grades for Arizona Online Instruction
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Action/Discussion Item

Information Item

Background and Discussion

Pursuant to A.R.S. § 15-241, the Board is charged with the final approval of criteria for each school and school district local education agency (“LEA”) classification label used to determine A through F letter grades. A.R.S. § 15-241 (H) states that subject to final adoption by the State Board of Education, the Department of Education (ADE) shall use achievement profiles to appropriately assess the educational impact of accommodation schools and alternative schools.

At its June meeting, the Board adopted a timeline to set cut scores and issue letter grades. Based on proposed revisions, and to allow a period of time for ADE to verify those revisions, the Board voted on a revised timeline at the August 28, 2017 meeting. The revised timeline only applied to traditional schools and did not include alternative schools or Arizona Online Instruction (AOI).

Following the August 28, 2017 meeting, board staff requested input from ADE and representatives from AOIs on the development of a revised timeline. The AOIs provided a proposed timeline which is attached and copied below.

Several factors impact a revised timeline for AOIs. A new model, and therefore new business rules, will require additional time. Use of a traditional model however, will require less time. Regardless, ADE has indicated it will be unable to provide impact data until after completing its work on the traditional A-F model.

Option 1 - Revised Timeline Proposed by AOI Advisory Group

Adopt a timeline concurrent with the alternative schools timeline.

Option 2 - Revised Timeline Proposed by AOI Advisory Group

- September 5 – Board adopts timeline for AOI A-F Letter Grades. Board releases the AOI Draft Plan for public comment (*staff note: releasing the plan for public comment will most likely require a Board vote at a later date*).
- AOI Group develops proposed Model components, with appropriate accommodations to TRAD model.
- September 22 – Board convenes to review the revised AOI Schools Accountability Components

Contact Information:

Dr. Karol Schmidt, Executive Director, State Board of Education
Catcher Baden, Deputy Director, State Board of Education

EXECUTIVE SUMMARY

- September 25 – Board approves AOI A-F plans
- October 23 – Board sets cut scores for AOI A-F plans
- Week of October 23 – Letter grades issued to AOIs subject to embargo
- November 13 – Board reviews appeals. Letter grades public released for AOI

Recommendation to the Board

It is recommended that the Board revise the timeline for calculating and issuing the A-F school letter grades for Arizona Online Instruction.

Contact Information:

Dr. Karol Schmidt, Executive Director, State Board of Education
Catcher Baden, Deputy Director, State Board of Education

TO: State Board of Education

FROM: Arizona Online Instruction Accountability Advisory Group

DATE: Friday, September 1, 2017

RE: Arizona Online Instruction Accountability Framework

The Advisory Group has been reviewing the A-F accountability framework models that the State Board has been considering for both Traditional (“TRAD”) and Alternative (“ALT”) schools. We respect the complexity of the challenge you have, and support the need to find a unifying framework that provides clarity on school success. In the past, schools that were classified as Arizona Online Instruction (“AOI”) schools have been afforded a different model because doing so provided greater clarity, and was statistically more valid based on objective data regarding student populations, mobility, and to accurately reflect successful completion rates. We believe that new data, once available, will continue to justify that approach. In our discussion below, please find our recommendations and justifications for the approach recommended by the Advisory Group.

1. Arizona Online Instruction Accountability Framework

Pursuant to [A.R.S. § 15-241 \(H\)](#) “the board may develop profiles for schools that participate in the board examination system prescribed in chapter 7, article 6 of this title and schools that participate in Arizona online instruction pursuant to 15-808 and may develop exceptions as prescribed by the state board of education for purposes of this section.” While it is clear that the Board would prefer to limit the number of models to either the TRAD or ALT model based on each AOI school’s designation, we believe the Board should review existing data related to AOI students and determine if the data reflect the same characteristics that led the board to adopt an AOI specific model in 2014. Historical data reflected that in non-Alternative AOI high school programs there were a large number of newly enrolling students who were not on track to graduate in a timely manner. Based on this data, the Board adopted a model which appropriately incentivized these programs to keep these students progressing toward high school graduation with differentiated graduation rate calculations, alternative measures of College and Career Readiness (“CCRI”) (including persistence) and a unique definition of Full Academic Year (“FAY”) more relevant to an online academic environment.

AOI programs have participated in ALT A-F discussions over the past year or so, as that has been where we were traditionally invited. Because of this, AOI programs did not submit CCRI data when the windows were open to TRAD schools, and feel that the TRAD CCRI program was not designed to appropriately incorporate or represent the opportunities afforded to a geographically disparate group of students throughout the state of Arizona. We would respectfully ask that the board revisit this CCRI discussion for prospective years, so that we can best align our programs to afford our students a more robust range of opportunities.

We do concur that the Board should not issue separate letter grades for district-based AOI programs that serve a small percentage of full-time AOI students (<5%), and to maintain the historical AOI specific definition of FAY that better relates to instruction in an online environment. This would promote clarity, continuity and validity.

If the Board chooses to discontinue the use of a unique AOI A-F model, it would represent a discontinuity of approach, without due respect to research-based methodology, as the Statute requires. In addition, ARS § 15-241(E) specifically instructs the Board to “utilize methodology (that)... at a minimum, shall account for pupil mobility.”

2. **Proposed AOI FAY definition:** Students continuously enrolled AS OF OCTOBER 1ST in the fiscal year with at least 75% of the minutes required of a full-time student by A.R.S. §15-808 and enrolled on the first day of the testing window; an AOI FAY student cannot enroll in another institution simultaneously.
3. **Proposed Definition for Program AOI’s to be exempt from grading:** The full-time, FAY population is less than 5%, the program does not graduate students.

4. **Proposed Timeline:**

At this point, without CCRI and other pertinent data available, and given the burdens on the Department due to work to finalize the TRAD and ALT models, we would recommend that the AOI timeline be concurrent with the ALT timeline. Alternatively, the following describes a “strawman timeline” which demonstrates a possible path to a reasonable conclusion:

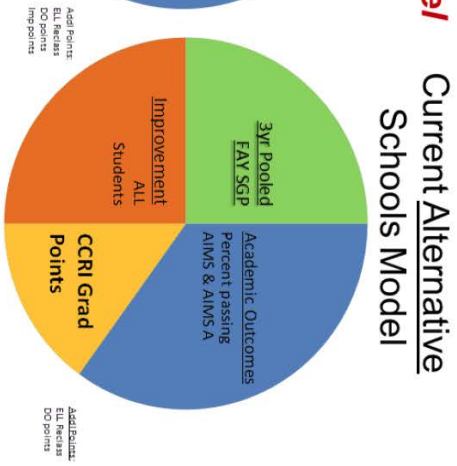
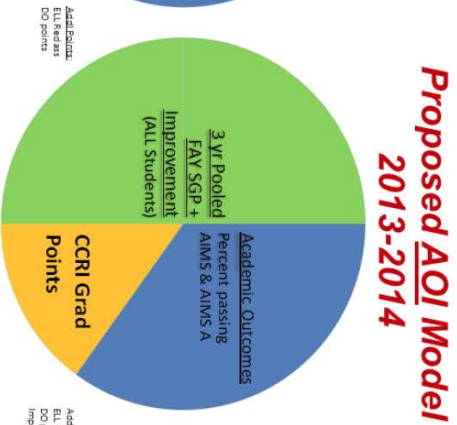
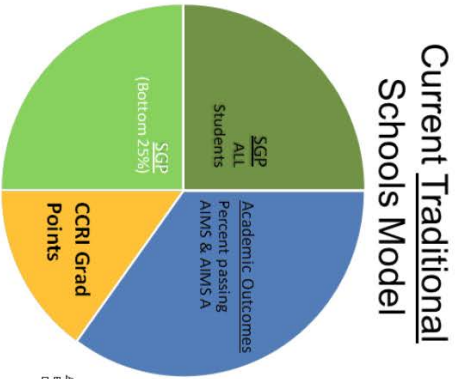
September 5 – Board adopts timeline for AOI and Alternative Schools A-F Letter Grades. Board releases the AOI Draft Plan for public comment

- AOI develops proposed Model components, with appropriate accommodations to TRAD model.
- September 22 – Board convenes to review the revised AOI and Alternative Schools Accountability Components
- September 25 – Board approves Alt ed and AOI A-F plans
- October 23 – Board sets cut scores for Alt ed and AOI A-F plans
- Week of October 23 – Letter grades issued to Alt Ed and AOI subject to embargo
- November 13 – Board reviews appeals. Letter grades public released for Alt Ed and AOI

Ultimately, the Board’s decision regarding a model for AOI schools should be predicated on both clarity – which the Board has already advocated – and also validity. As historical data has shown, AOI’s serve a unique blend of students, many of whom find themselves at or near the end of their high school careers without an option in a traditional or charter environment. AOI’s are uniquely able to serve these populations with flexibility, integrity and success. Without recognizing that distinction, the Board inadvertently invites a situation where sending schools would potentially obtain a reward, while AOI receiving schools would be penalized for providing an option of last resort. Neither outcome serves the Board’s goals or helps improve school and student success.

Attachment I

2014 A-F model



EXECUTIVE SUMMARY

Issue: Presentation, discussion and possible action regarding public comment policy.

Action/Discussion Item

Information Item

Background and Discussion

A.R.S. § 38-431.01 (H) allows public bodies to make an open call to the public during public meetings, subject to reasonable time, place and manner restrictions, to allow individuals to address the public body on any issue within the jurisdiction of the body.

To address the Board, A.A.C. R7-2-101 allows any member of the public to submit a written request on a form provided by the Board. The President or a majority of the Board may allot a reasonable time for members of the public to address the Board with respect to agenda items.

At its August 4, 2017 meeting, the Board considered a draft public comment policy based on other states' policies. The Board tabled adoption of the policy and directed staff to receive feedback from Board members and submit a revised public comment policy at a subsequent meeting.

A revised public comment policy was presented to the Board on August 28, 2017. The Board tabled it until a subsequent meeting.

Attached is the revised draft public comment policy based on discussions at the August 4th meeting and feedback received by Board staff.

Recommendation to the Board

It is recommended that the Board adopt a public comment policy.

Contact Information:

Dr. Karol Schmidt, Executive Director, State Board of Education
Catcher Baden, Deputy Director, State Board of Education

Arizona State Board of Education Policy Regarding Public Comments at Board Meetings

1. Pursuant to A.R.S. § 38-431.01, the State Board of Education (Board) may accept comment from any person on items that appear on the Board's agenda for that meeting, as well as general public comments within the jurisdiction of the Board.
2. A person who desires to speak to the Board shall either submit a completed request to speak form to ~~the Executive Director Board staff~~ on the day of the meeting ~~at least five (5) minutes before the start of the meeting~~ or submit a request to speak to inbox@azsbe.az.gov at least twelve (12) hours before the start of the meeting. ~~A person may not submit a request to speak form on an item during following a motion or a vote.~~ Request to speak forms shall be made available at least thirty (30) minutes prior to the start of the Board meeting and available on the Board's website [at www.azsbe.az.gov](http://www.azsbe.az.gov).
3. Request to speak information shall include the name ~~and address~~ of the person providing the comments, ~~the name of the organization (if any) that the person represents~~, the agenda item or subject to be discussed and if, applicable, if the person is for or against the issue.
4. Public comments are subject to the following rules:
 - a. When an individual registers to provide public comment, the individual will indicate on the request to speak form the specific agenda item on which the individual wishes to comment, or that the individual will be making only general comment.
 - b. Comments will be taken during the Public Comment segment of the agenda ~~unless the speaker indicates a request to comment when a specific agenda item is before the Board. The President retains the discretion to receive public comment immediately preceding an agenda item based on a time constraint of the speaker.~~
 - c. Public comments are generally limited to three (3) minutes in length and additional time may be granted at the discretion of the Board President. Comments shall be timed by Board staff and time limits will be strictly enforced. The Board may also designate a meeting as a public hearing on a particular issue, giving more individuals the opportunity to present their opinions to the Board.
 - d. To allow for appropriate consideration of positions, written comments are encouraged; ~~written~~ Written comments shall be submitted to inbox@azsbe.az.gov or the Board office by noon on the business day preceding the Board meeting, which will be emailed by Board staff to Board members and accepted for the record, but will not be read aloud by Board staff or Board members at a Board meeting. Written comments will not be distributed at a Board meeting. It is strongly encouraged that written comments be submitted five business days prior to the meeting.
 - e. No person may speak more than once on the same topic.
 - f. Comments shall be directed to the Board, not to an individual Board member, and questions will not be entertained, and no discussion will ensue.
 - ~~g. Statements shall not be abusive or argumentative, and persons making statements shall not debate statements made by other persons.~~
 - g. The President may invite a member of the public to comment or make a presentation to the Board on any matter under consideration.
5. The President of the Board, or the President's designee, shall enforce these rules and may take actions necessary to maintain order at the Board meeting. Such actions may include, but are not limited to:

- a. interrupting a person making a statement if the statement is too lengthy, unduly repetitive or otherwise violates this policy; ~~and~~
- b. limiting the total amount of time devoted to public statements based on the number of persons wishing to make statements and the length of the Board's agenda; ~~and~~
- ~~b.~~ c. providing additional time up to ten minutes and designating one spokesperson to speak for multiple individuals upon consensus where multiple requests are made to speak on similar positions

DRAFT

EXECUTIVE SUMMARY

Issue: Presentation, discussion and possible action to terminate current rulemaking of proposed amendments to Board rule R7-2-401 regarding Special Education Standards for Public Agencies Providing Educational Services

Action/Discussion Item

Information Item

Background and Discussion

SB 1317 passed during the 2017 legislative session and requires the Board to adopt new rules by November 15, 2017. The rules shall clarify the administration of specially designed instruction by certified general education teachers if:

1. Instruction is appropriate to meet the needs of a student and is in accordance with a student's IEP;
2. Instruction ensures access to the general education curriculum; and
3. Certified special education personnel are involved in the planning, progress monitoring and, when appropriate, the delivery of specially designed instruction.

Board staff met with the Department of Education to develop revisions to the rules regarding special education on June 6, 2017. Based on that meeting, proposed revisions were presented to the Board on June 26, 2017, which then voted to open rulemaking.

At its August 28, 2017, meeting, the Board received feedback from the Special Education Advisory Panel and Department of Education staff and indicated an intention to terminate and reopen rulemaking of R7-2-401 based on the June 26th draft.

Attached are the latest version of the rules that are to be terminated.

Recommendation to the Board

It is recommended the Board terminate current rulemaking of proposed amendments to Board rule R7-2-401 regarding Special Education Standards for Public Agencies Providing Educational Services.

Contact Information:

Dr. Karol Schmidt, Executive Director, State Board of Education
Catcher Baden, Deputy Director, State Board of Education

1 ARTICLE 4. SPECIAL EDUCATION

2 R7-2-401. Special Education Standards for Public Agencies Providing Educational Services

3 A. For the purposes of this Article, the Individuals with Disabilities Education Improvement Act
4 (IDEA), 20 U.S.C. 1400 et seq. and its implementing regulations, 34 CFR 300.1 et seq., are incorporated
5 herein by reference. Copies of the incorporated material can be obtained from the U.S. Government
6 Printing Office, <https://bookstore.gpo.gov/catalog/laws-regulations> Attn: New Orders, P.O. Box 979050,
7 St. Louis, MO 63197-9000 or the Arizona Department of Education, Exceptional Student Services, 1535
8 West Jefferson Street, Phoenix, Arizona 85007.

9 B. Definitions. All terms defined in the IDEA, its implementing regulations and A.R.S. § 15-761 are
10 applicable, with the following additions:

11 1. "Accommodations" means the provisions made to allow a student to access the general
12 education curriculum and demonstrate learning. Accommodations do not substantially change the
13 instructional level, ~~the content or the performance criteria~~, but are made in order to provide a student
14 equal access to learning and equal opportunity to demonstrate what is known. Accommodations shall
15 not alter the content of the curriculum or a test, or provide inappropriate assistance to the student
16 within the context of the test.

17 ~~2. "Adaptations" means changes made to the environment, curriculum, and instruction or~~
18 ~~assessment practices in order for a student to be a successful learner. Adaptations include~~
19 ~~accommodations and modifications. Adaptations are based on an individual student's strengths and~~
20 ~~needs.~~

21 ~~2. 3.~~ "Administrator" means the chief administrative official or designee authorized to act on behalf
22 (responsible for special education services) of a public education agency.

23 ~~3. 4.~~ "Audiologist" means a person who specializes in the identification and prevention of hearing
24 problems and in the non-medical rehabilitation of those who have hearing impairments, and who is
25 licensed to practice audiology according to A.R.S. Title 36, Chapter 17, Article 4.

26 ~~4. 5.~~ "Boundaries of responsibility" means for:

27 a. A school district, the geographical area within ~~the~~ its legally designated boundaries.

28 b. A charter school, the population of students enrolled in the charter school.

29 ~~c. 6.~~ A public education agency other than a school district or charter school, the population of
30 students enrolled in a charter school or receiving educational services from a the public education
31 agency.

32 ~~6. "Certificate in speech and language therapy" means a speech language patho logist or speech-~~
33 ~~language technician certificate awarded by the State Board of Education.~~

34 ~~5. 7.~~ "Certified school psychologist" means a person holding a certificate from the Arizona State
35 Board of Education issued pursuant to 7 A.A.C. 2, Article 6, in the area of school psychology.

36 ~~6. 8.~~ "Certified speech-language therapist" means a person holding a speech-language pathologist or
37 speech-language technician certificate from the Arizona State Board of Education issued pursuant to 7

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1 A.A.C. 2, Article 6, and a license from the Arizona Department of Health Services as a speech-language
2 pathologist in accordance with A.R.S. Title 36, Chapter 17, Article 4.

3 ~~7. “Child with a disability,” as defined by A.R.S. § 15-761(2), is a child that has been evaluated pursuant~~
4 ~~to A.R.S. § 15-766 and has been determined to have a qualifying disability and who, by reason thereof,~~
5 ~~needs special education and related services.~~

6 ~~8-9-7.~~ “Department” means the Arizona Department of Education.

7 ~~9-10-8.~~ “Doctor of medicine” means a person holding a license to practice medicine pursuant to A.R.S.
8 Title 32, Chapter 13 state law as a (medical doctor) or Chapter 17 (doctor of osteopathy) licensed to
9 practice medicine pursuant to A.R.S. Title 32, Chapter 13 or Chapter 17, or similar laws from another
10 state.

11 ~~10-11-9.~~ “Exceptional Student Services Division” or “ESS” means the Exceptional Student Services
12 Division of the Arizona Department of Education.

13 ~~11-12-10.~~ “Evaluator” means a qualified person trained and knowledgeable in a field relevant to the
14 child’s disability who administers specific and individualized assessment for the purpose of special
15 education evaluation and placement.

16 ~~12-13-11.~~ “Full and individual evaluation” means procedures used in accordance with the IDEA to
17 determine whether a child has a disability and the nature and extent of the special education and
18 related services that the child needs. This evaluation includes:

- 19 a. A review of existing information about the child;
- 20 b. A decision regarding the need for additional information;
- 21 c. If necessary, the collection of additional information; and
- 22 d. A review of all information about the child and a determination of eligibility for special
23 education services and needs of the child.

24 ~~13-14-12.~~ “Independent educational evaluation” means an evaluation conducted by a qualified an
25 evaluator examiner who is not employed by the public education agency responsible for the education
26 of the child in question.

27 ~~14-13.~~ “Informed written consent” means a person has been fully informed of all information relevant
28 to the activity for which consent is sought, in the person’s native language or through another mode of
29 communication; the person understands and agrees in writing to the carrying out of the activity for
30 which consent is sought; and the person understands that the granting of consent is voluntary and may
31 be revoked at any time.

32

33 ~~15-14.~~ “Interpreter” means a person trained to translate orally or in sign language in matters pertaining
34 to special education identification, evaluation, placement, the provision of free appropriate public
35 education (FAPE), or assurance of procedural safeguards for parents and students who converse in a
36 language other than spoken English. Each student’s IEP team determines the level of interpreter skill
37 necessary for the provision of FAPE.

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1 16. “Language in which the student is proficient” means all languages including sign language
2 systems.

3 ~~16- 17.~~ [15.](#) “Licensed psychologist” means a person holding a ~~psychologist~~ license [to practice](#)
4 [psychology](#) ~~from the a state licensing body, of Arizona Board of Psychologist examiners in accordance~~
5 ~~with.~~ [pursuant to](#) A.R.S. Title 32, Chapter 19.1, Article 2, [or a similar law from another state.](#)

6 ~~17- 16.~~ [17.](#) “Multidisciplinary Evaluation Team” ~~means a team of persons including individuals described as~~
7 ~~the individualized education program team and other qualified professionals who shall determine~~
8 ~~whether a child is eligible for special education and related services.~~ [has the same meaning prescribed in](#)
9 [A.R.S. § 15-761.](#)

10 ~~18- 17.~~ “Modifications” means substantial changes in what a student is expected to learn and to
11 demonstrate. Changes may be made in the instructional level, the content or the performance criteria.
12 Such changes are made to provide a student with meaningful and productive learning experiences,
13 environments, and assessments based on individual needs and abilities.

14 19. “Paraeducator” means a person employed to assist with the education of students but who is
15 not certified to teach by the Arizona Department of Education. Alternate terms may include
16 paraprofessional, teacher aide, instructional assistant or other similar titles.

17 ~~19- 20.~~ [18.](#) “Private school” means any nonpublic educational institution where academic instruction is
18 provided, including nonsectarian and parochial schools, that are not under the jurisdiction of the state
19 or a public education agency.

20 ~~20- 21.~~ [19.](#) “Private special education school” means a ~~private school that is established to serve~~
21 ~~primarily nonpublic educational institution where instruction is provided primarily to students with~~
22 disabilities. The school may also serve students without disabilities.

23 ~~21- 22.~~ [20.](#) “Psychiatrist” means a ~~doctor of medicine who specializes in the study, diagnosis, treatment~~
24 ~~and prevention of mental disorders~~ [licensed physician who has completed three years of graduate](#)
25 [training in psychiatry in a program approved by the American medical association or the American](#)
26 [osteopathic association.](#)

27 ~~22- 21.~~ [21.](#) “Public education agency” or “PEA” means a school district, charter school, accommodation
28 school, state supported institution, or other political subdivision of the state that is responsible for
29 providing education to children with disabilities.

30 ~~23- 22.~~ [22.](#) “Qualified professionals” means individuals who have met state approved or recognized
31 [degree, certification, licensure, registration or other requirements that apply in the areas in which the](#)
32 [individuals are providing services such as screening, identification, evaluation, general education, special](#)
33 [education or related services, including supplemental aids and services.](#)

34 ~~24- 23.~~ [23.](#) “Screening” ~~means an informal or formal process of determining the status of a child with~~
35 ~~respect to appropriate developmental and academic norms. Screening may include observations, family~~
36 ~~interviews, review of medical, developmental, or education records, or the administration of specific~~
37 ~~instruments identified by the test publisher as appropriate for use as screening tools.~~ [means a process](#)

Commented [CB1]: Subsection B (page 1, lines 9 and 10) states that all of the definitions from 15-761 are included in this Article so this definition can be deleted from rule. See comment #2 on attached document.

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1 of determining appropriate instructional strategies for curriculum implementation. Screening may not
2 be considered to be an evaluation for eligibility for special education and related services.

3 ~~25-24. 24.~~ "Specially designed instruction" means ~~adapting, as appropriate to the needs of an eligible~~
4 ~~child the content, methodology, or delivery of instruction to address the unique needs of the child that~~
5 ~~result from the child's disability; and to ensure access of the child to the general curriculum, so that the~~
6 ~~child can meet the educational standards within the jurisdiction of the PEA that apply to all children.~~ has
7 the same meaning prescribed in A.R.S. 15-761.

8
9 ~~25. 26. 25.~~ "Special education teacher" means a teacher holding a special education certificate
10 from the Arizona Department of Education.

11 ~~26. 27. 26.~~ "Suspension" means the temporary withdrawal of the privilege of attending a school for a
12 specified period of time. ~~a disciplinary removal from a child's current placement that results in a failure~~
13 ~~to provide services to the extent necessary to enable the child to progress appropriately in the general~~
14 ~~curriculum and advance toward achieving the goals set out in the child's IEP. The term does not include~~
15 ~~disciplinary actions or changes in placement through the IEP process if the child continues to receive the~~
16 ~~services described above. The term does include actions such as "in-school" and "going home for the~~
17 ~~rest of the day" removals if the child does not receive the services described above.~~

18 C. Public Awareness.

19 1. Each public education agency shall inform the general public and all parents, within the public
20 education agency's boundaries of responsibility, of the availability of special education services for
21 students aged 3 through 21 years and how to access those services. This includes information regarding
22 early intervention services for children aged birth through 2 years.

23 ~~2- Each public education agency is responsible for public awareness within the boundaries of~~
24 ~~responsibility their enrolled population (including the families of enrolled students).~~

25 ~~3- 2.~~ School districts are responsible for public awareness in private schools located within their
26 geographical boundaries of responsibility.

27 D. Child Identification and Referral.

28 1. All children with disabilities residing in the state, including children with disabilities who are
29 homeless or are wards of the state, including children with disabilities who attend private schools,
30 regardless of the severity of their disability, and who are in need of special education and related
31 services ~~must shall~~ be identified, located, and evaluated. Child find ~~must shall~~ include children who are
32 suspected of being a child with a disability in need of special education and related services, including
33 children who are advancing from grade to grade, and children who are highly mobile, including migrant
34 children.

35 2. Each public education agency ~~must shall~~ develop and implement a practical method to identify,
36 locate, and evaluate children with disabilities who are in need of, but are not currently receiving special
37 education and related services. ~~Procedures for child identification and referral shall meet the~~
38 requirements of the IDEA and regulations, A.R.S. Title 15, Chapter 7, Article 4 and these rules.

Commented [CB4]: Board staff recieved concerns regarding the new Child Find requirements and would like additional discussion. See comment #5 on attached document.

Commented [CB5]: Questions related to how "practical" is defined and how ADE determines if a PEA's method is practical.

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1 ~~1-3.~~ Each public education agency shall establish, implement, and ~~disseminate~~ make available,
2 ~~(either in writing or electronically),~~ to its school-based personnel and all parents, within the public
3 education agency its boundaries of responsibility; written procedures to identify, locate and evaluate for
4 ~~the identification and referral of~~ all children with disabilities, aged birth through 21, including children
5 with disabilities attending private schools and home schools, regardless of the severity of their disability.

6 ~~2-4.~~ Each public education agency ~~will~~ shall require all school-based staff personnel who are
7 employed or contracted by the school to review the written procedures related to child identification
8 and referral on an annual basis. The public education agency shall maintain documentation of staff
9 school-based personnel-review.

Commented [CB6]: Public comment suggests requiring all school school-based personnel is overbroad. See comment #6 on attached document.

Commented [CB7]: Public comment seeks to remove this documentation requirement. See comment #6 on attached document.

10 ~~3-~~ Procedures for child identification and referral shall meet the requirements of the IDEA and
11 regulations, A.R.S. Title 15, Chapter 7, Article 4 and these rules.

12 ~~4-5.~~ Each The public education agency is responsible for child identification activities is in the school
13 district in which the parents reside unless:

14 a. The student is enrolled in a charter school or public education agency that is not a school
15 district. In that event, the charter school or public education agency is responsible for child identification
16 activities;

17 b. The student is enrolled in a non-profit private school. In that event, the school district within
18 whose boundaries the private school is located is responsible for child identification activities.

19 ~~5-6.~~ Identification (screening for possible disabilities) shall be completed within 45-60 calendar days
20 after:

21 a. Entry of each preschool or kindergarten student and any student enrolling without appropriate
22 records of screening, evaluation, and progress in school; ~~or~~

23 b. A student transfers into a school and the student's enrollment documentation indicates a
24 history of special education for a student not currently eligible, or sustained and unexplained poor
25 progress in school; or

26 ~~b-c.~~ Written Notification notification by parents of concerns to the public education agency by
27 parents of concerns regarding developmental or educational progress by their child aged 3 years
28 through 21 years.

29 ~~6-7.~~ Screening procedures shall include vision and hearing status and consideration of the following
30 areas: cognitive or academic, communication, motor, social or behavioral, and adaptive development.
31 Screening does not include a full and individual evaluation detailed individualized comprehensive
32 evaluation procedures.

33 ~~7-8.~~ Within 60 days, For for a student transferring into a school; the public education agency shall
34 review enrollment data and educational performance in the prior school. If there is a history of special
35 education for a student not currently eligible for special education, or poor progress, the name of the
36 student shall be submitted to the administrator for consideration of the need for a referral for a full and
37 individual evaluation or other services.

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1 ~~7- 8- 9.~~ If, on the basis of the screening, the public education agency reasonably suspects that the child's
2 performance might be the result of a disability that has not yet been identified, the public education
3 agency ~~must shall~~ refer the child for a full and individual evaluation.

4 ~~8- 9- 10.~~ If a concern about a student is identified through screening procedures or through
5 review of records ~~that does not rise to the level of suspecting the child is a child with a disability in need~~
6 ~~of special education and related services,~~ the public education agency shall notify the parents of the
7 student ~~in writing of the concern within 10 within a reasonable amount of time but not to exceed 15~~
8 school days and inform them of the public education agency procedures to follow-up on the student's
9 needs ~~which may include specific general education supports and/or interventions that will be put in~~
10 ~~place to address the concerns, including who will provide the supports and/or interventions, in what~~
11 ~~setting, and how the parent will be notified of the progress the child is making with those supports~~
12 ~~and/or interventions. Local education agencies may implement general education interventions~~
13 ~~concurrently or before initiating a referral for evaluation in an effort to resolve areas of concern.~~

14 ~~9- 10 11.~~ If, after a reasonable amount of time not to exceed one school semester, the student's
15 teacher or an administrator, in consultation with the student's parent, determines that the general
16 education supports and/or interventions have not resolved the concerns identified in the screening and
17 as a result, there is suspicion that the student may be a child with a disability in need of special
18 education and related services, the public education agency shall refer the student for a full and
19 individual evaluation.

- 20 a. ~~Implementation of general education supports and/or interventions shall not be put in place in~~
21 ~~order to delay or deny the student an evaluation.~~
22 b. ~~At any time during the implementation of general education supports and/or interventions, the~~
23 ~~parent may request an evaluation in writing to determine if the child is a child with a disability in~~
24 ~~need of special education and related services.~~

25 ~~8. If a concern about a student is identified through screening procedures or through review of~~
26 ~~records, the public education agency shall notify the parents of the student of the concern within 10~~
27 ~~school days and inform them of the public education agency procedures to follow up on the student's~~
28 ~~needs.~~

29 ~~9-11-12.~~ Each public education agency shall maintain documentation of the identification procedures
30 utilized, the dates of entry into school or notification by parents made pursuant to subsection (D)(5),
31 and the dates of screening. The results shall be maintained in the student's permanent records in a
32 location designated by the administrator. In the case of a student not enrolled, the results shall be
33 maintained in a location designated by the administrator.

34 ~~10. If the identification process indicates a possible disability, the name of the student shall be~~
35 ~~submitted to the administrator for consideration of the need for a referral for a full and individual~~
36 ~~evaluation or other services. A parent or a student may request an evaluation of the student. For~~
37 ~~parentally placed private school students, the school district within whose boundaries the non-profit~~
38 ~~private school is located is responsible for such evaluation.~~

Commented [CB8]: Concerns that a 15 day notification timeline is beyond federal requirements and suggested limiting to "within a reasonable time." See comment #8 on attached document.

Commented [CB9]: Public comments prefer these provisions and the provisions in 11 be included in guidance rather than rule. See comment #8 on attached document.

Commented [CB10]: Concerns with "school semester." Suggested replacement language includes "half a school year" or "90 days". See comment #9 on attached document.

Commented [CB11]: There was general confusion concerning 11 however there was support for 11 (a) and (b) on lines 20-24.

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1 11. If, after consultation with the parent, the responsible public education agency determines that a
2 full and individual evaluation is not warranted, the public education agency shall provide prior written
3 notice and procedural safeguards notice to the parent in a timely manner.

4 E. Evaluation/re-evaluation.

5 1. Each public education agency shall establish, implement, disseminate and make available to its
6 school-based personnel, and make available to parents within its boundaries of responsibility, written
7 procedures for the initial full and individual evaluation of students suspected of having a disability, and
8 for the re-evaluation of students previously identified as being eligible for special education.

9 2. Procedures for the initial full and individual evaluation of children suspected of having a
10 disability and for the re-evaluation of students with disabilities shall meet the requirements of IDEA and
11 its regulations, and state statutes and State Board of Education rules.

12 3. The initial evaluation of a child being considered for special education, or the re-evaluation per a
13 parental request of a student already receiving special education services, shall be conducted within
14 completed as soon as possible, but shall not exceed 60 calendar days from the public education agency's
15 receipt of the parent's informed written consent request for an evaluation. If the public education
16 agency initiates the evaluation, the 60-day period shall commence with the date of receipt of the
17 parent's informed written consent and shall conclude with the date of the Multidisciplinary Evaluation
18 Team (MET) determination of eligibility. If the parent requests the evaluation and the MET concurs, the
19 60-day period shall commence with the date that the written parental request was received by the
20 public education agency and shall conclude with the date of the MET determination of eligibility, the
21 PEA must shall, within a reasonable amount of time not to exceed 15 school days from the date it
22 receives a parent's written request for an evaluation, either begin the evaluation by reviewing existing
23 data, or provide prior written notice refusing to conduct the requested evaluation.

24 4. The 60-day evaluation period may be extended for an additional 30 days, provided it is in the
25 best interest of the child, and the parents and PEA agree in writing to such an extension. Neither the 60-
26 day evaluation period nor any extension shall cause a re-evaluation to exceed the time-lines for a re-
27 evaluation within three years of the previous evaluation.

28 5. The public education agency may accept current information about the student from another
29 state, public agency, public education agency, or through an independent educational evaluation
30 evaluator. In such instances, the individualized education program (IEP) team and other qualified
31 professionals within their scope of knowledge and training the Multidisciplinary Evaluation Team shall
32 be responsible for reviewing and approving or supplementing an evaluation to meet the requirements
33 identified in subsections (E)(1) through (7).

34 6. For the following disabilities, the full and individual initial evaluation shall include:

35 a. Emotional disability: verification of a disorder by a psychiatrist, licensed psychologist, or a
36 certified school psychologist.

37 b. Hearing impairment:

38 i. An audiological evaluation by an audiologist, and

Commented [CB12]: Public comment found this confusing. However, the addition of "informed written request for an evaluation" should allay some concerns. See comment #10 on attached document.

- 1 ii. An evaluation of communication/language proficiency.
- 2 c. Other health impairment: verification of a health impairment by a doctor of medicine, licensed
3 psychologist, licensed nurse practitioner or physician's assistant as appropriate.
- 4 d. Specific learning disability: a determination of whether the child exhibits a pattern of strengths
5 and weaknesses in performance, achievement, or both, relative to age, state-approved grade-level
6 standards, or intellectual development that meets the public education agency criteria through one of
7 the following methods:
 - 8 i. A discrepancy between achievement and ability;
 - 9 ii. The child's response to scientific, research-based interventions; or
 - 10 iii. Other alternative research-based procedures.
- 11 e. Orthopedic impairment: verification of the physical disability by a doctor of medicine, or
12 physical therapist licensed pursuant to ARS Title 32, Chapter 19.
- 13 f. Speech/language impairment: an evaluation by a certified speech-language therapist.
- 14 g. For students whose speech impairments appear to be limited to articulation, voice, or fluency
15 problems, the written evaluation may be limited to:
 - 16 i. An audiometric screening within the past calendar year,
 - 17 ii. A review of academic history and classroom functioning,
 - 18 iii. An assessment of the speech problem by a speech therapist, or
 - 19 iv. An assessment of the student's functional communication skills.
- 20 h. Traumatic brain injury: verification of the injury by a doctor of medicine.
- 21 i. Visual impairment: verification of a visual impairment by an ophthalmologist a licensed doctor
22 of medicine practicing in the specialty of ophthalmology or a licensed optometrist.
- 23 7. The Multidisciplinary Evaluation Team shall determine, in accordance with the IDEA and
24 regulations, whether the requirements of subsections (E)(6)(a) through (i) are required for a student's
25 re-evaluation.
- 26 8. The public education agency shall conduct a full and individual evaluation of a child with a
27 disability before determining that the child is no longer a child with a disability, unless the child's
28 eligibility is being terminated due to graduation from secondary school with a ~~regular~~ high school
29 diploma or a general equivalency diploma or because the child is no longer eligible to receive a free and
30 appropriate public education due to age requirements under A.R.S. §15-764(a)(1).
- 31 F. Parental Consent.
 - 32 1. A public education agency shall obtain informed written consent from the parent of the child
33 with a disability before the initial provision of special education and related services to the child.

Commented [CB13]: There were concerns of adequately capturing each profession and its scope of practice which changes over time. Proposal is to reduce the list to a more general provision. See comment #11 on attached document.

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- 1 2. If the parent of a child fails to respond to a request for, or refuses to consent to, the initial
2 provision of special education and related services, the public education agency may not use mediation
3 or due process procedures in order to obtain agreement or a ruling that the services may be provided to
4 the child.
- 5 3. If the parent of the child refuses to consent to the initial provision of special education and
6 related services, or the parent fails to respond to a request to provide consent for the initial provision of
7 special education and related services, the public education agency:
- 8 a. Will not be considered to be in violation of the requirement to make available FAPE to the child
9 because of the failure to provide the child with the special education and related services for which the
10 parent refuses to or fails to provide consent, and
- 11 b. Is not required to convene an IEP Team meeting or develop an IEP in accordance with these
12 rules.
- 13 4. If, at any time subsequent to the initial provision of special education and related services, the
14 parent of a child revokes consent in writing for the continued provision of special education and related
15 services, the public education agency:
- 16 a. May not continue to provide special education and related services to the child, but shall
17 provide prior written notice before ceasing the provision of special education and related services;
- 18 b. May not use the mediation procedures or the due process procedures in order to obtain
19 agreement or a ruling that the services may be provided to the child;
- 20 c. Will not be considered to be in violation of the requirement to make FAPE available to the child
21 because of the failure to provide the child with further special education and related services; and
- 22 d. Is not required to convene an IEP Team meeting or develop an IEP for the child for further
23 provision of special education and related services.
- 24 5. If a parent revokes consent in writing for their child's receipt of special education services after
25 the child is initially provided special education and related services, the public agency is not required to
26 amend the child's education records to remove any references to the child's receipt of special education
27 and related services because of the revocation of consent.
- 28 G. Individualized Education Program (IEP).
- 29 1. Each public education agency shall establish, implement, and ~~disseminate~~ make available to its
30 school-based personnel, and ~~make available to parents,~~ written procedures for the development,
31 implementation, review, and revision of IEPs.
- 32 2. Procedures for IEPs shall meet the requirements of the IDEA and its regulations, ~~and~~ state
33 statutes and State Board of Education rules.
- 34 3. Procedures shall include the incorporation of Arizona ~~Academic Standards as adopted by the~~
35 State Board of Education into the development of each IEP and address grade-level expectations and
36 grade-level content instruction. ~~IEP goals aligned with the Arizona Academic Standards shall identify the~~
37 ~~specific level within the standard that is being addressed.~~

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1 4. Each IEP of a student with a disability, developed with the opportunity for parent participation, shall
2 stipulate include a statement of the special education and related services that will be provided to
3 enable to child to advance appropriately toward attaining his or her annual goals and to be involved in
4 and make progress in the general education curriculum. Each child's IEP ~~must shall~~ include the projected
5 date for the beginning of the services and modifications; the anticipated frequency, duration, and
6 location of those services; and a description of the instructional or support services, including a
7 designation of the types of qualified professionals and other providers that will provide those
8 instructional or support services to the student. If appropriate to meet to meet the needs of a student
9 and to ensure access to the general curriculum, an IEP team may include specially designed instruction
10 in the IEP that may be delivered in a variety of educational settings by a general education teacher or
11 other certificated personnel provided that certificated special education personnel are involved in the
12 planning, progress monitoring and when appropriate, the delivery of the specially designed instruction.
13 the provision of instructional or support services by a special education teacher, certified speech-
14 language therapist, and/or ancillary service provider(s), as appropriate.

15
16 ~~4. Each IEP of a student with a disability shall stipulate the provision of instructional or support~~
17 ~~services by a special education teacher, certified speech language therapist, and/or ancillary service~~
18 ~~provider(s), as appropriate.~~

19
20 5. Each student with a disability who has an IEP shall participate in the state assessment system.
21 Students with disabilities can test with or without ~~standard~~ accommodations or modifications as
22 indicated in the student's IEP. Students who are determined to have a significant cognitive disability
23 based on the established eligibility criteria will be assessed with the state's alternate assessment as
24 determined by the IEP team.

25 6. A meeting of the whole IEP team shall be conducted to review and revise each student's IEP at
26 least annually or more frequently if the student's progress substantially deviates from what was
27 anticipated. The public education agency shall provide written notice of the meeting to the parents of
28 the student to ensure that parents have the opportunity to participate in the meeting. After the annual
29 review, the public education agency and parent may agree not to convene an IEP team meeting for the
30 purposes of making changes, and instead may develop a written document to amend or modify the
31 student's current IEP.

32
33 7. A parent or public education agency may request in writing a review of the IEP, and shall identify
34 the basis for requesting review. Such review shall take place within ~~30~~ 15 school days of the receipt of
35 the request or at a mutually agreed upon date and time but not to exceed 30 school.

36 H. Least Restrictive Environment.

37 1. Each public education agency shall establish, implement, and ~~disseminate~~ make available to its
38 school-based personnel, ~~and make available to~~ parents, written procedures to ensure the delivery of
39 special education services in the least restrictive environment as identified by IDEA and its regulations,
40 ~~and~~ state statutes and State Board of Education rules.

41 2. A continuum of services and supports for students with disabilities shall be available through
42 each public education agency.

43 I. Procedural Safeguards.

Commented [CB14]: Public comment indicated this is too prescriptive. Noted that this be moved into guidance or use the federal definition of IEP. See comment #12 on attached document.

Commented [CB15]: Comments seek to allow LEAs to deny a request for review and allow parents mediation or to file a complaint. Public comment also seek to require the requests to identify the basis for the reevaluation. See comment #13 on attached document.

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1 1. Each public education agency shall establish, implement, and ~~disseminate~~ make available to its
2 school-based personnel and parents of students with disabilities written procedures to ensure children
3 with disabilities and their parents are afforded the procedural safeguards required by federal statute
4 and regulation and state statute. These procedures shall include dissemination to parents information
5 about the public education agency's and state's dispute resolution options.

6 2. In accordance with the ~~prior written notice~~ requirements of IDEA, prior written notice ~~must~~ shall
7 be provided to the parents of a child within a reasonable time after the ~~a timely manner following a~~
8 ~~decision by a PEA to propose to initiate or change, or refuses to initiate or change, the identification,~~
9 evaluation, educational placement or the provision of FAPE to the child, but before the decision is
10 implemented.

11 J. Confidentiality.

12 1. Each public education agency shall establish, implement, and ~~disseminate~~ make available to its
13 personnel, ~~and make available to parents,~~ written policies and procedures to ensure the confidentiality
14 of records and information in accordance with the IDEA and its regulations, the Family Educational
15 Rights and Privacy Act (FERPA) and its regulations, and state statutes.

16 2. Parents shall be fully informed about the requirements of the IDEA and regulations, including an
17 annual notice of the policies and procedures that the PEA ~~must~~ shall follow regarding storage, disclosure
18 to a third party, retention, and destruction of personally identifiable information.

19 3. The rights of parents regarding education records are transferred to the student at age 18,
20 unless the student has been ~~declared legally incompetent~~ adjudicated incapacitated, or the student has
21 executed a delegation of rights to make educational decisions pursuant to A.R.S. § 15-773.

22 4. Upon receiving a written request, each public education agency shall forward special education
23 records to any other public education agency in which a student has enrolled or is seeking ~~is attempting~~
24 to enroll. Records shall be forwarded within the time-frame specified in A.R.S. § 15-828(F). The public
25 education agency shall also forward records to any other person or agency for which the parents have
26 given signed consent.

27 K. Preschool Programs. Each public education agency responsible for serving preschool children
28 with disabilities shall establish, implement, and ~~disseminate~~ make available to its personnel, and ~~make~~
29 ~~available to parents,~~ written procedures for:

30 1. The operation of the preschool program, in accordance with federal statute and regulation, and
31 state statute, that provides a continuum of placements to students;

32 2. The smooth and effective transition from the Arizona Early Intervention Program (~~AzEIP~~) to a
33 public school preschool program in accordance with the agreement between the Department of
34 Economic Security and the Department; and

35 3. The provision of a minimum of 360 minutes per week of instruction in a program that meets at
36 least two hundred sixteen hours over the minimum number of days ~~that operates at least three days a~~
37 ~~week.~~

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1 L. Children in Private Schools. Each ~~public~~ education agency shall establish, implement, and
2 ~~disseminate~~ make available to ~~its~~ personnel; and ~~make available to~~ parents; written procedures
3 regarding the access to special education services to students enrolled in private schools by their
4 parents as identified by the IDEA and its regulations, ~~and~~ state statutes and State Board of Education
5 rules.

6 M. ~~State Education Agency~~ Department Responsible for General Supervision and Obligations
7 Related to and Methods of Ensuring Services.

8 1. The Department is responsible for the general supervision of services to children with disabilities
9 aged 3 through 21 served through a public education agency.

10 2. The Department shall ensure through fund allocation, monitoring, dispute resolution, and
11 technical assistance that all eligible students receive a ~~free appropriate public education~~ FAPE in
12 conformance with the IDEA and its regulations, A.R.S. Title 15, Chapter 7, Article 4, and these rules.

13 3. In exercising its general supervision responsibilities, the Department shall ensure that when it
14 identifies noncompliance with the requirements of the IDEA Part B, the noncompliance is corrected as
15 soon as possible, and in no case later than one year after the Department's written notification to the
16 PEA of its identification of the noncompliance.

17 N. Procedural Requirements Relating to Public Education Agency Eligibility.

18 1. Each public education agency shall establish eligibility for funding with the ~~Arizona~~ Department
19 in accordance with the IDEA and its regulations, ~~and~~ state statutes and with schedules and methods
20 prescribed by the Department.

21 2. In the event the Department determines that a public education agency does not meet eligibility
22 for funding requirements, the public education agency has a right to a hearing before such funding is
23 withheld.

24 3. The Department may ~~temporarily interrupt~~ suspend payments during any time period when a
25 public education agency has not corrected deficiencies in eligibility for federal funds as a result of fiscal
26 requirements of monitoring, auditing, complaint and due process findings.

27 4. Each public education agency shall, on an annual basis, determine the number of children within
28 each disability category who have been identified, located, evaluated, and/or receiving special
29 education services. This includes children residing within the boundaries of responsibility of the public
30 education agency who have been placed by their parents in private schools or who are home schooled.

31 O. Public Participation.

32 1. Each public education agency shall establish, implement, and ~~disseminate~~ make available to ~~its~~
33 personnel; and ~~make available to~~ parents; written procedures to ensure that, prior to the adoption of
34 any policies and procedures needed to comply with federal and state statutes and regulations, there
35 are:

36 a. Public hearings;

37 b. Notice of the hearings; and

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- 1 c. An opportunity for comment available to the general public, including individuals with
2 disabilities and parents of children with disabilities.
- 3 2. This requirement does not pertain to day-to-day operating procedures.
- 4 P. Suspension and Expulsion.
- 5 1. Each public education agency shall establish, implement, and ~~disseminate~~ make available to ~~its~~
6 ~~personnel, and make available to parents,~~ written procedures for the suspension and expulsion of
7 students with disabilities.
- 8 2. Each public education agency shall require all school-based staff involved in the disciplinary
9 process to review the policies and procedures related to suspension and expulsion on an annual basis.
10 The public education agency shall maintain documentation of staff review.
- 11 3. Procedures for such suspensions and expulsions shall meet the requirements of the IDEA and its
12 regulations, and state statutes.

DRAFT

EXECUTIVE SUMMARY

Issue: Presentation, discussion and possible action to open new rulemaking of proposed amendments to Board rule R7-2-401 regarding Special Education Standards for Public Agencies Providing Educational Services

Action/Discussion Item

Information Item

Background and Discussion

SB 1317 passed during the 2017 legislative session and requires the Board to adopt new rules by November 15, 2017. The rules shall clarify the administration of specially designed instruction by certified general education teachers if:

1. Instruction is appropriate to meet the needs of a student and is in accordance with a student's IEP;
2. Instruction ensures access to the general education curriculum; and
3. Certified special education personnel are involved in the planning, progress monitoring and, when appropriate, the delivery of specially designed instruction.

Board staff met with the Department of Education to develop revisions to the rules regarding special education on June 6, 2017. Based on that meeting, proposed revisions were presented to the Board on June 26, 2017, which then voted to open rulemaking.

At its August 28, 2017, meeting, the Board received feedback from the Special Education Advisory Panel and Department of Education staff and the Board indicated an intention to terminate and open new rulemaking based on the June 26th draft.

Attached are the proposed rules as opened on June 26, 2017. Below is a summary of the proposed changes:

The proposed changes to R7-2-401 regarding Special Education Standards for Public Agencies Providing Educational Services consist of the following:

- Definitions:
 - "Accommodations" now includes access to the general education curriculum
 - "Boundaries of responsibility" are expanded to include a charter school and a public agency other than a school district or charter school
 - Defines "child with a disability"
 - "Evaluator" is clarified to be a person trained and knowledgeable in a field relevant to the child's disability
 - "Informed written consent" is defined

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EXECUTIVE SUMMARY

- “Multidisciplinary Evaluation Team” is defined
 - A “private special education school” was clarified to be defined as a non-public educational institution where instruction is provided primarily to students with disabilities
 - “Psychiatrist” was defined as a licensed physician who has completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association
 - “Qualified professionals” was added to the list of definitions
 - “Specially designed instruction” was added to the list of definitions
 - “Suspension” is defined as the temporary withdrawal of the privilege of attending a school for a specified period of time
- Child identification and referral procedures were identified
 - It was clarified that each public education agency must develop and implement a practical method to identify, locate and evaluate children with disabilities who are in need of, but are not currently receiving special education and related services
 - Identification, which includes screening for possible disabilities, shall be completed within 45 calendar days after a student transfers into a school and the student’s enrollment documentation indicates a history of special education for a student not currently eligible, or who has sustained and unexplained poor progress in school
 - If, on the basis of the screening, the public education agency reasonably suspects that the child’s performance might be the result of a disability that has not yet been identified, the public education agency must refer the child for a full and individual evaluation
 - Parents shall be notified within a reasonable amount of time but not to exceed 15 school days to inform them of screening procedures if the child is suspected of having a disability
 - If, after a reasonable amount of time not to exceed one school semester, the student’s teacher determines that the general education supports and/or interventions have not resolved the concerns identified in the screening, the public education agency shall refer the student for a full and individual evaluation
 - Implementation of general education supports and/or interventions shall not be put in place in order to delay or deny the student an evaluation
 - At any time during the implementation of general education supports and/or interventions, the parent may request an evaluation in writing to determine if the child is a child with a disability in need of special education and related services

EXECUTIVE SUMMARY

- Evaluation/Re-Evaluation
 - The initial evaluation shall be conducted within 60 calendar days from the public education agency's receipt of the parent's informed written consent
 - If the parent requests the evaluation, the public education agency within a reasonable amount of time not to exceed 15 school days from the date it receives a parent's written request for an evaluation shall either begin the evaluation by reviewing existing data, or provide prior written notice refusing to conduct the requested evaluation
 - The public education agency may accept current information about the student from another state, public agency, public education agency or through an independent educational evaluation. In such instances, the Multidisciplinary Evaluation Team shall be responsible for reviewing and approving or supplementing an evaluation
 - The public education agency shall conduct a full and individual evaluation of a child with a disability before determining that the child is no longer a child with a disability, unless the child's eligibility is being terminated due to graduation from secondary school with a regular high school diploma or because the child is no longer eligible to receive a free and appropriate public education due to age requirements

- Individualized Education Program (IEP)
 - Each IEP of a student with a disability, developed with the opportunity for parent participation, shall stipulate a statement of the special education and related services that will be provided to enable to child to advance appropriately toward attaining his or her annual goals and to be involved in and make progress in the general education curriculum
 - Each child's IEP must include the projected date for the beginning of the services and modifications; the anticipated frequency, duration, and location of those services, the provision of instructional or support services and designate the types of qualified professionals and other providers to provide instructional or support services to the student
 - If appropriate to meet to meet the needs of a student and to ensure access to the general curriculum, an IEP team may include specially designed instruction in the IEP that may be delivered in a variety of educational settings by a general education teacher or other certificated personnel provided that the special education personnel are involved in the planning, progress monitoring and when appropriate, involved in the delivery of the specially designed instruction
 - After an annual review of a child's IEP, the public education agency and the parent may agree not to convene an IEP team meeting for the purposes of making changes and instead may develop a written document to amend or modify the student's current IEP

EXECUTIVE SUMMARY

- A parent or public education agency may request in writing a review of the IEP and shall identify the basis for requesting review
 - Such review shall take place within 30 school days of the receipt of the request or at a later date as mutually agreed upon by the parent and the public education agency but not to exceed 60 school days
 - Notwithstanding the foregoing, a public education agency may deny a parent's request for review of an IEP with prior written notice
- Procedural Safeguards
 - In accordance with the requirements of IDEA, prior written notice must be issued within 15 school days following a decision by a public education agency to propose to initiate or change, or refuse to initiate or change, the identification, evaluation, educational placement or the provision of a free and public education to the child

Recommendation to the Board

It is recommended the Board open new rulemaking of proposed amendments to Board rule R7-2-401 regarding Special Education Standards for Public Agencies Providing Educational Services

1 Article 4. SPECIAL EDUCATION

2 **R7-2-401. Special Education Standards for Public Agencies Providing Educational Services**

3 **A.** For the purposes of this Article, the Individuals with Disabilities Education Improvement Act (IDEA),
4 20 U.S.C. 1400 et seq. and its implementing regulations, 34 CFR 300.1 et seq., are incorporated herein
5 by reference. Copies of the incorporated material can be obtained from the U.S. Government Printing
6 Office, ~~Attn: New Orders, P.O. Box 979050, St. Louis, MO 63197-9000~~
7 <https://bookstore.gpo.gov/catalog/laws-regulations> or the Arizona Department of Education,
8 Exceptional Student Services, 1535 West Jefferson Street, Phoenix, Arizona 85007.

9 **B.** Definitions. All terms defined in the IDEA, its implementing regulations and A.R.S. § 15-761 are
10 applicable, with the following additions:

11 1. “Accommodations” means the provisions made to allow a student to access the general education
12 curriculum and demonstrate learning. Accommodations do not substantially change the
13 instructional level, ~~the~~ content or ~~the~~ performance criteria, but are made in order to provide a
14 student equal access to learning and equal opportunity to demonstrate what is known.
15 Accommodations shall not alter the content of the curriculum or a test, or provide inappropriate
16 assistance to the student within the context of the test.

17 ~~2. “Adaptations” means changes made to the environment, curriculum, and instruction or~~
18 ~~assessment practices in order for a student to be a successful learner. Adaptations include~~
19 ~~accommodations and modifications. Adaptations are based on an individual student’s strengths~~
20 ~~and needs.~~

21 ~~3.2.~~ “Administrator” means the chief administrative official or designee ~~(responsible for special~~
22 ~~education services)~~ authorized to act on behalf of a public education agency.

23 ~~4.3.~~ “Audiologist” means a person who specializes in the identification and prevention of hearing
24 problems and in the non-medical rehabilitation of those who have hearing impairments, and who
25 is licensed to practice audiology according to A.R.S. Title 36, Chapter 17, Article 4.

26 ~~5.4.~~ “Boundaries of responsibility” means for:
27 a. A school district, the geographical area within ~~the~~ its legally designated boundaries.
28 b. A charter school, the population of students enrolled in the charter school.
29 c. A public education agency other than a school district or charter school, the population of
30 students ~~enrolled in a charter school or~~ receiving educational services from a public education
31 agency.

32 ~~6. “Certificate in speech and language therapy” means a speech-language pathologist or speech-~~
33 ~~language technician certificate awarded by the State Board of Education.~~

34 ~~7.5.~~ “Certified school psychologist” means a person holding a certificate from the Arizona State Board
35 of Education issued pursuant to 7 A.A.C. 2, Article 6, in the area of school psychology.

- 1 ~~8-6.~~ "Certified speech-language therapist" means a person holding a speech-language pathologist or
2 speech-language technician certificate from the Arizona State Board of Education issued pursuant to
3 to 7 A.A.C. 2, Article 6, and a license from the Arizona Department of Health Services as a speech-
4 language pathologist in accordance with A.R.S. Title 36, Chapter 17, Article 4.
- 5 7. "Child with a disability," as defined by A.R.S. § 15-761(2), is a child that has been evaluated
6 pursuant to A.R.S. § 15-766 and has been determined to have a qualifying disability and who, by
7 reason thereof, needs special education and related services.
- 8 ~~9-8.~~ "Department" means the Arizona Department of Education.
- 9 ~~10-9.~~ "Doctor of medicine" means a person holding a license to practice medicine pursuant to ~~A.R.S.~~
10 ~~Title 32, Chapter 13~~ state law as a ~~(medical doctor)~~ or ~~Chapter 17~~ (doctor of osteopathy).
- 11 ~~11-10.~~ "Exceptional Student Services ~~Division~~" or "~~ESS~~" means the Exceptional Student Services
12 Division of the Arizona Department of Education.
- 13 ~~12-11.~~ "Evaluator" means a ~~qualified~~ person trained and knowledgeable in a field relevant to the
14 child's disability who administers specific and individualized assessment for the purpose of special
15 education evaluation and placement.
- 16 ~~13-12.~~ "Full and individual evaluation" means procedures used in accordance with the IDEA to
17 determine whether a child has a disability and the nature and extent of the special education and
18 related services that the child needs. This evaluation includes:
19 a. A review of existing information about the child;
20 b. A decision regarding the need for additional information;
21 c. If necessary, the collection of additional information; and
22 d. A review of all information about the child and a determination of eligibility for special
23 education services and needs of the child.
- 24 ~~14-13.~~ "Independent educational evaluation" means an evaluation conducted by ~~a-qualified~~
25 ~~evaluator~~ an examiner who is not employed by the public education agency responsible for the
26 education of the child in question.
- 27 14. "Informed written consent" means a person has been fully informed of all information relevant to
28 the activity for which consent is sought, in the person's native language or through another mode
29 of communication; the person understands and agrees in writing to the carrying out of the activity
30 for which consent is sought; and the person understands that the granting of consent is voluntary
31 and may be revoked at any time.
- 32 15. "Interpreter" means a person trained to translate orally or in sign language in matters pertaining
33 to special education identification, evaluation, placement, the provision of free appropriate public
34 education (FAPE), or assurance of procedural safeguards for parents and students who converse
35 in a language other than spoken English. Each student's IEP team determines the level of
36 interpreter skill necessary for the provision of FAPE.
- 37 ~~16. "Language in which the student is proficient" means all languages including sign language~~
38 ~~systems.~~

- 1 ~~17-16.~~ "Licensed psychologist" means a person holding a psychologist license from the a state of
2 Arizona Board of Psychologist examiners in accordance with A.R.S. Title 32, Chapter 19.1, Article
3 2 licensing body.
- 4 17. "Multidisciplinary Evaluation Team" means a team of persons including individuals described as
5 the individualized education program team and other qualified professionals who shall determine
6 whether a child is eligible for special education and related services.
- 7 18. "Modifications" means substantial changes in what a student is expected to learn and to
8 demonstrate. Changes may be made in the instructional level, the content or the performance
9 criteria. Such changes are made to provide a student with meaningful and productive learning
10 experiences, environments, and assessments based on individual needs and abilities.
- 11 ~~19. "Paraeducator" means a person employed to assist with the education of students but who is not~~
12 ~~certified to teach by the Arizona Department of Education. Alternate terms may include~~
13 ~~paraprofessional, teacher aide, instructional assistant or other similar titles.~~
- 14 ~~20-19.~~ "Private school" means any nonpublic educational institution where academic instruction is
15 provided, including nonsectarian and parochial schools, that are not under the jurisdiction of the
16 state or a public education agency.
- 17 ~~21-20.~~ "Private special education school" means a ~~private school that is established to serve~~
18 ~~primarily~~ nonpublic educational institution where instruction is provided primarily to students
19 with disabilities. The school may also serve students without disabilities.
- 20 ~~22-21.~~ "Psychiatrist" means a ~~doctor of medicine who specializes in the study, diagnosis, treatment~~
21 ~~and prevention of mental disorders~~ licensed physician who has completed three years of graduate
22 training in psychiatry in a program approved by the American medical association or the American
23 osteopathic association.
- 24 ~~23-22.~~ "Public education agency" or "PEA" means a school district, charter school, accommodation
25 school, state supported institution, or other political subdivision of the state that is responsible
26 for providing education to children with disabilities.
- 27 23. "Qualified professionals" means individuals who have met state approved or recognized degree,
28 certification, licensure, registration or other requirements that apply in the areas in which the
29 individuals are providing services such as screening, identification, evaluation, general education,
30 special education or related services, including supplemental aids and services.
- 31 24. "Screening" means an informal or formal process of determining the status of a child with respect
32 to appropriate developmental and academic norms. Screening may include observations, family
33 interviews, review of medical, developmental, or education records, or the administration of
34 specific instruments identified by the test publisher as appropriate for use as screening tools.
- 35 25. "Specially designed instruction" means adapting, as appropriate to the needs of an eligible child
36 the content, methodology, or delivery of instruction to address the unique needs of the child
37 that result from the child's disability; and to ensure access of the child to the general curriculum,

1 so that the child can meet the educational standards within the jurisdiction of the PEA that
2 apply to all children.

3 ~~25.~~26. “Special education teacher” means a teacher holding a special education certificate from the
4 Arizona Department of Education.

5 ~~26.~~27. “Suspension” means ~~a disciplinary removal from a child’s current placement that results in a~~
6 ~~failure to provide services to the extent necessary to enable the child to progress appropriately in~~
7 ~~the general curriculum and advance toward achieving the goals set out in the child’s IEP. The term~~
8 ~~does not include disciplinary actions or changes in placement through the IEP process if the child~~
9 ~~continues to receive the services described above. The term does include actions such as “in-~~
10 ~~school” and “going home for the rest of the day” removals if the child does not receive the services~~
11 ~~described above.~~ the temporary withdrawal of the privilege of attending a school for a specified
12 period of time.

13 C. Public Awareness.

14 1. Each public education agency shall inform the general public and all parents, within the public
15 education agency’s boundaries of responsibility, of the availability of special education services
16 for students aged 3 through 21 years and how to access those services. This includes information
17 regarding early intervention services for children aged birth through 2 years.

18 ~~2.—Each public education agency is responsible for public awareness within their enrolled population~~
19 ~~(including the families of enrolled students).~~

20 ~~3.~~2. School districts are responsible for public awareness in private schools located within their
21 ~~geographical~~ boundaries of responsibility.

22 D. Child Identification and Referral.

23 1. All children with disabilities residing in the state, including children with disabilities who are
24 homeless or are wards of the state, including children with disabilities who attend private schools,
25 regardless of the severity of their disability, and who are in need of special education and related
26 services must be identified, located, and evaluated. Child find must include children who are
27 suspected of being a child with a disability in need of special education and related services,
28 including children who are advancing from grade to grade, and children who are highly mobile,
29 including migrant children.

30 2. Each public education agency must develop and implement a practical method to identify, locate,
31 and evaluate children with disabilities who are in need of, but are not currently receiving special
32 education and related services.

33 ~~1.~~3. Each public education agency shall establish, implement, and ~~disseminate~~ make available, either
34 in writing or electronically, to its school-based personnel and all parents, within the public
35 education agency its boundaries of responsibility, written procedures for the identification and
36 referral of to identify, locate and evaluate all children with disabilities, aged birth through 21,
37 including children with disabilities attending private schools and home schools, regardless of the
38 severity of their disability.

- 1 ~~2.4.~~ Each public education agency will require all school-based ~~staff~~ personnel who are employed or
2 contracted by the school to review the written procedures related to child identification and
3 referral on an annual basis. The public education agency shall maintain documentation of ~~staff~~
4 school-based personnel review.
- 5 ~~3.—Procedures for child identification and referral shall meet the requirements of the IDEA and~~
6 ~~regulations, A.R.S. Title 15, Chapter 7, Article 4 and these rules.~~
- 7 ~~4.5.~~ The Each public education agency is responsible for child identification activities is in the school
8 district in which the parents reside unless:
9 a. The student is enrolled in a charter school or public education agency that is not a school
10 district. In that event, the charter school or public education agency is responsible for child
11 identification activities;
12 b. The student is enrolled in a non-profit private school. In that event, the school district within
13 whose boundaries the private school is located is responsible for child identification activities.
- 14 ~~5.6.~~ Identification (screening for possible disabilities) shall be completed within 45 calendar days after:
15 a. Entry of each preschool or kindergarten student and any student enrolling without
16 appropriate records of screening, evaluation, and progress in school; ~~or~~
17 b. A student transfers into a school and the student's enrollment documentation indicates a
18 history of special education for a student not currently eligible, or sustained and unexplained
19 poor progress in school; or
20 c. ~~Notification~~ Written notification by parents of concerns to the public education agency ~~by~~
21 ~~parents of concerns~~ regarding developmental or educational progress by their child aged 3
22 years through 21 years.
- 23 ~~6.7.~~ Screening procedures shall include vision and hearing status and consideration of the following
24 areas: cognitive or academic, communication, motor, social or behavioral, and adaptive
25 development. Screening does not include ~~detailed individualized comprehensive evaluation~~
26 ~~procedures~~ a full and individual evaluation.
- 27 ~~7.—For a student transferring into a school; the public education agency shall review enrollment data~~
28 ~~and educational performance in the prior school. If there is a history of special education for a~~
29 ~~student not currently eligible for special education, or poor progress, the name of the student~~
30 ~~shall be submitted to the administrator for consideration of the need for a referral for a full and~~
31 ~~individual evaluation or other services.~~
- 32 8. If, on the basis of the screening, the public education agency reasonably suspects that the child's
33 performance might be the result of a disability that has not yet been identified, the public
34 education agency must refer the child for a full and individual evaluation.
- 35 ~~8.9.~~ If a concern about a student is identified through screening procedures or through review of
36 records that does not rise to the level of suspecting the child is a child with a disability in need of
37 special education and related services, the public education agency shall notify the parents of the
38 student in writing of the concern within ~~10~~ a reasonable amount of time but not to exceed 15
39 school days and inform them of the public education agency procedures to follow-up on the
40 student's needs which may include specific general education supports and/or interventions that
41 will be put in place to address the concerns, including who will provide the supports and/or

1 interventions, in what setting, and how the parent will be notified of the progress the child is
2 making with those supports and/or interventions.

3 10. If, after a reasonable amount of time not to exceed one school semester, the student's teacher or
4 an administrator, in consultation with the student's parent, determines that the general
5 education supports and/or interventions have not resolved the concerns identified in the
6 screening and as a result, there is suspicion that the student may be a child with a disability in
7 need of special education and related services, the public education agency shall refer the student
8 for a full and individual evaluation.

9 a. Implementation of general education supports and/or interventions shall not be put in place in
10 order to delay or deny the student an evaluation.

11 b. At any time during the implementation of general education supports and/or interventions, the
12 parent may request an evaluation in writing to determine if the child is a child with a disability
13 in need of special education and related services.

14 ~~9.11.~~ Each public education agency shall maintain documentation of the identification procedures
15 utilized, the dates of entry into school or notification by parents made pursuant to subsection
16 (D)~~(5)~~ (6), and the dates of screening. The results shall be maintained in the student's permanent
17 records in a location designated by the administrator. In the case of a student not enrolled, the
18 results shall be maintained in a location designated by the administrator.

19 ~~10. If the identification process indicates a possible disability, the name of the student shall be~~
20 ~~submitted to the administrator for consideration of the need for a referral for a full and individual~~
21 ~~evaluation or other services. A parent or a student may request an evaluation of the student. For~~
22 ~~parentally-placed private school students the school district within whose boundaries the non-~~
23 ~~profit private school is located is responsible for such evaluation.~~

24 ~~11. If, after consultation with the parent, the responsible public education agency determines that a~~
25 ~~full and individual evaluation is not warranted, the public education agency shall provide prior~~
26 ~~written notice and procedural safeguards notice to the parent in a timely manner.~~

27 E. Evaluation/re-evaluation.

28 1. Each public education agency shall establish, implement, ~~disseminate and make available~~ to ~~its~~
29 ~~school-based personnel,~~ and ~~make available to~~ parents within its boundaries of responsibility,
30 written procedures for the initial full and individual evaluation of students suspected of having a
31 disability, and for the re-evaluation of students previously identified as being eligible for special
32 education.

33 2. Procedures for the initial full and individual evaluation of children suspected of having a disability
34 and for the re-evaluation of students with disabilities shall meet the requirements of IDEA and its
35 regulations, ~~and~~ state statutes and State Board of Education rules.

36 3. The initial evaluation of a child being considered for special education, or the re-evaluation per a
37 parental request of a student already receiving special education services, shall be ~~completed as~~
38 ~~soon as possible, but shall not exceed~~ conducted within 60 calendar days from the public
39 education agency's receipt of the parent's informed written consent.~~If the public education~~

1 ~~agency initiates the evaluation, the 60-day period shall commence with the date of receipt of~~
2 ~~informed written consent~~ and shall conclude with the date of the Multidisciplinary Evaluation
3 Team (MET) determination of eligibility. If the parent requests the evaluation ~~and the MET~~
4 ~~concur, the 60-day period shall commence with the date that the written parental request was~~
5 ~~received by the public education agency and shall conclude with the date of the MET~~
6 ~~determination of eligibility.~~ the PEA must, within a reasonable amount of time not to exceed 15
7 school days from the date it receives a parent's written request for an evaluation, either begin
8 the evaluation by reviewing existing data, or provide prior written notice refusing to conduct the
9 requested evaluation.

- 10 4. The 60-day evaluation period may be extended for an additional 30 days, provided it is in the best
11 interest of the child, and the ~~parents~~ parent and PEA agree in writing to such an extension. Neither
12 the 60-day evaluation period nor any extension shall cause a re-evaluation to exceed the time-
13 lines for a re-evaluation within three years of the previous evaluation.
- 14 5. The public education agency may accept current information about the student from another
15 state, public agency, public education agency, or through an independent evaluator educational
16 evaluation. In such instances, the Multidisciplinary Evaluation Team shall be responsible for
17 reviewing and approving or supplementing an evaluation to meet the requirements identified in
18 subsections (E)(1) through (7).
- 19 6. For the following disabilities, the full and individual initial evaluation shall include:
20 a. Emotional disability: verification of a disorder by a psychiatrist, licensed psychologist, or a
21 certified school psychologist.
22 b. Hearing impairment:
23 i. An audiological evaluation by an audiologist, and
24 ii. An evaluation of communication/language proficiency.
25 c. Other health impairment: verification of a health impairment by a doctor of medicine,
26 licensed psychologist, licensed nurse practitioner or physician's assistant as appropriate.
27 d. Specific learning disability: a determination of whether the child exhibits a pattern of
28 strengths and weaknesses in performance, achievement, or both, relative to age, state-
29 approved grade-level standards, or intellectual development that meets the public education
30 agency criteria through one of the following methods:
31 i. A discrepancy between achievement and ability;
32 ii. The child's response to scientific, research-based interventions; or
33 iii. Other alternative research-based procedures.
34 e. Orthopedic impairment: verification of the physical disability by a doctor of medicine, or
35 physical therapist licensed pursuant to A.R.S. Title 32, Chapter 19.
36 f. Speech/language impairment: an evaluation by a certified speech-language therapist.
37 g. For students whose speech impairments appear to be limited to articulation, voice, or fluency
38 problems, the written evaluation may be limited to:
39 i. An audiometric screening within the past calendar year,
40 ii. A review of academic history and classroom functioning,
41 iii. An assessment of the speech problem by a speech therapist, or
42 iv. An assessment of the student's functional communication skills.
43 h. Traumatic brain injury: verification of the injury by a doctor of medicine.
44 i. Visual impairment: verification of a visual impairment by ~~an ophthalmologist~~ a licensed doctor
45 of medicine practicing in the specialty of ophthalmology or a licensed optometrist.

1
2 7. The Multidisciplinary Evaluation Team shall determine, in accordance with the IDEA and
3 regulations, whether the requirements of subsections (E)(6)(a) through (i) are required for a
4 student's re-evaluation.

5 8. The public education agency shall conduct a full and individual evaluation of a child with a disability
6 before determining that the child is no longer a child with a disability, unless the child's eligibility
7 is being terminated due to graduation from secondary school with a regular high school diploma
8 or because the child is no longer eligible to receive a free and appropriate public education due
9 to age requirements under A.R.S. § 15-764 (a)(1).

10 **F. Parental Consent.**

11 1. A public education agency shall obtain informed written consent from the parent of the child with
12 a disability before the initial provision of special education and related services to the child.

13 2. If the parent of a child fails to respond to a request for, or refuses to consent to, the initial
14 provision of special education and related services, the public education agency may not use
15 mediation or due process procedures in order to obtain agreement or a ruling that the services
16 may be provided to the child.

17 3. If the parent of the child refuses to consent to the initial provision of special education and related
18 services, or the parent fails to respond to a request to provide consent for the initial provision of
19 special education and related services, the public education agency:
20 a. Will not be considered to be in violation of the requirement to make available FAPE to the
21 child because of the failure to provide the child with the special education and related services
22 for which the parent refuses to or fails to provide consent, and
23 b. Is not required to convene an IEP Team meeting or develop an IEP in accordance with these
24 rules.

25 4. If, at any time subsequent to the initial provision of special education and related services, the
26 parent of a child revokes consent in writing for the continued provision of special education and
27 related services, the public education agency:
28 a. May not continue to provide special education and related services to the child, but shall
29 provide prior written notice before ceasing the provision of special education and related
30 services;
31 b. May not use the mediation procedures or the due process procedures in order to obtain
32 agreement or a ruling that the services may be provided to the child;
33 c. Will not be considered to be in violation of the requirement to make FAPE available to the
34 child because of the failure to provide the child with further special education and related
35 services; and
36 d. Is not required to convene an IEP Team meeting or develop an IEP for the child for further
37 provision of special education and related services.

38 5. If a parent revokes consent in writing for their child's receipt of special education services after
39 the child is initially provided special education and related services, the public agency is not
40 required to amend the child's education records to remove any references to the child's receipt
41 of special education and related services because of the revocation of consent.

1 G. Individualized Education Program (IEP).

2 1. Each public education agency shall establish, implement, and ~~disseminate~~ make available to its
3 school-based personnel, and ~~make available to~~ parents, written procedures for the development,
4 implementation, review, and revision of IEPs.

5 2. Procedures for IEPs shall meet the requirements of the IDEA and its regulations, ~~and~~ state statutes
6 and State Board of Education rules.

7 3. Procedures shall include the incorporation of Arizona ~~Academic Standards~~ academic standards as
8 adopted by the State Board of Education into the development of each IEP and address grade-
9 level expectations and grade-level content instruction. ~~IEP goals aligned with the Arizona~~
10 ~~Academic Standards shall identify the specific level within the Standard that is being addressed.~~

11 4. Each IEP of a student with a disability, developed with the opportunity for parent participation,
12 ~~shall stipulate the provision of instructional or support services by a special education teacher,~~
13 ~~certified speech language therapist, and/or ancillary service provider(s), as appropriate.~~ include a
14 statement of the special education and related services that will be provided to enable to child to
15 advance appropriately toward attaining his or her annual goals and to be involved in and make
16 progress in the general education curriculum. Each child's IEP must include the projected date for
17 the beginning of the services and modifications; the anticipated frequency, duration, and location
18 of those services; and a description of the instructional or support services, including a designation
19 of the types of qualified professionals and other providers that will provide those instructional or
20 support services to the student. If appropriate to meet to meet the needs of a student and to
21 ensure access to the general curriculum, an IEP team may include specially designed instruction
22 in the IEP that may be delivered in a variety of educational settings by a general education teacher
23 or other certificated personnel provided that certificated special education personnel are
24 involved in the planning, progress monitoring and when appropriate, the delivery of the specially
25 designed instruction.

26 5. Each student with a disability who has an IEP shall participate in the state assessment system.
27 Students with disabilities can test with or without ~~standard~~ accommodations or modifications as
28 indicated in the student's IEP. Students who are determined to have a significant cognitive
29 disability based on the established eligibility criteria will be assessed with the state's alternate
30 assessment as determined by the IEP team.

31 6. A meeting of the whole IEP team shall be conducted to review and revise each student's IEP at
32 least annually, or more frequently if the student's progress substantially deviates from what was
33 anticipated. The public education agency shall provide written notice of the meeting to the
34 parents of the student to ensure that parents have the opportunity to participate in the meeting.
35 After the annual review, the public education agency and parent may agree not to convene an IEP
36 team meeting for the purposes of making changes, and instead may develop a written document
37 to amend or modify the student's current IEP.

38 7. A parent or public education agency may request in writing a review of the IEP, and shall identify
39 the basis for requesting review. Such review shall take place within ~~15~~ 30 school days of the
40 receipt of the request ~~or~~ at a mutually agreed upon date and time ~~but not to exceed 30 school~~
41 ~~days.~~ days.

1 H. Least Restrictive Environment.

- 2 1. Each public education agency shall establish, implement, and ~~disseminate~~ make available to its
3 school-based personnel, and ~~make available to~~ parents, written procedures to ensure the delivery
4 of special education services in the least restrictive environment as identified by IDEA and its
5 regulations, ~~and~~ state statutes and State Board of Education rules.
- 6 2. A continuum of services and supports for students with disabilities shall be available through each
7 public education agency.

8 I. Procedural Safeguards.

- 9 1. Each public education agency shall establish, implement, and ~~disseminate~~ make available to ~~its~~
10 school-based personnel and parents of students with disabilities written procedures to ensure
11 children with disabilities and their parents are afforded the procedural safeguards required by
12 federal statute and regulation and state statute. These procedures shall include dissemination to
13 parents information about the public education agency's and state's dispute resolution options.
- 14 2. In accordance with the ~~prior written notice~~ requirements of IDEA, prior written notice must be
15 ~~issued in a timely manner following a decision by a~~ provided to the parents of a child within a
16 reasonable time after the PEA ~~to propose~~ proposes to initiate or change, or ~~refuse~~ refuses to
17 initiate or change, the identification, evaluation, educational placement or the provision of FAPE
18 to the child, but before the decision is implemented.

19 J. Confidentiality.

- 20 1. Each public education agency shall establish, implement, and ~~disseminate~~ make available to its
21 personnel, and ~~make available to~~ parents, written policies and procedures to ensure the
22 confidentiality of records and information in accordance with the IDEA and its regulations, the
23 Family Educational Rights and Privacy Act (FERPA) and its regulations, and state statutes.
- 24 2. Parents shall be fully informed about the requirements of the IDEA and regulations, including an
25 annual notice of the policies and procedures that the PEA must follow regarding storage,
26 disclosure to a third party, retention, and destruction of personally identifiable information.
- 27 3. The rights of parents regarding education records are transferred to the student at age 18, unless
28 the student has been ~~declared legally incompetent~~ adjudicated incapacitated, or the student has
29 executed a delegation of rights to make educational decisions pursuant to A.R.S. § 15-773.
- 30 4. Upon receiving a written request, each public education agency shall forward special education
31 records to any other public education agency in which a student ~~is attempting~~ has enrolled or is
32 seeking to enroll. Records shall be forwarded within the time-frame specified in A.R.S. § 15-828(F).
33 The public education agency shall also forward records to any other person or agency for which
34 the parents have given signed consent.

- 1 K. **Preschool Programs.** Each public education agency responsible for serving preschool children with
2 disabilities shall establish, implement, and ~~disseminate~~ make available to its personnel; and ~~make~~
3 ~~available to~~ parents, written procedures for:
4
- 5 1. The operation of the preschool program, in accordance with federal statute and regulation, and
6 state statute, that provides a continuum of placements to students;
 - 7 2. The smooth and effective transition from the Arizona Early Intervention Program (~~AzEIP~~) to a
8 public school preschool program in accordance with the agreement between the Department of
9 Economic Security and the Department; and
 - 10 3. The provision of a minimum of 360 minutes per week of instruction in a program that ~~operates at~~
11 ~~least three days a week~~ meets at least 216 hours over the minimum number of days.
- 12 L. **Children in Private Schools.** Each ~~public~~ education agency shall establish, implement, and ~~disseminate~~
13 make available to its personnel; and ~~make available to~~ parents; written procedures regarding the
14 access to special education services to students enrolled in private schools by their parents as
15 identified by the IDEA and its regulations, ~~and~~ state statutes and State Board of Education rules.
- 16 M. ~~State Education Agency~~ Department Responsible for General Supervision and Obligations Related to
17 and Methods of Ensuring Services.
- 18 1. The Department is responsible for the general supervision of services to children with disabilities
19 aged 3 through 21 served through a public education agency.
 - 20 2. The Department shall ensure through fund allocation, monitoring, dispute resolution, and
21 technical assistance that all eligible students receive ~~a free appropriate public education~~ FAPE in
22 conformance with the IDEA and its regulations, A.R.S. Title 15, Chapter 7, Article 4, and these
23 rules.
 - 24 3. In exercising its general supervision responsibilities, the Department shall ensure that when it
25 identifies noncompliance with the requirements of the IDEA Part B, the noncompliance is
26 corrected as soon as possible, and in no case later than one year after the Department's written
27 notification to the PEA of its identification of the noncompliance.
- 28 N. **Procedural Requirements Relating to Public Education Agency Eligibility.**
- 29 1. Each public education agency shall establish eligibility for funding with the ~~Arizona~~ Department in
30 accordance with the IDEA and its regulations, ~~and~~ state statutes and with ~~schedule~~ schedules and
31 ~~method~~ methods prescribed by the Department.
 - 32 2. In the event the Department determines that a public education agency does not meet eligibility
33 for funding requirements, the public education agency has a right to a hearing before such funding
34 is withheld.
 - 35 3. The Department may ~~temporarily interrupt~~ suspend payments during any time period when a
36 public education agency has not corrected deficiencies in eligibility for federal funds as a result of
37 fiscal requirements of monitoring, auditing, complaint and due process findings.

1 4. Each public education agency shall, on an annual basis, determine the number of children within
2 each disability category who have been identified, located, evaluated, and/or receiving special
3 education services. This includes children residing within the boundaries of responsibility of the
4 public education agency who have been placed by their parents in private schools or who are
5 home schooled.

6 **O. Public Participation.**

- 7 1. Each public education agency shall establish, implement, and ~~disseminate~~ make available to ~~its~~
8 personnel; and ~~make available to~~ parents; written procedures to ensure that, prior to the
9 adoption of any policies and procedures needed to comply with federal and state statutes and
10 regulations, there are:
11 a. Public hearings;
12 b. Notice of the hearings; and
13 c. An opportunity for comment available to the general public, including individuals with
14 disabilities and parents of children with disabilities.
- 15 2. This requirement does not pertain to day-to-day operating procedures.

16 **P. Suspension and Expulsion.**

- 17 1. Each public education agency shall establish, implement, and ~~disseminate~~ make available to ~~its~~
18 personnel; and ~~make available to~~ parents; written procedures for the suspension and expulsion
19 of students with disabilities.
- 20 2. Each public education agency shall require all school-based staff involved in the disciplinary
21 process to review the policies and procedures related to suspension and expulsion on an annual
22 basis. The public education agency shall maintain documentation of staff review.
- 23 3. Procedures for such suspensions and expulsions shall meet the requirements of the IDEA and its
24 regulations, and state statutes.