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House Engrossed

schools; test results; letter classification

State of Arizona

House of Representatives

Fifty-fifth Legislature

First Regular Session

2021

CHAPTER 19

HOUSE BILL 2402

AN ACT

Amending section 15-741, Arizona Revised Statutes; relating to assessment and accountability.

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

Section 1. Section 15-741, Arizona Revised Statutes, is amended to read:

15-741. Assessment of pupils

A. The state board of education shall:

1. Adopt rules for THE purposes of this article pursuant to title 41, chapter 6.

2. Adopt and implement a statewide assessment to measure pupil achievement of the state board-adopted academic standards in reading, writing and mathematics in at least four grades designated by the state board. The state board shall determine the manner of implementation. The state board may administer assessments of the academic standards in social studies and science, except that a pupil shall not be required to meet or exceed the social studies or science standards measured by the statewide assessment.

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

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

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

6. Include within its budget all costs pertaining to the tests prescribed in this article. If sufficient monies are appropriated, the state

board may provide achievement test services to school districts that request assistance in testing pupils in grades additional to those required by this section.

7. Survey teachers, principals and superintendents on achievement-related nontest indicators, including information on graduation rates by ethnicity and dropout rates by ethnicity for each grade level. Before the survey, the state board shall approve at a public meeting the nontest indicators on which data will be collected and shall post in a prominent position on the home page of the state board's website a link to the nontest indicators entitled "What nontest data does the state of Arizona collect about Arizona pupils?". The linked web page shall state the types of data collected, the reasons for the collection of the data and the entities with which the data is shared. In conducting the survey and collecting data, the state board shall not violate the provisions of the family educational rights and privacy act (P.L. 93-380), as amended , or disclose personally identifiable information.

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

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

10. Require in the contract for the statewide assessment pursuant to this section that test scores and assessment data from the third grade reading portion of the statewide assessment adopted pursuant to this section be received by local education agencies on or before May 15 of each academic year and that the scores and assessment data from all other portions of the statewide assessment adopted pursuant to this section be received by local education agencies on or before May 25 of each academic year. The state board shall impose penalties on the contractor for scores received after these dates. IF THE STATE BOARD ALTERS THE STATEWIDE ASSESSMENT TESTING WINDOW FOR ANY REASON, THE STATE BOARD MAY ADJUST THE DATES BY WHICH LOCAL EDUCATION AGENCIES ARE REQUIRED TO RECEIVE THE SCORES AND ASSESSMENT DATA PROPORTIONATELY. IF THE STATE BOARD ADJUSTS THE DATES BY WHICH LOCAL EDUCATION AGENCIES ARE REQUIRED TO RECEIVE THE SCORES AND ASSESSMENT DATA, THE STATE BOARD MAY NOT IMPOSE PENALTIES ON THE CONTRACTOR UNLESS THE SCORES AND ASSESSMENT DATA ARE RECEIVED AFTER THE ADJUSTED DATES.

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

C. Local school district governing boards shall:

1. Administer the tests prescribed in subsection A of this section.

2. Survey teachers, principals and superintendents on achievement-related nontest indicator data as required by the state board, including information related to district graduation and dropout rates. In conducting the survey and collecting data, the governing board shall not violate the provisions of the family educational rights and privacy act (P.L. 93-380), as amended, or disclose personally identifiable information.

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

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

F. If a local education agency requests a raw data file of assessment data for the pupils tested at the local education agency, the department of education shall fulfill the request in a format that is usable for assessment diagnostics within thirty days after the request. The local education agency shall follow all applicable student data privacy laws and may not publicly disclose individual student achievement results.

G. On request, a school district or charter school may administer the statewide assessment in the form of a written test.

Sec. 2. School and school district letter grades; transition process

A. Notwithstanding any other law, the department of education may not assign schools or school districts letter grade classifications pursuant to section 15-241, Arizona Revised Statutes, for school year 2020-2021.

B. Notwithstanding subsection A of this section, the department of education shall continue to collect and publish data in school year 2020-2021 concerning the academic and educational performance, indicators for schools and school districts prescribed in section 15-241, subsections C and D, Arizona Revised Statutes.

C. For the purposes of sections 15-241, 15-241.01, 15-241.02 and 15-537 and title 15, chapter 19, Arizona Revised Statutes, and subject to final adoption by the state board of education, the department of education shall develop criteria to identify schools and school districts for school year 2020-2021 that demonstrate a below average level of performance.

D. Notwithstanding any other law, during school year 2020-2021, the governing board of a school district may adopt alternative policies regarding performance based funding pursuant to section 15-977, subsection B, Arizona Revised Statutes, or policies regarding dismissal or nonrenewal procedures for teachers who continue to be designated in the lowest performance classification pursuant to section 15-537, subsection D, Arizona Revised Statutes.

Sec. 3. Retroactivity

This act applies retroactively to from and after June 30, 2020.

APPROVED BY THE GOVERNOR FEBRUARY 15, 2021.

FILED IN THE OFFICE OF THE SECRETARY OF STATE FEBRUARY 15, 2021.

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