



GOVERNING BOARD AGENDA ITEM
AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10

DATE OF MEETING: March 8, 2011

TITLE: Study of Third Grade Retention Requirements of A.R.S. §15-701 Established in HB2732; Discussion of Necessary Revisions to District Policy IKE, Regulations, and Parental Communication

BACKGROUND: HB2732 (49th Arizona Legislature, 2nd Regular Session) made some significant revisions in state law with respect to the promotion and retention of students.

First, the bill revised A.R.S. §15-701 which includes a requirement for the State Board of Education (SBE) to competency requirements for promotion of students from third grade and eighth grade. The law directs that the competency requirements to be established by the SBE for third grade promotion must incorporate, at a minimum, the adopted academic standards in reading, writing, math, science and social studies. The statute also directs the SBE to distribute guidelines for school districts to follow in adopting criteria related to the promotion of elementary school students. The guidelines must include recommended procedures for taking into account students' cultural background in the application of promotion criteria.

But, arguably, the most significant provision of the new law is its mandate for retention of any third grade student whose AIMS reading score indicates the students is reading far below the third grade level. Previously, if a third grade student fails to meet the reading standards as measured by the Arizona Instrument to Measure Standards (AIMS) test the student must receive intensive reading instruction until the standards are met. The new, exacting requirement for retention at third grade follows a ten-year old statewide focus on reading competency initiated by the Arizona Department of Education (ADE) as "AZ READS".

**Third Grade Promotion –
SBE Competency Requirements & Supports**

HB2732 requires the SBE to provide for universal screening of students in preschool and kindergarten programs and in grade one through three designed to identify students with reading deficiencies. As mentioned above, the new law also requires the SBE to adopt competency requirements for third grade promotion. These requirements are to be *effective beginning school year 2013-1014*. They must include:

- a. A prohibition on the promotion of any student whose AIMS reading score indicates the student is reading *far below* the third grade level;
- b. Notwithstanding the previous prohibition, a mechanism for governing boards to promote a student who is reading far below the third grade level but who meets a specified "good cause exemption"; and
- c. Intervention and remedial strategies for students who are not promoted. The law directs the SBE to include the following in its development of intervention and remedial strategies for students who are not promoted:

1. Requiring the student be assigned to a different teacher for reading instruction;
2. Summer school reading instruction;
3. Intensive reading instruction in the next academic year occurring before, during, after, (or any combination of the three) the regular school day; or
4. Online reading instruction.

The bill also established a 9-member Task Force on Reading Assessment (and specifies its membership composition) to be appointed by the SBE. The bill directs the Task Force to:

- a. Examine the experiences and outcomes of other states who require reading tests to promote third grade students;
- b. Develop methodologies, models and other recommendations for an assessment to measure the reading abilities of students in grades one and two, with such assessment to rely upon the concepts of phonics, phonemic awareness, reading comprehension, fluency, and vocabulary;
- c. Develop recommendations integrating mid-year promotion;
- d. Develop recommendations on the use of student, teacher and school level data to improve promotion rates; and
- e. Submit findings and recommendations in a written report to the SBE, Governor, Speaker of the House, President of the Senate and the Secretary of State by February 15, 2011.

School District Requirements

HB27325 directs action by school district governing boards in a number of respects. First, it requires school districts to offer at least one of the intervention and remedial strategies developed by the SBE to students who are not promoted from third grade pursuant to the law. The law further allows the parent or guardian of the affected student, the teacher and the principal to choose the most appropriate intervention and remedial strategies for that student.

The law also directs school districts to communicate with parents regarding the legislative requirements. It requires school districts to provide annual written notification to parents of all students in kindergarten through third grade communicating the third grade promotion policy.

In addition, the law mandates separate written notification to the parents of students identified prior to the end of third grade who evidence substantial reading deficiencies. This separate notice must include the following:

- a. A description of reading services currently provided by the District;
- b. A description of supplemental instructional services and supporting programs available in the District which are designed to remediate reading deficiencies;
- c. Strategies for parents to assist their student in becoming proficient;

- d. A statement which explains that the student will not be promoted from third grade if the student receives an AIMS reading score indicating the student is reading far below the third grade level unless the student is exempt from the retention policy or qualifies for a good cause exemption; and,
- e. A description of the district or charter's policies on mid-year promotion.

Good Cause Exceptions

HB2732 stipulates the following good cause exemptions from the third grade reading competency/promotion requirements:

- a. The student has a disability and did not take the AIMS;
- b. The student has a disability and did take the AIMS but has been previously retained;
- c. The student is an English Language Learner (ELL) or is Limited English Proficient (LEP) and received less than 2 years of English instruction;
- d. The student has a reading deficiency and has been previously retained;
- e. The student demonstrated reading proficiency on an SBE approved alternate assessment; or
- f. The District governing board approves a parental request for exemption. The law sets out a process for such a request, which is initiated by the parent or guardian submitting a written request for an exemption within 30 days of receiving notification the student is being retained. The written request must include documentation demonstrating the student's promotion is appropriate based on academic record, individualized education plan (if any) and promotion recommendation letters from the student's teacher and principal. The district governing board must approve or reject the request for exemption within 30 days of receiving it.

District Policy Implications

The new requirements detailed above necessitate revisions to Governing Board Policy IKE and its corresponding regulations in order to implement all the provisions. Accordingly, revisions have been prepared for Policy IKE and are attached for discussion purposes. These revisions refer to a new Regulation IKE-RB which is also therefore attached. IKE-RB, in short, directs compliance with all the requirements of HB2732. Notably, it directs (among other things) the annual communication by the District with parents to include all the elements set forth in statute. The annual communication will be developed centrally each year to ensure it accurately reflects the most current information available for parents. The communication will originate, however, from each school principal to facilitate parent-school communication on this very important matter.

RECOMMENDATION: This item is presented for the Board's study. No action is required at this time. The policy documents will be resubmitted for approval at a future Board meeting.

INITIATED BY:



Todd A. Jaeger, Associate to the Superintendent

Date: March 2, 2011



Vicki Balentine, Ph.D., Superintendent