

REFERENCE TITLE: tutoring services; standards

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

SB 1614

Introduced by
Senator Aboud; Representatives Gallardo: Lopez, Prezelski

AN ACT

AMENDING TITLE 15, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-211; RELATING TO THE STATE BOARD OF EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 15, chapter 2, article 1, Arizona Revised Statutes,
3 is amended by adding section 15-211, to read:

4 15-211. Standards for tutoring services; rules; definition

5 A. THE STATE BOARD OF EDUCATION SHALL ADOPT RULES TO PROVIDE MINIMUM
6 STANDARDS FOR TUTORING SERVICES AND SHALL ADOPT ADDITIONAL RULES TO CARRY OUT
7 THE PURPOSES OF THIS SECTION.

8 B. IN ORDER TO RECEIVE PUBLIC FUNDING FOR TUTORING SERVICES, PROVIDERS
9 OF TUTORING SERVICES SHALL DEMONSTRATE EACH OF THE FOLLOWING:

10 1. THAT THE TUTORING SERVICES ARE ALIGNED WITH STATE ACADEMIC
11 STANDARDS ADOPTED BY THE STATE BOARD.

12 2. THAT THE TUTORING SERVICES ARE ALIGNED WITH THE CURRICULUM OF THE
13 SCHOOL DISTRICT WHERE THE TUTORING SERVICES ARE PROVIDED.

14 3. THE METHODS BY WHICH THE PROVIDER OF TUTORING SERVICES WILL
15 COMMUNICATE AND COORDINATE WITH TEACHERS.

16 4. THE MANNER IN WHICH THE PROVIDER OF TUTORING SERVICES WILL CONNECT
17 TUTORING CONTENT TO ACADEMIC PROGRAMS PROVIDED AT THE SCHOOL.

18 5. EVIDENCE OF IMPROVEMENT IN ACADEMIC ACHIEVEMENT AS MEASURED BY THE
19 ARIZONA INSTRUMENT TO MEASURE STANDARDS TEST FOR PUPILS WHO ARE PROVIDED
20 TUTORING SERVICES COMPARED TO AN APPROPRIATE CONTROL GROUP OF PUPILS.

21 C. ANY CONTRACT BETWEEN A SCHOOL DISTRICT AND A PROVIDER OF TUTORING
22 SERVICES SHALL BE REVOKED IF A PROVIDER OF TUTORING SERVICES FAILS TO MEET
23 THE REQUIREMENTS PRESCRIBED IN SUBSECTION B.

24 D. PROVIDERS OF TUTORING SERVICES SHALL PROVIDE TUTORING SERVICES
25 DIRECTLY TO PUPILS. PROVIDERS OF TUTORING SERVICES SHALL NOT BE PROVIDED
26 PUBLIC FUNDING FOR TUTORING SERVICES THAT ARE PRIMARILY DELIVERED
27 ELECTRONICALLY THROUGH THE INTERNET, THROUGH AN INTRA-NET OR OTHER ELECTRONIC
28 NETWORK OR FOR EDUCATIONAL SOFTWARE THAT IS DESIGNED TO RUN ON INDIVIDUAL
29 COMPUTERS. THIS SUBSECTION DOES NOT PROHIBIT PROVIDERS OF TUTORING SERVICES
30 FROM OFFERING ELECTRONIC TUTORING SERVICES IN ADDITION TO TUTORING SERVICES
31 THAT ARE PROVIDED DIRECTLY TO PUPILS.

32 E. THE STATE BOARD OF EDUCATION SHALL DIRECT THE DEPARTMENT OF
33 EDUCATION TO ESTABLISH A COMPLAINT PROCESS FOR PARENTS, PUPILS, TEACHERS,
34 SCHOOL DISTRICT GOVERNING BOARDS AND OTHERS TO DETERMINE WHETHER PROVIDERS OF
35 TUTORING SERVICES ARE IN COMPLIANCE WITH THIS SECTION. THE DEPARTMENT SHALL
36 INVESTIGATE THE ALLEGATIONS CONTAINED IN COMPLAINTS FILED PURSUANT TO THIS
37 SUBSECTION AND DETERMINE WHETHER THE ALLEGATIONS WARRANT ADDITIONAL ACTION.
38 THE DEPARTMENT MAY CONDUCT ON-SITE VISITS OF PROVIDERS OF TUTORING SERVICES
39 TO INVESTIGATE ANY ISSUES RAISED BY A COMPLAINT FILED PURSUANT TO THIS
40 SUBSECTION. THE DEPARTMENT MAY EXAMINE THE RECORDS OF ANY PROVIDER OF
41 TUTORING SERVICES AND MAY CONDUCT INTERVIEWS TO DETERMINE WHETHER THERE HAS
42 BEEN A VIOLATION OF THIS SECTION.

43 F. FOR THE PURPOSES OF THIS SECTION, "PROVIDER OF TUTORING SERVICES"
44 MEANS A FOR-PROFIT ENTITY OR A NONPROFIT ENTITY THAT PROVIDES OR THAT SEEKS

1 TO PROVIDE SUPPLEMENTAL EDUCATIONAL SERVICES PURSUANT TO SECTION 1116(e) OF
2 THE NO CHILD LEFT BEHIND ACT OF 2001 (P.L. 107-110; 115 STAT. 1425).

3 Sec. 2. Purpose

4 The legislature finds and declares that:

5 1. Because of the federal no child left behind act of 2001 (P.L.
6 107-110; 115 Stat. 1425), schools are compelled to spend millions of dollars
7 on independent tutoring services.

8 2. In many cases, tutoring services are paid millions of dollars with
9 little or no accountability.

10 3. The no child left behind act empowers states to apply their own
11 minimum standards for tutoring services.

12 4. The purpose of this act is to improve public education by placing
13 minimum standards on for-profit entities and nonprofit entities that provide
14 supplemental educational services pursuant to the federal no child left
15 behind act.