

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HOUSE BILL 2557

AN ACT

AMENDING SECTIONS 15-701, 15-701.01 AND 15-702, ARIZONA REVISED STATUTES;
RELATING TO SCHOOL CURRICULUM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 15-701, Arizona Revised Statutes, is amended to
3 read:
4 15-701. Common school; promotions; requirements; certificate;
5 supervision of eighth grades by superintendent of
6 high school district; high school admissions;
7 academic credit
8 A. The state board of education shall:
9 1. Prescribe a minimum course of study, as defined in section 15-101
10 and incorporating the academic standards adopted by the state board of
11 education, to be taught in the common schools.
12 2. Prescribe competency requirements for the promotion of pupils from
13 the eighth grade and competency requirements for the promotion of pupils from
14 the third grade incorporating the academic standards in at least the areas of
15 reading, writing, mathematics, science and social studies.
16 3. Distribute guidelines for the school districts to follow in
17 prescribing criteria for the promotion of pupils from grade to grade in the
18 common schools. These guidelines shall include recommended procedures for
19 insuring that the cultural background of a pupil is taken into consideration
20 when criteria for promotion are being applied.
21 B. Pursuant to the guidelines which the state board of education
22 distributes, the governing board of a school district shall:
23 1. Prescribe curricula that include the academic standards in the
24 required subject areas pursuant to subsection A, paragraph 1 of this section.
25 UNLESS THE SCHOOL DISTRICT OBTAINS A WAIVER FROM THE DEPARTMENT OF EDUCATION,
26 A SCHOOL DISTRICT SHALL NOT ELIMINATE OR REDUCE INSTRUCTION IN PHYSICAL
27 EDUCATION, THE ARTS, MUSIC, CAREER AND TECHNICAL EDUCATION OR VOCATIONAL
28 EDUCATION IN ORDER TO COMPLY WITH THE REQUIREMENTS OF THIS PARAGRAPH. A
29 SCHOOL DISTRICT MAY ELIMINATE OR REDUCE INSTRUCTION IN EITHER PHYSICAL
30 EDUCATION, THE ARTS, MUSIC, CAREER AND TECHNICAL EDUCATION OR VOCATIONAL
31 EDUCATION IN ORDER TO COMPLY WITH THE REQUIREMENTS OF THIS PARAGRAPH IF ALL
32 OF THE FOLLOWING CONDITIONS EXIST:
33 (a) THE REDUCTION OR ELIMINATION OF INSTRUCTION IN PHYSICAL EDUCATION,
34 THE ARTS, MUSIC, CAREER AND TECHNICAL EDUCATION OR VOCATIONAL EDUCATION IS
35 NECESSARY FOR BUDGETARY REASONS.
36 (b) THE SCHOOL DISTRICT DEMONSTRATES PROOF OF THOSE BUDGETARY CONCERNS
37 TO THE DEPARTMENT OF EDUCATION.
38 (c) THE DEPARTMENT OF EDUCATION ISSUES TO THE SCHOOL DISTRICT A WAIVER
39 FROM THE PHYSICAL EDUCATION, THE ARTS, MUSIC, CAREER AND TECHNICAL EDUCATION
40 OR VOCATIONAL EDUCATION REQUIREMENTS OF THIS PARAGRAPH.
41 2. Prescribe criteria for the promotion of pupils from grade to grade
42 in the common schools in the school district. These criteria shall include
43 accomplishment of the academic standards in at least reading, writing,
44 mathematics, science and social studies, as determined by district

1 assessment. Other criteria may include additional measures of academic
2 achievement and attendance.

3 C. The governing board may prescribe the course of study and
4 competency requirements for promotion which are in addition to or higher than
5 the course of study and competency requirements which the state board
6 prescribes.

7 D. A teacher shall determine whether to promote or retain a pupil in
8 grade in a common school as provided in section 15-521, paragraph 3 on the
9 basis of the prescribed criteria. The governing board, if it reviews the
10 decision of a teacher to promote or retain a pupil in grade in a common
11 school as provided in section 15-342, paragraph 11, shall base its decision
12 on the prescribed criteria.

13 E. A governing board may provide and issue certificates of promotion
14 to pupils whom it promotes from the eighth grade of a common school. Such
15 certificates shall be signed by the principal or superintendent of schools.
16 Where there is no principal or superintendent of schools, the certificates
17 shall be signed by the teacher of an eighth grade. The certificates shall
18 admit the holders to any high school in the state.

19 F. A governing board may request certificates of promotion from the
20 county school superintendent. If a governing board requests these
21 certificates from the county school superintendent, the county school
22 superintendent shall furnish and sign the certificates.

23 G. Within any high school district or union high school district, the
24 superintendent of the high school district shall supervise the work of the
25 eighth grade of all schools employing no superintendent or principal.

26 H. A school district shall not deny a pupil who is between ~~the ages of~~
27 sixteen and twenty-one years **OF AGE** admission to a high school because the
28 pupil does not hold an eighth grade certificate. Governing boards shall
29 establish procedures for determining the admissibility of pupils who are
30 under sixteen years of age and who do not hold eighth grade certificates.

31 I. The state board of education shall adopt rules to allow common
32 school pupils who can demonstrate competency in a particular academic course
33 or subject to obtain academic credit for the course or subject without
34 enrolling in the course or subject.

35 Sec. 2. Section 15-701.01, Arizona Revised Statutes, is amended to
36 read:

37 15-701.01. High school; graduation; requirements; community
38 college or university courses; transfer from
39 private schools; academic credit

40 A. The state board of education shall:

41 1. Prescribe a minimum course of study, as defined in section 15-101
42 and incorporating the academic standards adopted by the state board of
43 education, for the graduation of pupils from high school.

1 2. Prescribe competency requirements for the graduation of pupils from
2 high school incorporating the academic standards in at least the areas of
3 reading, writing, mathematics, science and social studies.

4 3. Develop and adopt competency tests pursuant to section 15-741 for
5 the graduation of pupils from high school in at least the areas of reading,
6 writing and mathematics and shall establish passing scores for each such
7 test. ~~A pupil not successfully passing the required competency test shall~~
8 ~~graduate from high school with a recognized diploma if the pupil meets the~~
9 ~~alternative graduation requirements established by section 15-701.02.~~ A
10 pupil shall not be required to pass the competency test required in this
11 paragraph to graduate from high school if the pupil transfers into the
12 district from out-of-state and has successfully passed a statewide assessment
13 test on state adopted standards that are substantially equivalent to the
14 state board adopted academic standards.

15 B. If the state board of education adopts a competency test as a
16 graduation requirement for a child with a disability as defined in section
17 15-761 or a child who receives special education pursuant to section 15-763,
18 pupils with individualized education programs shall not be required to
19 achieve passing scores on competency tests in order to graduate from high
20 school unless the pupil is learning at a level appropriate for the pupil's
21 grade level in a specific academic area and unless passing scores on a
22 competency test ~~is~~ ARE specifically required in a specific academic area by
23 the pupil's individualized education program as mutually agreed on by the
24 pupil's parents and the pupil's individualized education program team or the
25 pupil, if the pupil is at least eighteen years of age. These competency
26 tests shall be administered to pupils in a manner prescribed in the pupil's
27 individualized education program and school districts and charter schools
28 shall make specific and appropriate accommodations for pupils with
29 individualized education programs. Pupils with section 504 plans as defined
30 in section 15-731 shall not be required to achieve passing scores on
31 competency tests in order to graduate from high school unless the pupil is
32 learning at a level appropriate for the pupil's grade level in a specific
33 academic area and unless passing scores on a competency test ~~is~~ ARE
34 specifically required in a specific academic area by the pupil's section 504
35 plan that is developed in consultation with the pupil's parents. These
36 competency tests shall be administered to pupils in a manner prescribed in
37 the pupil's section 504 plan and school districts and charter schools shall
38 make specific and appropriate accommodations for pupils with a section 504
39 plan. A pupil with an individualized education program or a section 504 plan
40 who graduates from high school but who is not required to achieve a passing
41 score on a competency test in order to graduate from high school shall
42 receive the standard diploma issued by the school district or charter school.

43 ~~B.~~ C. The governing board of a school district shall:

1 1. Prescribe curricula that include the academic standards in the
2 required subject areas pursuant to subsection A, paragraph 1 of this section.
3 UNLESS THE SCHOOL DISTRICT OBTAINS A WAIVER FROM THE DEPARTMENT OF EDUCATION,
4 A SCHOOL DISTRICT SHALL NOT ELIMINATE OR REDUCE INSTRUCTION IN PHYSICAL
5 EDUCATION, THE ARTS, MUSIC, CAREER AND TECHNICAL EDUCATION OR VOCATIONAL
6 EDUCATION IN ORDER TO COMPLY WITH THE REQUIREMENTS OF THIS PARAGRAPH. A
7 SCHOOL DISTRICT MAY ELIMINATE OR REDUCE INSTRUCTION IN EITHER PHYSICAL
8 EDUCATION, THE ARTS, MUSIC, CAREER AND TECHNICAL EDUCATION OR VOCATIONAL
9 EDUCATION IN ORDER TO COMPLY WITH THE REQUIREMENTS OF THIS PARAGRAPH IF ALL
10 OF THE FOLLOWING CONDITIONS EXIST:

11 (a) THE REDUCTION OR ELIMINATION OF INSTRUCTION IN PHYSICAL EDUCATION,
12 THE ARTS, MUSIC, CAREER AND TECHNICAL EDUCATION OR VOCATIONAL EDUCATION IS
13 NECESSARY FOR BUDGETARY REASONS OR BECAUSE ENROLLMENT OR INTEREST IN THAT
14 SUBJECT IS INSUFFICIENT TO JUSTIFY CONTINUED INSTRUCTION IN THAT SUBJECT.

15 (b) THE SCHOOL DISTRICT DEMONSTRATES PROOF OF THOSE BUDGETARY OR
16 ENROLLMENT CONCERNS TO THE DEPARTMENT OF EDUCATION.

17 (c) THE DEPARTMENT OF EDUCATION ISSUES TO THE SCHOOL DISTRICT A WAIVER
18 FROM THE PHYSICAL EDUCATION, THE ARTS, MUSIC, CAREER AND TECHNICAL EDUCATION
19 OR VOCATIONAL EDUCATION REQUIREMENTS OF THIS PARAGRAPH.

20 2. Prescribe criteria for the graduation of pupils from the high
21 schools in the school district. These criteria shall include accomplishment
22 of the academic standards in at least reading, writing, mathematics, science
23 and social studies, as determined by district assessment. Other criteria may
24 include additional measures of academic achievement and attendance.

25 ~~E.~~ D. The governing board may prescribe the course of study and
26 competency requirements for the graduation of pupils from high school which
27 are in addition to or higher than the course of study and competency
28 requirements which the state board prescribes.

29 ~~D.~~ E. The governing board may prescribe competency requirements for
30 the passage of pupils in courses which are required for graduation from high
31 school.

32 ~~E.~~ F. A teacher shall determine whether to pass or fail a pupil in a
33 course in high school as provided in section 15-521, paragraph 3 on the basis
34 of the competency requirements, if any have been prescribed. The governing
35 board, if it reviews the decision of a teacher to pass or fail a pupil in a
36 course in high school as provided in section 15-342, paragraph 11, shall base
37 its decision on the competency requirements, if any have been prescribed.

38 ~~F.~~ G. Graduation requirements established by the governing board may
39 be met by a pupil who passes courses in the required or elective subjects at
40 a community college or university, if the course is at a higher level than
41 the course taught in the high school attended by the pupil or, if the course
42 is not taught in the high school, the level of the course is equal to or
43 higher than the level of a high school course. The governing board shall
44 determine if the subject matter of the community college or university course
45 is appropriate to the specific requirement the pupil intends it to fulfill

1 and if the level of the community college or university course is less than,
2 equal to or higher than a high school course, and the governing board shall
3 award one-half of a carnegie unit for each three semester hours of credit the
4 pupil earns in an appropriate community college or university course. If a
5 pupil is not satisfied with the decision of the governing board regarding the
6 amount of credit granted or the subjects for which credit is granted, the
7 pupil may request that the state board of education review the decision of
8 the governing board, and the state board shall make the final determination
9 of the amount of credit to be given the pupil and for which subjects. The
10 governing board shall not limit the number of credits that is required for
11 high school graduation and that may be met by taking community college or
12 university courses. For the purposes of this subsection:

13 1. "Community college" means an educational institution that is
14 operated by a community college district as defined in section 15-1401 or a
15 postsecondary educational institution under the jurisdiction of an Indian
16 tribe recognized by the United States department of the interior.

17 2. "University" means a university under the jurisdiction of the
18 Arizona board of regents.

19 ~~G.~~ H. A pupil who transfers from a private school shall be provided
20 with a list that indicates those credits that have been accepted and denied
21 by the school district. A pupil may request to take an examination in each
22 particular course in which credit has been denied. The school district shall
23 accept the credit for each particular course in which the pupil takes an
24 examination and receives a passing score on a test designed and evaluated by
25 a teacher in the school district who teaches the subject matter on which the
26 examination is based. In addition to the above requirements, the governing
27 board of a school district may prescribe requirements for the acceptance of
28 the credits of pupils who transfer from a private school.

29 ~~H.~~ I. The state board of education shall adopt rules to allow high
30 school pupils who can demonstrate competency in a particular academic course
31 or subject to obtain academic credit for the course or subject without
32 enrolling in the course or subject.

33 Sec. 3. Section 15-702, Arizona Revised Statutes, is amended to read:

34 15-702. High school equivalency diploma; fees; rules

35 A. Any person who is sixteen years of age or older and who passes a
36 general educational development test shall be awarded an Arizona high school
37 equivalency diploma by the state board of education and the state
38 superintendent of public instruction. The state board of education may
39 establish eligibility requirements for persons wishing to take a general
40 educational development test, except that the minimum age required to take
41 the test may not be older than sixteen nor shall the board require the
42 completion of any high school credits.

43 B. A person who meets the minimum course of study and competency
44 requirements prescribed by the state board of education for graduation from
45 high school through a combination of high school credits and community

1 college and university credits, which are converted to high school credits in
2 the same manner as provided in section 15-701.01, subsection ~~F~~ G by the
3 governing board or the state board of education, shall be awarded an Arizona
4 high school equivalency diploma.

5 C. The state board of education may establish and collect fees for the
6 issuance and reissuance of the following:

- 7 1. A general equivalency diploma.
- 8 2. A general equivalency transcript.

9 D. The state board of education shall ~~develop~~ ADOPT rules for fee
10 waivers for the general equivalency diploma and general equivalency
11 transcripts.