

COMMITTEE ON EDUCATION

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2260

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 15-808, Arizona Revised Statutes, is amended to
3 read:

4 15-808. Arizona online instruction; reports; definitions

5 A. Arizona online instruction shall be instituted to meet the needs of
6 pupils in the information age. The state board of education shall select
7 traditional public schools and the state board for charter schools shall
8 sponsor charter schools to be online course providers or online schools. The
9 state board of education and the state board for charter schools shall
10 jointly develop standards for the approval of online course providers and
11 online schools based on the following criteria:

12 1. The depth and breadth of curriculum choices.

13 2. The variety of educational methodologies employed by the school and
14 the means of addressing the unique needs and learning styles of targeted
15 pupil populations, including computer assisted learning systems, virtual
16 classrooms, virtual laboratories, electronic field trips, electronic mail,
17 virtual tutoring, online help desk, group chat sessions and noncomputer based
18 activities performed under the direction of a certificated teacher.

19 3. The availability of an intranet or private network to safeguard
20 pupils against predatory and pornographic elements of the internet.

21 4. The availability of filtered research access to the internet.

22 5. The availability of private individual electronic mail between
23 pupils, teachers, administrators and parents in order to protect the
24 confidentiality of pupil records and information.

25 6. The availability of faculty members who are experienced with
26 computer networks, the internet and computer animation.

27 7. The extent to which the school intends to develop partnerships with
28 universities, community colleges and private businesses.

1 8. The services offered to developmentally disabled populations.

2 9. The grade levels that will be served.

3 B. Each new school that provides online instruction shall provide
4 online instruction on a probationary status. After a new school that
5 provides online instruction has clearly demonstrated the academic integrity
6 of its instruction through the actual improvement of the academic performance
7 of its students, the school may apply to be removed from probationary status.
8 The state board of education or the state board for charter schools shall
9 remove from Arizona online instruction any probationary school that fails to
10 clearly demonstrate improvement in academic performance within three years
11 measured against goals in the approved application and the state's
12 accountability system. The state board of education and the state board for
13 charter schools shall review the effectiveness of each participating school
14 and other information that is contained in the annual report prescribed in
15 subsection D of this section. All pupils who participate in Arizona online
16 instruction shall reside in this state. Pupils who participate in Arizona
17 online instruction are subject to the testing requirements prescribed in
18 chapter 7, article 3 of this title. Upon enrollment, the school shall notify
19 the parents or guardians of the pupil of the state testing requirements. If
20 a pupil fails to comply with the testing requirements and the school
21 administers the tests pursuant to this subsection to less than ninety-five
22 per cent of the pupils in Arizona online instruction, the pupil shall not be
23 allowed to participate in Arizona online instruction.

24 C. Beginning July 1, 2010, the state board of education and the state
25 board for charter schools shall develop annual reporting mechanisms for
26 schools that participate in Arizona online instruction.

27 D. The department of education shall compile the information submitted
28 in the annual reports by schools participating in Arizona online instruction.
29 The department of education shall submit the compiled report to the governor,
30 the speaker of the house of representatives and the president of the senate
31 by November 15 of each year.

1 E. Each school selected for Arizona online instruction shall ensure
2 that a daily log is maintained for each pupil who participates in Arizona
3 online instruction. The daily log shall describe the amount of time spent by
4 each pupil participating in Arizona online instruction pursuant to this
5 section on academic tasks. The daily log shall be used by the school
6 district or charter school to qualify the pupils who participate in Arizona
7 online instruction in the school's average daily attendance calculations
8 pursuant to subsection F of this section.

9 F. If a pupil is enrolled in a school district or charter school and
10 also participates in Arizona online instruction, the sum of the average daily
11 membership, which includes enrollment as prescribed in section 15-901,
12 subsection A, paragraph 1, subdivisions (a) and (b) and daily attendance as
13 prescribed in section 15-901, subsection A, paragraph 5, for that pupil in
14 the school district or charter school and in Arizona online instruction shall
15 not exceed 1.0. If the pupil is enrolled in a school district or a charter
16 school and also participates in Arizona online instruction and the sum of the
17 daily membership or daily attendance for that pupil is greater than 1.0, the
18 sum shall be reduced to 1.0 and shall be apportioned between the school
19 district, unless the school district is a joint technical education district
20 subject to the apportionment requirements of section 15-393, or charter
21 school and Arizona online instruction based on the percentage of total time
22 that the pupil is enrolled or in attendance in the school district or charter
23 school and Arizona online instruction. The uniform system of financial
24 records shall include guidelines for the apportionment of the pupil
25 enrollment and attendance as provided in this subsection. Pupils in Arizona
26 online instruction do not incur absences for purposes of this subsection and
27 may generate an average daily attendance of 1.0 for attendance hours during
28 any hour of the day, during any day of the week and at any time between July
29 1 and June 30 of each fiscal year. For kindergarten programs and grades one
30 through eight, average daily membership shall be calculated by dividing the
31 instructional hours as reported in the daily log required in subsection E of
32 this section by the applicable hourly requirements prescribed in section

1 15-901. For grades nine through twelve, average daily membership shall be
2 calculated by dividing the instructional hours as reported in the daily log
3 required in subsection E of this section by nine hundred. The average daily
4 membership of a pupil who participates in online instruction shall not exceed
5 1.0. Average daily membership shall not be calculated on the one hundredth
6 day of instruction for the purposes of this section. Funding shall be
7 determined as follows:

8 1. A pupil who is enrolled full-time in Arizona online instruction
9 shall be funded for online instruction at ninety-five per cent of the base
10 support level that would be calculated for that pupil if that pupil were
11 enrolled as a full-time student in a school district or charter school that
12 does not participate in Arizona online instruction. Additional assistance,
13 capital outlay revenue limit and soft capital allocation limit shall be
14 calculated in the same manner they would be calculated if the student were
15 enrolled in a district or charter school that does not participate in Arizona
16 online instruction.

17 2. A pupil who is enrolled part-time in Arizona online instruction
18 shall be funded for online instruction at eighty-five per cent of the base
19 support level that would be calculated for that pupil if that pupil were
20 enrolled as a part-time student in a school district or charter school that
21 does not participate in Arizona online instruction. Additional assistance,
22 capital outlay revenue limit and soft capital allocation limit shall be
23 calculated in the same manner they would be calculated if the student were
24 enrolled in a district or charter school that does not participate in Arizona
25 online instruction.

26 G. NOTWITHSTANDING SUBSECTION F OF THIS SECTION, IF A PUPIL IS
27 ENROLLED IN A SCHOOL DISTRICT OR A CHARTER SCHOOL AND ALSO PARTICIPATES IN
28 ARIZONA ONLINE INSTRUCTION, THE PUPIL SHALL NOT GENERATE ARIZONA ONLINE
29 INSTRUCTION AVERAGE DAILY MEMBERSHIP BETWEEN MAY 1 TO JULY 31. A PUBLIC
30 SCHOOL MAY CHARGE TUITION IF THE STUDENT ENROLLS IN ARIZONA ONLINE
31 INSTRUCTION ANY TIME BETWEEN APRIL 1 AND JULY 31.

1 ~~G.~~ H. If the academic achievement of a pupil declines while the pupil
2 is participating in Arizona online instruction, the pupil's parents, the
3 pupil's teachers and the principal or head teacher of the school shall confer
4 to evaluate whether the pupil should be allowed to continue to participate in
5 Arizona online instruction.

6 ~~H.~~ I. To ensure the academic integrity of pupils who participate in
7 online instruction, Arizona online instruction shall include multiple diverse
8 assessment measures and the proctored administration of required state
9 standardized tests.

10 ~~I.~~ J. For the purposes of this section:

11 1. "Full-time student" means:

12 (a) A student who is at least five years of age before September 1 of
13 a school year and who is enrolled in a school kindergarten program that meets
14 at least three hundred forty six hours during the school year.

15 (b) A student who is at least six years of age before September 1 of a
16 school year, who has not graduated from the highest grade taught in the
17 school and who is regularly enrolled in a course of study required by the
18 state board of education. For first, second and third grade students, the
19 instructional program shall meet at least seven hundred twelve hours. For
20 fourth, fifth and sixth grade students, the instructional program shall meet
21 at least eight hundred ninety hours during the school year.

22 (c) Seventh and eighth grade students or ungraded students who are at
23 least twelve, but under fourteen, years of age on or before September 1 and
24 who are enrolled in an instructional program of courses that meets at least
25 one thousand sixty-eight hours during the school year.

26 (d) For high schools, except as provided in section 15-105, a student
27 not graduated from the highest grade taught in the school district, or an
28 ungraded student at least fourteen years of age on or before September 1, and
29 who is enrolled in at least four courses throughout the year that meet at
30 least nine hundred hours during the school year. A full-time student shall
31 not be counted more than once for computation of average daily membership.

1 2. "Online course provider" means a school other than an online school
2 that is selected by the state board of education or the state board for
3 charter schools to participate in Arizona online instruction pursuant to this
4 section and that provides at least one online academic course that is
5 approved by the state board of education.

6 3. "Online school" means a school that provides at least four online
7 academic courses or one or more online courses for the equivalent of at least
8 five hours each day for one hundred eighty school days and that is a charter
9 school that is sponsored by the state board for charter schools or a
10 traditional public school that is selected by the state board of education to
11 participate in Arizona online instruction.

12 4. "Part-time student" means:

13 (a) Any student who is enrolled in a program that does not meet the
14 definition in paragraph 1 of this subsection shall be funded at eighty-five
15 per cent of the base support level that would be calculated for that pupil if
16 that pupil were enrolled as a part-time student in a school district or
17 charter school that does not participate in Arizona online instruction.

18 (b) A part-time student of seventy-five per cent average daily
19 membership shall be enrolled in at least three subjects throughout the year
20 that offer for first, second and third grade students at least five hundred
21 thirty-four instructional hours in a school year and for fourth, fifth and
22 sixth grade students at least six hundred sixty-eight instructional hours in
23 a school year. A part-time student of fifty per cent average daily
24 membership shall be enrolled in at least two subjects throughout the year
25 that offer for first, second and third grade students at least three hundred
26 fifty-six instructional hours in a school year and for fourth, fifth and
27 sixth grade students at least four hundred forty-five instructional hours in
28 a school year. A part-time student of twenty-five per cent average daily
29 membership shall be enrolled in at least one subject throughout the year that
30 offers for first, second and third grade students at least one hundred
31 seventy-eight instructional hours in a school year and for fourth, fifth and

1 sixth grade students at least two hundred twenty-three instructional hours in
2 a school year.

3 (c) For seventh and eighth grade students, a part-time student of
4 seventy-five per cent average daily membership shall be enrolled in at least
5 three subjects throughout the year that offer at least eight hundred one
6 instructional hours in a school year. A part-time student of fifty per cent
7 average daily membership shall be enrolled in at least two subjects
8 throughout the year that offer at least five hundred thirty-four
9 instructional hours in a school year. A part-time student of twenty-five per
10 cent average daily membership shall be enrolled in at least one subject
11 throughout the year that offers at least two hundred sixty-seven
12 instructional hours in a school year.

13 (d) For high school students, a part-time student of seventy-five per
14 cent average daily membership shall be enrolled in at least three subjects
15 throughout the year that offer at least six hundred seventy-five
16 instructional hours in a school year. A part-time student of fifty per cent
17 average daily membership shall be enrolled in at least two subjects
18 throughout the year that offer at least four hundred fifty instructional
19 hours in a school year. A part-time student of twenty-five per cent average
20 daily membership shall be enrolled in at least one subject throughout the
21 year that offers at least two hundred twenty-five instructional hours in a
22 school year."

23 Amend title to conform

and, as so amended, it do pass

DORIS GOODALE
Chairman

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2/6/12
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