

REFERENCE TITLE: schools; competency requirements; assessments; optional

State of Arizona
Senate
Fifty-first Legislature
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2014

SB 1395

Introduced by
Senators Burges, Crandell: Griffin

AN ACT

AMENDING SECTIONS 8-521, 15-183, 15-211, 15-241, 15-701, 15-701.01, 15-704, 15-720.01, 15-741, 15-743, 15-746, 15-763, 15-792.02, 15-977 AND 15-1805.01, ARIZONA REVISED STATUTES; RELATING TO SCHOOL ASSESSMENT AND ACCOUNTABILITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 8-521, Arizona Revised Statutes, is amended to
3 read:

4 8-521. Independent living program; conditions; eligibility;
5 rules; case management unit; reports

6 A. The department or a licensed child welfare agency may establish an
7 independent living program for youths who are the subject of a dependency
8 petition or who are adjudicated dependent and are all of the following:

9 1. In the custody of the department, a licensed child welfare agency
10 or a tribal child welfare agency.

11 2. At least seventeen years of age.

12 3. Employed or full-time students.

13 B. The independent living program may consist of a residential program
14 of less than twenty-four hours' a day supervision for youths under the
15 supervision of the department through a licensed child welfare agency or a
16 foster home under contract with the department. Under the independent living
17 program the youth is not required to reside at a licensed child welfare
18 agency or foster home.

19 C. The director or the director's designee shall review and approve
20 any recommendation to the court that a youth in the custody of the department
21 be ordered to an independent living program.

22 D. For a youth to participate in an independent living program, the
23 court must order such a disposition pursuant to section 8-845.

24 E. The department, a licensed child welfare agency or a tribal child
25 welfare agency having custody of the youth shall provide the cost of care as
26 required by section 46-134 for each child placed in an independent living
27 program pursuant to this section, except that the monthly amount provided
28 shall not exceed the average monthly cost of purchased services for the child
29 in the three months immediately preceding placement in an independent living
30 program.

31 F. The department shall adopt rules pursuant to title 41, chapter 6 to
32 carry out this section.

33 G. The department shall provide quarterly progress reports to the
34 court and to local foster care review boards for each youth participating in
35 the independent living program.

36 H. The local foster care review boards shall review at least once
37 every six months the case of each youth participating in the independent
38 living program.

39 I. The department shall establish an educational case management unit
40 within the division consisting of two case managers to develop and coordinate
41 educational case management plans for youths participating in the independent
42 living program and to assist youths in the program to do the following:

43 1. Graduate from high school.

44 2. Pass the ~~Arizona~~ instrument to measure standards test.

45 3. Apply for postsecondary financial assistance.

- 1 4. Apply for postsecondary education.
- 2 J. The department shall prepare a report on or before March 1 of each
- 3 year that contains the following information for the previous calendar year:
- 4 1. The number of children in the program.
- 5 2. The number of children in the program by age and grade.
- 6 3. The number of children in the program by county of residence.
- 7 4. The number of children in the program who graduated from high
- 8 school.
- 9 5. The number of children in the program who received a general
- 10 equivalency diploma.
- 11 6. The number of children in the program enrolled in postsecondary
- 12 education.

13 K. The department shall submit a copy of the report prescribed in

14 subsection J of this section to the governor, the president of the senate,

15 the speaker of the house of representatives, ~~AND the secretary of state and~~

16 ~~the director of the Arizona state library, archives and public records.~~

17 Sec. 2. Section 15-183, Arizona Revised Statutes, is amended to read:

18 15-183. Charter schools; application; requirements; immunity;

19 exemptions; renewal of application; reprisal; fee;

20 funds

21 A. An applicant seeking to establish a charter school shall submit a

22 written application to a proposed sponsor as prescribed in subsection C of

23 this section. The application, application process and application time

24 frames shall be posted on the sponsor's website and shall include the

25 following, as specified in the application adopted by the sponsor:

- 26 1. A detailed educational plan.
- 27 2. A detailed business plan.
- 28 3. A detailed operational plan.
- 29 4. Any other materials required by the sponsor.

30 B. The sponsor of a charter school may contract with a public body,

31 private person or private organization for the purpose of establishing a

32 charter school pursuant to this article.

33 C. The sponsor of a charter school may be either a school district

34 governing board, the state board of education, the state board for charter

35 schools, a university under the jurisdiction of the Arizona board of regents,

36 a community college district with enrollment of more than fifteen thousand

37 full-time equivalent students or a group of community college districts with

38 a combined enrollment of more than fifteen thousand full-time equivalent

39 students, subject to the following requirements:

40 1. For charter schools that submit an application for sponsorship to a

41 school district governing board:

42 (a) An applicant for a charter school may submit its application to a

43 school district governing board, which shall either accept or reject

44 sponsorship of the charter school within ninety days. An applicant may

45 submit a revised application for reconsideration by the governing board. If

1 the governing board rejects the application, the governing board shall notify
2 the applicant in writing of the reasons for the rejection. The applicant may
3 request, and the governing board may provide, technical assistance to improve
4 the application.

5 (b) In the first year that a school district is determined to be out
6 of compliance with the uniform system of financial records, within fifteen
7 days of the determination of noncompliance, the school district shall notify
8 by certified mail each charter school sponsored by the school district that
9 the school district is out of compliance with the uniform system of financial
10 records. The notification shall include a statement that if the school
11 district is determined to be out of compliance for a second consecutive year,
12 the charter school will be required to transfer sponsorship to another entity
13 pursuant to subdivision (c) of this paragraph.

14 (c) In the second consecutive year that a school district is
15 determined to be out of compliance with the uniform system of financial
16 records, within fifteen days of the determination of noncompliance, the
17 school district shall notify by certified mail each charter school sponsored
18 by the school district that the school district is out of compliance with the
19 uniform system of financial records. A charter school that receives a
20 notification of school district noncompliance pursuant to this subdivision
21 shall file a written sponsorship transfer application within forty-five days
22 with the state board of education, the state board for charter schools or the
23 school district governing board if the charter school is located within the
24 geographic boundaries of that school district. A charter school that
25 receives a notification of school district noncompliance may request an
26 extension of time to file a sponsorship transfer application, and the state
27 board of education, the state board for charter schools or a school district
28 governing board may grant an extension of not more than an additional thirty
29 days if good cause exists for the extension. The state board of education
30 and the state board for charter schools shall approve a sponsorship transfer
31 application pursuant to this paragraph.

32 (d) A school district governing board shall not grant a charter to a
33 charter school that is located outside the geographic boundaries of that
34 school district.

35 (e) A school district that has been determined to be out of compliance
36 with the uniform system of financial records during either of the previous
37 two fiscal years shall not sponsor a new or transferring charter school.

38 2. The applicant may submit the application to the state board of
39 education or the state board for charter schools. The state board of
40 education or the state board for charter schools may approve the application
41 if the application meets the requirements of this article and may approve the
42 charter if the proposed sponsor determines, within its sole discretion, that
43 the applicant is sufficiently qualified to operate a charter school and that
44 the applicant is applying to operate as a separate charter holder by
45 considering factors such as whether:

1 (a) The schools have separate governing bodies, governing body
2 membership, staff, facilities, and student population.

3 (b) Daily operations are carried out by different administrators.

4 (c) The applicant intends to have an affiliation agreement for the
5 purpose of providing enrollment preferences.

6 (d) The applicant's charter management organization has multiple
7 charter holders serving varied grade configurations on one physical site or
8 nearby sites serving one community.

9 (e) It is reconstituting an existing school site population at the
10 same or new site.

11 (f) It is reconstituting an existing grade configuration from a prior
12 charter holder with at least one grade remaining on the original site with
13 the other grade or grades moving to a new site.

14 The state board of education or the state board for charter schools may
15 approve any charter schools transferring charters. The state board of
16 education and the state board for charter schools shall approve any charter
17 schools transferring charters from a school district that is determined to be
18 out of compliance with the uniform system of financial records pursuant to
19 this section, but may require the charter school to sign a new charter that
20 is equivalent to the charter awarded by the former sponsor. If the state
21 board of education or the state board for charter schools rejects the
22 preliminary application, the state board of education or the state board for
23 charter schools shall notify the applicant in writing of the reasons for the
24 rejection and of suggestions for improving the application. An applicant may
25 submit a revised application for reconsideration by the state board of
26 education or the state board for charter schools. The applicant may request,
27 and the state board of education or the state board for charter schools may
28 provide, technical assistance to improve the application.

29 3. The applicant may submit the application to a university under the
30 jurisdiction of the Arizona board of regents, a community college district or
31 a group of community college districts. A university, a community college
32 district or a group of community college districts may approve the
33 application if it meets the requirements of this article and if the proposed
34 sponsor determines, in its sole discretion, that the applicant is
35 sufficiently qualified to operate a charter school.

36 4. Each applicant seeking to establish a charter school shall submit a
37 full set of fingerprints to the approving agency for the purpose of obtaining
38 a state and federal criminal records check pursuant to section 41-1750 and
39 Public Law 92-544. If an applicant will have direct contact with students,
40 the applicant shall possess a valid fingerprint clearance card that is issued
41 pursuant to title 41, chapter 12, article 3.1. The department of public
42 safety may exchange this fingerprint data with the federal bureau of
43 investigation. The criminal records check shall be completed before the
44 issuance of a charter.

1 5. All persons engaged in instructional work directly as a classroom,
2 laboratory or other teacher or indirectly as a supervisory teacher, speech
3 therapist or principal shall have a valid fingerprint clearance card that is
4 issued pursuant to title 41, chapter 12, article 3.1, unless the person is a
5 volunteer or guest speaker who is accompanied in the classroom by a person
6 with a valid fingerprint clearance card. A charter school shall not employ a
7 teacher whose certificate has been surrendered or revoked, unless the
8 teacher's certificate has been subsequently reinstated by the state board of
9 education. All other personnel shall be fingerprint checked pursuant to
10 section 15-512. Before employment, the charter school shall make documented,
11 good faith efforts to contact previous employers of a person to obtain
12 information and recommendations that may be relevant to a person's fitness
13 for employment as prescribed in section 15-512, subsection F. The charter
14 school shall notify the department of public safety if the charter school or
15 sponsor receives credible evidence that a person who possesses a valid
16 fingerprint clearance card is arrested for or is charged with an offense
17 listed in section 41-1758.03, subsection B. Charter schools may hire
18 personnel that have not yet received a fingerprint clearance card if proof is
19 provided of the submission of an application to the department of public
20 safety for a fingerprint clearance card and if the charter school that is
21 seeking to hire the applicant does all of the following:

22 (a) Documents in the applicant's file the necessity for hiring and
23 placement of the applicant before receiving a fingerprint clearance card.

24 (b) Ensures that the department of public safety completes a statewide
25 criminal records check on the applicant. A statewide criminal records check
26 shall be completed by the department of public safety every one hundred
27 twenty days until the date that the fingerprint check is completed.

28 (c) Obtains references from the applicant's current employer and the
29 two most recent previous employers except for applicants who have been
30 employed for at least five years by the applicant's most recent employer.

31 (d) Provides general supervision of the applicant until the date that
32 the fingerprint card is obtained.

33 (e) Completes a search of criminal records in all local jurisdictions
34 outside of this state in which the applicant has lived in the previous five
35 years.

36 (f) Verifies the fingerprint status of the applicant with the
37 department of public safety.

38 6. A charter school that complies with the fingerprinting requirements
39 of this section shall be deemed to have complied with section 15-512 and is
40 entitled to the same rights and protections provided to school districts by
41 section 15-512.

42 7. If a charter school operator is not already subject to a public
43 meeting or hearing by the municipality in which the charter school is
44 located, the operator of a charter school shall conduct a public meeting at
45 least thirty days before the charter school operator opens a site or sites

1 for the charter school. The charter school operator shall post notices of
2 the public meeting in at least three different locations that are within
3 three hundred feet of the proposed charter school site.

4 8. A person who is employed by a charter school or who is an applicant
5 for employment with a charter school, who is arrested for or charged with a
6 nonappealable offense listed in section 41-1758.03, subsection B and who does
7 not immediately report the arrest or charge to the person's supervisor or
8 potential employer is guilty of unprofessional conduct and the person shall
9 be immediately dismissed from employment with the charter school or
10 immediately excluded from potential employment with the charter school.

11 9. A person who is employed by a charter school and who is convicted
12 of any nonappealable offense listed in section 41-1758.03, subsection B or is
13 convicted of any nonappealable offense that amounts to unprofessional conduct
14 under section 15-550 shall immediately do all of the following:

15 (a) Surrender any certificates issued by the department of education.

16 (b) Notify the person's employer or potential employer of the
17 conviction.

18 (c) Notify the department of public safety of the conviction.

19 (d) Surrender the person's fingerprint clearance card.

20 D. An entity that is authorized to sponsor charter schools pursuant to
21 this article has no legal authority over or responsibility for a charter
22 school sponsored by a different entity. This subsection does not apply to
23 the state board of education's duty to exercise general supervision over the
24 public school system pursuant to section 15-203, subsection A, paragraph 1.

25 E. The charter of a charter school shall do all of the following:

26 1. Ensure compliance with federal, state and local rules, regulations
27 and statutes relating to health, safety, civil rights and insurance. The
28 department of education shall publish a list of relevant rules, regulations
29 and statutes to notify charter schools of their responsibilities under this
30 paragraph.

31 2. Ensure that it is nonsectarian in its programs, admission policies
32 and employment practices and all other operations.

33 3. Ensure that it provides a comprehensive program of instruction for
34 at least a kindergarten program or any grade between grades one and twelve,
35 except that a school may offer this curriculum with an emphasis on a specific
36 learning philosophy or style or certain subject areas such as mathematics,
37 science, fine arts, performance arts or foreign language.

38 4. Ensure that it designs a method to measure pupil progress toward
39 the pupil outcomes adopted by the state board of education pursuant to
40 section 15-741.01, including participation in the ~~Arizona~~ instrument to
41 measure standards test and the nationally standardized norm-referenced
42 achievement test as designated by the state board and the completion and
43 distribution of an annual report card as prescribed in chapter 7, article 3
44 of this title.

1 5. Ensure that, except as provided in this article and in its charter,
2 it is exempt from all statutes and rules relating to schools, governing
3 boards and school districts.

4 6. Ensure that, except as provided in this article, it is subject to
5 the same financial and electronic data submission requirements as a school
6 district, including the uniform system of financial records as prescribed in
7 chapter 2, article 4 of this title, procurement rules as prescribed in
8 section 15-213 and audit requirements. The auditor general shall conduct a
9 comprehensive review and revision of the uniform system of financial records
10 to ensure that the provisions of the uniform system of financial records that
11 relate to charter schools are in accordance with commonly accepted accounting
12 principles used by private business. A school's charter may include
13 exceptions to the requirements of this paragraph that are necessary as
14 determined by the district governing board, the state board of education or
15 the state board for charter schools. The department of education or the
16 office of the auditor general may conduct financial, program or compliance
17 audits.

18 7. Ensure compliance with all federal and state laws relating to the
19 education of children with disabilities in the same manner as a school
20 district.

21 8. Ensure that it provides for a governing body for the charter school
22 that is responsible for the policy decisions of the charter school.
23 Notwithstanding section 1-216, if there is a vacancy or vacancies on the
24 governing body, a majority of the remaining members of the governing body
25 constitute a quorum for the transaction of business, unless that quorum is
26 prohibited by the charter school's operating agreement.

27 9. Ensure that it provides a minimum of one hundred eighty
28 instructional days before June 30 of each fiscal year unless it is operating
29 on an alternative calendar approved by its sponsor. The superintendent of
30 public instruction shall adjust the apportionment schedule accordingly to
31 accommodate a charter school utilizing an alternative calendar.

32 F. A charter school shall keep on file the resumes of all current and
33 former employees who provide instruction to pupils at the charter school.
34 Resumes shall include an individual's educational and teaching background and
35 experience in a particular academic content subject area. A charter school
36 shall inform parents and guardians of the availability of the resume
37 information and shall make the resume information available for inspection on
38 request of parents and guardians of pupils enrolled at the charter school.
39 This subsection does not require any charter school to release personally
40 identifiable information in relation to any teacher or employee, including
41 the teacher's or employee's address, salary, social security number or
42 telephone number.

43 G. The charter of a charter school may be amended at the request of
44 the governing body of the charter school and on the approval of the sponsor.

45 H. Charter schools may contract, sue and be sued.

1 I. The charter is effective for fifteen years from the first day of
2 the fiscal year as specified in the charter, subject to the following:

3 1. At least eighteen months before the expiration of the charter, the
4 sponsor shall notify the charter school that the charter school may apply for
5 renewal and shall make the renewal application available to the charter
6 school. A charter school that elects to apply for renewal shall file a
7 complete renewal application at least fifteen months before the expiration of
8 the charter. A sponsor shall give written notice of its intent not to renew
9 the charter school's request for renewal to the charter school at least
10 twelve months before the expiration of the charter. The sponsor shall make
11 data used in making renewal decisions available to the school and the public
12 and shall provide a public report summarizing the evidence basis for each
13 decision. The sponsor may deny the request for renewal if, in its judgment,
14 the charter holder has failed to do any of the following:

15 (a) Meet or make sufficient progress toward the academic performance
16 expectations set forth in the performance framework.

17 (b) Meet the operational performance expectations set forth in the
18 performance framework or any improvement plans.

19 (c) Complete the obligations of the contract.

20 (d) Comply with this article or any provision of law from which the
21 charter school is not exempt.

22 2. A charter operator may apply for early renewal. At least nine
23 months before the charter school's intended renewal consideration, the
24 operator of the charter school shall submit a letter of intent to the sponsor
25 to apply for early renewal. The sponsor shall review fiscal audits and
26 academic performance data for the charter school that are annually collected
27 by the sponsor, review the current contract between the sponsor and the
28 charter school and provide the qualifying charter school with a renewal
29 application. On submission of a complete application, the sponsor shall give
30 written notice of its consideration of the renewal application. The sponsor
31 may deny the request for early renewal if, in the sponsor's judgment, the
32 charter holder has failed to do any of the following:

33 (a) Meet or make sufficient progress toward the academic performance
34 expectations set forth in the performance framework.

35 (b) Meet the operational performance expectations set forth in the
36 performance framework or any improvement plans.

37 (c) Complete the obligations of the contract.

38 (d) Comply with this article or any provision of law from which the
39 charter school is not exempt.

40 3. A sponsor shall review a charter at five-year intervals using a
41 performance framework adopted by the sponsor and may revoke a charter at any
42 time if the charter school breaches one or more provisions of its charter or
43 if the sponsor determines that the charter holder has failed to do any of the
44 following:

1 (a) Meet or make sufficient progress toward the academic performance
2 expectations set forth in the performance framework.

3 (b) Meet the operational performance expectations set forth in the
4 performance framework or any improvement plans.

5 (c) Comply with this article or any provision of law from which the
6 charter school is not exempt.

7 4. At least sixty days before the effective date of the proposed
8 revocation, the sponsor shall give written notice to the operator of the
9 charter school of its intent to revoke the charter. Notice of the sponsor's
10 intent to revoke the charter shall be delivered personally to the operator of
11 the charter school or sent by certified mail, return receipt requested, to
12 the address of the charter school. The notice shall incorporate a statement
13 of reasons for the proposed revocation of the charter. The sponsor shall
14 allow the charter school at least sixty days to correct the problems
15 associated with the reasons for the proposed revocation of the charter. The
16 final determination of whether to revoke the charter shall be made at a
17 public hearing called for such purpose.

18 J. The charter may be renewed for successive periods of twenty years.

19 K. A charter school that is sponsored by the state board of education,
20 the state board for charter schools, a university, a community college
21 district or a group of community college districts may not be located on the
22 property of a school district unless the district governing board grants this
23 authority.

24 L. A governing board or a school district employee who has control
25 over personnel actions shall not take unlawful reprisal against another
26 employee of the school district because the employee is directly or
27 indirectly involved in an application to establish a charter school. A
28 governing board or a school district employee shall not take unlawful
29 reprisal against an educational program of the school or the school district
30 because an application to establish a charter school proposes the conversion
31 of all or a portion of the educational program to a charter school. For the
32 purposes of this subsection, "unlawful reprisal" means an action that is
33 taken by a governing board or a school district employee as a direct result
34 of a lawful application to establish a charter school and that is adverse to
35 another employee or an education program and:

36 1. With respect to a school district employee, results in one or more
37 of the following:

38 (a) Disciplinary or corrective action.

39 (b) Detail, transfer or reassignment.

40 (c) Suspension, demotion or dismissal.

41 (d) An unfavorable performance evaluation.

42 (e) A reduction in pay, benefits or awards.

43 (f) Elimination of the employee's position without a reduction in
44 force by reason of lack of monies or work.

1 (g) Other significant changes in duties or responsibilities that are
2 inconsistent with the employee's salary or employment classification.

3 2. With respect to an educational program, results in one or more of
4 the following:

5 (a) Suspension or termination of the program.

6 (b) Transfer or reassignment of the program to a less favorable
7 department.

8 (c) Relocation of the program to a less favorable site within the
9 school or school district.

10 (d) Significant reduction or termination of funding for the program.

11 M. Charter schools shall secure insurance for liability and property
12 loss. The governing body of a charter school that is sponsored by the state
13 board of education or the state board for charter schools may enter into an
14 intergovernmental agreement or otherwise contract to participate in an
15 insurance program offered by a risk retention pool established pursuant to
16 section 11-952.01 or 41-621.01 or the charter school may secure its own
17 insurance coverage. The pool may charge the requesting charter school
18 reasonable fees for any services it performs in connection with the insurance
19 program.

20 N. Charter schools do not have the authority to acquire property by
21 eminent domain.

22 O. A sponsor, including members, officers and employees of the
23 sponsor, is immune from personal liability for all acts done and actions
24 taken in good faith within the scope of its authority.

25 P. Charter school sponsors and this state are not liable for the debts
26 or financial obligations of a charter school or persons who operate charter
27 schools.

28 Q. The sponsor of a charter school shall establish procedures to
29 conduct administrative hearings on determination by the sponsor that grounds
30 exist to revoke a charter. Procedures for administrative hearings shall be
31 similar to procedures prescribed for adjudicative proceedings in title 41,
32 chapter 6, article 10. Except as provided in section 41-1092.08, subsection
33 H, final decisions of the state board of education and the state board for
34 charter schools from hearings conducted pursuant to this subsection are
35 subject to judicial review pursuant to title 12, chapter 7, article 6.

36 R. The sponsoring entity of a charter school shall have oversight and
37 administrative responsibility for the charter schools that it sponsors. In
38 implementing its oversight and administrative responsibilities, the sponsor
39 shall ground its actions in evidence of the charter holder's performance in
40 accordance with the performance framework adopted by the sponsor. The
41 performance framework shall be publicly available, shall be placed on the
42 sponsoring entity's website and shall include:

43 1. The academic performance expectations of the charter school and the
44 measurement of sufficient progress toward the academic performance
45 expectations.

1 2. The operational expectations of the charter school, including
2 adherence to all applicable laws and obligations of the charter contract.

3 3. Intervention and improvement policies.

4 S. Charter schools may pledge, assign or encumber their assets to be
5 used as collateral for loans or extensions of credit.

6 T. All property accumulated by a charter school shall remain the
7 property of the charter school.

8 U. Charter schools may not locate a school on property that is less
9 than one-fourth mile from agricultural land regulated pursuant to section
10 3-365, except that the owner of the agricultural land may agree to comply
11 with the buffer zone requirements of section 3-365. If the owner agrees in
12 writing to comply with the buffer zone requirements and records the agreement
13 in the office of the county recorder as a restrictive covenant running with
14 the title to the land, the charter school may locate a school within the
15 affected buffer zone. The agreement may include any stipulations regarding
16 the charter school, including conditions for future expansion of the school
17 and changes in the operational status of the school that will result in a
18 breach of the agreement.

19 V. A transfer of a charter to another sponsor, a transfer of a charter
20 school site to another sponsor or a transfer of a charter school site to a
21 different charter shall be completed before the beginning of the fiscal year
22 that the transfer is scheduled to become effective. An entity that sponsors
23 charter schools may accept a transferring school after the beginning of the
24 fiscal year if the transfer is approved by the superintendent of public
25 instruction. The superintendent of public instruction shall have the
26 discretion to consider each transfer during the fiscal year on a case by case
27 basis. If a charter school is sponsored by a school district that is
28 determined to be out of compliance with this title, the uniform system of
29 financial records or any other state or federal law, the charter school may
30 transfer to another sponsoring entity at any time during the fiscal year. A
31 charter holder seeking to transfer sponsors shall comply with the current
32 charter terms regarding assignment of the charter. A charter holder
33 transferring sponsors shall notify the current sponsor that the transfer has
34 been approved by the new sponsor.

35 W. Notwithstanding subsection V of this section, a charter holder on
36 an improvement plan must notify parents or guardians of registered students
37 of the intent to transfer the charter and the timing of the proposed
38 transfer. On the approved transfer, the new sponsor shall enforce the
39 improvement plan but may modify the plan based on performance.

40 X. Notwithstanding subsection Y of this section, the state board for
41 charter schools shall charge a processing fee to any charter school that
42 amends its contract to participate in Arizona online instruction pursuant to
43 section 15-808. The charter Arizona online instruction processing fund is
44 established consisting of fees collected and administered by the state board
45 for charter schools. The state board for charter schools shall use monies in

1 the fund only for the processing of contract amendments for charter schools
2 participating in Arizona online instruction. Monies in the fund are
3 continuously appropriated.

4 Y. The sponsoring entity may not charge any fees to a charter school
5 that it sponsors unless the sponsor has provided services to the charter
6 school and the fees represent the full value of those services provided by
7 the sponsor. On request, the value of the services provided by the sponsor
8 to the charter school shall be demonstrated to the department of education.

9 Z. Charter schools may enter into an intergovernmental agreement with
10 a presiding judge of the juvenile court to implement a law related education
11 program as defined in section 15-154. The presiding judge of the juvenile
12 court may assign juvenile probation officers to participate in a law related
13 education program in any charter school in the county. The cost of juvenile
14 probation officers who participate in the program implemented pursuant to
15 this subsection shall be funded by the charter school.

16 AA. The sponsor of a charter school shall modify previously approved
17 curriculum requirements for a charter school that wishes to participate in
18 the board examination system prescribed in chapter 7, article 6 of this
19 title.

20 BB. If a charter school decides not to participate in the board
21 examination system prescribed in chapter 7, article 6 of this title, pupils
22 enrolled at that charter school may earn a Grand Canyon diploma by obtaining
23 a passing score on the same board examinations.

24 CC. Notwithstanding subsection Y of this section, a sponsor of charter
25 schools may charge a new charter application processing fee to any applicant.
26 The application fee shall fully cover the cost of application review and any
27 needed technical assistance. Authorizers may approve policies that allow a
28 portion of the fee to be returned to the applicant whose charter is approved.

29 DD. A charter school may choose to provide a preschool program for
30 children with disabilities pursuant to section 15-771.

31 Sec. 3. Section 15-211, Arizona Revised Statutes, is amended to read:
32 15-211. K-3 reading program; receipt and use of monies;
33 additional funding; program termination

34 A. The state board of education, in collaboration with the department
35 of education, shall establish a K-3 reading program to improve the reading
36 proficiency of pupils in kindergarten programs and grades one, two and three
37 in the public schools of this state.

38 B. On or before October 1, 2012, each school district and charter
39 school shall submit to the state board of education a plan for improving the
40 reading proficiency of its pupils in kindergarten programs and grades one,
41 two and three. The plan shall include baseline data on the reading
42 proficiency of its pupils in kindergarten programs and grades one, two and
43 three and a budget for spending monies from both the K-3 support level weight
44 and the K-3 reading support level weight established in section 15-943.
45 Beginning in fiscal year 2013-2014 and each fiscal year thereafter, each

1 school district and charter school shall submit to the state board of
2 education on or before October 1 an updated K-3 reading program plan that
3 includes data on program expenditures and results.

4 C. School districts and charter schools shall use monies generated by
5 the K-3 reading support level weight established in section 15-943 only on
6 reading programs for pupils in kindergarten programs and grades one, two and
7 three with particular emphasis on pupils in kindergarten programs and grades
8 one and two.

9 D. Each school district and charter school that is assigned a letter
10 grade of C, D or F pursuant to section 15-241, subsection H or that has more
11 than ten per cent of its pupils in grade three reading far below the third
12 grade level according to the reading portion of the ~~Arizona~~ instrument to
13 measure standards test, ~~or a successor test~~, shall receive monies generated
14 by the K-3 reading support level weight established in section 15-943 only
15 after the K-3 reading program plan of the school district or charter school
16 has been approved by the state board of education.

17 E. The department of education shall solicit gifts, grants and
18 donations from any lawful public or private source in order to provide
19 additional funding for the K-3 reading program.

20 F. The program established by this section ends on July 1, 2022
21 pursuant to section 41-3102.

22 Sec. 4. Section 15-241, Arizona Revised Statutes, is amended to read:
23 15-241. School and school district accountability; failing
24 schools tutoring fund; classification label for
25 school districts and charter school operators

26 A. The department of education shall compile an annual achievement
27 profile for each public school and school district.

28 B. Each school and school district shall submit to the department any
29 data that is required and requested and that is necessary to compile the
30 achievement profile. A school or school district that fails to submit the
31 information that is necessary is not eligible to receive monies from the
32 classroom site fund established by section 15-977.

33 C. The department shall establish a baseline achievement profile for
34 each school and school district. The baseline achievement profile shall be
35 used to determine a standard measurement of acceptable academic progress for
36 each school and school district and a school and school district
37 classification pursuant to subsection H of this section. Any disclosure of
38 educational records compiled by the department of education pursuant to this
39 section shall comply with the family educational rights and privacy act of
40 1974 (20 United States Code section 1232g).

41 D. The achievement profile for schools and school districts that offer
42 instruction in kindergarten programs and grades one through eight, or any
43 combination of those programs or grades, shall include the following school
44 academic performance indicators:

1 1. The Arizona measure of academic progress. The department shall
2 compute the extent of academic progress made by the pupils in each school and
3 school district during the course of each year.

4 2. The ~~Arizona~~ instrument to measure standards test. The department
5 shall compute the percentage of pupils who meet or exceed the standard on the
6 ~~Arizona~~ instrument to measure standards test, as prescribed by the state
7 board of education. The superintendent of public instruction and the
8 department may calculate academic gain on the ~~Arizona~~ instrument to measure
9 standards test according to each of the school classifications prescribed in
10 subsection G of this section on a statewide basis, for each school district
11 in this state and for each school by determining the average scale scores for
12 students in the current academic year as compared to the average scale scores
13 for the previous academic year for the same students.

14 3. The results of English language learners tests administered
15 pursuant to section 15-756, subsection B, section 15-756.05 and section
16 15-756.06.

17 E. The achievement profile for schools and school districts that offer
18 instruction in grades nine through twelve, or any combination of those
19 grades, shall include the following school academic performance indicators:

20 1. The Arizona measure of academic progress. The department shall
21 compute the extent of academic progress made by the pupils at each school.

22 2. The ~~Arizona~~ instrument to measure standards test. The department
23 shall compute the percentage of pupils pursuant to subsection G of this
24 section who meet or exceed the standard on the ~~Arizona~~ instrument to measure
25 standards test, as prescribed by the state board of education. The
26 superintendent of public instruction and the department may calculate
27 academic gain on the ~~Arizona~~ instrument to measure standards test according
28 to each of the school classifications prescribed in subsection G of this
29 section on a statewide basis, for each school district in this state and for
30 each school by determining the average scale scores for students in the
31 current academic year as compared to the average scale scores for the
32 previous academic year for the same students.

33 3. The annual dropout rate.

34 4. The annual graduation rate.

35 5. The results of English language learners tests administered
36 pursuant to section 15-756, subsection B, section 15-756.05 and section
37 15-756.06.

38 F. Schools and school districts that offer instruction in all or a
39 combination of the grades specified in subsections D and E of this section
40 shall include a single achievement profile for that school and school
41 district that includes the school academic performance indicators specified
42 in subsections D and E of this section.

43 G. Subject to final adoption by the state board of education, the
44 department shall determine the criteria for each school and school district
45 classification using a research based methodology. The methodology shall

1 include the performance of pupils at all achievement levels, account for
2 pupil mobility, account for the distribution of pupil achievement at each
3 school and school district and include longitudinal indicators of academic
4 performance. Fifty per cent of the school and school district classification
5 determination shall consist of academic performance measurements. Fifty per
6 cent of the academic performance measurement shall consist of a measurement
7 of academic gain for all pupils enrolled at the school or school district and
8 fifty per cent of the academic performance measurements shall consist of a
9 measurement of the twenty-five per cent of pupils with the lowest academic
10 performance measurement enrolled at the school or school district. For the
11 purposes of this subsection, "research based methodology" means the
12 systematic and objective application of statistical and quantitative research
13 principles to determine a standard measurement of acceptable academic
14 progress for each school and school district.

15 H. Except as provided in subsection EE of this section, the
16 achievement profile shall be used to determine a school and school district
17 classification that uses a letter grade system as follows:

18 1. A school or school district assigned a letter grade of A shall
19 demonstrate an excellent level of performance.

20 2. A school or school district assigned a letter grade of B shall
21 demonstrate an above average level of performance.

22 3. A school or school district assigned a letter grade of C shall
23 demonstrate an average level of performance.

24 4. A school or school district assigned a letter grade of D shall
25 demonstrate a below average level of performance.

26 5. A school or school district assigned a letter grade of F shall
27 demonstrate a failing level of performance. The state board of education may
28 also assign a school a letter grade of F if the state board of education
29 determines that the school is among the "persistently lowest-achieving
30 schools" in the state under the federal school accountability requirements
31 pursuant to section 1003(g) of the elementary and secondary education act (20
32 United States Code section 6303).

33 I. The classification for each school and the criteria used to
34 determine classification pursuant to subsection G of this section shall be
35 included on the school report card prescribed in section 15-746.

36 J. Subject to final adoption by the state board of education, the
37 department of education shall develop a parallel achievement profile for
38 accommodation schools, alternative schools as defined by the state board of
39 education and extremely small schools as defined by the state board of
40 education for the purposes of this section.

41 K. If a school is assigned a letter grade of D, within ninety days
42 after receiving notice of the designation, the governing board shall develop
43 an improvement plan for the school, submit a copy of the plan to the
44 superintendent of public instruction and the county educational service
45 agency and supervise the implementation of the plan. The plan shall include

1 necessary components as identified by the state board of education. Within
2 thirty days after submitting the improvement plan to the superintendent of
3 public instruction and the county educational service agency, the governing
4 board shall hold a special public meeting in each school that has been
5 assigned a letter grade of D and shall present the respective improvement
6 plans that have been developed for each school. The school district
7 governing board, within thirty days of receiving notice of the designation,
8 shall provide written notification of the classification to each residence
9 within the attendance area of the school. The notice shall explain the
10 improvement plan process and provide information regarding the public meeting
11 required by this subsection.

12 L. A school that has not submitted an improvement plan pursuant to
13 subsection K of this section is not eligible to receive monies from the
14 classroom site fund established by section 15-977 for every day that a plan
15 has not been received by the superintendent of public instruction within the
16 time specified in subsection K of this section plus an additional ninety
17 days. The state board of education shall require the superintendent of the
18 school district to testify before the board and explain the reasons that an
19 improvement plan for that school has not been submitted.

20 M. If a charter school is assigned a letter grade of D, within thirty
21 days the school shall notify the parents of the students attending the school
22 of the classification. The notice shall explain the improvement plan process
23 and provide information regarding the public meeting required by this
24 subsection. Within ninety days of receiving the classification, the charter
25 holder shall present an improvement plan to the charter sponsor at a public
26 meeting and submit a copy of the plan to the superintendent of public
27 instruction. The improvement plan shall include necessary components as
28 identified by the state board of education. For every day that an
29 improvement plan is not received by the superintendent of public instruction
30 and the county educational service agency, the school is not eligible to
31 receive monies from the classroom site fund established by section 15-977 for
32 every day that a plan has not been received by the superintendent of public
33 instruction within the time specified in subsection K of this section plus an
34 additional ninety days. The charter holder shall appear before the
35 sponsoring board and explain why the improvement plan has not been submitted.

36 N. The department of education shall establish an appeals process, to
37 be approved by the state board of education, for a school to appeal data used
38 to determine the achievement profile of the school. The criteria established
39 shall be based on mitigating factors and may include a visit to the school
40 site by the department of education.

41 O. If a school is assigned a letter grade of D for a third consecutive
42 year, the department of education shall visit the school site to confirm the
43 classification data and to review the implementation of the school's
44 improvement plan. The school shall be assigned a letter grade of F unless an
45 alternate letter grade is assigned after an appeal pursuant to subsection N

1 of this section. A school that is assigned a letter grade of D for less than
2 three consecutive years may also be assigned a letter grade of F if the state
3 board of education determines that there is no reasonable likelihood that the
4 school will achieve an average level of performance within the next two
5 years.

6 P. The school district governing board, within thirty days of
7 receiving notice of the school being assigned a letter grade of F, shall
8 provide written notification of the classification to each residence in the
9 attendance area of the school. The notice shall explain the improvement plan
10 process and provide information regarding the public meeting required by
11 subsection S of this section.

12 Q. The superintendent of public instruction in collaboration with the
13 county educational service agency, based on need, shall assign a solutions
14 team to a school assigned a letter grade of D, a school assigned a letter
15 grade of F or any other school pursuant to a mutual agreement between the
16 department of education and the school composed of master teachers, fiscal
17 analysts and curriculum assessment experts who are certified by the state
18 board of education as Arizona academic standards technicians. The department
19 of education or the county educational service agency may hire or contract
20 with administrators, principals and teachers who have demonstrated experience
21 with the characteristics and situations in a school assigned a letter grade
22 of D or F and may use these personnel as part of the solutions team. The
23 department of education shall work with staff at the school to assist in
24 curricula alignment and shall instruct teachers on how to increase pupil
25 academic progress, considering the school's achievement profile. The
26 solutions team shall consider the existing improvement plan to assess the
27 need for changes to curriculum, professional development and resource
28 allocation and shall present a statement of its findings to the school
29 administrator and district superintendent. Within forty-five days after the
30 presentation of the solutions team's statement of findings, the school
31 district governing board, in cooperation with each school within the school
32 district that is assigned a letter grade of D and its assigned solutions team
33 representative, shall develop and submit to the department of education and
34 the county educational service agency an action plan that details the manner
35 in which the school district will assist the school as the school
36 incorporates the findings of the solutions team into the improvement plan.
37 The department of education shall review the action plan and shall either
38 accept the action plan or return the action plan to the school district for
39 modification. If the school district does not submit an approved action plan
40 within forty-five days, the state board of education may direct the
41 superintendent of public instruction to withhold up to ten per cent of state
42 monies that the school district would otherwise be entitled to receive each
43 month until the plan is submitted to the department of education and the
44 county educational service agency, at which time those monies shall be
45 returned to the school district.

1 R. The parent or the guardian of the pupil may apply to the department
2 of education, in a manner determined by the department of education, for a
3 certificate of supplemental instruction from the failing schools tutoring
4 fund established by this section. Pupils attending a school assigned a
5 letter grade of D or F or a pupil who has failed to pass one or more portions
6 of the ~~Arizona~~ instrument to measure standards test in grades eight through
7 twelve in order to graduate from high school may select an alternative
8 tutoring program in academic standards from a provider that is certified by
9 the state board of education. To qualify, the provider must state in writing
10 a level of academic improvement for the pupil that includes a timeline for
11 improvement that is agreed to by the parent or guardian of the pupil. The
12 state board of education shall annually review academic performance levels
13 for providers certified pursuant to this subsection and may remove a provider
14 at a public hearing from an approved list of providers if that provider fails
15 to meet its stated level of academic improvement. The state board of
16 education shall determine the application guidelines and the maximum value
17 for each certificate of supplemental instruction. The state board of
18 education shall annually complete a market survey in order to determine the
19 maximum value for each certificate of supplemental instruction. This
20 subsection shall not be construed to require the state to provide additional
21 monies beyond the monies provided pursuant to section 42-5029, subsection E,
22 paragraph 7.

23 S. Within sixty days of receiving notification of a school being
24 assigned a letter grade of F, the school district governing board shall
25 evaluate needed changes to the existing improvement plan for the school,
26 consider recommendations from the solutions team, submit a copy of the plan
27 to the superintendent of public instruction and the county educational
28 service agency and supervise the implementation of the plan. Within thirty
29 days after submitting the improvement plan to the superintendent of public
30 instruction, the governing board shall hold a public meeting in each school
31 that has been assigned a letter grade of F and shall present the respective
32 improvement plans that have been developed for each school.

33 T. A school that has not submitted an improvement plan pursuant to
34 subsection S of this section is not eligible to receive monies from the
35 classroom site fund established by section 15-977 for every day that a plan
36 has not been received by the superintendent of public instruction within the
37 time specified in subsection S of this section plus an additional ninety
38 days. The state board of education shall require the superintendent of the
39 school district to testify before the board and explain the reasons that an
40 improvement plan for that school has not been submitted.

41 U. If a charter school is assigned a letter grade of F, the department
42 of education shall immediately notify the charter school's sponsor. The
43 charter school's sponsor shall either take action to restore the charter
44 school to acceptable performance or revoke the charter school's charter.
45 Within thirty days the school shall notify the parents of the students

1 attending the school of the classification and of any pending public meetings
2 to review the issue.

3 V. A school that has been assigned a letter grade of F shall be
4 evaluated by the department of education to determine if the school failed to
5 properly implement its school improvement plan, align the curriculum with
6 academic standards, provide teacher training, prioritize the budget or
7 implement other proven strategies to improve academic performance. After
8 visiting the school site pursuant to subsection O of this section, the
9 department of education shall submit to the state board of education a
10 recommendation to proceed pursuant to subsections Q, R and S of this section
11 or that the school be subject to a public hearing to determine if the school
12 failed to properly implement its improvement plan and the reasons for the
13 department's recommendation.

14 W. If the department does recommend a public hearing, the state board
15 of education shall meet and may provide by a majority vote at the public
16 hearing for the continued operation of the school as allowed by this
17 subsection. The state board of education shall determine whether
18 governmental, nonprofit and private organizations may submit applications to
19 the state board to fully or partially manage the school. The state board's
20 determination shall include:

21 1. If and to what extent the local governing board may participate in
22 the operation of the school including personnel matters.

23 2. If and to what extent the state board of education shall
24 participate in the operation of the school.

25 3. Resource allocation pursuant to subsection Y of this section.

26 4. Provisions for the development and submittal of a school
27 improvement plan to be presented in a public meeting at the school.

28 5. A suggested time frame for the alternative operation of the school.

29 X. The state board shall periodically review the status of a school
30 that is operated by an organization other than the school district governing
31 board to determine whether the operation of the school should be returned to
32 the school district governing board. Before the state board makes a
33 determination, the state board or its designee shall meet with the school
34 district governing board or its designee to determine the time frame,
35 operational considerations and the appropriate continuation of existing
36 improvements that are necessary to assure a smooth transition of authority
37 from the other organization back to the school district governing board.

38 Y. If an alternative operation plan is provided pursuant to subsection
39 W of this section, the state board of education shall pay for the operation
40 of the school and shall adjust the school district's district additional
41 assistance pursuant to section 15-961, base support level pursuant to section
42 15-943, monies distributed from the classroom site fund established by
43 section 15-977 and transportation support level pursuant to section 15-945 to
44 accurately reflect any reduction in district services that are no longer
45 provided to that school by the district. The state board of education may

1 modify the school district's revenue control limit, the district support
2 level and the general budget limit calculated pursuant to section 15-947 by
3 an amount that corresponds to this reduction in services. The state board of
4 education shall retain the portion of state aid that would otherwise be due
5 the school district for the school and shall distribute that portion of state
6 aid directly to the organization that contracts with the state board of
7 education to operate the school.

8 Z. If the state board of education determines that a charter school
9 failed to properly implement its improvement plan, the sponsor of the charter
10 school shall revoke the charter school's charter.

11 AA. If there are more than two schools in a district and more than
12 one-half, or in any case more than five, of the schools in the district are
13 assigned a letter grade of F for more than two consecutive years, in the next
14 election of members of the governing board the election ballot shall contain
15 the following statement immediately above the listing of governing board
16 candidates:

17 Within the last five years, (number of schools) schools in the
18 _____ school district have been assigned a letter grade of F
19 or designated as "schools failing to meet academic standards" by
20 the superintendent of public instruction.

21 BB. At least twice each year the department of education shall publish
22 in a newspaper of general circulation in each county of this state a list of
23 schools that are assigned a letter grade of F.

24 CC. The failing schools tutoring fund is established consisting of
25 monies collected pursuant to section 42-5029, subsection E as designated for
26 this purpose. The department of education shall administer the fund. The
27 department of education may use monies from the fund to purchase materials
28 designed to assist students to meet ~~the Arizona~~ academic standards and to
29 achieve a passing score on the ~~Arizona~~ instrument to measure standards test
30 in order to graduate from high school.

31 DD. The department of education may develop a classification label for
32 school districts and charter school operators. If the department of
33 education develops a classification label for school districts and charter
34 school operators, the classification label may be developed from the
35 following components:

- 36 1. Measures of academic progress.
- 37 2. Pupil assessment data.
- 38 3. The attendance rates and graduation rates of pupils who are
39 educated in that charter school operator's charter schools or in that school
40 district's schools.
- 41 4. The percentage of the parents of pupils enrolled in that charter
42 school operator's charter schools or in that school district's schools that
43 categorizes the quality of their child's education as excellent on a parental
44 rating of school quality.

1 EE. The state board of education shall determine appropriate
2 modifications to the criteria used to calculate achievement profiles for
3 schools that participate in the board examination system prescribed in
4 chapter 7, article 6 of this title.

5 FF. The state board of education shall adopt guidelines to include
6 supplementary training in reading instruction for teachers who provide
7 instruction to pupils in a kindergarten program or grade one, two or three in
8 an improvement plan pursuant to subsection K of this section.

9 GG. In addition to any other corrective procedures prescribed in this
10 section and section 15-241.01, a school that has been assigned a letter grade
11 of D or F for two consecutive years shall implement a science, technology,
12 engineering and mathematics intervention strategy under the supervision of
13 the state board of education.

14 HH. In addition to any other corrective procedures prescribed in this
15 section a school district that has been assigned a letter grade of D or F for
16 two consecutive years shall implement a parent involvement strategy. The
17 parent involvement strategy shall be included in the school improvement plan
18 for each applicable school within the district, as prescribed in subsection K
19 of this section.

20 II. The department of education shall publish criteria for a school or
21 school district's exit status from a previous assignment of a letter grade of
22 F in accordance with this section. The criteria shall prescribe the actions
23 and results necessary to be deemed to have complied with this section
24 regarding school improvement, including the proper implementation of a school
25 improvement plan pursuant to subsection V of this section. These criteria
26 shall be provided to a school or school district if it is assigned a letter
27 grade of F pursuant to this section.

28 Sec. 5. Section 15-701, Arizona Revised Statutes, is amended to read:

29 15-701. Common schools; promotions; competency requirements;
30 certificate; supervision of eighth grades by
31 superintendent of high school district; high school
32 admissions; academic credit

33 A. The state board of education shall:

34 1. Prescribe a minimum course of study, as defined in section 15-101,
35 ~~and~~ incorporating the academic standards adopted by the state board of
36 education, to be taught in the common schools.

37 2. Prescribe competency requirements for the promotion of pupils from
38 the eighth grade and competency requirements for the promotion of pupils from
39 the third grade incorporating the academic standards in at least the areas of
40 reading, writing, mathematics, science and social studies. Notwithstanding
41 section 15-521, paragraph ~~3- 4~~, the competency requirements for the promotion
42 of pupils from the third grade shall include the following:

43 (a) A requirement that a pupil not be promoted from the third grade if
44 the pupil obtains a score on the reading portion of the ~~Arizona~~ instrument to

1 measure standards test, ~~or a successor test~~, that demonstrates that the
2 pupil's reading falls far below the third grade level.

3 (b) A mechanism to allow a school district governing board or the
4 governing body of a charter school to promote a pupil from the third grade
5 who obtains a score on the reading portion of the ~~Arizona~~ instrument to
6 measure standards test, ~~or a successor test~~, that demonstrates that the
7 pupil's reading falls far below the third grade level for any of the
8 following:

9 (i) A good cause exemption if the pupil is an English learner or a
10 limited English proficient student as defined in section 15-751 and has had
11 fewer than two years of English language instruction.

12 (ii) ~~A PUPIL WHO IS~~ a child with a disability as defined in section
13 15-761 if the pupil's individualized education program team and the pupil's
14 parent or guardian ~~agrees~~ ~~AGREE~~ that promotion is appropriate based on the
15 pupil's individualized education program.

16 (c) Intervention and remedial strategies developed by the state board
17 of education for pupils who are not promoted from the third grade. A school
18 district governing board or the governing body of a charter school shall
19 offer at least one of the intervention and remedial strategies developed by
20 the state board of education. The parent or guardian of a pupil who is not
21 promoted from the third grade and the pupil's teacher and principal may
22 choose the most appropriate intervention and remedial strategies that will be
23 provided to that pupil. The intervention and remedial strategies developed
24 by the state board of education shall include:

25 (i) A requirement that the pupil be assigned to a different teacher
26 for reading instruction.

27 (ii) Summer school reading instruction.

28 (iii) In the next academic year, intensive reading instruction that
29 occurs before, during or after the regular school day, or any combination of
30 before, during and after the regular school day.

31 (iv) Online reading instruction.

32 3. Provide for universal screening of pupils in preschool programs,
33 kindergarten programs and grades one through three that is designed to
34 identify pupils who have reading deficiencies pursuant to section 15-704.

35 4. Develop intervention and remedial strategies pursuant to paragraph
36 2, subdivision (c) of this subsection for pupils in kindergarten programs and
37 grades one through three who are identified as having reading deficiencies
38 pursuant to section 15-704.

39 5. Distribute guidelines for the school districts to follow in
40 prescribing criteria for the promotion of pupils from grade to grade in the
41 common schools. These guidelines shall include recommended procedures for
42 ensuring that the cultural background of a pupil is taken into consideration
43 when criteria for promotion are being applied.

1 B. ~~Beginning in the 2010-2011 school year,~~ School districts and
2 charter schools shall provide annual written notification to parents of
3 pupils in kindergarten programs and first, second and third grades that a
4 pupil who obtains a score on the reading portion of the ~~Arizona~~ instrument to
5 measure standards test, ~~or a successor test,~~ that demonstrates the pupil is
6 reading far below the third grade level will not be promoted from the third
7 grade. If the school has determined that the pupil is substantially
8 deficient in reading before the end of grade three, the school district or
9 charter school shall provide to the parent of that pupil a separate written
10 notification of the reading deficiency that includes the following
11 information:

12 1. A description of the current reading services provided to the
13 pupil.

14 2. A description of the available supplemental instructional services
15 and supporting programs that are designed to remediate reading deficiencies.
16 Each school district or charter school shall offer at least one intervention
17 strategy and at least one remedial strategy for pupils with reading
18 deficiencies. The notification shall list the intervention and remedial
19 strategies offered and shall instruct the parent or guardian to choose the
20 strategy that will be implemented for that child.

21 3. Parental strategies to assist the pupil to attain reading
22 proficiency.

23 4. A statement that the pupil will not be promoted from the third
24 grade if the pupil obtains a score on the reading portion of the ~~Arizona~~
25 instrument to measure standards test, ~~or a successor test,~~ that demonstrates
26 the pupil is reading far below the third grade level, unless the pupil is
27 exempt from mandatory retention in grade three or the pupil qualifies for an
28 exemption pursuant to subsection A of this section.

29 5. A description of the school district or charter school policies on
30 midyear promotion to a higher grade.

31 C. Pursuant to the guidelines that the state board of education
32 distributes, the governing board of a school district shall:

33 1. Prescribe curricula that include the academic standards in the
34 required subject areas pursuant to subsection A, paragraph 1 of this section.

35 2. Prescribe criteria for the promotion of pupils from grade to grade
36 in the common schools in the school district. These criteria shall include
37 accomplishment of the academic standards in at least reading, writing,
38 mathematics, science and social studies, as determined by district
39 assessment. Other criteria may include additional measures of academic
40 achievement and attendance.

41 D. The governing board **OF A SCHOOL DISTRICT OR THE GOVERNING BODY OF A**
42 **CHARTER SCHOOL** may prescribe the course of study and competency requirements
43 for promotion that are in addition to or higher than the course of study and
44 competency requirements the state board prescribes, **EXCEPT THAT THE SCHOOL**
45 **DISTRICT GOVERNING BOARD OR THE CHARTER SCHOOL GOVERNING BODY MAY OPT OUT OF**

1 ANY COMPETENCY REQUIREMENT OR ASSESSMENT ADOPTED BY THE STATE BOARD OF
 2 EDUCATION. A SCHOOL DISTRICT GOVERNING BOARD THAT OPTS OUT PURSUANT TO THIS
 3 SUBSECTION SHALL ADOPT ACADEMIC STANDARDS OR ASSESSMENTS, OR BOTH, THAT ARE
 4 APPROVED OR HAVE BEEN PREVIOUSLY APPROVED BY THE STATE BOARD OF EDUCATION. A
 5 CHARTER SCHOOL GOVERNING BODY THAT OPTS OUT PURSUANT TO THIS SUBSECTION SHALL
 6 ADOPT ACADEMIC STANDARDS OR ASSESSMENTS, OR BOTH, THAT ARE APPROVED BY THE
 7 SPONSOR OF THE CHARTER SCHOOL. THE DEPARTMENT OF EDUCATION OR THE SPONSOR OF
 8 A CHARTER SCHOOL, AS APPROPRIATE, SHALL APPROVE THE STANDARDS OR ASSESSMENTS
 9 ADOPTED BY THE SCHOOL DISTRICT OR CHARTER SCHOOL IF THE STANDARDS OR
 10 ASSESSMENTS MEET OR EXCEED THE STANDARDS ADOPTED BY THE STATE BOARD OF
 11 EDUCATION FOR USE DURING OR AFTER THE 1998-1999 SCHOOL YEAR. THE DEPARTMENT
 12 SHALL DEVELOP MECHANISMS TO COMPARE THE ACADEMIC PERFORMANCE OF PUPILS WHO
 13 ARE ENROLLED IN SCHOOL DISTRICTS AND CHARTER SCHOOLS THAT OPT OUT PURSUANT TO
 14 THIS SUBSECTION WITH THE ACADEMIC PERFORMANCE OF PUPILS WHO ARE ENROLLED IN
 15 SCHOOL DISTRICTS AND CHARTER SCHOOLS THAT DO NOT OPT OUT PURSUANT TO THIS
 16 SUBSECTION. THE SPONSOR OF A CHARTER SCHOOL THAT OPTS OUT PURSUANT TO THIS
 17 SUBSECTION SHALL USE THE COMPARISON MECHANISMS DEVELOPED BY THE DEPARTMENT
 18 PURSUANT TO THIS SUBSECTION TO DETERMINE WHETHER THE STANDARDS OR
 19 ASSESSMENTS, OR BOTH, THAT ARE ADOPTED BY THE CHARTER SCHOOL IT SPONSORS ARE
 20 APPROPRIATE. SCHOOL DISTRICTS AND CHARTER SCHOOLS THAT OPT OUT PURSUANT TO
 21 THIS SUBSECTION:

- 22 1. ARE NOT SUBJECT TO ANY FINANCIAL PENALTY.
- 23 2. SHALL ADMINISTER AN ANNUAL ASSESSMENT TO MEASURE THE EXTENT TO
- 24 WHICH PUPILS HAVE MET THE ADOPTED ACADEMIC STANDARDS.

25 E. A teacher shall determine whether to promote or retain a pupil in
 26 grade in a common school as provided in section 15-521, paragraph ~~3~~ 4 on the
 27 basis of the prescribed criteria. The governing board, if it reviews the
 28 decision of a teacher to promote or retain a pupil in grade in a common
 29 school as provided in section 15-342, paragraph 11, shall base its decision
 30 on the prescribed criteria.

31 F. A governing board may provide and issue certificates of promotion
 32 to pupils whom it promotes from the eighth grade of a common school. Such
 33 certificates shall be signed by the principal or superintendent of schools.
 34 Where there is no principal or superintendent of schools, the certificates
 35 shall be signed by the teacher of an eighth grade. The certificates shall
 36 admit the holders to any high school in the state.

37 G. A governing board may request certificates of promotion from the
 38 county school superintendent. If a governing board requests these
 39 certificates from the county school superintendent, the county school
 40 superintendent shall furnish and sign the certificates.

41 H. Within any high school district or union high school district, the
 42 superintendent of the high school district shall supervise the work of the
 43 eighth grade of all schools employing no superintendent or principal.

1 I. A school district shall not deny a pupil who is between the ages of
2 sixteen and twenty-one years admission to a high school because the pupil
3 does not hold an eighth grade certificate. Governing boards shall establish
4 procedures for determining the admissibility of pupils who are under sixteen
5 years of age and who do not hold eighth grade certificates.

6 J. The state board of education shall adopt rules to allow common
7 school pupils who can demonstrate competency in a particular academic course
8 or subject to obtain academic credit for the course or subject without
9 enrolling in the course or subject.

10 Sec. 6. Section 15-701.01, Arizona Revised Statutes, is amended to
11 read:

12 15-701.01. High schools; graduation; competency requirements;
13 community college or university courses; transfer
14 from private schools; academic credit

15 A. The state board of education shall:

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

19 2. Prescribe competency requirements for the graduation of pupils from
20 high school incorporating the academic standards in at least the areas of
21 reading, writing, mathematics, science and social studies. The academic
22 standards prescribed by the state board of education in social studies shall
23 include personal finance. This paragraph does not allow the state board of
24 education to establish a required separate personal finance course for the
25 purpose of the graduation of pupils from high school.

26 3. Develop and adopt competency tests pursuant to section 15-741.
27 English language learners who are subject to article 3.1 of this chapter are
28 subject to the assessments prescribed in section 15-741.

29 B. The governing board of a school district shall:

30 1. Prescribe curricula that include the academic standards in the
31 required subject areas pursuant to subsection A, paragraph 1 of this section.

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

37 C. The governing board may prescribe the course of study and
38 competency requirements for the graduation of pupils from high school that
39 are in addition to or higher than the course of study and competency
40 requirements that the state board prescribes.

41 D. The governing board **OF A SCHOOL DISTRICT OR THE GOVERNING BODY OF A**
42 **CHARTER SCHOOL** may prescribe competency requirements for the passage of
43 pupils in courses that are required for graduation from high school, **EXCEPT**
44 **THAT THE SCHOOL DISTRICT GOVERNING BOARD OR THE CHARTER SCHOOL GOVERNING BODY**
45 **MAY OPT OUT OF ANY COMPETENCY REQUIREMENT OR ASSESSMENT ADOPTED BY THE STATE**

1 BOARD OF EDUCATION. A SCHOOL DISTRICT GOVERNING BOARD THAT OPTS OUT PURSUANT
 2 TO THIS SUBSECTION SHALL ADOPT ACADEMIC STANDARDS OR ASSESSMENTS, OR BOTH,
 3 THAT ARE APPROVED OR HAVE BEEN PREVIOUSLY APPROVED BY THE STATE BOARD OF
 4 EDUCATION. A CHARTER SCHOOL GOVERNING BODY THAT OPTS OUT PURSUANT TO THIS
 5 SUBSECTION SHALL ADOPT ACADEMIC STANDARDS OR ASSESSMENTS, OR BOTH, THAT ARE
 6 APPROVED BY THE SPONSOR OF THE CHARTER SCHOOL. THE DEPARTMENT OF EDUCATION
 7 OR THE SPONSOR OF A CHARTER SCHOOL, AS APPROPRIATE, SHALL APPROVE THE
 8 STANDARDS OR ASSESSMENTS ADOPTED BY THE SCHOOL DISTRICT OR CHARTER SCHOOL IF
 9 THE STANDARDS OR ASSESSMENTS MEET OR EXCEED THE STANDARDS ADOPTED BY THE
 10 STATE BOARD OF EDUCATION FOR USE DURING OR AFTER THE 1998-1999 SCHOOL YEAR.
 11 THE DEPARTMENT SHALL DEVELOP MECHANISMS TO COMPARE THE ACADEMIC PERFORMANCE
 12 OF PUPILS WHO ARE ENROLLED IN SCHOOL DISTRICTS AND CHARTER SCHOOLS THAT OPT
 13 OUT PURSUANT TO THIS SUBSECTION WITH THE ACADEMIC PERFORMANCE OF PUPILS WHO
 14 ARE ENROLLED IN SCHOOL DISTRICTS AND CHARTER SCHOOLS THAT DO NOT OPT OUT
 15 PURSUANT TO THIS SUBSECTION. THE SPONSOR OF A CHARTER SCHOOL THAT OPTS OUT
 16 PURSUANT TO THIS SUBSECTION SHALL USE THE COMPARISON MECHANISMS DEVELOPED BY
 17 THE DEPARTMENT PURSUANT TO THIS SUBSECTION TO DETERMINE WHETHER THE STANDARDS
 18 OR ASSESSMENTS, OR BOTH, THAT ARE ADOPTED BY THE CHARTER SCHOOL IT SPONSORS
 19 ARE APPROPRIATE. SCHOOL DISTRICTS AND CHARTER SCHOOLS THAT OPT OUT PURSUANT
 20 TO THIS SUBSECTION:

- 21 1. ARE NOT SUBJECT TO ANY FINANCIAL PENALTY.
- 22 2. SHALL ADMINISTER AN ANNUAL ASSESSMENT TO MEASURE THE EXTENT TO
- 23 WHICH PUPILS HAVE MET THE ADOPTED ACADEMIC STANDARDS.

24 E. A teacher shall determine whether to pass or fail a pupil in a
 25 course in high school as provided in section 15-521, paragraph 4 on the basis
 26 of the competency requirements, if any have been prescribed. The governing
 27 board, if it reviews the decision of a teacher to pass or fail a pupil in a
 28 course in high school as provided in section 15-342, paragraph 11, shall base
 29 its decision on the competency requirements, if any have been prescribed.

30 F. Graduation requirements established by the governing board may be
 31 met by a pupil who passes courses in the required or elective subjects at a
 32 community college or university, if the course is at a higher level than the
 33 course taught in the high school attended by the pupil or, if the course is
 34 not taught in the high school, the level of the course is equal to or higher
 35 than the level of a high school course. The governing board shall determine
 36 if the subject matter of the community college or university course is
 37 appropriate to the specific requirement the pupil intends it to fulfill and
 38 if the level of the community college or university course is less than,
 39 equal to or higher than a high school course, and the governing board shall
 40 award one-half of a carnegie unit for each three semester hours of credit the
 41 pupil earns in an appropriate community college or university course. If a
 42 pupil is not satisfied with the decision of the governing board regarding the
 43 amount of credit granted or the subjects for which credit is granted, the
 44 pupil may request that the state board of education review the decision of
 45 the governing board, and the state board shall make the final determination

1 of the amount of credit to be given the pupil and for which subjects. The
2 governing board shall not limit the number of credits that is required for
3 high school graduation and that may be met by taking community college or
4 university courses. For the purposes of this subsection:

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

9 2. "University" means a university under the jurisdiction of the
10 Arizona board of regents.

11 G. A pupil who transfers from a private school shall be provided with
12 a list that indicates those credits that have been accepted and denied by the
13 school district. A pupil may request to take an examination in each
14 particular course in which credit has been denied. The school district shall
15 accept the credit for each particular course in which the pupil takes an
16 examination and receives a passing score on a test designed and evaluated by
17 a teacher in the school district who teaches the subject matter on which the
18 examination is based. In addition to the above requirements, the governing
19 board of a school district may prescribe requirements for the acceptance of
20 the credits of pupils who transfer from a private school.

21 H. If a pupil who was previously enrolled in a charter school or
22 school district enrolls in a school district in this state, the school
23 district shall accept credits earned by the pupil in courses or instructional
24 programs at the charter school or school district. The governing board of a
25 school district may adopt a policy concerning the application of transfer
26 credits for the purpose of determining whether a credit earned by a pupil who
27 was previously enrolled in a school district or charter school will be
28 assigned as an elective or core credit.

29 I. A pupil who transfers from a charter school or school district
30 shall be provided with a list that indicates which credits have been accepted
31 as an elective credit and which credits have been accepted as a core credit
32 by the school district. Within ten school days after receiving the list, a
33 pupil may request to take an examination in each particular course in which
34 core credit has been denied. The school district shall accept the credit as
35 a core credit for each particular course in which the pupil takes an
36 examination and receives a passing score on a test designed and evaluated by
37 a teacher in the school district who teaches the subject matter on which the
38 examination is based.

39 J. The state board of education shall adopt rules to allow high school
40 pupils who can demonstrate competency in a particular academic course or
41 subject to obtain academic credit for the course or subject without enrolling
42 in the course or subject.

43 K. Pupils who earn a Grand Canyon diploma pursuant to article 6 of
44 this chapter are exempt from the graduation requirements prescribed in this
45 section. Pupils who earn a Grand Canyon diploma are entitled to all the

1 rights and privileges of persons who graduate with a high school diploma
2 issued pursuant to this section, including access to postsecondary
3 scholarships and other forms of student financial aid and access to all forms
4 of postsecondary education. Notwithstanding any other law, a pupil who is
5 eligible for a Grand Canyon diploma may elect to remain in high school
6 through grade twelve and shall not be prevented from enrolling at a high
7 school after the pupil becomes eligible for a Grand Canyon diploma. A pupil
8 who is eligible for a Grand Canyon diploma and who elects not to pursue one
9 of the options prescribed in section 15-792.03 may only be readmitted to that
10 high school or another high school in this state pursuant to policies adopted
11 by the school district of readmission.

12 Sec. 7. Section 15-704, Arizona Revised Statutes, is amended to read:
13 15-704. Reading proficiency; definitions

14 A. Each school district or charter school that provides instruction in
15 kindergarten programs and grades one through three shall select and
16 administer screening, ongoing diagnostic and classroom based instructional
17 reading assessments, including a motivational assessment, as defined by the
18 state board of education, to monitor student progress. Each school shall use
19 the diagnostic information to plan appropriate and effective intervention.

20 B. Each school district or charter school that provides instruction
21 for pupils in kindergarten programs and grades one through three shall
22 conduct a curriculum evaluation and adopt a scientifically based reading
23 curriculum that includes the essential components of reading instruction.
24 All school districts and charter schools that offer instruction in
25 kindergarten programs and grades one through three shall provide ongoing
26 teacher training based on scientifically based reading research.

27 C. Each school district or charter school that provides instruction in
28 kindergarten programs and grades one through three shall devote reasonable
29 amounts of time to explicit instruction and independent reading in grades one
30 through three.

31 D. A pupil in grade three who does not meet or exceed the reading
32 standards measured by the ~~Arizona~~ instrument to measure standards test
33 administered pursuant to section 15-741 shall be provided intensive reading
34 instruction as defined by the state board of education until the pupil meets
35 these standards.

36 E. The governing board of each school district and the governing body
37 of each charter school shall determine the percentage of pupils at each
38 school in grade three who do not meet the reading standards prescribed by the
39 state board of education and measured by the ~~Arizona~~ instrument to measure
40 standards test administered pursuant to section 15-741. If more than twenty
41 per cent of students in grade three at either the individual school level or
42 at the school district level do not meet the standards, the governing board
43 or governing body shall conduct a review of its reading program that includes
44 curriculum and professional development in light of current, scientifically
45 based reading research.

1 F. Based on the review required in subsection E of this section, the
2 governing board or governing body and the school principal of each school
3 that does not meet the reading standards, in conjunction with school council
4 members, if applicable, shall develop methods of best practices for teaching
5 reading based on essential components of reading instruction and supported by
6 scientifically based reading research. These methods shall be adopted at a
7 public meeting and shall be implemented the following academic year.

8 G. Subsections E and F of this section shall be coordinated with
9 efforts to develop and implement an improvement plan if required pursuant to
10 section 15-241.

11 H. For the purposes of this section:

12 1. "Essential components of reading instruction" means explicit and
13 systematic instruction in the following:

- 14 (a) Phonemic awareness.
- 15 (b) Phonics.
- 16 (c) Vocabulary development.
- 17 (d) Reading fluency.
- 18 (e) Reading comprehension.

19 2. "Reading" means a complex system of deriving meaning from print
20 that requires all of the following:

- 21 (a) The skills and knowledge to understand how phonemes or speech
22 sounds are connected to print.
- 23 (b) The ability to decode unfamiliar words.
- 24 (c) The ability to read fluently.
- 25 (d) Sufficient background information and vocabulary to foster reading
26 comprehension.
- 27 (e) The development of appropriate active strategies to construct
28 meaning from print.
- 29 (f) The development and maintenance of a motivation to read.

30 3. "Scientifically based reading research" means research that meets
31 all of the following:

- 32 (a) Applies rigorous, systematic and objective procedures to obtain
33 valid knowledge relevant to reading development, reading instruction and
34 reading difficulties.
- 35 (b) Employs systematic empirical methods that draw on observation or
36 experiment.
- 37 (c) Involves rigorous data analyses that are adequate to test the
38 stated hypotheses and justify the general conclusions drawn.
- 39 (d) Relies on measurements or observational methods that provide valid
40 data across evaluators and observers and across multiple measurements and
41 observations.
- 42 (e) Has been accepted by a peer reviewed journal or approved by a
43 panel of independent experts through a comparably rigorous, objective and
44 scientific review.

1 (f) Contains all of the elements of the essential components of
2 reading instruction.

3 Sec. 8. Section 15-720.01, Arizona Revised Statutes, is amended to
4 read:

5 15-720.01. Mathematics or science achievement grant program:
6 criteria; report; fund; program termination

7 A. The mathematics or science achievement grant program is established
8 in the state board of education and shall be administered by the state board
9 of education. The purpose of the program is to promote improved pupil
10 achievement in mathematics or science by providing supplemental funding for
11 innovative mathematics or science programs.

12 B. The state board of education shall develop application procedures,
13 selection criteria and minimum performance standards. The state board of
14 education shall award mathematics or science achievement grants to school
15 districts and charter schools that demonstrate through specific performance
16 measures and supporting data that the proposed programs provide new and
17 innovative ways to increase pupils' mathematics or science skills. School
18 districts and charter schools may contract with a service provider. The
19 state board of education shall give priority to school districts and charter
20 schools that have low mathematics or science achievement scores as measured
21 by the ~~Arizona~~ instrument to measure standards test prescribed in section
22 15-741.

23 C. On or before December 15, the state board of education shall submit
24 an annual report concerning each grant recipient's mathematics or science
25 achievement program to the governor, the president of the senate, the speaker
26 of the house of representatives and the joint legislative budget committee.
27 The state board of education shall provide a copy of the report to the
28 secretary of state ~~and the director of the Arizona state library, archives~~
29 ~~and public records and the joint legislative budget committee~~. The state
30 board shall include an evaluation of the effectiveness of the program and a
31 comparison of the annual academic achievement of pupils in the grant
32 recipient's mathematics or science achievement program to pupils in
33 comparable schools that are not in the mathematics or science achievement
34 program.

35 D. The mathematics or science achievement program fund is established
36 consisting of monies appropriated for this purpose. The state board of
37 education shall administer the fund. Monies in the fund are exempt from the
38 provisions of section 35-190 relating to lapsing of appropriations. The
39 state board of education may retain up to five per cent of the monies
40 appropriated to the state board for the purposes of this section for costs
41 associated with administering the mathematics or science achievement grant
42 program.

43 E. The program established by this section ends on July 1, 2017
44 pursuant to section 41-3102.

1 Sec. 9. Section 15-741, Arizona Revised Statutes, is amended to read:
2 15-741. Assessment of pupils
3 A. The state board of education shall:
4 1. Adopt rules for purposes of this article pursuant to title 41,
5 chapter 6.
6 2. Adopt and implement an ~~Arizona~~ instrument to measure standards test
7 to measure pupil achievement of the state board adopted academic standards in
8 reading, writing and mathematics in at least four grades designated by the
9 board. THE GOVERNING BOARD OF A SCHOOL DISTRICT OR THE GOVERNING BODY OF A
10 CHARTER SCHOOL MAY OPT OUT, PURSUANT TO SECTIONS 15-701 AND 15-701.01, OF ANY
11 INSTRUMENT TO MEASURE STANDARDS TEST ADOPTED BY THE STATE BOARD OF EDUCATION.
12 The STATE board shall determine the manner of implementation. The STATE
13 board may administer assessments of the academic standards in social studies
14 and science, except that a pupil shall not be required to meet or exceed the
15 social studies or science standards measured by the ~~Arizona~~ instrument to
16 measure standards test.
17 3. Ensure that the tests prescribed in this section are ~~uniform~~
18 COMPARABLE BY DEVELOPING MECHANISMS TO COMPARE THE ACADEMIC PERFORMANCE OF
19 PUPILS WHO ARE ENROLLED IN SCHOOL DISTRICTS AND CHARTER SCHOOLS throughout
20 the state.
21 4. Ensure that the tests prescribed in this section are able to be
22 scored in an objective manner and that the tests are not intended to advocate
23 any sectarian, partisan or denominational viewpoint.
24 5. Include within its budget all costs pertaining to the tests
25 prescribed in this article. If sufficient monies are appropriated, the state
26 board may provide achievement test services to school districts that request
27 assistance in testing pupils in grades additional to those required by this
28 section.
29 6. Survey teachers, principals and superintendents on achievement
30 related nontest indicators, including information on graduation rates by
31 ethnicity and dropout rates by ethnicity for each grade level. Before the
32 survey, the state board of education shall approve at a public meeting the
33 nontest indicators on which data will be collected. In conducting the survey
34 and collecting data, the state board of education shall not violate the
35 provisions of the family educational rights and privacy act (P.L. 93-380), as
36 amended, nor disclose personally identifiable information.
37 7. Establish a fair and consistent method and standard by which test
38 scores from schools in a district may be evaluated taking into consideration
39 demographic data. The board shall establish intervention strategies to
40 assist schools with scores below the acceptable standard. The board shall
41 annually review district and school scores and shall offer assistance to
42 school districts in analyzing data and implementing intervention strategies.
43 The board shall use the adopted test and methods of data evaluation for a
44 period of at least ten years.

1 8. Participate in other assessments that provide national comparisons
2 as needed.

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

7 C. Local school district governing boards shall:

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

9 2. Survey teachers, principals and superintendents on achievement
10 related nontest indicator data as required by the state board, including
11 information related to district graduation and dropout rates. In conducting
12 the survey and collecting data, the governing board shall not violate the
13 provisions of the family educational rights and privacy act (P.L. 93-380), as
14 amended, nor disclose personally identifiable information.

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

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

20 Sec. 10. Section 15-743, Arizona Revised Statutes, is amended to read:

21 15-743. Test results; annual report

22 A. The state board of education shall provide annual reports for every
23 school and district and the state as a whole. The state board shall annually
24 submit these reports to school districts, the legislature and the county
25 school superintendents and shall make them available to the public. The
26 state board shall publish and distribute the reports by September 1 and shall
27 also provide a cumulative summary of the reports every five years. The
28 annual reports and cumulative summary results shall include:

29 1. Average and range scores on the ~~Arizona~~ instrument to measure
30 standards test.

31 2. Standardized test scores by subject area according to percentiles
32 and stanines for the school, school district, county, state and nation.

33 3. Achievement related nontest indicator data collected in the survey
34 of teachers, principals and superintendents as required by section 15-741,
35 including information related to dropout rates by ethnicity for each grade
36 level and graduation rates and postsecondary employment and education by
37 ethnicity. In reporting such data, the state board of education shall not
38 violate the provisions of the family educational rights and privacy act
39 (P.L. 93-380), as amended, nor disclose personally identifiable information.

40 4. The numbers of pupils who have completed the academic standards at
41 grades three, eight and twelve.

42 B. Test results on individual pupils shall not be made available to
43 the public by name or individually identifiable reference.

44 C. The state board shall provide a copy of the results from the tests
45 prescribed in section 15-741, subsection A for each school district to that

1 school district. No results may be released to the public until ten days
2 after the reports are provided to each school district.

3 D. The state board shall provide each school district participating in
4 the testing program with a copy of each pupil's standardized norm-referenced
5 test scores in reading, language arts and mathematics, and the associated
6 grade equivalents, percentiles and stanines for the school, school district,
7 county, state and nation, a report of pupil progress on an ongoing and annual
8 basis, showing the trends in gain or loss in pupil achievement over time in
9 reading, language arts and mathematics for all years in which pupils are
10 enrolled in the school district for an entire school year and for which this
11 information is available and a report of the pupil progress for pupils not
12 enrolled in a district for an entire school year. The state board shall also
13 provide each school district with each pupil's ~~Arizona~~ instrument to measure
14 standards test scores and the ~~Arizona~~ instrument to measure standards test
15 scores for the school, district, county and state.

16 E. The school district shall provide a parent or guardian of each
17 pupil participating in the standardized norm-referenced testing part of the
18 program with a copy of the pupil's score in reading, language arts and
19 mathematics, and the percentiles and stanines. The school district shall
20 provide a parent or guardian of each pupil with a copy of the pupil's scores
21 on the ~~Arizona~~ instrument to measure standards test and the associated scores
22 for the school, district, county and state. The school district shall make
23 available to the public through the reports those scores for each school in
24 the district and for the school district, county, state and nation.

25 F. Each pupil's ~~Arizona~~ instrument to measure standards test results
26 for grade twelve shall be recorded on the pupil's high school transcript.
27 The state board of education shall prescribe the format for recording ~~Arizona~~
28 instrument to measure standards test results on high school transcripts.

29 Sec. 11. Section 15-746, Arizona Revised Statutes, is amended to read:
30 ~~15-746.~~ School report cards

31 A. Each school shall distribute an annual report card that contains at
32 least the following information:

33 1. A description of the school's regular, magnet and special
34 instructional programs.

35 2. A description of the current academic goals of the school.

36 3. A summary of the results achieved by pupils enrolled at the school
37 during the prior three school years as measured by the ~~Arizona~~ instrument to
38 measure standards test and the nationally standardized norm-referenced
39 achievement test as designated by the state board and as reported in the
40 annual report prescribed by section 15-743, a summary of the pupil progress
41 on an ongoing and annual basis, showing the trends in gain or loss in pupil
42 achievement over time in reading, language arts and mathematics for all years
43 in which pupils are enrolled in the school district for an entire school year
44 and for which this information is available and a summary of the pupil
45 progress for pupils not enrolled in a district for an entire school year.

1 4. The school's current expenditures per pupil for classroom supplies,
2 classroom instruction excluding classroom supplies, administration, support
3 services-students, and all other support services and operations. The
4 current expenditures per pupil by school shall include allocation of the
5 district-wide expenditures to each school, as provided by the district. The
6 report shall include a comparison of the school to the state amount for a
7 similar type of district as calculated in section 15-255. The method of
8 calculating these per pupil amounts and the allocation of expenditures shall
9 be as prescribed in the uniform system of financial records.

10 5. The attendance rate of pupils enrolled at the school as reflected
11 in the school's average daily membership as defined in section 15-901.

12 6. The total number of incidents that occurred on the school grounds,
13 at school bus stops, on school buses and at school-sponsored events and that
14 required the contact of a local, county, tribal, state or federal law
15 enforcement officer pursuant to section 13-3411, subsection F, section
16 13-3620, section 15-341, subsection A, paragraph 31 or section 15-515. The
17 total number of incidents reported shall only include reports that law
18 enforcement officers report to the school are supported by probable cause.
19 For the purposes of this paragraph, a certified peace officer who serves as a
20 school resource officer is a law enforcement officer. A school may provide
21 clarifying information if the school has a school resource officer on campus.

22 7. The percentage of pupils who have either graduated to the next
23 grade level or graduated from high school.

24 8. A description of the social services available at the school site.

25 9. The school calendar, including the length of the school day and
26 hours of operations.

27 10. The total number of pupils enrolled at the school during the
28 previous school year.

29 11. The transportation services available.

30 12. Beginning in the 2000-2001 school year and until July 1, 2006, the
31 reading instruction programs used by the school for kindergarten programs and
32 grades one, two and three, pursuant to section 15-704. The report card shall
33 include a district comparison of test scores among the different programs of
34 reading instruction and shall identify the program of reading instruction
35 used in each classroom.

36 13. A description of the responsibilities of parents of children
37 enrolled at the school.

38 14. A description of the responsibilities of the school to the parents
39 of the children enrolled at the school, including dates the report cards are
40 delivered to the home.

41 15. A description of the composition and duties of the school council
42 as prescribed in section 15-351 if such a school council exists.

43 16. For the most recent year available, the average current expenditure
44 per pupil for administrative functions compared to the predicted average
45 current expenditure per pupil for administrative functions according to an

1 analysis of administrative cost data by the joint legislative budget
 2 committee staff.

3 17. If the school provides instruction to pupils in kindergarten
 4 programs and grades one through three, the ratio of pupils to teachers in
 5 each classroom where instruction is provided in kindergarten programs and
 6 grades one through three.

7 18. The average class size per grade level for all grade levels,
 8 kindergarten programs and grades one through eight. For the purposes of this
 9 paragraph, "average class size" means the weighted average of each class.

10 B. The department of education shall develop a standardized report
 11 card format that meets the requirements of subsection A of this section. The
 12 department shall modify the standardized report card as necessary on an
 13 annual basis. The department shall distribute to each school in this state a
 14 copy of the standardized report card that includes the required test scores
 15 for each school. Additional copies of the standardized report card shall be
 16 available on request.

17 C. After each school has completed the report card distributed to it
 18 by the department of education, the school, in addition to distributing the
 19 report card as prescribed in subsection A of this section, shall send a copy
 20 of the report card to the department. The department shall prepare an annual
 21 report that contains the report card from each school in this state.

22 D. The school shall distribute report cards to parents of pupils
 23 enrolled at the school, no later than the last day of school of each fiscal
 24 year, and shall present a summary of the contents of the report cards at an
 25 annual public meeting held at the school. The school shall give notice at
 26 least two weeks before the public meeting that clearly states the purposes,
 27 time and place of the meeting.

28 Sec. 12. Section 15-763, Arizona Revised Statutes, is amended to read:
 29 15-763. Plan for providing special education; definition

30 A. All school districts and charter schools shall develop policies and
 31 procedures for providing special education to all children with disabilities
 32 within the district or charter school. All children with disabilities shall
 33 receive special education programming commensurate with their abilities and
 34 needs. Each child shall be ensured access to the general curriculum and an
 35 opportunity to meet the state's academic standards. Pupils who receive
 36 special education shall not be required to achieve passing scores on the
 37 ~~Arizona~~ instrument to measure standards test in order to graduate from high
 38 school unless the pupil is learning at a level appropriate for the pupil's
 39 grade level in a specific academic area and unless a passing score on the
 40 ~~Arizona~~ instrument to measure standards test is specifically required in a
 41 specific academic area by the pupil's individualized education program as
 42 mutually agreed on by the pupil's parents and the pupil's individualized
 43 education program team or the pupil, if the pupil is at least eighteen years
 44 of age. The pupil's individualized education program shall include any

1 necessary testing accommodations. Special education services shall be
2 provided at no cost to the parents of children with disabilities.

3 B. The state board of education shall adopt guidelines to define a
4 parent's or guardian's role or a pupil's role, if the pupil is at least
5 eighteen years of age, in the development of a pupil's section 504 plan as
6 defined in section 15-731, including testing and testing accommodations.

7 C. For the purposes of determining the services to pupils served by
8 private schools under existing federal law, the state shall consider the term
9 to include homeschooled pupils.

10 D. If federal monies are provided to a school district or a charter
11 school for special education services to homeschooled or private schooled
12 pupils, the school district or charter school shall provide the services to
13 both the homeschooled pupils and the private schooled pupils in the same
14 manner.

15 E. For the purposes of this section, "special education" has the same
16 meaning prescribed in section 15-1201.

17 Sec. 13. Section 15-792.02, Arizona Revised Statutes, is amended to
18 read:

19 15-792.02. Board examination system; private contractor; duties

20 A. The state board of education shall select and enter into a
21 five-year agreement with a private organization to operate and administer the
22 board examination system prescribed in this article.

23 B. The private organization selected by the state board of education
24 shall:

25 1. Identify, select and collaborate with a national organization that
26 is devoted to issues concerning education and the economy and that is
27 selected by the state board of education to provide technical services to
28 develop and maintain an interstate system of approved board examination
29 systems.

30 2. Provide data and other information to a national organization that
31 is devoted to issues concerning education and the economy and that is
32 selected by the state board of education to provide technical services the
33 national organization deems necessary to set appropriate performance
34 standards for the students in this state. The department of education shall
35 provide data and other information to the private organization.

36 3. Conduct technical studies required by the state board of education
37 to compare the scores on approved board examinations by the students in this
38 state to scores on the ~~Arizona~~ instrument to measure standards test and other
39 measures deemed necessary to ensure the efficacy of the approved board
40 examinations. The private organization may contract with other entities that
41 are selected by the state board of education for the purpose of conducting
42 technical studies.

43 4. In cooperation with the superintendent of public instruction and
44 the state board of education, solicit monies from all lawful private and

1 public sources, including federal monies, to offset the costs of instruction
2 provided to students under this article.

3 5. Exercise general supervision over the implementation of the
4 approved board examination systems in this state for the duration of the
5 five-year contract. These examination systems shall meet the following
6 criteria:

7 (a) Appear on a list of approved board examination systems selected by
8 the interstate compact.

9 (b) Be periodically evaluated to ensure alignment with internationally
10 benchmarked standards selected by an interstate compact on board examination
11 systems.

12 (c) Have common passing scores that are prescribed by an interstate
13 compact on board examination systems and that are set to the level of skills
14 and knowledge needed to succeed in college-level courses offered by community
15 colleges in this state that count toward a degree or certificate without
16 taking remedial or developmental coursework. The private organization, on
17 approval of the state board of education and with input from representatives
18 from school districts, charter schools, community colleges and universities
19 in this state, shall designate two individuals to represent this state in an
20 interstate compact on board examination systems to prescribe the common
21 passing scores prescribed in this subdivision.

22 6. Prepare an annual report for the state board of education, which
23 shall forward it to the legislature and the governor, on the progress made
24 toward the goals established in this article and provide copies to the
25 secretary of state. Participating schools and the department of education
26 shall provide data to the private organization as needed in order to complete
27 the annual report.

28 7. Identify, select and represent this state on the national governing
29 body of an interstate compact on board examination systems, as approved by
30 the state board of education, to enable states to collaborate in the
31 following areas:

32 (a) The selection of board examination systems for use in those
33 states.

34 (b) Providing technical assistance required to implement the board
35 examination systems effectively in those states for the use of those
36 examinations.

37 (c) Entering into contracts with board examination system providers or
38 with a national organization that is devoted to issues concerning education
39 and the economy to develop new or improved board examination systems.

40 8. Select this state's representatives in an interstate compact on
41 board examination systems in accordance with policies prescribed by that
42 interstate compact.

43 C. The state board of education shall adopt rules to carry out the
44 purposes of this section and shall select college and career ready
45 examinations that are available to pupils in grade eight, including those

1 pupils who intend to participate in the board examinations system in high
2 school. The examinations shall be selected to provide data to pupils, their
3 families and schools regarding the pupil's level of preparation for entry
4 into a college and career ready pathway in high school.

5 D. Pursuant to rules adopted by the state board of education, the
6 department of education shall develop a system to track the academic progress
7 of pupils who participate in the board examination system.

8 E. All actions taken pursuant to this section shall comply with the
9 family educational rights and privacy act of 1974 (P.L. 93-380), as amended.

10 Sec. 14. Section 15-977, Arizona Revised Statutes, is amended to read:
11 [15-977. Classroom site fund; definitions](#)

12 A. The classroom site fund is established consisting of monies
13 transferred to the fund pursuant to section 37-521, subsection B and section
14 42-5029, subsection E, paragraph 10. The department of education shall
15 administer the fund. School districts and charter schools may not supplant
16 existing school site funding with revenues from the fund. All monies
17 distributed from the fund are intended for use at the school site. Each
18 school district or charter school shall allocate forty per cent of the monies
19 for teacher compensation increases based on performance and employment
20 related expenses, twenty per cent of the monies for teacher base salary
21 increases and employment related expenses and forty per cent of the monies
22 for maintenance and operation purposes as prescribed in subsection H of this
23 section. Teacher compensation increases based on performance or teacher base
24 salary increases distributed pursuant to this subsection shall supplement,
25 and not supplant, teacher compensation monies from any other sources. The
26 school district or charter school shall notify each school principal of the
27 amount available to the school by April 15 of each year. The district or
28 charter school shall request from the school's principal each school's
29 priority for the allocation of the funds available to the school for each
30 program listed under subsection H of this section. The amount budgeted by
31 the school district or charter school pursuant to this section shall not be
32 included in the allowable budget balance carryforward calculated pursuant to
33 section 15-943.01.

34 B. A school district governing board must adopt a performance based
35 compensation system at a public hearing to allocate funding from the
36 classroom site fund pursuant to subsection A of this section. Beginning in
37 school year 2014-2015, individual teacher performance as measured by the
38 teacher's performance classification pursuant to section 15-203, subsection
39 A, paragraph 38 shall be a component of the school district's portion of the
40 forty per cent allocation for teacher compensation based on performance and
41 employment related expenses.

42 C. A school district governing board shall vote on a performance based
43 compensation system that includes the following elements:

- 44 1. School district performance and school performance.

1 2. Individual teacher performance as measured by the teacher's
2 performance classification pursuant to section 15-203, subsection A,
3 paragraph 38. Beginning in school year 2014-2015, the individual teacher
4 performance component shall account for thirty-three per cent of the forty
5 per cent allocation for teacher compensation based on performance and
6 employment related expenses.

7 3. Measures of academic progress toward the academic standards adopted
8 by the state board of education.

9 4. Other measures of academic progress.

10 5. Dropout or graduation rates.

11 6. Attendance rates.

12 7. Ratings of school quality by parents.

13 8. Ratings of school quality by students.

14 9. The input of teachers and administrators.

15 10. Approval of the performance based compensation system based on an
16 affirmative vote of at least seventy per cent of the teachers eligible to
17 participate in the performance based compensation system.

18 11. An appeals process for teachers who have been denied performance
19 based compensation.

20 12. Regular evaluation for effectiveness, which shall comply by fiscal
21 year 2014-2015 with section 15-203, subsection A, paragraph 38.

22 D. A performance based compensation system shall include teacher
23 professional development programs that are aligned with the elements of the
24 performance based compensation system.

25 E. A school district governing board may modify the elements contained
26 in subsection C of this section and consider additional elements when
27 adopting a performance based compensation system. A school district
28 governing board shall adopt any modifications or additional elements and
29 specify the criteria used at a public hearing.

30 F. Until December 31, 2009, each school district shall develop an
31 assessment plan for its performance based compensation system and submit the
32 plan to the department of education by December 31 of each year. A copy of
33 the performance based compensation system and assessment plan adopted by the
34 school district governing board shall be included in the report submitted to
35 the department of education.

36 G. Monies in the fund are continuously appropriated, are exempt from
37 the provisions of section 35-190 relating to lapsing of appropriations and
38 shall be distributed as follows:

39 1. By March 30 of each year, the staff of the joint legislative budget
40 committee shall determine a per pupil amount from the fund for the budget
41 year using the estimated statewide weighted count for the current year
42 pursuant to section 15-943, paragraph 2, subdivision (a) and based on
43 estimated available resources in the classroom site fund for the budget year
44 adjusted for any prior year carryforward or shortfall.

1 2. The allocation to each charter school and school district for a
2 fiscal year shall equal the per pupil amount established in paragraph 1 of
3 this subsection for the fiscal year multiplied by the weighted student count
4 for the school district or charter school for the fiscal year pursuant to
5 section 15-943, paragraph 2, subdivision (a). For the purposes of this
6 paragraph, the weighted student count for a school district that serves as
7 the district of attendance for nonresident pupils shall be increased to
8 include nonresident pupils who attend school in the school district.

9 H. Monies distributed from the classroom site fund shall be spent for
10 the following maintenance and operation purposes:

- 11 1. Class size reduction.
- 12 2. Teacher compensation increases.
- 13 3. ~~AIMS~~ INSTRUMENT TO MEASURE STANDARDS TEST intervention programs.
- 14 4. Teacher development.
- 15 5. Dropout prevention programs.
- 16 6. Teacher liability insurance premiums.

17 I. The district governing board or charter school shall allocate the
18 classroom site fund monies to include, wherever possible, the priorities
19 identified by the principals of the schools while assuring that the funds
20 maximize classroom opportunities and conform to the authorized expenditures
21 identified in subsection A of this section.

22 J. School districts and charter schools that receive monies from the
23 classroom site fund shall submit a report by November 15 of each year to the
24 superintendent of public instruction that provides an accounting of the
25 expenditures of monies distributed from the fund during the previous fiscal
26 year and a summary of the results of district and school programs funded with
27 monies distributed from the fund. The department of education in conjunction
28 with the auditor general shall prescribe the format of the report under this
29 subsection.

30 K. School districts and charter schools that receive monies from the
31 classroom site fund shall receive these monies monthly in an amount not to
32 exceed one-twelfth of the monies estimated pursuant to subsection G of this
33 section, except that if there are insufficient monies in the fund that month
34 to make payments, the distribution for that month shall be prorated for each
35 school district or charter school. The department of education may make an
36 additional payment in the current month for any prior month or months in
37 which school districts or charter schools received a prorated payment if
38 there are sufficient monies in the fund that month for the additional
39 payments. The state is not required to make payments to a school district or
40 charter school classroom site fund if the state classroom site fund revenue
41 collections are insufficient to meet the estimated allocations to school
42 districts and charter schools pursuant to subsection G of this section.

43 L. The state education system for committed youth shall receive monies
44 from the classroom site fund in the same manner as school districts and
45 charter schools. The Arizona state schools for the deaf and the blind shall

1 receive monies from the classroom site fund in an amount that corresponds to
2 the weighted student count for the current year pursuant to section 15-943,
3 paragraph 2, subdivision (b) for each pupil enrolled in the Arizona state
4 schools for the deaf and the blind. Except as otherwise provided in this
5 subsection, the Arizona state schools for the deaf and the blind and the
6 state education system for committed youth are subject to this section in the
7 same manner as school districts and charter schools.

8 M. Each school district and charter school, including school districts
9 that unify pursuant to section 15-448 or consolidate pursuant to section
10 15-459, shall establish a local level classroom site fund to receive
11 allocations from the state level classroom site fund. The local level
12 classroom site fund shall be a budgetary controlled account. Interest
13 charges for any registered warrants for the local level classroom site fund
14 shall be a charge against the local level classroom site fund. Interest
15 earned on monies in the local level classroom site fund shall be added to the
16 local level classroom site fund as provided in section 15-978. This state
17 shall not be required to make payments to a school district or charter school
18 local level classroom site fund that are in addition to monies transferred to
19 the state level classroom site fund pursuant to section 37-521, subsection B
20 and section 42-5029, subsection E, paragraph 10.

21 N. Monies distributed from the classroom site fund for class size
22 reduction, ~~AIMS INSTRUMENT TO MEASURE STANDARDS TEST~~ intervention and dropout
23 prevention programs shall only be used for instructional purposes in the
24 instruction function as defined in the uniform system of financial records,
25 except that monies shall not be used for school sponsored athletics.

26 O. For the purposes of this section:

27 ~~1. "AIMS intervention" means summer programs, after school programs,~~
28 ~~before school programs or tutoring programs that are specifically designed to~~
29 ~~ensure that pupils meet the Arizona academic standards as measured by the~~
30 ~~Arizona instrument to measure standards test prescribed by section 15-741.~~

31 ~~2.~~ 1. "Class size reduction" means any maintenance and operations
32 expenditure that is designed to reduce the ratio of pupils to classroom
33 teachers, including the use of persons who serve as aides to classroom
34 teachers.

35 2. "INSTRUMENT TO MEASURE STANDARDS TEST INTERVENTION" MEANS SUMMER
36 PROGRAMS, AFTER SCHOOL PROGRAMS, BEFORE SCHOOL PROGRAMS OR TUTORING PROGRAMS
37 THAT ARE SPECIFICALLY DESIGNED TO ENSURE THAT PUPILS MEET ACADEMIC STANDARDS
38 AS MEASURED BY THE INSTRUMENT TO MEASURE STANDARDS TEST PRESCRIBED BY SECTION
39 15-741.

40 Sec. 15. Section 15-1805.01, Arizona Revised Statutes, is amended to
41 read:

42 15-1805.01. Admissions; enrollments; community colleges

43 A. Admissions to the community colleges in this state may be granted
44 to any person who meets any one of the following criteria:

1 1. Is a graduate of a high school that is accredited by a regional
2 accrediting association as defined by the United States office of education
3 or approved by a state board of education or other appropriate state
4 educational agency.
5 2. Has a high school certificate of equivalency.
6 3. Is at least eighteen years of age and demonstrates evidence of
7 potential success in the community college.
8 4. Is a transfer student in good standing from another college or
9 university.
10 B. Each community college district shall adopt policies regarding the
11 admission of students under eighteen years of age that include, at a minimum,
12 student completion of course prerequisites and the following requirements:
13 1. Admission to the community colleges in this state shall be granted
14 to any student who is under eighteen years of age and who achieves one of the
15 following:
16 (a) A composite score of 93 or more on the preliminary scholastic
17 aptitude test.
18 (b) A composite score of 930 or more on the scholastic aptitude test.
19 (c) A composite score of twenty-two or more on the American college
20 test.
21 (d) A passing score on the relevant portions of the ~~Arizona~~ instrument
22 to measure standards test.
23 (e) The completion of a college placement test designated by the
24 community college district that indicates the student is at the appropriate
25 college level for the course.
26 (f) Is a graduate of a private or public high school or has a high
27 school certificate of equivalency.
28 2. A community college may limit the number of semester hours in which
29 the student may enroll to not more than six credit hours.
30 C. Homeschooled students are exempt from subsection B of this section.
31 D. Students who enroll in vocational courses may be admitted on an
32 individual basis with the approval of college officials if the student meets
33 the established requirements of the courses for which the student enrolls and
34 the college officials determine that the student's admission is in the best
35 interest of the student.
36 Sec. 16. Conforming legislation
37 The legislative council staff shall prepare proposed legislation
38 conforming the Arizona Revised Statutes to the provisions of this act for
39 consideration in the fifty-second legislature, first regular session.