

State of Arizona
Senate
Fifty-second Legislature
First Regular Session
2015

CHAPTER 145
SENATE BILL 1093

AN ACT

AMENDING SECTION 15-701.01, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2015, CHAPTER 1, SECTION 1; AMENDING SECTION 15-808, ARIZONA REVISED STATUTES; RELATING TO SCHOOL CURRICULUM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-701.01, Arizona Revised Statutes, as amended
3 by Laws 2015, chapter 1, section 1, is amended to read:

4 15-701.01. High school; graduation; requirements; community
5 college or university courses; transfer from
6 private schools; academic credit

7 A. The state board of education shall:

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

11 2. Prescribe competency requirements for the graduation of pupils from
12 high school incorporating the academic standards in at least the areas of
13 reading, writing, mathematics, science and social studies. The academic
14 standards prescribed by the state board of education in social studies shall
15 include personal finance. This paragraph does not allow the state board of
16 education to establish a required separate personal finance course for the
17 purpose of the graduation of pupils from high school. Beginning in the
18 2016-2017 school year, the competency requirements for social studies shall
19 include a requirement that, in order to graduate from high school or obtain a
20 high school equivalency diploma, a pupil must correctly answer at least sixty
21 of the one hundred questions listed on a test that is identical to the civics
22 portion of the naturalization test used by the United States citizenship and
23 immigration services. A district school or charter school shall document on
24 the pupil's transcript that the pupil has passed a test that is identical to
25 the civics portion of the naturalization test used by the United States
26 citizenship and immigration services as required by this section.

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

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

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

33 2. Prescribe criteria for the graduation of pupils from the high
34 schools in the school district. These criteria shall include accomplishment
35 of the academic standards in at least reading, writing, mathematics, science
36 and social studies, as determined by district assessment. Other criteria may
37 include additional measures of academic achievement and attendance. Pursuant
38 to the prescribed graduation requirements adopted by the state board of
39 education, the governing board may approve a rigorous computer science course
40 that would fulfill a mathematics course required for graduation from high
41 school. The governing board may approve a rigorous computer science course
42 only if the rigorous computer science course includes significant mathematics
43 content and the governing board determines the high school where the rigorous
44 computer science course is offered has sufficient capacity, infrastructure
45 and qualified staff, including competent teachers of computer science. The
46 school district governing board or charter school governing body may

1 determine the method and manner in which to administer a test that is
2 identical to the civics portion of the naturalization test used by the United
3 States citizenship and immigration services. A pupil who does not obtain a
4 passing score on the test that is identical to the civics portion of the
5 naturalization test may retake the test until the pupil obtains a passing
6 score.

7 C. The governing board may prescribe the course of study and
8 competency requirements for the graduation of pupils from high school that
9 are in addition to or higher than the course of study and competency
10 requirements that the state board prescribes.

11 D. The governing board may prescribe competency requirements for the
12 passage of pupils in courses that are required for graduation from high
13 school.

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

20 F. Graduation requirements established by the governing board may be
21 met by a pupil who passes courses in the required or elective subjects at a
22 community college or university, if the course is at a higher level than the
23 course taught in the high school attended by the pupil or, if the course is
24 not taught in the high school, the level of the course is equal to or higher
25 than the level of a high school course. The governing board shall determine
26 if the subject matter of the community college or university course is
27 appropriate to the specific requirement the pupil intends it to fulfill and
28 if the level of the community college or university course is less than,
29 equal to or higher than a high school course, and the governing board shall
30 award one-half of a carnegie unit for each three semester hours of credit the
31 pupil earns in an appropriate community college or university course. If a
32 pupil is not satisfied with the decision of the governing board regarding the
33 amount of credit granted or the subjects for which credit is granted, the
34 pupil may request that the state board of education review the decision of
35 the governing board, and the state board shall make the final determination
36 of the amount of credit to be given the pupil and for which subjects. The
37 governing board shall not limit the number of credits that is required for
38 high school graduation and that may be met by taking community college or
39 university courses. For the purposes of this subsection:

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

44 2. "University" means a university under the jurisdiction of the
45 Arizona board of regents.

1 G. A pupil who transfers from a private school shall be provided with
2 a list that indicates those credits that have been accepted and denied by the
3 school district. A pupil may request to take an examination in each
4 particular course in which credit has been denied. The school district shall
5 accept the credit for each particular course in which the pupil takes an
6 examination and receives a passing score on a test designed and evaluated by
7 a teacher in the school district who teaches the subject matter on which the
8 examination is based. In addition to the above requirements, the governing
9 board of a school district may prescribe requirements for the acceptance of
10 the credits of pupils who transfer from a private school.

11 H. If a pupil who was previously enrolled in a charter school or
12 school district enrolls in a school district in this state, the school
13 district shall accept credits earned by the pupil in courses or instructional
14 programs at the charter school or school district. The governing board of a
15 school district may adopt a policy concerning the application of transfer
16 credits for the purpose of determining whether a credit earned by a pupil who
17 was previously enrolled in a school district or charter school will be
18 assigned as an elective or core credit.

19 I. A pupil who transfers ~~CREDIT~~ from a charter school ~~or~~, school
20 district ~~OR ARIZONA ONLINE INSTRUCTION~~ shall be provided with a list that
21 indicates which credits have been accepted as an elective credit and which
22 credits have been accepted as a core credit by the school district ~~OR CHARTER~~
23 ~~SCHOOL~~. Within ten school days after receiving the list, a pupil may request
24 to take an examination in each particular course in which core credit has
25 been denied. The school district ~~OR CHARTER SCHOOL~~ shall accept the credit
26 as a core credit for each particular course in which the pupil takes an
27 examination and receives a passing score on a test, ~~ALIGNED TO THE COMPETENCY~~
28 ~~REQUIREMENTS ADOPTED PURSUANT TO THIS SECTION~~, designed and evaluated by a
29 teacher in the school district ~~OR CHARTER SCHOOL~~ who teaches the subject
30 matter on which the examination is based.

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

35 K. Pupils who earn a Grand Canyon diploma pursuant to article 6 of
36 this chapter are exempt from the graduation requirements prescribed in this
37 section. Pupils who earn a Grand Canyon diploma are entitled to all the
38 rights and privileges of persons who graduate with a high school diploma
39 issued pursuant to this section, including access to postsecondary
40 scholarships and other forms of student financial aid and access to all forms
41 of postsecondary education. Notwithstanding any other law, a pupil who is
42 eligible for a Grand Canyon diploma may elect to remain in high school
43 through grade twelve and shall not be prevented from enrolling at a high
44 school after the pupil becomes eligible for a Grand Canyon diploma. A pupil
45 who is eligible for a Grand Canyon diploma and who elects not to pursue one
46 of the options prescribed in section 15-792.03 may only be readmitted to that

1 high school or another high school in this state pursuant to policies adopted
2 by the school district of readmission.

3 Sec. 2. Section 15-808, Arizona Revised Statutes, is amended to read:
4 15-808. Arizona online instruction; reports; definitions

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

12 1. The depth and breadth of curriculum choices.

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

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

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

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

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

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

29 8. The services offered to populations with developmental
30 disabilities.

31 9. The grade levels that will be served.

32 B. Each new school that provides online instruction shall provide
33 online instruction on a probationary status. After a new school that
34 provides online instruction has clearly demonstrated the academic integrity
35 of its instruction through the actual improvement of the academic performance
36 of its students, the school may apply to be removed from probationary status.
37 The state board of education or the state board for charter schools shall
38 remove from Arizona online instruction any probationary school that fails to
39 clearly demonstrate improvement in academic performance within three years
40 measured against goals in the approved application and the state's
41 accountability system. The state board of education and the state board for
42 charter schools shall review the effectiveness of each participating school
43 and other information that is contained in the annual report prescribed in
44 subsection D of this section. All pupils who participate in Arizona online
45 instruction shall reside in this state. Pupils who participate in Arizona
46 online instruction are subject to the testing requirements prescribed in

1 chapter 7, article 3 of this title. On enrollment, the school shall notify
2 the parents or guardians of the pupil of the state testing requirements. If
3 a pupil fails to comply with the testing requirements and the school
4 administers the tests pursuant to this subsection to less than ninety-five
5 ~~per cent~~ PERCENT of the pupils in Arizona online instruction, the pupil shall
6 not be allowed to participate in Arizona online instruction.

7 C. The state board of education and the state board for charter
8 schools shall develop annual reporting mechanisms for schools that
9 participate in Arizona online instruction.

10 D. The department of education shall compile the information submitted
11 in the annual reports by schools participating in Arizona online instruction.
12 The department of education shall submit the compiled report to the governor,
13 the speaker of the house of representatives and the president of the senate
14 by November 15 of each year.

15 E. Each school selected for Arizona online instruction shall ensure
16 that a daily log is maintained for each pupil who participates in Arizona
17 online instruction. The daily log shall describe the amount of time spent by
18 each pupil participating in Arizona online instruction pursuant to this
19 section on academic tasks. The daily log shall be used by the school
20 district or charter school to qualify the pupils who participate in Arizona
21 online instruction in the school's average daily attendance calculations
22 pursuant to subsection F of this section.

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

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

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

16 2. A pupil who is enrolled part-time in Arizona online instruction
17 shall be funded for online instruction at eighty-five ~~per cent~~ PERCENT of the
18 base support level that would be calculated for that pupil if that pupil were
19 enrolled as a part-time student in a school district or charter school that
20 does not participate in Arizona online instruction. Charter additional
21 assistance and district additional assistance shall be calculated in the same
22 manner they would be calculated if the student were enrolled in a district or
23 charter school that does not participate in Arizona online instruction.

24 G. If the academic achievement of a pupil declines while the pupil is
25 participating in Arizona online instruction, the pupil's parents, the pupil's
26 teachers and the principal or head teacher of the school shall confer to
27 evaluate whether the pupil should be allowed to continue to participate in
28 Arizona online instruction.

29 H. To ensure the academic integrity of pupils who participate in
30 online instruction, Arizona online instruction shall include multiple diverse
31 assessment measures and the proctored administration of required state
32 standardized tests.

33 I. A SCHOOL DISTRICT OR CHARTER SCHOOL MAY NOT CHARGE A FEE TO A PUPIL
34 WHO TAKES AN EXAMINATION IN A PARTICULAR COURSE TO OBTAIN ACADEMIC CREDIT,
35 PURSUANT TO SECTION 15-701.01, SUBSECTION I, FROM THE SCHOOL DISTRICT OR
36 CHARTER SCHOOL IF THE ACADEMIC CREDIT FOR A COURSE WAS PREVIOUSLY EARNED IN
37 AN ARIZONA ONLINE INSTRUCTION COURSE OR AT ANY PUBLIC SCHOOL IN THIS STATE.
38 ANY TEST ADMINISTERED PURSUANT TO THIS SUBSECTION SHALL BE AN ASSESSMENT THAT
39 IS ALIGNED TO THE COURSE RELEVANT STATE ACADEMIC STANDARDS.

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

41 1. "Full-time student" means:

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

45 (b) A student who is at least six years of age before September 1 of a
46 school year, who has not graduated from the highest grade taught in the

1 school and who is regularly enrolled in a course of study required by the
2 state board of education. For first, second and third grade students, the
3 instructional program shall meet at least seven hundred twelve hours. For
4 fourth, fifth and sixth grade students, the instructional program shall meet
5 at least eight hundred ninety hours during the school year.

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

10 (d) For high schools, a student not graduated from the highest grade
11 taught in the school district, or an ungraded student at least fourteen years
12 of age on or before September 1, and who is enrolled in at least four courses
13 throughout the year that meet at least nine hundred hours during the school
14 year. A full-time student shall not be counted more than once for
15 computation of average daily membership.

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

21 3. "Online school" means a school that provides at least four online
22 academic courses or one or more online courses for the equivalent of at least
23 five hours each day for one hundred eighty school days and that is a charter
24 school that is sponsored by the state board for charter schools or a
25 traditional public school that is selected by the state board of education to
26 participate in Arizona online instruction.

27 4. "Part-time student" means:

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

33 (b) A part-time student of seventy-five ~~per cent~~ PERCENT average daily
34 membership shall be enrolled in at least three subjects throughout the year
35 that offer for first, second and third grade students at least five hundred
36 thirty-four instructional hours in a school year and for fourth, fifth and
37 sixth grade students at least six hundred sixty-eight instructional hours in
38 a school year. A part-time student of fifty ~~per cent~~ PERCENT average daily
39 membership shall be enrolled in at least two subjects throughout the year
40 that offer for first, second and third grade students at least three hundred
41 fifty-six instructional hours in a school year and for fourth, fifth and
42 sixth grade students at least four hundred forty-five instructional hours in
43 a school year. A part-time student of twenty-five ~~per cent~~ PERCENT average
44 daily membership shall be enrolled in at least one subject throughout the
45 year that offers for first, second and third grade students at least one
46 hundred seventy-eight instructional hours in a school year and for fourth,

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

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

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

APPROVED BY THE GOVERNOR APRIL 1, 2015.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 2, 2015.