

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

CHAPTER 147
SENATE BILL 1117

AN ACT

AMENDING SECTION 15-808, ARIZONA REVISED STATUTES; RELATING TO ONLINE INSTRUCTION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

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

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

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

13 1. The depth and breadth of curriculum choices.

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

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

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

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

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

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

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

32 9. The grade levels that will be served.

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

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

9 C. The state board of education and ~~the state board for charter~~
10 ~~schools~~ STATE-APPROVED CHARTER AUTHORIZERS shall develop annual reporting
11 mechanisms for schools that participate in Arizona online instruction.

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

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

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

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

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

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

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

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

35 I. For the purposes of this section:

36 1. "Full-time student" means:

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

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

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

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

11 2. "Online course provider" means a school other than an online school
12 that is selected by the state board of education or ~~the state board for~~
13 ~~charter schools~~ A STATE-APPROVED CHARTER AUTHORIZER to participate in Arizona
14 online instruction pursuant to this section and that provides at least one
15 online academic course that is approved by the state board of education.

16 3. "Online school" means a school that provides at least four online
17 academic courses or one or more online courses for the equivalent of at least
18 five hours each day for one hundred eighty school days and that is a charter
19 school that is sponsored by ~~the state board for charter schools~~ A
20 STATE-APPROVED CHARTER AUTHORIZER or a ~~traditional~~ DISTRICT public school
21 that is selected by the state board of education to participate in Arizona
22 online instruction.

23 4. "Part-time student" means:

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

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

45 (c) For seventh and eighth grade students, a part-time student of
46 seventy-five ~~per cent~~ PERCENT average daily membership shall be enrolled in

1 at least three subjects throughout the year that offer at least eight hundred
2 one instructional hours in a school year. A part-time student of fifty
3 ~~per-cent~~ PERCENT average daily membership shall be enrolled in at least two
4 subjects throughout the year that offer at least five hundred thirty-four
5 instructional hours in a school year. A part-time student of twenty-five
6 ~~per-cent~~ PERCENT average daily membership shall be enrolled in at least one
7 subject throughout the year that offers at least two hundred sixty-seven
8 instructional hours in a school year.

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

19 5. "STATE-APPROVED CHARTER AUTHORIZER" MEANS ANY CHARTER SCHOOL
20 SPONSOR AUTHORIZED PURSUANT TO SECTION 15-183.

APPROVED BY THE GOVERNOR APRIL 1, 2015.

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