Senate Bill 1255

AN ACT

AMENDING SECTION 15-203, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 7, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 6.1; RELATING TO COMPETENCY BASED EDUCATIONAL PATHWAYS.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 15-203, Arizona Revised Statutes, is amended to read:

15-203. Powers and duties
A. The state board of education shall:
1. Exercise general supervision over and regulate the conduct of the public school system and adopt any rules and policies it deems necessary to accomplish this purpose.
2. Keep a record of its proceedings.
4. Determine the policy and work undertaken by it.
5. Appoint its employees, on the recommendation of the superintendent of public instruction.
6. Prescribe the duties of its employees if not prescribed by statute.
7. Delegate to the superintendent of public instruction the execution of board policies and rules.
8. Recommend to the legislature changes or additions to the statutes pertaining to schools.
9. Prepare, publish and distribute reports concerning the educational welfare of this state.
10. Prepare a budget for expenditures necessary for proper maintenance of the board and accomplishment of its purposes and present the budget to the legislature.
11. Aid in the enforcement of laws relating to schools.
12. Prescribe a minimum course of study in the common schools, minimum competency requirements for the promotion of pupils from the third grade and minimum course of study and competency requirements for the promotion of pupils from the eighth grade. The state board of education shall prepare a fiscal impact statement of any proposed changes to the minimum course of study or competency requirements and, on completion, shall send a copy to the director of the joint legislative budget committee and the executive director of the school facilities board. The state board of education shall not adopt any changes in the minimum course of study or competency requirements in effect on July 1, 1998 that will have a fiscal impact on school capital costs.
13. Prescribe minimum course of study and competency requirements for the graduation of pupils from high school. The state board of education shall prepare a fiscal impact statement of any proposed changes to the minimum course of study or competency requirements and, on completion, shall send a copy to the director of the joint legislative budget committee and the executive director of the school facilities board. The state board of education shall not adopt any changes in the minimum course of study or competency requirements in effect on July 1, 1998 that will have a fiscal impact on school capital costs.
14. Supervise and control the certification of persons engaged in instructional work directly as any classroom, laboratory or other teacher or
indirectly as a supervisory teacher, speech therapist, principal or superintendent in a school district, including school district preschool programs, or any other educational institution below the community college, college or university level, and prescribe rules for certification, including rules for certification of teachers who have teaching experience and who are trained in other states, which are not unnecessarily restrictive and are substantially similar to the rules prescribed for the certification of teachers trained in this state. The rules shall:

(a) Allow a variety of alternative teacher and administrator preparation programs, with variations in program sequence and design, to apply for program approval. The state board shall adopt rules pursuant to this subdivision designed to allow for a variety of formats and shall not require a prescribed answer or design from the program provider in order to obtain approval from the state board. The state board shall evaluate each program provider based on the program’s ability to prepare teachers and administrators and to recruit teachers and administrators with a variety of experiences and talents. The state board shall permit universities under the jurisdiction of the Arizona board of regents, community colleges in this state, private postsecondary institutions licensed by this state, school districts, charter schools and professional organizations to apply for program approval and shall create application procedures and certification criteria that are less restrictive than those for traditional preparation programs. Alternative preparation program graduates shall:

(i) Hold a bachelor’s degree from an accredited postsecondary education institution.

(ii) Demonstrate professional knowledge and subject knowledge proficiency pursuant to section 15-533.

(iii) Obtain a fingerprint clearance card pursuant to section 15-534.

(iv) Complete training in structured English immersion as prescribed by the state board.

(v) Complete training in research based systematic phonics instruction as prescribed in subdivision (b) of this paragraph.

(vi) Demonstrate the required proficiency in the constitutions of the United States and Arizona as prescribed in section 15-532.

(b) Require applicants for all certificates for common school instruction to complete a minimum of forty-five classroom hours or three college level credit hours, or the equivalent, of training in research based systematic phonics instruction from a public or private provider.

(c) Not require a teacher to obtain a master’s degree or to take any additional graduate courses as a condition of certification or recertification.

(d) Allow a general equivalency diploma to be substituted for a high school diploma in the certification of emergency substitute teachers.

(e) Allow but shall not require the superintendent of a school district to obtain certification from the state board of education.
15. Adopt a list of approved tests for determining special education assistance to gifted pupils as defined in and as provided in chapter 7, article 4.1 of this title. The adopted tests shall provide separate scores for quantitative reasoning, verbal reasoning and nonverbal reasoning and shall be capable of providing reliable and valid scores at the highest ranges of the score distribution.

16. Adopt rules governing the methods for the administration of all proficiency examinations.

17. Adopt proficiency examinations for its use. The state board of education shall determine the passing score for the proficiency examination.

18. Include within its budget the cost of contracting for the purchase, distribution and scoring of the examinations as provided in paragraphs 16 and 17 of this subsection.

19. Supervise and control the qualifications of professional nonteaching school personnel and prescribe standards relating to qualifications. The standards shall not require the business manager of a school district to obtain certification from the state board of education.

20. Impose such disciplinary action, including the issuance of a letter of censure, suspension, suspension with conditions or revocation of a certificate, upon a finding of immoral or unprofessional conduct.

21. Establish an assessment, data gathering and reporting system for pupil performance as prescribed in chapter 7, article 3 of this title.

22. Adopt a rule to promote braille literacy pursuant to section 15-214.

23. Adopt rules prescribing procedures for the investigation by the department of education of every written complaint alleging that a certificated person has engaged in immoral conduct.

24. For purposes of federal law, serve as the state board for vocational and technological education and meet at least four times each year solely to execute the powers and duties of the state board for vocational and technological education.

25. Develop and maintain a handbook for use in the schools of this state that provides guidance for the teaching of moral, civic and ethical education. The handbook shall promote existing curriculum frameworks and shall encourage school districts to recognize moral, civic and ethical values within instructional and programmatic educational development programs for the general purpose of instilling character and ethical principles in pupils in kindergarten programs and grades one through twelve.

26. Require pupils to recite the following passage from the declaration of independence for pupils in grades four through six at the commencement of the first class of the day in the schools, except that a pupil shall not be required to participate if the pupil or the pupil's parent or guardian objects:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty
27. Adopt rules that provide for teacher certification reciprocity. The rules shall provide for a one year reciprocal teaching certificate with minimum requirements, including valid teacher certification from a state with substantially similar criminal history or teacher fingerprinting requirements and proof of the submission of an application for a fingerprint clearance card pursuant to title 41, chapter 12, article 3.1. For teachers who provide Arizona online instruction pursuant to section 15-808, the rules shall allow automatic certification reciprocity with other states that have similar programs.

28. Adopt rules that provide for the presentation of an honorary high school diploma to a person who has never obtained a high school diploma and who meets both of the following requirements:
   (a) Currently resides in this state.
   (b) Provides documented evidence from the Arizona department of veterans' services that the person enlisted in the armed forces of the United States and served in World War I, World War II, the Korean conflict or the Vietnam conflict.

29. Cooperate with the Arizona-Mexico commission in the governor's office and with researchers at universities in this state to collect data and conduct projects in the United States and Mexico on issues that are within the scope of the duties of the department of education and that relate to quality of life, trade and economic development in this state in a manner that will help the Arizona-Mexico commission to assess and enhance the economic competitiveness of this state and of the Arizona-Mexico region.

30. Adopt rules to define and provide guidance to schools as to the activities that would constitute immoral or unprofessional conduct of certificated persons.

31. Adopt guidelines to encourage pupils in grades nine, ten, eleven and twelve to volunteer for twenty hours of community service before graduation from high school. A school district that complies with the guidelines adopted pursuant to this paragraph is not liable for damages resulting from a pupil's participation in community service unless the school district is found to have demonstrated wanton or reckless disregard for the safety of the pupil and other participants in community service. For the purposes of this paragraph, "community service" may include service learning. The guidelines shall include the following:
   (a) A list of the general categories in which community service may be performed.
   (b) A description of the methods by which community service will be monitored.
   (c) A consideration of risk assessment for community service projects.
   (d) Orientation and notification procedures of community service opportunities for pupils entering grade nine, including the development of a
notification form. The notification form shall be signed by the pupil and
the pupil's parent or guardian, except that a pupil shall not be required to
participate in community service if the parent or guardian notifies the
principal of the pupil's school in writing that the parent or guardian does
not wish the pupil to participate in community service.

(e) Procedures for a pupil in grade nine to prepare a written proposal
that outlines the type of community service that the pupil would like to
perform and the goals that the pupil hopes to achieve as a result of
community service. The pupil's written proposal shall be reviewed by a
faculty advisor, a guidance counselor or any other school employee who is
designated as the community service program coordinator for that school. The
pupil may alter the written proposal at any time before performing community
service.

(f) Procedures for a faculty advisor, a guidance counselor or any
other school employee who is designated as the community service program
coordinator to evaluate and certify the completion of community service
performed by pupils.

32. To facilitate the transfer of military personnel and their
dependents to and from the public schools of this state, pursue, in
cooperation with the Arizona board of regents, reciprocity agreements with
other states concerning the transfer credits for military personnel and their
dependents. A reciprocity agreement entered into pursuant to this paragraph
shall:

(a) Address procedures for each of the following:
(i) The transfer of student records.
(ii) Awarding credit for completed course work.
(iii) Permitting a student to satisfy the graduation requirements
prescribed in section 15-701.01 through the successful performance on
comparable exit-level assessment instruments administered in another state.
(b) Include appropriate criteria developed by the state board of
education and the Arizona board of regents.

33. Adopt guidelines that school district governing boards shall use in
identifying pupils who are eligible for gifted programs and in providing
gifted education programs and services. The state board of education shall
adopt any other guidelines and rules that it deems necessary in order to
carry out the purposes of chapter 7, article 4.1 of this title.

34. For each of the alternative textbook formats of human-voiced audio,
large-print and braille, designate alternative media producers to adapt
existing standard print textbooks or to provide specialized textbooks, or
both, for pupils with disabilities in this state. Each alternative media
producer shall be capable of producing alternative textbooks in all relevant
subjects in at least one of the alternative textbook formats. The board
shall post the designated list of alternative media producers on its website.

35. Adopt a list of approved professional development training
providers for use by school districts as provided in section 15-107,
subsection J. The professional development training providers shall meet the
training curriculum requirements determined by the state board of education in at least the areas of school finance, governance, employment, staffing, inventory and human resources, internal controls and procurement.

36. Adopt rules to prohibit a person who violates the notification requirements prescribed in section 15-183, subsection C, paragraph 8 or section 15-550, subsection C from certification pursuant to this title until the person is no longer charged or is acquitted of any offenses listed in section 41-1758.03, subsection B. The board shall also adopt rules to prohibit a person who violates the notification requirements, certification surrender requirements or fingerprint clearance card surrender requirements prescribed in section 15-183, subsection C, paragraph 9 or section 15-550, subsection D from certification pursuant to this title for at least ten years after the date of the violation.

37. Adopt rules for the alternative certification of teachers of nontraditional foreign languages that allow for the passing of a nationally accredited test to substitute for the education coursework required for certification.

38. On or before December 15, 2011, adopt and maintain a model framework for a teacher and principal evaluation instrument that includes quantitative data on student academic progress that accounts for between thirty-three per cent and fifty per cent of the evaluation outcomes and best practices for professional development and evaluator training. School districts and charter schools shall use an instrument that meets the data requirements established by the state board of education to annually evaluate individual teachers and principals beginning in school year 2012-2013.

39. ADOPT RULES TO DEFINE COMPETENCY-BASED EDUCATIONAL PATHWAYS FOR COLLEGE AND CAREER READINESS THAT MAY BE USED BY SCHOOLS. THE RULES SHALL INCLUDE THE FOLLOWING COMPONENTS:

(a) THE ESTABLISHMENT OF LEARNING OUTCOMES THAT WILL BE EXPECTED FOR STUDENTS IN A PARTICULAR SUBJECT MATTER.

(b) A PROCESS AND CRITERIA BY WHICH ASSESSMENTS MAY BE IDENTIFIED OR ESTABLISHED TO DETERMINE IF STUDENTS HAVE REACHED THE DESIRED COMPETENCIES IN A PARTICULAR SUBJECT MATTER.

(c) A MECHANISM TO ALLOW PUPILS IN GRADES SEVEN THROUGH TWELVE WHO HAVE DEMONSTRATED COMPETENCY IN A SUBJECT MATTER TO IMMEDIATELY OBTAIN CREDIT FOR THE MASTERY OF THAT SUBJECT MATTER. THE RULES SHALL INCLUDE A LIST OF APPLICABLE SUBJECTS, INCLUDING THE LEVEL OF COMPETENCY REQUIRED FOR EACH SUBJECT.

B. The state board of education may:

1. Contract.
2. Sue and be sued.
3. Distribute and score the tests prescribed in chapter 7, article 3 of this title.
4. Provide for an advisory committee to conduct hearings and screenings to determine whether grounds exist to impose disciplinary action against a certificated person, whether grounds exist to reinstate a revoked
or surrendered certificate and whether grounds exist to approve or deny an
initial application for certification or a request for renewal of a
certificate. The board may delegate its responsibility to conduct hearings
and screenings to its advisory committee. Hearings shall be conducted
pursuant to title 41, chapter 6, article 6.

5. Proceed with the disposal of any complaint requesting disciplinary
action or with any disciplinary action against a person holding a certificate
as prescribed in subsection A, paragraph 14 of this section after the
suspension or expiration of the certificate or surrender of the certificate
by the holder.

6. Assess costs and reasonable attorney fees against a person who
files a frivolous complaint or who files a complaint in bad faith. Costs
assessed pursuant to this paragraph shall not exceed the expenses incurred by
the state board in the investigation of the complaint.

Sec. 2. Title 15, chapter 7, Arizona Revised Statutes, is amended by
adding article 6.1, to read:

ARTICLE 6.1. COMPETENCY-BASED COLLEGE-READY
EDUCATIONAL PATHWAYS

15-795. Declaration of purpose and policy
THE LEGISLATURE FINDS AND DECLARES THAT:
1. THE PURPOSE OF THIS ARTICLE IS TO ENABLE ALL STUDENTS TO PROGRESS
TOWARD CLEARLY DEFINED LEARNING OUTCOMES AT THEIR OWN PACE, ALLOWING THEM TO
ADVANCE WHEN THEY DEMONSTRATE THE DESIRED LEVEL OF MASTERY RATHER THAN
PROGRESSING BASED ON A PREDETERMINED AMOUNT OF SEAT TIME IN A CLASSROOM.
2. COMPETENCY-BASED LEARNING CAN SUPPORT HIGH-EXPECTATIONS OUTCOMES
SUCH AS COLLEGE READINESS. COMPETENCY-BASED LEARNING CAN BENEFIT ALL
STUDENTS, ALLOWING ADDITIONAL PREPARATION FOR STUDENTS WHO ARE STRUGGLING TO
MASTER ACADEMIC CONTENT BEFORE THEY MOVE TO THE NEXT LEVEL WHILE ALLOWING
THOSE WHO CAN ADVANCE TO DO SO WHEN THEY ARE READY.
3. COMPETENCY-BASED STRATEGIES PROVIDE FLEXIBILITY IN THE WAY THAT
CREDIT CAN BE EARNED OR AWARDED AND PROVIDE STUDENTS WITH PERSONALIZED
LEARNING OPPORTUNITIES.
4. COMPETENCY-BASED SYSTEMS REQUIRE THE CLEAR ARTICULATION OF DESIRED
LEARNING OUTCOMES, INCLUDING THE APPLICATION AND CREATION OF KNOWLEDGE AND
THE DEVELOPMENT OF IMPORTANT SKILLS AND DISPOSITIONS, AS WELL AS ASSESSMENTS
THAT CAN MEASURE STUDENT MASTERY.

15-795.01. Competency-based college-ready educational pathways
A. IN ACCORDANCE WITH THE RULES ADOPTED BY THE STATE BOARD OF
EDUCATION PURSUANT TO SECTION 15-203, SUBSECTION A, PARAGRAPH 39, STUDENTS
WHO ARE ELIGIBLE FOR A HIGH SCHOOL DIPLOMA THROUGH THE FULFILLMENT OF A
DEFINED COMPETENCY-BASED COLLEGE-READY EDUCATIONAL PATHWAY SHALL HAVE
MULTIPLE PATHWAYS AVAILABLE TO THEM AND MAY:
1. ENROLL THE FOLLOWING FALL SEMESTER IN A COMMUNITY COLLEGE UNDER THE
JURISDICTION OF A COMMUNITY COLLEGE DISTRICT IN THIS STATE. COMMUNITY
COLLEGES UNDER THE JURISDICTION OF A COMMUNITY COLLEGE DISTRICT IN THIS STATE
SHALL ADMIT STUDENTS WHO OBTAIN A HIGH SCHOOL DIPLOMA THROUGH THE FULFILLMENT
OF A DEFINED COMPETENCY-BASED EDUCATIONAL PATHWAY AND WHO OTHERWISE MEET THE
QUALIFICATIONS FOR ADMISSION. THE SCHOOL DISTRICT OR CHARTER SCHOOL FROM
WHICH THE STUDENT EARNED THE HIGH SCHOOL DIPLOMA SHALL INCLUDE THAT STUDENT
IN THE SCHOOL DISTRICT'S OR CHARTER SCHOOL'S STUDENT COUNT AND SHALL CONTINUE
TO RECEIVE PER PUPIL FUNDING FOR A STUDENT WHO EARNED A HIGH SCHOOL DIPLOMA
UNTIL THAT STUDENT WOULD OTHERWISE HAVE GRADUATED AT THE END OF GRADE TWELVE,
as long as that student is enrolled as a full-time student in a community
college under the jurisdiction of a community college district in this state.
THE SCHOOL DISTRICT OR CHARTER SCHOOL SHALL SUBTRACT TWENTY PER CENT OF ITS
AVERAGE DAILY MEMBERSHIP AMOUNT AND REIMBURSE THE COMMUNITY COLLEGE IF THE
STUDENT HAS EARNED A HIGH SCHOOL DIPLOMA AND IS ATTENDING A COMMUNITY COLLEGE
AS A FULL-TIME STUDENT. IF THE STUDENT ATTENDS COMMUNITY COLLEGE ON A
COMMUNITY COLLEGE CAMPUS, THE SCHOOL DISTRICT OR CHARTER SCHOOL SHALL
REIMBURSE THE COMMUNITY COLLEGE DISTRICT FOR THE AMOUNT OF OPERATING AND
CAPITAL OUTLAY FULL-TIME STUDENT EQUIVALENCY MONIES. FOR THE PURPOSES OF THIS
PARAGRAPH, THE AMOUNT OF OPERATING FULL-TIME STUDENT EQUIVALENCY MONIES SHALL
BE EQUIVALENT TO THE AVERAGE APPROPRIATION PER FULL-TIME STUDENT EQUIVALENT
FOR ALL COMMUNITY COLLEGE DISTRICTS AS CALCULATED PURSUANT TO SECTION
15-1466, SUBSECTION C, PARAGRAPH 2. FIFTY PER CENT OF THE REMAINING BALANCE
OF THE PER PUPIL FUNDING SHALL BE USED FOR TEACHER AND PUPIL INCENTIVES,
INCLUDING SCHOLARSHIP PROGRAMS, TO OFFSET THE COSTS OF COMPETENCY-BASED
PATHWAYS AND TO PROVIDE CUSTOMIZED PROGRAMS OF ASSISTANCE FOR STUDENTS WHO DO
NOT DEMONSTRATE MASTERY. THE OTHER FIFTY PER CENT SHALL BE USED FOR
MAINTENANCE AND OPERATIONS, INCLUDING CAPITAL. UNDER THIS PARAGRAPH, A
STUDENT WHO EARNED A HIGH SCHOOL DIPLOMA IS RESPONSIBLE FOR TUITION. A STUDENT
WHO EARNS A HIGH SCHOOL DIPLOMA MAY ENROLL IN COMMUNITY COLLEGE COURSES
OFFERED ON A COMMUNITY COLLEGE CAMPUS OR A HIGH SCHOOL CAMPUS, OR BOTH.
NOTWITHSTANDING ANY OTHER LAW, COMMUNITY COLLEGE DISTRICTS SHALL NOT CLASSIFY
A STUDENT WHO REMAINS IN HIGH SCHOOL PURSUANT TO THIS PARAGRAPH AS A
FULL-TIME EQUIVALENT STUDENT. STUDENTS WHO TAKE COURSES ON HIGH SCHOOL
CAMPUSES PURSUANT TO THIS PARAGRAPH SHALL BE ELIGIBLE TO PARTICIPATE IN
EXTRACURRICULAR ACTIVITIES, INCLUDING INTERSCHOLASTIC SPORTS, THROUGH THE END
OF GRADE TWELVE. THE EXPENDITURE BY COMMUNITY COLLEGE DISTRICTS OF PAYMENTS
FROM THE SCHOOL DISTRICT OR CHARter SCHOOL TO THE COMMUNITY COLLEGES UNDER
THIS SECTION SHALL NOT BE INCLUDED UNDER THE DISTRICT EXPENDITURE LIMITATION
PRESCRIBED PURSUANT TO ARTICLE IX, SECTION 21, CONSTITUTION OF ARIZONA. IF
THE INSTRUCTION PROVIDED UNDER THIS PARAGRAPH IS OFFERED ON A COMMUNITY
COLLEGE CAMPUS, THE FUNDING AND IMPLEMENTATION MECHANICS BETWEEN THE SCHOOL
DISTRICT OR CHARter SCHOOL AND THE COMMUNITY COLLEGE SHALL BE DETERMINED BY
AGREEMENT BETWEEN THE SCHOOL DISTRICT OR CHARter SCHOOL AND THE COMMUNITY
COLLEGE.
2. REMAIN IN HIGH SCHOOL AND PARTICIPATE IN PROGRAMS OF STUDY
AVAILABLE TO STUDENTS THROUGH THE SCHOOL DISTRICT OR CHARter SCHOOL. THE
SCHOOL DISTRICT OR CHARter SCHOOL SHALL CONTINUE TO INCLUDE THAT STUDENT IN
THE SCHOOL DISTRICT'S OR CHARter SCHOOL'S STUDENT COUNT AND SHALL CONTINUE TO
RECEIVE PER PUPIL FUNDING FOR A STUDENT WHO IS ELIGIBLE FOR A HIGH SCHOOL
DIPLOMA UNTIL THAT STUDENT WOULD OTHERWISE HAVE GRADUATED AT THE END OF GRADE TWELVE, AS LONG AS THAT STUDENT IS ENROLLED IN APPROVED ADVANCED PREPARATION PROGRAMS OF STUDY AT THAT SCHOOL DISTRICT OR CHARTER SCHOOL. STUDENTS WHO ELECT TO REMAIN IN HIGH SCHOOL PURSUANT TO THIS PARAGRAPH SHALL NOT BE PREVENTED FROM ENROLLING AT A HIGH SCHOOL AFTER THE STUDENT BECOMES ELIGIBLE FOR A HIGH SCHOOL DIPLOMA AND SHALL BE ELIGIBLE TO PARTICIPATE IN EXTRACURRICULAR ACTIVITIES, INCLUDING INTERSCHOLASTIC SPORTS, THROUGH THE END OF GRADE TWELVE.

3. ENROLL IN A FULL-TIME CAREER AND TECHNICAL EDUCATION PROGRAM OFFERED ON A HIGH SCHOOL CAMPUS OR A JOINT TECHNICAL EDUCATION DISTRICT CAMPUS, OR ANY COMBINATION OF THESE CAMPUSES. A STUDENT WHO ELECTS TO REMAIN IN HIGH SCHOOL PURSUANT TO THIS PARAGRAPH SHALL NOT BE PREVENTED FROM ENROLLING AT A HIGH SCHOOL AFTER THE PUPIL BECOMES ELIGIBLE FOR A HIGH SCHOOL DIPLOMA AND SHALL BE ELIGIBLE TO PARTICIPATE IN EXTRACURRICULAR ACTIVITIES, INCLUDING INTERSCHOLASTIC SPORTS, THROUGH THE END OF GRADE TWELVE. THE SCHOOL DISTRICT OR CHARTER SCHOOL FROM WHICH THE STUDENT BECAME ELIGIBLE FOR THE HIGH SCHOOL DIPLOMA SHALL INCLUDE THAT STUDENT IN THE SCHOOL DISTRICT'S OR CHARTER SCHOOL'S STUDENT COUNT AND SHALL CONTINUE TO RECEIVE PER PUPIL FUNDING FOR A STUDENT WHO IS ELIGIBLE FOR A HIGH SCHOOL DIPLOMA UNTIL THAT STUDENT WOULD OTHERWISE HAVE GRADUATED AT THE END OF GRADE TWELVE, AS LONG AS THAT STUDENT IS ENROLLED IN AN APPROVED FULL-TIME CAREER AND TECHNICAL EDUCATION PROGRAM. NOTWITHSTANDING ANY OTHER LAW, IF THE INSTRUCTION PROVIDED UNDER THIS PARAGRAPH IS PROVIDED BY A JOINT TECHNICAL EDUCATION DISTRICT IN A FULL-TIME CAREER AND TECHNICAL EDUCATION PROGRAM THAT IS DESIGNED TO LEAD TO A CERTIFICATE THAT IS AWARDED BY AN INDUSTRY OR RECOGNIZED AS MEETING INDUSTRY STANDARDS, THE SUM OF THE AVERAGE DAILY MEMBERSHIP FOR THAT PUPIL SHALL NOT EXCEED 1.25, AND THE AVERAGE DAILY MEMBERSHIP SHALL BE APPORTIONED AT 1.0 FOR THE JOINT TECHNICAL EDUCATION DISTRICT AND 0.25 FOR THE SCHOOL DISTRICT.

4. IF ACCEPTED FOR ADMISSION TO A UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA BOARD OF REGENTS, ENROLL IN THE UNIVERSITY AFTER COMPLETION OF ADDITIONAL HIGH SCHOOL COURSEWORK DESIGNED TO PREPARE STUDENTS FOR ADMISSION TO SELECTIVE POSTSECONDARY INSTITUTIONS THAT OFFER BACCALAUREATE DEGREES. THE SCHOOL DISTRICT OR CHARTER SCHOOL FROM WHICH THE STUDENT EARNED THE HIGH SCHOOL DIPLOMA SHALL INCLUDE THAT STUDENT IN THE SCHOOL DISTRICT'S OR CHARTER SCHOOL'S STUDENT COUNT AND SHALL CONTINUE TO RECEIVE PER PUPIL FUNDING FOR A STUDENT WHO EARNED A HIGH SCHOOL DIPLOMA UNTIL THAT STUDENT WOULD OTHERWISE HAVE GRADUATED AT THE END OF GRADE TWELVE FOR AS LONG AS THAT STUDENT IS ENROLLED AS A FULL-TIME STUDENT IN THE UNIVERSITY. ONE-THIRD OF THE SCHOOL DISTRICT'S OR CHARTER SCHOOL'S AVERAGE DAILY MEMBERSHIP AMOUNT SHALL BE RETAINED BY THE SCHOOL DISTRICT OR THE OPERATOR OF THE CHARTER SCHOOL. ONE-THIRD OF THE SCHOOL DISTRICT'S OR CHARTER SCHOOL'S AVERAGE DAILY MEMBERSHIP AMOUNT SHALL BE RETAINED FOR USE AT THE SCHOOL SITE. ONE-THIRD OF THE SCHOOL DISTRICT'S OR CHARTER SCHOOL'S AVERAGE DAILY MEMBERSHIP AMOUNT SHALL BE DISTRIBUTED AS FOLLOWS:
(a) FIFTY PER CENT OF THIS AMOUNT SHALL BE DEPOSITED IN A SCHOLARSHIP ACCOUNT ESTABLISHED AND MANAGED BY THE SCHOOL DISTRICT OR CHARTER SCHOOL FROM WHICH THE STUDENT GRADUATED SPECIFICALLY FOR A STUDENT WHO QUALIFIES FOR A DIPLOMA AND WHO ATTENDS A UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA BOARD OF REGENTS AS A FULL-TIME STUDENT.

(b) FIFTY PER CENT OF THIS AMOUNT SHALL BE RETAINED BY THE UNIVERSITY WHERE THE STUDENT IS ENROLLED.

B. A STUDENT WHO OBTAINS A HIGH SCHOOL DIPLOMA THROUGH THE FULFILLMENT OF A DEFINED COMPETENCY-BASED EDUCATIONAL PATHWAY PURSUANT TO THIS SECTION IS NOT ELIGIBLE TO PARTICIPATE IN THE EARLY GRADUATION SCHOLARSHIP PROGRAM ESTABLISHED BY SECTION 15-105 IF THE STUDENT ELECTS TO PURSUE ONE OF THE PATHWAYS PRESCRIBED IN SUBSECTION A OF THIS SECTION. THE DEPARTMENT OF EDUCATION SHALL NOT TRANSMIT ANY MONIES TO THE COMMISSION FOR POSTSECONDARY EDUCATION PURSUANT TO SECTION 15-105, SUBSECTION F ON BEHALF OF ANY STUDENT WHO OBTAINS A HIGH SCHOOL DIPLOMA PURSUANT TO THIS SECTION IF THE STUDENT ELECTS TO PURSUE ONE OF THE PATHWAYS PRESCRIBED IN SUBSECTION A OF THIS SECTION.

APPROVED BY THE GOVERNOR MARCH 29, 2012.