

State of Arizona  
Senate  
Fifty-third Legislature  
First Regular Session  
2017

**CHAPTER 137**  
**SENATE BILL 1098**

AN ACT

AMENDING SECTIONS 8-521, 15-183, 15-211, 15-701, 15-704, 15-741, 15-741.02, 15-743, 15-746, 15-763, 15-792.02, 15-977 AND 15-1805.01, ARIZONA REVISED STATUTES; RELATING TO PUPIL ASSESSMENTS.

(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  
7 an independent living program for youths who are the subject of a  
8 dependency petition or who are adjudicated dependent and are all of the  
9 following:

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

12 2. At least seventeen years of age.

13 3. Employed or full-time students.

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

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

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

25 E. The department of child safety, a licensed child welfare agency  
26 or a tribal child welfare agency having custody of the youth shall provide  
27 the cost of care as required by section 8-453, subsection A, paragraph 9,  
28 subdivision (b), item (iii) for each child placed in an independent living  
29 program pursuant to this section, except that the monthly amount provided  
30 shall not exceed the average monthly cost of purchased services for the  
31 child in the three months immediately preceding placement in an  
32 independent living program.

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

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

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

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



1           2. The applicant may submit the application to the state board of  
2 education or the state board for charter schools. Notwithstanding any  
3 other law, neither the state board for charter schools nor the state board  
4 of education shall grant a charter to a school district governing board  
5 for a new charter school ~~that begins initial operations after June 30,~~  
6 ~~2013~~ or for the conversion of an existing district public school to a  
7 charter school ~~that begins initial operations after June 30, 2013~~. The  
8 state board of education or the state board for charter schools may  
9 approve the application if the application meets the requirements of this  
10 article and may approve the charter if the proposed sponsor determines,  
11 within its sole discretion, that the applicant is sufficiently qualified  
12 to operate a charter school and that the applicant is applying to operate  
13 as a separate charter holder by considering factors such as whether:

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

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

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

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

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

24           (f) It is reconstituting an existing grade configuration from a  
25 prior charter holder with at least one grade remaining on the original  
26 site with the other grade or grades moving to a new site. The state board  
27 of education or the state board for charter schools may approve any  
28 charter schools transferring charters. If the state board of education or  
29 the state board for charter schools rejects the preliminary application,  
30 the state board of education or the state board for charter schools shall  
31 notify the applicant in writing of the reasons for the rejection and of  
32 suggestions for improving the application. An applicant may submit a  
33 revised application for reconsideration by the state board of education or  
34 the state board for charter schools. The applicant may request, and the  
35 state board of education or the state board for charter schools may  
36 provide, technical assistance to improve the application.

37           3. The applicant may submit the application to a university under  
38 the jurisdiction of the Arizona board of regents, a community college  
39 district or a group of community college districts. A university, a  
40 community college district or a group of community college districts shall  
41 not grant a charter to a school district governing board for a new charter  
42 school ~~that begins initial operations after June 30, 2013~~ or for the  
43 conversion of an existing district public school to a charter school ~~that~~  
44 ~~begins initial operations after June 30, 2013~~. A university, a community  
45 college district or a group of community college districts may approve the

1 application if it meets the requirements of this article and if the  
2 proposed sponsor determines, in its sole discretion, that the applicant is  
3 sufficiently qualified to operate a charter school.

4 4. Each applicant seeking to establish a charter school shall  
5 submit a full set of fingerprints to the approving agency for the purpose  
6 of obtaining a state and federal criminal records check pursuant to  
7 section 41-1750 and Public Law 92-544. If an applicant will have direct  
8 contact with students, the applicant shall possess a valid fingerprint  
9 clearance card that is issued pursuant to title 41, chapter 12, article  
10 3.1. The department of public safety may exchange this fingerprint data  
11 with the federal bureau of investigation. The criminal records check  
12 shall be completed before the issuance of a charter.

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

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

39 (b) Ensures that the department of public safety completes a  
40 statewide criminal records check on the applicant. A statewide criminal  
41 records check shall be completed by the department of public safety every  
42 one hundred twenty days until the date that the fingerprint check is  
43 completed or the fingerprint clearance card is issued or denied.

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

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

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

9 (f) Verifies the fingerprint status of the applicant with the  
10 department of public safety.

11 6. A charter school that complies with the fingerprinting  
12 requirements of this section shall be deemed to have complied with section  
13 15-512 and is entitled to the same rights and protections provided to  
14 school districts by section 15-512.

15 7. If a charter school operator is not already subject to a public  
16 meeting or hearing by the municipality in which the charter school is  
17 located, the operator of a charter school shall conduct a public meeting  
18 at least thirty days before the charter school operator opens a site or  
19 sites for the charter school. The charter school operator shall post  
20 notices of the public meeting in at least three different locations that  
21 are within three hundred feet of the proposed charter school site.

22 8. A person who is employed by a charter school or who is an  
23 applicant for employment with a charter school, who is arrested for or  
24 charged with a nonappealable offense listed in section 41-1758.03,  
25 subsection B and who does not immediately report the arrest or charge to  
26 the person's supervisor or potential employer is guilty of unprofessional  
27 conduct and the person shall be immediately dismissed from employment with  
28 the charter school or immediately excluded from potential employment with  
29 the charter school.

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

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

37 (b) Notify the person's employer or potential employer of the  
38 conviction.

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

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

41 D. An entity that is authorized to sponsor charter schools pursuant  
42 to this article has no legal authority over or responsibility for a  
43 charter school sponsored by a different entity. This subsection does not  
44 apply to the state board of education's duty to exercise general

1 supervision over the public school system pursuant to section 15-203,  
2 subsection A, paragraph 1.

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

4 1. Ensure compliance with federal, state and local rules,  
5 regulations and statutes relating to health, safety, civil rights and  
6 insurance. The department of education shall publish a list of relevant  
7 rules, regulations and statutes to notify charter schools of their  
8 responsibilities under this paragraph.

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

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

16 4. Ensure that it designs a method to measure pupil progress toward  
17 the pupil outcomes adopted by the state board of education pursuant to  
18 section 15-741.01, including participation in the ~~Arizona instrument to~~  
19 ~~measure standards test~~ STATEWIDE ASSESSMENT and the nationally  
20 standardized norm-referenced achievement test as designated by the state  
21 board and the completion and distribution of an annual report card as  
22 prescribed in chapter 7, article 3 of this title.

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

26 6. Ensure that, except as provided in this article, it is subject  
27 to the same financial and electronic data submission requirements as a  
28 school district, including the uniform system of financial records as  
29 prescribed in chapter 2, article 4 of this title, procurement rules as  
30 prescribed in section 15-213 and audit requirements. The auditor general  
31 shall conduct a comprehensive review and revision of the uniform system of  
32 financial records to ensure that the provisions of the uniform system of  
33 financial records that relate to charter schools are in accordance with  
34 commonly accepted accounting principles used by private business. A  
35 school's charter may include exceptions to the requirements of this  
36 paragraph that are necessary as determined by the university, the  
37 community college district, the group of community college districts, the  
38 state board of education or the state board for charter schools. The  
39 department of education or the office of the auditor general may conduct  
40 financial, program or compliance audits.

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

44 8. Ensure that it provides for a governing body for the charter  
45 school that is responsible for the policy decisions of the charter school.

1 Notwithstanding section 1-216, if there is a vacancy or vacancies on the  
2 governing body, a majority of the remaining members of the governing body  
3 constitute a quorum for the transaction of business, unless that quorum is  
4 prohibited by the charter school's operating agreement.

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

11 F. A charter school shall keep in the personnel file of all current  
12 employees who provide instruction to pupils at the charter school  
13 information about the employee's educational and teaching background and  
14 experience in a particular academic content subject area. A charter  
15 school shall inform parents and guardians of the availability of the  
16 information and shall make the information available for inspection on  
17 request of parents and guardians of pupils enrolled at the charter school.  
18 This subsection does not require any charter school to release personally  
19 identifiable information in relation to any teacher or employee, including  
20 the teacher's or employee's address, salary, social security number or  
21 telephone number.

22 G. The charter of a charter school may be amended at the request of  
23 the governing body of the charter school and on the approval of the  
24 sponsor.

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

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

28 1. At least eighteen months before the expiration of the charter,  
29 the sponsor shall notify the charter school that the charter school may  
30 apply for renewal and shall make the renewal application available to the  
31 charter school. A charter school that elects to apply for renewal shall  
32 file a complete renewal application at least fifteen months before the  
33 expiration of the charter. A sponsor shall give written notice of its  
34 intent not to renew the charter school's request for renewal to the  
35 charter school at least twelve months before the expiration of the  
36 charter. The sponsor shall make data used in making renewal decisions  
37 available to the school and the public and shall provide a public report  
38 summarizing the evidence basis for each decision. The sponsor may deny  
39 the request for renewal if, in its judgment, the charter holder has failed  
40 to do any of the following:

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

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

45 (c) Complete the obligations of the contract.

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

3 2. A charter operator may apply for early renewal. At least nine  
4 months before the charter school's intended renewal consideration, the  
5 operator of the charter school shall submit a letter of intent to the  
6 sponsor to apply for early renewal. The sponsor shall review fiscal  
7 audits and academic performance data for the charter school that are  
8 annually collected by the sponsor, review the current contract between the  
9 sponsor and the charter school and provide the qualifying charter school  
10 with a renewal application. On submission of a complete application, the  
11 sponsor shall give written notice of its consideration of the renewal  
12 application. The sponsor may deny the request for early renewal if, in  
13 the sponsor's judgment, the charter holder has failed to do any of the  
14 following:

15 (a) Meet or make sufficient progress toward the academic  
16 performance 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 3. A sponsor shall review a charter at five-year intervals using a  
23 performance framework adopted by the sponsor and may revoke a charter at  
24 any time if the charter school breaches one or more provisions of its  
25 charter or if the sponsor determines that the charter holder has failed to  
26 do any of the following:

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

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

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

33 4. In determining whether to renew or revoke a charter holder, the  
34 sponsor must consider making sufficient progress toward the academic  
35 performance expectations set forth in the sponsor's performance framework  
36 as one of the most important factors.

37 5. At least sixty days before the effective date of the proposed  
38 revocation, the sponsor shall give written notice to the operator of the  
39 charter school of its intent to revoke the charter. Notice of the  
40 sponsor's intent to revoke the charter shall be delivered personally to  
41 the operator of the charter school or sent by certified mail, return  
42 receipt requested, to the address of the charter school. The notice shall  
43 incorporate a statement of reasons for the proposed revocation of the  
44 charter. The sponsor shall allow the charter school at least sixty days  
45 to correct the problems associated with the reasons for the proposed

1 revocation of the charter. The final determination of whether to revoke  
2 the charter shall be made at a public hearing called for such purpose.

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

5 K. A charter school that is sponsored by the state board of  
6 education, the state board for charter schools, a university, a community  
7 college district or a group of community college districts may not be  
8 located on the property of a school district unless the district governing  
9 board grants this authority.

10 L. A governing board or a school district employee who has control  
11 over personnel actions shall not take unlawful reprisal against another  
12 employee of the school district because the employee is directly or  
13 indirectly involved in an application to establish a charter school. A  
14 governing board or a school district employee shall not take unlawful  
15 reprisal against an educational program of the school or the school  
16 district because an application to establish a charter school proposes the  
17 conversion of all or a portion of the educational program to a charter  
18 school. For the purposes of this subsection, "unlawful reprisal" means an  
19 action that is taken by a governing board or a school district employee as  
20 a direct result of a lawful application to establish a charter school and  
21 that is adverse to another employee or an education program and:

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

24 (a) Disciplinary or corrective action.

25 (b) Detail, transfer or reassignment.

26 (c) Suspension, demotion or dismissal.

27 (d) An unfavorable performance evaluation.

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

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

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

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

35 (a) Suspension or termination of the program.

36 (b) Transfer or reassignment of the program to a less favorable  
37 department.

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

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

42 M. Charter schools shall secure insurance for liability and  
43 property loss. The governing body of a charter school that is sponsored  
44 by the state board of education or the state board for charter schools may  
45 enter into an intergovernmental agreement or otherwise contract to

1 participate in an insurance program offered by a risk retention pool  
2 established pursuant to section 11-952.01 or 41-621.01 or the charter  
3 school may secure its own insurance coverage. The pool may charge the  
4 requesting charter school reasonable fees for any services it performs in  
5 connection with the insurance program.

6 N. Charter schools do not have the authority to acquire property by  
7 eminent domain.

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

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

14 Q. The sponsor of a charter school shall establish procedures to  
15 conduct administrative hearings on determination by the sponsor that  
16 grounds exist to revoke a charter. Procedures for administrative hearings  
17 shall be similar to procedures prescribed for adjudicative proceedings in  
18 title 41, chapter 6, article 10. Except as provided in section  
19 41-1092.08, subsection H, final decisions of the state board of education  
20 and the state board for charter schools from hearings conducted pursuant  
21 to this subsection are subject to judicial review pursuant to title 12,  
22 chapter 7, article 6.

23 R. The sponsoring entity of a charter school shall have oversight  
24 and administrative responsibility for the charter schools that it  
25 sponsors. In implementing its oversight and administrative  
26 responsibilities, the sponsor shall ground its actions in evidence of the  
27 charter holder's performance in accordance with the performance framework  
28 adopted by the sponsor. The performance framework shall be publicly  
29 available, shall be placed on the sponsoring entity's website and shall  
30 include:

31 1. The academic performance expectations of the charter school and  
32 the measurement of sufficient progress toward the academic performance  
33 expectations.

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

36 3. Intervention and improvement policies.

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

39 T. All property accumulated by a charter school shall remain the  
40 property of the charter school.

41 U. Charter schools may not locate a school on property that is less  
42 than one-fourth mile from agricultural land regulated pursuant to section  
43 3-365, except that the owner of the agricultural land may agree to comply  
44 with the buffer zone requirements of section 3-365. If the owner agrees  
45 in writing to comply with the buffer zone requirements and records the

1 agreement in the office of the county recorder as a restrictive covenant  
2 running with the title to the land, the charter school may locate a school  
3 within the affected buffer zone. The agreement may include any  
4 stipulations regarding the charter school, including conditions for future  
5 expansion of the school and changes in the operational status of the  
6 school that will result in a breach of the agreement.

7 V. A transfer of a charter to another sponsor, a transfer of a  
8 charter school site to another sponsor or a transfer of a charter school  
9 site to a different charter shall be completed before the beginning of the  
10 fiscal year that the transfer is scheduled to become effective. An entity  
11 that sponsors charter schools may accept a transferring school after the  
12 beginning of the fiscal year if the transfer is approved by the  
13 superintendent of public instruction. The superintendent of public  
14 instruction shall have the discretion to consider each transfer during the  
15 fiscal year on a ~~case by case~~ CASE-BY-CASE basis. A charter holder  
16 seeking to transfer sponsors shall comply with the current charter terms  
17 regarding assignment of the charter. A charter holder transferring  
18 sponsors shall notify the current sponsor that the transfer has been  
19 approved by the new sponsor.

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

25 X. Notwithstanding subsection Y of this section, the state board  
26 for charter schools shall charge a processing fee to any charter school  
27 that amends its contract to participate in Arizona online instruction  
28 pursuant to section 15-808. The charter Arizona online instruction  
29 processing fund is established consisting of fees collected and  
30 administered by the state board for charter schools. The state board for  
31 charter schools shall use monies in the fund only for the processing of  
32 contract amendments for charter schools participating in Arizona online  
33 instruction. Monies in the fund are continuously appropriated.

34 Y. The sponsoring entity may not charge any fees to a charter  
35 school that it sponsors unless the sponsor has provided services to the  
36 charter school and the fees represent the full value of those services  
37 provided by the sponsor. On request, the value of the services provided  
38 by the sponsor to the charter school shall be demonstrated to the  
39 department of education.

40 Z. Charter schools may enter into an intergovernmental agreement  
41 with a presiding judge of the juvenile court to implement a ~~law related~~  
42 LAW-RELATED education program as defined in section 15-154. The presiding  
43 judge of the juvenile court may assign juvenile probation officers to  
44 participate in a ~~law related~~ LAW-RELATED education program in any charter  
45 school in the county. The cost of juvenile probation officers who

1 participate in the program implemented pursuant to this subsection shall  
2 be funded by the charter school.

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

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

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

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

19 EE. Pursuant to the prescribed graduation requirements adopted by  
20 the state board of education, the governing body of a charter school  
21 operating a high school may approve a rigorous computer science course  
22 that would fulfill a mathematics course required for graduation from high  
23 school. The governing body may approve a rigorous computer science course  
24 only if the rigorous computer science course includes significant  
25 mathematics content and the governing body determines the high school  
26 where the rigorous computer science course is offered has sufficient  
27 capacity, infrastructure and qualified staff, including competent teachers  
28 of computer science.

29 FF. A charter school may permit the use of school property,  
30 including school buildings, grounds, buses and equipment, by any person,  
31 group or organization for any lawful purpose, including a recreational,  
32 educational, political, economic, artistic, moral, scientific, social,  
33 religious or other civic or governmental purpose. The charter school may  
34 charge a reasonable fee for the use of the school property.

35 GG. A charter school and its employees, including the governing  
36 body, or chief administrative officer, are immune from civil liability  
37 with respect to all decisions made and actions taken to allow the use of  
38 school property, unless the charter school or its employees are guilty of  
39 gross negligence or intentional misconduct. This subsection does not  
40 limit any other immunity provisions that are prescribed by law.

41 HH. Sponsors authorized pursuant to this section shall submit an  
42 annual report to the auditor general on or before October 1. The report  
43 shall include:

44 1. The current number of charters authorized and the number of  
45 schools operated by authorized charter holders.

1           2. The academic and operational performance of the sponsor's  
2 charter portfolio as measured by the sponsor's adopted performance  
3 framework.

4           3. For the prior year, the number of new charters approved, the  
5 number of charter schools closed and the reason for the closure.

6           4. The sponsor's application, amendment, renewal and revocation  
7 processes, charter contract template and current performance framework as  
8 required by this section.

9           II. The auditor general shall prescribe the format for the annual  
10 report required by subsection HH of this section and may require that the  
11 annual report be submitted electronically. The auditor general shall  
12 review the submitted annual reports to ensure that the reports include the  
13 required items in subsection HH of this section and shall make the annual  
14 reports available ~~upon~~ ON request. If the auditor general finds  
15 significant noncompliance or if a sponsor fails to submit the annual  
16 report required by subsection HH of this section, on or before December 31  
17 of each year the auditor general shall report to the governor, the  
18 president of the senate, the speaker of the house of representatives and  
19 the chairs of the senate and house education committees or their successor  
20 committees, and the legislature shall consider revoking the sponsor's  
21 authority to sponsor charter schools.

22           Sec. 3. Section 15-211, Arizona Revised Statutes, is amended to  
23 read:

24           15-211. K-3 reading program; receipt and use of monies;  
25                           additional funding; program termination

26           A. The department of education shall administer a K-3 reading  
27 program to improve the reading proficiency of pupils in kindergarten  
28 programs and grades one, two and three in the public schools of this  
29 state.

30           B. Each school district and charter school shall submit to the  
31 department of education a plan for improving the reading proficiency of  
32 its pupils in kindergarten programs and grades one, two and three. The  
33 plan shall include baseline data on the reading proficiency of its pupils  
34 in kindergarten programs and grades one, two and three and a budget for  
35 spending monies from both the K-3 support level weight and the K-3 reading  
36 support level weight established in section 15-943. Each school district  
37 and charter school shall annually submit to the department of education on  
38 or before October 1 an updated K-3 reading program plan that includes data  
39 on program expenditures and results, except that beginning in fiscal year  
40 2016-2017, a school district or charter school that is assigned a letter  
41 grade of A or B pursuant to section 15-241 shall submit this plan only in  
42 odd-numbered years.

43           C. School districts and charter schools shall use monies generated  
44 by the K-3 reading support level weight established in section 15-943 only  
45 on reading programs for pupils in kindergarten programs and grades one,

1 two and three with particular emphasis on pupils in kindergarten programs  
2 and grades one and two.

3 D. Each school district and charter school that is assigned a  
4 letter grade of C, D or F pursuant to section 15-241 or that has more than  
5 ten percent of its pupils in grade three reading far below the third grade  
6 level according to the reading portion of the ~~Arizona instrument to~~  
7 ~~measure standards test, or a successor test,~~ STATEWIDE ASSESSMENT shall  
8 receive monies generated by the K-3 reading support level weight  
9 established in section 15-943 only after the K-3 reading program plan of  
10 the school district or charter school has been reviewed and recommended  
11 for approval by the department of education and approved by the state  
12 board of education.

13 E. Pupils in a charter school that is in its first year of  
14 operation and that is sponsored by the state board of education, the state  
15 board for charter schools, a university under the jurisdiction of the  
16 Arizona board of regents, a community college district or a group of  
17 community college districts are eligible for the K-3 reading support level  
18 weight.

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

22 G. The state board of education may establish rules and policies  
23 for the K-3 reading program, including:

24 1. The proper use of monies in accordance with subsection C of this  
25 section.

26 2. The distribution of monies by the department of education in  
27 accordance with subsection B of this section.

28 3. The compliance of reading proficiency plans submitted pursuant  
29 to subsection B of this section with section 15-704.

30 H. The program established by this section ends on July 1, 2022  
31 pursuant to section 41-3102.

32 Sec. 4. Section 15-701, Arizona Revised Statutes, is amended to  
33 read:

34 15-701. Common school; promotions; requirements; certificate;  
35 supervision of eighth grades by superintendent of  
36 high school district; high school admissions;  
37 academic credit; definition

38 A. The state board of education shall:

39 1. Prescribe a minimum course of study, as defined in section  
40 15-101 and incorporating the academic standards adopted by the state board  
41 of education, to be taught in the common schools.

42 2. Prescribe competency requirements for the promotion of pupils  
43 from the eighth grade and competency requirements for the promotion of  
44 pupils from the third grade incorporating the academic standards in at  
45 least the areas of reading, writing, mathematics, science and social

1 studies. Notwithstanding section 15-521, paragraph 4, the competency  
2 requirements for the promotion of pupils from the third grade shall  
3 include the following:

4 (a) A requirement that a pupil not be promoted from the third grade  
5 if the pupil obtains a score on the reading portion of the ~~Arizona~~  
6 ~~instrument to measure standards test, or a successor test,~~ STATEWIDE  
7 ASSESSMENT that demonstrates that the pupil's reading falls far below the  
8 third grade level or the equivalent as established by the board. A pupil  
9 may not be retained if data regarding the pupil's performance on the  
10 ~~Arizona instrument to measure standards test, or a successor test,~~  
11 STATEWIDE ASSESSMENT is not available before the start of the following  
12 academic year. A pupil who is not retained due to the unavailability of  
13 test data must receive intervention and remedial strategies pursuant to  
14 subdivision (c) of this paragraph if the third grade assessment data  
15 subsequently demonstrates that the pupil's reading ability falls far below  
16 the third grade level or the equivalent.

17 (b) A mechanism to allow a school district governing board or the  
18 governing body of a charter school to promote a pupil from the third grade  
19 who obtains a score on the reading portion of the ~~Arizona instrument to~~  
20 ~~measure standards test, or a successor test,~~ STATEWIDE ASSESSMENT that  
21 demonstrates that the pupil's reading falls far below the third grade  
22 level for any of the following:

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

26 (ii) A pupil who is in the process of a special education referral  
27 or evaluation for placement in special education, a pupil who has been  
28 diagnosed as having a significant reading impairment, including dyslexia,  
29 or a pupil who is a child with a disability as defined in section 15-761  
30 if the pupil's individualized education program team and the pupil's  
31 parent or guardian agree that promotion is appropriate based on the  
32 pupil's individualized education program.

33 (iii) A pupil who receives intervention and remedial services  
34 during the summer or subsequent school year pursuant to subdivision (c) of  
35 this paragraph and demonstrates sufficient progress may be promoted from  
36 the third grade based on guidelines issued pursuant to subsection B,  
37 paragraph 5 of this section.

38 (c) Intervention and remedial strategies developed by the state  
39 board of education for pupils who are not promoted from the third grade.  
40 A school district governing board or the governing body of a charter  
41 school shall offer at least one of the intervention and remedial  
42 strategies developed by the state board of education. The parent or  
43 guardian of a pupil who is not promoted from the third grade and the  
44 pupil's teacher and principal may choose the most appropriate intervention  
45 and remedial strategies that will be provided to that pupil. The

1 intervention and remedial strategies developed by the state board of  
2 education shall include:

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

5 (ii) Summer school reading instruction.

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

9 (iv) Online reading instruction.

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

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

17 5. Distribute guidelines for the school districts to follow in  
18 prescribing criteria for the promotion of pupils from grade to grade in  
19 the common schools. These guidelines shall include recommended procedures  
20 for ensuring that the cultural background of a pupil is taken into  
21 consideration when criteria for promotion are being applied.

22 B. School districts and charter schools shall provide annual  
23 written notification to parents of pupils in kindergarten programs and  
24 first, second and third grades that a pupil who obtains a score on the  
25 reading portion of the ~~Arizona instrument to measure standards test, or a~~  
26 ~~successor test,~~ STATEWIDE ASSESSMENT that demonstrates the pupil is  
27 reading far below the third grade level will not be promoted from the  
28 third grade. If the school has determined that the pupil is substantially  
29 deficient in reading before the end of grade three, the school district or  
30 charter school shall provide to the parent of that pupil a separate  
31 written notification of the reading deficiency that includes the following  
32 information:

33 1. A description of the current reading services provided to the  
34 pupil.

35 2. A description of the available supplemental instructional  
36 services and supporting programs that are designed to remediate reading  
37 deficiencies. Each school district or charter school shall offer at least  
38 one intervention strategy and at least one remedial strategy for pupils  
39 with reading deficiencies. The notification shall list the intervention  
40 and remedial strategies offered and shall instruct the parent or guardian  
41 to choose the strategy that will be implemented for that child.

42 3. Parental strategies to assist the pupil to attain reading  
43 proficiency.

44 4. A statement that the pupil will not be promoted from the third  
45 grade if the pupil obtains a score on the reading portion of the ~~Arizona~~

1 ~~instrument to measure standards test, or a successor test,~~ STATEWIDE  
2 ASSESSMENT that demonstrates the pupil is reading far below the third  
3 grade level, unless the pupil is exempt from mandatory retention in grade  
4 three or the pupil qualifies for an exemption pursuant to subsection A of  
5 this section.

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

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

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

13 2. Prescribe criteria for the promotion of pupils from grade to  
14 grade in the common schools in the school district. These criteria shall  
15 include accomplishment of the academic standards in at least reading,  
16 writing, mathematics, science and social studies, as determined by  
17 district assessment. Other criteria may include additional measures of  
18 academic achievement and attendance.

19 D. The governing board may prescribe the course of study and  
20 competency requirements for promotion that are in addition to or higher  
21 than the course of study and competency requirements the state board  
22 prescribes.

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

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

36 G. Within any high school district or union high school district,  
37 the superintendent of the high school district shall supervise the work of  
38 the eighth grade of all schools employing no superintendent or principal.

39 H. A school district shall not deny a pupil who is between the ages  
40 of sixteen and twenty-one years admission to a high school because the  
41 pupil does not hold an eighth grade certificate. Governing boards shall  
42 establish procedures for determining the admissibility of pupils who are  
43 under sixteen years of age and who do not hold eighth grade certificates.

44 I. The state board of education shall adopt rules to allow common  
45 school pupils who can demonstrate competency in a particular academic

1 course or subject to obtain academic credit for the course or subject  
2 without enrolling in the course or subject.

3 J. A school district may conduct a ceremony to honor pupils who  
4 have been promoted from the eighth grade.

5 K. For the purposes of this section, "dyslexia" means a brain-based  
6 learning difference that impairs a person's ability to read and spell,  
7 that is independent of intelligence and that typically causes a person to  
8 read at levels lower than expected.

9 Sec. 5. Section 15-704, Arizona Revised Statutes, is amended to  
10 read:

11 15-704. Reading proficiency; definitions

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

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

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

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

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

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

9 G. Subsections E and F of this section shall be coordinated with  
10 efforts to develop and implement an improvement plan if required pursuant  
11 to section 15-241.02.

12 H. For the purposes of this section:

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

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

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

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

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

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

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

3 Sec. 6. Section 15-741, Arizona Revised Statutes, is amended to  
4 read:

5 15-741. Assessment of pupils

6 A. The state board of education shall:

7 1. Adopt rules for purposes of this article pursuant to title 41,  
8 chapter 6.

9 2. Adopt and implement ~~an Arizona instrument to measure standards~~  
10 ~~test~~ A STATEWIDE ASSESSMENT to measure pupil achievement of the state  
11 board adopted academic standards in reading, writing and mathematics in at  
12 least four grades designated by the board. The board shall determine the  
13 manner of implementation. The board may administer assessments of the  
14 academic standards in social studies and science, except that a pupil  
15 shall not be required to meet or exceed the social studies or science  
16 standards measured by the ~~Arizona instrument to measure standards test~~  
17 STATEWIDE ASSESSMENT.

18 3. Ensure that the tests prescribed in this section are uniform  
19 throughout the state.

20 4. Ensure that the tests prescribed in this section are able to be  
21 scored in an objective manner and that the tests are not intended to  
22 advocate any sectarian, partisan or denominational viewpoint.

23 5. Ensure that the tests prescribed in this article collect only  
24 types of pupil nontest data that are approved by the state board of  
25 education at a public meeting and published on the website of the state  
26 board of education pursuant to paragraph 7 of this subsection.

27 6. Include within its budget all costs pertaining to the tests  
28 prescribed in this article. If sufficient monies are appropriated, the  
29 state board may provide achievement test services to school districts that  
30 request assistance in testing pupils in grades additional to those  
31 required by this section.

32 7. Survey teachers, principals and superintendents on ~~achievement~~  
33 ~~related~~ ACHIEVEMENT-RELATED nontest indicators, including information on  
34 graduation rates by ethnicity and dropout rates by ethnicity for each  
35 grade level. Before the survey, the state board of education shall  
36 approve at a public meeting the nontest indicators on which data will be  
37 collected and shall post in a prominent position on the home page of the  
38 state board's website a link to the nontest indicators entitled "what  
39 nontest data does the state of Arizona collect about Arizona pupils?".  
40 The linked web page shall state the types of data collected, the reasons  
41 for the collection of the data and the entities with which the data is  
42 shared. In conducting the survey and collecting data, the state board of  
43 education shall not violate the provisions of the family educational  
44 rights and privacy act (P.L. 93-380), as amended, nor disclose personally  
45 identifiable information.

1           8. Establish a fair and consistent method and standard by which  
2 test scores from schools in a district may be evaluated taking into  
3 consideration demographic data. The board shall establish intervention  
4 strategies to assist schools with scores below the acceptable  
5 standard. The board shall annually review district and school scores and  
6 shall offer assistance to school districts in analyzing data and  
7 implementing intervention strategies. The board shall use the adopted  
8 test and methods of data evaluation for a period of at least ten years.

9           9. Participate in other assessments that provide national  
10 comparisons as needed.

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

15           C. Local school district governing boards shall:

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

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

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

27           E. A test for penmanship shall not be required pursuant to this  
28 article.

29           Sec. 7. Section 15-741.02, Arizona Revised Statutes, is amended to  
30 read:

31           15-741.02. Menu of locally procured achievement assessments;  
32           requirements; rules; definition

33           A. The state board of education shall adopt a menu of locally  
34 procured achievement assessments to measure pupil achievement of the state  
35 academic standards. Beginning in the ~~2017-2018~~ 2018-2019 school year,  
36 each local education agency that offers instruction in grades nine through  
37 twelve may select from that menu an achievement assessment that is locally  
38 procured to administer to the pupils in one or more schools ~~as provided~~  
39 ~~for in the rules and procedures of the state board of education~~ in that  
40 local education agency instead of the test to measure pupil achievement  
41 adopted by the state board of education pursuant to section 15-741.  
42 Beginning in the ~~2018-2019~~ 2019-2020 school year, each local education  
43 agency that offers instruction in grades three through eight may select  
44 from that menu an achievement assessment that is locally procured to  
45 administer to the pupils in that local education agency instead of the

1 test to measure pupil achievement adopted by the state board of education  
2 pursuant to section 15-741.

3 B. A locally procured achievement assessment in use by a local  
4 education agency that is not on the menu of assessments BY MARCH 1, 2018  
5 may be added to the menu at the request of the local education agency and  
6 ~~approval~~ SHALL BE APPROVED by the state board of education IF THE  
7 ASSESSMENT IS NATIONALLY RECOGNIZED, AN EARLY COLLEGE CREDIT EXAMINATION  
8 ADOPTED PURSUANT TO SECTION 15-249.06 OR AN ASSESSMENT ADOPTED PURSUANT TO  
9 SECTION 15-792.03. THE STATE BOARD OF EDUCATION MAY APPROVE ALL OTHER  
10 ASSESSMENTS IF THE ASSESSMENT MEETS THE REQUIREMENTS OF SUBSECTION E OF  
11 THIS SECTION. The state board of education shall evaluate locally  
12 procured assessments not on the menu pursuant to this section annually AND  
13 SHALL NOTIFY LOCAL EDUCATION AGENCIES OF THE RESULTS ON OR BEFORE MAY 1 OF  
14 EACH YEAR.

15 C. A local education agency that selects a locally procured  
16 achievement assessment pursuant to this section meets the requirements  
17 prescribed in section 15-741. The local education agency shall include  
18 the name of the assessment it administers in the school report card  
19 required in section 15-746 and administer the assessment for a minimum  
20 period of time prescribed by the state board of education.

21 D. The state board of education shall adopt rules and procedures  
22 for the approval of locally procured assessments to be administered by the  
23 superintendent of public instruction pursuant to this section. Any rule  
24 or procedure adopted pursuant to this subsection may not require a local  
25 education agency to receive additional approval from the state board of  
26 education or the department of education to select an assessment from the  
27 menu of assessments ~~pursuant to this section except that a local education~~  
28 ~~agency assigned a letter grade of D or F pursuant to section 15-241 may~~  
29 ~~not choose an assessment from the menu and shall continue to use the~~  
30 ~~statewide assessment adopted by the state board of education pursuant to~~  
31 ~~section 15-741~~ AND MAY NOT REQUIRE ANY ADDITIONAL REQUIREMENTS OTHER THAN  
32 THOSE REQUIRED BY SUBSECTION E OF THIS SECTION. A LOCAL EDUCATION AGENCY  
33 THAT ADOPTS A LOCALLY PROCURED ACHIEVEMENT ASSESSMENT PURSUANT TO THIS  
34 SECTION SHALL PROVIDE THE NECESSARY REASONABLE ACCOMMODATIONS FOR A  
35 STUDENT WHO IS AN ENGLISH LANGUAGE LEARNER AND THE NECESSARY  
36 ACCOMMODATIONS AND MODIFICATIONS FOR A STUDENT AS REQUIRED BY THE  
37 STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM TEAM.

38 E. The state board of education shall require that the provider of  
39 a locally procured achievement assessment that is proposed ~~to be~~  
40 ~~considered~~ for the menu of locally procured achievement assessments shall  
41 do all of the following:

42 1. Provide evidence that the assessment is a high quality  
43 assessment.

44 2. Demonstrate that the assessment meets or exceeds the LEVEL OF  
45 RIGOR OF THE state board's adopted academic standards.

1           3. Demonstrate that the assessment scores can be ~~equated~~ SCALED for  
2 state accountability programs including establishing comparable student  
3 ~~assessment scores and~~ performance levels for achievement profiles and  
4 letter grade classifications issued pursuant to section 15-241.

5           4. Submit an evaluation from a third party approved by the state  
6 board of education that shows the assessment meets the requirements  
7 prescribed in paragraphs 1, 2 and 3 of this subsection.

8           5. Provide a copy of assessment scores to the department of  
9 education when scores are provided to their partnering local education  
10 agency.

11           F. FOR THE PURPOSES OF THIS SECTION, "NATIONALLY RECOGNIZED" MEANS  
12 AN ASSESSMENT THAT IS ACCEPTED BY UNIVERSITIES FOR THE PURPOSES OF  
13 AWARING COLLEGE CREDIT OR ADMISSIONS.

14           Sec. 8. Section 15-743, Arizona Revised Statutes, is amended to  
15 read:

16           15-743. Test results; annual report

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

25           1. Average and range scores on the ~~Arizona instrument to measure~~  
26 ~~standards test~~ STATEWIDE ASSESSMENT.

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

30           3. ~~Achievement related~~ ACHIEVEMENT-RELATED nontest indicator data  
31 collected in the survey of teachers, principals and superintendents as  
32 required by section 15-741, including information related to dropout rates  
33 by ethnicity for each grade level and graduation rates and postsecondary  
34 employment and education by ethnicity. In reporting such data, the state  
35 board of education shall not violate the provisions of the family  
36 educational rights and privacy act (P.L. 93-380), as amended, ~~not~~ OR  
37 disclose personally identifiable information.

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

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

42           C. The state board shall provide a copy of the results from the  
43 tests prescribed in section 15-741, subsection A for each school district  
44 to that school district. ~~No~~ Results may NOT be released to the public  
45 until ten days after the reports are provided to each school district.

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

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

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

30 Sec. 9. Section 15-746, Arizona Revised Statutes, is amended to  
31 read:

32 15-746. School report cards

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

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

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

38 3. A summary of the results achieved by pupils enrolled at the  
39 school during the prior three school years as measured by the ~~Arizona~~  
40 ~~instrument to measure standards test~~ STATEWIDE ASSESSMENT and the  
41 nationally standardized norm-referenced achievement test as designated by  
42 the state board and as reported in the annual report prescribed by section  
43 15-743, a summary of the pupil progress on an ongoing and annual basis,  
44 showing the trends in gain or loss in pupil achievement over time in  
45 reading, language arts and mathematics for all years in which pupils are

1 enrolled in the school district for an entire school year and for which  
2 this information is available and a summary of the pupil progress for  
3 pupils WHO ARE not enrolled in a district for an entire school year.

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

14 5. The attendance rate of pupils enrolled at the school as  
15 reflected in the school's average daily membership as defined in section  
16 15-901.

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

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

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

32 9. The school calendar, including the length of the school day and  
33 hours of operations.

34 10. The total number of pupils enrolled at the school during the  
35 previous school year.

36 11. The transportation services available.

37 ~~12. Beginning in the 2000-2001 school year and until July 1, 2006,~~  
38 ~~the reading instruction programs used by the school for kindergarten~~  
39 ~~programs and grades one, two and three, pursuant to section 15-704. The~~  
40 ~~report card shall include a district comparison of test scores among the~~  
41 ~~different programs of reading instruction and shall identify the program~~  
42 ~~of reading instruction used in each classroom.~~

43 ~~13.~~ 12. A description of the responsibilities of parents of  
44 children enrolled at the school.

1       ~~14.~~ 13. A description of the responsibilities of the school to the  
2 parents of the children enrolled at the school, including dates the report  
3 cards are delivered to the home.

4       ~~15.~~ 14. A description of the composition and duties of the school  
5 council as prescribed in section 15-351 if such a school council exists.

6       ~~16.~~ 15. For the most recent year available, the average current  
7 expenditure per pupil for administrative functions compared to the  
8 predicted average current expenditure per pupil for administrative  
9 functions according to an analysis of administrative cost data by the  
10 joint legislative budget committee staff.

11       ~~17.~~ 16. If the school provides instruction to pupils in  
12 kindergarten programs and grades one through three, the ratio of pupils to  
13 teachers in each classroom where instruction is provided in kindergarten  
14 programs and grades one through three.

15       ~~18.~~ 17. The average class size per grade level for all grade  
16 levels, kindergarten programs and grades one through eight. For the  
17 purposes of this paragraph, "average class size" means the weighted  
18 average of each class.

19       B. The department of education shall develop a standardized report  
20 card format that meets the requirements of subsection A of this  
21 section. The department shall modify the standardized report card as  
22 necessary on an annual basis. The department shall distribute to each  
23 school in this state a copy of the standardized report card that includes  
24 the required test scores for each school. Additional copies of the  
25 standardized report card shall be available on request.

26       C. After each school has completed the report card distributed to  
27 it by the department of education, the school, in addition to distributing  
28 the report card as prescribed in subsection A of this section, shall send  
29 a copy of the report card to the department. The department shall prepare  
30 an annual report that contains the report card from each school in this  
31 state.

32       D. The school shall distribute report cards to parents of pupils  
33 enrolled at the school, no later than the last day of school of each  
34 fiscal year, and shall present a summary of the contents of the report  
35 cards at an annual public meeting held at the school. The school shall  
36 give notice at least two weeks before the public meeting that clearly  
37 states the purposes, time and place of the meeting.

38       Sec. 10. Section 15-763, Arizona Revised Statutes, is amended to  
39 read:

40       15-763. Plan for providing special education; definition

41       A. All school districts and charter schools shall develop policies  
42 and procedures for providing special education to all children with  
43 disabilities within the district or charter school. All children with  
44 disabilities shall receive special education programming commensurate with  
45 their abilities and needs. Each child shall be ensured access to the

1 general curriculum and an opportunity to meet the state's academic  
2 standards. Pupils who receive special education shall not be required to  
3 achieve passing scores on the ~~Arizona instrument to measure standards test~~  
4 STATEWIDE ASSESSMENT or the test that is identical to the civics portion  
5 of the naturalization test under section 15-701.01 in order to graduate  
6 from high school unless the pupil is learning at a level appropriate for  
7 the pupil's grade level in a specific academic area and unless a passing  
8 score on the ~~Arizona instrument to measure standards test~~ STATEWIDE  
9 ASSESSMENT or the test that is identical to the civics portion of the  
10 naturalization test under section 15-701.01 is specifically required in a  
11 specific academic area by the pupil's individualized education program as  
12 mutually agreed on by the pupil's parents and the pupil's individualized  
13 education program team or the pupil, if the pupil is at least eighteen  
14 years of age. The pupil's individualized education program shall include  
15 any necessary testing accommodations. Special education services shall be  
16 provided at no cost to the parents of children with disabilities.

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

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

24 D. If federal monies are provided to a school district or a charter  
25 school for special education services to homeschooled or private schooled  
26 pupils, the school district or charter school shall provide the services  
27 to both the homeschooled pupils and the private schooled pupils in the  
28 same manner.

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

31 Sec. 11. Section 15-792.02, Arizona Revised Statutes, is amended to  
32 read:

33 15-792.02. Board examination system; private contractor;  
34 duties; rules

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

38 B. The private organization selected by the state board of  
39 education shall:

40 1. Identify, select and collaborate with a national organization  
41 that is devoted to issues concerning education and the economy and that is  
42 selected by the state board of education to provide technical services to  
43 develop and maintain an interstate system of approved board examination  
44 systems.

1           2. Provide data and other information to a national organization  
2 that is devoted to issues concerning education and the economy and that is  
3 selected by the state board of education to provide technical services the  
4 national organization deems necessary to set appropriate performance  
5 standards for the students in this state. The department of education  
6 shall provide data and other information to the private organization.

7           3. Conduct technical studies required by the state board of  
8 education to compare the scores on approved board examinations by the  
9 students in this state to scores on the ~~Arizona instrument to measure~~  
10 ~~standards test~~ STATEWIDE ASSESSMENT and other measures deemed necessary to  
11 ensure the efficacy of the approved board examinations. The private  
12 organization may contract with other entities that are selected by the  
13 state board of education for the purpose of conducting technical studies.

14           4. In cooperation with the superintendent of public instruction and  
15 the state board of education, solicit monies from all lawful private and  
16 public sources, including federal monies, to offset the costs of  
17 instruction provided to students under this article.

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

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

24           (b) Be periodically evaluated to ensure alignment with  
25 internationally benchmarked standards selected by an interstate compact on  
26 board examination systems.

27           (c) Have common passing scores that are prescribed by an interstate  
28 compact on board examination systems and that are set to the level of  
29 skills and knowledge needed to succeed in college-level courses offered by  
30 community colleges in this state that count toward a degree or certificate  
31 without taking remedial or developmental coursework. The private  
32 organization, on approval of the state board of education and with input  
33 from representatives from school districts, charter schools, community  
34 colleges and universities in this state, shall designate two individuals  
35 to represent this state in an interstate compact on board examination  
36 systems to prescribe the common passing scores prescribed in this  
37 subdivision.

38           6. Prepare an annual report for the state board of education, which  
39 shall forward it to the legislature and the governor, on the progress made  
40 toward the goals established in this article and provide copies to the  
41 secretary of state. Participating schools and the department of education  
42 shall provide data to the private organization as needed in order to  
43 complete the annual report.

44           7. Identify, select and represent this state on the national  
45 governing body of an interstate compact on board examination systems, as

1 approved by the state board of education, to enable states to collaborate  
2 in the following areas:

3 (a) ~~The selection of~~ SELECTING board examination systems for use in  
4 those states.

5 (b) Providing technical assistance required to implement the board  
6 examination systems effectively in those states for the use of those  
7 examinations.

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

12 8. Select this state's representatives in an interstate compact on  
13 board examination systems in accordance with policies prescribed by that  
14 interstate compact.

15 C. The state board of education shall adopt rules to carry out the  
16 purposes of this section and shall select college and career ready  
17 examinations that are available to pupils in grade eight, including those  
18 pupils who intend to participate in the board examinations system in high  
19 school. The examinations shall be selected to provide data to pupils,  
20 their families and schools regarding the pupil's level of preparation for  
21 entry into a college and career ready pathway in high school.

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

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

28 Sec. 12. Section 15-977, Arizona Revised Statutes, is amended to  
29 read:

30 15-977. Classroom site fund; definitions

31 A. The classroom site fund is established consisting of monies  
32 transferred to the fund pursuant to section 37-521, subsection B and  
33 section 42-5029, subsection E, paragraph 10. The department of education  
34 shall administer the fund. School districts and charter schools may not  
35 supplant existing school site funding with revenues from the fund. All  
36 monies distributed from the fund are intended for use at the school  
37 site. Each school district or charter school shall allocate forty ~~per~~  
38 ~~cent~~ PERCENT of the monies for teacher compensation increases based on  
39 performance and employment related expenses, twenty ~~per cent~~ PERCENT of  
40 the monies for teacher base salary increases and employment related  
41 expenses and forty ~~per cent~~ PERCENT of the monies for maintenance and  
42 operation purposes as prescribed in subsection H of this section. Teacher  
43 compensation increases based on performance or teacher base salary  
44 increases distributed pursuant to this subsection shall supplement, and  
45 not supplant, teacher compensation monies from any other sources. The

1 school district or charter school shall notify each school principal of  
2 the amount available to the school by April 15 of each year. The district  
3 or charter school shall request from the school's principal each school's  
4 priority for the allocation of the funds available to the school for each  
5 program listed under subsection H of this section. The amount budgeted by  
6 the school district or charter school pursuant to this section shall not  
7 be included in the allowable budget balance carryforward calculated  
8 pursuant to section 15-943.01.

9 B. A school district governing board must adopt a performance based  
10 compensation system at a public hearing to allocate funding from the  
11 classroom site fund pursuant to subsection A of this section. ~~Beginning~~  
12 ~~in school year 2014-2015~~, Individual teacher performance as measured by  
13 the teacher's performance classification pursuant to section 15-203,  
14 subsection A, paragraph 38 shall be a component of the school district's  
15 portion of the forty ~~per cent~~ PERCENT allocation for teacher compensation  
16 based on performance and employment related expenses.

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

19 1. School district performance and school performance.

20 2. Individual teacher performance as measured by the teacher's  
21 performance classification pursuant to section 15-203, subsection A,  
22 paragraph 38. ~~Beginning in school year 2014-2015~~, The individual teacher  
23 performance component shall account for thirty-three ~~per cent~~ PERCENT of  
24 the forty ~~per cent~~ PERCENT allocation for teacher compensation based on  
25 performance and employment related expenses.

26 3. Measures of academic progress toward the academic standards  
27 adopted by the state board of education.

28 4. Other measures of academic progress.

29 5. Dropout or graduation rates.

30 6. Attendance rates.

31 7. Ratings of school quality by parents.

32 8. Ratings of school quality by students.

33 9. The input of teachers and administrators.

34 10. Approval of the performance based compensation system based on  
35 an affirmative vote of at least seventy ~~per cent~~ PERCENT of the teachers  
36 eligible to participate in the performance based compensation system.

37 11. An appeals process for teachers who have been denied  
38 performance based compensation.

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

41 D. A performance based compensation system shall include teacher  
42 professional development programs that are aligned with the elements of  
43 the performance based compensation system.

44 E. A school district governing board may modify the elements  
45 contained in subsection C of this section and consider additional elements

1 when adopting a performance based compensation system. A school district  
2 governing board shall adopt any modifications or additional elements and  
3 specify the criteria used at a public hearing.

4 F. Until December 31, 2009, each school district shall develop an  
5 assessment plan for its performance based compensation system and submit  
6 the plan to the department of education by December 31 of each year. A  
7 copy of the performance based compensation system and assessment plan  
8 adopted by the school district governing board shall be included in the  
9 report submitted to the department of education.

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

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

19 2. The allocation to each charter school and school district for a  
20 fiscal year shall equal the per pupil amount established in paragraph 1 of  
21 this subsection for the fiscal year multiplied by the weighted student  
22 count for the school district or charter school for the fiscal year  
23 pursuant to section 15-943, paragraph 2, subdivision (a). For the  
24 purposes of this paragraph, the weighted student count for a school  
25 district that serves as the district of attendance for nonresident pupils  
26 shall be increased to include nonresident pupils who attend school in the  
27 school district.

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

- 30 1. Class size reduction.
- 31 2. Teacher compensation increases.
- 32 3. ~~AIMS~~ ASSESSMENT intervention programs.
- 33 4. Teacher development.
- 34 5. Dropout prevention programs.
- 35 6. Teacher liability insurance premiums.

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

41 J. School districts and charter schools that receive monies from  
42 the classroom site fund shall submit a report by November 15 of each year  
43 to the superintendent of public instruction that provides an accounting of  
44 the expenditures of monies distributed from the fund during the previous  
45 fiscal year and a summary of the results of district and school programs

1 funded with monies distributed from the fund. The department of education  
2 in conjunction with the auditor general shall prescribe the format of the  
3 report under this subsection.

4 K. School districts and charter schools that receive monies from  
5 the classroom site fund shall receive these monies monthly in an amount  
6 not to exceed one-twelfth of the monies estimated pursuant to subsection G  
7 of this section, except that if there are insufficient monies in the fund  
8 that month to make payments, the distribution for that month shall be  
9 prorated for each school district or charter school. The department of  
10 education may make an additional payment in the current month for any  
11 prior month or months in which school districts or charter schools  
12 received a prorated payment if there are sufficient monies in the fund  
13 that month for the additional payments. The state is not required to make  
14 payments to a school district or charter school classroom site fund if the  
15 state classroom site fund revenue collections are insufficient to meet the  
16 estimated allocations to school districts and charter schools pursuant to  
17 subsection G of this section.

18 L. The state education system for committed youth shall receive  
19 monies from the classroom site fund in the same manner as school districts  
20 and charter schools. The Arizona state schools for the deaf and the blind  
21 shall receive monies from the classroom site fund in an amount that  
22 corresponds to the weighted student count for the current year pursuant to  
23 section 15-943, paragraph 2, subdivision (b) for each pupil enrolled in  
24 the Arizona state schools for the deaf and the blind. Except as otherwise  
25 provided in this subsection, the Arizona state schools for the deaf and  
26 the blind and the state education system for committed youth are subject  
27 to this section in the same manner as school districts and charter  
28 schools.

29 M. Each school district and charter school, including school  
30 districts that unify pursuant to section 15-448 or consolidate pursuant to  
31 section 15-459, shall establish a local level classroom site fund to  
32 receive allocations from the state level classroom site fund. The local  
33 level classroom site fund shall be a budgetary controlled account.  
34 Interest charges for any registered warrants for the local level classroom  
35 site fund shall be a charge against the local level classroom site fund.  
36 Interest earned on monies in the local level classroom site fund shall be  
37 added to the local level classroom site fund as provided in section  
38 15-978. This state shall not be required to make payments to a school  
39 district or charter school local level classroom site fund that are in  
40 addition to monies transferred to the state level classroom site fund  
41 pursuant to section 37-521, subsection B and section 42-5029, subsection  
42 E, paragraph 10.

43 N. Monies distributed from the classroom site fund for class size  
44 reduction, ~~AIMS~~ ASSESSMENT intervention and dropout prevention programs  
45 shall only be used for instructional purposes in the instruction function

1 as defined in the uniform system of financial records, except that monies  
2 shall not be used for ~~school sponsored~~ SCHOOL-SPONSORED athletics.

3 0. For the purposes of this section:

4 1. "~~AIMS~~ ASSESSMENT intervention" means summer programs, after  
5 school programs, before school programs or tutoring programs that are  
6 specifically designed to ensure that pupils meet the Arizona academic  
7 standards as measured by the ~~Arizona instrument to measure standards test~~  
8 STATEWIDE ASSESSMENT prescribed by section 15-741.

9 2. "Class size reduction" means any maintenance and operations  
10 expenditure that is designed to reduce the ratio of pupils to classroom  
11 teachers, including the use of persons who serve as aides to classroom  
12 teachers.

13 Sec. 13. Section 15-1805.01, Arizona Revised Statutes, is amended  
14 to read:

15 15-1805.01. Admissions; enrollments; community colleges

16 A. Admissions to the community colleges in this state may be  
17 granted to any person who meets ~~any~~ AT LEAST one of the following  
18 criteria:

19 1. Is a graduate of a high school that is accredited by a regional  
20 accrediting association as defined by the United States office of  
21 education or approved by a state board of education or other appropriate  
22 state educational agency.

23 2. Has a high school certificate of equivalency.

24 3. Is at least eighteen years of age and demonstrates evidence of  
25 potential success in the community college.

26 4. Is a transfer student in good standing from another college or  
27 university.

28 B. Each community college district shall adopt policies regarding  
29 the admission of students WHO ARE under eighteen years of age that  
30 include, at a minimum, student completion of course prerequisites and the  
31 following requirements:

32 1. Admission to the community colleges in this state shall be  
33 granted to any student who is under eighteen years of age and who achieves  
34 AT LEAST one of the following:

35 (a) A composite score of 93 or more on the preliminary scholastic  
36 aptitude test.

37 (b) A composite score of 930 or more on the scholastic aptitude  
38 test.

39 (c) A composite score of twenty-two or more on the American college  
40 test.

41 (d) A passing score on the relevant portions of the ~~Arizona~~  
42 ~~instrument to measure standards test~~ STATEWIDE ASSESSMENT.

43 (e) The completion of a college placement test designated by the  
44 community college district that indicates the student is at the  
45 appropriate college level for the course.

1           (f) Is a graduate of a private or public high school or has a high  
2 school certificate of equivalency.  
3           2. A community college may limit the number of semester hours in  
4 which the student may enroll to not more than six credit hours.  
5           C. Homeschooled students are exempt from subsection B of this  
6 section.  
7           D. Students who enroll in vocational courses may be admitted on an  
8 individual basis with the approval of college officials if the student  
9 meets the established requirements of the courses for which the student  
10 enrolls and the college officials determine that the student's admission  
11 is in the best interest of the student.  
12           Sec. 14. Emergency  
13           This act is an emergency measure that is necessary to preserve the  
14 public peace, health or safety and is operative immediately as provided by  
15 law.

APPROVED BY THE GOVERNOR APRIL 4, 2017.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 4, 2017.