CHAPTER 289

SENATE BILL 1444

AN ACT

AMENDING SECTION 15-701.01, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2015, CHAPTER 1, SECTION 1, CHAPTER 127, SECTION 1 AND CHAPTER 145, SECTION 1; REPEALING SECTION 15-701.01, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2017, CHAPTER 210, SECTION 4; APPROPRIATING MONIES; RELATING TO SCHOOL CURRICULA.

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

Section 1. Section 15-701.01, Arizona Revised Statutes, as amended by Laws 2015, chapter 1, section 1, chapter 127, section 1 and chapter 145, section 1, is amended to read:

15-701.01. High school; graduation; requirements; community college or university courses; transfer from other schools; academic credit

A. The state board of education shall:

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

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

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

B. The governing board of a school district shall:

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

2. Prescribe criteria for the graduation of pupils from the high schools in the school district. These criteria shall include accomplishment of the academic standards in at least reading, writing, mathematics, science and social studies, as determined by district assessment. Other criteria may include additional measures of academic achievement and attendance. Pursuant to the prescribed graduation requirements adopted by the state board of education, the governing board may approve a rigorous computer science course that would fulfill a mathematics course required for graduation from high school. The
governing board may approve a rigorous computer science course only if the
rigorous computer science course includes significant mathematics content
and the governing board determines the high school where the rigorous
computer science course is offered has sufficient capacity, infrastructure
and qualified staff, including competent teachers of computer science.
The school district governing board or charter school governing body may
determine the method and manner in which to administer a test that is
identical to the civics portion of the naturalization test used by the
United States citizenship and immigration services. A pupil who does not
obtain a passing score on the test that is identical to the civics portion
of the naturalization test may retake the test until the pupil obtains a
passing score.

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

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

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

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

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

2. “University” means a university under the jurisdiction of the
Arizona board of regents.

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

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

I. A pupil who transfers credit from a charter school, a school
district or Arizona online instruction shall be provided with a list that
indicates which credits have been accepted as an elective credit CREDITS
and which credits have been accepted as a core credit CREDITS by the
school district or charter school. Within ten school days after receiving
the list, the pupil may request to take an examination in each
particular course in which core credit has been denied. The school
district or charter school shall accept the credit as a core credit for
each particular course in which the pupil takes an examination and
receives a passing score on a test, THAT IS aligned to the competency
requirements adopted pursuant to this section, AND THAT IS designed and
evaluated by a teacher in the school district or charter school who
.teaches the subject matter on which the examination is based. If a pupil
.is enrolled in a school district or charter school and that pupil also
.participates in Arizona online instruction between May 1 and July 31, the
.school district or charter school shall not require proof of payment as a
.condition of the school district or charter school accepting credits
earned from the online course provider.
J. The state board of education shall adopt rules to allow high school pupils who can demonstrate competency in a particular academic course or subject to obtain academic credit for the course or subject without enrolling in the course or subject.

K. Pupils who earn a Grand Canyon diploma pursuant to article 6 of this chapter are exempt from the graduation requirements prescribed in this section. Pupils who earn a Grand Canyon diploma are entitled to all the rights and privileges of persons who graduate with a high school diploma issued pursuant to this section, including access to postsecondary scholarships and other forms of student financial aid and access to all forms of postsecondary education. Notwithstanding any other law, a pupil who is eligible for a Grand Canyon diploma may elect to remain in high school through grade twelve and shall not be prevented from enrolling at a high school after the pupil becomes eligible for a Grand Canyon diploma. A pupil who is eligible for a Grand Canyon diploma and who elects not to pursue one of the options prescribed in section 15-792.03 may only be readmitted to that high school or another high school in this state pursuant to policies adopted by the school district of readmission.

Sec. 2. Repeal
Section 15-701.01, Arizona Revised Statutes, as amended by Laws 2017, chapter 210, section 4, is repealed.

Sec. 3. American civics education pilot program; reporting requirements; fund; delayed repeal
A. The department of education shall develop a five-year pilot program to begin in the 2019-2020 school year for American civics education in grades nine through twelve to enhance the focus on American civics education in schools selected to participate in the pilot program. The department of education shall develop application procedures and selection criteria for school districts, district schools and charter schools that voluntarily decide to participate in the pilot program for five consecutive years. The number of school districts, district schools and charter schools selected to participate in the pilot program shall proportionally reflect the number of school districts, district schools and charter schools in Arizona. School districts that apply to participate in the pilot program may apply for either of the entire school district or one or multiple schools within the school district to participate. The state board of education shall approve each school district, district school and charter school selected by the department of education to participate in the pilot program.

B. The department of education shall consider the extent to which a school district, district school or charter school that applies to participate in the pilot program currently provides American civics education for high school students and shall prioritize school districts, district schools and charter schools that it determines currently provide fewer instructional hours on American civics education.
C. Each school district, district school or charter school selected
to participate in the pilot program shall:
   1. Administer the assessment of American civics education selected
      pursuant to subsection D of this section.
   2. Require at least one American civics course lasting at least one
      school semester. The curriculum for American civics courses offered
      through the pilot program shall be determined by the individual school or
      school district and may be administered through a digital software
      program.

D. The department of education shall:
   1. Subject to approval by the state board of education, submit a
      request for proposals to assessment providers to deliver an assessment of
      American civics education that the department of education determines to
      be a more rigorous measure of American civics education than the test that
      is identical to the civics portion of the naturalization test used by the
      United States citizenship and immigration services pursuant to section 15-
      701.01, Arizona Revised Statutes, and that can be made available to pupils
      in high schools selected to participate in the pilot program.
   2. Establish the format of the applications, application procedures
      and selection criteria for assessment providers that wish to submit a
      proposal to deliver a qualifying American civics education assessment
      pursuant to this subsection.
   3. Subject to approval by the state board of education, select and
      award a contract to one assessment provider to deliver the American civics
      education assessment pursuant to this subsection.
   4. Subject to approval by the state board of education, determine
      the cut score on the assessment selected pursuant to this subsection to
      determine proficiency in American civics education pursuant to this
      section.

E. The assessment selected pursuant to subsection D of this section
   is required to be administered to each pupil attending a participating
   high school. School districts, district schools and charter schools
   selected to participate in the pilot program are exempt from administering
   the test that is identical to the civics portion of the naturalization
   test used by the United States citizenship and immigration services
   pursuant to section 15-701.01, Arizona Revised Statutes.

F. If the department of education determines on an annual basis
   that a school or school district is not adequately educating pupils
   participating in the pilot program the department may terminate the
   participation of a school or school district in the pilot program, subject
   to approval by the state board of education. The department of education
   shall consider the performance of pupils on the assessment selected
   pursuant to subsection D of this section when considering the termination
   of the participation of a school or school district in the pilot program.
G. On or before September 31, 2019, the department of education shall submit to the governor, the president of the senate and the speaker of the house of representatives a progress report on the development and administration of the pilot program established pursuant to this section. The department shall submit a copy of this report to the secretary of state.

H. On or before September 1, 2020 and each year thereafter through the 2023-2024 school year, the department of education shall submit a report detailing pupil results on the American civics education assessment administered pursuant to subsection D of this section to the governor, the president of the senate, the speaker of the house of representatives and the state board of education. The department of education shall submit a copy of this report to the secretary of state.

I. The American civics education fund is established consisting of legislative appropriations and other monies transferred to the fund. The department of education shall administer the fund. Monies in the fund are subject to legislative appropriation. Monies in the fund shall be used for the American civics education pilot program established pursuant to this section. Monies in the fund are exempt from the provisions of section 35-190, Arizona Revised Statutes, relating to lapsing of appropriations.

J. This section is repealed from and after December 31, 2024.

Sec. 4. Appropriation; department of education; American civics education pilot program

A. The sum of $500,000 is appropriated from the state general fund in fiscal year 2019-2020 to the American civics education fund established by this act for the purpose of administering the American civics education pilot program established pursuant to this act.

B. The department of education may retain up to $50,000 for the administration of the program and shall distribute the remainder of the appropriation made in subsection A of this section as follows:

1. Award the assessment provider selected by the department of education and approved by the state board of education pursuant to this act a portion of the monies appropriated to assess pupils in American civics education.

2. Award all remaining monies to each school district, district school and charter school selected to participate in the pilot program in a proportional amount for the costs incurred to participate in the pilot program, including the costs associated with providing at least one course in American civics education and administering the assessment of American civics education required pursuant to this act.
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