

State of Arizona  
House of Representatives  
Fifty-third Legislature  
Second Regular Session  
2018

**CHAPTER 179**  
**HOUSE BILL 2216**

AN ACT

AMENDING SECTION 15-901.06, ARIZONA REVISED STATUTES; RELATING TO SCHOOL FINANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-901.06, Arizona Revised Statutes, is amended  
3 to read:

4 15-901.06. Dropout recovery programs; written learning plan;  
5 requirements; annual report; definitions

6 A. Each school district and charter school that provides  
7 instruction to high school pupils may offer a dropout recovery program for  
8 eligible pupils.

9 B. The state board of education shall prescribe standards and  
10 achievement testing requirements for dropout recovery programs that  
11 attempt to ensure that the programs are compatible with public school  
12 education goals and requirements. The standards shall require dropout  
13 recovery programs to do all of the following:

14 1. Provide curricula aligned to the academic standards adopted by  
15 the state board of education. The curricula may be delivered online. A  
16 provider of Arizona online instruction pursuant to section 15-808 may not  
17 also operate a dropout recovery program pursuant to this section.

18 2. Provide standardized tests required by federal and state law.

19 3. Make available appropriate and sufficient supports for pupils,  
20 including tutoring, career counseling and college counseling.

21 4. Comply with federal and state laws governing pupils with  
22 disabilities.

23 5. Meet state requirements for high school graduation.

24 C. Each eligible pupil who is enrolled in a dropout recovery  
25 program shall have a written learning plan developed by the pupil's  
26 assigned mentor. The written learning plan shall include the following  
27 elements:

28 1. The start date and anticipated end date of the plan.

29 2. Courses to be completed by the pupil during the academic year.

30 3. Whether courses will be taken sequentially or concurrently.

31 4. State competency exams to be taken, as necessary.

32 5. Expectations for satisfactory monthly progress.

33 6. Expectations for contact with the pupil's assigned mentor.

34 D. The monthly participation in a dropout recovery program shall be  
35 recorded on or before the tenth school day of each month and shall be  
36 reported to the department of education at the same time as other data  
37 required pursuant to section 15-1042. Monthly participation calculations  
38 shall include:

39 1. Newly enrolled pupils who have a written learning plan on file  
40 on or before the first school day of the previous month.

41 2. Pupils who met the expectations for satisfactory monthly  
42 progress in the previous month.

43 3. Pupils who did not meet the expectations for satisfactory  
44 monthly progress in the previous month but did meet the expectations in  
45 the month before the previous month.

1           4. Pupils who met expectations for program reentry in the revised  
2 written learning plan in the previous month.

3           E. Because dropout recovery pupils are not expected to regularly  
4 attend classes at the district facilities, standard procedures for  
5 recording pupil attendance cannot be effectively applied to those  
6 students. For pupils participating in a dropout recovery program, an  
7 eligible pupil shall be counted as being in attendance in the school's  
8 average daily attendance calculations pursuant to subsection F of this  
9 section if the pupil meets one of the following conditions:

10           1. Is in the first month of enrollment in the program and completes  
11 the program orientation during that month.

12           2. Is enrolled in teacher-facilitated courses and meets the  
13 expectations for satisfactory monthly progress for the current or previous  
14 month. A pupil who does not meet expectations for monthly progress for  
15 two or more consecutive months shall not be reported as being in  
16 attendance until the pupil meets the expectations for program reentry.

17           3. Meets the expectations for program reentry in the revised  
18 written learning plan.

19           F. If a pupil is enrolled in a school district or charter school  
20 other than the school district or charter school that participates in the  
21 dropout recovery program and also participates in a dropout recovery  
22 program in the same fiscal year, the average daily membership as  
23 prescribed in section 15-901, subsection A, paragraph 1, subdivisions (a)  
24 and (b) for that pupil in the school district or charter school and in a  
25 dropout recovery program shall not exceed 1.0, except that if the pupil is  
26 enrolled in a dropout recovery program and a joint technical education  
27 district, the average daily membership provisions of section 15-393 apply.  
28 If the pupil is enrolled in both a school district or charter school and a  
29 dropout recovery program in the same fiscal year and the sum of the  
30 average daily membership and average daily attendance for that pupil is  
31 greater than 1.0 or the amount prescribed in section 15-393 if the pupil  
32 is enrolled in a joint technical education district, the sum shall be  
33 reduced to 1.0 or to the amount specified in section 15-393 if the pupil  
34 is enrolled in a joint technical education district and shall be  
35 apportioned between the school district or charter school and the joint  
36 technical education district, if applicable, and the dropout recovery  
37 program based on the proportionate shares of average daily membership in  
38 the school district or charter school and the average daily attendance in  
39 the dropout recovery program. The uniform system of financial records  
40 shall include guidelines for the apportionment of pupil enrollment and  
41 attendance as provided in this subsection. Pupils in a dropout recovery  
42 program do not incur absences for purposes of this subsection and may  
43 generate average daily attendance for attendance during any hour of the  
44 day, during any day of the week and at any time between July 1 and June 30  
45 of each fiscal year. The average daily attendance of a pupil who

1 participates in a dropout recovery program shall not exceed 1.0 or the  
2 amount prescribed in section 15-393 if the pupil is enrolled in a joint  
3 technical education district, and shall be calculated by fulfilling the  
4 requirements of subsection E of this section. Average daily membership  
5 shall not be calculated on the one hundredth day of instruction for the  
6 purposes of this section.

7 G. Notwithstanding section 15-901, subsection A, paragraph 1, the  
8 average daily membership for pupils enrolled in a dropout recovery program  
9 shall equal the average daily attendance of the pupils.

10 H. School districts and charter schools shall be responsible for  
11 tuition charges and fees related to pupil participation in a dropout  
12 recovery program, including course materials and access to technology for  
13 use with online courses.

14 I. School districts and charter schools may contract with an  
15 educational management organization to provide a dropout recovery program.  
16 If contracting with an educational management organization, the school  
17 district or charter school shall ensure that all of the following  
18 requirements are met:

19 1. The educational management organization is accredited by a  
20 regional accrediting body.

21 2. Teachers provided by the educational management organization  
22 hold a current teaching license from any state and a valid Arizona  
23 fingerprint clearance card pursuant to section 15-534, and teachers of  
24 core subjects are highly qualified in the subjects to which they are  
25 assigned.

26 J. Dropout recovery programs shall be classified as alternative  
27 schools and shall be subject to the accountability provisions of section  
28 15-241.

29 K. Entities that are contracted to provide dropout recovery  
30 programs may conduct outreach to encourage pupils who are not currently  
31 enrolled in a school district or charter school in this state to return to  
32 school. Entities that are contracted to provide dropout recovery programs  
33 shall not conduct advertising or marketing campaigns directed at pupils  
34 who are currently enrolled in a school district or charter school, or  
35 undertake any other activity that encourages pupils who are currently  
36 enrolled in a school district or charter school to stop attending school  
37 in order to qualify for a dropout recovery program.

38 L. THE DEPARTMENT OF EDUCATION SHALL SUBMIT AN ANNUAL REPORT TO THE  
39 GOVERNOR, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF  
40 REPRESENTATIVES THAT DETAILS THE OUTCOMES OF DROPOUT RECOVERY PROGRAMS,  
41 INCLUDING THE NUMBER OF PUPILS WHO PARTICIPATE IN THE PROGRAMS AND THE  
42 NUMBER OF PUPILS WHO PARTICIPATE IN THE PROGRAMS AND WHO GRADUATE FROM  
43 HIGH SCHOOL. THE DEPARTMENT SHALL PROVIDE A COPY OF THE ANNUAL REPORT TO  
44 THE SECRETARY OF STATE.

1           ~~+~~ M. For the purposes of this section:

2           1. "Eligible pupil" means a pupil who, if enrolled, would be  
3 eligible for placement in an alternative school but who is not currently  
4 enrolled in a school district or charter school and who has been withdrawn  
5 from a school district or charter school for at least thirty days, unless  
6 the district determines that the student is unable to participate in other  
7 district programs.

8           2. "Satisfactory monthly progress" means an amount of progress that  
9 is measurable on a monthly basis and that, if continued for twelve months,  
10 would result in the same amount of academic credit being awarded to the  
11 pupil as would be awarded to a pupil in a traditional education program  
12 who completes a full school year. Satisfactory monthly progress may  
13 include a lesser required amount of progress for the first two months that  
14 a pupil participates in the program.

APPROVED BY THE GOVERNOR APRIL 11, 2018.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 11, 2018.