

State of Arizona
Senate
Fifty-third Legislature
Second Regular Session
2018

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)

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

2 Section 1. Section 15-701.01, Arizona Revised Statutes, as amended
3 by Laws 2015, chapter 1, section 1, chapter 127, section 1 and chapter
4 145, section 1, is amended to read:

5 15-701.01. High school; graduation; requirements; community
6 college or university courses; transfer from
7 other schools; academic credit

8 A. The state board of education shall:

9 1. Prescribe a minimum course of study, as defined in section
10 15-101 and incorporating the academic standards adopted by the state board
11 of education, for the graduation of pupils from high school.

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

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

33 B. The governing board of a school district shall:

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

37 2. Prescribe criteria for the graduation of pupils from the high
38 schools in the school district. These criteria shall include
39 accomplishment of the academic standards in at least reading, writing,
40 mathematics, science and social studies, as determined by district
41 assessment. Other criteria may include additional measures of academic
42 achievement and attendance. Pursuant to the prescribed graduation
43 requirements adopted by the state board of education, the governing board
44 may approve a rigorous computer science course that would fulfill a
45 mathematics course required for graduation from high school. The

1 governing board may approve a rigorous computer science course only if the
2 rigorous computer science course includes significant mathematics content
3 and the governing board determines the high school where the rigorous
4 computer science course is offered has sufficient capacity, infrastructure
5 and qualified staff, including competent teachers of computer science.
6 The school district governing board or charter school governing body may
7 determine the method and manner in which to administer a test that is
8 identical to the civics portion of the naturalization test used by the
9 United States citizenship and immigration services. A pupil who does not
10 obtain a passing score on the test that is identical to the civics portion
11 of the naturalization test may retake the test until the pupil obtains a
12 passing score.

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

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

20 E. A teacher shall determine whether to pass or fail a pupil in a
21 course in high school ~~as provided in section 15-521, paragraph 4~~ on the
22 basis of the competency requirements, if any have been prescribed. The
23 governing board, if it reviews the decision of a teacher to pass or fail a
24 pupil in a course in high school as provided in section 15-342, paragraph
25 11, shall base its decision on the competency requirements, if any have
26 been prescribed.

27 F. Graduation requirements established by the governing board may
28 be met by a pupil who passes courses in the required or elective subjects
29 at a community college or university, if the course is at a higher level
30 than the course taught in the high school attended by the pupil or, if the
31 course is not taught in the high school, the level of the course is equal
32 to or higher than the level of a high school course. The governing board
33 shall determine if the subject matter of the community college or
34 university course is appropriate to the specific requirement the pupil
35 intends it to fulfill and if the level of the community college or
36 university course is less than, equal to or higher than a high school
37 course, and the governing board shall award one-half of a Carnegie unit
38 for each three semester hours of credit THAT the pupil earns in an
39 appropriate community college or university course. If a pupil is not
40 satisfied with the decision of the governing board regarding the amount of
41 credit granted or the subjects for which credit is granted, the pupil may
42 request that the state board of education review the decision of the
43 governing board, and the state board shall make the final determination of
44 the amount of credit to be given the pupil and for which subjects. The
45 governing board shall not limit the number of credits that is required for

1 high school graduation and that may be met by taking community college or
2 university courses. For the purposes of this subsection:

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

7 2. "University" means a university under the jurisdiction of the
8 Arizona board of regents.

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

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

28 I. A pupil who transfers credit from a charter school, A school
29 district or Arizona online instruction shall be provided with a list that
30 indicates which credits have been accepted as ~~an~~ elective ~~credit~~ CREDITS
31 and which credits have been accepted as ~~a~~ core ~~credit~~ CREDITS by the
32 school district or charter school. Within ten school days after receiving
33 the list, ~~a~~ THE pupil may request to take an examination in each
34 particular course in which core credit has been denied. The school
35 district or charter school shall accept the credit as a core credit for
36 each particular course in which the pupil takes an examination and
37 receives a passing score on a test, ~~THAT IS~~ aligned to the competency
38 requirements adopted pursuant to this section, ~~AND THAT IS~~ designed and
39 evaluated by a teacher in the school district or charter school who
40 teaches the subject matter on which the examination is based. If a pupil
41 is enrolled in a school district or charter school and that pupil also
42 participates in Arizona online instruction between May 1 and July 31, the
43 school district or charter school shall not require proof of payment as a
44 condition of the school district or charter school accepting credits
45 earned from the online course provider.

1 J. The state board of education shall adopt rules to allow high
2 school pupils who can demonstrate competency in a particular academic
3 course or subject to obtain academic credit for the course or subject
4 without enrolling in the course or subject.

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

19 Sec. 2. Repeal

20 Section 15-701.01, Arizona Revised Statutes, as amended by Laws
21 2017, chapter 210, section 4, is repealed.

22 Sec. 3. American civics education pilot program; reporting
23 requirements; fund; delayed repeal

24 A. The department of education shall develop a five-year pilot
25 program to begin in the 2019-2020 school year for American civics
26 education in grades nine through twelve to enhance the focus on American
27 civics education in schools selected to participate in the pilot program.
28 The department of education shall develop application procedures and
29 selection criteria for school districts, district schools and charter
30 schools that voluntarily decide to participate in the pilot program for
31 five consecutive years. The number of school districts, district schools
32 and charter schools selected to participate in the pilot program shall
33 proportionally reflect the number of school districts, district schools
34 and charter schools in Arizona. School districts that apply to
35 participate in the pilot program may apply for either of the entire school
36 district or one or multiple schools within the school district to
37 participate. The state board of education shall approve each school
38 district, district school and charter school selected by the department of
39 education to participate in the pilot program.

40 B. The department of education shall consider the extent to which a
41 school district, district school or charter school that applies to
42 participate in the pilot program currently provides American civics
43 education for high school students and shall prioritize school districts,
44 district schools and charter schools that it determines currently provide
45 fewer instructional hours on American civics education.

1 C. Each school district, district school or charter school selected
2 to participate in the pilot program shall:

3 1. Administer the assessment of American civics education selected
4 pursuant to subsection D of this section.

5 2. Require at least one American civics course lasting at least one
6 school semester. The curriculum for American civics courses offered
7 through the pilot program shall be determined by the individual school or
8 school district and may be administered through a digital software
9 program.

10 D. The department of education shall:

11 1. Subject to approval by the state board of education, submit a
12 request for proposals to assessment providers to deliver an assessment of
13 American civics education that the department of education determines to
14 be a more rigorous measure of American civics education than the test that
15 is identical to the civics portion of the naturalization test used by the
16 United States citizenship and immigration services pursuant to section 15-
17 701.01, Arizona Revised Statutes, and that can be made available to pupils
18 in high schools selected to participate in the pilot program.

19 2. Establish the format of the applications, application procedures
20 and selection criteria for assessment providers that wish to submit a
21 proposal to deliver a qualifying American civics education assessment
22 pursuant to this subsection.

23 3. Subject to approval by the state board of education, select and
24 award a contract to one assessment provider to deliver the American civics
25 education assessment pursuant to this subsection.

26 4. Subject to approval by the state board of education, determine
27 the cut score on the assessment selected pursuant to this subsection to
28 determine proficiency in American civics education pursuant to this
29 section.

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

37 F. If the department of education determines on an annual basis
38 that a school or school district is not adequately educating pupils
39 participating in the pilot program the department may terminate the
40 participation of a school or school district in the pilot program, subject
41 to approval by the state board of education. The department of education
42 shall consider the performance of pupils on the assessment selected
43 pursuant to subsection D of this section when considering the termination
44 of the participation of a school or school district in the pilot program.

1 G. On or before September 31, 2019, the department of education
2 shall submit to the governor, the president of the senate and the speaker
3 of the house of representatives a progress report on the development and
4 administration of the pilot program established pursuant to this section.
5 The department shall submit a copy of this report to the secretary of
6 state.

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

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

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

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

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

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

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

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

APPROVED BY THE GOVERNOR MAY 15, 2018.

S.B. 1444

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 15, 2018.