SENATE BILL 1346

AN ACT

AMENDING SECTIONS 15-716, 15-741.02 AND 15-1821.01, ARIZONA REVISED STATUTES; RELATING TO EDUCATION.

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

Section 1. Section 15-716, Arizona Revised Statutes, is amended to read:

15-716. Instruction on acquired immune deficiency syndrome; department assistance

A. Each common, high and unified school district may provide instruction to pupils in kindergarten programs and grades one through the twelfth grade on acquired immune deficiency syndrome and the human immunodeficiency virus.

B. Each school district is free to develop its own course of study for each grade. At a minimum, instruction shall:
   1. Be appropriate to the grade level in which it is offered.
   2. Be medically accurate.
   3. Promote abstinence.
   4. Discourage drug abuse.
   5. Dispel myths regarding transmission of the human immunodeficiency virus.

C. No district shall include in its course of study instruction which:
   1. Promotes a homosexual life-style.
   2. Portrays homosexuality as a positive alternative life-style.
   3. Suggests that some methods of sex are safe methods of homosexual sex.

D. At the request of a school district, the department of health services or the department of education shall review instruction materials to determine their medical accuracy.

E. At the request of a school district, the department of education shall provide the following assistance:
   1. A suggested course of study.
   2. Teacher training.
   3. A list of available films and other teaching aids.

F. At the request of a parent, a pupil shall be excused from instruction on the acquired immune deficiency syndrome and the human immunodeficiency virus as provided in subsection A of this section. The school district shall provide a description of the course curriculum to all parents and notify all parents of their ability to withdraw their child from the instruction.

Section 2. Section 15-741.02, Arizona Revised Statutes, is amended to read:

15-741.02. Menu of achievement assessments; requirements; rules; definition

A. The state board of education shall adopt a menu of achievement assessments to measure pupil achievement of the state academic standards. Beginning in the 2018-2019 school year, each local education agency that offers instruction in grades nine through twelve may select from that menu
an achievement assessment to administer to the pupils in one or more
schools in that local education agency IN GRADES DESIGNATED BY THE STATE
BOARD instead of the test STATEWIDE ASSESSMENT to measure pupil
achievement adopted by the state board of education pursuant to section
15-741. Beginning in NO LATER THAN the 2019-2020 2023-2024 school year,
each local education agency that offers instruction in grades three
through eight may select from that menu an achievement assessment to
administer to the pupils in that local education agency instead of the
test STATEWIDE ASSESSMENT to measure pupil achievement adopted by the
state board pursuant to section 15-741. The department of education shall
provide adequate staff support for the state board to comply with this
section.

B. An achievement assessment in use by a local education agency
that is not on the menu of assessments by March 1, 2018 may be added to
the menu at the request of the local education agency and shall be
approved by the state board of education if the assessment is nationally
recognized, a qualifying college credit examination pursuant to section
15-249.06 or an assessment adopted pursuant to section 15-792.03. The
state board may approve any other assessment if the assessment meets the
requirements of subsection E of this section. The state board shall
evaluate assessments that are not on the menu pursuant to this section
annually and shall notify local education agencies of the results on or
before May 1 of each year.

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

D. The state board of education shall adopt POLICIES, rules and
procedures for the approval of assessments to be administered by the
superintendent of public instruction pursuant to this section TO CARRY OUT
THIS SECTION. Any POLICY, rule or procedure adopted pursuant to this
subsection may not require a local education agency to receive additional
approval from the state board or the department of education to select an
assessment from the menu of assessments and may not require any additional
requirements other than those required by subsection E of this section. A
local education agency that adopts an achievement assessment pursuant to
this section shall provide the necessary reasonable accommodations for a
student who is an English language learner and the necessary
accommodations and modifications for a student as required by the
student's individualized education program team.

E. The state board of education shall require that the provider of
an achievement assessment that is proposed for the menu of achievement
assessments do all of the following:
1. Provide evidence that the assessment is a high quality assessment.

2. Demonstrate that the assessment meets or exceeds the level of rigor of the state board's adopted academic standards.

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

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

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

F. For the purposes of this section, "nationally recognized" means accepted by universities for the purposes of awarding college credit or admissions.

Sec. 3. Section 15-1821.01, Arizona Revised Statutes, is amended to read:

15-1821.01. Dual enrollment information

On a determination by a community college district governing board that it is in the best interest of the citizens of a district, the district governing board may authorize district community colleges to offer college courses that may be counted toward both high school and college graduation requirements at the high school during the school day, subject to the following:

1. The community college district governing board and the governing board of the school district or organization of which the high school is a part shall enter into an agreement or contract. These intergovernmental agreements or contracts shall be based on a uniform format that has been cooperatively developed by the community college districts in this state. Each of these agreements or contracts shall clearly specify the following:

(a) The financial provisions of the agreement or contract and the format for the billing of all services under the agreement or contract, including the amount that the community college received in full-time student equivalent funding pursuant to section 15-1466.01, the portion of the funding that is distributed to the school district governing board or charter school and any amount that is subsequently returned to the community college district by the school district governing board or charter school.

(b) Student tuition and financial aid policies, including whether scholarships or grants are awarded to students in dual enrollment courses from the community college.

(c) The accountability provisions for each party to the agreement or contract.
(d) The responsibilities and services required of each party to the agreement or contract.

(e) The type of instruction that will be provided under the agreement or contract, including the titles of the courses to be offered.

(f) The quality of the instruction that will be provided under the agreement or contract.

2. Students shall be admitted to the community college under the policies adopted by each district, subject to the following:

(a) All students WHO ARE enrolled for college credit shall be high school juniors or seniors. All students WHO ARE in the course, including those not electing to enroll for college credit, shall satisfy the prerequisites for the course as published in the college catalog and shall comply with college policies regarding student placement in courses.

(b) A community college may waive the class status requirements specified in subdivision (a) of this paragraph for up to twenty-five percent of the students enrolled by a college in courses, provided that IF the community college has established written criteria for waiving the requirements for each course. These criteria shall include a demonstration, by an examination of the specific purposes and requirements of the course, that freshman and sophomore students who meet course prerequisites are prepared to benefit from the college-level course. All exceptions and the justification for the exceptions shall be reported annually to the joint legislative budget committee on or before October 1.

3. The courses shall be previously evaluated and approved through the curriculum approval process of the district, shall be at a higher level than taught by the high school and shall be transferable to a university under the jurisdiction of the Arizona board of regents or be applicable to an established community college occupational degree or certificate program. Physical education courses are not available for dual enrollment purposes.

4. College-approved textbooks, syllabuses, course outlines and grading standards that are applicable to the courses if taught at the community college shall apply to these courses and to all students in the courses offered pursuant to this section. The chief executive officer of each community college shall establish an advisory committee of full-time faculty who teach in the disciplines offered at the community college to assist in course selection and implementation in the high schools and to review and report at least annually to the chief executive officer whether the course goals and standards are understood, the course guidelines are followed and the same standards of expectation and assessment are applied to these courses as though they were being offered at the community college. The advisory committee of full-time faculty shall meet at least three times each academic year.
5. Each faculty member shall meet the requirements established by the governing board pursuant to section 15-1444. The chief executive officer of each community college district shall establish an advisory committee of full-time faculty who teach in the disciplines offered at the community college district to assist in the selection, orientation, ongoing professional development and evaluation of faculty who are teaching college courses in conjunction with the high schools. The advisory committee of full-time faculty shall meet at least two times each academic year.

6. A school district shall ensure that a pupil is a full-time student as defined in section 15-901 and is enrolled in and attending a full-time instructional program at a school in the school district before that pupil is allowed to enroll in a college course pursuant to this section, except that high school seniors who satisfy high school graduation requirements with less than a full-time instructional program are exempt from this paragraph.

7. Notwithstanding paragraph 6 of this section, homeschooled students may fully participate in dual enrollment, including receipt of college credit pursuant to this section.

Sec. 4. Statewide assessment; menu of assessments; report

A. On or before July 1, 2019, the state board of education shall adopt a plan regarding the development, implementation and adoption of a new statewide assessment and the menu of assessments in grades three through eight and in grades nine through twelve. The plan shall include timelines for implementation, including the possibility of implementing the menu of assessments in grades three through eight in the 2021-2022 school year. The board shall post the plan on its website and provide a copy to the governor, the president of the senate, the speaker of the house of representatives, the chair of the senate education committee and the chair of the house of representatives education committee.

B. The Arizona department of education shall collaborate with a diverse group of educators and school administrators in this state to revise and replace test items for the statewide assessment required pursuant to section 15-741, Arizona Revised Statutes.

Sec. 5. Retroactivity

Section 4 of this act applies retroactively to from and after June 30, 2019.