

REFERENCE TITLE: schools; graduation requirements; university admissions

State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HB 2166

Introduced by
Representative Udall

AN ACT

AMENDING SECTIONS 15-701.01 AND 15-1626, ARIZONA REVISED STATUTES;
RELATING TO SCHOOL INSTRUCTION.

(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, is amended
3 to read:

4 15-701.01. High schools; graduation; requirements; community
5 college or university courses; transfer from
6 other schools; academic credit

7 A. The state board of education shall:

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

11 2. Prescribe competency requirements for the graduation of pupils
12 from high school incorporating the academic standards in at least the
13 areas of reading, writing, mathematics, science and social studies, WHICH
14 SHALL INCLUDE AT A MINIMUM ALL OF THE FOLLOWING:

15 (a) FOUR CREDITS OF ENGLISH LANGUAGE ARTS. FOR THE PURPOSES OF
16 THIS SUBDIVISION, "ENGLISH LANGUAGE ARTS" INCLUDES COMMUNICATIONS, ENGLISH
17 AS A SECOND LANGUAGE AND PHILOSOPHY WITH SIGNIFICANT READING AND WRITING
18 CONTENT.

19 (b) THREE CREDITS OF SOCIAL STUDIES. The academic standards
20 prescribed by the state board in social studies shall include personal
21 finance and American civics education. The state board may consider
22 establishing a required separate personal finance course for the purpose
23 of the graduation of pupils from high school. The state board shall
24 require at least one-half of a course credit in economics, which shall
25 include financial literacy and personal financial management. The
26 competency requirements for social studies shall include a requirement
27 that, in order to graduate from high school or obtain a high school
28 equivalency diploma, a pupil must correctly answer at least sixty of the
29 one hundred questions listed on a test that is identical to the civics
30 portion of the naturalization test used by the United States citizenship
31 and immigration services. A district school or charter school shall
32 document on the pupil's transcript that the pupil has passed a test that
33 is identical to the civics portion of the naturalization test used by the
34 United States citizenship and immigration services as required by this
35 section.

36 (c) TWO CREDITS OF LABORATORY SCIENCE.

37 (d) TWO CREDITS OF MATHEMATICS, WHICH INCLUDE ALGEBRA 1 AND
38 GEOMETRY.

39 (e) THREE STEM CREDITS THAT ARE SEPARATE AND APART FROM THE CREDITS
40 REQUIRED UNDER SUBDIVISIONS (c) AND (d) OF THIS PARAGRAPH. AT LEAST TWO
41 OF THE STEM CREDITS MUST REQUIRE ALGEBRA 1 AS A PREREQUISITE. PREALGEBRA
42 QUALIFIES AS A STEM CREDIT UNDER THIS SUBDIVISION IF A PUPIL ENTERS HIGH
43 SCHOOL UNPREPARED FOR ALGEBRA 1. CREDITS RECEIVED UNDER THIS SUBDIVISION
44 MAY BE INDIVIDUAL SCIENCE, TECHNOLOGY, ENGINEERING OR MATHEMATICS COURSES
45 OR INTEGRATED STEM COURSES THAT COMBINE TWO OR MORE OF THESE SUBJECTS.

1 (f) ONE CREDIT OF FINE OR PRACTICAL ARTS.

2 (g) SEVEN CREDITS OF ELECTIVES.

3 3. INCLUDE IN THE COMPETENCY REQUIREMENTS FOR THE GRADUATION OF
4 PUPILS FROM HIGH SCHOOL DEVELOPED PURSUANT TO PARAGRAPH 2 OF THIS
5 SUBSECTION A REQUIREMENT THAT A PUPIL TAKE AT LEAST ONE ONLINE COURSE.

6 ~~3.~~ 4. Develop and adopt competency tests pursuant to section
7 15-741. English language learners who are subject to article 3.1 of this
8 chapter are subject to the assessments prescribed in section 15-741.

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

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

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

41 E. A teacher shall determine whether to pass or fail a pupil in a
42 course in high school on the basis of the competency requirements, if any
43 have been prescribed. The governing board, if it reviews the decision of
44 a teacher to pass or fail a pupil in a course in high school as provided

1 in section 15-342, paragraph 11, shall base its decision on the competency
 2 requirements, if any have been prescribed.

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

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

28 2. "University" means a university under the jurisdiction of the
 29 Arizona board of regents.

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

41 H. If a pupil who was previously enrolled in a charter school or
 42 school district enrolls in a school district in this state, the school
 43 district shall accept credits earned by the pupil in courses or
 44 instructional programs at the charter school or school district. The
 45 governing board of a school district may adopt a policy concerning the

1 application of transfer credits for the purpose of determining whether a
2 credit earned by a pupil who was previously enrolled in a school district
3 or charter school will be assigned as an elective or core credit.

4 I. A pupil who transfers credit from a charter school, a school
5 district or Arizona online instruction shall be provided with a list that
6 indicates which credits have been accepted as elective credits and which
7 credits have been accepted as core credits by the school district or
8 charter school. Within ten school days after receiving the list, the
9 pupil may request to take an examination in each particular course in
10 which core credit has been denied. The school district or charter school
11 shall accept the credit as a core credit for each particular course in
12 which the pupil takes an examination and receives a passing score on a
13 test that is aligned to the competency requirements adopted pursuant to
14 this section and that is designed and evaluated by a teacher in the school
15 district or charter school who teaches the subject matter on which the
16 examination is based. If a pupil is enrolled in a school district or
17 charter school and that pupil also participates in Arizona online
18 instruction between May 1 and July 31, the school district or charter
19 school shall not require proof of payment as a condition of the school
20 district or charter school accepting credits earned from the online course
21 provider.

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

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

40 Sec. 2. Section 15-1626, Arizona Revised Statutes, is amended to
41 read:

42 15-1626. General administrative powers and duties of board;
43 definition

44 A. The ARIZONA board OF REGENTS shall:

1 1. Have and exercise the powers necessary for the effective
2 governance and administration of the institutions under its control. To
3 that end, the board may adopt, and authorize each university to adopt,
4 such regulations, policies, rules or measures as are deemed necessary and
5 may delegate in writing to its committees, to its university presidents,
6 or their designees, or to other entities under its control any part of its
7 authority for the administration and governance of such institutions,
8 including those powers enumerated in section 15-1625, subsection B,
9 paragraphs 2 and 4, paragraphs 3, 4, 8, 9, 11 and 12 of this subsection
10 and subsection B of this section. Any delegation of authority may be
11 rescinded by the board at any time in whole or in part.

12 2. Appoint and employ and determine the compensation of presidents
13 with such power and authority and for such purposes in connection with the
14 operation of the institutions as the board deems necessary.

15 3. Appoint and employ and determine the compensation of
16 ~~vice-presidents~~ VICE PRESIDENTS, deans, professors, instructors,
17 lecturers, fellows and such other officers and employees with such power
18 and authority and for such purposes in connection with the operation of
19 the institutions as the board deems necessary, or delegate its authority
20 pursuant to paragraph 1 of this subsection.

21 4. Remove any officer or employee when the interests of education
22 in this state so require in accordance with its personnel rules and
23 policies.

24 5. Fix tuitions and fees to be charged and differentiate the
25 tuitions and fees between institutions and between residents,
26 nonresidents, undergraduate students, graduate students, students from
27 foreign countries and students who have earned credit hours in excess of
28 the credit hour threshold. For the purposes of this paragraph, the
29 undergraduate credit hour threshold is one hundred forty-five hours for
30 students who attend a university under the jurisdiction of the board. The
31 undergraduate credit hour threshold shall be based on the actual full-time
32 equivalent student enrollment counted on the forty-fifth day of every fall
33 and spring semester, divided by two, and any budget adjustment based on
34 student enrollment shall occur in the fiscal year following the actual
35 full-time equivalent student enrollment count. The undergraduate credit
36 hour threshold shall not apply to degree programs that require credit
37 hours above the credit hour threshold, credits earned in the pursuit of up
38 to two baccalaureate degrees, credits earned in the pursuit of up to two
39 state regulated licensures or certificates, credits earned in the pursuit
40 of teaching certification, credits transferred from a private institution
41 of higher education, credits transferred from an institution of higher
42 education in another state, credits earned at another institution of
43 higher education but that are not accepted as transfer credits at the
44 university where the student is currently enrolled and credits earned by
45 students who enroll at a university under the jurisdiction of the board

1 more than twenty-four months after the end of that student's previous
 2 enrollment at a public institution of higher education in this state. On
 3 or before October 15 of each year, the board shall report to the joint
 4 legislative budget committee the number of in-state students and
 5 out-of-state students who were enrolled at universities under the
 6 jurisdiction of the board during the previous fiscal year and who met or
 7 exceeded the undergraduate credit hour threshold prescribed in this
 8 paragraph. The amount of tuition and fees included in the operating
 9 budget for the university adopted by the board as prescribed in paragraph
 10 13 of this subsection shall be subject to legislative appropriation and
 11 deposited in a separate tuition and fees subaccount for each university.
 12 All other tuition and fee revenue shall be retained by each university for
 13 expenditure as approved by the board in a separate local tuition and fees
 14 subaccount for each university. This subaccount shall consist of only
 15 tuition and fees. The universities shall not use any tuition or fee
 16 revenue to fund or support an alumni association.

17 6. Adopt rules to govern ~~its~~ THE BOARD'S tuition and academic fee
 18 setting process that provide for the following:

19 (a) At least one public hearing at each university as an
 20 opportunity for students and members of the public to comment on any
 21 proposed increase in tuition or fees.

22 (b) Publication of the notice of public hearing at least ten days
 23 before the hearing in a newspaper of general circulation in Maricopa
 24 county, Coconino county and Pima county. The notice shall include the
 25 date, time and location of the public hearing.

26 (c) Public disclosure by each university of any proposed increases
 27 in tuition or fees at least ten days before the public hearing.

28 (d) A roll call vote of any final board action on changes in
 29 tuition, including tuition rate changes for online programs, or academic
 30 fees.

31 (e) Public disclosure by the board and each university of any final
 32 board action on changes in tuition or academic fees.

33 7. Pursuant to section 35-115, submit a budget request for each
 34 institution under ~~its~~ THE BOARD'S jurisdiction that includes the estimated
 35 tuition and fee revenue available to support the programs of the
 36 institution as described in the budget request. The estimated available
 37 tuition and fee revenue shall be based on the tuition and registration fee
 38 rates in effect at the time the budget request is submitted with
 39 adjustments for projected changes in enrollment as provided by the board.

40 8. Establish curricula and designate courses at the several
 41 institutions that in ~~its~~ THE BOARD'S judgment will best serve the
 42 interests of this state.

43 9. Award such degrees and diplomas on the completion of such
 44 courses and curriculum requirements as ~~it~~ THE BOARD deems appropriate.

1 10. Prescribe qualifications for admission of all students to the
2 universities. **NOTWITHSTANDING ANY OTHER LAW, FOR STUDENTS WHO ENTER HIGH**
3 **SCHOOL ON OR AFTER THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION,**
4 **THE ADMISSIONS REQUIREMENTS PRESCRIBED PURSUANT TO THIS PARAGRAPH MUST BE**
5 **CONSISTENT WITH THE REQUIREMENTS PRESCRIBED IN SECTION 15-701.01,**
6 **SUBSECTION A, PARAGRAPH 2.** The board shall establish policies for
7 guaranteed admission that ensure fair and equitable access to students in
8 this state from public, private and charter schools and homeschools. For
9 the purpose of determining the qualifications of honorably discharged
10 veterans, veterans are those persons who served in the armed forces for a
11 minimum of two years and who were previously enrolled at a university or
12 community college in this state. ~~No~~ Prior failing grades received by the
13 veteran at the university or community college in this state may **NOT** be
14 considered.

15 11. Adopt any energy conservation standards adopted by the
16 department of administration for the construction of new buildings.

17 12. Employ for such time and purposes as the board requires
18 attorneys whose compensation shall be fixed and paid by the board.
19 Litigation to which the board is a party and for which self-insurance is
20 not provided may be compromised or settled at the direction of the board.

21 13. Adopt annually an operating budget for each university equal to
22 the sum of appropriated **STATE** general fund monies and the amount of
23 tuition and fees approved by the board and allocated to each university
24 operating budget.

25 14. In consultation with the state board of education and other
26 education groups, develop and implement a program to award honors
27 endorsements to be affixed to the high school diplomas of qualifying high
28 school pupils and to be included in the transcripts of pupils who are
29 awarded endorsements. The **ARIZONA** board **OF REGENTS** shall develop
30 application procedures and testing criteria and adopt testing instruments
31 and procedures to administer the program. In order to receive an honors
32 endorsement, a pupil must demonstrate an extraordinary level of knowledge,
33 skill and competency as measured by the testing instruments adopted by the
34 board in mathematics, English, science and social studies. Additional
35 subjects may be added at the determination of the **ARIZONA** board **OF**
36 **REGENTS**. The program is voluntary for pupils.

37 15. Require the publisher of each literary and nonliterary textbook
38 used in the universities of this state to furnish to the Arizona board of
39 regents computer software in a standardized format when software becomes
40 available for nonliterary textbooks from which braille versions of the
41 textbooks may be produced.

42 16. Require universities that provide a degree in education to
43 require courses that are necessary to obtain a provisional structured
44 English immersion endorsement as prescribed by the state board of
45 education.

1 17. Acquire United States flags for each classroom that are
2 manufactured in the United States and that are at least two feet by three
3 feet and hardware to appropriately display the United States flags,
4 acquire a legible copy of the Constitution of the United States and the
5 Bill of Rights, display the flags in each classroom in accordance with
6 title 4 of the United States Code and display a legible copy of the
7 Constitution of the United States and the Bill of Rights adjacent to the
8 flag.

9 18. To facilitate the transfer of military personnel and their
10 dependents to and from the public schools of this state, pursue, in
11 cooperation with the state board of education, reciprocity agreements with
12 other states concerning the transfer credits for military personnel and
13 their dependents. A reciprocity agreement entered into pursuant to this
14 paragraph shall:

15 (a) Address procedures for each of the following:

16 (i) The transfer of student records.

17 (ii) Awarding credit for completed coursework.

18 (iii) Permitting a student to satisfy the graduation requirements
19 prescribed in section 15-701.01 through the successful performance on
20 comparable exit-level assessment instruments administered in another
21 state.

22 (b) Include appropriate criteria developed by the state board of
23 education and the Arizona board of regents.

24 19. Require a university to publicly post notices of all of its
25 employment openings, including the title and description, instructions for
26 applying and relevant contact information.

27 20. In consultation with the community college districts in this
28 state, develop and implement common equivalencies for specific levels of
29 achievement on advanced placement examinations and international
30 baccalaureate examinations in order to award commensurate postsecondary
31 academic credits at community colleges and public universities in this
32 state.

33 21. On or before August 1 of each year, report to the joint
34 legislative budget committee the graduation rate by university campus
35 during the previous fiscal year. The board shall also report the
36 retention rate by university campus and by class, as determined by date of
37 entry during the previous fiscal year.

38 B. The board shall adopt personnel policies for all employees of
39 the board and the universities.

40 C. In conjunction with the auditor general, the board shall develop
41 a uniform accounting and reporting system, which shall be reviewed by the
42 joint legislative budget committee before final adoption by the board.
43 The board shall require each university to comply with the uniform
44 accounting and reporting system.

1 D. The board may employ legal assistance in procuring loans for the
2 institutions from the United States government. Fees or compensation paid
3 for such legal assistance shall not be a claim on the STATE general fund
4 ~~of this state~~ but shall be paid from funds of the institutions.

5 E. The board shall approve or disapprove any contract or agreement
6 entered into by the university of Arizona hospital with the Arizona
7 industrial development authority.

8 F. The board may adopt policies that authorize the institutions
9 under its jurisdiction to enter into employment contracts with nontenured
10 employees for periods of more than one year but not more than five years.
11 The policies shall prescribe ~~limitations~~ LIMITS on the authority of the
12 institutions to enter into employment contracts for periods of more than
13 one year but not more than five years, including the requirement that the
14 board approve the contracts.

15 G. The board may adopt a plan or plans for employee benefits that
16 allow for participation in a cafeteria plan that meets the requirements of
17 the United States internal revenue code of 1986.

18 H. The board may establish a program for the exchange of students
19 between the universities under the jurisdiction of the board and colleges
20 and universities located in the state of Sonora, Mexico. Notwithstanding
21 subsection A, paragraph 5 of this section, the program may provide for
22 in-state tuition at the universities under the jurisdiction of the board
23 for fifty Sonoran students in exchange for similar tuition provisions for
24 up to fifty Arizona students enrolled or seeking enrollment in Sonoran
25 colleges or universities. The board may direct the universities to work
26 in conjunction with the Arizona-Mexico commission to coordinate
27 recruitment and admissions activities.

28 I. The Arizona board of regents, in collaboration with the
29 universities under its jurisdiction, shall adopt a performance funding
30 model. The performance funding model shall use performance metrics that
31 include the increase in degrees awarded, the increase in completed student
32 credit hours and the increase in externally generated research and public
33 service funding. The funding formula may give added weight to degrees
34 related to science, technology, engineering and mathematics and other
35 high-value degrees that are in short supply or that are essential to this
36 state's long-term economic development strategy.

37 J. The Arizona board of regents shall use the performance funding
38 model adopted pursuant to subsection I of this section in developing and
39 submitting budget requests for the universities under its jurisdiction.

40 K. On or before November 1 of each year, the Arizona board of
41 regents shall submit to the joint legislative budget committee and the
42 governor's office of strategic planning and budgeting a report on
43 university debt and obligations, including:

- 44 1. Long-term notes and obligations.

- 1 2. Certificates of participation and other obligations pursuant to
2 any lease-purchase agreements.
- 3 3. Revenue bonds.
- 4 4. Bonds issued pursuant to section 15-1682.03.
- 5 5. Commercial paper issued pursuant to section 15-1696.
- 6 L. The report issued pursuant to subsection K of this section shall
7 contain, for the most recent fiscal year:
- 8 1. The aggregate level of outstanding principal and the principal
9 and interest payments, by type of debt or obligation.
- 10 2. An itemization, by campus and project, of the amount of yearly
11 principal and interest to be paid in the most recent and the next five
12 fiscal years.
- 13 M. The board may enter into an intergovernmental agreement pursuant
14 to section 15-1747 to manage universities under its jurisdiction subject
15 to the terms of the reciprocity agreement.
- 16 N. For the purposes of this section, "university debt and
17 obligations" means debt and obligations, the principal and interest of
18 which are paid in whole or in part with university monies.
- 19 Sec. 3. [Applicability](#)
- 20 This act applies to students who enter high school on or after the
21 effective date of this act.