

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

HOUSE BILL 2387

AN ACT

AMENDING TITLE 15, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 15-217; RELATING TO THE STATE BOARD OF EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 15, chapter 2, article 1, Arizona Revised
3 Statutes, is amended by adding section 15-217, to read:

4 15-217. Continuing high school program; requirements;
5 reporting; enrollment limits; rules; program
6 termination

7 A. THE STATE BOARD OF EDUCATION SHALL ESTABLISH A CONTINUING HIGH
8 SCHOOL PROGRAM THAT PROVIDES ADULT LEARNERS WITH ALTERNATIVE STUDY
9 SERVICES AND THAT LEADS TO THE ISSUANCE OF A HIGH SCHOOL DIPLOMA AND
10 INDUSTRY-RECOGNIZED CREDENTIALS. THE STATE BOARD OF EDUCATION SHALL
11 AUTHORIZE SERVICE PROVIDERS PARTICIPATING IN THE CONTINUING HIGH SCHOOL
12 PROGRAM TO OPERATE SCHOOLS THROUGH PARTNERSHIPS WITH THE APPROVED SERVICE
13 PROVIDER AND SCHOOL DISTRICTS, NONPROFIT CHARTER SCHOOLS OR CAREER
14 TECHNICAL EDUCATION DISTRICTS.

15 B. TO BE ELIGIBLE TO PARTICIPATE IN THE CONTINUING HIGH SCHOOL
16 PROGRAM, A SERVICE PROVIDER MUST BE QUALIFIED PURSUANT TO SECTION
17 501(c)(3) OF THE INTERNAL REVENUE CODE AND DEMONSTRATE AT LEAST A TEN-YEAR
18 HISTORY OF PROVIDING SERVICES IN THIS STATE TO PERSONS WHO ARE AT LEAST
19 EIGHTEEN YEARS OF AGE AND WHOSE EDUCATIONAL AND TRAINING OPPORTUNITIES
20 HAVE BEEN LIMITED BY EDUCATIONAL DISADVANTAGES, DISABILITIES AND
21 CHALLENGES.

22 C. A HIGH SCHOOL DIPLOMA MAY BE ISSUED PURSUANT TO THIS SECTION
23 ONLY TO AN ADULT LEARNER WHO MEETS ALL THE GRADUATION REQUIREMENTS OF
24 SECTION 15-701.01 AND THE STATE BOARD OF EDUCATION.

25 D. A SCHOOL THAT PARTICIPATES IN THE CONTINUING HIGH SCHOOL PROGRAM
26 SHALL MEET ALL APPLICABLE LEGAL REQUIREMENTS PRESCRIBED IN THIS TITLE FOR
27 A PUBLIC SCHOOL, INCLUDING REQUIREMENTS FOR STUDENT ASSESSMENTS AND
28 SPECIAL EDUCATION SERVICES AND PROHIBITIONS AGAINST ADMISSION LIMITS BASED
29 ON ETHNICITY, NATIONAL ORIGIN, GENDER, INCOME LEVEL, DISABLING CONDITION,
30 ENGLISH LANGUAGE PROFICIENCY OR ATHLETIC ABILITY.

31 E. THE CONTINUING HIGH SCHOOL PROGRAM IS NOT ELIGIBLE FOR EITHER:

32 1. TRANSPORTATION FUNDING PURSUANT TO SECTION 15-945.

33 2. ARIZONA ONLINE INSTRUCTION FUNDING PURSUANT TO SECTION 15-808.

34 F. NOTWITHSTANDING THE AGE RESTRICTIONS OTHERWISE PRESCRIBED IN
35 THIS TITLE, A SCHOOL PARTICIPATING IN THE CONTINUING HIGH SCHOOL PROGRAM
36 IS ELIGIBLE TO RECEIVE BASE SUPPORT LEVEL FUNDING PURSUANT TO SECTION
37 15-943 AND ADDITIONAL ASSISTANCE IN THE SAME MANNER AS A SCHOOL DISTRICT
38 OR CHARTER SCHOOL.

39 G. THE DEPARTMENT OF EDUCATION SHALL DEVELOP APPLICATION PROCEDURES
40 FOR SERVICE PROVIDERS THAT WISH TO PARTICIPATE IN THE CONTINUING HIGH
41 SCHOOL PROGRAM. AN APPLICATION SUBMITTED PURSUANT TO THIS SECTION MUST
42 INCLUDE ALL OF THE FOLLOWING:

43 1. A DESCRIPTION OF THE SERVICE PROVIDER'S ADMINISTRATIVE
44 STRUCTURE, PROGRAM ACTIVITIES, PROGRAM STAFF, BUDGET AND SPECIFIC
45 CURRICULUM THAT IS ALIGNED WITH THE STATE ACADEMIC STANDARDS.

1 2. THE SERVICE PROVIDER'S SCHOOL CALENDAR AND A SCHEDULE DESCRIBING
2 THE SERVICE PROVIDER'S LOCATION, LENGTH OF SCHOOL DAY, PROGRAM SEQUENCE,
3 MULTIDISCIPLINARY COURSES, PACE AND INSTRUCTIONAL ACTIVITIES, OR ANY
4 COMBINATION OF THESE ITEMS.

5 3. A DESCRIPTION OF SPECIFIC ACADEMIC, BEHAVIORAL AND EMOTIONAL
6 SUPPORT SERVICES THE SERVICE PROVIDER OFFERS TO ADULT LEARNERS WHO ENROLL
7 IN THE SCHOOL.

8 4. A DESCRIPTION OF THE SERVICE PROVIDER'S CAREER TECHNICAL
9 EDUCATION COURSES THAT LEAD TO INDUSTRY-RECOGNIZED CREDENTIALS OR DUAL
10 ENROLLMENT COURSES FROM A UNIVERSITY OR COMMUNITY COLLEGE. A SERVICE
11 PROVIDER MAY PARTNER WITH A COMMUNITY COLLEGE DISTRICT TO PROVIDE CAREER
12 TECHNICAL EDUCATION COURSES THAT LEAD TO INDUSTRY-RECOGNIZED CREDENTIALS.

13 5. A DESCRIPTION OF SPECIFIC PROGRAM OUTCOMES, GOALS AND METRICS
14 THE SERVICE PROVIDER WILL USE TO DETERMINE STUDENT SUCCESS.

15 6. THE PROJECTED NUMBER OF ADULT LEARNERS THE SERVICE PROVIDER WILL
16 ENROLL.

17 H. THE STATE BOARD OF EDUCATION SHALL EVALUATE APPLICATIONS
18 SUBMITTED BY SERVICE PROVIDERS AND APPROVE SERVICE PROVIDERS THAT
19 DEMONSTRATE, THROUGH EVIDENCE OR OTHER DOCUMENTATION, THE ABILITY TO
20 PROVIDE STUDENTS WITH THE INSTRUCTION AND SUPPORT THAT LEADS TO A HIGH
21 SCHOOL DIPLOMA AND ONE OR MORE INDUSTRY-RECOGNIZED CREDENTIALS. THE
22 FOLLOWING APPLY TO APPROVAL OF A SERVICE PROVIDER'S PARTICIPATION IN THE
23 CONTINUING HIGH SCHOOL PROGRAM:

24 1. INITIAL APPROVAL SHALL BE FOR A PERIOD OF NOT MORE THAN TWO
25 SCHOOL YEARS.

26 2. RENEWAL OF APPROVAL SHALL BE FOR A PERIOD OF NOT MORE THAN FOUR
27 SCHOOL YEARS AND IS CONTINGENT ON SPECIFIC PERFORMANCE EXPECTATIONS,
28 INCLUDING STUDENT PROGRESSION, GRADUATION RATES AND EARNING OF
29 INDUSTRY-RECOGNIZED CREDENTIALS.

30 3. IF AN APPROVED SERVICE PROVIDER FAILS TO MEET ANY REQUIREMENTS
31 OF THIS SECTION OR ANY RULES ADOPTED BY THE STATE BOARD, THE STATE BOARD
32 SHALL IMMEDIATELY INITIATE A PROCESS TO REVOKE THE SERVICE PROVIDER'S
33 APPROVAL.

34 I. ON OR BEFORE JULY 1, 2022, THE STATE BOARD OF EDUCATION SHALL
35 ADOPT PERFORMANCE EXPECTATIONS TO EVALUATE SERVICE PROVIDERS. THE
36 PERFORMANCE EXPECTATIONS SHALL INCLUDE MEASUREMENTS OF STUDENT PROGRESS
37 TOWARD EARNING A HIGH SCHOOL DIPLOMA, THE GRADUATION RATES OF STUDENTS
38 EARNING AT LEAST ONE ACADEMIC CREDIT AND THE NUMBER OF INDUSTRY-RECOGNIZED
39 CREDENTIALS EARNED.

40 J. AN APPROVED SERVICE PROVIDER OF THE CONTINUING HIGH SCHOOL
41 PROGRAM SHALL ANNUALLY REPORT THE FOLLOWING INFORMATION TO THE DEPARTMENT
42 OF EDUCATION:

43 1. THE NUMBER OF ADULT LEARNERS THE SERVICE PROVIDER ENROLLS IN THE
44 SCHOOL.

1 2. THE GRADUATION RATE OF ADULT LEARNERS THE SERVICE PROVIDER
2 ENROLLS IN THE SCHOOL.
3 3. THE AVERAGE PROGRESS OF ADULT LEARNERS TOWARD MEETING GRADUATION
4 REQUIREMENTS.
5 4. THE NUMBER AND TYPE OF INDUSTRY-RECOGNIZED CREDENTIALS EARNED BY
6 ADULT LEARNERS THE SERVICE PROVIDER ENROLLS IN THE SCHOOL.
7 5. A DESCRIPTIVE SUMMARY OF THE ACADEMIC, BEHAVIORAL AND EMOTIONAL
8 SUPPORT SERVICES THE SERVICE PROVIDER OFFERS TO ADULT LEARNERS IN THE
9 SCHOOL.
10 K. ON OR BEFORE DECEMBER 15, 2023 AND ON OR BEFORE DECEMBER 15 OF
11 EACH YEAR THEREAFTER, THE DEPARTMENT OF EDUCATION SHALL SUBMIT AN ANNUAL
12 REPORT EVALUATING THE EFFECTIVENESS OF THE CONTINUING HIGH SCHOOL PROGRAM
13 TO THE GOVERNOR, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE
14 OF REPRESENTATIVES. THE DEPARTMENT SHALL PROVIDE A COPY OF THE REPORT TO
15 THE SECRETARY OF STATE.
16 L. EXCEPT AS PROVIDED IN SUBSECTION M OF THIS SECTION, THE STATE
17 BOARD OF EDUCATION MAY APPROVE PROGRAM SERVICE PROVIDERS WITH A TOTAL
18 PROJECTED AVERAGE DAILY MEMBERSHIP OF:
19 1. IN FISCAL YEAR 2021-2022, NOT MORE THAN THREE HUNDRED FIFTY
20 TOTAL AVERAGE DAILY MEMBERSHIP.
21 2. IN FISCAL YEAR 2022-2023, NOT MORE THAN SEVEN HUNDRED TOTAL
22 AVERAGE DAILY MEMBERSHIP.
23 3. IN FISCAL YEAR 2023-2024 AND EACH FISCAL YEAR THEREAFTER, NOT
24 MORE THAN ONE THOUSAND FOUR HUNDRED TOTAL AVERAGE DAILY MEMBERSHIP.
25 M. THE STATE BOARD OF EDUCATION MAY NOT INCLUDE STUDENTS WHO ARE
26 TWENTY-ONE YEARS OF AGE OR YOUNGER IN THE TOTAL PROJECTED AVERAGE DAILY
27 MEMBERSHIP UNDER THIS SECTION.
28 N. TO MAXIMIZE THE AVAILABILITY OF THE CONTINUING HIGH SCHOOL
29 PROGRAM, THE STATE BOARD OF EDUCATION MAY ADJUST THE AVERAGE DAILY
30 MEMBERSHIP ALLOCATED TO INDIVIDUAL PROGRAM SERVICE PROVIDERS BASED ON THE
31 PREVIOUS YEAR'S ENROLLMENT, DEMAND FOR NEW ENROLLMENT OR CHANGES IN THE
32 FACILITIES WHERE THE PROGRAM IS OPERATED, EXCEPT THAT THE TOTAL AVERAGE
33 DAILY MEMBERSHIP MAY NOT EXCEED THE TOTAL PROJECTED AVERAGE DAILY
34 MEMBERSHIP AUTHORIZED BY SUBSECTION L OF THIS SECTION.
35 O. THE STATE BOARD OF EDUCATION MAY ADOPT RULES TO CARRY OUT THE
36 PURPOSES OF THIS SECTION.
37 P. THE PROGRAM ESTABLISHED PURSUANT TO THIS SECTION ENDS ON JULY 1,
38 2030 PURSUANT TO SECTION 41-3102.