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

HB 2387

Introduced by
Representatives Udall: Campbell, Carroll, Dunn, Finchem, Lieberman, Osborne, Payne, Weninger

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

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

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

A. The State Board of Education shall establish a continuing high school program that provides adult learners with alternative study services and that leads to the issuance of a high school diploma and industry-recognized credentials. The State Board of Education shall authorize service providers participating in the continuing high school program to operate schools through partnerships with the approved service provider and school districts, nonprofit charter schools or career technical education districts.

B. To be eligible to participate in the continuing high school program, a service provider must be qualified pursuant to section 501(c)(3) of the Internal Revenue Code and demonstrate at least a ten-year history of providing services in this state to persons who are at least eighteen years of age and whose educational and training opportunities have been limited by educational disadvantages, disabilities and challenges.

C. A high school diploma may be issued pursuant to this section only to an adult learner who meets all the graduation requirements of section 15-701.01 and the State Board of Education.

D. A school that participates in the continuing high school program shall meet all applicable legal requirements prescribed in this title for a public school, including requirements for student assessments and special education services and prohibitions against admission limits based on ethnicity, national origin, gender, income level, disabling condition, English language proficiency or athletic ability.

E. The continuing high school program is not eligible for either:

1. Transportation funding pursuant to section 15-945.

2. Arizona Online Instruction funding pursuant to section 15-808.

F. Notwithstanding the age restrictions otherwise prescribed in this title, a school participating in the continuing high school program is eligible to receive base support level funding pursuant to section 15-943 and additional assistance in the same manner as a school district or charter school.

G. The Department of Education shall develop application procedures for service providers that wish to participate in the continuing high school program. An application submitted pursuant to this section must include all of the following:

1. A description of the service provider’s administrative structure, program activities, program staff, budget and specific curriculum that is aligned with the state academic standards.
2. THE SERVICE PROVIDER'S SCHOOL CALENDAR AND A SCHEDULE DESCRIBING
THE SERVICE PROVIDER'S LOCATION, LENGTH OF SCHOOL DAY, PROGRAM SEQUENCE,
MULTIDISCIPLINARY COURSES, PACE AND INSTRUCTIONAL ACTIVITIES, OR ANY
COMBINATION OF THESE ITEMS.

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

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

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

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

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

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

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

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

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

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

1. THE NUMBER OF ADULT LEARNERS THE SERVICE PROVIDER ENROLLS IN THE
SCHOOL.
2. THE GRADUATION RATE OF ADULT LEARNERS THE SERVICE PROVIDER ENROLLS IN THE SCHOOL.

3. THE AVERAGE PROGRESS OF ADULT LEARNERS TOWARD MEETING GRADUATION REQUIREMENTS.

4. THE NUMBER AND TYPE OF INDUSTRY-RECOGNIZED CREDENTIALS EARNED BY ADULT LEARNERS THE SERVICE PROVIDER ENROLLS IN THE SCHOOL.

5. A DESCRIPTIVE SUMMARY OF THE ACADEMIC, BEHAVIORAL AND EMOTIONAL SUPPORT SERVICES THE SERVICE PROVIDER OFFERS TO ADULT LEARNERS IN THE SCHOOL.


L. EXCEPT AS PROVIDED IN SUBSECTION M OF THIS SECTION, THE STATE BOARD OF EDUCATION MAY APPROVE PROGRAM SERVICE PROVIDERS WITH A TOTAL PROJECTED AVERAGE DAILY MEMBERSHIP OF:

1. IN FISCAL YEAR 2021-2022, NOT MORE THAN THREE HUNDRED FIFTY TOTAL AVERAGE DAILY MEMBERSHIP.

2. IN FISCAL YEAR 2022-2023, NOT MORE THAN SEVEN HUNDRED TOTAL AVERAGE DAILY MEMBERSHIP.

3. IN FISCAL YEAR 2023-2024 AND EACH FISCAL YEAR THEREAFTER, NOT MORE THAN ONE THOUSAND FOUR HUNDRED TOTAL AVERAGE DAILY MEMBERSHIP.

M. THE STATE BOARD OF EDUCATION MAY NOT INCLUDE STUDENTS WHO ARE TWENTY-ONE YEARS OF AGE OR YOUNGER IN THE TOTAL PROJECTED AVERAGE DAILY MEMBERSHIP UNDER THIS SECTION.

N. TO MAXIMIZE THE AVAILABILITY OF THE CONTINUING HIGH SCHOOL PROGRAM, THE STATE BOARD OF EDUCATION MAY ADJUST THE AVERAGE DAILY MEMBERSHIP ALLOCATED TO INDIVIDUAL PROGRAM SERVICE PROVIDERS BASED ON THE PREVIOUS YEAR’S ENROLLMENT, DEMAND FOR NEW ENROLLMENT OR CHANGES IN THE FACILITIES WHERE THE PROGRAM IS OPERATED, EXCEPT THAT THE TOTAL AVERAGE DAILY MEMBERSHIP MAY NOT EXCEED THE TOTAL PROJECTED AVERAGE DAILY MEMBERSHIP AUTHORIZED BY SUBSECTION L OF THIS SECTION.

O. THE STATE BOARD OF EDUCATION MAY ADOPT RULES TO CARRY OUT THE PURPOSES OF THIS SECTION.

P. THE PROGRAM ESTABLISHED PURSUANT TO THIS SECTION ENDS ON JULY 1, 2030 PURSUANT TO SECTION 41-3102.