

House Engrossed
continuing high school program

State of Arizona
House of Representatives
Fifty-fifth Legislature
First Regular Session
2021

HOUSE BILL 2405

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; service providers;
5 program schools; requirements; reporting;
6 enrollment limits; rules; program 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 ELIGIBLE SERVICE PROVIDERS TO PARTICIPATE IN THE CONTINUING HIGH
12 SCHOOL PROGRAM AND TO ESTABLISH A PROGRAM SCHOOL IN PARTNERSHIP WITH A
13 SCHOOL DISTRICT, NONPROFIT CHARTER SCHOOL OR CAREER TECHNICAL EDUCATION
14 DISTRICT.

15 B. TO BE ELIGIBLE TO PARTICIPATE IN THE CONTINUING HIGH SCHOOL
16 PROGRAM, A SERVICE PROVIDER MUST MEET BOTH OF THE FOLLOWING:

17 1. BE A NONPROFIT CORPORATION THAT IS QUALIFIED AS TAX-EXEMPT
18 PURSUANT TO SECTION 501(c)(3) OF THE INTERNAL REVENUE CODE OR BE AN ADULT
19 EDUCATION PROVIDER THAT IS APPROVED BY THE DIVISION OF ADULT EDUCATION
20 WITHIN THE DEPARTMENT OF EDUCATION.

21 2. DEMONSTRATE AT LEAST A TEN-YEAR HISTORY OF PROVIDING WORKFORCE
22 TRAINING AND CAREER SERVICES IN THIS STATE TO PERSONS WHO ARE AT LEAST
23 EIGHTEEN YEARS OF AGE AND WHOSE EDUCATIONAL AND TRAINING OPPORTUNITIES
24 HAVE BEEN LIMITED BY EDUCATIONAL DISADVANTAGES, DISABILITIES OR OTHER
25 BARRIERS TO EDUCATION, SUCH AS LACK OF RELIABLE AND AFFORDABLE
26 TRANSPORTATION, LACK OF CHILD CARE OR FOOD INSECURITY.

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

30 D. A PROGRAM SCHOOL SHALL MEET ALL APPLICABLE LEGAL REQUIREMENTS
31 PRESCRIBED IN THIS TITLE FOR A PUBLIC SCHOOL, INCLUDING REQUIREMENTS FOR
32 STUDENT ASSESSMENTS AND SPECIAL EDUCATION SERVICES AND PROHIBITIONS
33 AGAINST ADMISSION LIMITS BASED ON ETHNICITY, NATIONAL ORIGIN, GENDER,
34 INCOME LEVEL, DISABLING CONDITION, ENGLISH LANGUAGE PROFICIENCY OR
35 ATHLETIC ABILITY.

36 E. A PROGRAM SCHOOL IS NOT ELIGIBLE FOR EITHER:

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

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

39 F. NOTWITHSTANDING THE AGE RESTRICTIONS OTHERWISE PRESCRIBED IN
40 THIS TITLE, A PROGRAM SCHOOL SHALL RECEIVE BASE SUPPORT LEVEL FUNDING
41 PURSUANT TO SECTION 15-943 AND ADDITIONAL ASSISTANCE IN THE SAME MANNER AS
42 A SCHOOL DISTRICT OR CHARTER SCHOOL.

43 G. THE DEPARTMENT OF EDUCATION SHALL DEVELOP APPLICATION PROCEDURES
44 FOR THE CONTINUING HIGH SCHOOL PROGRAM. THE SERVICE PROVIDER SHALL SUBMIT

- 1 THE APPLICATION ON BEHALF OF THE PROGRAM SCHOOL. AN APPLICATION SUBMITTED
2 PURSUANT TO THIS SECTION MUST INCLUDE ALL OF THE FOLLOWING:
- 3 1. A DESCRIPTION OF THE SERVICE PROVIDER'S PARTNERSHIP WITH A
4 SCHOOL DISTRICT, NONPROFIT CHARTER SCHOOL OR CAREER TECHNICAL EDUCATION
5 DISTRICT.
 - 6 2. A DESCRIPTION OF THE PROGRAM SCHOOL'S ADMINISTRATIVE STRUCTURE,
7 PROGRAM ACTIVITIES, PROGRAM STAFF, BUDGET AND SPECIFIC CURRICULUM THAT IS
8 ALIGNED WITH THE STATE ACADEMIC STANDARDS.
 - 9 3. THE PROGRAM SCHOOL'S ACADEMIC CALENDAR AND A SCHEDULE DESCRIBING
10 THE PROGRAM SCHOOL'S LENGTH OF SCHOOL DAY, PROGRAM SEQUENCE,
11 MULTIDISCIPLINARY COURSES, PACE AND INSTRUCTIONAL ACTIVITIES, OR ANY
12 COMBINATION OF THESE ITEMS.
 - 13 4. CONFIRMATION OF THE PROGRAM SCHOOL'S LOCATION AND A DESCRIPTION
14 OF THE PROGRAM SCHOOL'S FACILITY, INCLUDING ALL OF THE FOLLOWING:
 - 15 (a) ACCESSIBILITY.
 - 16 (b) AVAILABLE CLASSROOM SPACE.
 - 17 (c) CHILD CARE SPACE.
 - 18 (d) HEALTH AND SAFETY REQUIREMENTS.
 - 19 5. A DESCRIPTION OF SPECIFIC ACADEMIC, BEHAVIORAL AND EMOTIONAL
20 SUPPORT SERVICES THE SERVICE PROVIDER WILL OFFER TO ADULT LEARNERS WHO
21 ENROLL IN THE PROGRAM SCHOOL.
 - 22 6. A DESCRIPTION OF THE ADULT LEARNER AND FAMILY SUPPORTS THAT THE
23 PROGRAM SCHOOL WILL PROVIDE AT NO COST TO ADULT LEARNERS, INCLUDING ALL OF
24 THE FOLLOWING:
 - 25 (a) ON-SITE CHILD CARE FOR DEPENDENTS OF ENROLLED ADULT LEARNERS.
 - 26 (b) LOCAL TRANSPORTATION ASSISTANCE FOR ADULT LEARNERS WITH A
27 VERIFIABLE NEED.
 - 28 (c) CAREER AND HIGHER EDUCATION COUNSELING.
 - 29 (d) JOB PLACEMENT ASSISTANCE.
 - 30 7. A DESCRIPTION OF THE AVAILABLE COUNSELING SERVICES THAT ASSIST
31 ADULT LEARNERS IN OVERCOMING BARRIERS TO EDUCATIONAL SUCCESS, INCLUDING
32 ANY OF THE FOLLOWING:
 - 33 (a) EDUCATIONAL DISADVANTAGES.
 - 34 (b) HOMELESSNESS.
 - 35 (c) CRIMINAL HISTORY.
 - 36 (d) DISABLING CONDITIONS.
 - 37 8. A DESCRIPTION OF THE CAREER TECHNICAL EDUCATION INSTRUCTION THAT
38 WILL BE PROVIDED BY THE PROGRAM SCHOOL. CAREER TECHNICAL EDUCATION
39 INSTRUCTION AND COURSES MUST LEAD TO INDUSTRY-RECOGNIZED CREDENTIALS OR
40 RESULT IN AN ADULT LEARNER EARNING COURSE CREDITS FROM A UNIVERSITY OR
41 COMMUNITY COLLEGE. A SERVICE PROVIDER MAY PARTNER WITH A COMMUNITY
42 COLLEGE DISTRICT TO PROVIDE CAREER TECHNICAL EDUCATION INSTRUCTION.
 - 43 9. A DESCRIPTION OF SPECIFIC PROGRAM OUTCOMES, GOALS AND METRICS
44 THE PROGRAM SCHOOL WILL USE TO DETERMINE ADULT LEARNER SUCCESS.

1 10. THE PROJECTED NUMBER OF ADULT LEARNERS THE PROGRAM SCHOOL WILL
2 ENROLL.

3 H. THE STATE BOARD OF EDUCATION, IN CONSULTATION WITH THE
4 DEPARTMENT OF EDUCATION, SHALL EVALUATE APPLICATIONS SUBMITTED FOR THE
5 CONTINUING HIGH SCHOOL PROGRAM AND APPROVE PROGRAM SCHOOLS THAT
6 DEMONSTRATE, THROUGH EVIDENCE OR OTHER DOCUMENTATION, THE ABILITY TO
7 PROVIDE ADULT LEARNERS WITH THE INSTRUCTION AND SUPPORT THAT LEAD TO A
8 HIGH SCHOOL DIPLOMA AND ONE OR MORE INDUSTRY-RECOGNIZED CREDENTIALS. THE
9 FOLLOWING APPLY TO APPROVAL OF A PROGRAM SCHOOL'S PARTICIPATION IN THE
10 CONTINUING HIGH SCHOOL PROGRAM:

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

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

17 3. IF AN APPROVED SERVICE PROVIDER FAILS TO MEET ANY REQUIREMENTS
18 OF THIS SECTION OR ANY RULES ADOPTED BY THE STATE BOARD, THE STATE BOARD
19 SHALL IMMEDIATELY INITIATE A PROCESS TO BRING THE PROGRAM SCHOOL INTO
20 COMPLIANCE OR TO REVOKE THE PROGRAM SCHOOL'S AUTHORIZATION TO PARTICIPATE
21 IN THE CONTINUING HIGH SCHOOL PROGRAM.

22 I. ON OR BEFORE JULY 1, 2023, THE STATE BOARD OF EDUCATION, IN
23 CONSULTATION WITH THE DEPARTMENT OF EDUCATION, SHALL ADOPT PERFORMANCE
24 EXPECTATIONS TO EVALUATE PROGRAM SCHOOLS. THE PERFORMANCE EXPECTATIONS
25 SHALL INCLUDE MEASUREMENTS OF ADULT LEARNER PROGRESS TOWARD EARNING A HIGH
26 SCHOOL DIPLOMA, THE GRADUATION RATES OF ADULT LEARNERS EARNING AT LEAST
27 ONE ACADEMIC CREDIT, THE NUMBER OF INDUSTRY-RECOGNIZED CREDENTIALS EARNED
28 AND OTHER RELEVANT MEASURES AS ADOPTED BY THE BOARD.

29 J. AN APPROVED SCHOOL DISTRICT, NONPROFIT CHARTER SCHOOL OR CAREER
30 TECHNICAL EDUCATION DISTRICT PARTICIPATING IN THE CONTINUING HIGH SCHOOL
31 PROGRAM SHALL ANNUALLY REPORT THE FOLLOWING INFORMATION TO THE DEPARTMENT
32 OF EDUCATION:

33 1. THE NUMBER OF ADULT LEARNERS ENROLLED IN THE PROGRAM SCHOOL.

34 2. THE GRADUATION RATE OF ADULT LEARNERS ENROLLED IN THE PROGRAM
35 SCHOOL.

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

38 4. THE NUMBER AND TYPE OF INDUSTRY-RECOGNIZED CREDENTIALS EARNED BY
39 ADULT LEARNERS ENROLLED IN THE PROGRAM SCHOOL.

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

43 K. ON OR BEFORE DECEMBER 15, 2024 AND ON OR BEFORE DECEMBER 15 OF
44 EACH YEAR THEREAFTER, THE DEPARTMENT OF EDUCATION SHALL SUBMIT AN ANNUAL
45 REPORT EVALUATING THE EFFECTIVENESS OF THE CONTINUING HIGH SCHOOL PROGRAM

1 TO THE GOVERNOR, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE
2 OF REPRESENTATIVES. THE DEPARTMENT SHALL PROVIDE A COPY OF THE REPORT TO
3 THE SECRETARY OF STATE.

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

7 1. IN FISCAL YEAR 2022-2023, NOT MORE THAN THREE HUNDRED FIFTY.

8 2. IN FISCAL YEAR 2023-2024, NOT MORE THAN SEVEN HUNDRED.

9 3. IN FISCAL YEAR 2024-2025 AND EACH FISCAL YEAR THEREAFTER, NOT
10 MORE THAN ONE THOUSAND FOUR HUNDRED TOTAL AVERAGE DAILY MEMBERSHIP.

11 M. IN DETERMINING THE MAXIMUM ALLOWABLE PROJECTED AVERAGE DAILY
12 MEMBERSHIP FOR THE CONTINUING HIGH SCHOOL PROGRAM, THE STATE BOARD OF
13 EDUCATION MAY NOT INCLUDE STUDENTS WHO ARE TWENTY-ONE YEARS OF AGE OR
14 YOUNGER IN THE TOTAL PROJECTED AVERAGE DAILY MEMBERSHIP UNDER THIS
15 SECTION. THE TOTAL NUMBER OF ADULT LEARNERS WHO ARE TWENTY-ONE YEARS OF
16 AGE OR YOUNGER IN EXCESS OF THE PROJECTED AVERAGE DAILY MEMBERSHIP MAY NOT
17 EXCEED TEN PERCENT.

18 N. IF THE TOTAL AVERAGE DAILY MEMBERSHIP REQUESTED BY APPROVED
19 PROGRAM SCHOOLS IS GREATER THAN THE AMOUNTS PRESCRIBED IN SUBSECTION L OF
20 THIS SECTION, THE STATE BOARD OF EDUCATION MAY PRIORITIZE AVERAGE DAILY
21 MEMBERSHIP DISTRIBUTION TO PROGRAM SCHOOLS DEMONSTRATING THE HIGHEST
22 PERFORMANCE. NEW PROGRAM SCHOOLS SHALL BE PRIORITIZED BASED ON THE
23 SERVICES AND SUPPORTS FOR ADULT LEARNERS AS OUTLINED IN THEIR
24 APPLICATIONS.

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

27 P. THE PROGRAM ESTABLISHED PURSUANT TO THIS SECTION ENDS ON JULY 1,
28 2031 PURSUANT TO SECTION 41-3102.