

REFERENCE TITLE: continuing high school program.

State of Arizona  
Senate  
Fifty-fifth Legislature  
First Regular Session  
2021

## **SB 1393**

Introduced by  
Senators Boyer: Leach, Livingston

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.

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

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

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

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

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

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

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

41 G. THE DEPARTMENT OF EDUCATION SHALL DEVELOP APPLICATION PROCEDURES  
42 FOR THE CONTINUING HIGH SCHOOL PROGRAM. THE SERVICE PROVIDER SHALL SUBMIT  
43 THE APPLICATION ON BEHALF OF THE PROGRAM SCHOOL. AN APPLICATION SUBMITTED  
44 PURSUANT TO THIS SECTION MUST INCLUDE ALL OF THE FOLLOWING:

1           1. A DESCRIPTION OF THE SERVICE PROVIDER'S PARTNERSHIP WITH A  
2 SCHOOL DISTRICT, NONPROFIT CHARTER SCHOOL OR CAREER TECHNICAL EDUCATION  
3 DISTRICT.

4           2. A DESCRIPTION OF THE PROGRAM SCHOOL'S ADMINISTRATIVE STRUCTURE,  
5 PROGRAM ACTIVITIES, PROGRAM STAFF, BUDGET AND SPECIFIC CURRICULUM THAT IS  
6 ALIGNED WITH THE STATE ACADEMIC STANDARDS.

7           3. THE PROGRAM SCHOOL'S ACADEMIC CALENDAR AND A SCHEDULE DESCRIBING  
8 THE PROGRAM SCHOOL'S LOCATION, LENGTH OF SCHOOL DAY, PROGRAM SEQUENCE,  
9 MULTIDISCIPLINARY COURSES, PACE AND INSTRUCTIONAL ACTIVITIES, OR ANY  
10 COMBINATION OF THESE ITEMS.

11           4. A DESCRIPTION OF SPECIFIC ACADEMIC, BEHAVIORAL AND EMOTIONAL  
12 SUPPORT SERVICES THE SERVICE PROVIDER WILL OFFER TO ADULT LEARNERS WHO  
13 ENROLL IN THE PROGRAM SCHOOL.

14           5. A DESCRIPTION OF THE CAREER TECHNICAL EDUCATION INSTRUCTION THAT  
15 WILL BE PROVIDED BY THE PROGRAM SCHOOL. CAREER TECHNICAL EDUCATION  
16 INSTRUCTION AND COURSES MUST LEAD TO INDUSTRY-RECOGNIZED CREDENTIALS OR  
17 RESULT IN AN ADULT LEARNER EARNING COURSE CREDITS FROM A UNIVERSITY OR  
18 COMMUNITY COLLEGE. A SERVICE PROVIDER MAY PARTNER WITH A COMMUNITY  
19 COLLEGE DISTRICT TO PROVIDE CAREER TECHNICAL EDUCATION INSTRUCTION.

20           6. A DESCRIPTION OF SPECIFIC PROGRAM OUTCOMES, GOALS AND METRICS  
21 THE PROGRAM SCHOOL WILL USE TO DETERMINE ADULT LEARNER SUCCESS.

22           7. THE PROJECTED NUMBER OF ADULT LEARNERS THE PROGRAM SCHOOL WILL  
23 ENROLL.

24           H. THE STATE BOARD OF EDUCATION SHALL EVALUATE APPLICATIONS  
25 SUBMITTED FOR THE CONTINUING HIGH SCHOOL PROGRAM AND APPROVE PROGRAM  
26 SCHOOLS THAT DEMONSTRATE, THROUGH EVIDENCE OR OTHER DOCUMENTATION, THE  
27 ABILITY TO PROVIDE ADULT LEARNERS WITH THE INSTRUCTION AND SUPPORT THAT  
28 LEAD TO A HIGH SCHOOL DIPLOMA AND ONE OR MORE INDUSTRY-RECOGNIZED  
29 CREDENTIALS. THE FOLLOWING APPLY TO APPROVAL OF A PROGRAM SCHOOL'S  
30 PARTICIPATION IN THE CONTINUING HIGH SCHOOL PROGRAM:

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

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

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

42           I. ON OR BEFORE JULY 1, 2023, THE STATE BOARD OF EDUCATION SHALL  
43 ADOPT PERFORMANCE EXPECTATIONS TO EVALUATE PROGRAM SCHOOLS. THE  
44 PERFORMANCE EXPECTATIONS SHALL INCLUDE MEASUREMENTS OF ADULT LEARNER  
45 PROGRESS TOWARD EARNING A HIGH SCHOOL DIPLOMA, THE GRADUATION RATES OF

1 ADULT LEARNERS EARNING AT LEAST ONE ACADEMIC CREDIT AND THE NUMBER OF  
2 INDUSTRY-RECOGNIZED CREDENTIALS EARNED.

3 J. AN APPROVED SCHOOL DISTRICT, NONPROFIT CHARTER SCHOOL OR CAREER  
4 TECHNICAL EDUCATION DISTRICT PARTICIPATING IN THE CONTINUING HIGH SCHOOL  
5 PROGRAM SHALL ANNUALLY REPORT THE FOLLOWING INFORMATION TO THE DEPARTMENT  
6 OF EDUCATION:

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

8 2. THE GRADUATION RATE OF ADULT LEARNERS ENROLLED IN THE PROGRAM  
9 SCHOOL.

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

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

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

17 K. ON OR BEFORE DECEMBER 15, 2024 AND ON OR BEFORE DECEMBER 15 OF  
18 EACH YEAR THEREAFTER, THE DEPARTMENT OF EDUCATION SHALL SUBMIT AN ANNUAL  
19 REPORT EVALUATING THE EFFECTIVENESS OF THE CONTINUING HIGH SCHOOL PROGRAM  
20 TO THE GOVERNOR, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE  
21 OF REPRESENTATIVES. THE DEPARTMENT SHALL PROVIDE A COPY OF THE REPORT TO  
22 THE SECRETARY OF STATE.

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

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

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

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

30 M. IN DETERMINING THE MAXIMUM ALLOWABLE PROJECTED AVERAGE DAILY  
31 MEMBERSHIP FOR THE CONTINUING HIGH SCHOOL PROGRAM, THE STATE BOARD OF  
32 EDUCATION MAY NOT INCLUDE STUDENTS WHO ARE TWENTY-ONE YEARS OF AGE OR  
33 YOUNGER IN THE TOTAL PROJECTED AVERAGE DAILY MEMBERSHIP UNDER THIS  
34 SECTION.

35 N. THE STATE BOARD OF EDUCATION MAY ADOPT RULES TO CARRY OUT THE  
36 PURPOSES OF THIS SECTION.

37 O. THE PROGRAM ESTABLISHED PURSUANT TO THIS SECTION ENDS ON JULY 1,  
38 2031 PURSUANT TO SECTION 41-3102.