

Senate Engrossed

~~dropout recovery programs; online instruction~~
(now: online instruction; dropout recovery programs)

State of Arizona
Senate
Fifty-fifth Legislature
Second Regular Session
2022

SENATE BILL 1649

AN ACT

AMENDING SECTION 15-901.06, ARIZONA REVISED STATUTES; RELATING TO DROPOUT RECOVERY PROGRAMS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-901.06, Arizona Revised Statutes, is amended
3 to read:

4 15-901.06. Dropout recovery programs; written learning plan;
5 requirements; annual report; definitions

6 A. Each ALTERNATIVE SCHOOL WITHIN A school district and EACH
7 ALTERNATIVE charter school that provides instruction to high school pupils
8 may offer a dropout recovery program for eligible pupils. AN ONLINE
9 COURSE PROVIDER AS DEFINED IN SECTION 15-808 OR AN ONLINE SCHOOL AS
10 DEFINED IN SECTION 15-808 THAT PROVIDES ARIZONA ONLINE INSTRUCTION UNDER
11 SECTION 15-808 MAY NOT OPERATE A DROPOUT RECOVERY PROGRAM.

12 B. The state board of education shall prescribe standards and
13 achievement testing requirements for dropout recovery programs that
14 attempt to ensure that the programs are compatible with public school
15 education goals and requirements. The standards shall require dropout
16 recovery programs to do all of the following:

17 1. Provide curricula aligned to the academic standards adopted by
18 the state board of education. The curricula may be delivered
19 online. ~~A provider of Arizona online instruction pursuant to section~~
20 ~~15-808 may not also operate a dropout recovery program pursuant to this~~
21 ~~section.~~ ANY ALTERNATIVE CHARTER SCHOOL WITH A UNIQUE ENTITY NUMBER OR AN
22 ALTERNATIVE SCHOOL WITHIN A SCHOOL DISTRICT MAY OPERATE A DROPOUT RECOVERY
23 PROGRAM PURSUANT TO THIS SECTION IF THE SCHOOL IS NOT ALSO AN ONLINE
24 COURSE PROVIDER AS DEFINED IN SECTION 15-808 OR AN ONLINE SCHOOL AS
25 DEFINED IN SECTION 15-808 THAT PROVIDES ARIZONA ONLINE INSTRUCTION UNDER
26 SECTION 15-808.

27 2. Provide standardized tests required by federal and state law.

28 3. Make available appropriate and sufficient supports for pupils,
29 including tutoring, career counseling and college counseling.

30 4. Comply with federal and state laws governing pupils with
31 disabilities.

32 5. Meet state requirements for high school graduation.

33 C. Each eligible pupil who is enrolled in a dropout recovery
34 program shall have a written learning plan developed by the pupil's
35 assigned mentor. The written learning plan shall include the following
36 elements:

37 1. The start date and anticipated end date of the plan.

38 2. Courses to be completed by the pupil during the academic year.

39 3. Whether courses will be taken sequentially or concurrently.

40 4. State competency exams to be taken, as necessary.

41 5. Expectations for satisfactory monthly progress.

42 6. Expectations for contact with the pupil's assigned mentor.

43 D. The monthly participation in a dropout recovery program shall be
44 recorded on or before the tenth school day of each month and shall be
45 reported to the department of education at the same time as other data

1 required pursuant to section 15-1042. Monthly participation calculations
2 shall include:

3 1. Newly enrolled pupils who have a written learning plan on file
4 on or before the first school day of the previous month.

5 2. Pupils who met the expectations for satisfactory monthly
6 progress in the previous month.

7 3. Pupils who did not meet the expectations for satisfactory
8 monthly progress in the previous month but did meet the expectations in
9 the month before the previous month.

10 4. Pupils who met expectations for program reentry in the revised
11 written learning plan in the previous month.

12 E. Because dropout recovery pupils are not expected to regularly
13 attend classes at the district OR CHARTER SCHOOL facilities, standard
14 procedures for recording pupil attendance cannot be effectively applied to
15 those ~~students~~ PUPILS. For pupils participating in a dropout recovery
16 program, an eligible pupil shall be counted as being in attendance in the
17 school's average daily attendance calculations pursuant to subsection F of
18 this section if the pupil meets one of the following conditions:

19 1. Is in the first month of enrollment in the program and completes
20 the program orientation during that month.

21 2. Is enrolled in teacher-facilitated courses and meets the
22 expectations for satisfactory monthly progress for the current or previous
23 month. A pupil who does not meet expectations for monthly progress for
24 two or more consecutive months shall not be reported as being in
25 attendance until the pupil meets the expectations for program reentry.

26 3. Meets the expectations for program reentry in the revised
27 written learning plan.

28 F. If a pupil is enrolled in a school district or charter school
29 other than the school district or charter school that participates in the
30 dropout recovery program and also participates in a dropout recovery
31 program in the same fiscal year, the average daily membership as
32 prescribed in section 15-901, subsection A, paragraph 1, subdivisions (a)
33 and (b) for that pupil in the school district or charter school and in a
34 dropout recovery program shall not exceed 1.0, except that if the pupil is
35 enrolled in a dropout recovery program and a career technical education
36 district, the average daily membership provisions of section 15-393 apply.
37 If the pupil is enrolled in both a school district or charter school and a
38 dropout recovery program in the same fiscal year and the sum of the
39 average daily membership and average daily attendance for that pupil is
40 greater than 1.0 or the amount prescribed in section 15-393 if the pupil
41 is enrolled in a career technical education district, the sum shall be
42 reduced to 1.0 or to the amount specified in section 15-393 if the pupil
43 is enrolled in a career technical education district and shall be
44 apportioned between the school district or charter school and the career
45 technical education district, if applicable, and the dropout recovery

1 program based on the proportionate shares of average daily membership in
2 the school district or charter school and the average daily attendance in
3 the dropout recovery program. The uniform system of financial records
4 shall include guidelines for ~~the apportionment of~~ APPORTIONING pupil
5 enrollment and attendance as provided in this subsection. Pupils in a
6 dropout recovery program do not incur absences for purposes of this
7 subsection and may generate average daily attendance for attendance during
8 any hour of the day, during any day of the week and at any time between
9 July 1 and June 30 of each fiscal year. The average daily attendance of a
10 pupil who participates in a dropout recovery program shall not exceed 1.0
11 or the amount prescribed in section 15-393 if the pupil is enrolled in a
12 career technical education district, and shall be calculated by
13 fulfilling the requirements of subsection E of this section. Average
14 daily membership shall not be calculated on the one hundredth day of
15 instruction for the purposes of this section.

16 G. Notwithstanding section 15-901, subsection A, paragraph 1, the
17 average daily membership for pupils WHO ARE enrolled in a dropout recovery
18 program shall equal the average daily attendance of the pupils.

19 H. School districts and charter schools shall be responsible for
20 tuition charges and fees related to pupil participation in a dropout
21 recovery program, including course materials and access to technology for
22 use with online courses.

23 I. School districts and charter schools may contract with an
24 educational management organization to provide a dropout recovery program.
25 If contracting with an educational management organization, the school
26 district or charter school shall ensure that all of the following
27 requirements are met:

28 1. The educational management organization is accredited by a
29 regional accrediting body.

30 2. Teachers provided by the educational management organization
31 hold a current teaching license from any state and a valid Arizona
32 fingerprint clearance card pursuant to section 15-534, and teachers of
33 core subjects are highly qualified in the subjects to which they are
34 assigned.

35 J. THE DEPARTMENT OF EDUCATION SHALL CREATE A MASTER LIST OF
36 EDUCATIONAL MANAGEMENT ORGANIZATIONS THAT PROVIDE DROPOUT RECOVERY
37 SERVICES. THE DEPARTMENT SHALL INCLUDE ON THE LIST WHO EACH DROPOUT
38 RECOVERY EDUCATIONAL MANAGEMENT ORGANIZATION SERVES AND UPDATE THE LIST ON
39 A QUARTERLY BASIS.

40 K. THIRTY DAYS BEFORE AN ALTERNATIVE SCHOOL WITHIN A SCHOOL
41 DISTRICT OR AN ALTERNATIVE CHARTER SCHOOL BEGINS OPERATING A DROPOUT
42 RECOVERY PROGRAM, THE SCHOOL SHALL NOTIFY THE DEPARTMENT OF EDUCATION THAT
43 THE SCHOOL MEETS THE CRITERIA PRESCRIBED IN THIS SECTION TO OPERATE A
44 DROPOUT RECOVERY PROGRAM. IF THE SCHOOL IS CONTRACTING WITH AN
45 EDUCATIONAL MANAGEMENT ORGANIZATION TO OPERATE THE DROPOUT RECOVERY

1 PROGRAM, THE SCHOOL SHALL IDENTIFY THE EDUCATIONAL MANAGEMENT ORGANIZATION
2 IN THE NOTICE. THE DEPARTMENT SHALL DETERMINE WHETHER THE SCHOOL MEETS
3 THE CRITERIA PRESCRIBED IN THIS SECTION AND, WITHIN THIRTY DAYS AFTER
4 RECEIVING THE NOTICE, NOTIFY THE SCHOOL OF ITS DECISION. THE SCHOOL HAS
5 THIRTY DAYS TO RESPOND AND APPEAL THE DEPARTMENT'S DECISION. IF THE
6 DEPARTMENT DETERMINES THAT THE DROPOUT RECOVERY PROGRAM MEETS THE CRITERIA
7 PRESCRIBED IN THIS SECTION, THE SCHOOL MAY START OPERATING THE DROPOUT
8 RECOVERY PROGRAM BEGINNING THIRTY DAYS AFTER THE DATE THE SCHOOL NOTIFIED
9 THE DEPARTMENT UNDER THIS SUBSECTION.

10 ~~J.~~ L. Dropout recovery programs shall be classified as alternative
11 schools and ~~shall be~~ ARE subject to the accountability provisions of
12 section 15-241.

13 ~~K.~~ M. Entities that are contracted to provide dropout recovery
14 programs may conduct outreach to encourage pupils who are not currently
15 enrolled in a school district or charter school in this state to return to
16 school. Entities that are contracted to provide dropout recovery programs
17 shall not conduct advertising or marketing campaigns directed at pupils
18 who are currently enrolled in a school district or charter school, or
19 undertake any other activity that encourages pupils who are currently
20 enrolled in a school district or charter school to stop attending school
21 in order to qualify for a dropout recovery program.

22 ~~L. The department of education shall submit an annual report to the~~
23 ~~governor, the president of the senate and the speaker of the house of~~
24 ~~representatives that details the outcomes of dropout recovery programs,~~
25 ~~including the number of pupils who participate in the programs and the~~
26 ~~number of pupils who participate in the programs and who graduate from~~
27 ~~high school. The department shall provide a copy of the annual report to~~
28 ~~the secretary of state.~~

29 N. A SCHOOL THAT OPERATES A DROPOUT RECOVERY PROGRAM MAY PROVIDE UP
30 TO TWO MONTHS OF FUNDABLE ORIENTATION AND MENTORING PER STUDENT PER
31 TWELVE-MONTH PERIOD. THE SCHOOL SHALL USE THE FOLLOWING PROGRESS MARKERS
32 IN THE SCHOOL'S STUDENT INFORMATION SYSTEM TO IDENTIFY MONTHLY PROGRESS:

- 33 1. O FOR ORIENTATION.
- 34 2. S FOR SATISFACTORY.
- 35 3. U FOR UNSATISFACTORY.

36 O. ON OR BEFORE JULY 31 OF EACH YEAR, EACH SCHOOL THAT OPERATES A
37 DROPOUT RECOVERY PROGRAM, INCLUDING AN EDUCATIONAL MANAGEMENT ORGANIZATION
38 CONTRACTED BY A SCHOOL DISTRICT OR CHARTER SCHOOL TO OPERATE A DROPOUT
39 RECOVERY PROGRAM, SHALL REPORT TO THE DEPARTMENT OF EDUCATION ALL OF THE
40 FOLLOWING INFORMATION REGARDING THE DROPOUT RECOVERY PROGRAM:

- 41 1. THE ON-TRACK TO GRADUATE DATA.
- 42 2. THE TOTAL NUMBER OF CREDITS EARNED BY PUPILS IN THE DROPOUT
43 RECOVERY PROGRAM.
- 44 3. THE ALTERNATIVE COLLEGE AND CAREER READINESS INDICATOR.

1 P. ON OR BEFORE JULY 31 OF EACH YEAR, THE DEPARTMENT OF EDUCATION
2 SHALL:

3 1. COMPILE THE INFORMATION RECEIVED UNDER SUBSECTION O OF THIS
4 SECTION IN A REPORT, SUBMIT THE REPORT TO THE GOVERNOR, THE PRESIDENT OF
5 THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND SUBMIT A
6 COPY OF THE REPORT TO THE SECRETARY OF STATE.

7 2. POST THE REPORT ON THE DEPARTMENT'S WEBSITE.

8 ~~M.~~ Q. For the purposes of this section:

9 1. "Eligible pupil" means a pupil ~~who, if enrolled, would be~~
10 ~~eligible for placement in an alternative school but~~ who is not currently
11 enrolled in a school district or charter school and who has been withdrawn
12 from a school district or charter school for at least ~~thirty~~ TEN days,
13 unless the SCHOOL district OR ALTERNATIVE CHARTER SCHOOL determines that
14 the ~~student~~ PUPIL is unable to participate in other SCHOOL district OR
15 CHARTER SCHOOL programs.

16 2. "Satisfactory monthly progress":

17 (a) Means an amount of progress that is measurable on a monthly
18 basis and that, if continued for twelve months, would result in the same
19 amount of academic credit being awarded to the pupil as would be awarded
20 to a pupil in a traditional education program who completes a full school
21 year. ~~Satisfactory monthly progress may include a lesser required amount~~
22 ~~of progress for the first two months that a pupil participates in the~~
23 ~~program.~~

24 (b) NOTWITHSTANDING SUBDIVISION (a) OF THIS PARAGRAPH, MAY INCLUDE
25 UP TO TWO MONTHS OF FUNDABLE ORIENTATION AND MENTORING PER STUDENT OVER
26 THE TWELVE-MONTH PERIOD DESCRIBED IN SUBDIVISION (a) OF THIS PARAGRAPH,
27 RESULTING IN A LESSER REQUIRED AMOUNT OF PROGRESS OVER THE TWELVE-MONTH
28 PERIOD THAN THAT PRESCRIBED IN SUBDIVISION (a) OF THIS PARAGRAPH.