



ARIZONA STATE SENATE
Fifty-Fifth Legislature, Second Regular Session

AMENDED

FACT SHEET FOR H.B. 2118

schools; alternative education; revisions

Purpose

Authorizes a school district governing board (governing board) or charter school governing body (governing body) to meet instructional time requirements for an alternative education program or alternative school (alternative program or school) through instructional time models as statutorily outlined (instructional time models) and modifies administrative student funding procedures in specified circumstances. Replaces one Arizona State Board for Charter Schools (ASBCS) public member with an operator of an alternative charter school.

Background

A governing board may contract with a public body or private person to provide alternative education programs and must prescribe procedures to verify a student's daily attendance in an alternative education program that meets course of study standards. *Alternative education* is the modification of the school course of study and adoption of teaching methods, materials and techniques to educationally provide for students in grades 6 through 12 who are unable to profit from the regular school course of study and environment (A.R.S. §§ [15-796](#) and [15-797](#)).

Under the State Board of Education (SBE) definition, an *alternative school* must have a sole and clearly-stated mission to serve a specific population of at-risk students that will benefit from an alternative school setting. The school must offer a high school diploma, administer the state assessment and at least 70 percent of enrolled students must: 1) have a documented history of disruptive behavior issues; 2) have dropped out of school and be now returning; 3) be in poor academic standing as demonstrated by being at least one year behind on grade level performance or academic credits; 4) be primary caregivers or financially responsible for dependents and require a flexible school schedule; 5) be adjudicated; or 6) be wards of the state in need of an alternative school setting ([ADE](#)).

A governing board or a governing body may meet statutory instructional time requirements by adopting instructional time models that provide instruction: 1) in any day, week and course length; 2) through direct instruction or project-based, independent or mastery-based learning; and 3) through a combination of in-person and remote instruction, subject to restrictions. The school may reallocate instructional time per course to other courses on a per-student basis, stagger student schedules and offer instructional options on the weekend or in the evenings ([A.R.S. § 15-901.08](#)).

The Student Accountability Information System (SAIS) is statutorily-established to enable school districts, career technical education districts and charter schools to transmit student level data and school finance data to the Arizona Department of Education (ADE) for ADE and the SBE to fulfill statutory obligations ([A.R.S. § 15-1041](#)).

If specifying that alternative programs or schools may use instructional time models and modifying student funding procedures as outlined results in a change in state aid for alternative programs or schools, there may be a fiscal impact to the state General Fund.

Provisions

1. Authorizes a governing board or governing body to adopt instructional time models as statutorily-outlined to meet alternative program and school minimum annual instructional time requirements.
2. Allows an alternative program or school to deliver the annual required instructional time or instructional hours on any day of the week.
3. Allows an alternative program or school to enroll and begin receiving funding for a student without a withdrawal form from the student's previous school if:
 - a) the withdrawal is verified in SAIS; and
 - b) the alternative program or school retains electronic documentation validating the withdrawal.
4. Allows an alternative program or school to continue to enroll a currently-enrolled student whose previous school incorrectly coded the student in SAIS as a graduate.
5. Directs ADE, on notification that a student incorrectly coded as a graduate is enrolled in an alternative program or school, to allocate funding for the student beginning on the date of the student's enrollment in the alternative program or school.
6. Replaces one ASBCS public member with a member who is an operator of an alternative charter school recognized by ADE as a school whose sole and clearly-stated mission is to serve specific populations of at-risk students.
7. Specifies that the ASBCS alternative charter school operator member is appointed by the Governor.
8. Retains the members serving on the ASBCS on the general effective date until the expiration of their terms and requires the Governor to appoint all subsequent members as prescribed.
9. Specifies that *alternative education* includes the use of instructional time models.
10. Defines *student accountability information system*.
11. Makes technical and conforming changes.
12. Becomes effective on the general effective date.

Amendments Adopted by Committee of the Whole

- Retains the membership of all persons serving on the ASBCS on the general effective date until the expiration of their normal terms and requires the Governor to appoint all subsequent members as prescribed.

House Action

ED	2/8/22	DPA	9-1-0-0
APPROP	2/15/22	W/D	
3 rd Read	2/23/22		44-15-1

Senate Action

ED	3/8/22	DP	7-0-1
----	--------	----	-------

Prepared by Senate Research

March 22, 2022

LB/slp