

House Engrossed
continuing high school; workforce training

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

HOUSE BILL 2122

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 and workforce training
5 program; service providers; program schools;
6 requirements; reporting; enrollment limits; rules

7 A. THE STATE BOARD OF EDUCATION SHALL ESTABLISH A CONTINUING HIGH
8 SCHOOL AND WORKFORCE TRAINING PROGRAM THAT PROVIDES ADULT LEARNERS WITH
9 ALTERNATIVE STUDY SERVICES AND THAT LEADS TO THE ISSUANCE OF A HIGH SCHOOL
10 DIPLOMA AND INDUSTRY-RECOGNIZED CREDENTIALS. THE STATE BOARD OF EDUCATION
11 SHALL AUTHORIZE ELIGIBLE SERVICE PROVIDERS TO PARTICIPATE IN THE
12 CONTINUING HIGH SCHOOL AND WORKFORCE TRAINING PROGRAM AND TO ESTABLISH A
13 PROGRAM SCHOOL IN PARTNERSHIP WITH A SCHOOL DISTRICT OR NONPROFIT CHARTER
14 SCHOOL.

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

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

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

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

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

37 E. NOTWITHSTANDING ANY OTHER LAW, A PROGRAM SCHOOL SHALL BE FUNDED
38 AS FOLLOWS:

39 1. THE PROGRAM SCHOOL SHALL RECEIVE \$7,700 PER FULL-TIME STUDENT
40 ENROLLED IN THE PROGRAM SCHOOL FOR FISCAL YEARS 2022-2023 AND
41 2023-2024. PART-TIME STUDENTS SHALL BE FUNDED IN PROPORTION TO THE NUMBER
42 OF ENROLLED COURSES OR HOURS OF INSTRUCTION.

43 2. IN THE 2024-2025 FISCAL YEAR AND EACH FISCAL YEAR THEREAFTER,
44 THE PROGRAM SCHOOL SHALL RECEIVE FUNDING PURSUANT TO THE ADULT EDUCATION

1 AND WORKFORCE PERFORMANCE FUNDING MODEL ADOPTED BY THE STATE BOARD OF
2 EDUCATION, SUBJECT TO LEGISLATIVE APPROPRIATION.

3 3. THE PROGRAM SCHOOL IS ELIGIBLE TO RECEIVE FUNDING FOR ANY ADULT
4 STUDENT REGARDLESS OF AGE.

5 4. THE PROGRAM SCHOOL IS NOT ELIGIBLE FOR ANY OTHER SCHOOL FINANCE
6 FORMULA FUNDING, INCLUDING ANY OF THE FOLLOWING:

7 (a) TRANSPORTATION FUNDING PURSUANT TO SECTION 15-945.

8 (b) ARIZONA ONLINE INSTRUCTION FUNDING PURSUANT TO SECTION 15-808.

9 (c) BASE SUPPORT LEVEL FUNDING PURSUANT TO SECTION 15-943.

10 (d) ADDITIONAL ASSISTANCE.

11 F. THE DEPARTMENT OF EDUCATION SHALL DEVELOP APPLICATION PROCEDURES
12 FOR THE CONTINUING HIGH SCHOOL AND WORKFORCE TRAINING PROGRAM. THE
13 SERVICE PROVIDER SHALL SUBMIT THE APPLICATION ON BEHALF OF THE PROGRAM
14 SCHOOL. AN APPLICATION SUBMITTED PURSUANT TO THIS SECTION MUST INCLUDE
15 ALL OF THE FOLLOWING:

16 1. A DESCRIPTION OF THE SERVICE PROVIDER'S PARTNERSHIP WITH A
17 SCHOOL DISTRICT OR NONPROFIT CHARTER SCHOOL.

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

21 3. THE PROGRAM SCHOOL'S ACADEMIC CALENDAR AND A SCHEDULE DESCRIBING
22 THE PROGRAM SCHOOL'S LENGTH OF SCHOOL DAY, PROGRAM SEQUENCE,
23 MULTIDISCIPLINARY COURSES, PACE AND INSTRUCTIONAL ACTIVITIES, OR ANY
24 COMBINATION OF THESE ITEMS.

25 4. CONFIRMATION OF THE PROGRAM SCHOOL'S LOCATION AND A DESCRIPTION
26 OF THE PROGRAM SCHOOL'S FACILITY, INCLUDING ALL OF THE FOLLOWING:

27 (a) ACCESSIBILITY.

28 (b) AVAILABLE CLASSROOM SPACE.

29 (c) CHILD CARE SPACE.

30 (d) HEALTH AND SAFETY REQUIREMENTS.

31 5. A DESCRIPTION OF SPECIFIC ACADEMIC, BEHAVIORAL AND EMOTIONAL
32 SUPPORT SERVICES THE SERVICE PROVIDER WILL OFFER TO ADULT LEARNERS WHO
33 ENROLL IN THE PROGRAM SCHOOL.

34 6. A DESCRIPTION OF THE ADULT LEARNER AND FAMILY SUPPORTS THAT THE
35 PROGRAM SCHOOL WILL PROVIDE AT NO COST TO ADULT LEARNERS, INCLUDING ALL OF
36 THE FOLLOWING:

37 (a) ON-SITE CHILD CARE FOR DEPENDENTS OF ENROLLED ADULT LEARNERS
38 WHILE THE ADULT LEARNER IS ON SITE.

39 (b) LOCAL TRANSPORTATION ASSISTANCE FOR ADULT LEARNERS WITH A
40 VERIFIABLE NEED.

41 (c) CAREER AND HIGHER EDUCATION COUNSELING.

42 (d) JOB PLACEMENT ASSISTANCE.

43 7. A DESCRIPTION OF THE AVAILABLE COUNSELING SERVICES THAT ASSIST
44 ADULT LEARNERS IN OVERCOMING BARRIERS TO EDUCATIONAL SUCCESS, INCLUDING
45 ANY OF THE FOLLOWING:

- 1 (a) EDUCATIONAL DISADVANTAGES.
- 2 (b) HOMELESSNESS.
- 3 (c) CRIMINAL HISTORY.
- 4 (d) DISABLING CONDITIONS.

5 8. A DESCRIPTION OF THE CAREER TECHNICAL EDUCATION INSTRUCTION THE
6 PROGRAM SCHOOL WILL PROVIDE. CAREER TECHNICAL EDUCATION INSTRUCTION AND
7 COURSES MUST LEAD TO INDUSTRY-RECOGNIZED CREDENTIALS OR RESULT IN AN ADULT
8 LEARNER EARNING COURSE CREDITS FROM A UNIVERSITY OR COMMUNITY COLLEGE. A
9 SERVICE PROVIDER MAY PARTNER WITH A COMMUNITY COLLEGE DISTRICT OR CAREER
10 TECHNICAL EDUCATION DISTRICT TO PROVIDE CAREER TECHNICAL EDUCATION
11 INSTRUCTION.

12 9. A DESCRIPTION OF SPECIFIC PROGRAM OUTCOMES, GOALS AND METRICS
13 THE PROGRAM SCHOOL WILL USE TO DETERMINE ADULT LEARNER SUCCESS.

14 10. THE PROJECTED NUMBER OF ADULT LEARNERS THE PROGRAM SCHOOL WILL
15 ENROLL.

16 G. THE STATE BOARD OF EDUCATION, IN CONSULTATION WITH THE
17 DEPARTMENT OF EDUCATION, SHALL EVALUATE APPLICATIONS SUBMITTED FOR THE
18 CONTINUING HIGH SCHOOL AND WORKFORCE TRAINING PROGRAM AND APPROVE PROGRAM
19 SCHOOLS THAT DEMONSTRATE, THROUGH EVIDENCE OR OTHER DOCUMENTATION, THE
20 ABILITY TO PROVIDE ADULT LEARNERS WITH THE INSTRUCTION AND SUPPORT THAT
21 LEAD TO A HIGH SCHOOL DIPLOMA AND ONE OR MORE INDUSTRY-RECOGNIZED
22 CREDENTIALS. THE FOLLOWING APPLY TO APPROVAL OF A PROGRAM SCHOOL'S
23 PARTICIPATION IN THE CONTINUING HIGH SCHOOL AND WORKFORCE TRAINING
24 PROGRAM:

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

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

31 3. IF AN APPROVED SERVICE PROVIDER FAILS TO MEET ANY REQUIREMENTS
32 OF THIS SECTION OR ANY RULES ADOPTED BY THE STATE BOARD, THE STATE BOARD
33 SHALL IMMEDIATELY INITIATE A PROCESS TO BRING THE PROGRAM SCHOOL INTO
34 COMPLIANCE OR TO REVOKE THE PROGRAM SCHOOL'S AUTHORIZATION TO PARTICIPATE
35 IN THE CONTINUING HIGH SCHOOL AND WORKFORCE TRAINING PROGRAM.

36 H. ON OR BEFORE JULY 1, 2024, THE STATE BOARD OF EDUCATION, IN
37 CONSULTATION WITH THE DEPARTMENT OF EDUCATION, SHALL ADOPT BOTH OF THE
38 FOLLOWING:

39 1. PERFORMANCE EXPECTATIONS TO EVALUATE PROGRAM SCHOOLS. THE
40 PERFORMANCE EXPECTATIONS SHALL INCLUDE MEASUREMENTS OF ADULT LEARNER
41 PROGRESS TOWARD EARNING A HIGH SCHOOL DIPLOMA, THE GRADUATION RATES OF
42 ADULT LEARNERS EARNING AT LEAST ONE ACADEMIC CREDIT, THE NUMBER OF
43 INDUSTRY-RECOGNIZED CREDENTIALS EARNED, THE NUMBER OF STUDENTS WHO HAVE
44 NEWLY ACQUIRED PROFICIENCY IN THE ENGLISH LANGUAGE, THE NUMBER OF STUDENTS
45 OR GRADUATES WHO HAVE MATRICULATED IN AN INSTITUTION OF HIGHER LEARNING OR

1 POSTSECONDARY EDUCATIONAL INSTITUTION, THE NUMBER OF STUDENTS OR GRADUATES
2 WHO HAVE NEWLY ACQUIRED EMPLOYMENT AT A WAGE THAT IS AT LEAST ONE HUNDRED
3 FIFTY PERCENT OF THE STATE MINIMUM WAGE AND OTHER RELEVANT MEASURES AS
4 ADOPTED BY THE BOARD.

5 2. AN ADULT EDUCATION AND WORKFORCE PERFORMANCE FUNDING MODEL. AT
6 LEAST HALF OF TOTAL FUNDING PROVIDED TO A PROGRAM SCHOOL SHALL BE BASED ON
7 THE AVERAGE PERFORMANCE OF THE SCHOOL IN THE PRIOR TWO FISCAL YEARS. THE
8 STATE BOARD OF EDUCATION SHALL CONSIDER ALL PERFORMANCE EXPECTATIONS
9 PURSUANT TO PARAGRAPH 1 OF THIS SUBSECTION, EXCEPT THAT ENROLLMENT MAY NOT
10 BE CONSIDERED.

11 I. AN APPROVED PROGRAM SCHOOL PARTICIPATING IN THE CONTINUING HIGH
12 SCHOOL AND WORKFORCE TRAINING PROGRAM SHALL ANNUALLY REPORT THE FOLLOWING
13 INFORMATION TO THE DEPARTMENT OF EDUCATION:

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

15 2. THE GRADUATION RATE OF ADULT LEARNERS ENROLLED IN THE PROGRAM
16 SCHOOL.

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

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

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

24 6. THE INFORMATION REQUIRED BY THE PERFORMANCE EXPECTATIONS
25 ESTABLISHED PURSUANT TO SUBSECTION H, PARAGRAPH 1 OF THIS SECTION.

26 J. ON OR BEFORE DECEMBER 15, 2025 AND ON OR BEFORE DECEMBER 15 OF
27 EACH YEAR THEREAFTER, THE DEPARTMENT OF EDUCATION SHALL SUBMIT AN ANNUAL
28 REPORT EVALUATING THE EFFECTIVENESS OF THE CONTINUING HIGH SCHOOL AND
29 WORKFORCE TRAINING PROGRAM TO THE GOVERNOR, THE PRESIDENT OF THE SENATE
30 AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. THE DEPARTMENT SHALL
31 PROVIDE A COPY OF THE REPORT TO THE SECRETARY OF STATE.

32 K. THE STATE BOARD OF EDUCATION MAY APPROVE PROGRAM SCHOOLS WITH A
33 TOTAL PROJECTED FULL-TIME ENROLLMENT OF:

34 1. IN FISCAL YEAR 2022-2023, NOT MORE THAN SIX HUNDRED.

35 2. IN FISCAL YEAR 2023-2024, NOT MORE THAN ONE THOUSAND.

36 3. IN FISCAL YEAR 2024-2025 AND EACH FISCAL YEAR THEREAFTER, NOT
37 MORE THAN ONE THOUSAND FOUR HUNDRED.

38 L. IF THE TOTAL FULL-TIME ENROLLMENT REQUESTED BY APPROVED PROGRAM
39 SCHOOLS IS GREATER THAN THE AMOUNTS PRESCRIBED IN SUBSECTION K OF THIS
40 SECTION, THE STATE BOARD OF EDUCATION MAY PRIORITIZE FUNDING DISTRIBUTION
41 TO PROGRAM SCHOOLS DEMONSTRATING THE HIGHEST PERFORMANCE. NEW PROGRAM
42 SCHOOLS SHALL BE PRIORITIZED BASED ON THE SERVICES AND SUPPORTS FOR ADULT
43 LEARNERS AS OUTLINED IN THEIR APPLICATIONS.

- 1 M. A PROGRAM SCHOOL MAY NOT EITHER:
2 1. CONDUCT ADVERTISING OR MARKETING CAMPAIGNS DIRECTED AT STUDENTS
3 WHO ARE CURRENTLY ENROLLED IN A SCHOOL DISTRICT OR CHARTER SCHOOL, OR
4 UNDERTAKE ANY OTHER ACTIVITY THAT ENCOURAGES STUDENTS WHO ARE CURRENTLY
5 ENROLLED IN A SCHOOL DISTRICT OR CHARTER SCHOOL TO STOP ATTENDING SCHOOL
6 IN ORDER TO ENROLL IN A PROGRAM SCHOOL.
7 2. ENROLL A STUDENT WHO WAS ENROLLED IN A SCHOOL DISTRICT OR
8 CHARTER SCHOOL WITHIN THE PRECEDING THIRTY DAYS.
9 N. THE STATE BOARD OF EDUCATION MAY ADOPT RULES TO CARRY OUT THE
10 PURPOSES OF THIS SECTION.