

REFERENCE TITLE: Arizona online instruction; reporting

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

SB 1518

Introduced by
Senators Quezada; Gonzales; Representative Hernandez M

AN ACT

AMENDING SECTION 15-808, ARIZONA REVISED STATUTES; RELATING TO SCHOOL ATTENDANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-808, Arizona Revised Statutes, is amended to
3 read:

4 15-808. Arizona online instruction; reports; definitions

5 A. Arizona online instruction shall be instituted to meet the needs
6 of pupils in the information age. The state board of education shall
7 select district public schools and state-approved charter authorizers
8 shall sponsor charter schools to be online course providers or online
9 schools. The state board of education and state-approved charter
10 authorizers shall develop standards for the approval of online course
11 providers and online schools based on the following criteria:

12 1. The depth and breadth of curriculum choices.

13 2. The variety of educational methodologies employed by the school
14 and the means of addressing the unique needs and learning styles of
15 targeted pupil populations, including computer-assisted learning systems,
16 virtual classrooms, virtual laboratories, electronic field trips, ~~e-mail~~
17 EMAIL, virtual tutoring, online help desk, group chat sessions and
18 noncomputer-based activities performed under the direction of a
19 certificated teacher.

20 3. The availability of an intranet or private network to safeguard
21 pupils against predatory and pornographic elements of the internet.

22 4. The availability of filtered research access to the internet.

23 5. The availability of private individual ~~e-mail~~ EMAIL between
24 pupils, teachers, administrators and parents in order to protect the
25 confidentiality of pupil records and information.

26 6. The availability of faculty members who are experienced with
27 computer networks, the internet and computer animation.

28 7. The extent to which the school intends to develop partnerships
29 with universities, community colleges and private businesses.

30 8. The services offered to populations with developmental
31 disabilities.

32 9. The grade levels that will be served.

33 B. Each new school that provides online instruction shall provide
34 online instruction on a probationary status. After a new school that
35 provides online instruction has clearly demonstrated the academic
36 integrity of its instruction through the actual improvement of the
37 academic performance of its students, the school may apply to be removed
38 from probationary status. The state board of education or the
39 state-approved charter authorizer that sponsored the charter school shall
40 remove from Arizona online instruction any probationary school that fails
41 to clearly demonstrate improvement in academic performance within three
42 years measured against goals in the approved application and the state's
43 accountability system. All pupils who participate in Arizona online
44 instruction shall reside in this state. Pupils who participate in Arizona
45 online instruction are subject to the testing requirements prescribed in

chapter 7, article 3 of this title. On enrollment, the school shall notify the parents or guardians of the pupil of the state testing requirements. If a pupil fails to comply with the testing requirements and the school administers the tests pursuant to this subsection to less than ninety-five percent of the pupils in Arizona online instruction, the pupil shall not be allowed to participate in Arizona online instruction.

C. The state board of education and state-approved charter authorizers shall develop annual reporting mechanisms for schools that participate in Arizona online instruction. **ONLINE COURSE PROVIDERS AND ONLINE SCHOOLS SHALL REPORT THE FOLLOWING INFORMATION TO THE DEPARTMENT OF EDUCATION:**

1. THE TOTAL NUMBER OF COURSES TAKEN BY ALL PUPILS.
2. THE TOTAL NUMBER OF COURSES COMPLETED.
3. THE NUMBER OF PUPILS ENROLLED WHO DID NOT COMPLETE A SINGLE COURSE.
4. THE NUMBER OF PUPILS WHO ARE ENROLLED IN A COURSE THAT INCLUDES END-OF-COURSE TESTING PURSUANT TO SECTION 15-741 OR WHO COMPLETED A COURSE THAT INCLUDED END-OF-COURSE TESTING PURSUANT TO SECTION 15-741 AS OF THE FALL, SPRING AND SUMMER TESTING WINDOWS.
5. THE NUMBER OF PUPILS TAKING THE END-OF-COURSE EXAMINATION FOR EACH COURSE THAT INCLUDES END-OF-COURSE TESTING PURSUANT TO SECTION 15-741 DURING THE FALL, SPRING AND SUMMER TESTING WINDOWS.
6. THE NUMBER OF PUPILS WHO WERE EXCLUDED FROM ARIZONA ONLINE INSTRUCTION FOR FAILING TO TAKE THE STATEWIDE ASSESSMENT ADOPTED PURSUANT TO SECTION 15-741.
7. THE NUMBER OF PUPILS WHO PASSED THE END-OF-COURSE EXAMINATIONS IN ENGLISH LANGUAGE ARTS AND MATHEMATICS PURSUANT TO SECTION 15-741.
8. THE NUMBER OF FULL-TIME STUDENTS ENROLLED AND THE AVERAGE NUMBER OF COURSES THAT THESE STUDENTS PASSED.
9. THE NUMBER OF PART-TIME STUDENTS ENROLLED AND THE AVERAGE NUMBER OF COURSES THAT THESE STUDENTS PASSED.

D. The department of education shall compile the information submitted in the annual reports by schools participating in Arizona online instruction. The department of education shall submit the compiled report to the governor, the speaker of the house of representatives and the president of the senate by November 15 of each year.

E. Each school selected for Arizona online instruction shall ensure that a daily log is maintained for each pupil who participates in Arizona online instruction. The daily log shall describe the amount of time spent by each pupil participating in Arizona online instruction pursuant to this section on academic tasks. The daily log shall be used by the school district or charter school to qualify the pupils who participate in Arizona online instruction in the school's average daily attendance calculations pursuant to subsection F of this section.

1 F. If a pupil is enrolled in a school district or charter school
2 and also participates in Arizona online instruction, the sum of the
3 average daily membership, which includes enrollment as prescribed in
4 section 15-901, subsection A, paragraph 1, subdivisions (a) and (b) and
5 daily attendance as prescribed in section 15-901, subsection A, paragraph
6 5, for that pupil in the school district or charter school and in Arizona
7 online instruction shall not exceed 1.0. If the pupil is enrolled in a
8 school district or a charter school and also participates in Arizona
9 online instruction and the sum of the daily membership or daily attendance
10 for that pupil is greater than 1.0, the sum shall be reduced to 1.0 and
11 shall be apportioned between the school district, unless the school
12 district is a career technical education district subject to the
13 apportionment requirements of section 15-393, or charter school and
14 Arizona online instruction based on the percentage of total time that the
15 pupil is enrolled or in attendance in the school district or charter
16 school and Arizona online instruction. The uniform system of financial
17 records shall include guidelines for the apportionment of the pupil
18 enrollment and attendance as provided in this subsection. Pupils in
19 Arizona online instruction do not incur absences for purposes of this
20 subsection and may generate an average daily attendance of 1.0 for
21 attendance hours during any hour of the day, during any day of the week
22 and at any time between July 1 and June 30 of each fiscal year. For
23 kindergarten programs and grades one through eight, average daily
24 membership shall be calculated by dividing the instructional hours as
25 reported in the daily log required in subsection E of this section by the
26 applicable hourly requirements prescribed in section 15-901. For grades
27 nine through twelve, average daily membership shall be calculated by
28 dividing the instructional hours as reported in the daily log required in
29 subsection E of this section by nine hundred. The average daily
30 membership of a pupil who participates in online instruction shall not
31 exceed 1.0. Average daily membership shall not be calculated on the one
32 hundredth day of instruction for the purposes of this section. Funding
33 shall be determined as follows:

34 1. A pupil who is enrolled full-time in Arizona online instruction
35 shall be funded for online instruction at ninety-five percent of the base
36 support level that would be calculated for that pupil if that pupil were
37 enrolled as a full-time student in a school district or charter school
38 that does not participate in Arizona online instruction. Charter
39 additional assistance and district additional assistance shall be
40 calculated in the same manner they would be calculated if the student were
41 enrolled in a district or charter school that does not participate in
42 Arizona online instruction.

43 2. A pupil who is enrolled part-time in Arizona online instruction
44 shall be funded for online instruction at eighty-five percent of the base
45 support level that would be calculated for that pupil if that pupil were

enrolled as a part-time student in a school district or charter school that does not participate in Arizona online instruction. Charter additional assistance and district additional assistance shall be calculated in the same manner they would be calculated if the student were enrolled in a district or charter school that does not participate in Arizona online instruction.

G. If the academic achievement of a pupil declines while the pupil is participating in Arizona online instruction, the pupil's parents, the pupil's teachers and the principal or head teacher of the school shall confer to evaluate whether the pupil should be allowed to continue to participate in Arizona online instruction.

H. To ensure the academic integrity of pupils who participate in online instruction, Arizona online instruction shall include multiple diverse assessment measures and the proctored administration of required state standardized tests.

I. A school district or charter school may not charge a fee to a pupil who takes an examination in a particular course to obtain academic credit, pursuant to section 15-701.01, subsection I, from the school district or charter school if the academic credit for a course was previously earned in an Arizona online instruction course or at any public school in this state. Any test administered pursuant to this subsection shall be an assessment that is aligned to the course-relevant state academic standards.

J. For the purposes of this section:

1. "Full-time student" means:

(a) A student who is at least five years of age before September 1 of a school year and who is enrolled in a school kindergarten program that meets at least three hundred forty-six hours during the school year.

(b) A student who is at least six years of age before September 1 of a school year, who has not graduated from the highest grade taught in the school and who is regularly enrolled in a course of study required by the state board of education. For first, second and third grade students, the instructional program shall meet at least seven hundred twelve hours. For fourth, fifth and sixth grade students, the instructional program shall meet at least eight hundred ninety hours during the school year.

(c) Seventh and eighth grade students or ungraded students who are at least twelve, but under fourteen, years of age on or before September 1 and who are enrolled in an instructional program of courses that meets at least one thousand sixty-eight hours during the school year.

(d) For high schools, a student who has not graduated from the highest grade taught in the school district, or an ungraded student who is at least fourteen years of age on or before September 1, and who is enrolled in at least four courses throughout the year that meet at least nine hundred hours during the school year. A full-time student shall not be counted more than once for computation of average daily membership.

2. "Online course provider" means a school other than an online school that is selected by the state board of education or a state-approved charter authorizer to participate in Arizona online instruction pursuant to this section and that provides at least one online academic course that is approved by the state board of education.

3. "Online school" means a school that provides at least four online academic courses or one or more online courses for the equivalent of at least five hours each day for one hundred eighty school days and that is a charter school that is sponsored by a state-approved charter authorizer or a district public school that is selected by the state board of education to participate in Arizona online instruction.

4. "Part-time student" means:

(a) Any student who is enrolled in a program that does not meet the definition in paragraph 1 of this subsection shall be funded at eighty-five percent of the base support level that would be calculated for that pupil if that pupil were enrolled as a part-time student in a school district or charter school that does not participate in Arizona online instruction.

(b) A part-time student of seventy-five percent average daily membership shall be enrolled in at least three subjects throughout the year that offer for first, second and third grade students at least five hundred thirty-four instructional hours in a school year and for fourth, fifth and sixth grade students at least six hundred sixty-eight instructional hours in a school year. A part-time student of fifty percent average daily membership shall be enrolled in at least two subjects throughout the year that offer for first, second and third grade students at least three hundred fifty-six instructional hours in a school year and for fourth, fifth and sixth grade students at least four hundred forty-five instructional hours in a school year. A part-time student of twenty-five percent average daily membership shall be enrolled in at least one subject throughout the year that offers for first, second and third grade students at least one hundred seventy-eight instructional hours in a school year and for fourth, fifth and sixth grade students at least two hundred twenty-three instructional hours in a school year.

(c) For seventh and eighth grade students, a part-time student of seventy-five percent average daily membership shall be enrolled in at least three subjects throughout the year that offer at least eight hundred one instructional hours in a school year. A part-time student of fifty percent average daily membership shall be enrolled in at least two subjects throughout the year that offer at least five hundred thirty-four instructional hours in a school year. A part-time student of twenty-five percent average daily membership shall be enrolled in at least one subject throughout the year that offers at least two hundred sixty-seven instructional hours in a school year.

1 (d) For high school students, a part-time student of seventy-five
2 percent average daily membership shall be enrolled in at least three
3 subjects throughout the year that offer at least six hundred seventy-five
4 instructional hours in a school year. A part-time student of fifty
5 percent average daily membership shall be enrolled in at least two
6 subjects throughout the year that offer at least four hundred fifty
7 instructional hours in a school year. A part-time student of twenty-five
8 percent average daily membership shall be enrolled in at least one subject
9 throughout the year that offers at least two hundred twenty-five
10 instructional hours in a school year.

11 5. "State-approved charter authorizer" means any charter school
12 sponsor authorized pursuant to section 15-183.