

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1641

(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 15-901.08, Arizona Revised Statutes, is amended
3 to read:

4 15-901.08. School year; school month; instructional time
5 models; requirements; funding; definition

6 A. Except as may be otherwise authorized by the superintendent of
7 public instruction to accommodate a year-round school operation or as
8 otherwise prescribed under an instructional time model adopted pursuant to
9 this section, the school year begins July 1 and ends June 30, and a school
10 month is twenty school days or four weeks of five days each.

11 B. Notwithstanding any other law, for the purposes of meeting the
12 instructional time and instructional hours requirements prescribed in
13 sections 15-808 and 15-901, a school district governing board, after at
14 least two public hearings in the school district, or a charter school
15 governing body for one or more schools may adopt any instructional time
16 models as prescribed in this section to meet the minimum annual
17 instructional time and instructional hours requirements prescribed in
18 sections 15-808 and 15-901 for all of the following purposes:

- 19 1. Determining average daily membership.
- 20 2. Determining daily attendance.
- 21 3. Determining student count.
- 22 4. Any other purpose relating to instructional time or instructional
23 hours prescribed in section 15-808 or 15-901.

1 C. Notwithstanding any other law, all of the following apply to an
2 instructional time model adopted by a school district governing board or
3 charter school governing body for one or more schools pursuant to this
4 section:

5 1. Students shall receive the minimum instructional time or
6 instructional hours required under section 15-808 or 15-901, as applicable,
7 for the full school year in any day, week and course length increments
8 adopted by the school district governing board or charter school governing
9 body.

10 2. A school may deliver the annual required instructional time or
11 instructional hours to students through any combination of the following:

12 (a) Direct instruction.

13 (b) Project-based learning.

14 (c) Independent learning.

15 (d) Mastery-based learning, which may be delivered in a blended
16 classroom serving multiple grade levels or providing blended grade level
17 content.

18 3. A school may define instructional time and instructional hours to
19 include any combination of the following:

20 (a) In-person instruction.

21 (b) Remote instruction, subject to all of the following:

22 (i) During school year 2021-2022, a school may provide up to fifty
23 percent of its total instructional time in a remote setting without any
24 impact to the school's funding. Beginning in school year 2022-2023 and
25 each school year thereafter, a school may provide up to forty percent of
26 its total instructional time in a remote setting without any impact to the
27 school's funding. THE THRESHOLD PRESCRIBED IN THIS ITEM DOES NOT APPLY TO
28 LIVE, REMOTE INSTRUCTION COURSES OFFERED PURSUANT TO SECTION 15-901.09.

29 (ii) If a school provides instructional time in a remote setting
30 beyond the threshold prescribed in item (i) of this subdivision in any
31 school year, the department of education shall calculate funding as
32 prescribed in subsection D of this section.

1 (iii) The department of education shall annually provide a list of
2 schools that provide more than the allowed instructional time in a remote
3 setting to the state board of education. The state board of education
4 shall determine whether the school must apply to become an online school
5 under section 15-808.

6 (iv) The department of education shall annually provide a list of
7 charter schools that provide more than the allowed instructional time in a
8 remote setting to the state board for charter schools. The state board for
9 charter schools shall determine whether the charter school must apply to
10 become an online school under section 15-808.

11 (c) LIVE, REMOTE INSTRUCTION PURSUANT TO SECTION 15-901.09.

12 4. A school may reallocate any minimum instructional time or
13 instructional hours per course required under section 15-808 or 15-901 or
14 any other statute to other courses on a per-student basis so that students
15 are able to spend more of their required instructional time or
16 instructional hours on courses of greater depth or courses that require
17 additional learning time to catch up to grade level or to stay on pace.

18 5. A school may stagger learning times and schedules for students
19 and may offer courses and other instructional time options on the weekend
20 or in the evenings so that all students are not expected to attend or
21 complete their school day or instructional time at the same time.

22 6. A school shall align its attendance policies to reflect the
23 instructional time and instructional hours policies prescribed under the
24 adopted instructional time model.

25 D. If a school provides remote instructional time beyond the
26 threshold prescribed in subsection C, paragraph 3, subdivision (b), item
27 (i) of this section in any school year, the department of education shall
28 calculate funding as follows:

29 1. Calculate the total percentage of instructional time provided by
30 the school in a remote setting.

1 2. Subtract the allowable threshold prescribed in subsection C,
2 paragraph 3, subdivision (b), item (i) of this section from the amount
3 calculated pursuant to paragraph 1 of this subsection.

4 3. Fund the percentage of the base support level equal to the
5 percentage calculated in paragraph 2 of this subsection at ninety-five
6 percent of the base support level that would otherwise be calculated for
7 the school.

8 E. For the purposes of this section, "mastery-based learning" means
9 a system in which students advance to higher levels of learning when they
10 demonstrate mastery of concepts and skills regardless of time, place or
11 pace.

12 Sec. 2. Title 15, chapter 9, article 1, Arizona Revised Statutes, is
13 amended by adding section 15-901.09, to read:

14 15-901.09. Live, remote instruction courses

15 A. A SCHOOL DISTRICT OR CHARTER SCHOOL MAY OFFER A COURSE OR COURSES
16 FOR STUDENTS IN KINDERGARTEN PROGRAMS OR GRADES ONE THROUGH TWELVE IN WHICH
17 THE INSTRUCTIONAL SERVICES ARE PROVIDED REMOTELY IN A LIVE AND SYNCHRONOUS
18 SETTING BY ANOTHER SCHOOL DISTRICT OR CHARTER SCHOOL IN THIS STATE PURSUANT
19 TO A WRITTEN AGREEMENT. A SCHOOL DISTRICT OR CHARTER SCHOOL THAT OFFERS
20 LIVE, REMOTE INSTRUCTION COURSES SHALL PROVIDE AN IN-PERSON TEACHER OR
21 INSTRUCTIONAL AIDE FOR EACH COURSE AND ENSURE THAT STUDENTS ENROLLED IN
22 LIVE, REMOTE INSTRUCTION COURSES SATISFY THE INSTRUCTIONAL TIME AND
23 INSTRUCTIONAL HOURS REQUIREMENTS PRESCRIBED IN SECTION 15-901. ANY WRITTEN
24 AGREEMENT BETWEEN SCHOOL DISTRICTS OR CHARTER SCHOOLS TO PROVIDE LIVE,
25 REMOTE INSTRUCTION COURSES MUST SPECIFY THAT THE SCHOOL DISTRICT OR CHARTER
26 SCHOOL ACTING AS THE INSTRUCTIONAL SERVICES PROVIDER SHALL PAY THE
27 INSTRUCTOR OF THE COURSE A STIPEND IN AN AMOUNT OF AT LEAST TWENTY-FIVE
28 PERCENT OF THE CONTRACTUAL AMOUNT OF PER-COURSE, PER-STUDENT MONIES.

29 B. THE SCHOOL DISTRICT OR CHARTER SCHOOL PROVIDING THE MODERATED
30 CLASSROOM GENERATES AVERAGE DAILY MEMBERSHIP FOR STUDENTS ENROLLED IN LIVE,
31 REMOTE INSTRUCTION COURSES AS PRESCRIBED IN SECTION 15-901. THE SCHOOL
32 DISTRICT OR CHARTER SCHOOL ACTING AS THE INSTRUCTIONAL SERVICES PROVIDER

1 MAY NOT GENERATE AVERAGE DAILY MEMBERSHIP FOR STUDENTS ATTENDING A LIVE,
2 REMOTE INSTRUCTION COURSE. THE SCHOOL DISTRICT OR CHARTER SCHOOL PROVIDING
3 THE MODERATED CLASSROOM FOR LIVE, REMOTE INSTRUCTION COURSES AND GENERATING
4 AVERAGE DAILY MEMBERSHIP SHALL PROVIDE ADMINISTRATIVE CONTROL OF STUDENTS
5 ENROLLED IN LIVE, REMOTE INSTRUCTION COURSES, INCLUDING RECORDING A
6 STUDENT'S PARTICIPATION IN A LIVE, REMOTE INSTRUCTION COURSE ON THE
7 STUDENT'S TRANSCRIPT AND TRACKING PROGRESS FOR GRADUATION REQUIREMENTS.

8 Sec. 3. Heading change

9 The article heading of title 15, chapter 12, article 2, Arizona
10 Revised Statutes, is changed from "STATE BOARD OF DIRECTORS FOR COMMUNITY
11 COLLEGES" to "COMMUNITY COLLEGE DISTRICT ANNUAL REPORTS".

12 Sec. 4. Section 15-1427, Arizona Revised Statutes, is amended to
13 read:

14 15-1427. Annual report

15 A. ~~By~~ ON OR BEFORE December 1 of each year, each community college
16 district shall make a report for the preceding fiscal year to the governor,
17 the president of the senate, the speaker of the house of representatives
18 and the joint legislative budget committee and shall provide a copy of this
19 report to the secretary of state.

20 B. The report shall contain the following information regarding the
21 operation of the district:

22 1. The state of progress of the community colleges operated under
23 this chapter.

24 2. The courses of study included in the curricula.

25 3. The number of professors and other instructional staff members
26 employed.

27 4. The number of students registered and attending classes.

28 5. The number of full-time equivalent students enrolled during the
29 year.

30 6. The total number of students not residing in the district,
31 disaggregated by the county of residence for nonresident students who

1 reside in this state and by the state of residence for nonresident students
2 who reside in another state.

3 7. The amount of receipts and expenditures.

4 8. A general description of tuition and fees charged for credit
5 courses.

6 9. A general description of tuition and fees charged for noncredit
7 courses.

8 10. Such other information as the governor and the joint legislative
9 budget committee deem proper.

10 C. In each odd-numbered calendar year, the report shall also contain
11 the following information regarding dual enrollment programs operated
12 pursuant to section 15-1821.01:

13 1. Documentation of compliance with the requirements prescribed in
14 section 15-1821.01, [SUBSECTION A](#), paragraphs 3, 4 and 5, including a list
15 of the members of the faculty advisory committees of each community
16 college.

17 2. Total enrollments listed by location, by high school grade level
18 and by course.

19 3. A copy of each addendum to intergovernmental agreements or
20 contracts executed pursuant to section 15-1821.01, [SUBSECTION A](#),
21 paragraph 1.

22 4. Summary data by community college district and by individual
23 community colleges on the number of scholarships or grants awarded to
24 students.

25 5. Such other information as the governor and the joint legislative
26 budget committee deem proper.

27 Sec. 5. Section 15-1821.01, Arizona Revised Statutes, is amended to
28 read:

29 15-1821.01. Dual enrollment information; tuition; Arizona dual
30 enrollment fund

31 A. On a determination by a community college district governing
32 board that it is in the best interest of the citizens of a district, the

1 district governing board may authorize district community colleges to offer
2 college courses that may be counted toward both high school and college
3 graduation requirements at the high school during the school day, subject
4 to the following:

5 1. The community college district governing board and the governing
6 board of the school district or organization of which the high school is a
7 part shall enter into an agreement or contract. These intergovernmental
8 agreements or contracts shall be based on a uniform format that has been
9 cooperatively developed by the community college districts in this state.
10 Each of these agreements or contracts shall clearly specify the following:

11 (a) The financial provisions of the agreement or contract and the
12 format for billing all services under the agreement or contract, including
13 the amount that the community college received in full-time student
14 equivalent funding pursuant to section 15-1466.01, the portion of the
15 funding that is distributed to the school district governing board or
16 charter school and any amount that is subsequently returned to the
17 community college district by the school district governing board or
18 charter school.

19 (b) Student tuition and financial aid policies, including whether
20 scholarships or grants are awarded to students in dual enrollment courses
21 from the community college.

22 (c) The accountability provisions for each party to the agreement or
23 contract.

24 (d) The responsibilities and services required of each party to the
25 agreement or contract.

26 (e) The type of instruction that will be provided under the
27 agreement or contract, including the titles of the courses to be offered.

28 (f) The quality of the instruction that will be provided under the
29 agreement or contract.

30 2. Students shall be admitted to the community college under the
31 policies adopted by each district, except that all students who are
32 enrolled for college credit shall be high school freshmen, sophomores,

1 juniors or seniors. All students who are in the course, including those
2 not electing to enroll for college credit, shall satisfy the prerequisites
3 for the course as published in the college catalog and shall comply with
4 college policies regarding student placement in courses.

5 3. The courses shall be previously evaluated and approved through
6 the curriculum approval process of the district, shall be at a higher level
7 than taught by the high school and shall be transferable to a university
8 under the jurisdiction of the Arizona board of regents or be applicable to
9 an established community college occupational degree or certificate
10 program. Physical education courses are not available for dual enrollment
11 purposes.

12 4. College-approved textbooks, syllabuses, course outlines and
13 grading standards that are applicable to the courses if taught at the
14 community college shall apply to these courses and to all students in the
15 courses offered pursuant to this ~~section~~ SUBSECTION. The chief executive
16 officer of each community college shall establish an advisory committee of
17 full-time faculty who teach in the disciplines offered at the community
18 college to assist in course selection and implementation in the high
19 schools and to review and report at least annually to the chief executive
20 officer whether the course goals and standards are understood, the course
21 guidelines are followed and the same standards of expectation and
22 assessment are applied to these courses as though they were being offered
23 at the community college. The advisory committee of full-time faculty
24 shall meet at least three times each academic year.

25 5. Each faculty member shall meet the requirements established by
26 the governing board pursuant to section 15-1444. The chief executive
27 officer of each community college district shall establish an advisory
28 committee of full-time faculty who teach in the disciplines offered at the
29 community college district to assist in the selection, orientation, ongoing
30 professional development and evaluation of faculty who are teaching college
31 courses in conjunction with the high schools. The advisory committee of
32 full-time faculty shall meet at least two times each academic year.

1 6. A school district shall ensure that a pupil is a full-time
2 student as defined in section 15-901 and is enrolled in and attending a
3 full-time instructional program at a school in the school district before
4 that pupil is allowed to enroll in a college course pursuant to this
5 ~~section~~ SUBSECTION, except that high school seniors who satisfy high school
6 graduation requirements with less than a full-time instructional program
7 are exempt from this paragraph.

8 7. Notwithstanding paragraph 6 of this ~~section~~ SUBSECTION,
9 homeschooled students may fully participate in dual enrollment, including
10 receipt of college credit pursuant to this ~~section~~ SUBSECTION.

11 B. NOTWITHSTANDING SECTION 15-1445, PARAGRAPH 3 AND EXCEPT AS
12 PRESCRIBED IN SUBSECTION C OF THIS SECTION, A COMMUNITY COLLEGE DISTRICT
13 GOVERNING BOARD MAY NOT FIX TUITION IN AN AMOUNT THAT EXCEEDS \$125 PER DUAL
14 ENROLLMENT COURSE PER STUDENT, INCLUDING ANY MANDATORY COURSE FEE, FOR ANY
15 OF THE FOLLOWING DUAL ENROLLMENT COURSES:

16 1. ANY COURSE THAT FULFILLS A LOWER DIVISION GENERAL EDUCATION
17 CREDIT AT A UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA BOARD OF
18 REGENTS OR A COMMUNITY COLLEGE AS DEFINED IN SECTION 15-1401.

19 2. ANY SCIENCE, TECHNOLOGY, ENGINEERING OR MATHEMATICS COURSE.

20 3. ANY CAREER AND TECHNICAL EDUCATION COURSE THAT IS REQUIRED FOR A
21 PROGRAM THAT RESULTS IN A CERTIFICATE, CREDENTIAL OR LICENSE.

22 C. A COMMUNITY COLLEGE DISTRICT GOVERNING BOARD MAY NOT FIX TUITION
23 IN AN AMOUNT THAT EXCEEDS \$25 PER DUAL ENROLLMENT COURSE PER STUDENT,
24 INCLUDING ANY MANDATORY COURSE FEE, FOR ANY DUAL ENROLLMENT COURSE
25 DESCRIBED IN SUBSECTION B OF THIS SECTION FOR A STUDENT WHOSE FAMILY INCOME
26 DOES NOT EXCEED ONE HUNDRED EIGHTY-FIVE PERCENT OF THE INCOME LIMIT
27 REQUIRED TO QUALIFY A CHILD FOR REDUCED-PRICE LUNCHES UNDER THE NATIONAL
28 SCHOOL LUNCH AND CHILD NUTRITION ACTS (42 UNITED STATES CODE SECTIONS 1751
29 THROUGH 1793). A SCHOOL DISTRICT OR CHARTER SCHOOL OFFERING DUAL
30 ENROLLMENT COURSES MAY REPORT TO THE DEPARTMENT OF EDUCATION IN A MANNER
31 PRESCRIBED BY THE DEPARTMENT THE STUDENTS WHO ARE ELIGIBLE FOR AND PAID THE
32 REDUCED TUITION RATE PRESCRIBED IN THIS SUBSECTION FOR A DUAL ENROLLMENT

1 COURSE DESCRIBED IN SUBSECTION B OF THIS SECTION AND WHO ARE ENROLLED IN
2 THE DUAL ENROLLMENT COURSE ON THE FORTIETH DAY OF THE COURSE. THE
3 DEPARTMENT OF EDUCATION SHALL ALLOCATE \$100 PER ELIGIBLE STUDENT TO THE
4 COMMUNITY COLLEGE DISTRICT FROM THE ARIZONA DUAL ENROLLMENT FUND
5 ESTABLISHED BY SUBSECTION D OF THIS SECTION.

6 D. THE ARIZONA DUAL ENROLLMENT FUND IS ESTABLISHED CONSISTING OF
7 LEGISLATIVE APPROPRIATIONS. THE DEPARTMENT OF EDUCATION SHALL ADMINISTER
8 THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED AND ARE EXEMPT
9 FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF
10 APPROPRIATIONS.

11 Sec. 6. Appropriation; Arizona dual enrollment fund

12 The sum of \$500,000 is appropriated from the state general fund in
13 fiscal year 2022-2023 to the Arizona dual enrollment fund established by
14 section 15-1821.01, subsection D, Arizona Revised Statutes, as added by
15 this act."

16 Amend title to conform

MICHELLE UDALL

1641UDALL SE
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