

PROPOSED
SENATE AMENDMENTS TO S.B. 1026
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

[~~GREEN STRIKEOUT IN BRACKETS~~] indicates new text removed from statute or previously enacted session law.

[~~Green strikeout in brackets~~] indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

<<~~Green strikeout in carets~~>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Section 15-796, Arizona Revised Statutes, is amended to
3 read:

4 15-796. Alternative education programs; alternative schools;
5 requirements; funding; eligibility; appeal;
6 definitions

7 A. The governing board of a school district may contract with any
8 public body or private person for the purpose of providing alternative
9 education programs or alternative schools.

10 B. On the approval of the parent or guardian of a student or of a
11 student who is an emancipated person, the superintendent of a school
12 district may recommend to the governing board the placement of the student
13 in an alternative education program or alternative school as provided in
14 this article.

15 C. An alternative education program or alternative school may
16 deliver the annual required [~~instructional time or~~] instructional hours
17 prescribed ~~in~~ PURSUANT TO section 15-797, subsection D or any other
18 section to students on any day of the week[, CONSISTENT WITH THE CALENDAR
19 THAT THE ALTERNATIVE EDUCATION PROGRAM OR ALTERNATIVE SCHOOL SUBMITS TO
20 THE DEPARTMENT OF EDUCATION].

21 D. An alternative education program or alternative school may
22 enroll and begin to receive funding for a student without a withdrawal
23 form from the student's previous school if the withdrawal has been
24 verified in the student accountability information system and the
25 alternative education program or alternative school retains electronic
26 documentation validating the withdrawal.

1 E. Notwithstanding any other law, if the previous school of a
2 student who is enrolled in an alternative education program or alternative
3 school incorrectly codes the student as a graduate in the student
4 accountability information system, the alternative education program or
5 alternative school in which the student is currently enrolled may continue
6 to enroll the student. On notification that a student who has been
7 incorrectly coded as a graduate is enrolled in an alternative education
8 program or alternative school, the department of education shall allocate
9 funding for the student beginning on the date of the student's enrollment
10 in the alternative education program or alternative school.

11 F. THE DEPARTMENT OF EDUCATION AND THE STATE BOARD OF EDUCATION MAY
12 NOT REQUIRE A SCHOOL DISTRICT GOVERNING BOARD, ALTERNATIVE EDUCATION
13 PROGRAM PROVIDER OR ALTERNATIVE SCHOOL THAT IS OPERATING IN GOOD STANDING
14 TO RECERTIFY OR OTHERWISE SUBMIT AN APPLICATION TO CONTINUE PROVIDING AN
15 ALTERNATIVE EDUCATION PROGRAM OR ALTERNATIVE SCHOOL PURSUANT TO THIS
16 ARTICLE [MORE THAN ONE TIME DURING ANY FIVE-YEAR PERIOD]. THE DEPARTMENT
17 OR THE STATE BOARD MAY REQUIRE A SCHOOL DISTRICT GOVERNING BOARD,
18 ALTERNATIVE EDUCATION PROGRAM PROVIDER OR ALTERNATIVE SCHOOL TO:

19 1. SUBMIT AN APPLICATION TO BEGIN PROVIDING AN ALTERNATIVE
20 EDUCATION PROGRAM OR ALTERNATIVE SCHOOL.

21 2. PROVIDE NOTICE BEFORE CLOSING AN EXISTING ALTERNATIVE SCHOOL.

22 [3. DEMONSTRATE, IN A FORM AND MANNER PRESCRIBED BY THE DEPARTMENT,
23 THAT AT LEAST SEVENTY PERCENT OF THE STUDENTS WHO ARE ENROLLED IN THE
24 ALTERNATIVE EDUCATION PROGRAM OR ALTERNATIVE SCHOOL ARE STUDENTS IN GRADES
25 SIX THROUGH TWELVE WHO ARE UNABLE TO PROFIT FROM THE REGULAR SCHOOL COURSE
26 OF STUDY AND ENVIRONMENT.]

27 G. ON FINDING THAT AN ALTERNATIVE EDUCATION PROGRAM OR ALTERNATIVE
28 SCHOOL FAILS TO SATISFY THE REQUIREMENTS PRESCRIBED BY SUBSECTION F,
29 PARAGRAPH 3 OF THIS SECTION, THE DEPARTMENT OF EDUCATION SHALL NOTIFY THE
30 ALTERNATIVE EDUCATION PROGRAM OR ALTERNATIVE SCHOOL THAT IT IS NOT
31 ELIGIBLE TO USE THE PROVISIONS OF THIS ARTICLE UNTIL THE STATE BOARD OF
32 EDUCATION DETERMINES THAT THE PROGRAM OR SCHOOL IS IN COMPLIANCE. A
33 SCHOOL DISTRICT GOVERNING BOARD, ALTERNATIVE EDUCATION PROGRAM PROVIDER OR
34 ALTERNATIVE SCHOOL MAY APPEAL THE DEPARTMENT'S FINDING TO THE STATE BOARD
35 OF EDUCATION AND REMAINS ELIGIBLE TO USE THE PROVISIONS OF THIS ARTICLE
36 UNTIL THE APPEAL IS CONCLUDED.]

37 ~~F.~~ [G.] [H.] For the purposes of this section:

38 1. "Alternative education" means the modification of the school
39 course of study and adoption of teaching methods, materials and
40 techniques, including using any instructional time models pursuant to
41 section 15-901.08, to provide educationally for students in grades six
42 through twelve who are unable to profit from the regular school course of
43 study and environment.

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1 2. "Student accountability information system" means the student
2 accountability information system established by section 15-1041.

3 Enroll and engross to conform

4 Amend title to conform

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