

Senate Engrossed

alternative schools; continuous operations; requirements

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SENATE BILL 1026

AN ACT

AMENDING SECTION 15-796, ARIZONA REVISED STATUTES; RELATING TO ALTERNATIVE
EDUCATION PROGRAMS AND ALTERNATIVE SCHOOLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

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.

27 E. Notwithstanding any other law, if the previous school of a
28 student who is enrolled in an alternative education program or alternative
29 school incorrectly codes the student as a graduate in the student
30 accountability information system, the alternative education program or
31 alternative school in which the student is currently enrolled may continue
32 to enroll the student. On notification that a student who has been
33 incorrectly coded as a graduate is enrolled in an alternative education
34 program or alternative school, the department of education shall allocate
35 funding for the student beginning on the date of the student's enrollment
36 in the alternative education program or alternative school.

37 F. THE DEPARTMENT OF EDUCATION AND THE STATE BOARD OF EDUCATION MAY
38 NOT REQUIRE A SCHOOL DISTRICT GOVERNING BOARD, ALTERNATIVE EDUCATION
39 PROGRAM PROVIDER OR ALTERNATIVE SCHOOL THAT IS OPERATING IN GOOD STANDING
40 TO RECERTIFY OR OTHERWISE SUBMIT AN APPLICATION TO CONTINUE PROVIDING AN
41 ALTERNATIVE EDUCATION PROGRAM OR ALTERNATIVE SCHOOL PURSUANT TO THIS
42 ARTICLE MORE THAN ONE TIME DURING ANY FIVE-YEAR PERIOD. THE DEPARTMENT OR
43 THE STATE BOARD MAY REQUIRE A SCHOOL DISTRICT GOVERNING BOARD, ALTERNATIVE
44 EDUCATION PROGRAM PROVIDER OR ALTERNATIVE SCHOOL TO:

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

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

4 3. DEMONSTRATE, IN A FORM AND MANNER PRESCRIBED BY THE DEPARTMENT,
5 THAT AT LEAST SEVENTY PERCENT OF THE STUDENTS WHO ARE ENROLLED IN THE
6 ALTERNATIVE EDUCATION PROGRAM OR ALTERNATIVE SCHOOL ARE STUDENTS IN GRADES
7 SIX THROUGH TWELVE WHO ARE UNABLE TO PROFIT FROM THE REGULAR SCHOOL COURSE
8 OF STUDY AND ENVIRONMENT.

9 G. THE DEPARTMENT OF EDUCATION SHALL ANNUALLY REVIEW INFORMATION
10 THAT IS READILY AVAILABLE TO THE DEPARTMENT TO DETERMINE WHETHER AN
11 ALTERNATIVE EDUCATION PROGRAM OR ALTERNATIVE SCHOOL SATISFIES THE
12 REQUIREMENTS PRESCRIBED BY SUBSECTION F, PARAGRAPH 3 OF THIS SECTION. ON
13 FINDING THAT AN ALTERNATIVE EDUCATION PROGRAM OR ALTERNATIVE SCHOOL FAILS
14 TO SATISFY THE REQUIREMENTS PRESCRIBED BY SUBSECTION F, PARAGRAPH 3 OF
15 THIS SECTION, THE DEPARTMENT OF EDUCATION SHALL NOTIFY THE ALTERNATIVE
16 EDUCATION PROGRAM OR ALTERNATIVE SCHOOL THAT IT IS NOT ELIGIBLE TO USE THE
17 PROVISIONS OF THIS ARTICLE UNTIL THE STATE BOARD OF EDUCATION DETERMINES
18 THAT THE PROGRAM OR SCHOOL IS IN COMPLIANCE. A SCHOOL DISTRICT GOVERNING
19 BOARD, ALTERNATIVE EDUCATION PROGRAM PROVIDER OR ALTERNATIVE SCHOOL MAY
20 APPEAL THE DEPARTMENT'S FINDING TO THE STATE BOARD OF EDUCATION AND
21 REMAINS ELIGIBLE TO USE THE PROVISIONS OF THIS ARTICLE UNTIL THE APPEAL IS
22 CONCLUDED.

23 ~~F.~~ H. For the purposes of this section:

24 1. "Alternative education" means the modification of the school
25 course of study and adoption of teaching methods, materials and
26 techniques, including using any instructional time models pursuant to
27 section 15-901.08, to provide educationally for students in grades six
28 through twelve who are unable to profit from the regular school course of
29 study and environment.

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