

House Engrossed Senate Bill

FILED

**KEN BENNETT
SECRETARY OF STATE**

State of Arizona
Senate
Fiftieth Legislature
First Regular Session
2011

CHAPTER 270

SENATE BILL 1303

AN ACT

AMENDING TITLE 15, CHAPTER 9, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-901.06; RELATING TO SCHOOL FINANCE.

(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 9, article 1, Arizona Revised Statutes,
3 is amended by adding section 15-901.06, to read:

4 15-901.06. Dropout recovery programs; fund; written learning
5 plan; requirements

6 A. EACH SCHOOL DISTRICT AND CHARTER SCHOOL THAT PROVIDES INSTRUCTION
7 TO HIGH SCHOOL PUPILS, INCLUDING SCHOOLS THAT PROVIDE ARIZONA ONLINE
8 INSTRUCTION, MAY OFFER A DROPOUT RECOVERY PROGRAM FOR ELIGIBLE PUPILS.

9 B. THE STATE BOARD OF EDUCATION SHALL PRESCRIBE STANDARDS AND
10 ACHIEVEMENT TESTING REQUIREMENTS FOR DROPOUT RECOVERY PROGRAMS THAT ATTEMPT
11 TO ENSURE THAT THE PROGRAMS ARE COMPATIBLE WITH PUBLIC SCHOOL EDUCATION GOALS
12 AND REQUIREMENTS. THE STANDARDS SHALL REQUIRE DROPOUT RECOVERY PROGRAMS TO
13 DO ALL OF THE FOLLOWING:

14 1. PROVIDE CURRICULUM ALIGNED TO THE ACADEMIC STANDARDS ADOPTED BY THE
15 STATE BOARD OF EDUCATION. THE CURRICULUM MAY BE DELIVERED ONLINE.

16 2. PROVIDE STANDARDIZED TESTS REQUIRED BY FEDERAL AND STATE LAW.

17 3. MAKE AVAILABLE APPROPRIATE AND SUFFICIENT SUPPORTS FOR PUPILS,
18 INCLUDING TUTORING, CAREER COUNSELING AND COLLEGE COUNSELING.

19 4. COMPLY WITH FEDERAL AND STATE LAWS GOVERNING PUPILS WITH
20 DISABILITIES.

21 5. MEET STATE REQUIREMENTS FOR HIGH SCHOOL GRADUATION.

22 C. EACH ELIGIBLE PUPIL ENROLLED IN A DROPOUT RECOVERY PROGRAM SHALL
23 HAVE A WRITTEN LEARNING PLAN DEVELOPED BY THE PUPIL'S ASSIGNED MENTOR. THE
24 WRITTEN LEARNING PLAN SHALL INCLUDE THE FOLLOWING ELEMENTS:

25 1. THE START DATE AND ANTICIPATED END DATE OF THE PLAN.

26 2. COURSES TO BE COMPLETED BY THE PUPIL DURING THE ACADEMIC YEAR.

27 3. WHETHER COURSES WILL BE TAKEN SEQUENTIALLY OR CONCURRENTLY.

28 4. STATE COMPETENCY EXAMS TO BE TAKEN, AS NECESSARY.

29 5. EXPECTATIONS FOR SATISFACTORY MONTHLY PROGRESS.

30 6. EXPECTATIONS FOR CONTACT WITH THE PUPIL'S ASSIGNED MENTOR.

31 D. THE MONTHLY PARTICIPATION IN A DROPOUT RECOVERY PROGRAM SHALL BE
32 REPORTED ON OR BEFORE THE TENTH SCHOOL DAY OF EACH MONTH. MONTHLY
33 PARTICIPATION CALCULATIONS SHALL INCLUDE:

34 1. NEWLY ENROLLED PUPILS WHO HAVE A WRITTEN LEARNING PLAN ON FILE ON
35 OR BEFORE THE FIRST SCHOOL DAY OF THE PREVIOUS MONTH.

36 2. PUPILS WHO MET THE EXPECTATIONS FOR SATISFACTORY MONTHLY PROGRESS
37 IN THE PREVIOUS MONTH.

38 3. PUPILS WHO DID NOT MEET THE EXPECTATIONS FOR SATISFACTORY MONTHLY
39 PROGRESS IN THE PREVIOUS MONTH BUT DID MEET THE EXPECTATIONS IN THE MONTH
40 BEFORE THE PREVIOUS MONTH.

41 4. PUPILS WHO MET EXPECTATIONS FOR PROGRAM REENTRY IN THE REVISED
42 WRITTEN LEARNING PLAN IN THE PREVIOUS MONTH.

43 E. BECAUSE DROPOUT RECOVERY PUPILS ARE NOT EXPECTED TO REGULARLY
44 ATTEND CLASSES AT THE DISTRICT FACILITIES, STANDARD PROCEDURES FOR RECORDING
45 PUPIL ATTENDANCE CANNOT BE EFFECTIVELY APPLIED TO THOSE STUDENTS. FOR PUPILS

1 PARTICIPATING IN A DROPOUT RECOVERY PROGRAM, AN ELIGIBLE PUPIL SHALL BE
2 COUNTED AS BEING IN ATTENDANCE IN THE SCHOOL'S AVERAGE DAILY ATTENDANCE
3 CALCULATIONS PURSUANT TO SUBSECTION F OF THIS SECTION IF THE PUPIL MEETS ONE
4 OF THE FOLLOWING CONDITIONS:

5 1. A PUPIL IS IN THEIR FIRST MONTH OF ENROLLMENT IN THE PROGRAM AND
6 COMPLETES THE PROGRAM ORIENTATION DURING THAT MONTH.

7 2. A PUPIL IS ENROLLED IN TEACHER-FACILITATED COURSES AND MEETS THE
8 EXPECTATIONS FOR SATISFACTORY MONTHLY PROGRESS FOR THE CURRENT OR PREVIOUS
9 MONTH. A PUPIL WHO DOES NOT MEET EXPECTATIONS FOR MONTHLY PROGRESS FOR TWO
10 OR MORE CONSECUTIVE MONTHS SHALL NOT BE REPORTED AS BEING IN ATTENDANCE UNTIL
11 THE PUPIL MEETS THE EXPECTATIONS FOR PROGRAM REENTRY.

12 3. A PUPIL MEETS THE EXPECTATIONS FOR PROGRAM REENTRY IN THE REVISED
13 WRITTEN LEARNING PLAN.

14 F. IF A PUPIL IS ENROLLED IN A SCHOOL DISTRICT OR CHARTER SCHOOL AND
15 ALSO PARTICIPATES IN A DROPOUT RECOVERY PROGRAM IN THE SAME FISCAL YEAR, THE
16 SUM OF THE AVERAGE DAILY MEMBERSHIP AS PRESCRIBED IN SECTION 15-901,
17 SUBSECTION A, PARAGRAPH 1, SUBDIVISIONS (a) AND (b), AND AVERAGE DAILY
18 ATTENDANCE AS PRESCRIBED IN SECTION 15-901, SUBSECTION A, PARAGRAPH 5, FOR
19 THAT PUPIL IN THE SCHOOL DISTRICT OR CHARTER SCHOOL AND IN A DROPOUT RECOVERY
20 PROGRAM SHALL NOT EXCEED 1.0. IF THE PUPIL IS ENROLLED IN BOTH A SCHOOL
21 DISTRICT OR CHARTER SCHOOL AND A DROPOUT RECOVERY PROGRAM IN THE SAME FISCAL
22 YEAR AND THE SUM OF THE AVERAGE DAILY MEMBERSHIP AND AVERAGE DAILY ATTENDANCE
23 FOR THAT PUPIL IS GREATER THAN 1.0, THE SUM SHALL BE REDUCED TO 1.0 AND SHALL
24 BE APPORTIONED BETWEEN THE SCHOOL DISTRICT OR CHARTER SCHOOL AND THE DROPOUT
25 RECOVERY PROGRAM BASED ON THE PROPORTIONATE SHARES OF AVERAGE DAILY
26 MEMBERSHIP IN THE SCHOOL DISTRICT OR CHARTER SCHOOL AND THE AVERAGE DAILY
27 ATTENDANCE IN THE DROPOUT RECOVERY PROGRAM. THE UNIFORM SYSTEM OF FINANCIAL
28 RECORDS SHALL INCLUDE GUIDELINES FOR THE APPORTIONMENT OF PUPIL ENROLLMENT
29 AND ATTENDANCE AS PROVIDED IN THIS SUBSECTION. PUPILS IN A DROPOUT RECOVERY
30 PROGRAM DO NOT INCUR ABSENCES FOR PURPOSES OF THIS SUBSECTION AND MAY
31 GENERATE AVERAGE DAILY ATTENDANCE FOR ATTENDANCE DURING ANY HOUR OF THE DAY,
32 DURING ANY DAY OF THE WEEK AND AT ANY TIME BETWEEN JULY 1 AND JUNE 30 OF EACH
33 FISCAL YEAR. THE AVERAGE DAILY ATTENDANCE OF A PUPIL WHO PARTICIPATES IN A
34 DROPOUT RECOVERY PROGRAM SHALL NOT EXCEED 1.0 AND SHALL BE CALCULATED BY
35 FULFILLING THE REQUIREMENTS OF SUBSECTION E OF THIS SECTION. AVERAGE DAILY
36 MEMBERSHIP SHALL NOT BE CALCULATED ON THE ONE HUNDREDTH DAY OF INSTRUCTION
37 FOR THE PURPOSES OF THIS SECTION.

38 G. NOTWITHSTANDING SECTION 15-901, SUBSECTION A, PARAGRAPH 1, THE
39 AVERAGE DAILY MEMBERSHIP FOR PUPILS ENROLLED IN A DROPOUT RECOVERY PROGRAM
40 SHALL EQUAL THE AVERAGE DAILY ATTENDANCE OF THE PUPILS.

41 H. SCHOOL DISTRICTS AND CHARTER SCHOOLS SHALL BE RESPONSIBLE FOR
42 TUITION CHARGES AND FEES RELATED TO PUPIL PARTICIPATION IN A DROPOUT RECOVERY
43 PROGRAM, INCLUDING COURSE MATERIALS AND ACCESS TO TECHNOLOGY FOR USE WITH
44 ONLINE COURSES.

1 I. SCHOOL DISTRICTS AND CHARTER SCHOOLS MAY CONTRACT WITH AN
2 EDUCATIONAL MANAGEMENT ORGANIZATION TO PROVIDE A DROPOUT RECOVERY PROGRAM.
3 IF CONTRACTING WITH AN EDUCATIONAL MANAGEMENT ORGANIZATION, THE SCHOOL
4 DISTRICT OR CHARTER SCHOOL SHALL ENSURE THAT ALL OF THE FOLLOWING
5 REQUIREMENTS ARE MET:

6 1. THE EDUCATIONAL MANAGEMENT ORGANIZATION IS ACCREDITED BY A REGIONAL
7 ACCREDITING BODY.

8 2. TEACHERS PROVIDED BY THE EDUCATIONAL MANAGEMENT ORGANIZATION HOLD A
9 CURRENT TEACHING LICENSE FROM ANY STATE AND A VALID ARIZONA FINGERPRINT
10 CLEARANCE CARD PURSUANT TO SECTION 15-534, AND TEACHERS OF CORE SUBJECTS ARE
11 HIGHLY QUALIFIED IN THE SUBJECTS TO WHICH THEY ARE ASSIGNED.

12 J. ATTENDANCE, GRADUATION AND TEST SCORES FROM PUPILS IN A DROPOUT
13 RECOVERY PROGRAM SHALL BE EXEMPT FROM THE REQUIREMENTS RELATED TO ANNUAL
14 ACHIEVEMENT PROFILES PURSUANT TO SECTION 15-241 AND SCHOOL REPORT CARDS
15 PURSUANT TO SECTION 15-746.

16 K. FOR THE PURPOSES OF THIS SECTION, "ELIGIBLE PUPIL" MEANS A PUPIL
17 WHO IS NOT CURRENTLY ENROLLED IN A SCHOOL DISTRICT OR CHARTER SCHOOL AND WHO
18 HAS BEEN WITHDRAWN FROM A SCHOOL DISTRICT OR CHARTER SCHOOL FOR AT LEAST
19 THIRTY DAYS.

20 Sec. 2. Effective date

21 This act is effective from and after June 30, 2012.

APPROVED BY THE GOVERNOR APRIL 26, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 26, 2011.

Passed the House April 14, 2011,

by the following vote: 56 Ayes,

0 Nays, 4 Not Voting

[Signature]
Speaker of the House

Cheryl Laube
Chief Clerk of the House

Passed the Senate March 10, 2011,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

[Signature]
President of the Senate

Charmion Bellington
Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR**

This Bill was received by the Governor this

 day of , 20 ,

at o'clock M.

Secretary to the Governor

Approved this day of

 , 20 ,

at o'clock M.

Governor of Arizona

S.B. 1303

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State

this day of , 20 ,

at o'clock M.

Secretary of State

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 18, 20 11

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

18 day of April, 20 11

at 2:45 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 26th day of

April

at 3:28 o'clock P. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 26th day of April, 20 11

S.B. 1303

at 4:57 o'clock P. M.

[Signature]
Secretary of State