

Senate Engrossed

**FILED**  
**MICHELE REAGAN**  
**SECRETARY OF STATE**

State of Arizona  
Senate  
Fifty-second Legislature  
First Regular Session  
2015

CHAPTER 145

## **SENATE BILL 1093**

AN ACT

AMENDING SECTION 15-701.01, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2015, CHAPTER 1, SECTION 1; AMENDING SECTION 15-808, ARIZONA REVISED STATUTES; RELATING TO SCHOOL CURRICULUM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-701.01, Arizona Revised Statutes, as amended  
3 by Laws 2015, chapter 1, section 1, is amended to read:

4 15-701.01. High school; graduation; requirements; community  
5 college or university courses; transfer from  
6 private schools; academic credit

7 A. The state board of education shall:

8 1. Prescribe a minimum course of study, as defined in section 15-101  
9 and incorporating the academic standards adopted by the state board of  
10 education, for the graduation of pupils from high school.

11 2. Prescribe competency requirements for the graduation of pupils from  
12 high school incorporating the academic standards in at least the areas of  
13 reading, writing, mathematics, science and social studies. The academic  
14 standards prescribed by the state board of education in social studies shall  
15 include personal finance. This paragraph does not allow the state board of  
16 education to establish a required separate personal finance course for the  
17 purpose of the graduation of pupils from high school. Beginning in the  
18 2016-2017 school year, the competency requirements for social studies shall  
19 include a requirement that, in order to graduate from high school or obtain a  
20 high school equivalency diploma, a pupil must correctly answer at least sixty  
21 of the one hundred questions listed on a test that is identical to the civics  
22 portion of the naturalization test used by the United States citizenship and  
23 immigration services. A district school or charter school shall document on  
24 the pupil's transcript that the pupil has passed a test that is identical to  
25 the civics portion of the naturalization test used by the United States  
26 citizenship and immigration services as required by this section.

27 3. Develop and adopt competency tests pursuant to section 15-741.  
28 English language learners who are subject to article 3.1 of this chapter are  
29 subject to the assessments prescribed in section 15-741.

30 B. The governing board of a school district shall:

31 1. Prescribe curricula that include the academic standards in the  
32 required subject areas pursuant to subsection A, paragraph 1 of this section.

33 2. Prescribe criteria for the graduation of pupils from the high  
34 schools in the school district. These criteria shall include accomplishment  
35 of the academic standards in at least reading, writing, mathematics, science  
36 and social studies, as determined by district assessment. Other criteria may  
37 include additional measures of academic achievement and attendance. Pursuant  
38 to the prescribed graduation requirements adopted by the state board of  
39 education, the governing board may approve a rigorous computer science course  
40 that would fulfill a mathematics course required for graduation from high  
41 school. The governing board may approve a rigorous computer science course  
42 only if the rigorous computer science course includes significant mathematics  
43 content and the governing board determines the high school where the rigorous  
44 computer science course is offered has sufficient capacity, infrastructure  
45 and qualified staff, including competent teachers of computer science. The

1 school district governing board or charter school governing body may  
2 determine the method and manner in which to administer a test that is  
3 identical to the civics portion of the naturalization test used by the United  
4 States citizenship and immigration services. A pupil who does not obtain a  
5 passing score on the test that is identical to the civics portion of the  
6 naturalization test may retake the test until the pupil obtains a passing  
7 score.

8 C. The governing board may prescribe the course of study and  
9 competency requirements for the graduation of pupils from high school that  
10 are in addition to or higher than the course of study and competency  
11 requirements that the state board prescribes.

12 D. The governing board may prescribe competency requirements for the  
13 passage of pupils in courses that are required for graduation from high  
14 school.

15 E. A teacher shall determine whether to pass or fail a pupil in a  
16 course in high school as provided in section 15-521, paragraph 4 on the basis  
17 of the competency requirements, if any have been prescribed. The governing  
18 board, if it reviews the decision of a teacher to pass or fail a pupil in a  
19 course in high school as provided in section 15-342, paragraph 11, shall base  
20 its decision on the competency requirements, if any have been prescribed.

21 F. Graduation requirements established by the governing board may be  
22 met by a pupil who passes courses in the required or elective subjects at a  
23 community college or university, if the course is at a higher level than the  
24 course taught in the high school attended by the pupil or, if the course is  
25 not taught in the high school, the level of the course is equal to or higher  
26 than the level of a high school course. The governing board shall determine  
27 if the subject matter of the community college or university course is  
28 appropriate to the specific requirement the pupil intends it to fulfill and  
29 if the level of the community college or university course is less than,  
30 equal to or higher than a high school course, and the governing board shall  
31 award one-half of a carnegie unit for each three semester hours of credit the  
32 pupil earns in an appropriate community college or university course. If a  
33 pupil is not satisfied with the decision of the governing board regarding the  
34 amount of credit granted or the subjects for which credit is granted, the  
35 pupil may request that the state board of education review the decision of  
36 the governing board, and the state board shall make the final determination  
37 of the amount of credit to be given the pupil and for which subjects. The  
38 governing board shall not limit the number of credits that is required for  
39 high school graduation and that may be met by taking community college or  
40 university courses. For the purposes of this subsection:

41 1. "Community college" means an educational institution that is  
42 operated by a community college district as defined in section 15-1401 or a  
43 postsecondary educational institution under the jurisdiction of an Indian  
44 tribe recognized by the United States department of the interior.

1           2. "University" means a university under the jurisdiction of the  
2 Arizona board of regents.

3           G. A pupil who transfers from a private school shall be provided with  
4 a list that indicates those credits that have been accepted and denied by the  
5 school district. A pupil may request to take an examination in each  
6 particular course in which credit has been denied. The school district shall  
7 accept the credit for each particular course in which the pupil takes an  
8 examination and receives a passing score on a test designed and evaluated by  
9 a teacher in the school district who teaches the subject matter on which the  
10 examination is based. In addition to the above requirements, the governing  
11 board of a school district may prescribe requirements for the acceptance of  
12 the credits of pupils who transfer from a private school.

13           H. If a pupil who was previously enrolled in a charter school or  
14 school district enrolls in a school district in this state, the school  
15 district shall accept credits earned by the pupil in courses or instructional  
16 programs at the charter school or school district. The governing board of a  
17 school district may adopt a policy concerning the application of transfer  
18 credits for the purpose of determining whether a credit earned by a pupil who  
19 was previously enrolled in a school district or charter school will be  
20 assigned as an elective or core credit.

21           I. A pupil who transfers CREDIT from a charter school ~~or~~, school  
22 district OR ARIZONA ONLINE INSTRUCTION shall be provided with a list that  
23 indicates which credits have been accepted as an elective credit and which  
24 credits have been accepted as a core credit by the school district OR CHARTER  
25 SCHOOL. Within ten school days after receiving the list, a pupil may request  
26 to take an examination in each particular course in which core credit has  
27 been denied. The school district OR CHARTER SCHOOL shall accept the credit  
28 as a core credit for each particular course in which the pupil takes an  
29 examination and receives a passing score on a test, ALIGNED TO THE COMPETENCY  
30 REQUIREMENTS ADOPTED PURSUANT TO THIS SECTION, designed and evaluated by a  
31 teacher in the school district OR CHARTER SCHOOL who teaches the subject  
32 matter on which the examination is based.

33           J. The state board of education shall adopt rules to allow high school  
34 pupils who can demonstrate competency in a particular academic course or  
35 subject to obtain academic credit for the course or subject without enrolling  
36 in the course or subject.

37           K. Pupils who earn a Grand Canyon diploma pursuant to article 6 of  
38 this chapter are exempt from the graduation requirements prescribed in this  
39 section. Pupils who earn a Grand Canyon diploma are entitled to all the  
40 rights and privileges of persons who graduate with a high school diploma  
41 issued pursuant to this section, including access to postsecondary  
42 scholarships and other forms of student financial aid and access to all forms  
43 of postsecondary education. Notwithstanding any other law, a pupil who is  
44 eligible for a Grand Canyon diploma may elect to remain in high school  
45 through grade twelve and shall not be prevented from enrolling at a high

1 school after the pupil becomes eligible for a Grand Canyon diploma. A pupil  
2 who is eligible for a Grand Canyon diploma and who elects not to pursue one  
3 of the options prescribed in section 15-792.03 may only be readmitted to that  
4 high school or another high school in this state pursuant to policies adopted  
5 by the school district of readmission.

6 Sec. 2. Section 15-808, Arizona Revised Statutes, is amended to read:  
7 15-808. Arizona online instruction; reports; definitions

8 A. Arizona online instruction shall be instituted to meet the needs of  
9 pupils in the information age. The state board of education shall select  
10 traditional public schools and the state board for charter schools shall  
11 sponsor charter schools to be online course providers or online schools. The  
12 state board of education and the state board for charter schools shall  
13 jointly develop standards for the approval of online course providers and  
14 online schools based on the following criteria:

15 1. The depth and breadth of curriculum choices.

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

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

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

25 5. The availability of private individual electronic mail between  
26 pupils, teachers, administrators and parents in order to protect the  
27 confidentiality of pupil records and information.

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

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

32 8. The services offered to populations with developmental  
33 disabilities.

34 9. The grade levels that will be served.

35 B. Each new school that provides online instruction shall provide  
36 online instruction on a probationary status. After a new school that  
37 provides online instruction has clearly demonstrated the academic integrity  
38 of its instruction through the actual improvement of the academic performance  
39 of its students, the school may apply to be removed from probationary status.  
40 The state board of education or the state board for charter schools shall  
41 remove from Arizona online instruction any probationary school that fails to  
42 clearly demonstrate improvement in academic performance within three years  
43 measured against goals in the approved application and the state's  
44 accountability system. The state board of education and the state board for  
45 charter schools shall review the effectiveness of each participating school

1 and other information that is contained in the annual report prescribed in  
2 subsection D of this section. All pupils who participate in Arizona online  
3 instruction shall reside in this state. Pupils who participate in Arizona  
4 online instruction are subject to the testing requirements prescribed in  
5 chapter 7, article 3 of this title. On enrollment, the school shall notify  
6 the parents or guardians of the pupil of the state testing requirements. If  
7 a pupil fails to comply with the testing requirements and the school  
8 administers the tests pursuant to this subsection to less than ninety-five  
9 ~~per cent~~ PERCENT of the pupils in Arizona online instruction, the pupil shall  
10 not be allowed to participate in Arizona online instruction.

11 C. The state board of education and the state board for charter  
12 schools shall develop annual reporting mechanisms for schools that  
13 participate in Arizona online instruction.

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

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

27 F. If a pupil is enrolled in a school district or charter school and  
28 also participates in Arizona online instruction, the sum of the average daily  
29 membership, which includes enrollment as prescribed in section 15-901,  
30 subsection A, paragraph 1, subdivisions (a) and (b) and daily attendance as  
31 prescribed in section 15-901, subsection A, paragraph 5, for that pupil in  
32 the school district or charter school and in Arizona online instruction shall  
33 not exceed 1.0. If the pupil is enrolled in a school district or a charter  
34 school and also participates in Arizona online instruction and the sum of the  
35 daily membership or daily attendance for that pupil is greater than 1.0, the  
36 sum shall be reduced to 1.0 and shall be apportioned between the school  
37 district, unless the school district is a joint technical education district  
38 subject to the apportionment requirements of section 15-393, or charter  
39 school and Arizona online instruction based on the percentage of total time  
40 that the pupil is enrolled or in attendance in the school district or charter  
41 school and Arizona online instruction. The uniform system of financial  
42 records shall include guidelines for the apportionment of the pupil  
43 enrollment and attendance as provided in this subsection. Pupils in Arizona  
44 online instruction do not incur absences for purposes of this subsection and  
45 may generate an average daily attendance of 1.0 for attendance hours during

1 any hour of the day, during any day of the week and at any time between  
2 July 1 and June 30 of each fiscal year. For kindergarten programs and grades  
3 one through eight, average daily membership shall be calculated by dividing  
4 the instructional hours as reported in the daily log required in subsection E  
5 of this section by the applicable hourly requirements prescribed in section  
6 15-901. For grades nine through twelve, average daily membership shall be  
7 calculated by dividing the instructional hours as reported in the daily log  
8 required in subsection E of this section by nine hundred. The average daily  
9 membership of a pupil who participates in online instruction shall not exceed  
10 1.0. Average daily membership shall not be calculated on the one hundredth  
11 day of instruction for the purposes of this section. Funding shall be  
12 determined as follows:

13 1. A pupil who is enrolled full-time in Arizona online instruction  
14 shall be funded for online instruction at ninety-five ~~per cent~~ PERCENT of the  
15 base support level that would be calculated for that pupil if that pupil were  
16 enrolled as a full-time student in a school district or charter school that  
17 does not participate in Arizona online instruction. Charter additional  
18 assistance and district additional assistance shall be calculated in the same  
19 manner they would be calculated if the student were enrolled in a district or  
20 charter school that does not participate in Arizona online instruction.

21 2. A pupil who is enrolled part-time in Arizona online instruction  
22 shall be funded for online instruction at eighty-five ~~per cent~~ PERCENT of the  
23 base support level that would be calculated for that pupil if that pupil were  
24 enrolled as a part-time student in a school district or charter school that  
25 does not participate in Arizona online instruction. Charter additional  
26 assistance and district additional assistance shall be calculated in the same  
27 manner they would be calculated if the student were enrolled in a district or  
28 charter school that does not participate in Arizona online instruction.

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

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

38 I. A SCHOOL DISTRICT OR CHARTER SCHOOL MAY NOT CHARGE A FEE TO A PUPIL  
39 WHO TAKES AN EXAMINATION IN A PARTICULAR COURSE TO OBTAIN ACADEMIC CREDIT,  
40 PURSUANT TO SECTION 15-701.01, SUBSECTION I, FROM THE SCHOOL DISTRICT OR  
41 CHARTER SCHOOL IF THE ACADEMIC CREDIT FOR A COURSE WAS PREVIOUSLY EARNED IN  
42 AN ARIZONA ONLINE INSTRUCTION COURSE OR AT ANY PUBLIC SCHOOL IN THIS STATE.  
43 ANY TEST ADMINISTERED PURSUANT TO THIS SUBSECTION SHALL BE AN ASSESSMENT THAT  
44 IS ALIGNED TO THE COURSE RELEVANT STATE ACADEMIC STANDARDS.

1           I. J. For the purposes of this section:

2           1. "Full-time student" means:

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

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

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

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

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

28           3. "Online school" means a school that provides at least four online  
29 academic courses or one or more online courses for the equivalent of at least  
30 five hours each day for one hundred eighty school days and that is a charter  
31 school that is sponsored by the state board for charter schools or a  
32 traditional public school that is selected by the state board of education to  
33 participate in Arizona online instruction.

34           4. "Part-time student" means:

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

40           (b) A part-time student of seventy-five ~~per cent~~ PERCENT average daily  
41 membership shall be enrolled in at least three subjects throughout the year  
42 that offer for first, second and third grade students at least five hundred  
43 thirty-four instructional hours in a school year and for fourth, fifth and  
44 sixth grade students at least six hundred sixty-eight instructional hours in  
45 a school year. A part-time student of fifty ~~per cent~~ PERCENT average daily

1 membership shall be enrolled in at least two subjects throughout the year  
2 that offer for first, second and third grade students at least three hundred  
3 fifty-six instructional hours in a school year and for fourth, fifth and  
4 sixth grade students at least four hundred forty-five instructional hours in  
5 a school year. A part-time student of twenty-five ~~per-cent~~ PERCENT average  
6 daily membership shall be enrolled in at least one subject throughout the  
7 year that offers for first, second and third grade students at least one  
8 hundred seventy-eight instructional hours in a school year and for fourth,  
9 fifth and sixth grade students at least two hundred twenty-three  
10 instructional hours in a school year.

11 (c) For seventh and eighth grade students, a part-time student of  
12 seventy-five ~~per-cent~~ PERCENT average daily membership shall be enrolled in  
13 at least three subjects throughout the year that offer at least eight hundred  
14 one instructional hours in a school year. A part-time student of fifty  
15 ~~per-cent~~ PERCENT average daily membership shall be enrolled in at least two  
16 subjects throughout the year that offer at least five hundred thirty-four  
17 instructional hours in a school year. A part-time student of twenty-five  
18 ~~per-cent~~ PERCENT average daily membership shall be enrolled in at least one  
19 subject throughout the year that offers at least two hundred sixty-seven  
20 instructional hours in a school year.

21 (d) For high school students, a part-time student of seventy-five  
22 ~~per-cent~~ PERCENT average daily membership shall be enrolled in at least three  
23 subjects throughout the year that offer at least six hundred seventy-five  
24 instructional hours in a school year. A part-time student of fifty ~~per-cent~~  
25 PERCENT average daily membership shall be enrolled in at least two subjects  
26 throughout the year that offer at least four hundred fifty instructional  
27 hours in a school year. A part-time student of twenty-five ~~per-cent~~ PERCENT  
28 average daily membership shall be enrolled in at least one subject throughout  
29 the year that offers at least two hundred twenty-five instructional hours in  
30 a school year.

APPROVED BY THE GOVERNOR APRIL 1, 2015.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 2, 2015.

Passed the House March 23, 2015,

by the following vote: 34 Ayes,

23 Nays, 3 Not Voting

[Signature]  
Speaker of the House

[Signature]  
Chief Clerk of the House

Passed the Senate February 9, 2015,

by the following vote: 24 Ayes,

5 Nays, 1 Not Voting

[Signature]  
President of the Senate

[Signature]  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this  
26<sup>th</sup> day of March, 2015,

at 3:28 o'clock P. M.

[Signature]  
Secretary to the Governor

Approved this 1<sup>st</sup> day of

April, 2015,

at 2:09 o'clock P. M.

[Signature]  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State  
this 2 day of April, 2015,

at 9:00 o'clock A M.

[Signature]  
Secretary of State

S.B. 1093