

House Engrossed Senate Bill

FILED

**MICHELE REAGAN
SECRETARY OF STATE**

State of Arizona
Senate
Fifty-third Legislature
First Regular Session
2017

**CHAPTER 137
SENATE BILL 1098**

AN ACT

AMENDING SECTIONS 8-521, 15-183, 15-211, 15-701, 15-704, 15-741,
15-741.02, 15-743, 15-746, 15-763, 15-792.02, 15-977 AND 15-1805.01,
ARIZONA REVISED STATUTES; RELATING TO PUPIL ASSESSMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 8-521, Arizona Revised Statutes, is amended to
3 read:

4 8-521. Independent living program; conditions; eligibility;
5 rules; case management unit; reports

6 A. The department or a licensed child welfare agency may establish
7 an independent living program for youths who are the subject of a
8 dependency petition or who are adjudicated dependent and are all of the
9 following:

10 1. In the custody of the department, a licensed child welfare
11 agency or a tribal child welfare agency.

12 2. At least seventeen years of age.

13 3. Employed or full-time students.

14 B. The independent living program may consist of a residential
15 program of less than twenty-four ~~hours~~ HOURS a day supervision for youths
16 under the supervision of the department through a licensed child welfare
17 agency or a foster home under contract with the department. Under the
18 independent living program, the youth is not required to reside at a
19 licensed child welfare agency or foster home.

20 C. The director or the director's designee shall review and approve
21 any recommendation to the court that a youth in the custody of the
22 department be ordered to an independent living program.

23 D. For a youth to participate in an independent living program, the
24 court must order such a disposition pursuant to section 8-845.

25 E. The department of child safety, a licensed child welfare agency
26 or a tribal child welfare agency having custody of the youth shall provide
27 the cost of care as required by section 8-453, subsection A, paragraph 9,
28 subdivision (b), item (iii) for each child placed in an independent living
29 program pursuant to this section, except that the monthly amount provided
30 shall not exceed the average monthly cost of purchased services for the
31 child in the three months immediately preceding placement in an
32 independent living program.

33 F. The department shall adopt rules pursuant to title 41, chapter 6
34 to carry out this section.

35 G. The department shall provide quarterly progress reports to the
36 court and to local foster care review boards for each youth participating
37 in the independent living program.

38 H. The local foster care review boards shall review at least once
39 every six months the case of each youth participating in the independent
40 living program.

41 I. The department shall establish an educational case management
42 unit within the division consisting of two case managers to develop and
43 coordinate educational case management plans for youths participating in
44 the independent living program and to assist youths in the program to do
45 the following:

- 1 1. Graduate from high school.
- 2 2. Pass the ~~Arizona instrument to measure standards test~~ STATEWIDE
- 3 ASSESSMENT PURSUANT TO SECTION 15-741.
- 4 3. Apply for postsecondary financial assistance.
- 5 4. Apply for postsecondary education.
- 6 J. The department shall prepare a report on or before March 1 of
- 7 each year that contains the following information for the previous
- 8 calendar year:
 - 9 1. The number of children in the program.
 - 10 2. The number of children in the program by age and grade.
 - 11 3. The number of children in the program by county of residence.
 - 12 4. The number of children in the program who graduated from high
 - 13 school.
 - 14 5. The number of children in the program who received a general
 - 15 equivalency diploma.
 - 16 6. The number of children in the program enrolled in postsecondary
 - 17 education.
- 18 K. The department shall submit a copy of the report prescribed in
- 19 subsection J of this section to the governor, the president of the senate,
- 20 the speaker of the house of representatives and the secretary of state.
- 21 Sec. 2. Section 15-183, Arizona Revised Statutes, is amended to
- 22 read:
 - 23 15-183. Charter schools; application; requirements; immunity;
 - 24 exemptions; renewal of application; reprisal; fee;
 - 25 funds; annual reports
- 26 A. An applicant seeking to establish a charter school shall submit
- 27 a written application to a proposed sponsor as prescribed in subsection C
- 28 of this section. The application, application process and application
- 29 time frames shall be posted on the sponsor's website and shall include the
- 30 following, as specified in the application adopted by the sponsor:
 - 31 1. A detailed educational plan.
 - 32 2. A detailed business plan.
 - 33 3. A detailed operational plan.
 - 34 4. Any other materials required by the sponsor.
- 35 B. The sponsor of a charter school may contract with a public body,
- 36 private person or private organization for the purpose of establishing a
- 37 charter school pursuant to this article.
- 38 C. The sponsor of a charter school may be either the state board of
- 39 education, the state board for charter schools, a university under the
- 40 jurisdiction of the Arizona board of regents, a community college district
- 41 or a group of community college districts, subject to the following
- 42 requirements:
 - 43 1. An applicant may not submit an application for sponsorship to
 - 44 any person or entity other than those prescribed in this subsection.

1 2. The applicant may submit the application to the state board of
2 education or the state board for charter schools. Notwithstanding any
3 other law, neither the state board for charter schools nor the state board
4 of education shall grant a charter to a school district governing board
5 for a new charter school ~~that begins initial operations after June 30,~~
6 ~~2013~~ or for the conversion of an existing district public school to a
7 charter school ~~that begins initial operations after June 30, 2013~~. The
8 state board of education or the state board for charter schools may
9 approve the application if the application meets the requirements of this
10 article and may approve the charter if the proposed sponsor determines,
11 within its sole discretion, that the applicant is sufficiently qualified
12 to operate a charter school and that the applicant is applying to operate
13 as a separate charter holder by considering factors such as whether:

14 (a) The schools have separate governing bodies, governing body
15 membership, staff, facilities and student population.

16 (b) Daily operations are carried out by different administrators.

17 (c) The applicant intends to have an affiliation agreement for the
18 purpose of providing enrollment preferences.

19 (d) The applicant's charter management organization has multiple
20 charter holders serving varied grade configurations on one physical site
21 or nearby sites serving one community.

22 (e) It is reconstituting an existing school site population at the
23 same or new site.

24 (f) It is reconstituting an existing grade configuration from a
25 prior charter holder with at least one grade remaining on the original
26 site with the other grade or grades moving to a new site. The state board
27 of education or the state board for charter schools may approve any
28 charter schools transferring charters. If the state board of education or
29 the state board for charter schools rejects the preliminary application,
30 the state board of education or the state board for charter schools shall
31 notify the applicant in writing of the reasons for the rejection and of
32 suggestions for improving the application. An applicant may submit a
33 revised application for reconsideration by the state board of education or
34 the state board for charter schools. The applicant may request, and the
35 state board of education or the state board for charter schools may
36 provide, technical assistance to improve the application.

37 3. The applicant may submit the application to a university under
38 the jurisdiction of the Arizona board of regents, a community college
39 district or a group of community college districts. A university, a
40 community college district or a group of community college districts shall
41 not grant a charter to a school district governing board for a new charter
42 school ~~that begins initial operations after June 30, 2013~~ or for the
43 conversion of an existing district public school to a charter school ~~that~~
44 ~~begins initial operations after June 30, 2013~~. A university, a community
45 college district or a group of community college districts may approve the

1 application if it meets the requirements of this article and if the
2 proposed sponsor determines, in its sole discretion, that the applicant is
3 sufficiently qualified to operate a charter school.

4 4. Each applicant seeking to establish a charter school shall
5 submit a full set of fingerprints to the approving agency for the purpose
6 of obtaining a state and federal criminal records check pursuant to
7 section 41-1750 and Public Law 92-544. If an applicant will have direct
8 contact with students, the applicant shall possess a valid fingerprint
9 clearance card that is issued pursuant to title 41, chapter 12, article
10 3.1. The department of public safety may exchange this fingerprint data
11 with the federal bureau of investigation. The criminal records check
12 shall be completed before the issuance of a charter.

13 5. All persons engaged in instructional work directly as a
14 classroom, laboratory or other teacher or indirectly as a supervisory
15 teacher, speech therapist or principal shall have a valid fingerprint
16 clearance card that is issued pursuant to title 41, chapter 12, article
17 3.1, unless the person is a volunteer or guest speaker who is accompanied
18 in the classroom by a person with a valid fingerprint clearance card. A
19 charter school shall not employ a teacher whose certificate has been
20 surrendered or revoked, unless the teacher's certificate has been
21 subsequently reinstated by the state board of education. All other
22 personnel shall be fingerprint checked pursuant to section 15-512, or the
23 charter school may require those personnel to obtain a fingerprint
24 clearance card issued pursuant to title 41, chapter 12, article 3.1.
25 Before employment, the charter school shall make documented, good faith
26 efforts to contact previous employers of a person to obtain information
27 and recommendations that may be relevant to a person's fitness for
28 employment as prescribed in section 15-512, subsection F. The charter
29 school shall notify the department of public safety if the charter school
30 or sponsor receives credible evidence that a person who possesses a valid
31 fingerprint clearance card is arrested for or is charged with an offense
32 listed in section 41-1758.03, subsection B. Charter schools may hire
33 personnel ~~that~~ WHO have not yet received a fingerprint clearance card if
34 proof is provided of the submission of an application to the department of
35 public safety for a fingerprint clearance card and if the charter school
36 that is seeking to hire the applicant does all of the following:

37 (a) Documents in the applicant's file the necessity for hiring and
38 placement of the applicant before receiving a fingerprint clearance card.

39 (b) Ensures that the department of public safety completes a
40 statewide criminal records check on the applicant. A statewide criminal
41 records check shall be completed by the department of public safety every
42 one hundred twenty days until the date that the fingerprint check is
43 completed or the fingerprint clearance card is issued or denied.

1 (c) Obtains references from the applicant's current employer and
2 the two most recent previous employers except for applicants who have been
3 employed for at least five years by the applicant's most recent employer.

4 (d) Provides general supervision of the applicant until the date
5 that the fingerprint card is obtained.

6 (e) Completes a search of criminal records in all local
7 jurisdictions outside of this state in which the applicant has lived in
8 the previous five years.

9 (f) Verifies the fingerprint status of the applicant with the
10 department of public safety.

11 6. A charter school that complies with the fingerprinting
12 requirements of this section shall be deemed to have complied with section
13 15-512 and is entitled to the same rights and protections provided to
14 school districts by section 15-512.

15 7. If a charter school operator is not already subject to a public
16 meeting or hearing by the municipality in which the charter school is
17 located, the operator of a charter school shall conduct a public meeting
18 at least thirty days before the charter school operator opens a site or
19 sites for the charter school. The charter school operator shall post
20 notices of the public meeting in at least three different locations that
21 are within three hundred feet of the proposed charter school site.

22 8. A person who is employed by a charter school or who is an
23 applicant for employment with a charter school, who is arrested for or
24 charged with a nonappealable offense listed in section 41-1758.03,
25 subsection B and who does not immediately report the arrest or charge to
26 the person's supervisor or potential employer is guilty of unprofessional
27 conduct and the person shall be immediately dismissed from employment with
28 the charter school or immediately excluded from potential employment with
29 the charter school.

30 9. A person who is employed by a charter school and who is
31 convicted of any nonappealable offense listed in section 41-1758.03,
32 subsection B or is convicted of any nonappealable offense that amounts to
33 unprofessional conduct under section 15-550 shall immediately do all of
34 the following:

35 (a) Surrender any certificates issued by the department of
36 education.

37 (b) Notify the person's employer or potential employer of the
38 conviction.

39 (c) Notify the department of public safety of the conviction.

40 (d) Surrender the person's fingerprint clearance card.

41 D. An entity that is authorized to sponsor charter schools pursuant
42 to this article has no legal authority over or responsibility for a
43 charter school sponsored by a different entity. This subsection does not
44 apply to the state board of education's duty to exercise general

1 supervision over the public school system pursuant to section 15-203,
2 subsection A, paragraph 1.

3 E. The charter of a charter school shall do all of the following:

4 1. Ensure compliance with federal, state and local rules,
5 regulations and statutes relating to health, safety, civil rights and
6 insurance. The department of education shall publish a list of relevant
7 rules, regulations and statutes to notify charter schools of their
8 responsibilities under this paragraph.

9 2. Ensure that it is nonsectarian in its programs, admission
10 policies and employment practices and all other operations.

11 3. Ensure that it provides a comprehensive program of instruction
12 for at least a kindergarten program or any grade between grades one and
13 twelve, except that a school may offer this curriculum with an emphasis on
14 a specific learning philosophy or style or certain subject areas such as
15 mathematics, science, fine arts, performance arts or foreign language.

16 4. Ensure that it designs a method to measure pupil progress toward
17 the pupil outcomes adopted by the state board of education pursuant to
18 section 15-741.01, including participation in the ~~Arizona instrument to~~
19 ~~measure standards test~~ STATEWIDE ASSESSMENT and the nationally
20 standardized norm-referenced achievement test as designated by the state
21 board and the completion and distribution of an annual report card as
22 prescribed in chapter 7, article 3 of this title.

23 5. Ensure that, except as provided in this article and in its
24 charter, it is exempt from all statutes and rules relating to schools,
25 governing boards and school districts.

26 6. Ensure that, except as provided in this article, it is subject
27 to the same financial and electronic data submission requirements as a
28 school district, including the uniform system of financial records as
29 prescribed in chapter 2, article 4 of this title, procurement rules as
30 prescribed in section 15-213 and audit requirements. The auditor general
31 shall conduct a comprehensive review and revision of the uniform system of
32 financial records to ensure that the provisions of the uniform system of
33 financial records that relate to charter schools are in accordance with
34 commonly accepted accounting principles used by private business. A
35 school's charter may include exceptions to the requirements of this
36 paragraph that are necessary as determined by the university, the
37 community college district, the group of community college districts, the
38 state board of education or the state board for charter schools. The
39 department of education or the office of the auditor general may conduct
40 financial, program or compliance audits.

41 7. Ensure compliance with all federal and state laws relating to
42 the education of children with disabilities in the same manner as a school
43 district.

44 8. Ensure that it provides for a governing body for the charter
45 school that is responsible for the policy decisions of the charter school.

1 Notwithstanding section 1-216, if there is a vacancy or vacancies on the
2 governing body, a majority of the remaining members of the governing body
3 constitute a quorum for the transaction of business, unless that quorum is
4 prohibited by the charter school's operating agreement.

5 9. Ensure that it provides a minimum of one hundred eighty
6 instructional days before June 30 of each fiscal year unless it is
7 operating on an alternative calendar approved by its sponsor. The
8 superintendent of public instruction shall adjust the apportionment
9 schedule accordingly to accommodate a charter school utilizing an
10 alternative calendar.

11 F. A charter school shall keep in the personnel file of all current
12 employees who provide instruction to pupils at the charter school
13 information about the employee's educational and teaching background and
14 experience in a particular academic content subject area. A charter
15 school shall inform parents and guardians of the availability of the
16 information and shall make the information available for inspection on
17 request of parents and guardians of pupils enrolled at the charter school.
18 This subsection does not require any charter school to release personally
19 identifiable information in relation to any teacher or employee, including
20 the teacher's or employee's address, salary, social security number or
21 telephone number.

22 G. The charter of a charter school may be amended at the request of
23 the governing body of the charter school and on the approval of the
24 sponsor.

25 H. Charter schools may contract, sue and be sued.

26 I. The charter is effective for fifteen years from the first day of
27 the fiscal year as specified in the charter, subject to the following:

28 1. At least eighteen months before the expiration of the charter,
29 the sponsor shall notify the charter school that the charter school may
30 apply for renewal and shall make the renewal application available to the
31 charter school. A charter school that elects to apply for renewal shall
32 file a complete renewal application at least fifteen months before the
33 expiration of the charter. A sponsor shall give written notice of its
34 intent not to renew the charter school's request for renewal to the
35 charter school at least twelve months before the expiration of the
36 charter. The sponsor shall make data used in making renewal decisions
37 available to the school and the public and shall provide a public report
38 summarizing the evidence basis for each decision. The sponsor may deny
39 the request for renewal if, in its judgment, the charter holder has failed
40 to do any of the following:

41 (a) Meet or make sufficient progress toward the academic
42 performance expectations set forth in the performance framework.

43 (b) Meet the operational performance expectations set forth in the
44 performance framework or any improvement plans.

45 (c) Complete the obligations of the contract.

1 (d) Comply with this article or any provision of law from which the
2 charter school is not exempt.

3 2. A charter operator may apply for early renewal. At least nine
4 months before the charter school's intended renewal consideration, the
5 operator of the charter school shall submit a letter of intent to the
6 sponsor to apply for early renewal. The sponsor shall review fiscal
7 audits and academic performance data for the charter school that are
8 annually collected by the sponsor, review the current contract between the
9 sponsor and the charter school and provide the qualifying charter school
10 with a renewal application. On submission of a complete application, the
11 sponsor shall give written notice of its consideration of the renewal
12 application. The sponsor may deny the request for early renewal if, in
13 the sponsor's judgment, the charter holder has failed to do any of the
14 following:

15 (a) Meet or make sufficient progress toward the academic
16 performance expectations set forth in the performance framework.

17 (b) Meet the operational performance expectations set forth in the
18 performance framework or any improvement plans.

19 (c) Complete the obligations of the contract.

20 (d) Comply with this article or any provision of law from which the
21 charter school is not exempt.

22 3. A sponsor shall review a charter at five-year intervals using a
23 performance framework adopted by the sponsor and may revoke a charter at
24 any time if the charter school breaches one or more provisions of its
25 charter or if the sponsor determines that the charter holder has failed to
26 do any of the following:

27 (a) Meet or make sufficient progress toward the academic
28 performance expectations set forth in the performance framework.

29 (b) Meet the operational performance expectations set forth in the
30 performance framework or any improvement plans.

31 (c) Comply with this article or any provision of law from which the
32 charter school is not exempt.

33 4. In determining whether to renew or revoke a charter holder, the
34 sponsor must consider making sufficient progress toward the academic
35 performance expectations set forth in the sponsor's performance framework
36 as one of the most important factors.

37 5. At least sixty days before the effective date of the proposed
38 revocation, the sponsor shall give written notice to the operator of the
39 charter school of its intent to revoke the charter. Notice of the
40 sponsor's intent to revoke the charter shall be delivered personally to
41 the operator of the charter school or sent by certified mail, return
42 receipt requested, to the address of the charter school. The notice shall
43 incorporate a statement of reasons for the proposed revocation of the
44 charter. The sponsor shall allow the charter school at least sixty days
45 to correct the problems associated with the reasons for the proposed

1 revocation of the charter. The final determination of whether to revoke
2 the charter shall be made at a public hearing called for such purpose.

3 J. The charter may be renewed for successive periods of twenty
4 years.

5 K. A charter school that is sponsored by the state board of
6 education, the state board for charter schools, a university, a community
7 college district or a group of community college districts may not be
8 located on the property of a school district unless the district governing
9 board grants this authority.

10 L. A governing board or a school district employee who has control
11 over personnel actions shall not take unlawful reprisal against another
12 employee of the school district because the employee is directly or
13 indirectly involved in an application to establish a charter school. A
14 governing board or a school district employee shall not take unlawful
15 reprisal against an educational program of the school or the school
16 district because an application to establish a charter school proposes the
17 conversion of all or a portion of the educational program to a charter
18 school. For the purposes of this subsection, "unlawful reprisal" means an
19 action that is taken by a governing board or a school district employee as
20 a direct result of a lawful application to establish a charter school and
21 that is adverse to another employee or an education program and:

22 1. With respect to a school district employee, results in one or
23 more of the following:

24 (a) Disciplinary or corrective action.

25 (b) Detail, transfer or reassignment.

26 (c) Suspension, demotion or dismissal.

27 (d) An unfavorable performance evaluation.

28 (e) A reduction in pay, benefits or awards.

29 (f) Elimination of the employee's position without a reduction in
30 force by reason of lack of monies or work.

31 (g) Other significant changes in duties or responsibilities that
32 are inconsistent with the employee's salary or employment classification.

33 2. With respect to an educational program, results in one or more
34 of the following:

35 (a) Suspension or termination of the program.

36 (b) Transfer or reassignment of the program to a less favorable
37 department.

38 (c) Relocation of the program to a less favorable site within the
39 school or school district.

40 (d) Significant reduction or termination of funding for the
41 program.

42 M. Charter schools shall secure insurance for liability and
43 property loss. The governing body of a charter school that is sponsored
44 by the state board of education or the state board for charter schools may
45 enter into an intergovernmental agreement or otherwise contract to

1 participate in an insurance program offered by a risk retention pool
2 established pursuant to section 11-952.01 or 41-621.01 or the charter
3 school may secure its own insurance coverage. The pool may charge the
4 requesting charter school reasonable fees for any services it performs in
5 connection with the insurance program.

6 N. Charter schools do not have the authority to acquire property by
7 eminent domain.

8 O. A sponsor, including members, officers and employees of the
9 sponsor, is immune from personal liability for all acts done and actions
10 taken in good faith within the scope of its authority.

11 P. Charter school sponsors and this state are not liable for the
12 debts or financial obligations of a charter school or persons who operate
13 charter schools.

14 Q. The sponsor of a charter school shall establish procedures to
15 conduct administrative hearings on determination by the sponsor that
16 grounds exist to revoke a charter. Procedures for administrative hearings
17 shall be similar to procedures prescribed for adjudicative proceedings in
18 title 41, chapter 6, article 10. Except as provided in section
19 41-1092.08, subsection H, final decisions of the state board of education
20 and the state board for charter schools from hearings conducted pursuant
21 to this subsection are subject to judicial review pursuant to title 12,
22 chapter 7, article 6.

23 R. The sponsoring entity of a charter school shall have oversight
24 and administrative responsibility for the charter schools that it
25 sponsors. In implementing its oversight and administrative
26 responsibilities, the sponsor shall ground its actions in evidence of the
27 charter holder's performance in accordance with the performance framework
28 adopted by the sponsor. The performance framework shall be publicly
29 available, shall be placed on the sponsoring entity's website and shall
30 include:

31 1. The academic performance expectations of the charter school and
32 the measurement of sufficient progress toward the academic performance
33 expectations.

34 2. The operational expectations of the charter school, including
35 adherence to all applicable laws and obligations of the charter contract.

36 3. Intervention and improvement policies.

37 S. Charter schools may pledge, assign or encumber their assets to
38 be used as collateral for loans or extensions of credit.

39 T. All property accumulated by a charter school shall remain the
40 property of the charter school.

41 U. Charter schools may not locate a school on property that is less
42 than one-fourth mile from agricultural land regulated pursuant to section
43 3-365, except that the owner of the agricultural land may agree to comply
44 with the buffer zone requirements of section 3-365. If the owner agrees
45 in writing to comply with the buffer zone requirements and records the

1 agreement in the office of the county recorder as a restrictive covenant
2 running with the title to the land, the charter school may locate a school
3 within the affected buffer zone. The agreement may include any
4 stipulations regarding the charter school, including conditions for future
5 expansion of the school and changes in the operational status of the
6 school that will result in a breach of the agreement.

7 V. A transfer of a charter to another sponsor, a transfer of a
8 charter school site to another sponsor or a transfer of a charter school
9 site to a different charter shall be completed before the beginning of the
10 fiscal year that the transfer is scheduled to become effective. An entity
11 that sponsors charter schools may accept a transferring school after the
12 beginning of the fiscal year if the transfer is approved by the
13 superintendent of public instruction. The superintendent of public
14 instruction shall have the discretion to consider each transfer during the
15 fiscal year on a ~~case by case~~ CASE-BY-CASE basis. A charter holder
16 seeking to transfer sponsors shall comply with the current charter terms
17 regarding assignment of the charter. A charter holder transferring
18 sponsors shall notify the current sponsor that the transfer has been
19 approved by the new sponsor.

20 W. Notwithstanding subsection V of this section, a charter holder
21 on an improvement plan must notify parents or guardians of registered
22 students of the intent to transfer the charter and the timing of the
23 proposed transfer. On the approved transfer, the new sponsor shall
24 enforce the improvement plan but may modify the plan based on performance.

25 X. Notwithstanding subsection Y of this section, the state board
26 for charter schools shall charge a processing fee to any charter school
27 that amends its contract to participate in Arizona online instruction
28 pursuant to section 15-808. The charter Arizona online instruction
29 processing fund is established consisting of fees collected and
30 administered by the state board for charter schools. The state board for
31 charter schools shall use monies in the fund only for the processing of
32 contract amendments for charter schools participating in Arizona online
33 instruction. Monies in the fund are continuously appropriated.

34 Y. The sponsoring entity may not charge any fees to a charter
35 school that it sponsors unless the sponsor has provided services to the
36 charter school and the fees represent the full value of those services
37 provided by the sponsor. On request, the value of the services provided
38 by the sponsor to the charter school shall be demonstrated to the
39 department of education.

40 Z. Charter schools may enter into an intergovernmental agreement
41 with a presiding judge of the juvenile court to implement a ~~law related~~
42 LAW-RELATED education program as defined in section 15-154. The presiding
43 judge of the juvenile court may assign juvenile probation officers to
44 participate in a ~~law related~~ LAW-RELATED education program in any charter
45 school in the county. The cost of juvenile probation officers who

1 participate in the program implemented pursuant to this subsection shall
2 be funded by the charter school.

3 AA. The sponsor of a charter school shall modify previously
4 approved curriculum requirements for a charter school that wishes to
5 participate in the board examination system prescribed in chapter 7,
6 article 6 of this title.

7 BB. If a charter school decides not to participate in the board
8 examination system prescribed in chapter 7, article 6 of this title,
9 pupils enrolled at that charter school may earn a Grand Canyon diploma by
10 obtaining a passing score on the same board examinations.

11 CC. Notwithstanding subsection Y of this section, a sponsor of
12 charter schools may charge a new charter application processing fee to any
13 applicant. The application fee shall fully cover the cost of application
14 review and any needed technical assistance. Authorizers may approve
15 policies that allow a portion of the fee to be returned to the applicant
16 whose charter is approved.

17 DD. A charter school may choose to provide a preschool program for
18 children with disabilities pursuant to section 15-771.

19 EE. Pursuant to the prescribed graduation requirements adopted by
20 the state board of education, the governing body of a charter school
21 operating a high school may approve a rigorous computer science course
22 that would fulfill a mathematics course required for graduation from high
23 school. The governing body may approve a rigorous computer science course
24 only if the rigorous computer science course includes significant
25 mathematics content and the governing body determines the high school
26 where the rigorous computer science course is offered has sufficient
27 capacity, infrastructure and qualified staff, including competent teachers
28 of computer science.

29 FF. A charter school may permit the use of school property,
30 including school buildings, grounds, buses and equipment, by any person,
31 group or organization for any lawful purpose, including a recreational,
32 educational, political, economic, artistic, moral, scientific, social,
33 religious or other civic or governmental purpose. The charter school may
34 charge a reasonable fee for the use of the school property.

35 GG. A charter school and its employees, including the governing
36 body, or chief administrative officer, are immune from civil liability
37 with respect to all decisions made and actions taken to allow the use of
38 school property, unless the charter school or its employees are guilty of
39 gross negligence or intentional misconduct. This subsection does not
40 limit any other immunity provisions that are prescribed by law.

41 HH. Sponsors authorized pursuant to this section shall submit an
42 annual report to the auditor general on or before October 1. The report
43 shall include:

44 1. The current number of charters authorized and the number of
45 schools operated by authorized charter holders.

1 2. The academic and operational performance of the sponsor's
2 charter portfolio as measured by the sponsor's adopted performance
3 framework.

4 3. For the prior year, the number of new charters approved, the
5 number of charter schools closed and the reason for the closure.

6 4. The sponsor's application, amendment, renewal and revocation
7 processes, charter contract template and current performance framework as
8 required by this section.

9 II. The auditor general shall prescribe the format for the annual
10 report required by subsection HH of this section and may require that the
11 annual report be submitted electronically. The auditor general shall
12 review the submitted annual reports to ensure that the reports include the
13 required items in subsection HH of this section and shall make the annual
14 reports available upon request. If the auditor general finds
15 significant noncompliance or if a sponsor fails to submit the annual
16 report required by subsection HH of this section, on or before December 31
17 of each year the auditor general shall report to the governor, the
18 president of the senate, the speaker of the house of representatives and
19 the chairs of the senate and house education committees or their successor
20 committees, and the legislature shall consider revoking the sponsor's
21 authority to sponsor charter schools.

22 Sec. 3. Section 15-211, Arizona Revised Statutes, is amended to
23 read:

24 15-211. K-3 reading program; receipt and use of monies;
25 additional funding; program termination

26 A. The department of education shall administer a K-3 reading
27 program to improve the reading proficiency of pupils in kindergarten
28 programs and grades one, two and three in the public schools of this
29 state.

30 B. Each school district and charter school shall submit to the
31 department of education a plan for improving the reading proficiency of
32 its pupils in kindergarten programs and grades one, two and three. The
33 plan shall include baseline data on the reading proficiency of its pupils
34 in kindergarten programs and grades one, two and three and a budget for
35 spending monies from both the K-3 support level weight and the K-3 reading
36 support level weight established in section 15-943. Each school district
37 and charter school shall annually submit to the department of education on
38 or before October 1 an updated K-3 reading program plan that includes data
39 on program expenditures and results, except that beginning in fiscal year
40 2016-2017, a school district or charter school that is assigned a letter
41 grade of A or B pursuant to section 15-241 shall submit this plan only in
42 odd-numbered years.

43 C. School districts and charter schools shall use monies generated
44 by the K-3 reading support level weight established in section 15-943 only
45 on reading programs for pupils in kindergarten programs and grades one,

1 two and three with particular emphasis on pupils in kindergarten programs
2 and grades one and two.

3 D. Each school district and charter school that is assigned a
4 letter grade of C, D or F pursuant to section 15-241 or that has more than
5 ten percent of its pupils in grade three reading far below the third grade
6 level according to the reading portion of the ~~Arizona instrument to~~
7 ~~measure standards test, or a successor test,~~ STATEWIDE ASSESSMENT shall
8 receive monies generated by the K-3 reading support level weight
9 established in section 15-943 only after the K-3 reading program plan of
10 the school district or charter school has been reviewed and recommended
11 for approval by the department of education and approved by the state
12 board of education.

13 E. Pupils in a charter school that is in its first year of
14 operation and that is sponsored by the state board of education, the state
15 board for charter schools, a university under the jurisdiction of the
16 Arizona board of regents, a community college district or a group of
17 community college districts are eligible for the K-3 reading support level
18 weight.

19 F. The department of education shall solicit gifts, grants and
20 donations from any lawful public or private source in order to provide
21 additional funding for the K-3 reading program.

22 G. The state board of education may establish rules and policies
23 for the K-3 reading program, including:

24 1. The proper use of monies in accordance with subsection C of this
25 section.

26 2. The distribution of monies by the department of education in
27 accordance with subsection B of this section.

28 3. The compliance of reading proficiency plans submitted pursuant
29 to subsection B of this section with section 15-704.

30 H. The program established by this section ends on July 1, 2022
31 pursuant to section 41-3102.

32 Sec. 4. Section 15-701, Arizona Revised Statutes, is amended to
33 read:

34 15-701. Common school; promotions; requirements; certificate;
35 supervision of eighth grades by superintendent of
36 high school district; high school admissions;
37 academic credit; definition

38 A. The state board of education shall:

39 1. Prescribe a minimum course of study, as defined in section
40 15-101 and incorporating the academic standards adopted by the state board
41 of education, to be taught in the common schools.

42 2. Prescribe competency requirements for the promotion of pupils
43 from the eighth grade and competency requirements for the promotion of
44 pupils from the third grade incorporating the academic standards in at
45 least the areas of reading, writing, mathematics, science and social

1 studies. Notwithstanding section 15-521, paragraph 4, the competency
2 requirements for the promotion of pupils from the third grade shall
3 include the following:

4 (a) A requirement that a pupil not be promoted from the third grade
5 if the pupil obtains a score on the reading portion of the ~~Arizona~~
6 ~~instrument to measure standards test, or a successor test,~~ STATEWIDE
7 ASSESSMENT that demonstrates that the pupil's reading falls far below the
8 third grade level or the equivalent as established by the board. A pupil
9 may not be retained if data regarding the pupil's performance on the
10 ~~Arizona instrument to measure standards test, or a successor test,~~
11 STATEWIDE ASSESSMENT is not available before the start of the following
12 academic year. A pupil who is not retained due to the unavailability of
13 test data must receive intervention and remedial strategies pursuant to
14 subdivision (c) of this paragraph if the third grade assessment data
15 subsequently demonstrates that the pupil's reading ability falls far below
16 the third grade level or the equivalent.

17 (b) A mechanism to allow a school district governing board or the
18 governing body of a charter school to promote a pupil from the third grade
19 who obtains a score on the reading portion of the ~~Arizona instrument to~~
20 ~~measure standards test, or a successor test,~~ STATEWIDE ASSESSMENT that
21 demonstrates that the pupil's reading falls far below the third grade
22 level for any of the following:

23 (i) A good cause exemption if the pupil is an English learner or a
24 limited English proficient student as defined in section 15-751 and has
25 had fewer than two years of English language instruction.

26 (ii) A pupil who is in the process of a special education referral
27 or evaluation for placement in special education, a pupil who has been
28 diagnosed as having a significant reading impairment, including dyslexia,
29 or a pupil who is a child with a disability as defined in section 15-761
30 if the pupil's individualized education program team and the pupil's
31 parent or guardian agree that promotion is appropriate based on the
32 pupil's individualized education program.

33 (iii) A pupil who receives intervention and remedial services
34 during the summer or subsequent school year pursuant to subdivision (c) of
35 this paragraph and demonstrates sufficient progress may be promoted from
36 the third grade based on guidelines issued pursuant to subsection B,
37 paragraph 5 of this section.

38 (c) Intervention and remedial strategies developed by the state
39 board of education for pupils who are not promoted from the third grade.
40 A school district governing board or the governing body of a charter
41 school shall offer at least one of the intervention and remedial
42 strategies developed by the state board of education. The parent or
43 guardian of a pupil who is not promoted from the third grade and the
44 pupil's teacher and principal may choose the most appropriate intervention
45 and remedial strategies that will be provided to that pupil. The

1 intervention and remedial strategies developed by the state board of
2 education shall include:

3 (i) A requirement that the pupil be assigned to a different teacher
4 for reading instruction.

5 (ii) Summer school reading instruction.

6 (iii) In the next academic year, intensive reading instruction that
7 occurs before, during or after the regular school day, or any combination
8 of before, during and after the regular school day.

9 (iv) Online reading instruction.

10 3. Provide for universal screening of pupils in preschool programs,
11 kindergarten programs and grades one through three that is designed to
12 identify pupils who have reading deficiencies pursuant to section 15-704.

13 4. Develop intervention and remedial strategies pursuant to
14 paragraph 2, subdivision (c) of this subsection for pupils in kindergarten
15 programs and grades one through three who are identified as having reading
16 deficiencies pursuant to section 15-704.

17 5. Distribute guidelines for the school districts to follow in
18 prescribing criteria for the promotion of pupils from grade to grade in
19 the common schools. These guidelines shall include recommended procedures
20 for ensuring that the cultural background of a pupil is taken into
21 consideration when criteria for promotion are being applied.

22 B. School districts and charter schools shall provide annual
23 written notification to parents of pupils in kindergarten programs and
24 first, second and third grades that a pupil who obtains a score on the
25 reading portion of the ~~Arizona instrument to measure standards test, or a~~
26 ~~successor test~~, STATEWIDE ASSESSMENT that demonstrates the pupil is
27 reading far below the third grade level will not be promoted from the
28 third grade. If the school has determined that the pupil is substantially
29 deficient in reading before the end of grade three, the school district or
30 charter school shall provide to the parent of that pupil a separate
31 written notification of the reading deficiency that includes the following
32 information:

33 1. A description of the current reading services provided to the
34 pupil.

35 2. A description of the available supplemental instructional
36 services and supporting programs that are designed to remediate reading
37 deficiencies. Each school district or charter school shall offer at least
38 one intervention strategy and at least one remedial strategy for pupils
39 with reading deficiencies. The notification shall list the intervention
40 and remedial strategies offered and shall instruct the parent or guardian
41 to choose the strategy that will be implemented for that child.

42 3. Parental strategies to assist the pupil to attain reading
43 proficiency.

44 4. A statement that the pupil will not be promoted from the third
45 grade if the pupil obtains a score on the reading portion of the ~~Arizona~~

1 ~~instrument to measure standards test, or a successor test,~~ STATEWIDE
2 ASSESSMENT that demonstrates the pupil is reading far below the third
3 grade level, unless the pupil is exempt from mandatory retention in grade
4 three or the pupil qualifies for an exemption pursuant to subsection A of
5 this section.

6 5. A description of the school district or charter school policies
7 on midyear promotion to a higher grade.

8 C. Pursuant to the guidelines that the state board of education
9 distributes, the governing board of a school district shall:

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

13 2. Prescribe criteria for the promotion of pupils from grade to
14 grade in the common schools in the school district. These criteria shall
15 include accomplishment of the academic standards in at least reading,
16 writing, mathematics, science and social studies, as determined by
17 district assessment. Other criteria may include additional measures of
18 academic achievement and attendance.

19 D. The governing board may prescribe the course of study and
20 competency requirements for promotion that are in addition to or higher
21 than the course of study and competency requirements the state board
22 prescribes.

23 E. A teacher shall determine whether to promote or retain a pupil
24 in grade in a common school as provided in section 15-521, paragraph 4 on
25 the basis of the prescribed criteria. The governing board, if it reviews
26 the decision of a teacher to promote or retain a pupil in grade in a
27 common school as provided in section 15-342, paragraph 11, shall base its
28 decision on the prescribed criteria.

29 F. A governing board may provide and issue certificates of
30 promotion to pupils whom it promotes from the eighth grade of a common
31 school. Such certificates shall be signed by the principal or
32 superintendent of schools. Where there is no principal or superintendent
33 of schools, the certificates shall be signed by the teacher of an eighth
34 grade. The certificates shall admit the holders to any high school in the
35 state.

36 G. Within any high school district or union high school district,
37 the superintendent of the high school district shall supervise the work of
38 the eighth grade of all schools employing no superintendent or principal.

39 H. A school district shall not deny a pupil who is between the ages
40 of sixteen and twenty-one years admission to a high school because the
41 pupil does not hold an eighth grade certificate. Governing boards shall
42 establish procedures for determining the admissibility of pupils who are
43 under sixteen years of age and who do not hold eighth grade certificates.

44 I. The state board of education shall adopt rules to allow common
45 school pupils who can demonstrate competency in a particular academic

1 course or subject to obtain academic credit for the course or subject
2 without enrolling in the course or subject.

3 J. A school district may conduct a ceremony to honor pupils who
4 have been promoted from the eighth grade.

5 K. For the purposes of this section, "dyslexia" means a brain-based
6 learning difference that impairs a person's ability to read and spell,
7 that is independent of intelligence and that typically causes a person to
8 read at levels lower than expected.

9 Sec. 5. Section 15-704, Arizona Revised Statutes, is amended to
10 read:

11 15-704. Reading proficiency; definitions

12 A. Each school district or charter school that provides instruction
13 in kindergarten programs and grades one through three shall select and
14 administer screening, ongoing diagnostic and classroom based instructional
15 reading assessments, including a motivational assessment, as defined by
16 the state board of education, to monitor student progress. Each school
17 shall use the diagnostic information to plan appropriate and effective
18 intervention.

19 B. Each school district or charter school that provides instruction
20 for pupils in kindergarten programs and grades one through three shall
21 conduct a curriculum evaluation and adopt a scientifically based reading
22 curriculum that includes the essential components of reading instruction.
23 All school districts and charter schools that offer instruction in
24 kindergarten programs and grades one through three shall provide ongoing
25 teacher training based on scientifically based reading research.

26 C. Each school district or charter school that provides instruction
27 in kindergarten programs and grades one through three shall devote
28 reasonable amounts of time to explicit instruction and independent reading
29 in grades one through three.

30 D. A pupil in grade three who does not meet or exceed the reading
31 standards measured by the ~~Arizona instrument to measure standards test~~
32 STATEWIDE ASSESSMENT administered pursuant to section 15-741 shall be
33 provided intensive reading instruction as defined by the state board of
34 education until the pupil meets these standards.

35 E. The governing board of each school district and the governing
36 body of each charter school shall determine the percentage of pupils at
37 each school in grade three who do not meet the reading standards
38 prescribed by the state board of education and measured by the ~~Arizona~~
39 ~~instrument to measure standards test~~ STATEWIDE ASSESSMENT administered
40 pursuant to section 15-741. If more than twenty percent of students in
41 grade three at either the individual school level or at the school
42 district level do not meet the standards, the governing board or governing
43 body shall conduct a review of its reading program that includes
44 curriculum and professional development in light of current,
45 scientifically based reading research.

1 F. Based on the review required in subsection E of this section,
2 the governing board or governing body and the school principal of each
3 school that does not meet the reading standards, in conjunction with
4 school council members, if applicable, shall develop methods of best
5 practices for teaching reading based on essential components of reading
6 instruction and supported by scientifically based reading research. These
7 methods shall be adopted at a public meeting and shall be implemented the
8 following academic year.

9 G. Subsections E and F of this section shall be coordinated with
10 efforts to develop and implement an improvement plan if required pursuant
11 to section 15-241.02.

12 H. For the purposes of this section:

13 1. "Essential components of reading instruction" means explicit and
14 systematic instruction in the following:

- 15 (a) Phonemic awareness.
- 16 (b) Phonics.
- 17 (c) Vocabulary development.
- 18 (d) Reading fluency.
- 19 (e) Reading comprehension.

20 2. "Reading" means a complex system of deriving meaning from print
21 that requires all of the following:

- 22 (a) The skills and knowledge to understand how phonemes or speech
23 sounds are connected to print.
- 24 (b) The ability to decode unfamiliar words.
- 25 (c) The ability to read fluently.
- 26 (d) Sufficient background information and vocabulary to foster
27 reading comprehension.
- 28 (e) The development of appropriate active strategies to construct
29 meaning from print.
- 30 (f) The development and maintenance of a motivation to read.

31 3. "Scientifically based reading research" means research that
32 meets all of the following:

- 33 (a) Applies rigorous, systematic and objective procedures to obtain
34 valid knowledge relevant to reading development, reading instruction and
35 reading difficulties.
- 36 (b) Employs systematic empirical methods that draw on observation
37 or experiment.
- 38 (c) Involves rigorous data analyses that are adequate to test the
39 stated hypotheses and justify the general conclusions drawn.
- 40 (d) Relies on measurements or observational methods that provide
41 valid data across evaluators and observers and across multiple
42 measurements and observations.
- 43 (e) Has been accepted by a peer reviewed journal or approved by a
44 panel of independent experts through a comparably rigorous, objective and
45 scientific review.

1 (f) Contains all of the elements of the essential components of
2 reading instruction.

3 Sec. 6. Section 15-741, Arizona Revised Statutes, is amended to
4 read:

5 15-741. Assessment of pupils

6 A. The state board of education shall:

7 1. Adopt rules for purposes of this article pursuant to title 41,
8 chapter 6.

9 2. Adopt and implement ~~an Arizona instrument to measure standards~~
10 ~~test~~ A STATEWIDE ASSESSMENT to measure pupil achievement of the state
11 board adopted academic standards in reading, writing and mathematics in at
12 least four grades designated by the board. The board shall determine the
13 manner of implementation. The board may administer assessments of the
14 academic standards in social studies and science, except that a pupil
15 shall not be required to meet or exceed the social studies or science
16 standards measured by the ~~Arizona instrument to measure standards test~~
17 STATEWIDE ASSESSMENT.

18 3. Ensure that the tests prescribed in this section are uniform
19 throughout the state.

20 4. Ensure that the tests prescribed in this section are able to be
21 scored in an objective manner and that the tests are not intended to
22 advocate any sectarian, partisan or denominational viewpoint.

23 5. Ensure that the tests prescribed in this article collect only
24 types of pupil nontest data that are approved by the state board of
25 education at a public meeting and published on the website of the state
26 board of education pursuant to paragraph 7 of this subsection.

27 6. Include within its budget all costs pertaining to the tests
28 prescribed in this article. If sufficient monies are appropriated, the
29 state board may provide achievement test services to school districts that
30 request assistance in testing pupils in grades additional to those
31 required by this section.

32 7. Survey teachers, principals and superintendents on ~~achievement~~
33 ~~related~~ ACHIEVEMENT-RELATED nontest indicators, including information on
34 graduation rates by ethnicity and dropout rates by ethnicity for each
35 grade level. Before the survey, the state board of education shall
36 approve at a public meeting the nontest indicators on which data will be
37 collected and shall post in a prominent position on the home page of the
38 state board's website a link to the nontest indicators entitled "what
39 nontest data does the state of Arizona collect about Arizona pupils?".
40 The linked web page shall state the types of data collected, the reasons
41 for the collection of the data and the entities with which the data is
42 shared. In conducting the survey and collecting data, the state board of
43 education shall not violate the provisions of the family educational
44 rights and privacy act (P.L. 93-380), as amended, nor disclose personally
45 identifiable information.

1 8. Establish a fair and consistent method and standard by which
2 test scores from schools in a district may be evaluated taking into
3 consideration demographic data. The board shall establish intervention
4 strategies to assist schools with scores below the acceptable
5 standard. The board shall annually review district and school scores and
6 shall offer assistance to school districts in analyzing data and
7 implementing intervention strategies. The board shall use the adopted
8 test and methods of data evaluation for a period of at least ten years.

9 9. Participate in other assessments that provide national
10 comparisons as needed.

11 B. The achievement tests adopted by the state board as provided in
12 subsection A of this section shall be given at least annually. Nontest
13 indicator data and other information shall be collected at the same time
14 as the collection of achievement test data.

15 C. Local school district governing boards shall:

16 1. Administer the tests prescribed in subsection A of this section.

17 2. Survey teachers, principals and superintendents on achievement
18 related nontest indicator data as required by the state board, including
19 information related to district graduation and dropout rates. In
20 conducting the survey and collecting data, the governing board shall not
21 violate the provisions of the family educational rights and privacy act
22 (P.L. 93-380), as amended, nor disclose personally identifiable
23 information.

24 D. Any additional assessments for high school pupils that are
25 adopted by the state board of education after November 24, 2009 shall be
26 designed to measure college and career readiness of pupils.

27 E. A test for penmanship shall not be required pursuant to this
28 article.

29 Sec. 7. Section 15-741.02, Arizona Revised Statutes, is amended to
30 read:

31 15-741.02. Menu of locally procured achievement assessments;
32 requirements; rules; definition

33 A. The state board of education shall adopt a menu of locally
34 procured achievement assessments to measure pupil achievement of the state
35 academic standards. Beginning in the ~~2017-2018~~ 2018-2019 school year,
36 each local education agency that offers instruction in grades nine through
37 twelve may select from that menu an achievement assessment that is locally
38 procured to administer to the pupils in one or more schools ~~as provided~~
39 ~~for in the rules and procedures of the state board of education in that~~
40 local education agency instead of the test to measure pupil achievement
41 adopted by the state board of education pursuant to section 15-741.
42 Beginning in the ~~2018-2019~~ 2019-2020 school year, each local education
43 agency that offers instruction in grades three through eight may select
44 from that menu an achievement assessment that is locally procured to
45 administer to the pupils in that local education agency instead of the

1 test to measure pupil achievement adopted by the state board of education
2 pursuant to section 15-741.

3 B. A locally procured achievement assessment in use by a local
4 education agency that is not on the menu of assessments BY MARCH 1, 2018
5 may be added to the menu at the request of the local education agency and
6 ~~approval~~ SHALL BE APPROVED by the state board of education IF THE
7 ASSESSMENT IS NATIONALLY RECOGNIZED, AN EARLY COLLEGE CREDIT EXAMINATION
8 ADOPTED PURSUANT TO SECTION 15-249.06 OR AN ASSESSMENT ADOPTED PURSUANT TO
9 SECTION 15-792.03. THE STATE BOARD OF EDUCATION MAY APPROVE ALL OTHER
10 ASSESSMENTS IF THE ASSESSMENT MEETS THE REQUIREMENTS OF SUBSECTION E OF
11 THIS SECTION. The state board of education shall evaluate locally
12 procured assessments not on the menu pursuant to this section annually AND
13 SHALL NOTIFY LOCAL EDUCATION AGENCIES OF THE RESULTS ON OR BEFORE MAY 1 OF
14 EACH YEAR.

15 C. A local education agency that selects a locally procured
16 achievement assessment pursuant to this section meets the requirements
17 prescribed in section 15-741. The local education agency shall include
18 the name of the assessment it administers in the school report card
19 required in section 15-746 and administer the assessment for a minimum
20 period of time prescribed by the state board of education.

21 D. The state board of education shall adopt rules and procedures
22 for the approval of locally procured assessments to be administered by the
23 superintendent of public instruction pursuant to this section. Any rule
24 or procedure adopted pursuant to this subsection may not require a local
25 education agency to receive additional approval from the state board of
26 education or the department of education to select an assessment from the
27 menu of assessments ~~pursuant to this section except that a local education~~
28 ~~agency assigned a letter grade of D or F pursuant to section 15-241 may~~
29 ~~not choose an assessment from the menu and shall continue to use the~~
30 ~~statewide assessment adopted by the state board of education pursuant to~~
31 ~~section 15-741~~ AND MAY NOT REQUIRE ANY ADDITIONAL REQUIREMENTS OTHER THAN
32 THOSE REQUIRED BY SUBSECTION E OF THIS SECTION. A LOCAL EDUCATION AGENCY
33 THAT ADOPTS A LOCALLY PROCURED ACHIEVEMENT ASSESSMENT PURSUANT TO THIS
34 SECTION SHALL PROVIDE THE NECESSARY REASONABLE ACCOMMODATIONS FOR A
35 STUDENT WHO IS AN ENGLISH LANGUAGE LEARNER AND THE NECESSARY
36 ACCOMMODATIONS AND MODIFICATIONS FOR A STUDENT AS REQUIRED BY THE
37 STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM TEAM.

38 E. The state board of education shall require that the provider of
39 a locally procured achievement assessment that is proposed ~~to be~~
40 ~~considered~~ for the menu of locally procured achievement assessments shall
41 do all of the following:

42 1. Provide evidence that the assessment is a high quality
43 assessment.

44 2. Demonstrate that the assessment meets or exceeds the LEVEL OF
45 RIGOR OF THE state board's adopted academic standards.

1 3. Demonstrate that the assessment scores can be ~~equated~~ SCALED for
2 state accountability programs including establishing comparable student
3 ~~assessment scores and~~ performance levels for achievement profiles and
4 letter grade classifications issued pursuant to section 15-241.

5 4. Submit an evaluation from a third party approved by the state
6 board of education that shows the assessment meets the requirements
7 prescribed in paragraphs 1, 2 and 3 of this subsection.

8 5. Provide a copy of assessment scores to the department of
9 education when scores are provided to their partnering local education
10 agency.

11 F. FOR THE PURPOSES OF THIS SECTION, "NATIONALLY RECOGNIZED" MEANS
12 AN ASSESSMENT THAT IS ACCEPTED BY UNIVERSITIES FOR THE PURPOSES OF
13 AWARDED COLLEGE CREDIT OR ADMISSIONS.

14 Sec. 8. Section 15-743, Arizona Revised Statutes, is amended to
15 read:

16 15-743. Test results; annual report

17 A. The state board of education shall provide annual reports for
18 every school and district and the state as a whole. The state board shall
19 annually submit these reports to school districts, the legislature and the
20 county school superintendents and shall make them available to the
21 public. The state board shall publish and distribute the reports by
22 September 1 and shall also provide a cumulative summary of the reports
23 every five years. The annual reports and cumulative summary results shall
24 include:

25 1. Average and range scores on the ~~Arizona instrument to measure~~
26 ~~standards test~~ STATEWIDE ASSESSMENT.

27 2. Standardized test scores by subject area according to
28 percentiles and stanines for the school, school district, county, state
29 and nation.

30 3. ~~Achievement related~~ ACHIEVEMENT-RELATED nontest indicator data
31 collected in the survey of teachers, principals and superintendents as
32 required by section 15-741, including information related to dropout rates
33 by ethnicity for each grade level and graduation rates and postsecondary
34 employment and education by ethnicity. In reporting such data, the state
35 board of education shall not violate the provisions of the family
36 educational rights and privacy act (P.L. 93-380), as amended, ~~nor~~ OR
37 disclose personally identifiable information.

38 4. The numbers of pupils who have completed the academic standards
39 at grades three, eight and twelve.

40 B. Test results on individual pupils shall not be made available to
41 the public by name or individually identifiable reference.

42 C. The state board shall provide a copy of the results from the
43 tests prescribed in section 15-741, subsection A for each school district
44 to that school district. ~~No~~ Results may NOT be released to the public
45 until ten days after the reports are provided to each school district.

1 D. The state board shall provide each school district participating
2 in the testing program with a copy of each pupil's standardized
3 norm-referenced test scores in reading, language arts and mathematics, and
4 the associated grade equivalents, percentiles and stanines for the school,
5 school district, county, state and nation, a report of pupil progress on
6 an ongoing and annual basis, showing the trends in gain or loss in pupil
7 achievement over time in reading, language arts and mathematics for all
8 years in which pupils are enrolled in the school district for an entire
9 school year and for which this information is available and a report of
10 the pupil progress for pupils not enrolled in a district for an entire
11 school year. The state board shall also provide each school district with
12 each pupil's ~~Arizona instrument to measure standards test~~ STATEWIDE
13 ASSESSMENT scores and the ~~Arizona instrument to measure standards test~~
14 STATEWIDE ASSESSMENT scores for the school, district, county and state.

15 E. The school district shall provide a parent or guardian of each
16 pupil participating in the standardized norm-referenced testing part of
17 the program with a copy of the pupil's ~~score~~ SCORES in reading, language
18 arts and mathematics, and the percentiles and stanines. The school
19 district shall provide a parent or guardian of each pupil with a copy of
20 the pupil's scores on the ~~Arizona instrument to measure standards test~~
21 STATEWIDE ASSESSMENT and the associated scores for the school, district,
22 county and state. The school district shall make available to the public
23 through the reports those scores for each school in the district and for
24 the school district, county, state and nation.

25 F. Each pupil's ~~Arizona instrument to measure standards test~~
26 STATEWIDE ASSESSMENT results for grade twelve shall be recorded on the
27 pupil's high school transcript. The state board of education shall
28 prescribe the format for recording ~~Arizona instrument to measure standards~~
29 ~~test~~ STATEWIDE ASSESSMENT results on high school transcripts.

30 Sec. 9. Section 15-746, Arizona Revised Statutes, is amended to
31 read:

32 15-746. School report cards

33 A. Each school shall distribute an annual report card that contains
34 at least the following information:

35 1. A description of the school's regular, magnet and special
36 instructional programs.

37 2. A description of the current academic goals of the school.

38 3. A summary of the results achieved by pupils enrolled at the
39 school during the prior three school years as measured by the ~~Arizona~~
40 ~~instrument to measure standards test~~ STATEWIDE ASSESSMENT and the
41 nationally standardized norm-referenced achievement test as designated by
42 the state board and as reported in the annual report prescribed by section
43 15-743, a summary of the pupil progress on an ongoing and annual basis,
44 showing the trends in gain or loss in pupil achievement over time in
45 reading, language arts and mathematics for all years in which pupils are

1 enrolled in the school district for an entire school year and for which
2 this information is available and a summary of the pupil progress for
3 pupils WHO ARE not enrolled in a district for an entire school year.

4 4. The school's current expenditures per pupil for classroom
5 supplies, classroom instruction, excluding classroom supplies,
6 administration, support services-students, and all other support services
7 and operations. The current expenditures per pupil by school shall
8 include allocation of the district-wide expenditures to each school, as
9 provided by the district. The report shall include a comparison of the
10 school to the state amount for a similar type of district as calculated in
11 section 15-255. The method of calculating these per pupil amounts and the
12 allocation of expenditures shall be as prescribed in the uniform system of
13 financial records.

14 5. The attendance rate of pupils enrolled at the school as
15 reflected in the school's average daily membership as defined in section
16 15-901.

17 6. The total number of incidents that occurred on the school
18 grounds, at school bus stops, on school buses and at ~~school sponsored~~
19 SCHOOL-SPONSORED events and that required the contact of a local, county,
20 tribal, state or federal law enforcement officer pursuant to section
21 13-3411, subsection F, section 13-3620, section 15-341, subsection A,
22 paragraph 31 or section 15-515. The total number of incidents reported
23 shall only include reports that law enforcement officers report to the
24 school are supported by probable cause. For the purposes of this
25 paragraph, a certified peace officer who serves as a school resource
26 officer is a law enforcement officer. A school may provide clarifying
27 information if the school has a school resource officer on campus.

28 7. The percentage of pupils who have either graduated to the next
29 grade level or graduated from high school.

30 8. A description of the social services available at the school
31 site.

32 9. The school calendar, including the length of the school day and
33 hours of operations.

34 10. The total number of pupils enrolled at the school during the
35 previous school year.

36 11. The transportation services available.

37 ~~12. Beginning in the 2000-2001 school year and until July 1, 2006,~~
38 ~~the reading instruction programs used by the school for kindergarten~~
39 ~~programs and grades one, two and three, pursuant to section 15-704. The~~
40 ~~report card shall include a district comparison of test scores among the~~
41 ~~different programs of reading instruction and shall identify the program~~
42 ~~of reading instruction used in each classroom.~~

43 ~~13.~~ 12. A description of the responsibilities of parents of
44 children enrolled at the school.

1 ~~14.~~ 13. A description of the responsibilities of the school to the
2 parents of the children enrolled at the school, including dates the report
3 cards are delivered to the home.

4 ~~15.~~ 14. A description of the composition and duties of the school
5 council as prescribed in section 15-351 if such a school council exists.

6 ~~16.~~ 15. For the most recent year available, the average current
7 expenditure per pupil for administrative functions compared to the
8 predicted average current expenditure per pupil for administrative
9 functions according to an analysis of administrative cost data by the
10 joint legislative budget committee staff.

11 ~~17.~~ 16. If the school provides instruction to pupils in
12 kindergarten programs and grades one through three, the ratio of pupils to
13 teachers in each classroom where instruction is provided in kindergarten
14 programs and grades one through three.

15 ~~18.~~ 17. The average class size per grade level for all grade
16 levels, kindergarten programs and grades one through eight. For the
17 purposes of this paragraph, "average class size" means the weighted
18 average of each class.

19 B. The department of education shall develop a standardized report
20 card format that meets the requirements of subsection A of this
21 section. The department shall modify the standardized report card as
22 necessary on an annual basis. The department shall distribute to each
23 school in this state a copy of the standardized report card that includes
24 the required test scores for each school. Additional copies of the
25 standardized report card shall be available on request.

26 C. After each school has completed the report card distributed to
27 it by the department of education, the school, in addition to distributing
28 the report card as prescribed in subsection A of this section, shall send
29 a copy of the report card to the department. The department shall prepare
30 an annual report that contains the report card from each school in this
31 state.

32 D. The school shall distribute report cards to parents of pupils
33 enrolled at the school, no later than the last day of school of each
34 fiscal year, and shall present a summary of the contents of the report
35 cards at an annual public meeting held at the school. The school shall
36 give notice at least two weeks before the public meeting that clearly
37 states the purposes, time and place of the meeting.

38 Sec. 10. Section 15-763, Arizona Revised Statutes, is amended to
39 read:

40 15-763. Plan for providing special education; definition

41 A. All school districts and charter schools shall develop policies
42 and procedures for providing special education to all children with
43 disabilities within the district or charter school. All children with
44 disabilities shall receive special education programming commensurate with
45 their abilities and needs. Each child shall be ensured access to the

1 general curriculum and an opportunity to meet the state's academic
2 standards. Pupils who receive special education shall not be required to
3 achieve passing scores on the ~~Arizona instrument to measure standards test~~
4 STATEWIDE ASSESSMENT or the test that is identical to the civics portion
5 of the naturalization test under section 15-701.01 in order to graduate
6 from high school unless the pupil is learning at a level appropriate for
7 the pupil's grade level in a specific academic area and unless a passing
8 score on the ~~Arizona instrument to measure standards test~~ STATEWIDE
9 ASSESSMENT or the test that is identical to the civics portion of the
10 naturalization test under section 15-701.01 is specifically required in a
11 specific academic area by the pupil's individualized education program as
12 mutually agreed on by the pupil's parents and the pupil's individualized
13 education program team or the pupil, if the pupil is at least eighteen
14 years of age. The pupil's individualized education program shall include
15 any necessary testing accommodations. Special education services shall be
16 provided at no cost to the parents of children with disabilities.

17 B. The state board of education shall adopt guidelines to define a
18 parent's or guardian's role or a pupil's role, if the pupil is at least
19 eighteen years of age, in the development of a pupil's section 504 plan as
20 defined in section 15-731, including testing and testing accommodations.

21 C. For the purposes of determining the services to pupils served by
22 private schools under existing federal law, the state shall consider the
23 term to include homeschooled pupils.

24 D. If federal monies are provided to a school district or a charter
25 school for special education services to homeschooled or private schooled
26 pupils, the school district or charter school shall provide the services
27 to both the homeschooled pupils and the private schooled pupils in the
28 same manner.

29 E. For the purposes of this section, "special education" has the
30 same meaning prescribed in section 15-1201.

31 Sec. 11. Section 15-792.02, Arizona Revised Statutes, is amended to
32 read:

33 15-792.02. Board examination system; private contractor;
34 duties; rules

35 A. The state board of education shall select and enter into a
36 five-year agreement with a private organization to operate and administer
37 the board examination system prescribed in this article.

38 B. The private organization selected by the state board of
39 education shall:

40 1. Identify, select and collaborate with a national organization
41 that is devoted to issues concerning education and the economy and that is
42 selected by the state board of education to provide technical services to
43 develop and maintain an interstate system of approved board examination
44 systems.

1 2. Provide data and other information to a national organization
2 that is devoted to issues concerning education and the economy and that is
3 selected by the state board of education to provide technical services the
4 national organization deems necessary to set appropriate performance
5 standards for the students in this state. The department of education
6 shall provide data and other information to the private organization.

7 3. Conduct technical studies required by the state board of
8 education to compare the scores on approved board examinations by the
9 students in this state to scores on the ~~Arizona instrument to measure~~
10 ~~standards test~~ STATEWIDE ASSESSMENT and other measures deemed necessary to
11 ensure the efficacy of the approved board examinations. The private
12 organization may contract with other entities that are selected by the
13 state board of education for the purpose of conducting technical studies.

14 4. In cooperation with the superintendent of public instruction and
15 the state board of education, solicit monies from all lawful private and
16 public sources, including federal monies, to offset the costs of
17 instruction provided to students under this article.

18 5. Exercise general supervision over the implementation of the
19 approved board examination systems in this state for the duration of the
20 five-year contract. These examination systems shall meet the following
21 criteria:

22 (a) Appear on a list of approved board examination systems selected
23 by the interstate compact.

24 (b) Be periodically evaluated to ensure alignment with
25 internationally benchmarked standards selected by an interstate compact on
26 board examination systems.

27 (c) Have common passing scores that are prescribed by an interstate
28 compact on board examination systems and that are set to the level of
29 skills and knowledge needed to succeed in college-level courses offered by
30 community colleges in this state that count toward a degree or certificate
31 without taking remedial or developmental coursework. The private
32 organization, on approval of the state board of education and with input
33 from representatives from school districts, charter schools, community
34 colleges and universities in this state, shall designate two individuals
35 to represent this state in an interstate compact on board examination
36 systems to prescribe the common passing scores prescribed in this
37 subdivision.

38 6. Prepare an annual report for the state board of education, which
39 shall forward it to the legislature and the governor, on the progress made
40 toward the goals established in this article and provide copies to the
41 secretary of state. Participating schools and the department of education
42 shall provide data to the private organization as needed in order to
43 complete the annual report.

44 7. Identify, select and represent this state on the national
45 governing body of an interstate compact on board examination systems, as

1 approved by the state board of education, to enable states to collaborate
2 in the following areas:

3 (a) ~~The selection of~~ SELECTING board examination systems for use in
4 those states.

5 (b) Providing technical assistance required to implement the board
6 examination systems effectively in those states for the use of those
7 examinations.

8 (c) Entering into contracts with board examination system providers
9 or with a national organization that is devoted to issues concerning
10 education and the economy to develop new or improved board examination
11 systems.

12 8. Select this state's representatives in an interstate compact on
13 board examination systems in accordance with policies prescribed by that
14 interstate compact.

15 C. The state board of education shall adopt rules to carry out the
16 purposes of this section and shall select college and career ready
17 examinations that are available to pupils in grade eight, including those
18 pupils who intend to participate in the board examinations system in high
19 school. The examinations shall be selected to provide data to pupils,
20 their families and schools regarding the pupil's level of preparation for
21 entry into a college and career ready pathway in high school.

22 D. Pursuant to rules adopted by the state board of education, the
23 department of education shall develop a system to track the academic
24 progress of pupils who participate in the board examination system.

25 E. All actions taken pursuant to this section shall comply with the
26 family educational rights and privacy act of 1974 (P.L. 93-380), as
27 amended.

28 Sec. 12. Section 15-977, Arizona Revised Statutes, is amended to
29 read:

30 15-977. Classroom site fund; definitions

31 A. The classroom site fund is established consisting of monies
32 transferred to the fund pursuant to section 37-521, subsection B and
33 section 42-5029, subsection E, paragraph 10. The department of education
34 shall administer the fund. School districts and charter schools may not
35 supplant existing school site funding with revenues from the fund. All
36 monies distributed from the fund are intended for use at the school
37 site. Each school district or charter school shall allocate forty ~~per~~
38 ~~cent~~ PERCENT of the monies for teacher compensation increases based on
39 performance and employment related expenses, twenty ~~per~~
40 ~~cent~~ PERCENT of the monies for teacher base salary increases and employment related
41 expenses and forty ~~per~~
42 ~~cent~~ PERCENT of the monies for maintenance and
43 operation purposes as prescribed in subsection H of this section. Teacher
44 compensation increases based on performance or teacher base salary
45 increases distributed pursuant to this subsection shall supplement, and
not supplant, teacher compensation monies from any other sources. The

1 school district or charter school shall notify each school principal of
2 the amount available to the school by April 15 of each year. The district
3 or charter school shall request from the school's principal each school's
4 priority for the allocation of the funds available to the school for each
5 program listed under subsection H of this section. The amount budgeted by
6 the school district or charter school pursuant to this section shall not
7 be included in the allowable budget balance carryforward calculated
8 pursuant to section 15-943.01.

9 B. A school district governing board must adopt a performance based
10 compensation system at a public hearing to allocate funding from the
11 classroom site fund pursuant to subsection A of this section. ~~Beginning~~
12 ~~in school year 2014-2015,~~ Individual teacher performance as measured by
13 the teacher's performance classification pursuant to section 15-203,
14 subsection A, paragraph 38 shall be a component of the school district's
15 portion of the forty ~~per cent~~ PERCENT allocation for teacher compensation
16 based on performance and employment related expenses.

17 C. A school district governing board shall vote on a performance
18 based compensation system that includes the following elements:

- 19 1. School district performance and school performance.
- 20 2. Individual teacher performance as measured by the teacher's
21 performance classification pursuant to section 15-203, subsection A,
22 paragraph 38. ~~Beginning in school year 2014-2015,~~ The individual teacher
23 performance component shall account for thirty-three ~~per cent~~ PERCENT of
24 the forty ~~per cent~~ PERCENT allocation for teacher compensation based on
25 performance and employment related expenses.
- 26 3. Measures of academic progress toward the academic standards
27 adopted by the state board of education.
- 28 4. Other measures of academic progress.
- 29 5. Dropout or graduation rates.
- 30 6. Attendance rates.
- 31 7. Ratings of school quality by parents.
- 32 8. Ratings of school quality by students.
- 33 9. The input of teachers and administrators.
- 34 10. Approval of the performance based compensation system based on
35 an affirmative vote of at least seventy ~~per cent~~ PERCENT of the teachers
36 eligible to participate in the performance based compensation system.
- 37 11. An appeals process for teachers who have been denied
38 performance based compensation.
- 39 12. Regular evaluation for effectiveness, which shall comply ~~by~~
40 ~~fiscal year 2014-2015~~ with section 15-203, subsection A, paragraph 38.

41 D. A performance based compensation system shall include teacher
42 professional development programs that are aligned with the elements of
43 the performance based compensation system.

44 E. A school district governing board may modify the elements
45 contained in subsection C of this section and consider additional elements

1 when adopting a performance based compensation system. A school district
2 governing board shall adopt any modifications or additional elements and
3 specify the criteria used at a public hearing.

4 F. Until December 31, 2009, each school district shall develop an
5 assessment plan for its performance based compensation system and submit
6 the plan to the department of education by December 31 of each year. A
7 copy of the performance based compensation system and assessment plan
8 adopted by the school district governing board shall be included in the
9 report submitted to the department of education.

10 G. Monies in the fund are continuously appropriated, are exempt
11 from the provisions of section 35-190 relating to lapsing of
12 appropriations and shall be distributed as follows:

13 1. By March 30 of each year, the staff of the joint legislative
14 budget committee shall determine a per pupil amount from the fund for the
15 budget year using the estimated statewide weighted count for the current
16 year pursuant to section 15-943, paragraph 2, subdivision (a) and based on
17 estimated available resources in the classroom site fund for the budget
18 year adjusted for any prior year carryforward or shortfall.

19 2. The allocation to each charter school and school district for a
20 fiscal year shall equal the per pupil amount established in paragraph 1 of
21 this subsection for the fiscal year multiplied by the weighted student
22 count for the school district or charter school for the fiscal year
23 pursuant to section 15-943, paragraph 2, subdivision (a). For the
24 purposes of this paragraph, the weighted student count for a school
25 district that serves as the district of attendance for nonresident pupils
26 shall be increased to include nonresident pupils who attend school in the
27 school district.

28 H. Monies distributed from the classroom site fund shall be spent
29 for the following maintenance and operation purposes:

- 30 1. Class size reduction.
- 31 2. Teacher compensation increases.
- 32 3. ~~ATMS~~ ASSESSMENT intervention programs.
- 33 4. Teacher development.
- 34 5. Dropout prevention programs.
- 35 6. Teacher liability insurance premiums.

36 I. The district governing board or charter school shall allocate
37 the classroom site fund monies to include, wherever possible, the
38 priorities identified by the principals of the schools while assuring that
39 the funds maximize classroom opportunities and conform to the authorized
40 expenditures identified in subsection A of this section.

41 J. School districts and charter schools that receive monies from
42 the classroom site fund shall submit a report by November 15 of each year
43 to the superintendent of public instruction that provides an accounting of
44 the expenditures of monies distributed from the fund during the previous
45 fiscal year and a summary of the results of district and school programs

1 funded with monies distributed from the fund. The department of education
2 in conjunction with the auditor general shall prescribe the format of the
3 report under this subsection.

4 K. School districts and charter schools that receive monies from
5 the classroom site fund shall receive these monies monthly in an amount
6 not to exceed one-twelfth of the monies estimated pursuant to subsection G
7 of this section, except that if there are insufficient monies in the fund
8 that month to make payments, the distribution for that month shall be
9 prorated for each school district or charter school. The department of
10 education may make an additional payment in the current month for any
11 prior month or months in which school districts or charter schools
12 received a prorated payment if there are sufficient monies in the fund
13 that month for the additional payments. The state is not required to make
14 payments to a school district or charter school classroom site fund if the
15 state classroom site fund revenue collections are insufficient to meet the
16 estimated allocations to school districts and charter schools pursuant to
17 subsection G of this section.

18 L. The state education system for committed youth shall receive
19 monies from the classroom site fund in the same manner as school districts
20 and charter schools. The Arizona state schools for the deaf and the blind
21 shall receive monies from the classroom site fund in an amount that
22 corresponds to the weighted student count for the current year pursuant to
23 section 15-943, paragraph 2, subdivision (b) for each pupil enrolled in
24 the Arizona state schools for the deaf and the blind. Except as otherwise
25 provided in this subsection, the Arizona state schools for the deaf and
26 the blind and the state education system for committed youth are subject
27 to this section in the same manner as school districts and charter
28 schools.

29 M. Each school district and charter school, including school
30 districts that unify pursuant to section 15-448 or consolidate pursuant to
31 section 15-459, shall establish a local level classroom site fund to
32 receive allocations from the state level classroom site fund. The local
33 level classroom site fund shall be a budgetary controlled account.
34 Interest charges for any registered warrants for the local level classroom
35 site fund shall be a charge against the local level classroom site fund.
36 Interest earned on monies in the local level classroom site fund shall be
37 added to the local level classroom site fund as provided in section
38 15-978. This state shall not be required to make payments to a school
39 district or charter school local level classroom site fund that are in
40 addition to monies transferred to the state level classroom site fund
41 pursuant to section 37-521, subsection B and section 42-5029, subsection
42 E, paragraph 10.

43 N. Monies distributed from the classroom site fund for class size
44 reduction, ~~AIMS~~ ASSESSMENT intervention and dropout prevention programs
45 shall only be used for instructional purposes in the instruction function

1 as defined in the uniform system of financial records, except that monies
2 shall not be used for ~~school sponsored~~ SCHOOL-SPONSORED athletics.

3 0. For the purposes of this section:

4 1. "~~AIMS~~ ASSESSMENT intervention" means summer programs, after
5 school programs, before school programs or tutoring programs that are
6 specifically designed to ensure that pupils meet the Arizona academic
7 standards as measured by the ~~Arizona instrument to measure standards test~~
8 STATEWIDE ASSESSMENT prescribed by section 15-741.

9 2. "Class size reduction" means any maintenance and operations
10 expenditure that is designed to reduce the ratio of pupils to classroom
11 teachers, including the use of persons who serve as aides to classroom
12 teachers.

13 Sec. 13. Section 15-1805.01, Arizona Revised Statutes, is amended
14 to read:

15 15-1805.01. Admissions; enrollments; community colleges

16 A. Admissions to the community colleges in this state may be
17 granted to any person who meets ~~any~~ AT LEAST one of the following
18 criteria:

19 1. Is a graduate of a high school that is accredited by a regional
20 accrediting association as defined by the United States office of
21 education or approved by a state board of education or other appropriate
22 state educational agency.

23 2. Has a high school certificate of equivalency.

24 3. Is at least eighteen years of age and demonstrates evidence of
25 potential success in the community college.

26 4. Is a transfer student in good standing from another college or
27 university.

28 B. Each community college district shall adopt policies regarding
29 the admission of students WHO ARE under eighteen years of age that
30 include, at a minimum, student completion of course prerequisites and the
31 following requirements:

32 1. Admission to the community colleges in this state shall be
33 granted to any student who is under eighteen years of age and who achieves
34 AT LEAST one of the following:

35 (a) A composite score of 93 or more on the preliminary scholastic
36 aptitude test.

37 (b) A composite score of 930 or more on the scholastic aptitude
38 test.

39 (c) A composite score of twenty-two or more on the American college
40 test.

41 (d) A passing score on the relevant portions of the ~~Arizona~~
42 ~~instrument to measure standards test~~ STATEWIDE ASSESSMENT.

43 (e) The completion of a college placement test designated by the
44 community college district that indicates the student is at the
45 appropriate college level for the course.

1 (f) Is a graduate of a private or public high school or has a high
2 school certificate of equivalency.

3 2. A community college may limit the number of semester hours in
4 which the student may enroll to not more than six credit hours.

5 C. Homeschooled students are exempt from subsection B of this
6 section.

7 D. Students who enroll in vocational courses may be admitted on an
8 individual basis with the approval of college officials if the student
9 meets the established requirements of the courses for which the student
10 enrolls and the college officials determine that the student's admission
11 is in the best interest of the student.

12 Sec. 14. Emergency

13 This act is an emergency measure that is necessary to preserve the
14 public peace, health or safety and is operative immediately as provided by
15 law.

APPROVED BY THE GOVERNOR APRIL 4, 2017.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 4, 2017.

Passed the House March 28, 2017,

Passed the Senate February 6, 2017,

by the following vote: 46 Ayes,

by the following vote: 30 Ayes,

9 Nays, 5 Not Voting

Nays, 0 Not Voting

with emergency

Speaker of the House

President of the Senate

Jim Drake
Chief Clerk of the House

Season Owens
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~~

~~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~~

S.B. 1098

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate March 29, 20 17

by the following vote: 29 Ayes,
with Emergency

0 Nays, 1 Not Voting

Alan B. Goldkamp
President of the Senate

Susan Owens
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

29 day of March, 20 17

at 4:03 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 4th day of

April, 2017

at 10:24 o'clock A. M.

Joyce A. Fry
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 4 day of April, 20 17

at 4:47 o'clock P. M.

Michele Reagan
Secretary of State

S.B. 1098