



STATE OF ARIZONA
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY
GOVERNOR

EXECUTIVE OFFICE

April 11, 2018

The Honorable Michele Reagan
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

Dear Secretary Reagan:

I am transmitting to you the following bills from the Fifty-third Legislature, 2nd Regular Session, which I signed on April 11, 2018:

HB 2006 minimum age; marriage (Ugenti-Rita)
HB 2042 insurance coverage; telemedicine; urology (Carter)
HB 2047 workers' compensation; employee definition; LLCs (Livingston)
HB 2152 fingerprinting; joint powers authority (John)
HB 2154 personal information; data security breaches (Shope)
HB 2184 secretary of state; counties; rulemaking (Coleman)
HB 2216 schools; dropout recovery programs; report (Leach)
HB 2238 administrative decisions; review; scope (Farnsworth, E.)
HB 2244 dangerous crimes; children; fictitious age (Farnsworth, E.)
HB 2305 vehicle dealers; franchise regulations (Campbell)
HB 2323 schools; inhalers; contracted nurses (Carter)
HB 2342 off-highway vehicles; definition; user indicia (John)
HB 2464 sale of eggs; expiration date (Norgaard)
SB 1041 residency restrictions; sex offenders; victims (Kavanagh)
SB 1281 street lighting improvement districts; consolidation (Kavanagh)
SB 1355 border security trust fund; repeal (Griffin)
SB 1382 TPT; online lodging marketplace; registration (Kavanagh)
SB 1386 high-tech tax fraud (Farnsworth, D.)
SB 1395 temporary custody without court order (Barto)
SB 1421 environmental quality; amendments (Griffin)
SB 1436 prohibition; criminal history; occupational regulation (Borges)
SB 1465 sober living homes; certification (Brophy McGee)

Sincerely,

A handwritten signature in black ink, reading "Douglas A. Ducey". The signature is written in a cursive, flowing style with a large initial 'D'.

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary
Chief Clerk of the House of Representatives
Arizona News Service

Senate Engrossed House Bill
FILED

MICHELE REAGAN
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 179
HOUSE BILL 2216

AN ACT

AMENDING SECTION 15-901.06, ARIZONA REVISED STATUTES; RELATING TO SCHOOL FINANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-901.06, Arizona Revised Statutes, is amended
3 to read:

4 15-901.06. Dropout recovery programs; written learning plan;
5 requirements; annual report; definitions

6 A. Each school district and charter school that provides
7 instruction to high school pupils may offer a dropout recovery program for
8 eligible pupils.

9 B. The state board of education shall prescribe standards and
10 achievement testing requirements for dropout recovery programs that
11 attempt to ensure that the programs are compatible with public school
12 education goals and requirements. The standards shall require dropout
13 recovery programs to do all of the following:

14 1. Provide curricula aligned to the academic standards adopted by
15 the state board of education. The curricula may be delivered online. A
16 provider of Arizona online instruction pursuant to section 15-808 may not
17 also operate a dropout recovery program pursuant to this section.

18 2. Provide standardized tests required by federal and state law.

19 3. Make available appropriate and sufficient supports for pupils,
20 including tutoring, career counseling and college counseling.

21 4. Comply with federal and state laws governing pupils with
22 disabilities.

23 5. Meet state requirements for high school graduation.

24 C. Each eligible pupil who is enrolled in a dropout recovery
25 program shall have a written learning plan developed by the pupil's
26 assigned mentor. The written learning plan shall include the following
27 elements:

28 1. The start date and anticipated end date of the plan.

29 2. Courses to be completed by the pupil during the academic year.

30 3. Whether courses will be taken sequentially or concurrently.

31 4. State competency exams to be taken, as necessary.

32 5. Expectations for satisfactory monthly progress.

33 6. Expectations for contact with the pupil's assigned mentor.

34 D. The monthly participation in a dropout recovery program shall be
35 recorded on or before the tenth school day of each month and shall be
36 reported to the department of education at the same time as other data
37 required pursuant to section 15-1042. Monthly participation calculations
38 shall include:

39 1. Newly enrolled pupils who have a written learning plan on file
40 on or before the first school day of the previous month.

41 2. Pupils who met the expectations for satisfactory monthly
42 progress in the previous month.

43 3. Pupils who did not meet the expectations for satisfactory
44 monthly progress in the previous month but did meet the expectations in
45 the month before the previous month.

1 4. Pupils who met expectations for program reentry in the revised
2 written learning plan in the previous month.

3 E. Because dropout recovery pupils are not expected to regularly
4 attend classes at the district facilities, standard procedures for
5 recording pupil attendance cannot be effectively applied to those
6 students. For pupils participating in a dropout recovery program, an
7 eligible pupil shall be counted as being in attendance in the school's
8 average daily attendance calculations pursuant to subsection F of this
9 section if the pupil meets one of the following conditions:

10 1. Is in the first month of enrollment in the program and completes
11 the program orientation during that month.

12 2. Is enrolled in teacher-facilitated courses and meets the
13 expectations for satisfactory monthly progress for the current or previous
14 month. A pupil who does not meet expectations for monthly progress for
15 two or more consecutive months shall not be reported as being in
16 attendance until the pupil meets the expectations for program reentry.

17 3. Meets the expectations for program reentry in the revised
18 written learning plan.

19 F. If a pupil is enrolled in a school district or charter school
20 other than the school district or charter school that participates in the
21 dropout recovery program and also participates in a dropout recovery
22 program in the same fiscal year, the average daily membership as
23 prescribed in section 15-901, subsection A, paragraph 1, subdivisions (a)
24 and (b) for that pupil in the school district or charter school and in a
25 dropout recovery program shall not exceed 1.0, except that if the pupil is
26 enrolled in a dropout recovery program and a joint technical education
27 district, the average daily membership provisions of section 15-393 apply.
28 If the pupil is enrolled in both a school district or charter school and a
29 dropout recovery program in the same fiscal year and the sum of the
30 average daily membership and average daily attendance for that pupil is
31 greater than 1.0 or the amount prescribed in section 15-393 if the pupil
32 is enrolled in a joint technical education district, the sum shall be
33 reduced to 1.0 or to the amount specified in section 15-393 if the pupil
34 is enrolled in a joint technical education district and shall be
35 apportioned between the school district or charter school and the joint
36 technical education district, if applicable, and the dropout recovery
37 program based on the proportionate shares of average daily membership in
38 the school district or charter school and the average daily attendance in
39 the dropout recovery program. The uniform system of financial records
40 shall include guidelines for the apportionment of pupil enrollment and
41 attendance as provided in this subsection. Pupils in a dropout recovery
42 program do not incur absences for purposes of this subsection and may
43 generate average daily attendance for attendance during any hour of the
44 day, during any day of the week and at any time between July 1 and June 30
45 of each fiscal year. The average daily attendance of a pupil who

1 participates in a dropout recovery program shall not exceed 1.0 or the
2 amount prescribed in section 15-393 if the pupil is enrolled in a joint
3 technical education district, and shall be calculated by fulfilling the
4 requirements of subsection E of this section. Average daily membership
5 shall not be calculated on the one hundredth day of instruction for the
6 purposes of this section.

7 G. Notwithstanding section 15-901, subsection A, paragraph 1, the
8 average daily membership for pupils enrolled in a dropout recovery program
9 shall equal the average daily attendance of the pupils.

10 H. School districts and charter schools shall be responsible for
11 tuition charges and fees related to pupil participation in a dropout
12 recovery program, including course materials and access to technology for
13 use with online courses.

14 I. School districts and charter schools may contract with an
15 educational management organization to provide a dropout recovery program.
16 If contracting with an educational management organization, the school
17 district or charter school shall ensure that all of the following
18 requirements are met:

19 1. The educational management organization is accredited by a
20 regional accrediting body.

21 2. Teachers provided by the educational management organization
22 hold a current teaching license from any state and a valid Arizona
23 fingerprint clearance card pursuant to section 15-534, and teachers of
24 core subjects are highly qualified in the subjects to which they are
25 assigned.

26 J. Dropout recovery programs shall be classified as alternative
27 schools and shall be subject to the accountability provisions of section
28 15-241.

29 K. Entities that are contracted to provide dropout recovery
30 programs may conduct outreach to encourage pupils who are not currently
31 enrolled in a school district or charter school in this state to return to
32 school. Entities that are contracted to provide dropout recovery programs
33 shall not conduct advertising or marketing campaigns directed at pupils
34 who are currently enrolled in a school district or charter school, or
35 undertake any other activity that encourages pupils who are currently
36 enrolled in a school district or charter school to stop attending school
37 in order to qualify for a dropout recovery program.

38 L. THE DEPARTMENT OF EDUCATION SHALL SUBMIT AN ANNUAL REPORT TO THE
39 GOVERNOR, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF
40 REPRESENTATIVES THAT DETAILS THE OUTCOMES OF DROPOUT RECOVERY PROGRAMS,
41 INCLUDING THE NUMBER OF PUPILS WHO PARTICIPATE IN THE PROGRAMS AND THE
42 NUMBER OF PUPILS WHO PARTICIPATE IN THE PROGRAMS AND WHO GRADUATE FROM
43 HIGH SCHOOL. THE DEPARTMENT SHALL PROVIDE A COPY OF THE ANNUAL REPORT TO
44 THE SECRETARY OF STATE.

1 M. For the purposes of this section:

2 1. "Eligible pupil" means a pupil who, if enrolled, would be
3 eligible for placement in an alternative school but who is not currently
4 enrolled in a school district or charter school and who has been withdrawn
5 from a school district or charter school for at least thirty days, unless
6 the district determines that the student is unable to participate in other
7 district programs.

8 2. "Satisfactory monthly progress" means an amount of progress that
9 is measurable on a monthly basis and that, if continued for twelve months,
10 would result in the same amount of academic credit being awarded to the
11 pupil as would be awarded to a pupil in a traditional education program
12 who completes a full school year. Satisfactory monthly progress may
13 include a lesser required amount of progress for the first two months that
14 a pupil participates in the program.

APPROVED BY THE GOVERNOR APRIL 11, 2018

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 11, 2018

Passed the House February 21, 20 18

Passed the Senate March 27, 20 18

by the following vote: 60 Ayes,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

0 Nays, 0 Not Voting

[Signature]
Speaker of the House
 Pro Tempore
Jim Dale
Chief Clerk of the House

[Signature]
President of the Senate
Susan Owens
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

 day of , 20

at o'clock M.

Secretary to the Governor

Approved this day of

at o'clock M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this day of , 20

at o'clock M.

Secretary of State

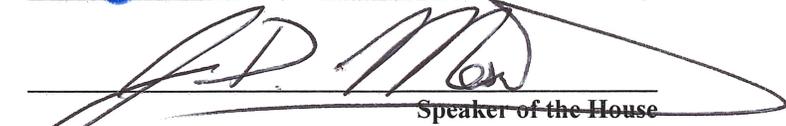
H.B. 2216

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

April 5, 20 18,

by the following vote: 59 Ayes,

0 Nays, 1 Not Voting



Speaker of the House

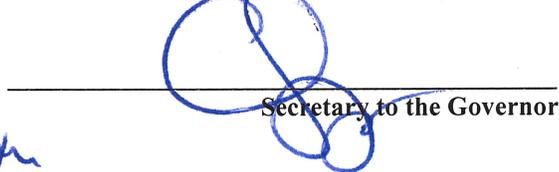


Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this
5th day of April, 20 18

at 3:12 o'clock P. M.



Secretary to the Governor

Approved this 11th day of

April, 20 18,

at 1:21 o'clock P. M.



Governor of Arizona

H.B. 2216

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this 11 day of April, 20 18,

at 4:50 o'clock P. M.



Secretary of State