



STATE OF ARIZONA  
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY  
GOVERNOR

EXECUTIVE OFFICE

May 15, 2018

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

Dear Secretary Reagan:

I am transmitting to you the following bills from the Fifty-third Legislature, 2<sup>nd</sup> Regular Session, which I signed on May 15, 2018:

HB 2108 ASDB; teacher salaries; personnel fingerprinting (Boyer)  
SB 1444 schools; American civics education (Yee)  
SB 1505 Native American code writers program (Smith)

Sincerely,

Douglas A. Ducey  
Governor  
State of Arizona

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

Senate Engrossed  
**FILED**

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

State of Arizona  
Senate  
Fifty-third Legislature  
Second Regular Session  
2018

**CHAPTER 289**  
**SENATE BILL 1444**

AN ACT

AMENDING SECTION 15-701.01, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2015, CHAPTER 1, SECTION 1, CHAPTER 127, SECTION 1 AND CHAPTER 145, SECTION 1; REPEALING SECTION 15-701.01, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2017, CHAPTER 210, SECTION 4; APPROPRIATING MONIES; RELATING TO SCHOOL CURRICULA.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-701.01, Arizona Revised Statutes, as amended  
3 by Laws 2015, chapter 1, section 1, chapter 127, section 1 and chapter  
4 145, section 1, is amended to read:

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

8 A. The state board of education shall:

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

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

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

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

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

37 2. Prescribe criteria for the graduation of pupils from the high  
38 schools in the school district. These criteria shall include  
39 accomplishment of the academic standards in at least reading, writing,  
40 mathematics, science and social studies, as determined by district  
41 assessment. Other criteria may include additional measures of academic  
42 achievement and attendance. Pursuant to the prescribed graduation  
43 requirements adopted by the state board of education, the governing board  
44 may approve a rigorous computer science course that would fulfill a  
45 mathematics course required for graduation from high school. The

1 governing board may approve a rigorous computer science course only if the  
2 rigorous computer science course includes significant mathematics content  
3 and the governing board determines the high school where the rigorous  
4 computer science course is offered has sufficient capacity, infrastructure  
5 and qualified staff, including competent teachers of computer science.  
6 The school district governing board or charter school governing body may  
7 determine the method and manner in which to administer a test that is  
8 identical to the civics portion of the naturalization test used by the  
9 United States citizenship and immigration services. A pupil who does not  
10 obtain a passing score on the test that is identical to the civics portion  
11 of the naturalization test may retake the test until the pupil obtains a  
12 passing score.

13 C. The governing board may prescribe the course of study and  
14 competency requirements for the graduation of pupils from high school that  
15 are in addition to or higher than the course of study and competency  
16 requirements that the state board prescribes.

17 D. The governing board may prescribe competency requirements for  
18 the passage of pupils in courses that are required for graduation from  
19 high school.

20 E. A teacher shall determine whether to pass or fail a pupil in a  
21 course in high school ~~as provided in section 15-521, paragraph 4~~ on the  
22 basis of the competency requirements, if any have been prescribed. The  
23 governing board, if it reviews the decision of a teacher to pass or fail a  
24 pupil in a course in high school as provided in section 15-342, paragraph  
25 11, shall base its decision on the competency requirements, if any have  
26 been prescribed.

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

1 high school graduation and that may be met by taking community college or  
2 university courses. For the purposes of this subsection:

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

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

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

20 H. If a pupil who was previously enrolled in a charter school or  
21 school district enrolls in a school district in this state, the school  
22 district shall accept credits earned by the pupil in courses or  
23 instructional programs at the charter school or school district. The  
24 governing board of a school district may adopt a policy concerning the  
25 application of transfer credits for the purpose of determining whether a  
26 credit earned by a pupil who was previously enrolled in a school district  
27 or charter school will be assigned as an elective or core credit.

28 I. A pupil who transfers credit from a charter school, A school  
29 district or Arizona online instruction shall be provided with a list that  
30 indicates which credits have been accepted as ~~an~~ elective ~~credit~~ CREDITS  
31 and which credits have been accepted as ~~a~~ core ~~credit~~ CREDITS by the  
32 school district or charter school. Within ten school days after receiving  
33 the list, ~~a~~ THE pupil may request to take an examination in each  
34 particular course in which core credit has been denied. The school  
35 district or charter school shall accept the credit as a core credit for  
36 each particular course in which the pupil takes an examination and  
37 receives a passing score on a test, ~~THAT IS~~ aligned to the competency  
38 requirements adopted pursuant to this section, ~~AND THAT IS~~ designed and  
39 evaluated by a teacher in the school district or charter school who  
40 teaches the subject matter on which the examination is based. If a pupil  
41 is enrolled in a school district or charter school and that pupil also  
42 participates in Arizona online instruction between May 1 and July 31, the  
43 school district or charter school shall not require proof of payment as a  
44 condition of the school district or charter school accepting credits  
45 earned from the online course provider.

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

5 K. Pupils who earn a Grand Canyon diploma pursuant to article 6 of  
6 this chapter are exempt from the graduation requirements prescribed in  
7 this section. Pupils who earn a Grand Canyon diploma are entitled to all  
8 the rights and privileges of persons who graduate with a high school  
9 diploma issued pursuant to this section, including access to postsecondary  
10 scholarships and other forms of student financial aid and access to all  
11 forms of postsecondary education. Notwithstanding any other law, a pupil  
12 who is eligible for a Grand Canyon diploma may elect to remain in high  
13 school through grade twelve and shall not be prevented from enrolling at a  
14 high school after the pupil becomes eligible for a Grand Canyon diploma.  
15 A pupil who is eligible for a Grand Canyon diploma and who elects not to  
16 pursue one of the options prescribed in section 15-792.03 may only be  
17 readmitted to that high school or another high school in this state  
18 pursuant to policies adopted by the school district of readmission.

19 Sec. 2. Repeal

20 Section 15-701.01, Arizona Revised Statutes, as amended by Laws  
21 2017, chapter 210, section 4, is repealed.

22 Sec. 3. American civics education pilot program; reporting  
23 requirements; fund; delayed repeal

24 A. The department of education shall develop a five-year pilot  
25 program to begin in the 2019-2020 school year for American civics  
26 education in grades nine through twelve to enhance the focus on American  
27 civics education in schools selected to participate in the pilot program.  
28 The department of education shall develop application procedures and  
29 selection criteria for school districts, district schools and charter  
30 schools that voluntarily decide to participate in the pilot program for  
31 five consecutive years. The number of school districts, district schools  
32 and charter schools selected to participate in the pilot program shall  
33 proportionally reflect the number of school districts, district schools  
34 and charter schools in Arizona. School districts that apply to  
35 participate in the pilot program may apply for either of the entire school  
36 district or one or multiple schools within the school district to  
37 participate. The state board of education shall approve each school  
38 district, district school and charter school selected by the department of  
39 education to participate in the pilot program.

40 B. The department of education shall consider the extent to which a  
41 school district, district school or charter school that applies to  
42 participate in the pilot program currently provides American civics  
43 education for high school students and shall prioritize school districts,  
44 district schools and charter schools that it determines currently provide  
45 fewer instructional hours on American civics education.

1 C. Each school district, district school or charter school selected  
2 to participate in the pilot program shall:

3 1. Administer the assessment of American civics education selected  
4 pursuant to subsection D of this section.

5 2. Require at least one American civics course lasting at least one  
6 school semester. The curriculum for American civics courses offered  
7 through the pilot program shall be determined by the individual school or  
8 school district and may be administered through a digital software  
9 program.

10 D. The department of education shall:

11 1. Subject to approval by the state board of education, submit a  
12 request for proposals to assessment providers to deliver an assessment of  
13 American civics education that the department of education determines to  
14 be a more rigorous measure of American civics education than the test that  
15 is identical to the civics portion of the naturalization test used by the  
16 United States citizenship and immigration services pursuant to section 15-  
17 701.01, Arizona Revised Statutes, and that can be made available to pupils  
18 in high schools selected to participate in the pilot program.

19 2. Establish the format of the applications, application procedures  
20 and selection criteria for assessment providers that wish to submit a  
21 proposal to deliver a qualifying American civics education assessment  
22 pursuant to this subsection.

23 3. Subject to approval by the state board of education, select and  
24 award a contract to one assessment provider to deliver the American civics  
25 education assessment pursuant to this subsection.

26 4. Subject to approval by the state board of education, determine  
27 the cut score on the assessment selected pursuant to this subsection to  
28 determine proficiency in American civics education pursuant to this  
29 section.

30 E. The assessment selected pursuant to subsection D of this section  
31 is required to be administered to each pupil attending a participating  
32 high school. School districts, district schools and charter schools  
33 selected to participate in the pilot program are exempt from administering  
34 the test that is identical to the civics portion of the naturalization  
35 test used by the United States citizenship and immigration services  
36 pursuant to section 15-701.01, Arizona Revised Statutes.

37 F. If the department of education determines on an annual basis  
38 that a school or school district is not adequately educating pupils  
39 participating in the pilot program the department may terminate the  
40 participation of a school or school district in the pilot program, subject  
41 to approval by the state board of education. The department of education  
42 shall consider the performance of pupils on the assessment selected  
43 pursuant to subsection D of this section when considering the termination  
44 of the participation of a school or school district in the pilot program.

1 G. On or before September 31, 2019, the department of education  
2 shall submit to the governor, the president of the senate and the speaker  
3 of the house of representatives a progress report on the development and  
4 administration of the pilot program established pursuant to this section.  
5 The department shall submit a copy of this report to the secretary of  
6 state.

7 H. On or before September 1, 2020 and each year thereafter through  
8 the 2023-2024 school year, the department of education shall submit a  
9 report detailing pupil results on the American civics education assessment  
10 administered pursuant to subsection D of this section to the governor, the  
11 president of the senate, the speaker of the house of representatives and  
12 the state board of education. The department of education shall submit a  
13 copy of this report to the secretary of state.

14 I. The American civics education fund is established consisting of  
15 legislative appropriations and other monies transferred to the fund. The  
16 department of education shall administer the fund. Monies in the fund are  
17 subject to legislative appropriation. Monies in the fund shall be used  
18 for the American civics education pilot program established pursuant to  
19 this section. Monies in the fund are exempt from the provisions of  
20 section 35-190, Arizona Revised Statutes, relating to lapsing of  
21 appropriations.

22 J. This section is repealed from and after December 31, 2024.

23 Sec. 4. Appropriation; department of education; American  
24 civics education pilot program

25 A. The sum of \$500,000 is appropriated from the state general fund  
26 in fiscal year 2019-2020 to the American civics education fund established  
27 by this act for the purpose of administering the American civics education  
28 pilot program established pursuant to this act.

29 B. The department of education may retain up to \$50,000 for the  
30 administration of the program and shall distribute the remainder of the  
31 appropriation made in subsection A of this section as follows:

32 1. Award the assessment provider selected by the department of  
33 education and approved by the state board of education pursuant to this  
34 act a portion of the monies appropriated to assess pupils in American  
35 civics education.

36 2. Award all remaining monies to each school district, district  
37 school and charter school selected to participate in the pilot program in  
38 a proportional amount for the costs incurred to participate in the pilot  
39 program, including the costs associated with providing at least one course  
40 in American civics education and administering the assessment of American  
41 civics education required pursuant to this act.

**APPROVED BY THE GOVERNOR MAY 15, 2018**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 15, 2018**

Passed the House May 3, 20 18,

Passed the Senate March 5, 20 18,

by the following vote: 52 Ayes,

by the following vote: 29 Ayes,

7 Nays, 1 Not Voting

0 Nays, 1 Not Voting

[Signature]  
Speaker of the House

[Signature]  
President of the Senate

[Signature]  
Chief Clerk of the House

[Signature]  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

3<sup>rd</sup> day of May, 20 18

at 5:51 o'clock p M.

[Signature]  
Secretary to the Governor

Approved this 15<sup>th</sup> day of

May, 20 18,

at 10:04 o'clock a M.

[Signature]  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 15 day of May, 20 18,

at 3:14 o'clock p M.

[Signature]  
Secretary of State

S.B. 1444