



STATE OF ARIZONA
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY
GOVERNOR

EXECUTIVE OFFICE

April 11, 2019

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

Dear Secretary Hobbs:

I am transmitting to you the following bills from the Fifty-fourth Legislature, 1st Regular Session, which I signed on April 11th, 2019:

H.B. 2008 duty to report; supervisor; administrator (Kavanagh)
H.B. 2053 competency evaluations; reports (J. Allen)
H.B. 2092 health care directives; definitions (Grantham)
H.B. 2107 municipalities; parking; public vehicles (Grantham)
H.B. 2137 workers' compensation; excess insurance policies (Biasiucci)
H.B. 2166 insurance; cost-sharing; calculation (Barto)
H.B. 2229 cable licensing; video service providers (J. Allen)
H.B. 2272 G&F; resident; definition (Dunn)
H.B. 2487 state veterans' homes (Lawrence)
H.B. 2695 funds; repeal (Udall)
H.B. 2721 town elected officials; term limits (Lawrence)
S.B. 1077 emergency medical services council; continuation (Brophy-McGee)
S.B. 1142 trust land fund monies; distributions (D. Farnsworth)
S.B. 1170 nonprescription drug permits; repeal (Carter)
S.B. 1184 schools; economics; personal financial management (S. Allen)
S.B. 1256 school districts: procurement practices; auditors (Gray)
S.B. 1346 school; assessments; instruction; reporting (S. Allen)

Sincerely,

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary

Chief Clerk of the House of Representatives
Arizona News Service

House Engrossed Senate Bill

FILED
KATIE HOBBS
SECRETARY OF STATE

State of Arizona
Senate
Fifty-fourth Legislature
First Regular Session
2019

CHAPTER 86
SENATE BILL 1346

AN ACT

AMENDING SECTIONS 15-716, 15-741.02 AND 15-1821.01, ARIZONA REVISED
STATUTES; RELATING TO EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-716, Arizona Revised Statutes, is amended to
3 read:

4 15-716. Instruction on acquired immune deficiency syndrome;
5 department assistance

6 A. Each common, high and unified school district may provide
7 instruction to PUPILS IN kindergarten programs AND GRADES ONE through ~~the~~
8 ~~twelfth grade~~ TWELVE on acquired immune deficiency syndrome and the human
9 immunodeficiency virus.

10 B. Each SCHOOL district ~~is free to~~ MAY develop its own course of
11 study for each grade. At a minimum, instruction shall:

- 12 1. Be appropriate to the grade level in which it is offered.
- 13 2. Be medically accurate.
- 14 3. Promote abstinence.
- 15 4. Discourage drug abuse.

16 5. Dispel myths regarding transmission of the human
17 immunodeficiency virus.

18 ~~C. No district shall include in its course of study instruction~~
19 ~~which:~~

- 20 ~~1. Promotes a homosexual life-style.~~
- 21 ~~2. Portrays homosexuality as a positive alternative life-style.~~
- 22 ~~3. Suggests that some methods of sex are safe methods of homosexual~~
23 ~~sex.~~

24 ~~D.~~ C. At the request of a school district, the department of
25 health services or the department of education shall review instruction
26 materials to determine their medical accuracy.

27 ~~E.~~ D. At the request of a school district, the department of
28 education shall provide the following assistance:

- 29 1. A suggested course of study.
- 30 2. Teacher training.
- 31 3. A list of available films and other teaching aids.

32 ~~F.~~ E. At the request of a parent, a pupil shall be excused from
33 instruction on the acquired immune deficiency syndrome and the human
34 immunodeficiency virus as provided in subsection A of this section. The
35 school district shall PROVIDE A DESCRIPTION OF THE COURSE CURRICULUM TO
36 ALL PARENTS AND notify all parents of their ability to withdraw their
37 child from the instruction.

38 Sec. 2. Section 15-741.02, Arizona Revised Statutes, is amended to
39 read:

40 15-741.02. Menu of achievement assessments; requirements;
41 rules; definition

42 A. The state board of education shall adopt a menu of achievement
43 assessments to measure pupil achievement of the state academic standards.
44 Beginning in the 2018-2019 school year, each local education agency that
45 offers instruction in grades nine through twelve may select from that menu

1 an achievement assessment to administer to the pupils in ~~one or more~~
2 ~~schools in~~ that local education agency IN GRADES DESIGNATED BY THE STATE
3 BOARD instead of the ~~test~~ STATEWIDE ASSESSMENT to measure pupil
4 achievement adopted by the state board ~~of education~~ pursuant to section
5 15-741. ~~Beginning in~~ NO LATER THAN the ~~2019-2020~~ 2023-2024 school year,
6 each local education agency that offers instruction in grades three
7 through eight may select from that menu an achievement assessment to
8 administer to the pupils in that local education agency instead of the
9 ~~test~~ STATEWIDE ASSESSMENT to measure pupil achievement adopted by the
10 state board pursuant to section 15-741. The department of education shall
11 provide adequate staff support for the state board to comply with this
12 section.

13 B. An achievement assessment in use by a local education agency
14 that is not on the menu of assessments by March 1, 2018 may be added to
15 the menu at the request of the local education agency and shall be
16 approved by the state board of education if the assessment is nationally
17 recognized, a qualifying college credit examination pursuant to section
18 15-249.06 or an assessment adopted pursuant to section 15-792.03. The
19 state board may approve any other assessment if the assessment meets the
20 requirements of subsection E of this section. The state board shall
21 evaluate assessments that are not on the menu pursuant to this section
22 annually and shall notify local education agencies of the results on or
23 before May 1 of each year.

24 C. A local education agency that selects an achievement assessment
25 pursuant to this section meets the requirements prescribed in section
26 15-741. The local education agency shall include the name of the
27 assessment it administers in the school report card required in section
28 15-746 and administer the assessment for a minimum period of time
29 prescribed by the state board of education.

30 D. The state board of education shall adopt POLICIES, rules and
31 procedures ~~for the approval of assessments to be administered by the~~
32 ~~superintendent of public instruction pursuant to this section TO CARRY OUT~~
33 THIS SECTION. Any POLICY, rule or procedure adopted pursuant to this
34 subsection may not require a local education agency to receive additional
35 approval from the state board or the department of education to select an
36 assessment from the menu of assessments ~~and may not require any additional~~
37 ~~requirements other than those required by subsection E of this section.~~ A
38 local education agency that adopts an achievement assessment pursuant to
39 this section shall provide the necessary reasonable accommodations for a
40 student who is an English language learner and the necessary
41 accommodations and modifications for a student as required by the
42 student's individualized education program team.

43 E. The state board of education shall require that the provider of
44 an achievement assessment that is proposed for the menu of achievement
45 assessments do all of the following:

1 1. Provide evidence that the assessment is a high quality
2 assessment.

3 2. Demonstrate that the assessment meets or exceeds the level of
4 rigor of the state board's adopted academic standards.

5 3. Demonstrate that the assessment scores can be scaled for state
6 accountability programs including establishing comparable student
7 performance levels for achievement profiles and letter grade
8 classifications issued pursuant to section 15-241.

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

12 5. Provide a copy of assessment scores to the department of
13 education when scores are provided to the partnering local education
14 agency.

15 F. For the purposes of this section, "nationally recognized" means
16 accepted by universities for the purposes of awarding college credit or
17 admissions.

18 Sec. 3. Section 15-1821.01, Arizona Revised Statutes, is amended to
19 read:

20 15-1821.01. Dual enrollment information

21 On a determination by a community college district governing board
22 that it is in the best interest of the citizens of a district, the
23 district governing board may authorize district community colleges to
24 offer college courses that may be counted toward both high school and
25 college graduation requirements at the high school during the school day,
26 subject to the following:

27 1. The community college district governing board and the governing
28 board of the school district or organization of which the high school is a
29 part shall enter into an agreement or contract. These intergovernmental
30 agreements or contracts shall be based on a uniform format that has been
31 cooperatively developed by the community college districts in this state.
32 Each of these agreements or contracts shall clearly specify the following:

33 (a) The financial provisions of the agreement or contract and the
34 format for the billing of all services under the agreement or contract,
35 including the amount that the community college received in full-time
36 student equivalent funding pursuant to section 15-1466.01, the portion of
37 the funding that is distributed to the school district governing board or
38 charter school and any amount that is subsequently returned to the
39 community college district by the school district governing board or
40 charter school.

41 (b) Student tuition and financial aid policies, including whether
42 scholarships or grants are awarded to students in dual enrollment courses
43 from the community college.

44 (c) The accountability provisions for each party to the agreement
45 or contract.

1 (d) The responsibilities and services required of each party to the
2 agreement or contract.

3 (e) The type of instruction that will be provided under the
4 agreement or contract, including the titles of the courses to be offered.

5 (f) The quality of the instruction that will be provided under the
6 agreement or contract.

7 2. Students shall be admitted to the community college under the
8 policies adopted by each district, subject to the following:

9 (a) All students WHO ARE enrolled for college credit shall be high
10 school juniors or seniors. All students WHO ARE in the course, including
11 those not electing to enroll for college credit, shall satisfy the
12 prerequisites for the course as published in the college catalog and shall
13 comply with college policies regarding student placement in courses.

14 (b) A community college may waive the class status requirements
15 specified in subdivision (a) of this paragraph for up to twenty-five
16 percent of the students enrolled by a college in courses, ~~provided that~~ IF
17 the community college has established written criteria for waiving the
18 requirements for each course. These criteria shall include a
19 demonstration, by an examination of the specific purposes and requirements
20 of the course, that freshman and sophomore students who meet course
21 prerequisites are prepared to benefit from the college-level course. All
22 exceptions and the justification for the exceptions shall be reported
23 annually to the joint legislative budget committee on or before ~~October~~
24 DECEMBER 1.

25 3. The courses shall be previously evaluated and approved through
26 the curriculum approval process of the district, shall be at a higher
27 level than taught by the high school and shall be transferable to a
28 university under the jurisdiction of the Arizona board of regents or be
29 applicable to an established community college occupational degree or
30 certificate program. Physical education courses are not available for
31 dual enrollment purposes.

32 4. College-approved textbooks, syllabuses, course outlines and
33 grading standards that are applicable to the courses if taught at the
34 community college shall apply to these courses and to all students in the
35 courses offered pursuant to this section. The chief executive officer of
36 each community college shall establish an advisory committee of full-time
37 faculty who teach in the disciplines offered at the community college to
38 assist in course selection and implementation in the high schools and to
39 review and report at least annually to the chief executive officer whether
40 the course goals and standards are understood, the course guidelines are
41 followed and the same standards of expectation and assessment are applied
42 to these courses as though they were being offered at the community
43 college. The advisory committee of full-time faculty shall meet at least
44 three times each academic year.

1 5. Each faculty member shall meet the requirements established by
2 the governing board pursuant to section 15-1444. The chief executive
3 officer of each community college district shall establish an advisory
4 committee of full-time faculty who teach in the disciplines offered at the
5 community college district to assist in the selection, orientation,
6 ongoing professional development and evaluation of faculty WHO ARE
7 teaching college courses in conjunction with the high schools. The
8 advisory committee of full-time faculty shall meet at least two times each
9 academic year.

10 6. A school district shall ensure that a pupil is a full-time
11 student as defined in section 15-901 and is enrolled in and attending a
12 full-time instructional program at a school in the school district before
13 that pupil is allowed to enroll in a college course pursuant to this
14 section, except that high school seniors who satisfy high school
15 graduation requirements with less than a full-time instructional program
16 are exempt from this paragraph.

17 7. Notwithstanding paragraph 6 of this section, homeschooled
18 students may fully participate in dual enrollment, including receipt of
19 college credit pursuant to this section.

20 Sec. 4. Statewide assessment; menu of assessments; report

21 A. On or before July 1, 2019, the state board of education shall
22 adopt a plan regarding the development, implementation and adoption of a
23 new statewide assessment and the menu of assessments in grades three
24 through eight and in grades nine through twelve. The plan shall include
25 timelines for implementation, including the possibility of implementing
26 the menu of assessments in grades three through eight in the 2021-2022
27 school year. The board shall post the plan on its website and provide a
28 copy to the governor, the president of the senate, the speaker of the
29 house of representatives, the chair of the senate education committee and
30 the chair of the house of representatives education committee.

31 B. The Arizona department of education shall collaborate with a
32 diverse group of educators and school administrators in this state to
33 revise and replace test items for the statewide assessment required
34 pursuant to section 15-741, Arizona Revised Statutes.

35 Sec. 5. Retroactivity

36 Section 4 of this act applies retroactively to from and after
37 June 30, 2019.

APPROVED BY THE GOVERNOR APRIL 11, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 11, 2019.

Passed the House April 10, 20 19,

by the following vote: 55 Ayes,

5 Nays, 0 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

Passed the Senate February 28, 20 19,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR~~

~~This Bill was received by the Governor this~~

~~_____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary to the Governor~~

~~Approved this _____ day of~~

~~_____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Governor of Arizona~~

S.B. 1346

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE~~

~~This Bill was received by the Secretary of State~~

~~this _____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary of State~~

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 11, 2019

by the following vote: 19 Ayes,

10 Nays, 1 Not Voting

Karen Farns
President of the Senate

Susan Owens
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

11th day of April, 2019

at 11:24 o'clock A M.

[Signature]
Secretary to the Governor

Approved this 11th day of

April, 2019

at 11:33 o'clock A M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 11 day of April, 2019

at 4:55 o'clock P. M.

[Signature]
Secretary of State