



# Arizona Administrative REGISTER

Published by the Department of State ~ Office of the Secretary of State

Vol. 24, Issue 4

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January 26, 2018

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# From the Publisher

## ABOUT THIS PUBLICATION

The paper copy of the *Administrative Register* (A.A.R.) is the official publication for rules and rulemaking activity in the state of Arizona.

Rulemaking is defined in Arizona Revised Statutes known as the Arizona Administrative Procedure Act (APA), A.R.S. Title 41, Chapter 6, Articles 1 through 10.

The Office of the Secretary of State does not interpret or enforce rules published in the *Arizona Administrative Register* or *Code*. Questions should be directed to the state agency responsible for the promulgation of the rule as provided in its published filing.

The *Register* is cited by volume and page number. Volumes are published by calendar year with issues published weekly. Page numbering continues in each weekly issue.

In addition, the *Register* contains the full text of the Governor's Executive Orders and Proclamations of general applicability, summaries of Attorney General opinions, notices of rules terminated by the agency, and the Governor's appointments of state officials and members of state boards and commissions.

## ABOUT RULES

Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number). Rules activity published in the *Register* includes: proposed, final, emergency, expedited, and exempt rules as defined in the APA.

Rulemakings initiated under the APA as effective on and after January 1, 1995, include the full text of the rule in the *Register*. New rules in this publication (whether proposed or made) are denoted with underlining; repealed text is stricken.

## WHERE IS A "CLEAN" COPY OF THE FINAL OR EXEMPT RULE PUBLISHED IN THE REGISTER?

The *Arizona Administrative Code* (A.A.C.) contains the codified text of rules. The A.A.C. contains rules promulgated and filed by state agencies that have been approved by the Attorney General or the Governor's Regulatory Review Council. The *Code* also contains rules exempt from the rulemaking process.

The printed *Code* is the official publication of a rule in the A.A.C., and is prima facie evidence of the making, amendment, or repeal of that rule as provided by A.R.S. § 41-1012. Paper copies of rules are available by full Chapter or by subscription. The *Code* is posted online for free.

## LEGAL CITATIONS AND FILING NUMBERS

On the cover: Each agency is assigned a Chapter in the *Arizona Administrative Code* under a specific Title. Titles represent broad subject areas. The Title number is listed first; with the acronym A.A.C., which stands for the *Arizona Administrative Code*; following the Chapter number and Agency name, then program name. For example, the Secretary of State has rules on rulemaking in Title 1, Chapter 1 of the *Arizona Administrative Code*. The citation for this chapter is 1 A.A.C. 1, Secretary of State, Rules and Rulemaking

Every document filed in the office is assigned a file number. This number, enclosed in brackets, is located at the top right of the published documents in the *Register*. The original filed document is available for 10 cents a page.

# Arizona Administrative REGISTER

Vol. 24

Issue 4

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**ADMINISTRATIVE REGISTER**  
This publication is available online for free at [www.azsos.gov](http://www.azsos.gov).

**ADMINISTRATIVE CODE**  
A price list for the *Arizona Administrative Code* is available online. You may also request a paper price list by mail. To purchase a paper Chapter, contact us at (602) 364-3223.

**PUBLICATION DEADLINES**  
Publication dates are published in the back of the *Register*. These dates include file submittal dates with a three-week turnaround from filing to published document.

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# Participate in the Process

## Look for the Agency Notice

Review (inspect) notices published in the *Arizona Administrative Register*. Many agencies maintain stakeholder lists and would be glad to inform you when they proposed changes to rules. Check an agency's website and its newsletters for news about notices and meetings.

Feel like a change should be made to a rule and an agency has not proposed changes? You can petition an agency to make, amend, or repeal a rule. The agency must respond to the petition. (See A.R.S. § 41-1033)

## Attend a public hearing/meeting

Attend a public meeting that is being conducted by the agency on a Notice of Proposed Rulemaking. Public meetings may be listed in the Preamble of a Notice of Proposed Rulemaking or they may be published separately in the *Register*. Be prepared to speak, attend the meeting, and make an oral comment.

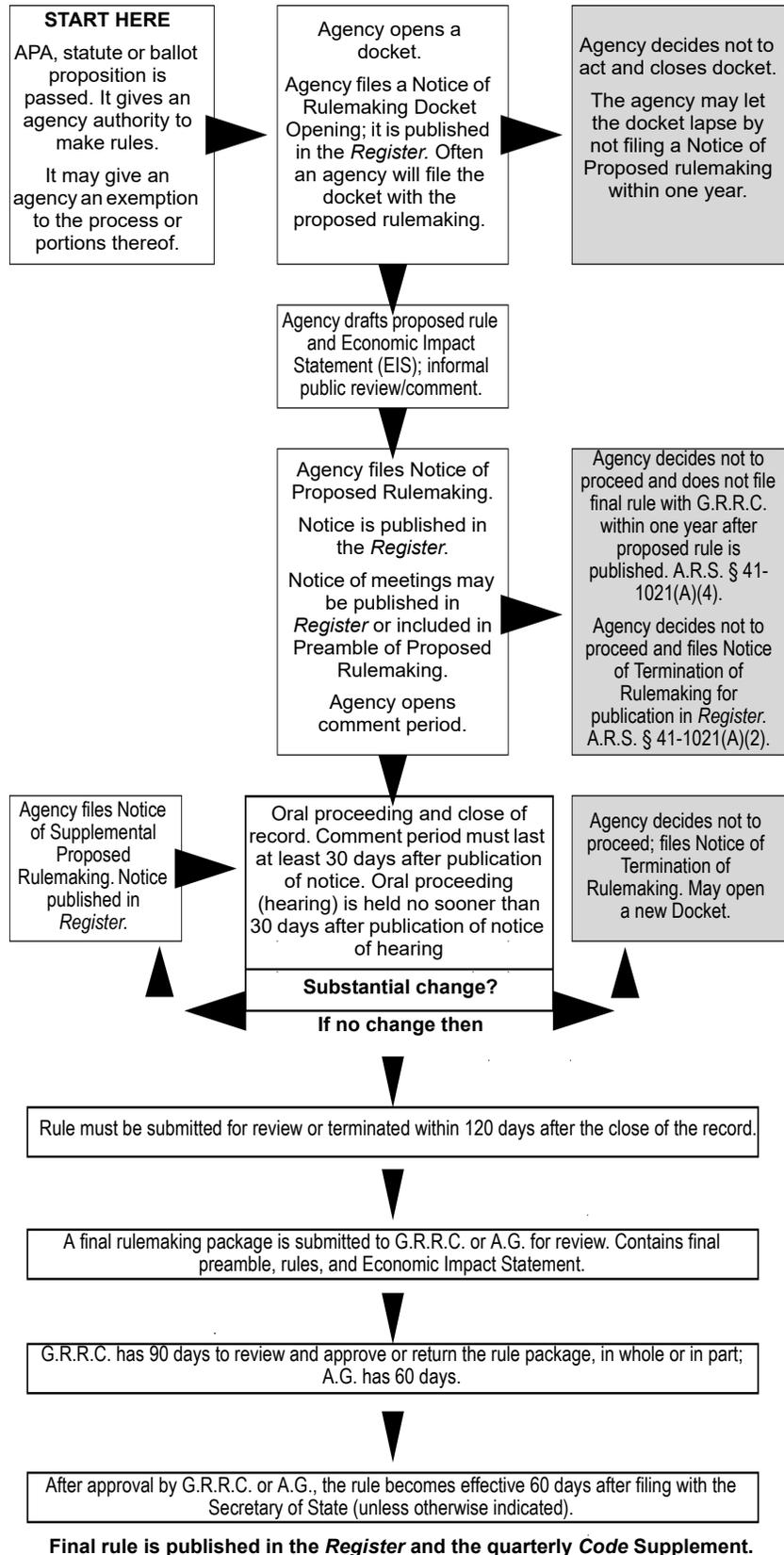
An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

## Write the agency

Put your comments in writing to the agency. In order for the agency to consider your comments, the agency must receive them by the close of record. The comment must be received within the 30-day comment timeframe following the *Register* publication of the Notice of Proposed Rulemaking.

You can also submit to the Governor's Regulatory Review Council written comments that are relevant to the Council's power to review a given rule (A.R.S. § 41-1052). The Council reviews the rule at the end of the rulemaking process and before the rules are filed with the Secretary of State.

## Arizona Regular Rulemaking Process



## Definitions

**Arizona Administrative Code (A.A.C.):** Official rules codified and published by the Secretary of State's Office. Available online at [www.azsos.gov](http://www.azsos.gov).

**Arizona Administrative Register (A.A.R.):** The official publication that includes filed documents pertaining to Arizona rulemaking. Available online at [www.azsos.gov](http://www.azsos.gov).

**Administrative Procedure Act (APA):** A.R.S. Title 41, Chapter 6, Articles 1 through 10. Available online at [www.azleg.gov](http://www.azleg.gov).

**Arizona Revised Statutes (A.R.S.):** The statutes are made by the Arizona State Legislature during a legislative session. They are compiled by Legislative Council, with the official publication codified by Thomson West. Citations to statutes include Titles which represent broad subject areas. The Title number is followed by the Section number. For example, A.R.S. § 41-1001 is the definitions Section of Title 41 of the Arizona Administrative Procedures Act. The “§” symbol simply means “section.” Available online at [www.azleg.gov](http://www.azleg.gov).

**Chapter:** A division in the codification of the *Code* designating a state agency or, for a large agency, a major program.

**Close of Record:** The close of the public record for a proposed rulemaking is the date an agency chooses as the last date it will accept public comments, either written or oral.

**Code of Federal Regulations (CFR):** The *Code of Federal Regulations* is a codification of the general and permanent rules published in the *Federal Register* by the executive departments and agencies of the federal government.

**Docket:** A public file for each rulemaking containing materials related to the proceedings of that rulemaking. The docket file is established and maintained by an agency from the time it begins to consider making a rule until the rulemaking is finished. The agency provides public notice of the docket by filing a Notice of Rulemaking Docket Opening with the Office for publication in the *Register*.

**Economic, Small Business, and Consumer Impact Statement (EIS):** The EIS identifies the impact of the rule on private and public employment, on small businesses, and on consumers. It includes an analysis of the probable costs and benefits of the rule. An agency includes a brief summary of the EIS in its preamble. The EIS is not published in the *Register* but is available from the agency promulgating the rule. The EIS is also filed with the rulemaking package.

**Governor's Regulatory Review (G.R.R.C.):** Reviews and approves rules to ensure that they are necessary and to avoid unnecessary duplication and adverse impact on the public. G.R.R.C. also assesses whether the rules are clear, concise, understandable, legal, consistent with legislative intent, and whether the benefits of a rule outweigh the cost.

**Incorporated by Reference:** An agency may incorporate by reference standards or other publications. These standards are available from the state agency with references on where to order the standard or review it online.

**Federal Register (FR):** The *Federal Register* is a legal newspaper published every business day by the National Archives and Records Administration (NARA). It contains federal agency regulations; proposed rules and notices; and executive orders, proclamations, and other presidential documents.

**Session Laws or “Laws”:** When an agency references a law that has not yet been codified into the Arizona Revised Statutes, use the word “Laws” is followed by the year the law was passed by the Legislature, followed by the Chapter number using the abbreviation “Ch.,” and the specific Section number using the Section symbol (§). For example, Laws 1995, Ch. 6, § 2. Session laws are available at [www.azleg.gov](http://www.azleg.gov).

**United States Code (U.S.C.):** The Code is a consolidation and codification by subject matter of the general and permanent laws of the United States. The Code does not include regulations issued by executive branch agencies, decisions of the federal courts, treaties, or laws enacted by state or local governments.

## Acronyms

A.A.C. – *Arizona Administrative Code*

A.A.R. – *Arizona Administrative Register*

APA – *Administrative Procedure Act*

A.R.S. – *Arizona Revised Statutes*

CFR – *Code of Federal Regulations*

EIS – *Economic, Small Business, and Consumer Impact Statement*

FR – *Federal Register*

G.R.R.C. – *Governor's Regulatory Review Council*

U.S.C. – *United States Code*

## About Preambles

The Preamble is the part of a rulemaking package that contains information about the rulemaking and provides agency justification and regulatory intent.

It includes reference to the specific statutes authorizing the agency to make the rule, an explanation of the rule, reasons for proposing the rule, and the preliminary Economic Impact Statement.

The information in the Preamble differs between rulemaking notices used and the stage of the rulemaking.



**NOTICES OF PROPOSED RULEMAKING**

This section of the *Arizona Administrative Register* contains Notices of Proposed Rulemaking.

A proposed rulemaking is filed by an agency upon completion and submittal of a Notice of Rulemaking Docket Opening. Often these two documents are filed at the same time and published in the same *Register* issue.

When an agency files a Notice of Proposed Rulemaking under the *Administrative Procedure Act* (APA), the notice is published in the *Register* within three weeks of filing. See the publication schedule in the back of each issue of the *Register* for more information.

Under the APA, an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any oral proceedings for making, amending, or repealing any rule (A.R.S. §§ 41-1013 and 41-1022).

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the interpretation of the proposed rules should be addressed to the agency that promulgated the rules. Refer to item #4 below to contact the person charged with the rulemaking and item #10 for the close of record and information related to public hearings and oral comments.

**NOTICE OF PROPOSED RULEMAKING  
TITLE 4. PROFESSIONS AND OCCUPATIONS  
CHAPTER 34. BOARD OF MANUFACTURED HOUSING**

[R18-05]

**PREAMBLE**

<b><u>1. Article, Part, or Section Affected (as applicable)</u></b>	<b><u>Rulemaking Action</u></b>
R4-34-101	Amend
R4-34-102	Amend
R4-34-103	Amend
R4-34-104	Repeal
R4-34-201	Amend
R4-34-202	Amend
R4-34-203	Amend
R4-34-204	Amend
R4-34-301	Amend
R4-34-302	Amend
R4-34-303	Amend
R4-34-401	Amend
R4-34-402	Amend
R4-34-501	Amend
R4-34-502	Amend
R4-34-503	Repeal
R4-34-504	Amend
R4-34-505	Amend
R4-34-506	Repeal
R4-34-601	Repeal
R4-34-603	Amend
R4-34-604	Repeal
R4-34-605	Amend
R4-34-606	Amend
R4-34-607	Amend
R4-34-701	Amend
R4-34-702	Amend
R4-34-703	Amend
R4-34-704	Amend
R4-34-705	Amend
R4-34-706	Amend
R4-34-707	New Section
R4-34-801	Amend
R4-34-802	Amend
R4-34-803	Repeal
R4-34-804	Repeal
R4-34-805	Amend
R4-34-1001	Amend



**2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):**

Authorizing statute: A.R.S. § 41-4010(A)(13)

Implementing statute: A.R.S. § 41-4010

**3. Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the proposed rule:**

Notice of Rulemaking Docket Opening: 23 A.A.R. 2386, September 1, 2017

**4. The agency's contact person who can answer questions about the rulemaking:**

Name: Debra Blake, Assistant Deputy Director  
Address: Office of Manufactured Housing, Arizona Department of Housing  
1110 W. Washington St., Suite 280  
Phoenix, AZ 85007  
Telephone: (602) 771-1000  
Fax: (602) 771-1992  
E-mail: Debra.blake@azhousing.gov  
Web site: www.housing.az.gov

**5. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:**

The Board is amending or repealing all of its rules in response to a five-year-review report approved by the Governor's Regulatory Review Council on July 6, 2017. In response to multiple discussions with the Department's legislative liaison, Josh Tucker, and after reviewing a chart showing all intended rule changes, an exemption from Executive Order 2017-02 was given for this rulemaking by Mara Mellstrom, Policy Advisor in the Governor's Office, in an e-mail dated May 1, 2017.

**6. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**

The Board does not intend to review or rely on a study in its evaluation of or justification for any rule in this rulemaking.

**7. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable

**8. The preliminary summary of the economic, small business, and consumer impact:**

The Board believes this rulemaking will have minimal economic impact on licensees, applicants, and consumers because the substance of the amended rules is not substantially different from the substance of the current rules.

**9. The agency's contact person who can answer questions about the economic, small business, and consumer impact statement:**

Name: Debra Blake, Assistant Deputy Director  
Address: Office of Manufactured Housing, Arizona Department of Housing  
1110 W. Washington St., Suite 280  
Phoenix, AZ 85007  
Telephone: (602) 771-1000  
Fax: (602) 771-1992  
E-mail: Debra.blake@azhousing.gov  
Web site: www.housing.az.gov

**10. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:**

An oral proceeding regarding the proposed rules will be held as follows:

Date: Monday, March 5, 2018  
Time: 1:00 p.m.  
Location: 1110 W. Washington St., Suite 280, Conference Room 1  
Phoenix, AZ 85007

**11. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:**

None

**a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**

The licenses, permits, and approvals issued by the Office are general permits consistent with A.R.S. § 41-1037 because they are issued to qualified individuals or entities to conduct activities that are substantially similar in nature.

**b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:**

Federal law applies to the subject of these rules (See 24 CFR 3280, 3282, 3284, 3285, 3286, and 3288). The Board has ensured the rules are no more stringent than federal law by incorporating the federal law by reference.

**c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitive-**



**ness of business in this state to the impact on business in other states:**

No analysis was submitted.

**12. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:**

None

**13. The full text of the rules follows:**

**TITLE 4. PROFESSIONS AND OCCUPATIONS  
CHAPTER 34. BOARD OF MANUFACTURED HOUSING**

**ARTICLE 1. GENERAL**

- Section
- R4-34-101. Definitions
- R4-34-102. Materials Incorporated by Reference
- R4-34-103. Exceptions
- R4-34-104. ~~Workmanship Standards~~ Repealed

**ARTICLE 2. LICENSING**

- Section
- R4-34-201. General
- R4-34-202. Manufacturers
- R4-34-203. Retailers
- R4-34-204. Installers

**ARTICLE 3. SALES TRANSACTIONS AND TRUST OR ESCROW ACCOUNT**

- Section
- R4-34-301. Transaction Copies
- R4-34-302. Advertising
- R4-34-303. Brokered Transactions

**ARTICLE 4. SURETY BONDS**

- Section
- R4-34-401. Surety Bond Forms
- R4-34-402. Cash Deposits

**ARTICLE 5. FEES**

- Section
- R4-34-501. General
- R4-34-502. License Bond Amounts
- R4-34-503. ~~HUD Monitoring Inspection~~ Repealed
- R4-34-504. HUD Label Administration
- R4-34-505. Plans and Supplements
- R4-34-506. ~~Intergovernmental Agreement Permits~~ Repealed

**ARTICLE 6. MANUFACTURING, CONSTRUCTION, AND INSPECTION**

- Section
- R4-34-601. ~~Manufactured Homes~~ Repealed
- R4-34-603. ~~Factory-built Buildings and FBB Subassemblies~~ FBBs
- R4-34-604. ~~Alterations~~ Repealed
- R4-34-605. Reconstruction of FBBs
- R4-34-606. Rehabilitation of Mobile Homes
- R4-34-607. Manufacturing Inspection and Certification

**ARTICLE 7. PLAN APPROVALS**

- Section
- R4-34-701. General
- R4-34-702. ~~Quality Compliance~~ Assurance Manuals
- R4-34-703. Drawings and Specifications
- R4-34-704. ~~Alterations or Reconstruction~~ Plans
- R4-34-705. Accessory Structures and Ground Anchoring
- R4-34-706. Factory-built Building Installation
- R4-34-707. Designated Flood-prone Area Installation



ARTICLE 8. PERMITS AND INSTALLATION

- Section
- R4-34-801. Permits
- R4-34-802. General Installation
- R4-34-803. ~~Soil and Materials~~ Repealed
- R4-34-804. ~~Utilities~~ Repealed
- R4-34-805. Accessory Structures

ARTICLE 10. ADMINISTRATIVE PROCEDURES

- Section
- R4-34-1001. Rehearing or Review

ARTICLE 1. GENERAL

R4-34-101. Definitions

The definitions in A.R.S. §§ ~~41-2142, 41-2152~~ 41-4001, and ~~41-215~~ 41-4008 apply to this Chapter. Additionally, in this Chapter:

1. "Act" means the Manufactured Housing Improvement Act of 2000, which is Title VI of the American Homeownership and Economic Opportunity Act of 2000.
2. "Agency" means, ~~in a brokered transaction, the consensual relationship that exists between an agent and the seller or purchaser of a used home when either the purchaser or seller authorizes the agent and the agent agrees to the authorization in writing. A licensed salesperson may establish an agency relationship on behalf of the salesperson's licensed and employing retailer the seller or purchaser of a used home has given a licensed salesperson written legal authority to act on behalf of the seller or purchaser when dealing with a third party. The written legal authority is also binding on the salesperson's licensed and employing retailer.~~
3. "Agency disclosure" means a document that specifies the ~~party or parties that an agent represents in a brokered transaction as a seller's agent, purchaser's agent, or dual agent who represents both the seller and purchaser~~ person a licensed salesperson or licensed retailer represents in a brokered transaction.
4. "Agent" means a licensed retailer ~~or broker who is authorized to act on behalf of either the a seller, or purchaser, or both the seller and purchaser~~ of a used home or as a dual agent representing both.
5. "Branch location" means ~~an a satellite office, unit, station, facility, or space at a fixed location other than a in addition to the principal office, however designated, at which anywhere business that may be conducted at the principal office is transacted.~~
6. "Brokered transaction" means a transaction in which a ~~properly~~ licensed broker acts as an agent for the seller, purchaser, or both.
7. "Certificate" means ~~an Arizona Insignia of Approval, which is required for modular manufacture, installation, reconstruction, or rehabilitation work.~~
- ~~7.8.~~ "Co-brokered transaction" means a transaction in which the listing retailer and the selling retailer are not the same person.
9. "Commercial" means ~~an FBB with a use-occupancy classification other than single-family dwelling.~~
10. "Consummation of sale, as defined at A.R.S. § 41-1001, includes filing an Affidavit of Affixture, if applicable.
- ~~8.11.~~ "FBB" means factory-built building.
12. "Field installed" means ~~components, equipment, and/or construction that is to be completed or installed at the site. Field installed does not include reconstruction.~~
13. "HVAC" means ~~heating, ventilation, and air conditioning.~~
9. "Lease with option to purchase" means ~~a lease under which the lessee has the right to purchase the leased property for a specified price and terms.~~
14. "Modular" means ~~an FBB.~~
- ~~10.15.~~ "New" means a unit or subassembly not previously sold, bargained, exchanged, or given away to a purchaser.
11. "Offer to purchase in a brokered transaction" means ~~a written proposal to purchase a used home listed for sale that a broker presents to the seller for acceptance or rejection.~~
12. "Open subassembly" means ~~that the components of the subassembly can be readily inspected without being disassembled.~~
- ~~13.16.~~ "Permanent foundation" means a system of support and perimeter enclosure of crawl space that is:
  - a. Constructed of durable materials (e.g., concrete, masonry, steel, or treated wood);
  - b. Developed in accordance with the manufacturer's installation instructions or designed by ~~a licensed professional~~ an Arizona registered engineer;
  - c. Attached in a manner that effectively transfers all vertical and horizontal design loads that could be imposed on the structure by wind, snow, frost, seismic, or flood conditions, as applicable, to the underlying soil or rock;
  - d. Designed to exclude unwanted elements and varmints, ensure sufficient ventilation, and provide adequate access to the building; and
  - e. Not ~~affixed with~~ anchored with anchoring straps or cable ~~affixed~~ anchored to ground anchors other than footings.
- ~~14.17.~~ "Purchase contract in a brokered transaction" means a written agreement between a purchaser and seller of a used home that indicates the sales price and terms of the sale.
15. "Reconstruction" means ~~construction work performed on a manufactured home, mobile home, or factory built building for the purpose of restoring the unit to a usable condition, but does not include work limited to remodeling, replacing, or repairing appliances or components that will not significantly alter the systems or structural integrity of the living area.~~
18. "Repair" means ~~work performed on a manufactured home, mobile home, or FBB to restore the building to a habitable condition but does not impact the original structure, electrical, plumbing, HVAC, mechanical, use occupancy, or energy design.~~
19. "Residential" means ~~a building with a use-occupancy classification of single family dwelling or as governed by the International Residential Code.~~



16. ~~“Respond” means to furnish the Office of Manufactured Housing or Office of Administration with a written explanation detailing any reasons why a complaint is not justified or the signature of the complainant indicating that the complainant is satisfied with the resolution of the verified complaint.~~
- 17-20. ~~“Retailer” means a dealer broker or broker dealer as prescribed at A.R.S. § 41-2142(9) and (5) 41-4001(5) and (10).~~
21. ~~“Site” means a parcel of land bounded by a property line or a designated portion of a public right-of-way.~~
22. ~~“Site work” means soil preparation including soil analysis, grading, drainage, utility trenches, and foundation systems preparation, and field-installed work including terminal and connections, on-site utility connections, accessibility structures, egress paths, parking, lighting, landscaping, and similar work.~~
- 18-23. ~~“Standards” means the materials incorporated by reference in R4-34-102.~~
- 19-24. ~~“Supplement” means a submittal of not more than two sheets of paper that indicates floor plan dimensional sizes, does not change more than 25% of a system or configuration, and is incorporated as part of an originally approved plan.~~
- 20-25. ~~“Technical service” means engineering assistance and interpretative application or clarification of compliance and enforcement of A.R.S. Title 41, Chapter 16, Articles 1, 2, and 4 and this Chapter.~~
21. ~~“Typical plan” means a design plan that may be duplicated numerous times.~~
- 22-26. ~~“Used home” means a used unit that is a previously titled manufactured home, mobile home, or factory-built building FBB designed for use as a residential dwelling.~~

#### R4-34-102. Materials Incorporated by Reference

The following materials, which the Board incorporates by reference, apply to this Chapter. The materials, which include no later amendments ~~of or~~ editions, are available from the Board. If there is a conflict between the incorporated material and a statute or rule, the statute or rule controls.

1. ~~HUD Manufactured Housing Program~~
  - a.1. 24 CFR 3280, Manufactured Home Construction and Safety Standards, April 1, 2008, edition, available from the U.S. Government Printing Office, 732 N. Capitol St. NW, Washington, D.C. 20401 or bookstore.gpo.gov;
  - b.2. 24 CFR 3282, Manufactured Home Procedural and Enforcement Regulations, April 1, 2008, edition, available from the U.S. Government Printing Office, 732 N. Capitol St. NW, Washington, D.C. 20401 or bookstore.gpo.gov;
  - e.3. 24 CFR 3284, Manufactured Housing Program Fee, April 1, 2008, edition, available from the U.S. Government Printing Office, 732 N. Capitol St. NW, Washington, D.C. 20401 or bookstore.gpo.gov;
  - d.4. 24 CFR 3285, Model Manufactured Home Installation Standards, April 1, 2008, edition, available from the U.S. Government Printing Office, 732 N. Capitol St. NW, Washington, D.C. 20401 or bookstore.gpo.gov;
  - e.5. 24 CFR 3286, Manufactured Home Installation Program, April 1, 2009, edition, available from the U.S. Government Printing Office, 732 N. Capitol St. NW, Washington, D.C. 20401 or bookstore.gpo.gov; ~~and~~
  - f.6. 24 CFR 3288, Manufactured Home Dispute Resolution Program, April 1, 2008, edition, available from the U.S. Government Printing Office, 732 N. Capitol St. NW, Washington, D.C. 20401 or bookstore.gpo.gov;
2. ~~Factory-built Building Program~~
  - a.7. International Building Code (IBC), 2009 edition, available from the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478;
  - b.8. International Residential Code (IRC), 2009 edition, available from the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478;
  - e.9. International Mechanical Code (IMC), 2009 edition, available from the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478;
  - d.10. International Plumbing Code (IPC), 2009 edition, available from the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478;
  - e.11. International Fuel Gas Code (IFGC), 2009 edition, available from the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478;
  - f.12. International Energy Conservation Code (IECC), 2009 edition, available from the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478; ~~and~~
  - g.13. National Electrical Code (NEC), 2008 edition, available from the National Fire Protection Association, One Batterymarch Park, Quincy, MA 02169; ~~and~~
3. ~~Installation, Foundation, and Accessory Structures~~
  - a. ~~Materials incorporated in subsections (1) and (2); and~~
- b.14. Protecting Manufactured Homes from Floods and Other Hazards, publication 85, second edition, November 2009, available from the Federal Emergency Management Agency, 500 C. St. SW, Washington, D.C. 20472 or www.fema.gov.

#### R4-34-103. Exceptions

- A. The Board makes the following exceptions to the materials incorporated by reference in R4-34-102:
  1. International Building Code and International Residential Code. A water or gas connection may be a flexible connector if the flexible connector:
    - a. Is not more than 6 feet long,
    - b. Is of the rated size necessary to supply the total demand of the unit, and
    - c. Made of materials that comply with the International Plumbing Code and International Fuel Gas Code; and
  2. International Residential Code. Exclude Section R313, Automatic Fire Sprinkler Systems.
- B. Under A.R.S. § ~~41-2144(D)~~ 41-4010(D), a local jurisdiction may petition the Board for an exception to a standard. The If the Board grants a local jurisdiction an exception to a standard, the local jurisdiction shall be bound by any conditions in the exception order issued by the Board. The local jurisdiction shall ensure that the petition for an exception:
  1. Specifies the standard ~~or code~~ sections affected;
  2. Justifies the requested exception with documented evidence of the local conditions that support the requested exception;



- 3. Specifies the boundaries of the area affected by the local conditions;
  - 4. States why the exception is necessary to protect the health and safety of the public; and
  - 5. Provides an estimate of the economic impact that the requested exception will have on the petitioning jurisdiction, other affected governmental entities, the public, unit owners, and licensees, and the facts upon which the estimate is based.
- C. An exception ordered by the Board applies only within the jurisdiction that petitioned for the exception. ~~The jurisdiction shall comply with any conditions specified in the exception order.~~
- D. An exception order is effective on the date specified in the order, which will be at least 60 days after a Departmental Substantive Policy Statement has been issued to all licensed installers describing the exception, the area within which it applies, and any provisions applicable to its use.

**R4-34-104. Workmanship Standards Repealed**

- ~~A. All work shall be performed in a professional manner.~~
- ~~B. All work shall be performed in accordance with any applicable building code and professional industry standards.~~
- ~~C. If there is a conflict between professional standards and building code requirements, the latter will prevail.~~

**ARTICLE 2. LICENSING**

**R4-34-201. General**

- A. ~~An administrative review of the application shall be performed within~~ Within five business days ~~of following receipt, the Department shall perform an administrative review of~~ an application. If the Department determines the application is incomplete, the applicant will be provided an opportunity to complete the application. The Deputy Director shall issue a conditional license within Within 14 business days ~~of the Department's following receipt of the a completed license application and written evidence that after the applicant has passed any required license examination. The five day administrative completeness and 14 day substantive review timeframes provide an overall time frame of 19 days excluding time requirements that are the responsibility of the applicant the Department shall issue a conditional license.~~
- B. Corporate applicants shall submit a copy of their organizational documents, including the articles of incorporation or organization, and with all amendments, to the articles filed with the Arizona Corporation Commission, or, if a foreign corporation, the application for authority to state, as applicable, and a certificate of good standing to transact business in this state.
- C. ~~When a retailer or installer licensee changes its legal entity but remains within the scope of the license and retains the same qualifying party, the licensee may request an~~ An exemption from any applicable ~~testing examination requirement may be granted if a new license application identifies the same license classification and the same qualifying party listed on a previously held license, provided the previous license is was in good standing before it expired.~~
- D. ~~Upon receipt and review of the applicant's criminal background analysis by the Deputy Director of the Office of Administration, and upon mailing notification to the applicant, the previously issued~~ A licensee will be given notice that a conditional license is automatically effective as a permanent license to transact business within the scope of the license following review and approval by the Department of the licensee's criminal background analysis.
- E. Unless otherwise stated in the purchase contract, a retailer selling a mobile home, manufactured home, or FBB shall know the ordinances of the town, city, or county where the unit is to be installed regardless of whether the retailer is obligated to provide for the delivery or installation of the unit.

**R4-34-202. Manufacturers**

~~The Department shall place a manufacturer's~~ Manufacturers' license application applications fall into one of the following license classes, based on the listed activities that limit the scope of each class:

- 1. M-9A Manufacturer of ~~Factory Built Buildings and FBB Subassemblies:~~ FBBs
  - ~~a. Manufactures factory built buildings and manufactures or reconstructs FBB subassemblies, or FBBs;~~
  - ~~b. Reconstructs factory built buildings and FBB subassemblies.~~
- 2. M-9C Manufacturer of ~~Manufactured Homes:~~ manufactured homes
  - ~~a. Manufactures manufactures or reconstructs manufactured homes.; and~~
  - ~~b. Reconstructs manufactured homes.~~
- 3. M-9E Master Manufacturer: ~~Performs~~ performs work within the scope of classes M-9A and M-9C.

**R4-34-203. Retailers**

~~The Department shall place a retailer's~~ Retailers' license application applications fall into one of the following license classes, based on the listed activities that limit the scope of each class:

- 1. D-8 Retailer of ~~Manufactured Homes~~ manufactured homes or ~~Mobile Homes~~ mobile homes:
  - a. Buys, sells, or exchanges new or used manufactured homes; ~~and used mobile homes, or accessory structures;~~
  - b. May sell new or used accessory structures included in a sales agreement;
  - ~~b.c. Acts as an agent for the sale or exchange of used manufactured homes, or mobile homes, or including existing or new accessory structures included in a sales agreement;~~
  - ~~e.d. Makes alterations to new manufactured homes before a sale to a purchaser under R4-34-604; or~~
  - ~~d.e. Contracts with properly licensed installers or contractors for the installation of manufactured homes, mobile homes, or and existing or new accessory structures included in a sales agreement.~~
- 2. D-8B Broker of ~~Manufactured Homes~~ manufactured homes or ~~Mobile Homes~~ mobile homes:
  - a. Acts as an agent for the sale or exchange of used manufactured homes or mobile homes, ~~or that may include existing or new accessory structures included in a sales agreement;~~
  - b. Contracts with ~~properly~~ licensed installers or contractors for the installation of manufactured homes, mobile homes, ~~or and existing or new accessory structures included in a sales agreement.~~
- 3. D-10 Retailer of ~~Factory Built Buildings and FBB Subassemblies~~ FBBs:
  - a. Buys, sells, or exchanges new or used ~~factory built buildings and FBB subassemblies~~ FBBs;



- b. Acts as an agent for the sale or exchange of new or used ~~factory-built buildings and FBB subassemblies~~ FBBs;
  - c. Makes alterations to new ~~factory-built buildings and FBB subassemblies before a sale to a purchaser~~ FBBs before sale to a purchaser; or
  - d. Contracts with ~~properly licensed installers or contractors for the installation of factory-built buildings, FBB subassemblies, and FBBs residential single-family factory-built buildings, or including any existing or new accessory structures included in a sales agreement.~~
4. D-12 Master Retailer: Performs work within the scope of classes D-8, D-8B, and D-10.

#### R4-34-204. Installers

- A. ~~The Department shall place an installer's~~ Installers' license applications fall into one of the following license classes, based on the listed activities that limit the scope of each class:
1. I-10C General ~~Installer~~ installer of Manufactured Homes manufactured homes, Mobile Homes mobile homes, or Residential Single-Family Factory-Built Buildings residential single-family FBBs:
    - a. Installs manufactured homes, mobile homes, or residential single-family ~~factory-built buildings~~ FBBs on foundation systems;
    - b. Installs ground anchors and ~~tie-down~~ tie-downs for manufactured homes or mobile homes;
    - c. Connects water, sanitary waste, gas, and electrical systems of all amperages to the proper onsite utility terminals provided by others;
    - d. Installs evaporative ~~coolers and~~ cooler systems on manufactured homes, mobile homes, or residential single-family ~~factory-built buildings~~ FBBs including providing roof jack to cooler ducts, installing exterior duct work, providing electrical service and controls to cooler from nearest supply source, providing water to the cooler from nearest fresh water source, and performing cooler repair work;
    - e. ~~Installs roof jack to cooler ducts~~ Performs repair work, replaces or newly installs to existing mobile homes, manufactured homes, and residential single-family FBBs items in subsections (A)(1)(a) through (d); and
    - f. ~~Installs duct work; May subcontract to a properly licensed entity for installation of a manufactured home, mobile home, or residential single-family FBB or installation of an accessory structure in conjunction with installation of a home.~~
    - g. ~~Provides electrical service and controls to cooler from nearest supply source;~~
    - h. ~~Provides water to the cooler from the nearest fresh water source; or~~
    - i. ~~Performs work as indicated under manufacturer's warranty for the unit.~~
  2. I-10D Installer of ~~Accessory Structures~~ accessory structures attached to Manufactured Homes manufactured homes, Mobile Homes mobile homes, or Residential Single-Family Factory-Built Buildings: residential single-family FBBs including installation of prefabricated accessory structure units, on-site constructed accessory structures, concrete footings or slabs for accessory structures, and plumbing, electrical, and mechanical equipment. An I-10 Installer may subcontract, as needed, to a properly licensed installer or contractor for installation of any accessory-structure item under this subsection.
    - a. ~~Installs prefabricated accessory structure units;~~
    - b. ~~Constructs accessory structures onsite;~~
    - e. ~~Places concrete footings or slabs for accessory structures; or~~
    - d. ~~Contracts with properly licensed contractors for the installation of plumbing, electrical, and mechanical equipment as part of an accessory structure and subcontracts all or any part of the items within this subsection to properly licensed installers or contractors.~~
  3. I-10G Master ~~Installer~~ installer of Manufactured Homes, Mobile Homes, or Residential Single-Family Factory-Built Buildings: manufactured homes, mobile homes, residential single-family FBBs, or commercial single-story FBBs built on a chassis with an electrical system no greater than 400 amperes is qualified to perform the work described under subsections (A)(1) and (2) and installs HVAC systems including electrical wiring, gas connections, and ductwork. An I-10G Master installer does not provide service, maintenance, repair, or discharging, adding, or reclaiming refrigerants or any other work requiring certification. An I-10 Master installer may subcontract to a properly licensed entity for installation of any item under this subsection.
    - a. ~~Performs work within the scope of classes I-10C and I-10D;~~
    - b. ~~Installs evaporative cooling units and refrigeration air conditioning units; or~~
    - e. ~~Subcontracts with properly licensed installers or contractors.~~
- B. Installer applicants. In addition to meeting the applicable requirements in subsections (A)(1) through (3), an applicant for To be qualified for an installer I-10C, I-10D, or I-10G license, an applicant shall:
1. Have a minimum of three years practical or field management experience in the specific type of installation, a related construction field, or the equivalent, for which the applicant is applying. At least two of the three ~~years~~ years' experience shall be within 10 years of the date of application. The applicant may substitute technical training in the specific type of installation, a related construction field, or the equivalent, from an accredited college or university or from a Department of ~~Fire, Building and Life Safety~~ Housing workshop for no more than one year of the three ~~years~~ years' experience required in this subsection;
  2. Supply a written, notarized statement from each employer or other individual familiar with the applicant's employment or other work experience, which includes the name, address, and telephone number of the individual making the statement, the dates of the applicant's employment or other work experience, a description of the position the applicant held, and a notarial certificate, signature indicating ~~that the signer vouches for the truthfulness of the statement as proof of meeting the applicant meets~~ the experience requirement in subsection (B)(1); and
  3. Supply a certified copy of each official transcript or certificate, demonstrating successful completion of any technical training the applicant wishes the Department to consider as proof of meeting the experience requirement in subsection (B)(1).



ARTICLE 3. SALES TRANSACTIONS AND TRUST OR ESCROW ACCOUNT

R4-34-301. Transaction Copies

- ~~A.~~ In all retail transactions, the retailer shall provide the purchaser with completed and signed copies of all documents pertaining to the transaction. A retailer shall maintain a record of all transaction documents. In every transaction:
- ~~B.1.~~ In all brokered transactions, each broker shall provide the client ~~The retailer shall provide the purchaser with a copy of all completed and signed copies of all documents pertaining to the transaction.;~~
- ~~C.2.~~ In a brokered transaction where the ~~If a purchaser is not represented by an agent unrepresented, the listing broker retailer shall provide the purchaser with a copy of all completed and signed copies of all documents pertaining to the transaction.;~~ and
- ~~D.3.~~ In if a transaction is co-brokered transaction, the listing broker retailer shall provide a copy of the listing agreement to the selling broker retailer, and the selling broker retailer shall provide a copy of all completed and signed documents pertaining to the transaction to the listing broker retailer.
- ~~E.~~ A retailer or broker shall maintain records containing all transaction documents.

R4-34-302. Advertising

- ~~A.~~ A retailer ~~or broker~~ shall include the retailer's licensed business name in all advertising.
- ~~B.~~ A ~~broker retailer~~ shall not advertise or market a used home for more than the listed price.

R4-34-303. Brokered Transactions

- ~~A.~~ A broker shall provide a copy of the agency disclosure to the party or parties ~~being represented~~ the broker represents.
- ~~B.~~ The A seller's broker retailer shall place all earnest money deposits received in connection with a the sales transaction in the broker's trust or escrow account in accordance with A.R.S. § 41-2180 41-4030 except as provided in the exception provision.
- ~~C.~~ Upon consummation of a brokered transaction, the seller's broker shall provide the seller with a closing statement that includes an accounting of all expenses charged to the seller, all pro rations, and all credits.
- ~~D.~~ Upon consummation of a brokered transaction, the purchaser's broker shall provide the purchaser with a closing statement that includes an accounting of all expenses charged to the purchaser, all pro rations, and all credits.
- ~~E.D.~~ In a co-brokered transaction, the seller shall pay the commission shown on the listing agreement as the total commission.
- ~~F.E.~~ The seller's broker shall prepare an addendum to the listing agreement if any of the terms of the listing agreement change. The seller's signature is required for the addendum to be valid. The addendum to the listing agreement shall reflect the date that the seller signs the addendum to the listing agreement.
- ~~G.F.~~ Should If the seller or broker elect elects to finance the unpaid balance reflected on the offer to purchase or purchase contract, the agent broker shall:
  1. Maintain evidence of the original portion of the purchase price being financed by the seller or ~~agent broker~~, and
  2. Maintain evidence ~~that~~ the title has been transferred into the name of the purchaser and ~~that~~ the lienholder's position has been secured on the title.

ARTICLE 4. SURETY BONDS

R4-34-401. Surety Bond Forms

- ~~A.~~ Manufacturers, installers, and retailers except brokers (except those with a D-8B license classification) of manufactured homes, mobile homes, or residential single-family factory-built buildings, shall submit the applicable surety bond amount from the list in R4-34-502, with a form provided by the Office of Administration.
- ~~B.~~ A rider to the bond is required for the following changes:
  1. Location of the licensee's principal place of business,
  2. Business name,
  3. Branch address,
  4. License classification, or
  5. Bond amount.

R4-34-402. Cash Deposits

- ~~A.~~ Except for applicants Unless exempt under R4-34-401, any applicant for a license or renewal of a license who desires to post an applicant or licensee posting cash in place lieu of a commercial surety bond shall deposit the applicable amount with the Deputy Director of the Office of Administration using any one of the following payment methods pay by:
  1. Cash. A cash deposit is not transferrable and shall be made in the name of the applicant or licensee as the name appears of the license application or issued license; or
  2. Certified or cashier's check or bank or postal money order made payable to the Arizona State Treasurer.;
  3. Cashier's check payable to the State Treasurer;
  4. Bank money order payable to the State Treasurer; or
  5. Postal money order payable to the State Treasurer.
- ~~B.~~ Upon the receipt by the Deputy Director of the Office of Administration of an order from any a court of competent jurisdiction directing for the payment of funds on deposit, the Deputy Director shall make payment according to the court order as directed, at which time and suspend the license is suspended under A.R.S. § 41-2179 41-4029, if applicable. In order to To reinstate the license, the licensee shall return the cash deposit to the required balance or, as an alternative, file a commercial surety bond for the full amount, and pay all applicable reinstatement fees.
- ~~C.~~ The cash deposit is not transferable.
- ~~D.~~ The applicant shall make the cash deposit in the name of the applicant as it appears on the license application.
- ~~E.C.~~ The applicant A cash deposit may withdraw the cash deposit be withdrawn by the applicant, licensee, or someone having authority to act on behalf of the applicant or licensee, under the following circumstances:
  1. The A license is not issued to the applicant;



- 2. The license has been terminated, ~~for two years or more by expiration expired, revocation revoked,~~ or voluntary ~~cancellation cancelled~~ for at least two years, and there are no outstanding claims ~~against the deposit~~; and
  - 3. Two years after ~~an applicant the licensee~~ files a commercial surety bond ~~as a replacement for that replaces~~ the cash deposit; if there are no outstanding claims.
- ~~F. Upon written request and subsequent approval by the Deputy Director of the Office of Administration, a cash deposit may be withdrawn by the owner of a sole proprietorship, any partner of a partnership, any person with written evidence of authority to withdraw the cash deposit for a corporation, and any other person who can establish legal right to the cash deposit.~~

**ARTICLE 5. FEES**

**R4-34-501. General**

- A. The Board shall establish a fee schedule before May 15 for the coming fiscal year.
- B. ~~The Deputy Director of the Office of Administration shall notify all licensees of the established fee schedule before June 1 of each year and post the fee schedule on the Department’s web site.~~
- C. Licensees shall pay fees for the following services ~~and may request a fee schedule from the Office:~~
  - 1. Manufacturer license,
  - 2. Retailer license,
  - 3. Installer license,
  - 4. Salesperson license,
  - 5. Inspection and technical service,
  - 6. Plans and supplements,
  - 7. Installation permits and insignias, ~~or and~~
  - 8. Administrative functions.

**R4-34-502. License Bond Amounts**

- A. An applicant shall submit the ~~applicable~~ license bond amount listed for each license class.
 

License Class	Bond Amount
M-9A	<del>\$10,000.00</del> <u>\$10,000</u>
M-9C	<del>\$65,000.00</del> <u>\$65,000</u>
M-9E	<del>\$100,000.00</del> <u>\$100,000</u>
D-8	<del>\$25,000.00</del> <u>\$25,000</u>
D-10	<del>\$25,000.00</del> <u>\$25,000</u>
D-12	<del>\$25,000.00</del> <u>\$25,000</u>
I-10C	<del>\$2,500.00</del> <u>\$2,500</u>
I-10D	<del>\$1,000.00</del> <u>\$1,000</u>
I-10G	<del>\$5,000.00</del> <u>\$5,000</u>
- B. The Board shall not renew a license unless ~~and until~~ the ~~applicant’s licensee’s~~ surety bond is in full force and effect or the full cash deposit is ~~in full force and effect~~ made or in place.

**R4-34-503. HUD Monitoring Inspection Repealed**

~~Each manufactured home manufacturer shall pay a fee as established by the U.S. Department of Housing and Urban Development for each unit manufactured in this state. This fee shall be made payable to the Secretary of HUD for purchase of HUD labels. This fee is in addition to the inspection fee required by R4-34-501(C)(5).~~

**R4-34-504. HUD Label Administration**

~~In addition to the fees required under R4-34-501(C), each a manufactured home manufacturer of manufactured homes shall pay \$5 to the Office of Administration a fee of \$5 Department for each label issued in this state.~~

**R4-34-505. Plans and Supplements**

~~If a licensee submits a plan or supplement submitted that is not acceptable complete and correct, the Department shall provide written notice the plan or supplement is not acceptable and provide and the licensee fails to supply a complete and correct submittal within 60 days after from the date on the notification letter, notice for the licensee to submit a complete and correct plan or supplement. If the licensee fails to submit a complete and correct plan or supplement within the time provided, the Department shall return the submitted plan or supplement and treat the submittal fee originally paid by the licensee as forfeited and return the submittal. Resubmissions To resubmit a plan or supplement, the licensee shall be accompanied by pay a new submittal fee.~~

**R4-34-506. Intergovernmental Agreement Permits Repealed**

~~The permit fee charged by local enforcement agencies participating in the Installation Inspection Program shall not exceed the amount established by the Board for the same service.~~

**ARTICLE 6. MANUFACTURING, CONSTRUCTION, AND INSPECTION**

**R4-34-601. Manufactured Homes Repealed**

~~A manufacturer shall build a manufactured home according to the standards in R4-34-102.~~

**R4-34-603. Factory-built Buildings and FBB Subassemblies FBBs**

- A. A manufacturer shall construct a ~~factory-built building or a FBB subassembly~~ an FBB according to the applicable standards in R4-34-102(2) and:
  - 1. Provide a complete set of drawings and specifications to the Department under R4-34-703(B);



- 2. Affix a permanent serial or identification number to each unit during the first stage of manufacturing. If ~~a unit~~ an FBB has multiple sections (modules), the manufacturer shall ensure ~~that each section~~ module is separately identified. The serial or identification number location and application method shall be shown in the plans required under R4-34-703(B)(7); and
- 3. Affix ~~an Arizona Insignia of Approval~~ a Modular Manufacturer's Certificate to each completed ~~section~~. The insignia shall indicate the unit serial number and plan approval number, and be located on the unit as module where indicated in the plans plan required under R4-34-703(B)(8) (B)(5).

~~B.~~ A manufacturer of a non-residential factory built building or a FBB subassembly shall comply with 10 A.A.C. 3 relating to the Americans with Disabilities Act Accessibility Guidelines (ADAAG).

~~C.B.~~ The Department may require ~~that a manufacturer of a factory built building or an FBB subassembly that is produced and shipped before plan approval~~ to remove the unit FBB from this state and remove insignias the Modular Manufacturer's Certificate based on the Department's assessment of the following factors:

- 1. Probable harm to ~~the public's~~ public safety and welfare,
- 2. ~~Number of previous~~ Previous violations of a similar nature, and
- 3. ~~Unwillingness of the manufacturer~~ Manufacturer's failure to comply with plan submittal and requirements.

**R4-34-604. Alterations Repealed**

A retailer shall ensure that alterations are consistent with applicable standards and codes, as prescribed in R4-34-704(A).

**R4-34-605. Reconstruction of FBBs**

A manufacturer shall ensure ~~that reconstruction of an FBB~~ is consistent with applicable codes, as standards prescribed in R4-34-704(B), R4-34-102 and that:

- 1. Existing construction, systems (electrical, plumbing, HVAC, energy, etc.), and components are structurally and otherwise sound and compliant with standards governing at the time of manufacture;
- 2. New construction, systems, and components comply with applicable standards in R4-34-102;
- 3. A permanent serial or identification number is affixed to each reconstructed FBB as required under R4-34-603(A);
- 4. An Arizona Reconstruction Certificate is affixed to each module; and
- 5. The reconstructed FBB complies with R4-34-102.

**R4-34-606. Rehabilitation of Mobile Homes**

A. A rehabilitation permit shall be obtained from the ~~office prior to~~ Department before any modification of ~~the unit~~ a mobile home.

B. The following requirements shall be met for a mobile home to be issued a certificate of compliance:

- 1. A smoke detector (~~which may be a single station alarm device~~) shall be installed ~~on any wall in a hallway or space connecting bedroom(s) each sleeping room and living areas outside each separate sleeping area in the immediate vicinity of the sleeping rooms. When located in a hallway the detector shall be between the return air intake and the living area. Each smoke detector shall be installed in accordance with its listing. The top of the detector shall be located between 4 inches to 12 inches below the ceiling~~ Each smoke detector shall be installed in accordance with its manufacturer's instructions;
- 2. The walls, ceilings, and doors of each ~~gas-fired~~ gas-fired furnace and ~~water heater~~ water-heater compartment shall be lined with 5/16 inch 5/16-inch gypsum board, ~~unless the~~ except a door to a compartment that opens to the exterior of the ~~unit~~ mobile home, in which case the door may be all metal construction. All exterior compartments shall seal to the interior of the ~~unit~~ mobile home;
- 3. Each room designated expressly for sleeping purposes shall have at least one outside egress window or an approved exit device, ~~unless it has an exterior exit door~~. The window or exit shall have a minimum clear dimension of 22 inches, ~~and~~ a minimum clear opening of 5 ~~five~~ square feet. ~~The, and the bottom of the exit shall is not be~~ more than 36 inches above the floor;
- 4. ~~All electrical systems shall be~~ The electrical system is tested for continuity to ~~assure that ensure~~ metallic parts are properly bonded, tested for operation to demonstrate ~~that~~ all equipment is connected and in working order, and given a polarity check to determine ~~that~~ connections are proper. The electrical system ~~shall be is~~ properly protected for the required amperage load. If ~~the unit wiring is of~~ aluminum conductors are used, all receptacles and switches rated 20 amperes or less and directly connected to the aluminum conductors ~~shall be are~~ marked CO/ALR. Exterior receptacles other than heat tape receptacles; ~~shall be are~~ of the ground fault circuit interrupter (GFI) type. Conductors of dissimilar metals (Copper/Aluminum/or Copper Clad Aluminum) ~~must be are~~ connected in accordance with NEC Section 110-14 of the National Electrical Code incorporated at R4-36-102; and
- 5. ~~The unit's gas~~ Gas piping shall be tested with the ~~appliance valves removed from the piping system and piping capped at those areas. The piping system shall withstand a pressure of at least 6 inch mercury or 3 psi gauge for a period of not less than 10 minutes without showing any drop in pressure. Pressure shall be measured with a mercury manometer or a slope gauge calibrated so as to read in increments of not greater than 1/10th pound or equivalent device. The source of normal operating pressure shall be isolated before the pressure test is made. After the appliance connections are reinstalled, the piping system and connections shall be tested with line pressure of not less than 10 inches nor more than 14 inches water column air pressure. The appliance connections shall be tested for leakage with soapy water or bubble solution. All gas furnaces and water heaters shall be vented to the exterior in accordance with UMC Chapter 8 methods incorporated at R4-36-102. All gas furnaces and water heaters shall be installed in compliance with materials incorporated at R4-36-102. If a rehabilitated mobile home is to be relocated following rehabilitation, the gas tests required under this subsection may be performed and inspected at the time of installation at the new location.~~

C. The rehabilitated mobile home unit shall be inspected by the ~~office~~ Department to ascertain compliance with subsection (B).

D. The ~~office~~ Department shall issue a certification of compliance for each ~~unit~~ rehabilitated mobile home in compliance with subsection (B), and affix an insignia of approval to the exterior wall nearest the point of entrance of the electrical service.

~~E.~~ Upon request the ~~office~~ shall issue a waiver for a unit that does not qualify as a mobile home. The category of the unit shall be determined by inspection of the unit or presentation of acceptable documents. The waiver fee is applicable if the category of the unit can



be determined to qualify for exemption. If an inspection of the unit is necessary to determine its category, the inspection fee shall apply.

- ~~F.E.~~ A person served with If the Department determines a rehabilitated mobile home does not comply with subsection (B), the Department shall serve a correction notice ~~shall make the required~~ and require the person served to make corrections within the time period specified in the notice. The ~~Department shall determine the time period shall be determined by the office for correction~~ based on the severity of the hazard or violation ~~in and~~ the time reasonably needed to make the correction. ~~A minimum of~~ The Department shall allow at least 30 days ~~shall be allowed for correction~~ unless an imminent safety hazard is found, or if the correction has been unreasonably delayed. ~~In either event, in which case, the Department shall serve an Order to Vacate shall be issued~~ to the person occupying the ~~unit~~ rehabilitated mobile home.
- ~~G.F.~~ A The Department shall serve an Order to Vacate on a person occupying a non-rehabilitated ~~unit~~ mobile home ~~shall be served with an Order to Vacate that unit~~ within 5 ~~five~~ days ~~if on after an~~ inspection of the ~~unit~~ is found to contain ~~non-rehabilitated mobile home finds~~ an imminent safety hazard.

#### R4-34-607. Manufacturing Inspection and Certification

- A. The Department shall conduct manufactured home plant certification under R4-34-102(4).
- B. Before issuing ~~insignias~~ Certificates, the Department shall certify that ~~each~~ a manufacturing facility of ~~factory-built buildings FBBs or FBB subassemblies~~ is capable of manufacturing the ~~units or subassemblies FBBs~~ to the specifications in the approved drawings and ~~procedures in the approved the quality assurance compliance assurance manual required under R4-34-702.~~
- C. Unit certification:
1. ~~The Department shall conduct manufactured home certification under R4-34-102(1); and~~
  2. ~~Each~~ A manufacturer of ~~factory-built buildings FBBs, FBB subassemblies, and reconstructed units FBBs~~ shall certify compliance with approved plans by affixing ~~an Arizona Insignia of Approval a Modular Manufacturer Certificate or Reconstruction Certificate, as appropriate, to each unit or subassembly FBB~~ before delivery to a retailer.
- D. Records and reporting: ~~By the 15th of each month:~~
1. ~~Each~~ A manufacturer of manufactured homes shall report to the Department affixing HUD labels, complete any other required reports, and establish and maintain records required under R4-34-102(4); and
  2. ~~Each An~~ manufacturer of ~~factory-built buildings FBB manufacturer, reconstructed units, and FBB subassemblies~~ shall report to the Department affixing Arizona ~~Insignias of Approval by the 15th day of each month Modular and Reconstruction Certificates during the previous month.~~
- E. The Department shall decertify a ~~production manufacturing~~ facility for any one of the following reasons if:
1. ~~An inspector identifies a~~ A serious defect ~~existing exists~~ in more than one ~~unit FBB;~~
  2. An inspector identifies three or more ~~repetitive~~ failures to ~~comply with~~ specifications in the approved plans, ~~codes standards, or quality assurance compliance assurance manual;~~
  3. ~~A An in-state~~ licensee ~~within this state~~ fails to produce approved units for more than six consecutive months; or
  4. An out-of-state licensee fails to file quarterly inspection reports for a ~~period of six consecutive months.~~
- F. ~~Recertification is required upon decertification of~~ Before resuming a production, a decertified manufacturing facility shall be recertified by the Department.
1. The Department shall evaluate the production process ~~at the decertified manufacturing facility to assure ensure~~ the manufacturer's procedures are consistent with the approved plans, ~~codes standards, and quality assurance compliance assurance manual~~ at every stage of production.
  2. ~~Upon When~~ the ~~manufacturer's successful completion of manufacturer successfully completes~~ the recertification process, the Department shall issue ~~insignias Certificates or Labels~~ to the manufacturer.
- G. Inspection of retailer lots:
1. The Department shall ~~may~~ conduct regular inspections of retailer lots to ~~assure ensure~~ compliance with approved plans, standards, and A.R.S. § 41-2195 41-4048.
  2. The Department may require that a manufacturer of units produced and shipped before plan approval ~~remove the units from this state and remove insignias based on the following factors:~~
    - a. Probable harm to the public's safety and welfare;
    - b. Number of previous violations of a similar nature; and
    - c. Unwillingness of the manufacturer to comply with plan submittal and requirements.

### ARTICLE 7. PLAN APPROVALS

#### R4-34-701. General

- A. Before construction of a ~~unit or subassembly manufactured home or FBB,~~ a manufacturer shall submit to the office:
1. The ~~quality assurance compliance assurance manual~~ required by R4-34-702, and
  2. The drawings and specifications required by R4-34-703.
- B. Before ~~performance of any alteration, a retailer shall obtain plan approval under R4-34-704(A). performing one of the following, a person shall obtain plan approval:~~
1. ~~Under R4-34-704(A) for an alteration,~~
  2. ~~Under R4-34-704(B) for a reconstruction,~~
  3. ~~Under R4-34-705 to install an attached accessory structure, and~~
  4. ~~Under R4-34-706 to install an FBB.~~
- ~~C.~~ Before installing an accessory structure or ground anchors for a manufactured home, mobile home, or residential single family ~~factory-built building,~~ an installer shall obtain plan approval under R4-34-705.
- ~~D.~~ Before reconstructing a manufactured home or factory-built building, a manufacturer shall obtain plan approval under R4-34-704(B).
- ~~E.~~ Before the installation of a factory-built building a person installing the building shall obtain plan approval under R4-34-706.



~~F.C.~~ The Department shall determine whether a submittal is administratively complete within Within 20 business days after receipt of a submittal receiving a plan submitted under subsection (B), the Department shall perform an administrative review of the plan submittal and if incomplete, require the licensee to provide a complete plan submittal. The Department shall review all plans within Within 20 business days after receipt of a complete submittal. The overall time frame for plan approval is 40 days, excluding time for requirements that are the responsibility of the applicant receiving a complete plan submittal, the Department shall approve or disapprove the plan submittal.

~~G.D.~~ A manufacturer, retailer, or installer shall provide an original and one copy of each submittal: person that submits a plan under subsection (B) shall ensure the plan conforms with the following standards:

1. Each page is at least 8 1/2 X 11 inches;
2. The font is at least eight point;
3. The cover page includes an index and provides a 3 X 5 inch blank space near the title block;
4. The plan and all details and calculations are sealed by an Arizona registered engineer; and
5. The plan is consistent with all applicable standards incorporated at R4-34-102.

~~H.~~ A manufacturer, retailer, or installer shall update each plan so that it is consistent with current standards and codes adopted by the Board. Supplements are acceptable for this purpose.

~~I.~~ Plans submitted shall be stamped by an engineer registered by the State of Arizona.

**R4-34-702. Quality Compliance Assurance Manuals**

~~A.~~ A manufacturer of manufactured homes shall prepare the quality assurance manual required by R4-34-102(1).

~~B.~~ A manufacturer of factory built buildings and FBB subassemblies FBBs shall prepare a quality compliance assurance manual that has all of the following attributes:

1. Format: An 8 1/2 X 11 inch format with page numbers and revision traceability;
- ~~a.2.~~ 8 1/2 by 11 inch size; The manufacturer's name and address of the factory to which the manual applies;
- ~~b.3.~~ An index page, and A table of contents that identifies key elements in the quality and compliance control process;
- ~~e.4.~~ Revision traceability: An organizational chart that shows titles and functions of all positions responsible for any aspect of quality and compliance control;
- ~~2.5.~~ Contents: A description of the design-document control process and procedures for ensuring the current approved design package or building plans are available to production, quality, and compliance personnel;
- ~~a.6.~~ An organization chart, by position, of all quality control personnel responsible for compliance of incoming components and in-plant manufacturing activities; A description of procedures for handling materials, including treatment and disposal of rejected materials, in compliance with standards;
- ~~b.7.~~ A description of the quality assurance program adhered to by personnel listed on the organization chart; A description of the FBB-identification system including a unique identifier, such as a serial or identification number, that is permanently affixed to each module of the FBB at the beginning of manufacturing and where the unique identifier is located on the FBB;
- ~~e.8.~~ A flow chart depicting the minimum in-plant inspection requirements, using stations, a production control routing document, stage of manufacture or type of work control, or an equivalent method of in-plant inspection; A drawing showing the layout of the factory and location of the work area for each step in the manufacturing sequence with a description of the scope of work performed at each work area, including off-line processes;
- ~~d.9.~~ A description of tests performed and test equipment used; An inspection checklist, keyed to the drawing required in subsection (8), that identifies the inspections and tests to be performed at each step in the manufacturing sequence and title of the position responsible for ensuring inspections and tests are performed;
- ~~e.10.~~ A description of procedures for receiving and inspecting construction materials, handling damaged material, and rotating stock; A list that includes step-by-step procedures for ensuring all required tests are performed, the equipment needed to perform each test, and procedures for maintaining test equipment;
- ~~f.11.~~ A description of procedures for control of drawings and insignias; and A description of procedures for maintaining control of certificates, installing certificates on FBBs, and making the monthly report of certificates and title of the position responsible for ensuring these tasks are performed;
- ~~g.12.~~ A description of recordkeeping procedures. A description of the procedures for storing completed FBBs at the facility including the manner in which stored FBBs are protected from the elements and other sources of potential damage; and
13. A description of procedures for ensuring building documents are retained and title of the position responsible for ensuring document retention.

**R4-34-703. Drawings and Specifications**

~~A.~~ A manufacturer of manufactured homes shall submit to the Department drawings and specifications that comply with applicable standards in R4-34-102(1).

~~B.~~ A manufacturer of factory built buildings FBBs or FBB subassemblies shall submit to the Department plans that comply with the applicable standards in R4-34-102(2). The manufacturer shall ensure the plans ~~shall~~ provide or have the following information or format attributes:

1. A set of Dimensioned drawings and details identifying all; process descriptions, component specification lists, shop drawings, or and other documents that specify and identify each component, process, assembly operation, and manufacturing step. Include electrical, plumbing, gas, and HVAC systems;
2. A complete set of dimensional views designating the location of all processes performed in the manufacture of the unit or subassembly; A traceable identification for each component and subassembly listed;
3. A complete listing of all components and subassemblies by cross identification to usage; Design analysis calculations for all loads and systems;
4. A traceable identification for each component and subassembly listed;
5. A complete listing of all processes by cross identification to usage;



6. An onsite foundation specification for each unit for a given soil bearing capacity;
- 7.4. The location and process for stamping the permanent serial or identification number on the FBB or subassembly; and
- 8.5. The location of the Arizona Insignia of Approval Modular Manufacturer Certificate; and
6. Dimensional plans and details identifying all components and construction to be field installed.

#### **R4-34-704. Alterations or Reconstruction Plans**

##### **A. Alterations:**

1. A retailer or broker performing any alteration on a unit shall send notice of the alteration to the manufacturer of the unit.
2. A retailer or broker performing an alteration on a unit shall prepare a detailed set of drawings and specifications that depict all aspects of the alteration and any serial numbers of the unit.
3. A retailer or broker shall ensure that manufactured home plans comply with the manufactured home construction and safety standards prescribed in R4-34-102(1).
4. A retailer or broker shall ensure that factory-built building and FBB subassembly plans comply with R4-34-703(B).

##### **B. Reconstruction:**

- 1.A. A manufacturer shall comply with the standards in R4-34-102(2) when preparing a reconstruction plans plan.
- 2.B. A manufacturer preparing a reconstruction plans plan shall prepare ensure the plan contains a detailed set of dimensioned drawings and specifications that depict all aspects of the reconstruction and contains, including a plan depicting the original configuration, and contains the serial or identification number of the unit.
- C. A manufacturer shall include with a reconstruction plan a certification statement regarding existing components, construction, and systems indicating they are structurally sound, functional, and do not pose a life safety threat.

#### **R4-34-705. Accessory Structures and Ground Anchoring**

##### **A. Accessory structures:**

- 1.A. For commercial factory-built buildings FBBs, an installer a properly licensed entity or person shall comply with the International Building Code when preparing attached accessory structure plans. For manufactured homes, mobile homes, and residential single-family factory-built buildings FBBs an installer a properly licensed entity or person shall comply with the International Residential Code when preparing attached accessory structure plans.
- 2.B. The Department may approve a design that does not comply with the International Building Code or the International Residential Code subsection (A) based on a demonstration by an Arizona Registered Engineer registered engineer that the design is engineered to meet standards at least equivalent to those in the applicable code subsection (A).
- 3.C. An installer A properly licensed entity or person shall submit plans, which are sealed by an Arizona registered engineer, for all attached accessory structures except skirting systems that have manufacturer installation instructions and HVAC systems, evaporative coolers, refrigeration, air conditioning systems, and storage rooms of less than 120 square feet.
- B. Ground anchoring plans shall be certified by a registered engineer or approved by the Office of Manufactured Housing so that anchoring systems resist overturning and lifting effects of the wind.
  1. An installer shall comply with the applicable requirements in R4-34-102 or the manufacturer's installation manual when preparing ground anchoring plans. If neither apply, the Department shall compare the plans to those of an equivalent, current installation to determine whether the plans are approveable.
  2. The plans shall be of sufficient detail and description that all materials, dimensions, and processes can be readily identified.

#### **R4-34-706. Factory-built Building FBB Installation**

##### **A. An installer shall complete and submit an application form obtained from the Department.**

##### **B. An installer A properly licensed entity or person shall include the following in the installation plans submitted to the Department:**

1. The A site plans plan, including that includes the location of the building and location of all utility lines;
2. The A foundation plans, including plan that includes:
  - a. A description of the soil class and the soil bearing pressure;
  - b. Footings A description of footings and other foundation supports designed to meet the minimum bearing pressure at the depth required;
  - c. A complete set of drawings indicating dimensions and details of the foundation footing and anchoring; and a complete list of materials, and with a cross-identification of how materials will be used, in the appropriate view; and
  - d. Calculations, prepared by an Arizona registered engineer, for all load conditions; including wind loads for horizontal loads, uplift loads, and overturning; and horizontal and torsional earthquake effects on foundations.
3. Electrical drawings, including the isometric one-line diagram required by R4-34-102(2)(g), that contain the following information:
  - a. Size and type of conductors, length of feeders, and all amperage;
  - b. Dimensions of gutterways and raceways;
  - c. Complete details of panelboards, switchboards, and distribution centers; and
  - d. All grounding and bonding connections.
4. Plumbing drawings, including any one-line diagrams required by R4-34-102(2)(d) and (e) that contain the following information:
  - a. Location of sewer tap, water meter, and gas meter;
  - b. Size, length, and all materials for sewer, water, and gas lines; and
  - c. Location of all cleanouts and grade of sewer line;
  - d. Fixture unit calculations for plumbing and gas fixtures;
  - e. Fastening and closure details for connection of multiple modules; and
  - f. Dimensional plans and details for all components and construction to be field installed.



**R4-34-707. Designated Flood-prone Area Installation**

Before installing a manufactured home, mobile home, or FBB in a designated flood-prone area, an installer shall submit and obtain Department approval of an installation plan that includes the following:

1. A site plan showing the location of the manufactured home, mobile home, or FBB;
2. A copy of the designated flood-use permit or flood design conditions issued by the local enforcement agency showing the flood zone type and regulatory and base flood elevations;
3. A site-specific foundation plan that is prepared by an Arizona registered engineer and includes:
  - a. A complete set of drawings indicating dimensions and details of the foundation system and anchoring to prevent flotation, collapse, or lateral movement of the structure;
  - b. A complete list of materials cross identified to the drawings in subsection (3)(a) showing how the materials will be used;
  - c. An indication of how to place the structure to ensure the bottom frame of the structure is at or above the regulatory flood elevation;
  - d. An indication of where to place external utilities and equipment to ensure they are at or above the regulatory flood elevation;
  - e. If the structure has an enclosed foundation, an indication of where to place flood vents or other openings; and
  - f. All calculations used to determine all load conditions; and
4. Written approval of the information in subsections (1) through (3) from the local flood-district administrator having authority.

**ARTICLE 8. PERMITS AND INSTALLATION**

**R4-34-801. Permits**

- A. ~~A licensee or consumer~~ properly licensed entity or person shall obtain a permit for the installation of a ~~manufactured homes home, mobile homes home, factory-built buildings FBB, or attached accessory structures structure,~~ or rehabilitation of a ~~mobile homes home.~~
- B. The Department shall issue or deny a permit within seven business days ~~from the date~~ after the application is received. If a permit is denied, corrections to the application shall be submitted to the Department within 20 business days after the denial.
- C. ~~A licensee or consumer~~ properly licensed entity or person shall obtain ~~a all required permit permits,~~ such as zoning, flood plain, and installation, from the Department or local jurisdiction before beginning any installation work, and post the permit ~~All permits shall be posted in a conspicuous location onsite. The licensee properly licensed entity or person who contracts to install a unit perform the installation and~~ or a licensed installer who subcontracts to perform the installation shall verify that ~~a valid installation permit has all required permits have~~ been obtained from the Department and local jurisdiction before beginning the installation.
- D. ~~Local jurisdictions~~ A local jurisdiction that ~~have~~ has entered into agreement with the Department may issue installation permits and conduct inspections.
- E. ~~A permit fee shall be charged either by the~~ The Department or the ~~a~~ local jurisdiction participating in the installation inspection program shall charge the permit fee expressly authorized under A.R.S. § 41-2144(A)(4). ~~The fee charged by the Department shall be the amount established by the Board under A.R.S. § 41-2144(A)(4).~~ The fee charged by a ~~the~~ local jurisdiction shall not exceed the amount established by the Board under A.R.S. § 41-2144(A)(4).
- F. Every permit, except a ~~special-use~~ special-use permit, expires six months ~~from the date~~ after the permit is issued. The Department may extend the permit for good cause if a written request is made to the Department before the permit expires and the fee established by the Board under A.R.S. § 41-2144(A)(4) is paid again.
- G. A licensee or consumer shall obtain a certificate of occupancy from the Department before occupying a ~~commercial factory-built building manufactured home, mobile home, or FBB.~~
- H. The permit holder, owner, or contractor shall ~~call for~~ request all required inspections.
- I. ~~All~~ At the time of a scheduled inspection, the permit holder, owner, or contractor shall ensure all work listed on the permit to be inspected shall be is accessible (opened) for inspections and no work is performed beyond the point indicated for each successive inspection without first obtaining approval from the Department.
- J. The permit holder, owner, or contractor shall ensure ~~Approved approved plans or the manufacturer's installation manual and all applicable manuals shall be~~ are available onsite.
- K. A ~~special-use~~ special-use permit for ~~factory-built buildings an FBB~~ used for ~~events~~ an event of 45 days or less shall be obtained from the Department. The ~~special-use~~ permit expires 45 days from the date of purchase. The ~~unit~~ holder of a ~~special-use~~ permit shall be ~~removed~~ remove the FBB from the site when the permit expires.

**R4-34-802. General Installation**

- A. ~~An installer or contractor~~ A properly licensed entity shall complete and affix ~~and complete~~ an Arizona Insignia of Approval Installation Certificate to ~~each a~~ manufactured home, mobile home, or ~~single family factory-built building FBB~~ at the ~~tail light end of each the unit; opposite the hitch and adjacent to the manufacturer certificate or HUD label, approximately one foot up from the floor and one foot in from the road side. "Road side" means the right side of the unit when viewing the unit from the hitch.~~ The installer or contractor ~~properly licensed entity~~ shall affix the ~~insignia~~ Arizona Installation Certificate before calling the ~~Office~~ Department for an inspection.
- B. ~~An installer or contractor~~ A properly licensed entity shall make a report by the 15th of each month regarding compliance with subsection (A).
- C. ~~An installer or contractor~~ Before beginning an installation, a properly licensed entity shall check with the local jurisdictions for frost line jurisdiction regarding frost-line requirements governing permanent foundations or utilities.
- D. ~~An installer or contractor~~ A properly licensed entity shall install ~~multi-sectional~~ all new manufactured homes, ~~manufactured after June 30, 1977, according to the manufacturer's instructions for joining the sections, making utility cross-over connections, and providing center (marriage) line and perimeter supports if the instructions are consistent with this Chapter used manufactured homes, and mobile homes according to the materials incorporated by reference in R4-34-102.~~



**E.** Before making an installation, a properly licensed entity shall perform or contract with a qualified professional to assess the site and soil and make site preparations necessary to ensure the site is compatible with the manufactured home, mobile home, or residential single-family FBB to be installed. The entity that actually assesses and prepares the site has primary responsibility for the work performed. The entity that contracts to have the site assessment and preparation done, if different, has secondary responsibility for the work performed.

**F.** Installation of a manufactured home, mobile home, or FBB shall be performed only by a properly licensed entity.

**R4-34-803. Soil and Materials Repealed**

**A.** ~~A licensee that contracts with a consumer for an installation shall perform or contract for any site preparation necessary to make the site compatible with the manufactured home, mobile home, or residential single-family factory-built building to be installed. The licensee may contract with a licensed installer or other qualified professional to assess site and soil compatibility or perform any necessary preparation work. The party actually performing the site compatibility assessment or work is primarily responsible for work related to site compatibility or preparation. The licensee that contracts with the consumer, if a different entity, is secondarily responsible.~~

**B.** ~~Soil Preparation~~

~~1. Unless contrary to law, an installer or contractor shall:~~

- ~~a. Divert any surface water away from the dwelling, any accessory structures, and their support components;~~
- ~~b. Provide sufficient drainage to prevent standing water and soil saturation detrimental to structures;~~
- ~~c. Establish soil grades that slope away from the dwelling, any accessory structures, and their support components; and~~
- ~~d. Compact all fill and backfill within 6 feet of the perimeter of the unit to prevent displacement.~~

~~2. When determining soil compaction an installer or contractor shall:~~

- ~~a. Assume a minimum bearing capacity of 1,000 psf; or~~
- ~~b. Test and prove a minimum bearing capacity of 1,000 psf to the onsite inspector; or~~
- ~~c. Adhere to the specifications of a registered engineer, provided onsite, to an inspector.~~

**C.** ~~Materials: An installer or contractor shall use materials that comply with applicable standards incorporated in R4-34-102.~~

**D.** ~~Footings: An installer or contractor shall:~~

- ~~1. Place each footing on a surface capable of distributing equalized transfer of applied loads;~~
- ~~2. Calculate and use the minimum size of each footing, necessary to minimize settling of the unit accounting for local soil conditions;~~
- ~~3. Use piers with a maximum square base of 11 1/2 inch installed on 12 inch by 12 inch footings to support mobile and manufactured homes manufactured before January 1, 1984;~~
- ~~4. Use main frame blocking installed on footings with 144 square inches of surface placed 3 feet, 6 inches from center, or footings with 256 square inches of surface placed at 6 foot intervals to support manufactured homes manufactured on or after January 1, 1984;~~
- ~~5. Use footing material with one of the following attributes:
 
  - ~~a. Minimum 3/4 inch thick plywood or two layers of 5/8 inch thick plywood no less than 12 inches wide. The plywood shall be Grade CDX APA Rated Sheeting Exposure 1, PSI treated for ground contact, conforming to International Building Code or International Residential Code, as applicable under R4-34-102(2)(a) or (b);~~
  - ~~b. Minimum 2 inch nominal thickness wood no less than 12 inches wide, and treated for ground contact, conforming to the International Building Code or the International Residential Code, as applicable under R4-34-102(2)(a) or (b);~~
  - ~~c. Minimum 3 inch thick precast concrete pad with either 256 or 144 square inches of ground surface. The concrete shall have a minimum of 28 days compressive strength of not less than 4000 pounds per square inch; or~~
  - ~~d. Hard plastic pad with either 256 or 144 square inches of ground surface. The plastic pad shall withstand a minimum vertical concentrated load failure rating of 15,000 pounds when tested on very dense and coarse gravel soils. "Failure" means that a crack at least 4 inches in length has appeared anywhere on the pad or the pad's surface has curled or bowed.~~~~
- ~~6. Stack plywood with face grain perpendicular and fasten the plywood with corrosion resistant nails or 7/16 inch wide crown staples or screws;~~
- ~~7. Fasten wood products that are stacked with corrosion resistant nails or 7/16 inch wide crown staples or screws;~~
- ~~8. Not use any 2 inch thick piece of wood with split penetration greater than 4 inches into the end of the piece and parallel to the edges of the piece;~~
- ~~9. When precast concrete pads are stacked, use pads with equal sized surface sides;~~
- ~~10. When concrete masonry unit (CMU) building blocks are used for supports, use only 256 square inch ground and 8 inch by 16 inch caps;~~
- ~~11. Stack plastic pads only when the pad is provided with an interlocking system; and~~
- ~~12. Stack no more than two equal sized concrete pads per support.~~

**E.** ~~Supports (piers): An installer or contractor shall:~~

- ~~1. Place supports or piers on footings that do not exceed the size of the footings;~~
- ~~2. Ensure that supports or piers bear no greater load than 8,000 pounds;~~
- ~~3. Ensure that supports or piers have a minimum vertical concentrated load failure rating of 15,000 pounds;~~
- ~~4. Not use supports with a height in excess of 36 inches or less than 12 inches for more than 25% of the supports along the main beams of the chassis, including footing;~~
- ~~5. For a below ground installation, ensure that the height of the bottom of the perimeter rim joist is a minimum of 6 inches above finished grade;~~
- ~~6. Ensure that the height of the bottom of the floor joist is a minimum of 18 inches above soil base unless otherwise specified by the manufacturer in instructions consistent with this Chapter;~~
- ~~7. Locate supports or piers under the main beams of the chassis at intervals no greater than 6 feet and no more than 2 feet from either end of each main beam. When intervals no greater than 6 feet are not feasible because of running gear, supports shall be~~



located as close as possible to the running gear with the remainder of the supports spaced according to the 6 and 2 foot requirements;

- 8. Stagger the flanges on top of supports or piers so that every other flange is on the opposite side of the beam; and
- 9. Construct permanent support heights to the International Building Code or the International Residential Code as applicable under R4-34-102(2)(a) or (b).

**F. Wedges:** An installer or contractor shall:

- 1. Use two wedges in alignment per support;
- 2. Use wood wedges that are a minimum of 1 1/2 inches by 3 1/2 inches by 6 inches; and
- 3. Drive wedges in tightly so that the height developed does not exceed 2 inches at the support; and
- 4. Provide each I-Beam of the building with full bearing on the wedge; or
- 5. Use listed or approved shimming material according to the manufacturer's wedge instructions; or
- 6. Use material and methods designed by an Arizona professional engineer or architect and approved by the authority having jurisdiction.

**G. Anchoring:** An installer or contractor shall use an anchoring system that is certified by a registered, professional engineer.

**H. Snow/Wind Loads**

- 1. Under 24 CFR 3282.11 and 3280.305, the authority having jurisdiction may not require manufactured homes to be built or installed to a snow load greater than 20 pounds per square foot unless the jurisdiction has received approval from HUD.
- 2. Manufactured homes may be manufactured and installed, at the owner's option, to withstand greater than a 20 pound snow load. An installer or contractor shall install these units according to the manufacturer's instructions for the foundation support system if the instructions are consistent with this Chapter.

**I. Permanent Foundation Systems**

- 1. An installer or contractor shall install factory built buildings in compliance with R4-34-102(2).
- 2. An installer or contractor shall install manufactured and mobile homes according to the manufacturer's permanent foundation requirements or sealed engineered plans if the requirements or plans are consistent with this Chapter.

**R4-34-804. Utilities Repealed**

**A. Utility service facilities.** An installer or contractor shall not enter into an agreement to connect units to utility service facilities that are not compatible with the units.

**B. Electric.** An installer or contractor shall make all electric connections or installations according to the National Electric Code.

- 1. An installer or contractor shall connect manufactured or mobile homes using a piece of flexible metal conduit no greater than 36 inches and no less than 18 inches long. The installer or contractor shall use liquidtight, flexible metal conduit when a manufactured home is set at ground level or in a wet location. The installer or contractor shall connect the flexible metal conduit at the location so that only the rigid conduit emerges from the ground and the conduit extends at least 6 inches above ground level.
- 2. When service equipment is installed on a manufactured home, an installer or contractor shall install the grounding electrode in compliance with the National Electrical Code. The following items shall be installed according to the National Electrical Code:
  - a. Feeder size according to Table 310.15(B)(6);
  - b. Power supply cord according to 550.10, and
  - c. Conduit according to Chapter 9 (including Annex C).

**C. Sewer.** An installer or contractor shall make sewer connections or installations in compliance with the International Plumbing Code.

**D. Water.** An installer or contractor shall make water connections or installations in compliance with the International Plumbing Code.

**E. Gas.** An installer or contractor shall make gas connections or installations in compliance with the International Fuel Gas Code.

- 1. The installer or contractor shall perform a gas test with the gas appliance flex connectors capped and the valves in the open position. The installer or contractor shall pressurize the system at 6 inches of mercury (45 ounces of mercury) or 3 psi gauge for 15 minutes. The system passes if there is no drop in pressure during the test. Pressure shall be measured with a mercury manometer or slope gauge calibrated in increments not greater than 1/10th of a pound, or an equivalent device. The source of normal operating pressure shall be isolated before the pressure test.
- 2. The flexible connector shall not be more than 6 feet long.
- 3. Flex connectors are not required for permanent foundation systems.

**F. Mechanical.** An installer or contractor shall make mechanical connections and installations in compliance with the International Mechanical Code and the International Energy Conservation Code.

**R4-34-805. Accessory Structures**

**A.** For the purpose of "Attached," as used in A.R.S. § 41-2142(1), the word "attached" 41-2142(1), means fastened by any means to a manufactured home, or mobile home, or residential single-family, factory built building FBB at the time of its installation and removable without degradation of the structural integrity of the unit.

**B.** An installer or contractor shall install, assemble, or construct each accessory structure in compliance with applicable standards incorporated by reference in R4-34-102(3).

**C.** An installer or contractor installing manufactured homes, mobile homes, or factory built buildings shall provide an opening that permits access to the underfloor area. If the access is through the skirting, retaining wall, or perimeter foundation wall, the access opening shall measure at least 18 inches by 24 inches.

**D.** The Department shall approve or reject plans as prescribed in R4-34-705.

**E. Above or Below Grade Skirting**

- 1. For all skirting, an installer or contractor shall:
  - a. Provide an 18 inch by 24 inch minimum access crawl hole;
  - b. Ventilate skirting according to the International Building Code or the International Residential Code; and
  - c. Install skirting according to this Chapter or the manufacturer's instructions if the instructions are consistent with this Chapter.



2. For below grade skirting, an installer or contractor shall design and construct skirting as a retaining wall according to the International Building Code or the International Residential Code.

#### ARTICLE 10. ADMINISTRATIVE PROCEDURES

##### R4-34-1001. Rehearing or Review

- A. A party may amend a petition motion for rehearing or review filed under A.R.S. § ~~41-2184~~ 41-4038 at any time before it is ruled ~~upon~~ on by the Director. The opposing party may file a response within 15 days after the date the petition motion or amended petition motion is filed. The Director may require the ~~filing of parties to file~~ written briefs explaining the issues raised in the petition motion and provide for oral argument.
- B. The Director may affirm or modify the decision or grant a rehearing to all or any of the parties on all or part of the issues for any of the reasons in A.R.S. § ~~41-2184(D)~~ 41-4038(D). An order modifying the decision or granting a rehearing shall specify with particularity the grounds on which the modification or rehearing is granted, and any rehearing shall cover only those matters.
- C. When a petition motion for rehearing or review is based upon affidavits, ~~they~~ the affidavits shall be served with the petition motion. An opposing party or the Attorney General may, within 10 days after service, serve opposing affidavits.
- D. Not later than 15 days after the date of the decision, the Director may grant a rehearing or review on the Director's own initiative for any reason for which the Director might have granted relief on the petition motion of a party. The Director may grant a petition motion for rehearing or review, timely served, for a reason not stated in the motion.

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## NOTICES OF FINAL RULEMAKING

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This section of the *Arizona Administrative Register* contains Notices of Final Rulemaking. Final rules have been through the regular rulemaking process as defined in the Administrative Procedures Act. These rules were either approved by the Governor's Regulatory Review Council or the Attorney General's Office. Certificates of Approval are on file with the Office.

The final published notice includes a preamble and

text of the rules as filed by the agency. Economic Impact Statements are not published.

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the interpretation of the final rules should be addressed to the agency that promulgated them. Refer to Item #5 to contact the person charged with the rulemaking. The codified version of these rules will be published in the Arizona Administrative Code.

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### NOTICE OF FINAL RULEMAKING TITLE 4. PROFESSIONS AND OCCUPATIONS CHAPTER 16. ARIZONA MEDICAL BOARD

[R18-06]

#### PREAMBLE

- 1. Article, Part, or Section Affected (as applicable)**

R4-16-102	<b><u>Rulemaking Action</u></b>
R4-16-201.1	Amend
R4-16-205	Amend
- 2. Citations to the agency's statutory rulemaking authority to include both the authorizing statute (general) and the implementing statute (specific):**

Authorizing statute: A.R.S. § 32-1403(A)(8)  
Implementing statute: A.R.S. §§ 32-1434, 32-1436, and 32-1438(F)
- 3. The effective date for the rules:**

March 10, 2018

  - a. If the agency selected a date earlier than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason or reasons the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):**

Not applicable
  - b. If the agency selected a date later than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason or reasons the agency selected the later effective date as provided in A.R.S. § 41-1032(B):**

Not applicable
- 4. Citation to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the final rulemaking package:**

Notice of Rulemaking Docket Opening: 23 A.A.R. 2490, September 15, 2017  
Notice of Proposed Rulemaking: 23 A.A.R. 2461, September 15, 2017
- 5. The agency's contact person who can answer questions about the rulemaking:**

Name: Patricia McSorley, Executive Director  
Address: Arizona Medical Board  
9545 E. Doubletree Ranch Road  
Scottsdale, AZ 85258  
Telephone: (480) 551-2700  
Fax: (480) 551-2704  
E-mail: patricia.mcsorley@azmd.gov  
Web site: www.azmd.gov
- 6. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:**

On January 9, 2017, Governor Ducey sent a letter to the Board requesting the Board require all physicians in Arizona to complete continuing medical education (CME) in drug addiction and opioid prescribing. The Governor's concern arises from the fact Arizona has the ninth highest rate of opioid-related deaths in the nation. More than two Arizonans died every day in 2016 from overdoses of opioid prescription medications or heroin. The 790 deaths was a 74 percent increase from 2012. In this rulemaking, the Board places an opioid CME requirement into rule.

In an exempt rulemaking that went into effect on August 9, 2017, the Board established a fee for a temporary license to practice medicine in Arizona. Because the effect of this fee is time limited under A.R.S. § 41-1008(E), the Board is now making the fee using the regular rulemaking process.

An exemption from Executive Order 2017-02 was provided for the opioid CME rulemaking by Mara Mellstrom, Policy Advisor in



the Governor’s Office, in an e-mail dated March 10, 2017. Ms. Mellstrom provided an exemption for the temporary-license fee in an e-mail dated June 28, 2017.

**7. A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**

The Board did not review or rely on a study in its evaluation of or justification for any rule in this rulemaking.

**8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable

**9. A summary of the economic, small business, and consumer impact:**

The Board estimates the rulemaking will have minimal economic impact on licensees and applicants. Licensees are not being required to obtain an additional hour of CME. Rather, they are being required simply to ensure one of the 40 statutorily required CME hours addresses drug addiction and opioid prescribing. Because the fee for a temporary license to practice medicine in Arizona already exists, making the fee using the regular rulemaking process does not affect applicants.

**10. A description of any changes between the proposed rulemaking, including supplemental notices, and the final rulemaking:**

No changes were made between the proposed and final rules.

**11. An agency’s summary of the public or stakeholder comments made about the rulemaking and the agency response to comments:**

The Board received no comments regarding the rulemaking. No one commented at an oral proceeding on November 3, 2017.

**12. All agencies shall list any other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:**

None

**a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**

The licenses for which a fee is established in R4-16-205 are general permits consistent with A.R.S. § 41-1037 because they are issued to qualified individuals or entities to conduct activities that are substantially similar in nature.

**b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:**

None of the rules is more stringent than federal law. There are numerous federal laws relating to the provision of health care but none is directly applicable to this rulemaking.

**c. Whether a person submitted an analysis to the agency that compares the rule’s impact of the competitiveness of business in this state to the impact on business in other states:**

No analysis was submitted.

**13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rule:**

None

**14. Whether the rule was previously made, amended, or repealed as an emergency rule. If so, cite the notice published in the Register as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:**

No rule in this rulemaking was previously made, amended, or repealed as an emergency rule.

**15. The full text of the rules follows:**

**TITLE 4. PROFESSIONS AND OCCUPATIONS**

**CHAPTER 16. ARIZONA MEDICAL BOARD**

**ARTICLE 1. GENERAL PROVISIONS**

Section  
R4-16-102. Continuing Medical Education

**ARTICLE 2. LICENSURE**

Section  
R4-16-201.1. Application for Renewal of License  
R4-16-205. Fees and Charges

**ARTICLE 1. GENERAL PROVISIONS**

**R4-16-102. Continuing Medical Education**

A. A physician holding an active license to practice medicine in this state shall complete 40 credit hours of the continuing medical education required by A.R.S. § 32-1434 during the two calendar years preceding biennial registration.

1. The physician shall ensure at least one of the credit hours of continuing medical education is certified as Category 1, as described in subsection (B)(4), and addresses the effective and safe prescribing of opioids;



- 2. ~~A physician may not carry excess hours over to another two-year cycle.~~ One hour of credit is allowed for each clock hour of participation in continuing medical education activities, unless otherwise designated in subsection (B); and
- 3. The physician may not carry excess hours of continuing medical education over to another two-year cycle.
- B. No change
  - 1. No change
  - 2. No change
  - 3. No change
  - 4. No change
  - 5. No change
  - 6. No change
  - 7. No change
    - a. No change
    - b. No change
  - 8. No change
    - a. No change
    - b. No change
    - c. No change
    - d. No change
- C. No change
- D. No change

**ARTICLE 2. LICENSURE**

**R4-16-201.1. Application for Renewal of License**

- A. No change
- B. No change
  - 1. No change
  - 2. No change
  - 3. No change
    - a. No change
    - b. No change
    - c. No change
    - d. No change
    - e. No change
    - f. No change
    - g. No change
    - h. No change
    - i. No change
  - 4. No change
  - 5. A statement of whether the licensee has completed at least 40 hours of CME as required under A.R.S. § 32-1434 and ~~R4-6-102 R4-16-102, including the hour of CME required under R4-16-102(A)(1);~~
  - 6. No change
  - 7. No change
- C. No change
  - 1. No change
  - 2. No change
    - a. No change
    - b. No change
  - 3. No change
- D. No change
  - 1. No change
  - 2. No change
  - 3. No change

**R4-16-205. Fees and Charges**

- A. ~~As specifically authorized under A.R.S. § 32-1436(A), the Board establishes and shall collect the following fees, which are nonrefundable unless A.R.S. § 41-1077 applies: As specifically authorized under A.R.S. § 32-1436(A), the Board establishes and shall collect the following fees, which are nonrefundable unless A.R.S. § 41-1077 applies:~~
  - 1. ~~Application for a license through endorsement, USMLE Step 3, or Endorsement with SPX Examination, \$500; Application for a license through endorsement, USMLE Step 3, or Endorsement with SPX Examination, \$500;~~
  - 2. ~~Issuance of an initial license, \$500, prorated from date of issuance to date of license renewal; Issuance of an initial license, \$500, prorated from date of issuance to date of license renewal;~~
  - 3. ~~Renewal of license for two years, \$500; Renewal of license for two years, \$500;~~
  - 4. ~~Application to reactivate an inactive license, \$500; Application to reactivate an inactive license, \$500;~~
  - 5. ~~Locum tenens registration, \$350; Locum tenens registration, \$350;~~
  - 6. ~~Annual registration of an approved internship, residency, clinical fellowship program, or short-term residency program, \$50; Annual registration of an approved internship, residency, clinical fellowship program, or short-term residency program, \$50;~~





hospital discharges instead of inpatient days to calculate the Medicare share of a hospital's utilization.

In addition, under the proposed rule the Administration intends to calculate the Medicare indirect GME costs instead of relying on the amount specified on the Medicare Cost Report (MCR). Currently the Administration uses the indirect medical education cost for a hospital calculated by Medicare to extrapolate the Medicaid indirect medical education cost. The current methodology results in some hospitals receiving less GME payments than they would if the Medicare costs were calculated directly from information on the MCR. Both the Administration and CMS agree that the methodology set forth in the proposed rule more accurately reflects the Medicare share of the indirect cost of medical education.

**7. A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**

A study was not referenced or relied upon when revising these regulations.

**8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable

**9. A summary of the economic, small business, and consumer impact:**

CMS requires the AHCCCS Administration to annually update the amount allocated to each hospital in the State Plan. Before AHCCCS may make Graduate Medical Education payments, a SPA must be submitted to, and approved by, CMS. CMS has notified AHCCCS that revision of the method of allocating funds for indirect GME costs is necessary for CMS approval of the SPA. Absent promulgation of this rule, CMS will not approve the SPA, and AHCCCS will lack federal approval and corresponding federal funds for GME payments to qualifying hospitals. Total 2017 GME payments under this methodology are expected to be approximately \$290 million.

Under the proposed rule, the 2017 indirect GME allocation is estimated to be \$37.7 million less than the allocation would have been had CMS continued to approve the current methodology. GME payments are funded through intergovernmental transfers from or certified public expenditures by political subdivision of the state. Therefore, the proposed rule does not impact the State General Fund. In addition, none of the hospitals impacted by the change are small businesses.

**10. A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:**

No changes were made.

**11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments:**

Item #	Comment From and Date rec'd.	Comment	Analysis/ Recommendation
1.	Jennifer A. Carusetta 11/09/17 Executive Director of the Health System Alliance of Arizona	On behalf of the Health System Alliance of Arizona, it is with great pleasure that we submit this letter in support of the proposed rule on Graduate Medical Education. To begin, we would like to extend our appreciation to both you and Governor Ducey for your continued support for Graduate Medical Education, together with your recognition of the critical nature of this funding stream for Arizona's physician training program. Workforce recruitment and retention are one of the greatest challenges facing our industry and we appreciate your continued partnership as we work to find solutions to address this issue. We understand that approval of the State Plan Amendment to authorize the federal share of Graduate Medical Education is contingent on the promulgation of this rule. We also understand that the proposed rule implements changes necessary in the methodology to ensure a more accurate calculation of the Medicare share of Indirect Graduate Medical Education costs. For these reasons, we believe that the promulgation of the revised methodology prescribed in this rule is critical to ensure that hospitals receive the maximum amount of dollars available to fund critical residency positions in their facilities. Arizona has been recognized as a top destination for individuals seeking to relocate in their retirement. Continued growth in the aging and larger population will mean a greater demand for healthcare services in this state in the coming decades. As a healthcare industry, we must leverage every resource to ensure that we are prepared to meet this demand with a workforce prepared to serve the needs of our communities and residents. Once again, we appreciate the opportunity to provide comment and look forward to partnering with the Administration on these efforts going forward.	AHCCCS thanks Ms. Carusetta for the support.

**12. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:**

No other matters have been prescribed.

**a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**

Not applicable



**b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:**

There are no federal Medicaid or Medicare laws that apply to this rulemaking.

**c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:**

No analysis was submitted.

**13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rule:**

None

**14. Whether the rule was previously made, amended or repealed as an emergency rule. If so, cite the notice published in the Register as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:**

Not applicable

**15. The full text of the rules follows:**

**TITLE 9. HEALTH SERVICES**

**CHAPTER 22. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)  
ADMINISTRATION**

**ARTICLE 7. STANDARDS FOR PAYMENTS**

Section

R9-22-712.05. Graduate Medical Education Fund Allocation

**ARTICLE 7. STANDARDS FOR PAYMENTS**

**R9-22-712.05. Graduate Medical Education Fund Allocation**

- A.** Graduate medical education (GME) reimbursement as of September 30, 1997. Subject to legislative appropriation, the Administration shall make a distribution based on direct graduate medical education costs as described in A.R.S. § 36-2903.01(G)(9)(a).
- B.** Subject to available funds and approval by CMS, the Administration shall annually distribute monies appropriated for the expansions of GME programs approved by the Administration to hospitals for direct program costs eligible for funding under A.R.S. § 36-2903.01(G)(9)(b). A GME program is deemed to be established as of the date of its original accreditation. All determinations that are necessary to make distributions described by this subsection shall be made using information possessed by the Administration as of the date of reporting under subsection (B)(3).
1. Eligible health care facilities. A health care facility is eligible for distributions under subsection (B) if all of the following apply:
    - a. It is a hospital in Arizona that is the sponsoring institution of, or a participating institution in, one or more of the GME programs in Arizona;
    - b. It incurs direct costs for the training of residents in the GME programs, which costs are or will be reported on the hospital's Medicare Cost Report;
    - c. It is not administered by or does not receive its primary funding from an agency of the federal government.
  2. Eligible resident positions. For purposes of determining program allocation amounts under subsection (B)(4) the following resident positions are eligible for consideration to the extent that the resident training takes place in Arizona and not at a health care facility made ineligible under subsection (B)(1)(c):
    - a. Filled resident positions in approved programs established as of October 1, 1999 at hospitals that receive funding as described in A.R.S. § 36-2903.01(G)(9)(a) that are additional to the number of resident positions that were filled as of October 1, 1999; and
    - b. All filled resident positions in approved programs other than GME programs described in A.R.S. § 36-2903.01(G)(9)(a) that were established before July 1, 2006.
  3. Annual reporting. By April 1st of each year, each GME program and each hospital seeking a distribution under subsection (B) shall provide the applicable information listed in this subsection to the Administration:
    - a. A GME program shall provide all of the following:
      - i. The program name and number assigned by the accrediting organization;
      - ii. The original date of accreditation;
      - iii. The names of the sponsoring institution and all participating institutions current as of the date of reporting;
      - iv. The number of approved resident positions and the number of filled resident positions current as of the date of reporting;
      - v. For programs established as of October 1, 1999, the number of resident positions that were filled as of October 1, 1999, if the program has not already provided this information to the Administration;
    - b. A hospital seeking a distribution under subsection (B) shall provide all of the following that apply:
      - i. If the hospital uses the Intern and Resident Information System (IRIS) for tracking and reporting its resident activity to the fiscal intermediary, copies of the IRIS master and assignment files for the hospital's two most recently completed Medicare cost reporting years as filed with the fiscal intermediary;
      - ii. If the hospital does not use the IRIS or has less than two cost reporting years available in the form of the IRIS master and assignment files, the information normally contained in the IRIS master and assignment files in an alternative format for the hospital's two most recently completed Medicare cost reporting years;



- iii. At the request of the Administration, a copy of the hospital’s Medicare Cost Report or any part of the report for the most recently completed cost reporting year.
- 4. Allocation of expansion funds. Annually the Administration shall allocate available funds to each approved GME program in the following manner:
  - a. Information provided by hospitals under subsection (B)(3)(b) shall be used to determine the program in which each eligible resident is enrolled and the number of days that each eligible resident worked in any area of the hospital complex or in a non-hospital setting under agreement with the reporting hospital during the period of assignment to that hospital. For this purpose, the Administration shall use data relating to the most recent 12-month period that is common to all information provided under subsections (B)(3)(b)(i) and (ii).
  - b. The number of eligible residents allocated to each participating institution within each approved GME program shall be determined as follows:
    - i. Total the number of days determined for each participating institution under subsection (B)(4)(a) and divide each total by 365.
    - ii. Proportionally adjust the result of subsection (B)(4)(b)(i) for each participating institution within each program according to the number of residents determined to be eligible under subsection (B)(2).
  - c. The number of allocated eligible residents determined under subsection (B)(4)(b)(ii) shall be adjusted for Arizona Medicaid utilization using the most recent Medicare Cost Report information on file with the Administration as of the date of reporting under subsection (B)(3) and the Administration’s inpatient hospital claims and encounter data for the time period corresponding to the Medicare Cost Report information for each hospital. The Administration shall use only those inpatient hospital claims paid by the Administration and encounters that were adjudicated by the Administration as of the date of reporting under subsection (B)(3). The Medicaid-adjusted eligible residents shall be determined as follows:
    - i. For each hospital, the total AHCCCS inpatient hospital days of care shall be divided by the total Medicare Cost Report inpatient hospital days, multiplied by 100 and rounded up to the nearest multiple of 5 percent.
    - ii. The number of allocated eligible residents determined for each participating hospital under subsection (B)(4)(b)(ii) shall be multiplied by the percentage derived under subsection (B)(4)(c)(i) for that hospital. The number of allocated eligible residents determined under subsection (B)(4)(b)(ii) for a participating institution that is not a hospital and not a health care facility made ineligible under subsection (B)(1)(c) shall be multiplied by the percentage derived under subsection (B)(4)(c)(i) for the program’s sponsoring institution or, if the sponsoring institution is not a hospital, the sponsoring institution’s affiliated hospital. The number of allocated eligible residents determined under subsection (B)(4)(b)(ii) for a participating institution that is made ineligible under subsection (B)(1)(c) shall be multiplied by zero percent.
  - d. The total allocation for each approved program shall be determined by multiplying the Medicaid-adjusted eligible residents determined under subsection (B)(4)(c)(ii) by the per-resident conversion factor determined below and totaling the resulting dollar amounts for all participating institutions in the program. The per-resident conversion factor shall be determined as follows:
    - i. Calculate the total direct GME costs from the most recent Medicare Cost Reports on file with the Administration for all hospitals that have reported such costs.
    - ii. Calculate the total allocated residents determined under subsection (B)(4)(b)(i) for those hospitals described under subsection (B)(4)(d)(i).
    - iii. Divide the total GME costs calculated under subsection (B)(4)(d)(i) by the total allocated residents calculated under subsection (B)(4)(d)(ii).
- 5. Distribution of expansion funds. On an annual basis subject to available funds, the Administration shall distribute the allocated amounts determined under subsection (B)(4) in the following manner:
  - a. The allocated amounts shall be distributed in the following order of priority:
    - i. To eligible hospitals that do not receive funding in accordance with A.R.S. § 36-2903.01(G)(9)(a) for the direct costs of programs established before July 1, 2006;
    - ii. To eligible hospitals that receive funding in accordance with A.R.S. § 36-2903.01(G)(9)(a) for the direct costs of programs established before July 1, 2006;
  - b. The allocated amounts shall be distributed to the eligible hospitals in each approved program in proportion to the number of Medicaid-adjusted eligible residents allocated to each hospital within that program under subsection (B)(4)(c)(ii).
  - c. If funds are insufficient to cover all distributions within any priority group described under subsection (B)(5)(a), the Administration shall adjust the distributions proportionally within that priority group.
- C. Subject to available funds and approval by CMS, the Administration shall annually distribute monies appropriated for the expansions of GME programs approved by the Administration to hospitals for direct program costs eligible for funding under A.R.S. § 36-2903.01(G)(9)(c)(i). A GME program is deemed to be established as of the date of its original accreditation. All determinations that are necessary to make distributions described by this subsection shall be made using information possessed by the Administration as of the date of reporting under subsection (C)(3).
  - 1. Eligible health care facilities. A health care facility is eligible for distributions under subsection (C) if it meets all the conditions of subsections (B)(1)(a) through (c).
  - 2. Eligible resident positions. For purposes of determining program allocation amounts under subsection (C)(4), the following resident positions are eligible for consideration to the extent that the resident training takes place in Arizona and not at a health care facility made ineligible under subsection (B)(1)(c):
    - a. All filled resident positions in approved programs established on or after July 1, 2006; and
    - b. For approved programs established on or after July 1, 2006 that have been established for less than one year as of the date of reporting under subsection (C)(3) and have not yet filled their first-year resident positions, all prospective residents reasonably expected by the program to be enrolled as a result of the most recently completed annual resident match.



3. Annual reporting. By April 1st of each year, each GME program and each hospital seeking a distribution under subsection (C) shall provide to the Administration:
    - a. A GME program shall provide all of the following:
      - i. The requirements of subsections (B)(3)(a)(i) through (iv);
      - ii. The academic year rotation schedule on file with the program current as of the date of reporting; and
      - iii. For programs described under subsection (C)(2)(b), the number of residents expected to be enrolled as a result of the most recently completed annual resident match.
    - b. A hospital seeking a distribution under subsection (C) shall provide the requirements of subsection (B)(3)(b).
  4. Allocation of expansion funds. Annually the Administration shall allocate available funds to approved GME programs in the following manner:
    - a. Information provided by hospitals in accordance with subsection (B)(3)(b) shall be used to determine the program in which each eligible resident is enrolled and the number of days that each eligible resident worked in any area of the hospital complex or in a non-hospital setting under agreement with the reporting hospital during the period of assignment to that hospital. For this purpose, the Administration shall use data relating to the most recent 12-month period that is common to all information provided in accordance with subsections (B)(3)(b)(i) and (ii).
    - b. For approved programs whose resident activity is not represented in the information provided in accordance with subsection (B)(3)(b), information provided by GME programs under subsection (C)(3)(a) shall be used to determine the number of days that each eligible resident is expected to work at each participating institution.
    - c. The number of eligible residents allocated to each participating institution for each approved GME program shall be determined by totaling the number of days determined under subsections (C)(4)(a) and (b) and dividing the totals by 365.
    - d. The number of allocated residents determined under subsection (C)(4)(c) shall be adjusted for Arizona Medicaid utilization in accordance with subsection (B)(4)(c).
    - e. The total allocation for each approved program shall be determined in accordance with subsection (B)(4)(d).
  5. Distribution of expansion funds. On an annual basis subject to available funds, the Administration shall distribute the allocated amounts determined under subsection (C)(4) to the eligible hospitals in each approved program in proportion to the number of Medicaid-adjusted eligible residents allocated to each within that program under subsection (C)(4)(d).
- D.** Subject to available funds and approval by CMS, the Administration shall annually distribute monies appropriated for GME programs approved by the Administration to hospitals for indirect program costs eligible for funding under A.R.S. § 36-2903.01(G)(9)(c)(ii). A GME program is deemed to be established as of the date of its original accreditation. All determinations that are necessary to make distributions described by this subsection shall be made using information possessed by the Administration as of the date of reporting under subsection (D)(3).
1. Eligible health care facilities. A health care facility is eligible for distributions under subsection (D) if all of the following apply:
    - a. It is a hospital in Arizona that is the sponsoring institution of, or a participating institution in, one or more of the GME programs in Arizona or is the base hospital for one or more of the GME programs in Arizona whose sponsoring institutions are not hospitals;
    - b. It incurs indirect program costs for the training of residents in the GME programs, which are or will be calculated on the hospital's Medicare Cost Report or are reimbursable under the Children's Hospitals Graduate Medical Education Payment Program administered by HRSA;
    - c. It is not administered by or does not receive its primary funding from an agency of the federal government.
  2. Eligible resident positions. For purposes of determining program allocation amounts under subsection (D)(4) the following resident positions are eligible for consideration to the extent that the resident training takes place in Arizona and not at a health care facility made ineligible under subsection (D)(1)(c):
    - a. Any filled resident position in an approved program that includes a rotation of at least one month per year in a county other than Maricopa or Pima whose population was less than 500,000 persons at the time the residency rotation was added to the academic year rotation schedule;
    - b. For approved programs that have been established for less than one year as of the date of reporting under subsection (D)(3) and have not yet filled their first-year resident positions, all prospective residents reasonably expected by the program to be enrolled as a result of the most recently completed annual resident match who will perform rotations of at least one month per year in a county other than Maricopa or Pima whose population was less than 500,000 persons at the time the residency rotation was added to the academic year rotation schedule.
  3. Annual reporting. By April 1st of each year, each GME program and each hospital seeking a distribution under subsection (D) shall provide to the Administration:
    - a. A GME program shall provide all of the following:
      - i. The requirements of subsections (B)(3)(a)(i) through (iv);
      - ii. The academic year rotation schedule on file with the program current as of the date of reporting;
      - iii. For programs described under subsection (D)(2)(c), the number of residents expected to be enrolled as a result of the most recently completed annual resident match.
    - b. A hospital seeking a distribution under subsection (D) shall provide the requirements of subsection (B)(3)(b)(iii).
  4. Allocation of funds for indirect program costs. Annually the Administration shall allocate available funds to approved GME programs in the following manner:
    - a. Using the information provided by programs under subsection (D)(3), the Administration shall determine for each program the number of residents in the program who are eligible under subsection (D)(2) and the number of months per year that each eligible resident will perform rotations in counties described by subsection (D)(2), multiply the number of eligible residents by the number of months and multiply the result by the per resident per month conversion factor determined under subsection (D)(4)(b).



- b. Using the most recent Medicare Cost Reports on file with the Administration for all hospitals that have calculated a Medicare indirect medical education payment, the Administration shall determine a per resident per month conversion factor as follows:
  - i. ~~Calculate each hospital's Medicaid share by dividing the AHCCCS inpatient hospital days of care by the total inpatient hospital days from the Medicare Cost Report. For this purpose, the Administration shall use the information described by subsection (B)(4)(c) for adjusting allocated residents for Arizona Medicaid utilization. Calculate each hospital's Medicare share by dividing the Medicare inpatient discharges on the Medicare Cost Report by the total inpatient hospital discharges on the Medicare Cost Report.~~
  - ii. ~~Calculate each hospital's Medicare share by dividing the Medicare inpatient days on the Medicare Cost Report by the total inpatient hospital days on the Medicare Cost Report. Calculate the ratio of residents to beds by dividing the total allocated residents described in subsection (B)(4)(d)(ii) by the number of bed days available from the Medicare Cost Report and dividing the result by the number of days in the cost reporting period.~~
  - iii. ~~Divide the Medicaid share by the Medicare share and multiply the resulting ratio by the indirect medical education payment calculated on the Medicare Cost Report. Calculate the indirect medical education adjustment factor by adding 1 to the value calculated in (D)(4)(b)(ii), multiplying the result by the exponential value 0.405, subtracting 1 from the result, and multiplying that result by 1.35.~~
  - iv. ~~Total the results for all hospitals, divide the result by the total allocated residents determined under subsection (B)(4)(b)(ii) for these hospitals, and divide that result by 12. Calculate each hospital's total indirect medical education cost by adding the DRG amounts other than outlier payments from the Medicare cost report and the managed care simulated payments from the Medicare Cost Report, multiplying the total by the indirect medical education adjustment factor determined in (D)(4)(b)(iii) and dividing the result by the Medicare share determined in (D)(4)(b)(i).~~
  - v. ~~Calculate each hospital's Medicaid indirect medical education cost by multiplying the amount determined in (D)(4)(b)(iv) by the value determined in subsection (B)(4)(c)(i).~~
  - vi. ~~Total the amounts determined in (D)(4)(b)(v) for all hospitals, divide the result by the total allocated residents described in subsection (B)(4)(d)(ii) for all hospitals, and divide that result by 12.~~
- 5. Distribution of funds for indirect program costs. On an annual basis subject to available funds, the Administration shall distribute to each eligible hospital the amount calculated for the hospital at subsection (D)(4)(a).
- E. Reallocation of funds. If funds appropriated for subsection (B) are not allocated by the Administration and funds appropriated for subsections (C) and (D) are insufficient to cover all distributions under subsections (C)(5) and (D)(5), the funds not allocated under subsection (B) shall be allocated under subsections (C) and (D) to the extent of the calculated distributions. If funds are insufficient to cover all distributions under subsections (C)(5) and (D)(5), the Administration shall adjust the distributions proportionally. If funds appropriated for subsections (C) and (D) are not allocated by the Administration and funds appropriated for subsection (B) are insufficient to cover all distributions under subsection (B)(5), the funds not allocated under subsections (C) and (D) shall be allocated under subsection (B) to the extent of the calculated distributions.
- F. The Administration may enter into intergovernmental agreements with local, county, and tribal governments wherein local, county and tribal governments may transfer funds or certify public expenditures to the Administration. Such funds or certification, subject to approval by CMS, will be used to qualify for additional federal funds. Those funds will be used for the purposes of reimbursing hospitals that are eligible under subsection (D)(1) and specified by the local, county, or tribal government for indirect program costs other than those reimbursed under subsection (D). The Administration shall allocate available funds in accordance with subsection (D) except that reimbursement with such funds is not limited to resident positions or rotations in counties with populations of less than 500,000 persons. On an annual basis subject to available funds, the Administration shall distribute to each eligible hospital the greatest among the following amounts, less any amounts distributed under subsection (D)(5):
  - 1. The amount that results from multiplying the total number of eligible residents allocated to the hospital under subsection (B)(4)(~~b~~)(~~d~~)(ii) by 12 by the per resident per month conversion factor determined under subsection (D)(4)(b);
  - 2. The amount calculated for the hospital at subsection (D)(4)(b)(~~iii~~)(v); or
  - 3. The median of all amounts calculated at subsection (D)(4)(b)(~~iii~~)(v) if the hospital does not have an indirect medical education payment calculated on the Medicare Cost Report.





**11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments:**

Only one member of the public came to the oral proceeding in person and provided further positive comments.

Item #	Comment From and Date rec'd.	Comment	Analysis/ Recommendation
1.	Kathleen Collins-Pagels 11/07/17 Executive Director of the AZHCA	I would like to go on record to express my support for the rule revision for the skilled nursing facility (SNF) provider assessment. The Arizona Health Care Association, representing the vast majority of skilled nursing facilities state wide, is pleased to collaborate with AHCCCS on this rule revision. We believe this revision is a critical step in complying with the new CMS managed care rules. We understand that the proposed rulemaking will amend the current rule to authorize two separate funding allocations for purposes of calculating nursing facility supplemental payments to be paid to providers by the spring of 2018 consistent with federal law.  We pledge our continued support as we receive further guidance from CMS in the revision of the SNF provider assessment.  Thank you for this opportunity to offer public comment.	AHCCCS thanks Ms. Collins-Pagels for the support.

**12. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:**

No other matters have been prescribed.

**a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**

Not applicable

**b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:**

The rules need to align with the new Managed Care Regulations in 42 CFR 438.6.

**c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitive-ness of business in this state to the impact on business in other states:**

No analysis was submitted.

**13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rule:**

Not applicable

**14. Whether the rule was previously made, amended or repealed as an emergency rule. If so, cite the notice published in the Register as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:**

Not applicable

**15. The full text of the rules follows:**

**TITLE 9. HEALTH SERVICES  
CHAPTER 28. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)  
ARIZONA LONG-TERM CARE SYSTEM**

**ARTICLE 7. STANDARDS FOR PAYMENTS**

Section  
R9-28-703. Nursing Facility Supplemental Payments

**ARTICLE 7. STANDARDS FOR PAYMENTS**

**R9-28-703. Nursing Facility Supplemental Payments**

~~A. Nursing Facility Supplemental Payments~~

- ~~1. Using Medicaid resident bed day information from the most recent and complete twelve months of adjudicated claims and encounter data, for every combination of contractor and every facility eligible for a supplemental payment, the Administration shall determine annually a ratio equal to the number of bed days for the facility paid by each contractor divided by the total number of bed days paid to all facilities by all contractors and the Administration.~~
- ~~2. Using the same information as used in (A)(1), for every facility eligible for a supplemental payment, the Administration shall determine annually a ratio equal to the number of bed days for the facility paid by the Administration divided by the total number of bed days paid to all facilities by all contractors and the Administration.~~



3. Quarterly, each contractor shall make payments to each facility in an amount equal to 98% of the amounts identified as Nursing Facility Enhanced Payments in the 820 transaction sent from AHCCCS to the contractor for the quarter multiplied by the percentage determined in subsection (A)(1) applicable to the contractor and to each facility.
  4. Quarterly, the Administration shall make payments to each facility in an amount equal to 99% of the amounts collected during the preceding quarter under R9-28-702, less amounts collected and used to fund the Nursing Facility Enhanced Payments included in the capitation paid to contractors and the corresponding federal financial participation, multiplied by the percentage determined in subsection (A)(2) applicable to the Administration and to each facility. The Administration shall make the supplemental payments to the nursing facilities within 20 calendar days of the determination of the quarterly supplemental payment.
  5. Neither the Administration nor its contractors shall be required to make quarterly payments to facilities otherwise required by subsections (A)(3) or (A)(4) until the amount available in the nursing facility assessment fund established by A.R.S. § 36-2999.53, plus the corresponding federal financial participation, is equal to or greater than 101% of the amount necessary to make such payments in full.
  6. Contractors shall not be required to make quarterly payments to a facility otherwise required by subsection (A)(3) until the Administration has made a retroactive adjustment to the capitation rates paid to contractors to correct the Nursing Facility Enhanced Payments based on actual member months for the specified quarter.
- B.** Each contractor must pay each facility the amount computed within 20 calendar days of receiving the Nursing Facility Enhanced Payment from the Administration. The contractors must confirm each payment and payment date to the Administration within 20 calendar days from receipt of the funds.
- C.** After each assessment year, the Administration shall reconcile the payments made by contractors under subsections (A)(3) and (B) to the portion of the annual collections under R9-28-702 attributable to Medicaid resident bed days paid for by contractors for the same year, less one percent, plus available federal financial participation. The proportion of each nursing facility's Medicaid resident bed days as described in subsection (A)(1) shall be used to calculate the reconciliation amounts. Contractors shall make additional payments to or recoup payments from nursing facilities based on the reconciliation in compliance with the requirements of subsection (B).
- D.** General requirements for all payments:
1. A facility must be open on the date the supplemental payment is made in order to receive a payment. In the event a nursing facility closes during the assessment year, the nursing facility shall cease to be eligible for supplemental payments.
  2. In the event a nursing facility begins operation during the assessment year, that facility shall not receive a supplemental payment until such time as the facility has claims and encounter data that falls within the collection period for the payment calculation.
  3. In the event a nursing facility has a change of ownership, payments shall be made to the owner of the facility as of the date of the supplemental payment.
  4. Subsection (E)(3) shall not be interpreted to prohibit the current and prior owner from agreeing to a transfer of the payment from the current owner to the prior owner.
- E.** The Arizona Veterans' Homes are not eligible for supplemental payments.
- A.** Determination of amounts available for payment.
1. Using Medicaid resident bed day information from the most recent and complete twelve months of paid claim and adjudicated encounter data, for every facility eligible for a supplemental payment, the Administration shall determine annually:
    - a. A ratio equal to the number of bed days paid by the Administration's contractors divided by the total number of bed days paid, and
    - b. A ratio equal to the number of bed days paid by the Administration divided by the total number of bed days paid.
  2. The Administration shall determine quarterly the amount available in the nursing facility assessment fund established by A.R.S. § 36-2999.53 plus the corresponding federal financial participation and divide the total amount as follows:
    - a. The total amount multiplied by the ratio determined in subsection (A)(1)(a) shall be distributed according to subsection (B).
    - b. The total amount multiplied by the ratio determined in subsection (A)(1)(b) shall be distributed according to subsection (C).
- B.** Payments to facilities by contractors.
1. The Administration shall distribute quarterly to its contractors an amount equal to the total amount of Nursing Facility Enhanced Payments made by the Administration's contractors for the period of October 1, 2015 through September 30, 2016 divided by 4, which shall be paid to eligible facilities as follows:
    - a. Using the adjudicated encounter data described in subsection (A)(1), the Administration shall determine annually for each facility a ratio equal to the number of bed days for the facility paid by each contractor divided by the total number of bed days paid to all facilities by all contractors.
    - b. Each contractor shall make payments quarterly to each facility in an amount equal to 98% of the amounts identified as Nursing Facility Enhanced Payments in the 820 transaction sent by the Administration to the contractor for the quarter multiplied by the ratio determined in subsection (B)(1)(a) applicable to the contractor and to each facility. In the event the Administration does not produce an 820 transaction, each contractor shall distribute quarterly an amount equal to 98% of the payment received from AHCCCS for Nursing Facility Enhanced Payments.
    - c. Contractors shall not be required to make quarterly payments to a facility until the Administration has made a retroactive adjustment to the capitation rates paid to contractors to correct the Nursing Facility Enhanced Payments based on actual member months for the specified quarter.
    - d. Beginning October 1, 2018, any amounts that would otherwise have been distributed under subsection (B)(1) shall be distributed under subsection (B)(2).
  2. Subject to annual approval by CMS in accordance with 42 CFR § 438.6(c), the Administration shall distribute quarterly to its contractors an amount equal to the amount determined in subsection (A)(2)(a) minus the amount distributed under subsection (B)(1), which shall be paid to eligible facilities as follows:
    - a. Using the Medicaid resident bed day information described by subsection (A)(1), the Administration shall determine quarterly a per bed day enhanced support uniform increase by dividing the quarterly distribution amount by one fourth of the



total resident bed days paid by the Administration's contractors. Using the same Medicaid resident bed day information, the Administration shall determine the quarterly bed days paid to each facility by each contractor by summing the total bed days paid to each facility by each contractor and dividing by 4.

- b. The Administration shall communicate to the contractors quarterly the per bed day enhanced support uniform increase and the quarterly bed days paid to each facility by the contractor.
- c. Each contractor shall distribute quarterly an amount equal to 98% of the payment received from AHCCCS, to be paid to each facility in an amount equal to the per bed day enhanced support uniform increase multiplied by the number of bed days paid by the contractor to the facility.
- 3. Each contractor must pay each eligible facility the amounts required under subsections (B)(1) and (B)(2) within 20 calendar days of receiving the Nursing Facility Enhanced Payment from the Administration. The contractors must confirm each payment and payment date to the Administration within 20 calendar days from receipt of the funds.

**C. Payments to facilities by the Administration.**

- 1. Using the paid claim data described in subsection (A)(1), the Administration shall determine annually for each facility a ratio equal to the number of bed days for the facility paid by the Administration divided by the total number of bed days paid to all facilities by the Administration.
- 2. The Administration shall make payments quarterly to each eligible facility in an amount equal to 99% of the amount determined in subsection (A)(2)(b) multiplied by the ratio determined in subsection (C)(1) applicable to the facility.
- 3. The Administration shall make the supplemental payments to the eligible facilities within 20 calendar days of determining the amounts required under subsection (C)(2).

**D. Assurance of sufficient funds for payments.** Neither the Administration nor its contractors shall be required to make quarterly payments to facilities otherwise required by subsections (B) and (C) until the amount available in the nursing facility assessment fund established by A.R.S. § 36-2999.53, plus the corresponding federal financial participation, is equal to or greater than 101% of the amount necessary to make such payments in full.

**E. General requirements for all payments.**

- 1. A facility must be open on the date the supplemental payment is made in order to receive a payment. In the event a nursing facility closes during the assessment year, the nursing facility shall cease to be eligible for supplemental payments.
- 2. In the event a nursing facility begins operation during the assessment year, that facility shall not receive a supplemental payment until such time as the facility has claim and encounter data that falls within the collection period for the payment calculation.
- 3. In the event a nursing facility has a change of ownership, payments shall be made to the owner of the facility as of the date of the supplemental payment.
- 4. Subsection (E)(3) shall not be interpreted to prohibit the current and prior owner from agreeing to a transfer of the payment from the current owner to the prior owner.
- 5. The Arizona State Veterans' Homes are not eligible for supplemental payments.



**NOTICES OF FINAL EXEMPT RULEMAKING**

This section of the *Arizona Administrative Register* contains Notices of Final Exempt Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these rules.

Questions about the interpretation of the final exempt rule should be addressed to the agency promulgating the rules. Refer to Item #5 to contact the person charged with the rulemaking.

**NOTICE OF FINAL EXEMPT RULEMAKING  
TITLE 7. EDUCATION  
CHAPTER 2. STATE BOARD OF EDUCATION**

[R18-04]

**PREAMBLE**

- | <b><u>1. Article, Part, or Section Affected (as applicable)</u></b> | <b><u>Rulemaking Action</u></b> |
|---|---------------------------------|
| R7-2-604.03   | Amend                           |
| R7-2-604.04   | Amend                           |
| R7-2-604.05   | New Section                     |
| R7-2-607  | Amend                           |
| R7-2-608  | Amend                           |
| R7-2-609  | Amend                           |
| R7-2-610  | Amend                           |
| R7-2-610.01   | New Section                     |
| R7-2-610.02   | New Section                     |
| R7-2-611  | Amend                           |
| R7-2-612  | Amend                           |
| R7-2-613  | Amend                           |
| R7-2-614  | Amend                           |
| R7-2-616  | Amend                           |
| R7-2-617  | Amend                           |
| R7-2-619  | Amend                           |
| R7-2-621  | Amend                           |
- 2. Citations to the agency’s statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific), and the statute or session law authorizing the exemption:**  
 Authorizing statute: A.R.S. § 15-203 (A) (14)  
 Implementing statute: A.R.S. §§ 15-203 (A) (14), 15-532, 15-533, 15-553 and 15-782.01  
 Exemption Statute: A.R.S. § 41-1005 (F)
  - 3. The effective date of the rules and the agency’s reason it selected the effective date:**  
 August 9, 2017  
 August 9, 2017 was the effective date of the enabling legislation.
  - 4. A list of all notices published in the Register as specified in R1-1-409(A) that pertains to the record of the exempt rulemaking:**  
 Not applicable
  - 5. The agency’s contact person who can answer questions about the rulemaking:**  
 Name: Alicia Williams, Executive Director  
 Address: State Board of Education  
 1700 W. Washington, Suite 300  
 Phoenix, AZ 85007  
 Telephone: (602) 542-5057  
 Fax: (602) 542-3046  
 E-mail: inbox@azsbe.az.gov
  - 6. An agency’s justification and reason why a rule should be made, amended, repealed, or renumbered to include an explanation about the rulemaking:**  
 Laws 2017, Chapter 245, and Laws 2017, Chapter 20, make various changes to educator certification including changes to certification length, alternative preparation programs, proficiency examination waivers and the creation of a new certificate.  
 The legislation directed the State Board of Education to draft rules to conform and comply with these changes and to submit drafts regarding alternative preparation programs to the Governor and the chairs of the Senate and House Education Committees.



Conforming changes are made throughout the rules.

- 7. **A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**  
Not applicable
- 8. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**  
Not applicable
- 9. **The summary of the economic, small business and consumer impact, if applicable:**  
The rules are not expected to have significant, if any, economic impact on small businesses.
- 10. **A description of the changes between the proposed rules, including supplemental notices and final rules (if applicable):**  
Not applicable
- 11. **A summary of the comments made regarding the rule and the agency response to them:**  
Pursuant to the Board’s rulemaking procedures, a public hearing was held on July 24, 2017. The Board received one written comment from the public that was unsupportive of the changes, and a letter from members of the Legislature that was supportive of the changes.
- 12. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**  
Not applicable
- 13. **Incorporations by reference and their location in the rules:**  
Not applicable
- 14. **Was this rule previously made as an emergency rule? If so, please indicate the Register citation:**  
Not applicable
- 15. **The full text of the rule follows:**

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

ARTICLE 6. CERTIFICATION

Section

- R7-2-604.03. ~~Alternative Educator Preparation Programs~~ Alternative Educator Preparation Program Approval Process
- R7-2-604.04. ~~Alternative Educator Preparation Program Approval Process~~ Revocation of approval of qualified provider: Notification of intent; requirements of exit plan
- R7-2-604.05. Classroom-Based Alternative Preparation Program Approval Process
- R7-2-607. General Certification Provisions
- R7-2-608. Early Childhood Teaching Certificates
- R7-2-609. Elementary Teaching Certificates
- R7-2-610. Secondary Teaching Certificates
- R7-2-610.01. Specialized Secondary Teaching Certificates
- R7-2-610.02. Subject Matter Expert Standard Teaching Certificate
- R7-2-611. Special Education Teaching Certificates
- R7-2-612. Career and Technical Education Teaching Certificates
- R7-2-613. PreK-12 Teaching Certificates
- R7-2-614. Other Teaching Certificates
- R7-2-616. Standard Professional Administrative Certificates
- R7-2-617. Other Professional Certificates
- R7-2-619. Renewal Requirements
- R7-2-621. Reciprocity

ARTICLE 6. CERTIFICATION

~~R7-2-604.03. Alternative Educator Preparation Programs~~ **Alternative Educator Preparation Program Approval Process**  
Professional Preparation Institutions that submit an alternative educator preparation program(s) for Board approval must adhere to R7-2-604.04

- A. An organization that includes, but is not limited to, universities under the jurisdiction of the Arizona Board of Regents, community colleges in this state, private postsecondary institutions licensed by this state, school districts, charter schools, professional organizations, nonprofit organizations, private entities and regional training centers that oversee one or more educator preparation programs which wishes to offer a program for an alternative route for the certification of teachers and administrators in this State must apply to the State Board of Education on a form prescribed by the Department of Education for approval to become an approved provider of such a program. The application must include:
  - 1. The name and location of the applicant;



2. The name of the program;
  3. If the applicant is accredited, the name of the regional accrediting body and the accreditation status of the applicant;
  4. If the applicant is a private postsecondary educational institution, evidence that the applicant is licensed to operate by the State Board of Private Postsecondary Education pursuant to A.R.S. § 32-3021;
  5. A description of the budget of the program;
  6. The areas of certification for which the applicant will offer the program;
  7. A description of the program, which must include:
    - a. The way in which the elements of the program will comply with the requirements of this section and R7-2-602, R7-2-603 as applicable and A.R.S. § 15-203(A)(14)(a)(i)-(vi);
    - b. The application and review process for persons to enroll in the program, including a copy of all forms that will be used in the process; and
    - c. The supervised, school-based experiences the applicant will provide, including:
      - i. The name of each school and school district that will participate in the supervised, school-based experience;
      - ii. The length of time for which a candidate will be required to participate in the supervised, school-based experience, including any orientation that the candidate must complete;
      - iii. The manner by which candidates will be mentored by an effective or highly effective teacher and evaluated during the supervised, school-based experience;
      - iv. How the supervised, school-based experience will promote the effectiveness of teachers and administrators, as appropriate; and
      - v. A copy of all forms that will be used for the supervised, school-based experience process;
  8. A list of all staff members for the program, the roles and responsibilities of each person and his or her credentials;
  9. A statement of the estimated time it will take a candidate enrolled in the program to complete the program, which must allow for completion of the program within one year but not more than three years;
  10. A description of the manner by which the applicant will evaluate the success or failure of each candidate enrolled in the program and track the progress of each such candidate, including a copy of all forms that will be used for the evaluation and tracking;
  11. A description of how the applicant will evaluate the success of the program, which must include the information required for the evaluation pursuant to R7-2-604.02(K)(4).
- B.** Upon receipt of an application for approval as an approved provider pursuant to subsection (A), the State Board of Education will appoint a review team to review the application consisting of a currently certified professional educator that is a graduate of an alternative certification program, a currently certified professional administrator, a member of the business community, two members of the Certification Advisory Committee and a representative from the Department of Education. The review team shall:
1. Examine the application;
  2. Determine whether to recommend that the State Board of Education grant its approval of the application based upon the requirements of this section without any additional requirements; and
  3. Submit its recommendation to the State Board of Education within 60 days of receipt of the application.
- C.** The State Board of Education will review the recommendation of the review team submitted pursuant to subsection B and provide to the applicant written notice of its approval or denial. The State Board of Education may grant provisional approval to an applicant pursuant to subsection (D). If the State Board of Education denies an application, the applicant may correct any deficiencies identified in the notice of denial and resubmit the application for review by the State Board of Education within 60 days of the denial.
- D.** If the State Board of Education grants an applicant provisional approval, the applicant may offer the program for an alternative route to certification described in the application for the period prescribed by the State Board of Education. The applicant must remove all the provisions under which the approval was issued before the expiration of the provisional approval. If the applicant removes the provisions within the prescribed time, the State Board of Education will grant nonprovisional approval to the applicant as an approved provider. Provisional approval is valid for two years after the date on which the State Board of Education granted provisional approval. If an applicant does not remove all the provisions within the prescribed time, the provisional approval is automatically revoked.
- E.** Except as otherwise provided in subsection (D), if an applicant is approved as an approved provider pursuant to this section, the approval is valid for six years after the date of approval. To continue the approval, the qualified provider must submit an application for renewal before the expiration of the approval to the State Board of Education on a form prescribed by the Department of Education. If the application for renewal is approved by the State Board of Education, the renewal is valid for six years after the date of the approval.
- F.** If an approved provider intends to offer a program for an alternative route to certification for an area of certification that is different from the area of certification for which the qualified provider has been approved, the qualified provider must submit a new application pursuant to subsection (A) to offer a program for an alternative route to certification for that area of certification.
- G.** An approved provider shall provide its program completers with an institutional recommendation for issuance of the appropriate Arizona alternative path certification within 45 days. An approved provider seeking renewal of its program approval shall submit the required renewal application for review at least 90 days prior to the program expiration date.
- H.** Each qualified provider must submit a report once every two years which includes:
1. A description of any substantive changes in courses, seminars, modules or assessments in the Board approved educator preparation programs;
  2. The name, title and original signature of the certification officer for the professional preparation institution; and
  3. Relevant data on the educator preparation program, relevant staff, and candidates, which may include, but is not limited to, stakeholder surveys, completer data, and student achievement data required as a condition of continuing program approval.
- I.** The Department shall:
1. Present the results of the report to the State Board of Education; and
  2. After the results have been presented to the State Board of Education, post the report on the Department's website.



J. Each qualified provider shall cooperate with the State Board of Education and the Department in the evaluation of the effectiveness of this section.

**R7-2-604.04. ~~Alternative Educator Preparation Program Approval Process~~ Revocation of approval of qualified provider: Notification of intent; requirements of exit plan**

~~Professional Preparation Institutions that submit an alternative educator preparation program(s) for Board approval must adhere to R7-2-604.02, except that individuals participating in or completing Board approved alternative educator preparation programs as delineated in this section may apply for a teaching intern certificate, pursuant to R7-2-614(E), and may complete their field experience and capstone experiences during the valid period of their teaching intern certificate.~~

- A. The State Board of Education may revoke its approval of an approved provider if the Board determines that the program for an alternative route to certification offered by the qualified provider does not meet the applicable requirements of R7-2-604.03.
- B. Before the Board revokes its approval of an approved provider, the Board will notify the qualified provider of its intent to revoke approval. The notice must include the specific reasons upon which the Board is basing its decision. Not later than 30 days after the date on which the qualified provider receives the notice, the qualified provider may submit a written response to the Board which sets forth the reasons why approval should not be revoked. The Board will review the notice and any response submitted by the qualified provider and will determine whether to:
  - 1. Revoke the approval of the qualified provider;
  - 2. Allow the qualified provider to continue providing the program for an alternative route to certification if certain enumerated conditions are met; or
  - 3. Allow the continued approval of the qualified provider without conditions.
- C. If the Board revokes its approval of an approved provider, the qualified provider must provide an exit plan which includes a description of how the qualified provider will assist candidates enrolled in the program for an alternative route to certification in completing another program with a different qualified provider at no cost to the candidate.

**R7-2-604.05. Classroom-Based Alternative Preparation Program Approval Process**

- A. A school district or charter school may apply to the Board for approval as a classroom-based alternative preparation program provider. The application, on a form prescribed by the Department, shall include the following:
  - 1. Verification that individuals to be enrolled in the program will have a bachelor's degree from an accredited institution;
  - 2. Verification that individuals to be enrolled in the program will have a valid fingerprint card issued by the Arizona Department of Public Safety;
  - 3. Prior to August 1, 2020, individuals enrolled in the program possess:
    - a. An emergency teaching certificate; or
    - b. A teaching intern certificate
    - c. Individuals enrolled at a charter school classroom-based alternative preparation program are not required to possess a certificate.
  - 4. Data supporting the efficacy of its teacher preparation program, which may include stakeholder surveys, completer data and student achievement data. The school district or charter school may contract with a third party provider to provide the classroom-based alternative preparation program and may use that program's efficacy data to meet this requirement.
- B. Upon successful completion of a classroom-based alternative preparation program, an individual may apply for an Arizona Classroom-Based Standard Teaching certificate.

**R7-2-607. General Certification Provisions**

- A. The evaluation to determine qualification for certification shall not begin until an institutional recommendation or application for certification and official transcripts, and the appropriate fees have been received by the Department. Course descriptions, verification of employment, and other documents may also be required for the evaluation.
- B. Unless otherwise specified, a standard certificate shall be issued for 12 years and may be issued with deficiencies. Applicants may receive a standard certificate with the following deficiencies of requirements to be completed within three years: research-based phonics; reading instruction including for students with dyslexia; professionalism and ethics; and U.S. and Arizona Constitutions. If an applicant fails to meet these requirements within the prescribed time period, the Department of Education or the Board shall temporarily suspend the standard certificate, but the suspension is not considered a disciplinary action and the individual shall be allowed to correct the deficiency within the remaining time of the standard certification.
- ~~B.C.~~ The effective date of a new certificate shall be the date the evaluation is completed by the Department. The effective date of a renewed certificate shall be the date the evaluation for renewal is completed by the Department.
- ~~C.D.~~ Unless otherwise specified, all certificates and provisional endorsements issued for three years or less shall expire on the date of issuance in the year of expiration. All certificates issued for more than three years shall expire on the holder's birth date in the year of expiration.
- ~~D.~~ If an applicant has not met all the requirements for the certificate or endorsement at the time of evaluation, the applicant shall have a maximum of 60 days to complete those requirements and request re-evaluation.
- E. Only those degrees awarded by an accredited institution shall be considered to satisfy the requirements for certification.
- F. Professional preparation programs, courses, practica, and examinations required for certification shall be taken at an accredited institution or a Board-approved teacher preparation program.
- G. Only those courses in which the applicant received a passing grade or credit shall be considered to satisfy the requirements for certification.
- H. All certificates issued by the Board before the effective date of this Article are considered to have been issued in conformance with these rules.
- I. The Board shall issue a comparable Arizona certificate, if one has been established by R7-2-608, R7-2-609, R7-2-610, R7-2-611, R7-2-612, or R7-2-613, and shall waive the requirements for passing the comparable professional knowledge, subject knowledge, and



performance portions of the Arizona Teacher Proficiency Assessment, to an applicant who holds current comparable certification from the National Board for Professional Teaching Standards.

- J.** An applicant is not required to take any portion of the Arizona Teacher Proficiency Assessment if the applicant has at least three years of full-time teaching experience in any state, including this state, in the comparable area of certification or endorsement in which the person is applying for certification, regardless of whether the applicant was certified or uncertified. An applicant is not required to take any portion of the Arizona Administrator Proficiency Assessment if the person has been an administrator in any state, including this state, regardless of whether the applicant was certified or uncertified.
- K.** An applicant is exempt from the testing requirements for Arizona certificates if the applicant passed corresponding portions of a professional or subject knowledge examinations, or administrator examination adopted by a state agency in another state that are substantially similar to the Arizona Teacher Proficiency Assessments or the Arizona Administrator Proficiency Assessment.
- L.** An applicant is exempt from the subject knowledge portion of the Arizona Teacher Proficiency Assessment if:
  1. The applicant provides verification of teaching courses relevant to a content area or subject matter for the last two consecutive years, and for a total of at least three years at one or more accredited postsecondary institutions; or
  2. The applicant obtained a bachelor's, master's or doctoral degree from an accredited institution in a relevant subject area; or
  3. The applicant provides verification of a minimum of five years of work experience that is relevant to a subject area of certification.
- J.M.** Teachers in grades six through 12 whose primary assignment is in an academic subject required pursuant to R7-2-301; and R7-2-302, R7-302.01 and R7-302.02 shall hold a certificate, endorsement, or approved area in the assigned subject or demonstrate proficiency by passing the appropriate subject area portion of the Arizona Teacher Proficiency Assessment or as provided in subsections (J), (K) and (L). The subject areas of demonstrated proficiency shall be specified on the certificate. If a proficiency assessment is not offered in a subject area, an approved area shall consist of a minimum of 24 semester hours of courses in the subject.
- K.N.** If a language assessment is not offered through the Arizona Teacher Proficiency Assessment, a passing score on a nationally accredited test of a foreign language approved by the Board may demonstrate proficiency of that foreign language in lieu of the 24 semester hours of courses in that subject.
- L.O.** A teacher's language proficiency in a Native American language shall be verified by a person, persons, or entity designated by the appropriate tribe in lieu of the 24 semester hours of courses in that subject.
- M.P.** Teachers of homebound students shall hold the same certificate that is required of a classroom teacher.
- N.Q.** Fingerprint clearance cards shall be issued by the Arizona Department of Public Safety.
- O.R.** A person who surrenders their teaching certificate for any reason shall not submit an application for certification with the Board for a period of five years. A person re-applying after the five-year ban must apply under the current rules at the time of re-application.
- S.** A teacher with National Board Certification in the subject area(s) the applicant is seeking certification(s) is exempt from the professional knowledge and the subject knowledge portions of the Arizona Teacher Proficiency Assessments.
- T.** Notwithstanding any other provision, an individual with a deficiency in the Arizona and U.S. Constitutions who teaches an academic course that focuses primarily on history, government, social studies, citizenship, law or civics shall be issued a standard certificate subject to suspension in one year if that deficiency is not removed. The suspension is not considered a disciplinary action and the individual shall be allowed to correct that deficiency within the remaining time of the standard certification.
- U.** As used in this article, unless otherwise provided, "work experience" means work experience identified in the submission of a resume verified by a hiring superintendent of personnel director at the public school or the Department of Education which demonstrates knowledge or skill relevant to a subject area.

#### **R7-2-608. Early Childhood Teaching Certificates**

- A.** By July 1, 2012, either a provisional or a **A** standard early childhood education certificate shall be required for individuals teaching in public school early childhood education programs, except as provided in R7-2-611 or in R7-2-615(L)(N). For individuals teaching in grades ~~one~~ kindergarten through three, this certificate is optional. An Early Childhood Special Education certificate as described in R7-2-611 is not required for individuals who hold the Early Childhood Teaching Certificate as described in this Section in combination with an Arizona cross-categorical mild-moderate disabilities, specialized special education, or moderate to severe disabilities ~~severe and profound~~ teaching certificate as described in R7-2-611.
- B.** For the purposes of this rule, public school early childhood education programs ~~are defined as means~~ education programs provided by local education agencies, including their sub-grantees and contracted providers, for children birth through age 8 for the purpose of providing academically and developmentally appropriate learning opportunities that are standards-based with defined curriculum and comprehensive in content to include all appropriate developmental and academic areas as defined by the Arizona Early Childhood Education Standards or the Arizona K-12 Academic Standards approved by the Board. ~~The Arizona Early Childhood Education Standards: Arizona Department of Education, 1535 West Jefferson Street, Phoenix, AZ 85007, were adopted by the State Board of Education in June 2003 and the Arizona K-12 Academic Standards: Arizona Department of Education, 1535 West Jefferson Street, Phoenix, AZ 85007, were adopted by the State Board of Education as follows: Arts, April 1997; Comprehensive Health/PE, April 1997; Foreign and Native Language, April 1997; Mathematics, March 2003; Reading, March 2003; Science, May 2004; Social Studies, March 2000; Technology, September 2000; Workplace Skills, March 1997; and Writing, June 2004, are incorporated by reference and are on file with the Arizona Department of Education. This incorporation by reference contains no further editions or amendments. Copies of the incorporated material are available for review at Arizona Department of Education, 1535 West Jefferson Street, Phoenix, AZ 85007 or on the Arizona Department of Education web site at www.ade.az.gov/standards. Public school early childhood education programs include, but are not limited to, half-day and full-day kindergarten programs, Early 2 Childhood Block Grant programs pursuant to A.R.S. § 15-1251, Family Literacy Programs for preschool children pursuant to A.R.S. § 15-191.01, and public school-administered early childhood education programs funded in whole or part with federal funds, such as the Head Start or Even Start programs, provided nothing in these rules conflicts with the terms of the federal grant. Extended-day child care programs provided by local educational agencies are not considered early childhood education programs for purposes of this rule unless the program meets the definition of a public school early childhood education program set forth above.~~



- C. Except as noted, all certificates are subject to the general certification provisions in R7-2-607 and the renewal requirements in R7-2-619.
- D. ~~Provisional Standard Professional~~ Early Childhood Education Certificate – birth through age 8 or through grade three.
  - ~~1. This certificate is valid for three years and is not renewable but may be extended once for two years, upon written request of the holder to the Department, if the requirements in subsection (E)(3) have not been met.~~
  - 2. The requirements are:
    - ~~a.1.~~ A bachelor’s degree, and
    - ~~b.2.~~ One of the following:
      - ~~i.a.~~ Completion of a teacher preparation program in early childhood education from an accredited institution or a teacher preparation program approved by the Board, or
      - ~~ii.b.~~ Early childhood education coursework and practicum experience which teaches the knowledge and skills described in R7-2-602 and includes both of the following:
        - ~~(1)i.~~ Thirty-seven semester hours of early childhood education courses to include all of the following areas of study:
          - ~~(a)(1)~~ Foundations of early childhood education;
          - ~~(b)(2)~~ Child guidance and classroom management;
          - ~~(c)(3)~~ Characteristics and quality practices for typical and atypical behaviors of young children;
          - ~~(d)(4)~~ Child growth and development, including health, safety and nutrition;
          - ~~(e)(5)~~ Child, family, cultural and community relationships;
          - ~~(f)(6)~~ Developmentally appropriate instructional methodologies for teaching language, math, science, social studies and the arts;
          - ~~(g)(7)~~ Early language and literacy development;
          - ~~(h)(8)~~ Assessing, monitoring and reporting progress of young children; and
        - ~~(2)ii.~~ A minimum of eight semester hours of practicum, including:
          - ~~(a)(1)~~ A minimum of four semester hours in a supervised field experience, practicum, internship or student teaching setting serving children birth through preschool. One year of full-time verified teaching experience with children in birth through preschool may substitute for this student teaching experience. This verification may come from a school-based education program or center-based program licensed by the Department of Health Services or regulated by tribal or military authorities; and
          - ~~(b)(2)~~ A minimum of four semester hours in a supervised student teaching setting serving children in kindergarten through grade three. One year of full-time verified teaching experience with children in kindergarten through grade three in an accredited school may substitute for this student teaching experience; or
      - ~~iii.c.~~ A valid early childhood education certificate from another state.
  - ~~e.3.~~ A valid Fingerprint Clearance Card issued by the Arizona Department of Public Safety, and
  - ~~d.4.~~ A passing score on the professional knowledge portion of the Arizona ~~Educator~~ Teacher Proficiency Assessment once that portion of the AEPA is adopted by the Board, and
  - ~~e.5.~~ A passing score on the early childhood subject knowledge portion of the Arizona ~~Educator~~ Teacher Proficiency Assessment ~~once that portion of the AEPA is adopted by the Board unless the applicant has a bachelor’s, master’s or doctoral degree in a relevant content area or otherwise qualifies for a waiver of the subject knowledge examination.~~
- ~~E. Standard Early Childhood Education Certificate—birth through age 8 or through grade three.~~
  - ~~1. By July 1, 2012, either a provisional or a standard early childhood education certificate shall be required for individuals teaching in public school early childhood education programs, except as provided in R7-2-611 or in R7-2-615(L). For individuals teaching in grades one through three, this certificate is optional.~~
  - ~~2. This certificate is valid for six years.~~
  - ~~3. The requirements are:~~
    - ~~a. Qualification for the Provisional Early Childhood Education Certificate; and~~
    - ~~b. Two years of verified teaching experience, during the valid period of the Provisional Early Childhood Education Certificate, with children birth through age 8 or grade three in a school-based education program or center-based program licensed by the Department of Health Services or regulated by Tribal or military authorities; and~~
    - ~~c. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.~~
  - ~~4. An individual may also qualify for a Standard Early Childhood Education Certificate if the individual:~~
    - ~~a. Holds current National Board Certification in Early Childhood, and~~
    - ~~b. Holds a valid fingerprint Clearance Card issued by the Arizona Department of Public Safety.~~
- E. Standard Professional Early Childhood Education Certificate – birth through age 8 or through grade three for applications received on and after August 1, 2018.
  - 1. The requirements include all of the following:
    - a. A bachelor’s degree;
    - b. Completion of a teacher preparation program in early childhood education from a Board-approved educator preparation program or from an accredited institution offering substantially similar training addressing the following topics and any others as required by law:
      - i. Research-based systematic phonics, including early language and literacy development;
      - ii. Research-based instructional strategies for delivering differentiated reading instruction, assessment, intervention and remediation to support readers of varying ages and ability levels, including students with dyslexia;
      - iii. Foundations of early childhood education;
      - iv. Teaching students with exceptionalities;
      - v. Child guidance and classroom management, including characteristics and quality practices for typical and atypical behaviors of young children;



- vi. Child growth and development, including health, safety and nutrition;
  - vii. Child, family, cultural and community relationships;
  - viii. Developmentally appropriate instructional methodologies for teaching language, math, science, social studies and the arts;
  - ix. Assessing, monitoring and reporting progress of young children;
  - x. Instructional design and lesson planning, including modifications and accommodations;
  - xi. Practicum as described in R7-2-604 serving children birth through preschool;
  - xii. Professional responsibility and ethical conduct; and
  - xiii. Twelve-week capstone experience as described in R7-2-604 children in kindergarten through grade three, which may be completed during the valid period of a teaching intern or student teaching intern certificate. For individuals seeking dual certification, any capstone experience requirements may be met through separate eight-week capstone experiences in each of the certification areas sought.
- c. A valid Fingerprint Clearance Card issued by the Arizona Department of Public Safety;
  - d. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment; and
  - e. A passing score on the early childhood subject knowledge portion of the Arizona Teacher Proficiency Assessment, unless the applicant has a bachelor's, master's or doctoral degree in a relevant content area or otherwise qualifies for a waiver of the subject knowledge examination.
2. Applicants may meet the requirements in subsection (E)(1)(b) with the submission of an application for the Standard Professional Early Childhood Education certificate that includes evidence of two years of verified full-time teaching experience serving children birth through grade three, and Board-approved or accredited training or coursework which teaches the knowledge and skills described in R7-2-602 and subsections (E)(1)(b)(i)-(xii). One year of verified full-time teaching experience serving children in kindergarten through grade three may be substituted for the capstone experience.

#### **R7-2-609. Elementary Teaching Certificates**

- A. Except as noted, all certificates are subject to the general certification provisions in R7-2-607 and the renewal requirements in R7-2-619.
- B. Provisional Standard Professional Elementary Certificate – grades K through eight
- ~~1.~~ The certificate is valid for three years and is not renewable but may be extended as set forth in R7-2-606(H) or (I).
  - 2. The requirements are:
    - ~~a.~~ 1. A bachelor's degree,
    - ~~b.~~ 2. One of the following:
      - ~~i.~~ a. Completion of a teacher preparation program in elementary education from an accredited institution or a Board-approved teacher preparation program, described in R7-2-604; or
      - ~~ii.~~ b. Forty-five semester hours of education courses which teach the knowledge and skills described in R7-2-602, including at least eight semester hours of practicum in grades K through eight. Two years of verified teaching experience in grades Pre-kindergarten through eight may be substituted for the eight semester hours of practicum; or
      - ~~iii.~~ c. A valid elementary certificate from another state.
    - ~~e.~~ 3. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment;
    - ~~d.~~ 4. A passing score on the elementary education subject knowledge portion of the Arizona Teacher Proficiency Assessment unless the applicant has a bachelor's, master's or doctoral degree in a relevant content area or otherwise qualifies for a waiver of the subject knowledge assessment;
    - ~~e.~~ 5. A valid fingerprint card issued by the Arizona Department of Public Safety; and
- C. Standard Elementary Certificate – grades K through eight
- ~~1.~~ The certificate is valid for six years.
  - 2. The requirements are:
    - ~~a.~~ A provisional elementary certificate;
    - ~~b.~~ A passing score on the performance portion of the Arizona Teacher Proficiency Assessment. If a performance portion of the Proficiency Assessment has not been adopted by the Board, two years of verified full-time teaching experience may be used to fulfill this requirement;
    - ~~e.~~ A valid fingerprint clearance card issued by the Arizona Department of Public Safety; and
    - ~~d.~~ 6. Forty-five hours or three semester hours of instruction in research-based systematic phonics. An accredited institution or other provider may provide this instruction.
- C. Standard Professional Elementary Certificate – grades kindergarten through eight for applications received on and after August 1, 2018.
- 1. The requirements include all of the following:
    - a. A bachelor's degree;
    - b. Completion of a teacher preparation program in elementary education from a Board-approved educator preparation program or from an accredited institution offering substantially similar training, addressing the following topics and any others as required by law:
      - i. Research-based systematic phonics, including language and literacy development;
      - ii. Research-based instructional strategies for delivering differentiated reading instruction, assessment, intervention and remediation to support readers of varying ages and ability levels, including students with dyslexia;
      - iii. Developmentally appropriate instructional delivery, facilitation and methodologies for teaching language, math, science, social studies and the arts;
      - iv. Instructional design and lesson planning, including modifications, and accommodations;
      - v. The learning environment, including classroom management;
      - vi. Assessing, monitoring and reporting progress;



- vii. Teaching students with exceptionalities;
- viii. Professional responsibility and ethical conduct; and
- ix. Twelve weeks of capstone experience as described in R7-2-604 in grades kindergarten through eight, which may be completed during the valid period of a teaching intern or student teaching intern certificate. One year of verified full-time teaching experience in grades kindergarten through eight may be substituted for the capstone experience requirement. For individuals seeking dual certification, any capstone experience requirements may be met through separate eight-week capstone experiences in each of the certification areas sought.
- c. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment;
- d. A passing score on the elementary education subject knowledge portion of the Arizona Teacher Proficiency Assessment, unless the applicant has a bachelor's, master's or doctoral degree in a relevant content area or otherwise qualifies for a waiver of the subject knowledge assessment; and
- e. A valid fingerprint card issued by the Arizona Department of Public Safety.
- 2. Applicants may meet the requirements in subsection (C)(1)(b) with the submission of an application for the Standard Professional Elementary certificate that includes evidence of two years of verified full-time teaching experience in grades kindergarten through eight, and Board-approved or accredited training or coursework which teaches the knowledge and skills described in R7-2-602 and subsections (C)(1)(b)(i)-(viii). One year of verified full-time teaching experience in grades kindergarten through eight may be substituted for the capstone experience.

**R7-2-610. Secondary Teaching Certificates**

- A. Except as noted, all certificates are subject to the general certification provisions in R7-2-607 and the renewal requirements in R7-2-619.
- B. ~~Provisional Standard Professional Secondary Certificate - grades six through 12~~
  - 1. ~~The certificate is valid for three years and is not renewable but may be extended as set forth in R7-2-606(H) or (I).~~
  - 2. ~~The requirements are:~~
    - a. ~~1. A bachelor's degree,~~
    - b. ~~2. One of the following:~~
      - i. ~~a. Completion of a teacher preparation program in secondary education from an accredited institution or a Board-approved teacher preparation program, described in R7-2-604; or~~
      - ii. ~~b. Thirty semester hours of education courses which teach the knowledge and skills described in R7-2-602, including at least eight semester hours of practicum in grades six through 12. Two years of verified teaching experience in grades six through postsecondary may substitute for the eight semester hours of practicum; or~~
      - iii. ~~c. A valid secondary certificate from another state.~~
    - e. ~~3. A passing score on one or more subject knowledge portions of the Arizona Teacher Proficiency Assessment, unless the applicant has a bachelor's, master's or doctoral degree in a relevant subject area or otherwise qualifies for a waiver of the subject knowledge exam;~~
    - d. ~~4. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment; and~~
    - e. ~~5. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.~~
- C. ~~Standard Secondary Certificate - grades six through 12~~
  - 1. ~~The certificate is valid for six years.~~
  - 2. ~~The requirements are:~~
    - a. ~~A provisional secondary certificate;~~
    - b. ~~A passing score on the performance portion of the Arizona Teacher Proficiency Assessment. If a performance portion of the Proficiency Assessment has not been adopted by the Board, two years of verified full-time teaching experience may be used to fulfill this requirement; and~~
    - e. ~~A valid fingerprint clearance card issued by the Arizona Department of Public Safety.~~
- C. Standard Professional Secondary Certificate - grades six through 12 for applications received on and after August 1, 2018.
  - 1. The requirements include all of the following:
    - a. A bachelor's degree;
    - b. Completion of a teacher preparation program in secondary education from a Board-approved educator preparation program or from an accredited institution offering substantially similar training, addressing the following topics and any others as required by law:
      - i. Research-based instructional strategies for delivering differentiated reading instruction, assessment, intervention and remediation to support readers of varying ages and ability levels, including students with dyslexia;
      - ii. Instructional design and lesson planning, including modifications and accommodations;
      - iii. The learning environment, including classroom management;
      - iv. Developmentally appropriate instructional delivery, facilitation and methodologies;
      - v. Assessing, monitoring and reporting progress;
      - vi. Teaching students with exceptionalities;
      - vii. Professional responsibility and ethical conduct;
      - viii. Twelve weeks of capstone experience as described in R7-2-604 in grades six through postsecondary, which may be completed during the valid period of a teaching intern or student teaching intern certificate; one year of verified full-time teaching experience in grades six through postsecondary may substitute for the capstone experience requirement. For individuals seeking dual certification, any capstone experience requirements may be met through separate eight-week capstone experiences in each of the certification areas sought.
  - c. A passing score on one or more subject knowledge portions of the Arizona Teacher Proficiency Assessment unless the applicant has a bachelor's, master's or doctoral degree in a relevant subject area or otherwise qualifies for a waiver of the subject knowledge exam;



- d. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment; and
- e. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- 2. Applicants may meet the requirements in subsection (C)(1)(b) with the submission of an application for the Standard Professional Secondary Certificate that includes evidence of two years of verified full-time teaching experience in grades six through postsecondary, and Board-approved or accredited training or coursework which teaches the knowledge and skills described in R7-2-602 and subsections (C)(1)(b)(i)-(vii). One year of verified full-time teaching experience in grades six through postsecondary may be substituted for the capstone experience.
- D. Specialized Secondary Certificate—Science, Technology, Engineering or Mathematics—grades seven through 12-**
  - 1. The certificate is valid for six years.
  - 2. The requirements are:
    - a. A bachelor's degree;
    - b. Completion of training in structured English immersion as prescribed by the Arizona State Board of Education;
    - e. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
    - d. One of the following options:
      - i. Option A—Postsecondary teaching experience—science, technology, engineering or mathematics-
        - (1) Have taught science, technology, engineering or mathematics courses for the last two consecutive years, and for a total of at least three years, at one or more regionally or nationally accredited public or private postsecondary institutions, to be demonstrated by providing written proof of employment from each applicable qualifying postsecondary institution, including specific durations of employment and the nature of the teaching assignment; and
        - (2) A baccalaureate degree, a master's degree or a doctoral degree in an academic subject that is specific to science, technology, engineering or mathematics or a passing score the professional knowledge portion of the Arizona Teacher Proficiency Assessment.
      - ii. Option B—Work experience—science, technology, engineering or mathematics-
        - (1) A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment;
        - (2) Have ten or more years of work experience in science, technology, engineering or mathematics, to be demonstrated by providing written proof of employment from each applicable employer, including specific durations of employment and the nature of the assignment; and
        - (3) Demonstrate adequate subject matter knowledge through either:
          - a) A baccalaureate degree, a master's degree or a doctoral degree in an academic subject that is specific to science, technology, engineering or mathematics;
          - b) Twenty four hours of relevant coursework in an academic subject that is specific to science, technology, engineering or mathematics; or
          - e) A passing score the professional knowledge portion of the Arizona Teacher Proficiency Assessment.
  - D. Notwithstanding any other provision, individuals seeking a secondary certificate with an approved area in science, technology, engineering or mathematics are exempted from the requirements of a passing score on one or more subject knowledge portions of the Arizona Teacher Proficiency Assessment based on:**
    - 1. Verified work experience of five or more years in science, technology, engineering or mathematics; and
    - 2. Demonstrated adequate knowledge of science, technology, engineering or mathematics by:
      - a. A master's or a doctoral degree in an academic subject that is specific to science, technology, engineering or mathematics;  
or
      - b. Twenty-four semester hours of relevant coursework in an academic subject that is specific to science, technology, engineering or mathematics.

#### **R7-2-610.01. Specialized Secondary Teaching Certificates**

Specialized Secondary Certificate – Science, Technology, Engineering or Mathematics – grades six through 12

- A. The requirements are:**
  - 1. One of the following:
    - a. Demonstrate expertise in the subject matter knowledge through:
      - i. A bachelor's, master's or a doctoral degree and 24 semester hours of relevant coursework in an academic subject that is specific to science, technology, engineering or mathematics; or
      - ii. Verified teaching experience for the last two consecutive years, and for a total of at least three years at one or more accredited postsecondary institutions in science, technology, engineering or mathematics
  - 2. Verified work experience of five or more years in science, technology, engineering or mathematics
  - 3. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- B. An individual who meets the requirements of this section is exempt from the competency requirements of the United States and Arizona Constitutions, and the professional knowledge and the subject knowledge portions of the Arizona Teacher Proficiency Assessments.**

#### **R7-2-610.02. Subject Matter Expert Standard Teaching Certificate**

Subject Matter Expert Standard Teaching Certificate – grades six through 12

- A. The requirements are:**
  - 1. One of the following:
    - a. Verified teaching experience for the last two consecutive years, and for a total of at least three years at one or more accredited postsecondary institutions in the relevant subject area of certification. An individual seeking certification pursuant to this subdivision is exempt from passing the professional knowledge portion of the Arizona Teacher Proficiency Assessment; or



- b. A bachelor’s, master’s or doctoral degree from an accredited postsecondary institution in the specific subject area of certification that is directly relevant to a content area or subject matter taught in public schools; or
- c. Verification of expertise through work experience of a minimum of five years in the relevant area of certification
- 2. A passing score on the professional knowledge Arizona Teacher Proficiency Assessment within two years except as provided by subsection (A)(1)(a). If an applicant fails to meet this requirement within two years, the Department of Education or the Board shall temporarily suspend the standard certificate, but the suspension is not considered a disciplinary action and the individual shall be allowed to correct the deficiency within the remaining time of the standard certification.
- 3. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- B.** An individual who meets the requirements of this section is exempt from the competency requirements of the United States and Arizona Constitutions and the subject knowledge portion of the Arizona Teacher Proficiency Assessment.

**R7-2-611. Special Education Teaching Certificates**

- A.** Except as noted, all certificates are subject to the general certification provisions in R7-2-607 and the renewal requirements in R7-2-619. An Early Childhood Special Education certificate as described in this Section is not required for individuals who hold the Early Childhood endorsement as described in R7-2-615 in combination with an Arizona cross-categorical, specialized special education, or ~~severe and profound~~ moderate to severe disabilities teaching certificate as described in this Section. An Early Childhood Special Education certificate as described in this Section is not required for individuals who hold the Early Childhood Teaching Certificate as described in R7-2-608 in combination with an Arizona cross-categorical, specialized special education, or moderate to severe disabilities teaching certificate as described in this Section.
- B.** Terms used in this Section are defined in A.R.S. § 15-761.
- C.** ~~Provisional Standard Professional~~ Cross-Categorical Special Education Certificate – grades K through 12 for applications received through December 31, 2015, and ~~Provisional Standard Professional~~ Mild-Moderate Disabilities Special Education Certificate grades K through 12 for applications received on and after January 1, 2016.
  - 1. The certificate is valid for three years and is not renewable but may be extended as set forth in R7-2-606(H) or (I).
  - 2. The holder is qualified to teach students with mild to moderate autism, intellectual disabilities, traumatic brain injury, emotional disability, specific learning disability, orthopedic impairments and/or other health impairments.
  - 3. The requirements are:
    - a. A bachelor’s degree,
    - b. One of the following:
      - i. Completion of a teacher preparation program in special education from an accredited institution, which included courses in the instruction and behavior management of students with mild-moderate disabilities; or
      - ii. A valid mild-moderate special education certificate from another state; or
      - iii. Semester hours of education courses as follows:
        - (1) For applications received through December 31, 2015: Forty-five semester hours of education courses which teach the standards described in R7-2-602, including 21 semester hours of special education courses and eight semester hours of practicum with students representing at least three of the five disability areas. Special education courses shall include survey of exceptional students; teaching methodologies and strategies for students with disabilities; foundations course in mild to moderate mental retardation intellectual disabilities, learning disability, emotional disabilities, and physical/health impairment; and diagnosis and assessment of mild disabilities. Two years of verified teaching experience in special education in grades K through 12 may substitute for the eight semester hours of practicum; or
        - (2) For applications received on and after January 1, 2016: Forty-five semester hours of education courses which teach the standards described in R7-2-602, including 37 semester hours of special education courses with shall include:
          - (a) Foundations of special education;
          - (b) Legal aspects;
          - (c) Effective collaboration and communication practices;
          - (d) Research-based instruction in math;
          - (e) Research-based instruction in English language arts;
          - (f) Classroom management and behavior analysis;
          - (g) Assessment and eligibility;
          - (h) Language development and disorders;
          - (i) Electives; and a minimum of eight semester hours of practicum with students with mild-moderate disabilities. Two years of verified teaching experience in mild-moderate special education in grades K through 12 may substitute for the eight semester hours of practicum.
  - c. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment,
  - d. A passing score on the special education portion of the Arizona Teacher Proficiency Assessment, unless the applicant has a bachelor’s, master’s or doctoral degree in mild to moderate special education or otherwise qualifies for a waiver of the subject knowledge examination, and
  - e. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- D.** ~~Standard Cross-Categorical Special Education Certificate—grades K through 12 for applications received through December 31, 2015, and Standard Mild-Moderate Disabilities Special Education Certificate grades K through 12 for applications received on and after January 1, 2016.~~
  - 1. ~~The certificate is valid for six years.~~
  - 2. ~~The holder is qualified to teach students with mild to moderate autism, intellectual disabilities, traumatic brain injury, emotional disability, specific learning disability, orthopedic impairments and/or other health impairments.~~
  - 3. ~~The requirements are:~~



- a. ~~A provisional cross-categorical Special Education certificate or mild-moderate disabilities special education certificate;~~  
 b. ~~A passing score on the performance portion of the Arizona Teacher Proficiency Assessment. If a performance portion of the Proficiency Assessment has not been adopted by the Board, two years of verified full-time teaching experience may be used to fulfill this requirement; and~~  
 e. ~~A valid fingerprint clearance card issued by the Arizona Department of Public Safety.~~
- D. Standard Professional Mild-Moderate Disabilities Special Education Certificate grades kindergarten through 12 for applications received on or after August 1, 2018.**
1. The holder is qualified to teach students with mild to moderate autism, intellectual disabilities, traumatic brain injury, emotional disability, specific learning disability, orthopedic impairments and/or other health impairments.
  2. The requirements include all of the following:
    - a. A bachelor's degree;
    - b. Completion of a teacher preparation program in special education from a Board-approved educator preparation program or from an accredited institution offering substantially similar training addressing the following topics and any others as required by law:
      - i. Research-based systematic phonics;
      - ii. Research-based instructional strategies for delivering differentiated reading instruction, assessment, intervention and remediation to support readers of varying ages and ability levels, including students with dyslexia;
      - iii. Instructional design and lesson planning, including specially designed instruction;
      - iv. The learning environment, including classroom and behavioral management;
      - v. Instructional delivery, facilitation and methodologies;
      - vi. Legal aspects of special education, including individualized education programs and transition planning;
      - vii. Effective collaboration and communication practices, including modifications and accommodations;
      - viii. Research-based instruction in math;
      - ix. Research-based instruction in English language arts;
      - x. Assessment and eligibility, including monitoring and reporting requirements;
      - xi. Language development and disorders;
      - xii. Professional responsibility and ethical conduct;
      - xiii. Twelve weeks of capstone experience as described in R7-2-604 in mild-moderate special education in grades kindergarten through 12, which may be completed during the valid period of a teaching intern certificate. One year of verified teaching experience in mild-moderate special education in grades kindergarten through 12 may substitute for the capstone experience requirement. For individuals seeking dual certification, any capstone experience requirements may be met through separate eight-week capstone experiences in each of the certification areas sought.
    - c. A passing score on the special education professional knowledge portion of the Arizona Teacher Proficiency Assessment;
    - d. A passing score on the special education subject knowledge portion of the Arizona Teacher Proficiency Assessment, unless the applicant has a bachelor's, master's or doctoral degree in mild to moderate special education or otherwise qualifies for a waiver of the subject knowledge examination; and
    - e. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
  3. Applicants may meet the requirements in subsection (D)(2)(b) with the submission of an application for the Standard Professional Mild-Moderate Disabilities Special Education Certificate grades kindergarten through 12 that includes evidence of two years of verified full-time teaching experience in mild to moderate disabilities special education in grades kindergarten through 12 and Board-approved or accredited training or coursework which teaches the knowledge and skills described in R7-2-602 and subsections (D)(2)(b)(i)-(xii). One year of verified full-time teaching experience in mild to moderate disabilities special education in grades kindergarten through 12 may be substituted for the capstone experience.
- E. Provisional Specialized Special Education Certificate – grades K through 12.**
1. The certificate is valid for three years and is not renewable but may be extended as set forth in R7-2-606(H) or (I).
  2. No new applications for a Provisional Specialized Education Certificate will be accepted after December 31, 2015.
  3. The holder is qualified to teach students with intellectual disabilities, emotional disability, specific learning disability, orthopedic impairments or other health impairments, as specified on the certificate.
  4. The requirements are:
    - a. A bachelor's degree,
    - b. One of the following:
      - i. Completion of a teacher preparation program in the specified area of special education from an accredited institution; or
      - ii. Forty-five semester hours of education courses which teach the knowledge and skills described in R7-2-602, including 21 semester hours of special education courses and eight semester hours of practicum in the designated area of disability. Special education courses shall include survey of exceptional students, teaching methodologies for students with disabilities, foundations of instruction in the designated area of disability, and diagnosis and assessment of disabilities. Two years of verified teaching experience in the area of disability in grades K through 12 may be substituted for the eight semester hours of practicum; or
      - iii. A valid special education certificate in the specified area from another state.
    - c. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment,
    - d. A passing score on the specified disability special education portion of the Arizona Teacher Proficiency Assessment, and
    - e. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- F. Standard Professional Specialized Special Education Certificate – grades K through 12.**
1. The certificate is valid for ~~six~~ 12 years.



- 2. The holder is qualified to teach students with intellectual disabilities, emotional disability, specific learning disability, orthopedic impairments or other health impairments, as specified on the certificate.
  - 3. The requirements are:
    - a. A provisional Special Education certificate;
    - b. A passing score on the performance portion of the Arizona Teacher Proficiency Assessment. ~~If a performance portion of the Proficiency Assessment has not been adopted by the Board, two years of verified full-time teaching experience may be used to fulfill this requirement;~~ and
    - c. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- G. ~~Provisional Standard Professional Severely and Profoundly Disabled Certificate – grades K through 12.~~**
- 1. ~~The certificate is valid for three years and is not renewable but may be extended as set forth in R7-2-606(H) or (I).~~
  - 2. The holder is qualified to teach students with severe and profound disabilities.
  - 3. ~~2.~~ The requirements are:
    - a. A bachelor’s degree,
    - b. One of the following:
      - i. Completion of a teacher preparation program in severely and profoundly disabled education from an accredited institution; or
      - ii. A valid severe and profound special education certificate from another state; or
      - iii. Semester hours of education courses as follows:
        - (1) For applications received through December 31, 2015: Forty-five semester hours of education courses which teach the knowledge and skills described in R7-2-602, including 21 semester hours of special education courses and eight semester hours of practicum. Special education courses shall include survey of exceptional students, teaching methodologies for students with severe and profound disabilities, foundations of instruction of students with severe and profound disabilities, and diagnostic and assessment procedures for students with severe and profound disabilities. Two years of verified teaching experience with students in grades PreK-12 who are severely and profoundly disabled may be substituted for the eight semester hours of practicum; or
        - (2) For applications received on and after January 1, 2016: Forty-five semester hours of education courses which teach the standards described in R7-2-602, including 37 semester hours of special education courses with shall include:
          - (a) Foundations low incidence disabilities;
          - (b) Legal aspects;
          - (c) Effective collaboration and communication practices;
          - (d) Adaptive communication;
          - (e) Instructional strategies across the curriculum;
          - (f) Classroom management and behavior analysis;
          - (g) Assessment and eligibility;
          - (h) Electives; and a minimum of eight semester hours of practicum with students with severe and profound disabilities. Two years of verified teaching experience in special education in grades K through 12 with students who have severe and profound disabilities may substitute for the eight semester hours of practicum.
    - c. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment,
    - d. A passing score on the severely and profoundly disabled special education portion of the Arizona Teacher Proficiency Assessment, unless the applicant has a bachelor’s, master’s or doctoral degree in severe to profound special education or otherwise qualifies for a waiver of the subject knowledge examination, and
    - e. A valid fingerprint card issued by the Arizona Department of Public Safety.
- H. ~~Standard Severely and Profoundly Disabled Certificate – grades K through 12.~~**
- 1. ~~The certificate is valid for six years.~~
  - 2. ~~The holder is qualified to teach students with severe and profound disabilities.~~
  - 3. ~~The requirements are:~~
    - a. ~~A provisional severely and profoundly disabled certificate;~~
    - b. ~~A passing score on the performance portion of the Arizona Teacher Proficiency Assessment. If a performance portion of the Proficiency Assessment has not been adopted by the Board, two years of verified full-time teaching experience may be used to fulfill this requirement;~~ and
    - e. ~~A valid fingerprint clearance card issued by the Arizona Department of Public Safety.~~
- H. Standard Professional Moderate to Severe Disabilities Certificate – grades kindergarten through 12 for applications received on or after August 1, 2018.**
- 1. The holder is qualified to teach students with moderate to severe disabilities.
  - 2. The requirements include all of the following:
    - a. A bachelor’s degree;
    - b. Completion of a teacher preparation program in moderate to severe disabilities education from a Board-approved educator preparation program or from an accredited institution offering substantially similar training addressing the following topics and any others as required by law:
      - i. Research-based systematic phonics;
      - ii. Research-based instructional strategies for delivering differentiated reading instruction, assessment, intervention and remediation to support readers of varying ages and ability levels, including students with dyslexia;
      - iii. Instructional design and lesson planning, including specially designed instruction;
      - iv. The learning environment, including classroom and individual behavioral management;



- v. Instructional delivery, facilitation and methodologies for teaching research-based instruction in math and English language arts;
  - vi. Legal aspects of special education, including individualized education programs and transition planning;
  - vii. Effective collaboration and communication practices, including modifications and accommodations;
  - viii. Adaptive communication, including language development and disorders;
  - ix. Assessment and eligibility, including monitoring and reporting requirements;
  - x. Professional responsibility and ethical conduct;
  - xi. Twelve weeks of capstone experience as described in R7-2-604 in special education in moderate to severe disabilities grades K through 12, which may be completed during the valid period of a teaching intern certificate. One year of verified full-time teaching experience in special education in moderate to severe disabilities grades kindergarten through 12 may substitute for the capstone experience requirement. For individuals seeking dual certification, any capstone experience requirements may be met through separate eight-week capstone experiences in each of the certification areas sought.
- c. A passing score on the moderate to severe or severe and profound professional knowledge portion of the Arizona Teacher Proficiency Assessment.
  - d. A passing score on the elementary education subject knowledge portion of the Arizona Teacher Proficiency Assessment unless the applicant has a bachelor's, master's or doctoral degree in moderate to severe special education or otherwise qualifies for a waiver of the subject knowledge examination, and
  - e. A valid fingerprint card issued by the Arizona Department of Public Safety.
3. Applicants may meet the requirements in subsection (H)(2)(b) with the submission of an application for the Standard Professional Moderate to Severe Disabilities Certificate grades kindergarten through 12 that includes evidence of two years of verified full-time teaching experience in moderate to severe disabilities special education in grades kindergarten through 12 and Board-approved or accredited training or coursework which teaches the knowledge and skills described in R7-2-602 and subsections (H)(2)(b)(i)-(x). One year of verified full-time teaching experience in moderate to severe disabilities special education in grades kindergarten through 12 may be substituted for the capstone experience.
- I. Provisional Standard Professional Hearing Impaired Certificate – birth through grade 12.
- 1. The certificate is valid for three years and is not renewable but may be extended as set forth in R7-2-606(H) or (I).
  - 2. The requirements are:
    - a. 1. A bachelor's degree,
    - b. 2. One of the following:
      - i. a. Completion of a teacher preparation program in hearing impaired education from an accredited institution; or
      - ii. b. Forty-five semester hours of education courses which teach the knowledge and skills described in R7-2-602, including 21 semester hours of special education courses for the hearing impaired and eight semester hours of practicum. Special education courses shall include survey of exceptional students, teaching methodologies for students with hearing impairment, foundations of instruction of students with hearing impairment, and diagnostic and assessment procedures for the hearing impaired. Two years of verified teaching experience in the area of hearing impaired in grades PreK-12 may be substituted for the eight semester hours of practicum; or
      - iii. c. A valid hearing impaired certificate from another state.
    - e. 3. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment,
    - d. 4. A passing score on the hearing impaired special education portion of the Arizona Teacher Proficiency Assessment unless the applicant has a bachelor's, master's or doctoral degree in hearing impaired special education or otherwise qualifies for a waiver of the subject knowledge examination, and
    - e. 5. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- J. Standard Hearing Impaired Certificate – birth through grade 12.
- 1. The certificate is valid for six years.
  - 2. The requirements are:
    - a. A provisional hearing impaired certificate;
    - b. A passing score on the performance portion of the Arizona Teacher Proficiency Assessment. If a performance portion of the Proficiency Assessment has not been adopted by the Board, two years of verified full-time teaching experience may be used to fulfill this requirement; and
    - e. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- J. Standard Professional Hearing Impaired Certificate – birth through grade 12 for applications received on or after August 1, 2018.
- 1. The requirements include all of the following:
    - a. A bachelor's degree;
    - b. Completion of a teacher preparation program in hearing impaired education from a Board-approved educator preparation program or from an accredited institution offering substantially similar training addressing the following topics and any others as required by law:
      - i. Research-based systematic phonics;
      - ii. Research-based instructional strategies for delivering differentiated reading instruction, assessment, intervention and remediation to support readers of varying ages and ability levels, including students with dyslexia;
      - iii. Survey of exceptional students;
      - iv. Teaching methodologies for students with hearing impairment;
      - v. Foundations of instruction of students with hearing impairment;
      - vi. Diagnostic and assessment procedures for the hearing impaired;
      - vii. Professional responsibility and ethical conduct;



- viii. Twelve weeks of capstone experience as described in R7-2-604 in hearing impaired special education birth through grade 12, which may be completed during the valid period of a teaching intern certificate. One year of verified full-time teaching experience in the area of hearing impaired in birth through grade 12 may be substituted for the capstone experience requirement. For individuals seeking dual certification, any capstone experience requirements may be met through separate eight-week capstone experiences in each of the certification areas sought.
- c. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment;
- d. A passing score on the hearing impaired special education portion of the Arizona Teacher Proficiency Assessment unless the applicant has a bachelor's, master's or doctoral degree in hearing impaired special education or otherwise qualifies for a waiver of the subject knowledge examination; and
- e. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- 2. Applicants may meet the requirements in subsection (J)(1)(b) with the submission of an application for the Standard Professional Hearing Impaired Certificate – birth through grade 12 that includes evidence of receipt of two years of verified full-time teaching experience in hearing impaired special education birth through grade 12 and training or coursework which teaches the knowledge and skills described in R7-2-602 and subsections (J)(1)(b)(i)-(vii). One year of verified full-time teaching experience in hearing impaired special education in birth through grade 12 may be substituted for the capstone experience.
- K. Provisional Standard Professional Visually Impaired Certificate – birth through grade 12.
  - 1. The certificate is valid for three years and is not renewable but may be extended as set forth in R7-2-606(H) or (I).
  - 2. The requirements are:
    - a. A bachelor's degree,
    - b. One of the following:
      - i. Completion of a teacher preparation program in visual impairment from an accredited institution; or
      - ii. Forty-five semester hours of education courses which teach the knowledge and skills described in R7-2-602, including 21 semester hours of special education courses for the visually impaired and eight semester hours of practicum. Special education courses shall include survey of exceptional students, teaching methodologies for students with visual impairment, foundations of instruction of students with visual impairment, and diagnostic and assessment procedures for the visually impaired. Two years of verified teaching experience in the area of visually impaired in grades PreK-12 may be substituted for the eight semester hours of practicum; or
      - iii. A valid visually impaired special education certificate from another state.
    - c. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment,
    - d. A passing score on the visually impaired special education portion of the Arizona Teacher Proficiency Assessment, and
    - e. Demonstration of competency in Braille through one of the following:
      - i. A passing score on the original version of the National Library of Congress certification exam, or
      - ii. A valid certificate for a literary Braille transcriber issued by the National Library of Congress, or
      - iii. A passing score on a Braille exam administered by another state, or
      - iv. A passing score on the Braille exam developed and administered by the University of Arizona. Individuals who take this test and are not students at the University of Arizona may be assessed a fee.
    - f. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- L. Standard Visually Impaired Certificate – birth through grade 12.
  - 1. ~~The certificate is valid for six years.~~
  - 2. ~~The requirements are:~~
    - a. ~~A provisional visually impaired certificate;~~
    - b. ~~A passing score on the performance portion of the Arizona Teacher Proficiency Assessment. If a performance portion of the Proficiency Assessment has not been adopted by the Board, two years of verified full-time teaching experience may be used to fulfill this requirement; and~~
    - e. ~~A valid fingerprint clearance card issued by the Arizona Department of Public Safety.~~
- L. Standard Professional Visually Impaired Certificate – birth through grade 12 for applications received on or after August 1, 2018.
  - 1. The requirements include all of the following:
    - a. A bachelor's degree;
    - b. Completion of a teacher preparation program in visual impairment from a Board-approved educator preparation program or from an accredited institution offering substantially similar training addressing the following topics and any others as required by law:
      - i. Research-based systematic phonics;
      - ii. Research-based instructional strategies for delivering differentiated reading instruction, assessment, intervention and remediation to support readers of varying ages and ability levels, including students with dyslexia;
      - iii. Survey of exceptional students;
      - iv. Teaching methodologies for students with visual impairment;
      - v. Foundations of instruction of students with visual impairment;
      - vi. Diagnostic and assessment procedures for the visually impaired;
      - vii. Professional responsibility and ethical conduct;
      - viii. Twelve weeks of capstone experience as described in R7-2-604 in visually impaired special education birth through grade 12, which may be completed during the valid period of a teaching intern certificate. One year of verified full-time teaching experience in the area of visually impaired in birth through grade 12 may be substituted for the capstone experience requirement. For individuals seeking dual certification, any capstone experience requirements may be met through separate eight-week capstone experiences in each of the certification areas sought.
    - c. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment;
    - d. A passing score on the visually impaired special education portion of the Arizona Teacher Proficiency Assessment, and



- e. Demonstration of competency in Braille through one of the following:
  - i. A passing score on the original version of the National Library of Congress certification exam, or
  - ii. A valid certificate for a literary Braille transcriber issued by the National Library of Congress, or
  - iii. A passing score on a Braille exam administered by another state, or
  - iv. A passing score on the Braille exam developed and administered by the University of Arizona. Individuals who take this test and are not students at the University of Arizona may be assessed a fee.
- f. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- 2. Applicants may meet the requirements in subsection (L)(1)(b) with the submission of an application for the Standard Professional Visually Impaired Certificate – birth through grade 12 that includes evidence of two years of verified full-time teaching experience in visually impaired special education birth through grade 12 and Board-approved or accredited training or coursework which teaches the knowledge and skills described in R7-2-602 and subsections (L)(1)(b)(i)-(vii). One year of verified full-time teaching experience in visually impaired special education in birth through grade 12 may be substituted for the capstone experience.
- M. Provisional Standard Professional Early Childhood Special Education Certificate – birth through 5 years for applications received through December 31, 2015, and birth through age 8 or grade 3 for applications received on and after January 1, 2016.
  - 1. The certificate is valid for three years and is not renewable but may be extended as set forth in R7-2-606(H) or (I).
  - 2. The requirements are:
    - a. A bachelor's degree,
    - b. One of the following:
      - i. Completion of a teacher preparation program in early childhood special education from an accredited institution; or
      - ii. A valid early childhood special education certificate from another state; or
      - iii. Early childhood education coursework and practicum experience which teaches the knowledge and skills described in R7-2-602 and includes the following:
        - (1) For applications received through December 31, 2015: Forty-five semester hours of education courses which teach the standards described in R7-2-602, including child development and learning, language development, social and emotional development, curriculum development and implementation, and assessment and evaluation, early childhood special education, and eight semester hours of practicum in early childhood special education. Two years of verified teaching experience in the area of early childhood special education may be substituted for the eight semester hours of practicum; or
        - (2) For applications received on and after January 1, 2016:
          - (a) Thirty-seven semester hours of early childhood education courses which teach the standards described in R7-2-602, to include all of the following areas of study:
            - (i) Foundations early childhood education and special education;
            - (ii) Behavioral interventions for children with an without disabilities;
            - (iii) Characteristics and quality practices for typical and atypical behaviors of young children;
            - (iv) Typical and atypical child growth and development, including health, safety and nutrition with an emphasis on special health care needs for children birth through grade 3;
            - (v) Child, family, cultural and community relationships including community organizations that support and assist children with disabilities and their families;
            - (vi) Developmentally appropriate instructional and inclusive methodologies for teaching social and emotional development, language arts, math, science, social studies, the arts and diagnosis and remediation of learning difficulties;
            - (vii) Early language and literacy development including communication methods in early childhood education/special education;
            - (viii) Assessment and evaluation for early childhood special education to include observing, assessing, monitoring and reporting on the progress of young children; and
          - (b) A minimum of eight semester hours of practicum, including:
            - (i) A minimum of four semester hours in a supervised field experience, practicum, internship or student teaching setting serving children with identified special needs birth through preschool or one year of full-time teaching experience with children identified with special needs birth through preschool, and
            - (ii) A minimum of four semester hours in a supervised student teaching setting serving children with identified special needs in kindergarten through grade 3 or one year of full time teaching experience with children identified with special needs kindergarten through grade 3.
    - c. A passing score on the ~~professional knowledge~~ early childhood subject knowledge portion of the Arizona Teacher Proficiency Assessment, unless the applicant has a bachelor's, master's or doctoral degree in early childhood special education or otherwise qualifies for a waiver of the subject knowledge examination.
    - d. A passing score on the early childhood special education portion of the Arizona Teacher Proficiency Assessment, and
    - e. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
  - N. Standard Early Childhood Special Education Certificate – birth through 5 years for applications received through December 31, 2015, and birth through age 8 or grade 3 for applications received on and after January 1, 2016.
    - 1. The certificate is valid for six years.
    - 2. Requirements are:
      - a. A provisional early childhood Special Education certificate;
      - b. Passing score on the performance portion of the Arizona Teacher Proficiency Assessment. If a performance portion of the Proficiency Assessment has not been adopted by the Board, two years of verified full-time teaching experience may be used to fulfill this requirement; and



- e. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- N. Standard Professional Early Childhood Special Education Certificate – birth through age eight or grade three for applications received on or after August 1, 2018.
  - 1. The requirements include all of the following:
    - a. A bachelor’s degree;
    - b. Completion of a teacher preparation program in early childhood special education from a Board-approved educator preparation program or from an accredited institution offering substantially similar training addressing the following topics and any others as required by law:
      - i. Research-based systematic phonics;
      - ii. Research-based instructional strategies for delivering differentiated reading instruction, assessment, intervention and remediation to support readers of varying ages and ability levels, including students with dyslexia;
      - iii. Teaching students with exceptionalities;
      - iv. Characteristics and quality practices for typical and atypical behaviors of young children, including behavioral interventions for children with and without disabilities;
      - v. Typical and atypical child growth and development, including health, safety and nutrition with an emphasis on special health care needs for children birth through grade three;
      - vi. Child, family, cultural and community relationships including community organizations that support and assist children with disabilities and their families;
      - vii. Developmentally appropriate instructional and inclusive methodologies for teaching social and emotional development, language arts, math, science, social studies, the arts and diagnosis and remediation of learning difficulties;
      - viii. Early language and literacy development including communication methods in early childhood education/special education;
      - ix. Assessment and evaluation for early childhood special education to include observing, assessing, monitoring and reporting on the progress of young children;
      - x. Substantial experience in practicum as described in R7-2-604 serving children with exceptionalities birth through preschool;
      - xi. Professional responsibility and ethical conduct; and
      - xii. Twelve weeks of capstone experience as described in R7-2-604 serving children with exceptionalities in kindergarten through grade three, which may be completed during the valid period of a teaching intern certificate. For individuals seeking dual certification, any capstone experience requirements may be met through separate eight-week capstone experiences in each of the certification areas sought.
    - c. A passing score on the early childhood special education portion of the Arizona Teacher Proficiency Assessment.
    - d. A passing score on the early childhood subject knowledge portion of the Arizona Teacher Proficiency Assessment unless the applicant has a bachelor’s, master’s or doctoral degree in early childhood special education or otherwise qualifies for a waiver of the subject knowledge examination, and
    - e. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
  - 2. Applicants may meet the requirements in subsection (N)(1)(b) with the submission of an application for the Standard Professional Early Childhood Special Education Certificate – birth through age eight or grade three that includes two years of verified full-time teaching experience in early childhood special education serving children birth through prekindergarten and kindergarten through grade three and Board-approved or accredited training or coursework which teaches the knowledge and skills described in R7-2-602 and subsections (N)(1)(b)(i)-(xi). One year of verified full-time teaching experience in early childhood special education serving children birth through prekindergarten and children kindergarten through grade three may be substituted for the capstone experience.

**R7-2-612. Career and Technical Education Teaching Certificates**

- A. Except as noted, all certificates are subject to the general certification provisions in R7-2-607, and the renewal requirements in R7-2-619.
- B. For purposes of this rule, the following definitions apply:
  - 1. “Agriculture” means agriculture, agriculture operations, and related sciences; natural resources and conservation; environmental design; landscape architecture; agricultural biological engineering; forest engineering, biological and biomedical sciences; parks, recreation and leisure facilities management; geological and earth sciences/geosciences; veterinary/animal health technician/veterinary assistant; environmental health; and veterinary medicine as described in Classification of Instructional Programs: 2000 Edition: (NCES 2002-165), U.S. Department of Education, National Center for Education Statistics, 1990 K Street, NW, Washington, DC 20006: U.S. Government Printing Office, April 2002, CIP Code 01, which is incorporated by reference and on file with the Arizona Department of Education and the Office of the Secretary of State. This incorporation by reference contains no future editions or amendments. Copies of the incorporated materials are available for review at the Arizona Department of Education located at 1535 W. Jefferson Street, Phoenix, AZ 85007 or may be ordered from the U.S. Department of Education, ED Pubs, P.O. Box 1398, Jessup, MD 20794-1398.
  - 2. “Business and Marketing” means computer and information sciences and support services; accounting and computer information services; business/commerce, general; business administration, management and operations; accounting; business operations support and assistant services; business/corporate communications; business/managerial economics; entrepreneurial and small business operations; finance and financial management services; hospitality administration/management; human resources management and services; international business; management information systems and services; management sciences and quantitative methods; marketing; real estate; taxation; insurance; general sales, merchandising and related marketing operations; specialized sales, merchandising and marketing operations; and business, management, marketing and related support services, other as described in Classification of Instructional Programs: 2000 Edition: (NCES 2002-165), U.S. Department of Education, National Center for Education Statistics, 1990 K Street, NW, Washington, DC 20006: U.S. Government Printing Office, April



2002, CIP Code 52, which is incorporated by reference and on file with the Arizona Department of Education and the Office of the Secretary of State. This incorporation by reference contains no future editions or amendments. Copies of the incorporated materials are available for review at the Arizona Department of Education, located at 1535 W. Jefferson Street, Phoenix, AZ 85007 or may be ordered from the U.S. Department of Education, ED Pubs, P.O. Box 1398, Jessup, MD 20794-1398.

3. “Career and Technical Education Field of Study” or “CTE Field of Study” means a field of study in any of the areas identified in subsections (B)(1), (B)(2), (B)(4), (B)(5), (B)(6) and (B)(7) relating to Agriculture, Business and Marketing, Family and Consumer Sciences, Health Careers, Industrial and Emerging Technologies or Education and Training.
  4. “Education and Training” means all occupational areas of secondary education and teaching; junior high/intermediate/middle school education and teaching; elementary education and teaching; kindergarten/preschool education and teaching; early childhood education and teaching; adult education and teaching; and special education as described in Classification of Instructional Programs: 2000 Edition: (NCES 2002-165) U.S. Department of Education, National Center for Education Statistics, 1990 K Street, NW, Washington, DC 20006: U.S. Government Printing Office, April 2002, CIP Code 13, which is incorporated by reference and on file with the Arizona Department of Education and the Office of the Secretary of State. This incorporation by reference contains no future editions or amendments. Copies of the incorporated materials are available for review at the Arizona Department of Education located at 1535 W. Jefferson Street, Phoenix, AZ 85007 or may be ordered from the U.S. Department of Education, ED Pubs, P.O. Box 1398, Jessup, MD 20794-1398.
  5. “Family and Consumer Sciences” means culinary arts; kindergarten/preschool education and teaching; early childhood education and teaching; family and consumer sciences/human sciences; nutrition sciences; interior design; hospitality administration/management; fashion merchandising; fashion modeling; apparel and accessories marketing operations; tourism and travel services marketing operations; tourism promotion operations; and hospitality and recreation marketing operations as described in Classification of Instructional Programs: 2000 Edition: (NCES 2002-165) U.S. Department of Education, National Center for Education Statistics, 1990 K Street, NW, Washington, DC 20006: U.S. Government Printing Office, April 2002, CIP Code 19, which is incorporated by reference and on file with the Arizona Department of Education and the Office of the Secretary of State. This incorporation by reference contains no future editions or amendments. Copies of the incorporated materials are available for review at the Arizona Department of Education, located at 1535 W. Jefferson Street, Phoenix, AZ 85007 or may be ordered from the U.S. Department of Education, ED Pubs, P.O. Box 1398, Jessup, MD 20794-1398.
  6. “Health Careers” means exercise physiology; kinesiology and exercise science; medical/clinical assistant; clinical/medical laboratory assistant; pharmacy technician/assistant; medical radiologic technology/science-radiation therapist; radiologic technology/science-radiographer; physician assistant; athletic training/trainer; clinical/medical laboratory technician; clinical laboratory science/medical technology/technologist; phlebotomy/phlebotomist; medicine; nursing/registered nurse; osteopathic medicine/osteopathy; pharmacy; physical therapy/therapist; and kinesiotherapy/kinesiotherapist as described in Classification of Instructional Programs: 2000 Edition: (NCES 2002-165) U.S. Department of Education, National Center for Education Statistics, 1990 K Street, NW, Washington, DC 20006: U.S. Government Printing Office, April 2002, CIP Code 51, which is incorporated by reference and on file with the Arizona Department of Education and the Office of the Secretary of State. This incorporation by reference contains no future editions or amendments. Copies of the incorporated materials are available for review at the Arizona Department of Education located at 1535 W. Jefferson Street, Phoenix, AZ 85007 or may be ordered from the U.S. Department of Education, ED Pubs, P.O. Box 1398, Jessup, MD 20794-1398.
  7. “Industrial and Emerging Technologies” means audiovisual communications technologies/technicians; graphic communications; cosmetology and personal grooming services; electrical engineering technologies/technicians; electromechanical instrumentation and maintenance technologies/technicians; environmental control technologies/technicians; industrial production technologies/technicians; quality control and safety technologies/technicians; mechanical engineering related technologies/technicians; mining and petroleum technologies/technicians; construction engineering technologies; engineering-related technologies; computer engineering technologies/technicians; drafting/design engineering technologies/technicians; security and protective services; mason/masonry; carpenters; electrical and power transmission installers; building/construction finishing, management and inspection; electrical/electronics maintenance and repair technology; heating, air conditioning, ventilation and refrigeration maintenance technology/technician; heavy/industrial equipment maintenance technologies; precision systems maintenance and repair technologies; vehicle maintenance and repair technologies; precision metal working; construction/heavy equipment/earth-moving equipment operation; design and visual communications, general; commercial and advertising art; industrial design; commercial photography; and visual performing arts as described in Classification of Instructional Programs: 2000 Edition: (NCES 2002-165) U.S. Department of Education, National Center for Education Statistics, 1990 K Street, NW, Washington, DC 20006: U.S. Government Printing Office, April 2002, CIP Codes 10, 12, 15, 41, 43, 46, 47, 48, 49, and 50, which is incorporated by reference and on file with the Arizona Department of Education and the Office of the Secretary of State. This incorporation by reference contains no future editions or amendments. Copies of the incorporated materials are available for review at the Arizona Department of Education located at 1535 W. Jefferson Street, Phoenix, AZ 85007 or may be ordered from the U.S. Department of Education, ED Pubs, P.O. Box 1398, Jessup, MD 20794-1398.
  8. “Occupational Area” means employment in any of the areas identified in subsections (B)(1), (B)(2), (B)(4), (B)(5), (B)(6) and (B)(7) relating to Agriculture, Business and Marketing, Education and Training, Family and Consumer Sciences, Health Careers, or Industrial and Emerging Technologies.
  9. “Professional Knowledge” means the art of teaching including the knowledge and skills necessary for instructional planning, delivery and evaluation in a career and technical education setting.
  10. “Subject Knowledge” means the information, understanding and skills specific to the broad occupational area.
  11. “Verified Work Experience” means written documentation from a current or former supervisor for paid or unpaid work, a current school superintendent, or the Department of Education Career and Technical Education Programmatic State Supervisor indicating that an applicant for a career and technical education certificate performed work in a business or industry setting related to the program to be taught as identified in subsections (B)(1), (B)(2), (B)(4), (B)(5), (B)(6) and (B)(7).
- C. ~~Provisional Standard~~ Career and Technical Education (CTE) Certificate – CTE Field of Study – grades K through 12



- 1. ~~The certificate is valid for three years and is not renewable but may be extended once upon completion of the following:~~
  - a. ~~One half of the required semester hours of courses, or the equivalent with Department CTE approved professional development, toward the requirements for the Standard CTE certificate.~~
- 1. The requirements include all of the following:
  - b-a. Within three years, obtain a passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment for secondary teachers or qualification for a waiver of this assessment.
- 2. ~~The requirements include all of the following:~~
  - a-b. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
  - b-c. At least one of the following options:
    - i. Option A – Bachelor’s degree in the specified CTE field of study – requirements include all of the following:
      - (1) A bachelor’s or more advanced degree in the specified CTE field of study from an accredited institution.
      - (2) Thirty semester hours of courses in the specified CTE field of study.
      - (3) Two hundred forty clock hours of verified work experience in the specified CTE occupational area. Hours may have been accumulated before obtaining a certification.
      - (4) Within three years, complete 18 semester hours of courses in professional knowledge, to include any of the following areas: principles/philosophy of career and technical education, operation of a career and technical student organization, methods of teaching career and technical education, curriculum design/development, instructional technology, educational philosophy, instructional design/methodology, assessment/evaluation, or classroom management. Hours may be obtained prior to issuance of the standard career and technical education certificate in the specified CTE field of study. Eighteen semester hours may be obtained through Department-CTE approved professional development. Fifteen clock hours equals one semester hour.
    - ii. Option B – Valid non-CTE Arizona Provisional or Standard teaching certificate or an Arizona CTE teaching certificate in another CTE field of study– requirements include all of the following:
      - (1) A valid Arizona provisional or standard teaching certificate for teachers in Birth through grade 12 issued pursuant to this Article.
      - (2) One year of the most recent teacher evaluation(s) approved by a certificated administrator, or the administrator’s designee, in a PreK-12 school setting and issued during the term of the Arizona teaching certificate exhibiting satisfactory performance in the classroom.
      - (3) Three semester hours of courses in career and technical education methods or content in the specified CTE field of study.
      - (4) Two hundred forty clock hours of verified work experience in the specified CTE occupational area. Hours may have been accumulated before obtaining a certification.
      - (5) Within three years, complete 12 semester hours of courses in professional knowledge to include:
        - (a) Nine semester hours of subject knowledge courses in the CTE field of study; and
        - (b) Three semester hours of courses in professional knowledge to include any of the following areas: principles/philosophy of career and technical education, operation of a career and technical student organization, methods of teaching career and technical education, curriculum design/development, instructional technology, educational philosophy, instructional design/methodology, assessment/evaluation, or classroom management. Hours may be obtained prior to issuance of the standard career and technical education certificate in the specified CTE field of study. Twelve semester hours may be obtained through Department-CTE approved professional development. Fifteen clock hours equals one semester hour; and
    - iii. Option C – Business and industry professional – requirements include six thousand clock hours of verified work experience in an occupational area. Within three years, complete 15 semester hours of courses in professional knowledge to include any of the following areas: principles/philosophy of career and technical education, operation of a career and technical student organization, methods of teaching career and technical education, curriculum design/development, instructional design/methodology, assessment/evaluation, instructional technology, educational philosophy, or classroom management. Fifteen semester hours may be obtained through Department-CTE approved professional development. Fifteen clock hours equals one semester hour; and
    - iv. Option D – Bachelor’s degree in the specified CTE field of study ~~education~~ teacher preparation program – requirements include both of the following:
      - (1) A bachelor’s or more advanced degree that included completion of a teacher preparation program in the CTE field of study from an accredited institution, and
      - (2) Two hundred forty clock hours of verified work experience in the specified occupational area. Hours shall have been accumulated before obtaining a certification.
      - (3) Within three years, complete 18 semester hours of courses in professional knowledge, to include any of the following areas: principles/philosophy of career and technical education, operation of a career and technical student organization, methods of teaching career and technical education, curriculum design/development, instructional technology, educational philosophy, instructional design/methodology, assessment/evaluation, or classroom management. Hours may be obtained prior to issuance of the standard career and technical education certificate in the specified CTE field of study. Eighteen semester hours may be obtained through Department-CTE approved professional development. Fifteen clock hours equals one semester hour.
- 2. If an applicant fails to meet these requirements within the prescribed time period, the Department of Education or the Board shall temporarily suspend the standard certificate, but the suspension is not considered a disciplinary action and the individual shall be allowed to correct the deficiency within the remaining time of the standard certification.
- 3. Applicants who qualify under option A, option B, or option C may re-apply for the Provisional CTE certificate two months before its expiration date if they meet all of the following requirements:



- a. The certificate holder meets all requirements for the Standard CTE certificate except for two years of teacher evaluation(s) approved by a certified administrator, or the administrator's designee, in a secondary CTE school setting and issued during the term of the Arizona provisional CTE teaching certificate exhibiting satisfactory performance in the classroom; and
  - b. The certificate holder submits verification that they did not teach for two years during the valid term of the Provisional CTE certificate.
- D. Standard Career and Technical Education (CTE) Certificate—CTE Field of Study—grades K through 12.**
1. The certificate is valid for eight years.
  2. The requirements include all of the following:
    - a. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
    - b. At least one of the following options:
      - i. Option A—Bachelor's degree in the specified CTE field of study—requirements include all of the following:
        - (1) Qualification under subsection (C)(2)(b)(i), Option A for the provisional career and technical education certificate in the specified CTE Field of Study;
        - (2) Eighteen semester hours of courses in professional knowledge, to include any of the following areas: principles/philosophy of career and technical education, operation of a career and technical student organization, methods of teaching career and technical education, curriculum design/development, instructional technology, educational philosophy, instructional design/methodology, assessment/evaluation, or classroom management. Hours may be obtained prior to issuance of the provisional career and technical education certificate in the specified CTE field of study. Eighteen semester hours may be obtained through Department CTE approved professional development. Fifteen clock hours equals one semester hour.
        - (3) Two years of teacher evaluation(s) approved by a certified administrator, or the administrator's designee, in a secondary CTE school setting and issued during the term of the Arizona provisional CTE teaching certificate in the specified CTE field of study exhibiting satisfactory performance in the classroom.
      - ii. Option B—Valid non-CTE Arizona Provisional or Standard teaching certificate or an Arizona CTE teaching certificate in another CTE field of study—requirements include all of the following:
        - (1) Qualification under subsection (C)(2)(b)(ii), Option B for the provisional career and technical education certificate in the specified CTE field of study;
        - (2) Two years of teacher evaluation(s) approved by a certificated administrator, or the administrator's designee, in a secondary CTE school setting and issued during the term of the provisional career and technical education certificate in the specified CTE field of study exhibiting satisfactory performance in the classroom;
        - (3) Twelve semester hours of courses in professional knowledge to include:
          - (a) Nine semester hours of subject knowledge courses in the CTE field of study; and
          - (b) Three semester hours of courses in professional knowledge to include any of the following areas: principles/philosophy of career and technical education, operation of a career and technical student organization, methods of teaching career and technical education, curriculum design/development, instructional technology, educational philosophy, instructional design/methodology, assessment/evaluation, or classroom management. Hours may be obtained prior to issuance of the provisional career and technical education certificate in the specified CTE field of study. Twelve semester hours may be obtained through Department CTE approved professional development. Fifteen clock hours equals one semester hour; and
        - (4) An additional 240 clock hours of verified work experience in the occupational area. Hours may have been accumulated before obtaining the provisional certification.
      - iii. Option C—Business and industry professional:
        - (1) Qualification under subsection D(2)(b)(iii), Option C for the provisional career and technical education certificate in the specified CTE field of study;
        - (2) Two years of teacher evaluation(s) approved by a certificated administrator, or the administrator's designee, in a secondary CTE school setting and issued during the term of the provisional career and technical education certificate in the specified CTE field of study exhibiting satisfactory performance in the classroom; and
        - (3) Fifteen semester hours of courses in professional knowledge to include any of the following areas: principles/philosophy of career and technical education, operation of a career and technical student organization, methods of teaching career and technical education, curriculum design/development, instructional design/methodology, assessment/evaluation, instructional technology, educational philosophy, or classroom management. Fifteen semester hours may be obtained through Department CTE approved professional development. Fifteen clock hours equals one semester hour.
      - iv. Option D—Bachelor's degree in the specified CTE field of study education teacher preparation program—requirements include all of the following:
        - (1) Qualification under subsection D(2)(b)(iv), Option D for the provisional career and technical education certificate in the specified CTE field of study;
        - (2) Eighteen semester hours of courses in professional knowledge, to include any of the following areas: principles/philosophy of career and technical education, operation of a career and technical student organization, methods of teaching career and technical education, curriculum design/development, instructional technology, educational philosophy, instructional design/methodology, assessment/evaluation, or classroom management. Hours may be obtained prior to issuance of the provisional career and technical education certificate in the specified CTE field of study. Eighteen semester hours may be obtained through Department CTE approved professional development. Fifteen clock hours equals one semester hour; and
    - e. A passing score on the professional knowledge portion of the Arizona teacher proficiency assessment for secondary teachers or qualification for a waiver of this assessment.



- 3. An individual may also qualify for a standard career and technical education certificate in the specified CTE field of study pursuant to R7-2-621.

**R7-2-613. PreK-12 Teaching Certificates**

- A. Except as noted, all certificates are subject to the general certification provisions in R7-2-607 and the renewal requirements in R7-2-619.
- B. ~~Provisional Standard Professional~~ PreK-12 Arts Education Certificate: art, dance, dramatic arts or music.
  - 1. ~~The certificate is valid for three years and is not renewable but may be extended as set forth in R7-2-606(H) or (I).~~
  - 2. The requirements are:
    - a. ~~1. A bachelor's degree.~~
    - b. ~~2. One of the following:~~
      - i. ~~a. Completion of a teacher preparation program in PreK-12 arts education in one of the following approved areas: art, dance, dramatic arts or music from a Board-approved teacher preparation program, described in R7-2-604; or~~
      - ii. ~~b. Completion of a teacher preparation program in PreK-12 arts education in one of the following approved areas: art, dance, dramatic arts or music from an institution accredited by the National Association of Schools of Art and Design, National Association of Schools of Dance, National Association of Schools of Theatre, the National Association of Schools of Music, or National Council for Accreditation of Teacher Education; or~~
      - iii. ~~c. Thirty semester hours of education or arts education courses which teach the knowledge and skills described in R7-2-602, including at least eight semester hours of elementary and secondary methods in the certificate area and 12 semester hours of practicum in the certificate area grades PreK-12. Two years of verified full-time teaching experience in the certificate area in grades PreK-12 may substitute for the 12 semester hours of practicum; or~~
      - iv. ~~d. A valid PreK-12 arts education certificate from another state.~~
  - e. ~~3. A passing score on the appropriate subject knowledge portion of the Arizona Teacher Proficiency Assessment, unless the applicant has a bachelor's, master's or doctoral degree in a relevant content area or otherwise qualifies for a waiver of the subject knowledge assessment.~~ If a proficiency assessment is not offered in a subject area, an approved area shall consist of a minimum of 24 semester hours of courses in the subject.
  - d. ~~4. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment.~~
  - e. ~~5. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.~~
- C. ~~Standard PreK-12 Arts Education Certificate: for art, dance, dramatic arts or music.~~
  - 1. ~~The certificate is valid for six years.~~
  - 2. ~~The requirements are:~~
    - a. ~~The provisional PreK-12 Arts Education certificate.~~
    - b. ~~Two years of verified teaching experience will be accepted in lieu of the performance portion of the Arizona Teacher Proficiency Assessment.~~
    - e. ~~A valid fingerprint clearance card issued by the Arizona Department of Public Safety.~~
- C. Standard Professional PreK-12 Arts Education Certificate for applications received on or after August 1, 2018.
  - 1. The requirements include all of the following:
    - a. A bachelor's degree;
    - b. Completion of a teacher preparation program in PreK-12 arts education from a Board-approved teacher educator preparation program or from an accredited institution offering substantially similar training, addressing the following topics and any others as required by law:
      - i. Studio art;
      - ii. Art history and analysis;
      - iii. Advanced work in studio or art application areas;
      - iv. Technical processes;
      - v. Instructional design and lesson planning, including modifications, and accommodations;
      - vi. The learning environment, including classroom management;
      - vii. Assessing, monitoring and reporting progress;
      - viii. Professional responsibility and ethical conduct;
      - ix. Twelve weeks of capstone experience as described in R7-2-604 in grades PreK-12 arts education, which may be completed during the valid period of a teaching intern or student teaching intern certificate. One year of verified full-time teaching experience in the certificate area in grades PreK-12 arts education may substitute for the capstone experience requirement;
    - c. A passing score on the appropriate subject knowledge portion of the Arizona Teacher Proficiency Assessment, unless the applicant has a bachelor's, master's or doctoral degree in a relevant content area or otherwise qualifies for a waiver of the subject knowledge assessment;
    - d. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment and
    - e. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
  - 2. Applicants may meet the requirements in subsection (C)(1)(b) with the submission of an application for the Standard Professional PreK-12 Arts Education certificate that includes evidence of two years of verified full-time teaching experience in grades PreK-12 arts education, and Board-approved or accredited training or coursework which teaches the knowledge and skills described in R7-2-602 and subsections (C)(1)(b)(i)-(vii). One year of verified full-time teaching experience in grades PreK-12 arts education may be substituted for the capstone experience.
- D. Standard Professional PreK-12 Dance Education Certificate
  - 1. The requirements include all of the following:
    - a. A bachelor's degree;



- b. Completion of a teacher preparation program in PreK-12 dance education from an accredited institution offering substantially similar training, addressing the following topics and any others as required by law:
    - i. Performance;
    - ii. Choreography;
    - iii. Theoretical and historical studies of dance;
    - iv. Technical processes;
    - v. Instructional design and lesson planning, including modifications, and accommodations;
    - vi. The learning environment, including classroom management;
    - vii. Assessing, monitoring and reporting progress;
    - viii. Professional responsibility and ethical conduct; and
    - ix. Twelve weeks of capstone experience as described in R7-2-604 in grades PreK-12 dance education, which may be completed during the valid period of a teaching intern or student teaching intern certificate. One year of verified full-time teaching experience in grades PreK-12 dance education may substitute for the capstone experience requirement;  
and
  - c. A passing score on the appropriate subject knowledge portion of the Arizona Teacher Proficiency Assessment, unless the applicant has a bachelor's, master's or doctoral degree in a relevant content area or otherwise qualifies for a waiver of the subject knowledge assessment.
  - d. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment; and
  - e. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
  - 2. Applicants may meet the requirements in subsection (D)(1)(b) with the submission of an application for the Standard Professional PreK-12 Dance Education certificate that includes evidence of two years of verified full-time teaching experience in grades PreK-12 dance education, and Board-approved or accredited training or coursework which teaches the knowledge and skills described in R7-2-602 and subsections (D)(1)(b)(i)-(viii). One year of verified full-time teaching experience in grades PreK-12 dance education may be substituted for the capstone experience.
- E. Standard Professional PreK-12 Theatre Education Certificate**
- 1. The requirements include all of the following:
    - a. A bachelor's degree;
    - b. Completion of a teacher preparation program in PreK-12 theatre education from an accredited institution offering substantially similar training, addressing the following topics and any others as required by law:
      - i. Foundations of production;
      - ii. Aesthetics, theatre history, literature, theory and criticism;
      - iii. Advanced work in theatre performance;
      - iv. Instructional design and lesson planning, including modifications, and accommodations;
      - v. The learning environment, including classroom management;
      - vi. Assessing, monitoring and reporting progress;
      - vii. Professional responsibility and ethical conduct and;
      - viii. Twelve weeks of capstone experience as described in R7-2-604 in grades PreK-12 theatre education, which may be completed during the valid period of a teaching intern or student teaching intern certificate. One year of verified full-time teaching experience in grades PreK-12 theatre education may substitute for the capstone experience requirement;  
and
    - c. A passing score on the appropriate subject knowledge portion of the Arizona Teacher Proficiency Assessment, unless the applicant has a bachelor's, master's or doctoral degree in a relevant content area or otherwise qualifies for a waiver of the subject knowledge assessment.
    - d. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment; and
    - e. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
  - 2. Applicants may meet the requirements in subsection (E)(1)(b) with the submission of an application for the Standard Professional PreK-12 Theatre Education certificate that includes evidence of two years of verified full-time teaching experience in grades PreK-12 theatre education, and Board-approved or accredited training or coursework which teaches the knowledge and skills described in R7-2-602 and subsections (E)(1)(b)(i)-(vii). One year of verified full-time teaching experience in grades PreK-12 theatre education may be substituted for the capstone experience.
- F. Standard Professional PreK-12 Music Education Certificate**
- 1. The requirements include all of the following:
    - a. A bachelor's degree;
    - b. Completion of a teacher preparation program in PreK-12 music education from an accredited institution offering substantially similar training, addressing the following topics and any others as required by law:
      - i. Performance;
      - ii. Musicianship skills and analysis;
      - iii. Composition and improvisation
      - iv. Music history and repertory;
      - v. Instructional design and lesson planning, including modifications, and accommodations;
      - vi. The learning environment, including classroom management;
      - vii. Assessing, monitoring and reporting progress;
      - viii. Professional responsibility and ethical conduct; and
      - ix. Twelve weeks of capstone experience as described in R7-2-604 in grades PreK-12 music education, which may be completed during the valid period of a teaching intern or student teaching intern certificate. One year of verified full-



time teaching experience in grades PreK-12 music education may substitute for the capstone experience requirement; and

- c. A passing score on the appropriate subject knowledge portion of the Arizona Teacher Proficiency Assessment, unless the applicant has a bachelor's, master's or doctoral degree in a relevant content area or otherwise qualifies for a waiver of the subject knowledge assessment.
- d. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment; and
- e. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.

2. Applicants may meet the requirements in subsection (F)(1)(b) with the submission of an application for the Standard Professional PreK-12 Music Education certificate that includes evidence of two years of verified full-time teaching experience in grades PreK-12 music education, and Board-approved or accredited training or coursework which teaches the knowledge and skills described in R7-2-602 and subsections (F)(1)(b)(i)-(viii). One year of verified full-time teaching experience in grades PreK-12 music education may be substituted for the capstone experience.

~~D.G. Provisional Standard Professional PreK-12 Physical Education Certificate.~~

- 1. ~~The certificate is valid for three years and is not renewable but may be extended as set forth in R7-2-606(H) or (I).~~
- 2. ~~The requirements are:~~
  - ~~a.1. A bachelor's degree.~~
  - ~~b.2. One of the following:~~
    - ~~i.a. Completion of a teacher preparation program in PreK-12 physical education, including 12 semester practicum hours evenly split between elementary and secondary physical education from an accredited institution or a Board-approved teacher preparation program; or~~
    - ~~ii.b. Thirty-three semester hours of education or physical education courses, including:~~
      - ~~(1)i. At least nine semester hours of elementary, secondary and adaptive physical education methods;~~
      - ~~(2)ii. Foundational coursework in the areas of Growth and Motor Development, Movement Activities, Lifelong Physical Fitness and Comprehensive School Physical Activity Programming; and~~
      - ~~(3)iii. Twelve semester hours of practicum in physical education in PreK-12 grades, evenly split between elementary and secondary physical education, and supervised by a licensed or certified physical education teacher. Two years of verified full-time teaching experience in the certificate area in grades PreK-12 may substitute for the twelve 12 semester hours of practicum; or~~
    - ~~iii.c. A valid PreK-12 physical education certificate from another state.~~
  - ~~e.3. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment.~~
  - ~~d.4. A passing score on the Physical Education subject knowledge portion of the Arizona Teacher Proficiency Assessment, unless the applicant has a bachelor's, master's or doctoral degree in a relevant content area or otherwise qualifies for a waiver of the subject knowledge assessment.~~
  - ~~e.5. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.~~

~~E. Standard PreK-12 Physical Education Certificate~~

- 1. ~~The certificate is valid for six years.~~
- 2. ~~The requirements are:~~
  - ~~a. The provisional PreK-12 Physical Education certificate.~~
  - ~~b. Two years of verified teaching experience will be accepted in lieu of the performance portion of the Arizona Teacher Proficiency Assessment.~~
  - ~~e. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.~~

~~H. Standard Professional PreK-12 Physical Education Certificate for applications received on or after August 1, 2018.~~

- 1. ~~The requirements include all of the following:~~
  - ~~a. A bachelor's degree;~~
  - ~~b. Completion of a teacher preparation program in PreK-12 physical education a Board-approved educator preparation program or from an accredited institution offering substantially similar training, addressing the following topics and any others as required by law:~~
    - ~~i. Elementary, secondary and adaptive physical education methods;~~
    - ~~ii. Foundational coursework in the areas of Growth and Motor Development;~~
    - ~~iii. Movement Activities;~~
    - ~~iv. Lifelong Physical Fitness;~~
    - ~~v. Instructional design and lesson planning, including modifications, and accommodations;~~
    - ~~vi. The learning environment, including classroom management;~~
    - ~~vii. Assessing, monitoring and reporting progress;~~
    - ~~viii. Professional responsibility and ethical conduct and;~~
    - ~~ix. Twelve weeks of capstone experience as described in R7-2-604 in grades PreK-12 physical education, serving students in elementary and secondary physical education, which may be completed during the valid period of a teaching intern or student teaching intern certificate. One year of verified full-time teaching experience in the certificate area in grades PreK-12 physical education may substitute for the capstone experience requirement;~~
  - ~~c. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment;~~
  - ~~d. A passing score on the Physical Education subject knowledge portion of the Arizona Teacher Proficiency Assessment, unless the applicant has a bachelor's, master's or doctoral degree in a relevant content area or otherwise qualifies for a waiver of the subject knowledge assessment; and~~
  - ~~e. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.~~
- 2. Applicants may meet the requirements in subsection (H)(1)(b) with the submission of an application for the Standard Professional PreK-12 Physical Education certificate that includes evidence of two years of verified full-time teaching experience in



grades PreK-12 physical education, and Board-approved or accredited training or coursework which teaches the knowledge and skills described in R7-2-602 and subsections (H)(1)(b)(i)-(viii). One year of verified full-time teaching experience in grades PreK-12 physical education may be substituted for the capstone experience.

#### R7-2-614. Other Teaching Certificates

- A. Except as noted, all certificates are subject to the general certification provisions in R7-2-607.
- B. Substitute Certificate -- PreK-12
1. The certificate is valid for six years and renewable by reapplication.
  2. The certificate entitles the holder to substitute in the temporary absence of a regular contract teacher. A person holding only a substitute certificate shall not be assigned a contract teaching position.
  3. An individual who holds a valid teaching or administrator certificate shall not be required to hold a substitute certificate to be employed as a substitute teacher.
  4. A person holding only a substitute certificate shall be limited to teaching 120 days in the same school each school year.
  5. The requirement for issuance is a bachelor's degree and a valid fingerprint clearance card issued by the Arizona Department of Public Safety.
  6. Substitute certificates previously issued as valid for life under this rule shall remain valid for life.
  7. A person holding only a substitute certificate may be exempt from the limit on teaching 120 days in the same school each school year if the school district superintendent has provided verification to the Department of Education that the position is continuously advertised on a statewide basis at a minimum of three sites with at least one being a higher education institution and that a highly qualified and employable candidate was not found. An exemption from teaching 120 days shall not be granted to the same individual more than three times.
- C. Emergency Substitute Certificate -- PreK-12
1. The certificate is valid for one school year or part thereof. The expiration date shall be the following July 1.
  2. The certificate entitles the holder to substitute only in the district that verifies that an emergency employment situation exists.
  3. The certificate entitles the holder to substitute in the temporary absence of a regular contract teacher. A person holding only an emergency substitute certificate shall not be assigned a contract teaching position.
  4. The holder of an emergency substitute certificate shall be limited to 120 days of substitute teaching per school year.
  5. The requirements for initial issuance are:
    - a. High school diploma, General Education diploma, or associate's degree;
    - b. Verification from the school district superintendent that an emergency employment situation exists; and
    - c. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
  6. The requirements for each reissuance are:
    - a. Two semester hours of academic courses completed since the last issuance of the Emergency Substitute Certificate. District in-service programs designed for professional development may substitute for academic courses. Fifteen clock hours of in-service is equivalent to one semester hour. In-service hours shall be verified by the district superintendent or personnel director. Individuals who have earned 30 or more semester hours are exempt from this requirement,
    - b. Verification from the school district superintendent that an emergency employment situation exists, and
    - c. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- D. Emergency Teaching Certificate – birth through grade 12
1. The emergency teaching certificate is valid one school year or part thereof. The expiration date shall be the following July 1. An emergency teaching certificate shall not be issued more than three times to an individual. ~~An individual that receives an intern certificate and does not complete the requirements for a provisional certificate shall not be eligible for an emergency certificate.~~
  2. The emergency teaching certificate entitles the holder to enter into a teaching contract.
  3. Emergency teaching certificates shall be issued for early childhood, elementary, and secondary, ~~and special education~~ certificates required by A.R.S. § 15-502(B), and required endorsements.
  4. The emergency teaching certificate entitles the holder to teach only in the district or charter school that verifies that an emergency employment situation exists.
  5. The requirements for initial issuance are:
    - a. A bachelor's degree,
    - b. Verification from the school district superintendent or charter school administrator that an emergency employment situation exists, and
    - c. A valid fingerprint clearance card issued by the Arizona Department of Public Safety,
    - d. ~~Verification from the school district superintendent or charter school administrator that the following requirements have been met and that a highly qualified and employable candidate was not found:~~
      - i. ~~The position was advertised on a statewide basis and with at least three career placement offices of higher education institutions, and~~
      - ii. ~~The district or charter school is participating in any available Board approved alternative path to certification program(s). This requirement may be waived if a district superintendent or charter school administrator provides evidence that an alternative path to certification program is either not available or not capable of alleviating the emergency employment situation.~~
  6. ~~In addition to the requirements listed in subsection (D)(5) the requirements for reissuance shall include six semester hours of education courses completed since the last issuance of the emergency teaching certificate.~~
- E. Teaching Intern Certificate -- PreK-12
1. ~~Except as noted, the teaching intern certificate is subject to the general certification provisions in R7-2-607.~~
  2. The certificate is valid for ~~one year~~ two years from the date of initial issuance and may be extended yearly for no more than two consecutive years at no cost to the applicant if the provisions in subsection ~~(E)(6)~~ (E)(5) are met.



- ~~3-2.~~ The teaching intern certificate entitles the holder to enter into a teaching contract while completing the requirements for an Arizona teaching certificate. During the valid period of the intern certificate the holder may teach in a Structured English Immersion classroom, or in any subject area in which the holder has passed the appropriate Arizona Teacher-Proficiency Assessment. Teaching Intern certificate holders who teach in a Structured English Immersion classroom shall hold a valid Provisional or full Structured English Immersion Endorsement, an English as a Second Language Endorsement, or a Bilingual Endorsement, if applicable. The candidate shall be enrolled in a Board authorized alternative path to certification program or a Board approved teacher educator preparation program.
- ~~4-3.~~ An individual is not eligible to hold the teaching intern certificate more than once in a five year period.
- ~~5-4.~~ The requirements for initial issuance of the teaching intern certificate are:
  - a. A bachelor's degree or higher from an accredited institution;
  - ~~b.~~ A passing score on one or more subject knowledge portions of the Arizona Teacher Proficiency Assessment that corresponds to the Board approved alternative path to certification program, or Board approved educator preparation program, in which the applicant is enrolled;
  - ~~e-b.~~ Verification of enrollment in a Board approved alternative path to certification program, or a Board approved educator preparation program; and
  - ~~d-c.~~ A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- ~~6-5.~~ The requirements for the extension of the intern teaching certificate are:
  - a. The teaching intern certificate outlined in subsection ~~(E)(5)-(E)(4)~~,
  - b. Official transcripts documenting the completion of required coursework,
  - c. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- ~~7-6.~~ The holder of the teaching intern certificate may apply for ~~an Arizona Teaching Certificate~~ a Standard teaching certificate upon completion of the following:
  - a. Successful completion of a Board authorized alternative path to certification program or a Board approved educator preparation program. ~~This shall include satisfactory completion of a field experience or capstone experience of no less than one full academic year. The field experience or capstone experience shall include performance evaluations in a manner that is consistent with policies for the applicable alternative professional preparation program, as described pursuant to R7-2-604.04(B)(5),~~
  - b. A passing score on the ~~required~~ professional knowledge portion of the Arizona Teacher Proficiency Assessment as applicable;
  - ~~c.~~ A passing score on one or more subject knowledge portions of the Arizona Teacher Proficiency Assessment that corresponds to the Board approved alternative path to certification program in which the applicant is enrolled, unless the applicant has a bachelor's, master's or doctoral degree in the corresponding content area;
  - ~~e-d.~~ The submission of an application for ~~the provisional~~ a Standard teaching certificate to the Department,
  - ~~d-c.~~ A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- ~~8-7.~~ Placement decisions of teaching intern certificate holders shall only be based on agreements between the educator preparation provider, the provider's partner organizations and the local education agency except as otherwise provided in R7-2-614(E).

F. Adult Education Certificates

- 1. The adult education certificates are issued for individuals teaching in the areas of Adult Basic Education, Adult Secondary Education, English Language Acquisition for Adults, or Citizenship.
- 2. ~~Provisional Standard Adult Education Certificate.~~
  - ~~a.~~ The certificate is valid for three years and is not renewable.
  - ~~b.~~ The requirement for issuance is a valid fingerprint clearance card issued by the Arizona Department of Public Safety and a bachelor's degree or three years of experience as a teacher, tutor, or aide in an adult education program or in grades K through 12. Up to two years of experience may be waived by postsecondary academic credit, with 30 semester hours equivalent to one year of experience.
- 3. ~~Standard Adult Education Certificate.~~
  - ~~a.~~ The certificate is valid for six years.
  - ~~b.~~ The requirements are:
    - ~~i.~~ One year of part time or full time teaching experience under a provisional adult education certificate, verified by an adult education program administrator;
    - ~~ii.~~ Completion of 10 clock hours in a professional development program described in R7-2-619(B) since the issuance of the provisional adult education certificate; and
    - ~~iii.~~ A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
  - ~~e-b.~~ The renewal requirements are completion of ~~60 clock hours in~~ a professional development program, described in R7-2-619(B).

G. Junior Reserve Officer Training Corps Teaching Certificate – grades nine through 12

- 1. ~~The certificate is valid for six years and is renewable upon application.~~
- 2. The standard certificate is valid at any local education agency which conducts an approved Junior Reserve Officer Training Corps program of the Air Force, Army, Navy, or Marine Corps.
- 3-2. The requirements are:
  - a. Verification by the district of an approved Junior Reserve Officer Training Corps program of instruction in which the applicant will be teaching,
  - b. Verification by the district that the applicant meets the work experience required by the respective military service, and
  - c. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.

H. Athletic coaching certificate – grades seven through 12

- 1. ~~The certificate is valid for six years.~~



2. The standard certificate entitles the holder to perform coaching duties in interscholastic and extracurricular athletic activities. It is not required for teachers who hold a valid elementary, secondary or special education certificate.
- 3.2. The requirements are:
- Valid certification in first aid and Coronary and Pulmonary Resuscitation (CPR);
  - Completion of ~~15 semester hours of courses, Board-approved or accredited seminars or modules of study~~ which shall include ~~at least three semester hours in courses related to each of the following:~~
    - Methods of coaching,
    - Anatomy and physiology,
    - Sports psychology,
    - Adolescent psychology, ~~and~~
    - The prevention and treatment of athletic injuries; ~~and~~
    - Signs of physical abuse, emotional abuse, sexual abuse, neglect, bullying, hazing and cyberbullying.
  - Two hundred fifty hours of verified coaching experience in the sport to be coached. Coaching experience may include experience as a head coach or assistant coach in a school program or in an organized athletic league; and
  - A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
4. Renewal requirements are:
- Completion of ~~60 clock hours in~~ a professional development program described in R7-2-619(B),
  - Valid certification in first aid and CPR.
- I. ~~Provisional~~ Standard Foreign Teacher Teaching Certificate
- This certificate is required for a teacher or professor from any foreign country, state, territory or possession of the United States contracted through the foreign teacher exchange program as authorized by federal statutes enacted by the Congress of the United States or other foreign teacher recruitment programs approved by the United States Department of State.
  - This certificate is valid for one year and may be extended yearly for up to two additional years upon request by the contracting governing board. The contracting teacher shall submit a letter of intent to hire to the Arizona Department of Education on official letterhead signed by the Superintendent or Director of Human Resources.
  - The requirements are:
    - Verification that training and background comply with the comparable Arizona teaching certificate as provided in R7-2-608, ~~R7-2-609(B)(2), R7-2-610(B)(2), R7-2-611(C)(3), (E)(3), (G)(2), (I)(2), (K)(2), (M)(2), R7-2-612(D)(2), (F)(2), (H)(2), (J)(2), or (L)(2) and R7-2-613~~ R7-2-609, R7-2-610, R7-2-611, R7-2-612 and R7-2-613.
    - Holds a valid fingerprint Clearance Card issued by the Arizona Department of Public Safety.
    - Demonstrates fluency in English as verified by the Test of English as a Foreign Language (TOEFL) or other English proficiency tests approved by the Board.
    - The passing score by the Test of English as a Foreign Language (TOEFL) or other English proficiency tests approved by the Board shall be determined by the Board using the results of validity and reliability studies. The passing score for each assessment shall be reviewed by the Board at least every three years.
  - A prospective teacher seeking to instruct in a language other than English may furnish a letter for submission to the Arizona Department of Education, on official letterhead, signed by the dean or designee of the home university to verify mastery of the purposed language of instruction. The Arizona Department of Education shall review and may approve submissions for the prospective teacher's exemption to the American Council of the Teaching of Foreign Languages Exam.
- J. Native American Language Certificate
- The standard certificate is optional and issued to individuals to teach only a Native American language in grades preK-12.
  - ~~The certificate is valid for six years.~~
  - The requirements are:
    - A valid ~~IVP~~ fingerprint clearance card issued by the Arizona Department of Public Safety.
    - Language proficiency in a Native American Language. Proficiency shall be verified on official letterhead by a person, persons, or entity designated by the appropriate tribe.
  - ~~The certificate may be renewed upon completion of 60 clock hours of~~ professional development, as prescribed in R7-2-619(B).
- K. Student Teaching Intern Certificate – PreK-12. This subsection becomes effective on February 1, 2017 for placements beginning in the 2017-2018 school year.
- The student teaching intern certificate is optional and is not a requirement for participation in a student teaching capstone experience.
  - The certificate entitles the holder to perform teaching duties under the supervision of a program supervisor as defined in R7-2-604(14) and is only valid in the school district or charter school requesting the certificate.
  - The certificate is valid for one year from date of initial issuance and may be extended for one year at no cost to the applicant if the provisions in subsection (K)(4) are met.
  - The requirements are:
    - Verification of enrollment in the culminating student teaching capstone experience of a Board approved educator preparation program (EPP) pursuant to R7-2-604.01,
    - Verification documenting completed coursework with a minimum GPA of 3.0 on a 4.0 scale or the equivalent,
    - A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment that corresponds to the teaching certificate the student teaching intern is pursuing,
    - A passing score on the subject knowledge portion of the Arizona Teacher Proficiency Assessment that corresponds to the teaching certificate the student teaching intern is pursuing,
    - A request for issuance of the student teaching intern certificate from the district superintendent or charter school superintendent and the EPP.



- f. Verification from the educator preparation provider that a written supervision plan, approved by the Board, includes the following:
  - i. the educator preparation provider’s roles and responsibilities for the Program Supervisor, and
  - ii. the onsite mentorship and induction provided by the Local Education Agency (LEA).
- g. A valid fingerprint card issued by the Arizona Department of Public Safety.
- 5. Placement decisions of student teaching intern certificate holders shall only be based on collaborative agreements between the Board approved educator preparation provider and the LEA. Notwithstanding any other provision, a student teaching intern certificate holder may not teach in a special education classroom unless the certificate holder has a bachelor’s degree.
- 6. The holder of the student teaching certificate may apply for an Arizona Teaching Certificate upon completion of the following:
  - a. Successful completion of a Board approved EPP.
  - b. The submission of an application, and all required documentation including an institutional recommendation, for the Arizona teaching certificate to the Department.

**L. Classroom-Based Standard Teaching Certificate**

- 1. The requirements are:
  - a. A bachelor’s degree
  - b. Successful completion of a Board-approved Classroom-Based Alternative Preparation Program;
  - c. Verification of satisfactory progress and achievement with students
  - d. Demonstration of subject knowledge proficiency with:
    - i. Verification of teaching courses relevant to a content area or subject matter for the last two consecutive years, and for a total of at least three years at one or more accredited postsecondary institutions; or
    - ii. A bachelor’s, master’s or doctoral degree from an accredited institution in the applicable subject area; or
    - iii. Verification of a minimum of five years of work experience in the applicable subject area of certification; or
    - iv. Three years of verified teaching experience in the same area of certification in which the individual is applying for certification; or
    - v. A passing score on the applicable subject knowledge portion of the Arizona Teacher Proficiency Assessment
  - e. Demonstration of professional knowledge proficiency with:
    - i. Three years of verified teaching experience in the same area of certification in which the individual is applying for certification; or
    - ii. A passing score on the applicable professional knowledge portion of the Arizona Teacher Proficiency Assessment
  - f. An individual seeking certification who was teaching courses or subjects tested by the statewide assessment must also provide:
    - i. Verified evidence of two years of full-time teaching; and
    - ii. Verified evidence that the individual’s students performed at grade level; or
    - iii. Verified evidence that the individual’s students achieved at least one year of academic growth at a rate equivalent to the state average for the students’ associated peer groups
  - g. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.

**R7-2-616. Standard Professional Administrative Certificates**

- A. All certificates are subject to the general certification provisions in R7-2-607 and the renewal requirements in R7-2-619.
- B. Standard professional Supervisor Certificate – grades PreK through 12
  - 1. Except for individuals who hold a valid Arizona principal or superintendent certificate, the supervisor certificate is required for all personnel whose primary responsibility is administering instructional programs, supervising certified personnel, or similar administrative duties.
  - 2. ~~The certificate is valid for six years.~~
  - 3. ~~2.~~ The requirements are:
    - a. A valid Arizona early childhood, elementary, secondary, special education, CTE certificate or other professional certificate issued by the Department;
    - b. A master’s or more advanced degree;
    - c. Three years of verified full-time teaching experience or related education services experience in a PreK through 12 setting;
    - d. Completion of a program in educational administration which shall consist of a minimum of 18 graduate semester hours of educational administration courses which teach the knowledge and skills described in R7-2-603 to include three credit hours in school law and three credit hours in school finance;
    - e. A practicum in educational administration or two years of verified educational administrative experience in grades PreK through 12;
    - f. A passing score on the Arizona Administrator Proficiency Assessment;
    - g. An SEI endorsement or an ESL endorsement or a Bilingual Endorsement; and
    - h. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- C. Standard Professional Principal Certificate – grades PreK through 12
  - 1. The principal certificate is required for all personnel who hold the title of principal, assistant principal, or perform the duties of principal or assistant principal as delineated in A.R.S. Title 15.
  - 2. ~~The certificate is valid for six years.~~
  - 3. ~~2.~~ The requirements are:
    - a. A master’s or more advanced degree,
    - b. Three years of verified teaching experience in grades PreK through 12,
    - c. Completion of a program in educational administration for principals including at least 30 graduate semester hours of educational administration courses teaching the knowledge and skills described in R7-2-603 to include three credit hours in school law and three credit hours in school finance,



- d. A practicum as a principal or two years of verified experience as a principal or assistant principal under the supervision of a certified principal in grades PreK through 12,
  - e. A passing score on either the Principal or Superintendent portion of the Arizona Administrator Proficiency Assessment,
  - f. An SEI endorsement or an ESL endorsement or a Bilingual Endorsement, and
  - g. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- D. Standard Professional Superintendent Certificate – grades PreK through 12
1. Individuals who hold the title of superintendent, assistant superintendent or associate superintendent and who perform duties directly relevant to curriculum, instruction, certified employee evaluations, and instructional supervision may obtain a superintendent certificate.
  2. ~~The certificate is valid for six years.~~
  - 3.2. The requirements are:
    - a. A master's or more advanced degree including at least 60 graduate semester hours;
    - b. Completion of a program in educational administration for superintendents, including at least 36 graduate semester hours of educational administrative courses which teach the standards described in R7-2-603 to include three credit hours in school law and three credit hours in school finance;
    - c. Three years of verified full-time teaching experience or related education services experience in a PreK through 12 setting;
    - d. A practicum as a superintendent or two years verified experience as a superintendent, assistant superintendent, or associate superintendent in grades PreK through 12;
    - e. A passing score on the Superintendent portion of the Arizona Administrator Proficiency Assessment; and
    - f. An SEI endorsement or an ESL endorsement or a Bilingual endorsement; and
    - g. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- E. Interim Supervisor Certificate – grades ~~Pre-K~~ PreK through 12
1. Except as noted, the administrative interim certificate is subject to the general certification provisions in R7-2-607.
  2. The certificate is valid for one year from the date of initial issuance and may be extended yearly for no more than two consecutive years at no cost to the applicant if the provisions in subsection (F)(6) are met.
  3. The administrative interim certificate entitles the holder to perform the duties described in subsection (B)(1). The candidate shall be enrolled in a Board approved alternative path to certification program, or a Board authorized administrative preparation program.
  4. An individual is not eligible to hold the administrative interim certificate more than once in a five year period.
  5. The requirements for initial issuance of the administrative interim certificate are:
    - a. A valid Arizona early childhood, elementary, secondary, special education, CTE certificate, PreK through 12 Arts, or other professional certificate issued by the Department;
    - b. A bachelor's degree or higher in education from an accredited institution;
    - c. Three years of verified full-time teaching experience or related education services experience in a PreK through 12 setting;
    - d. Verification of enrollment in a Board approved alternative path to administrator certification program, or a Board approved administrator preparation program;
    - e. Verification the holder of the interim certificate shall be under the direct supervision of an Arizona certified district administrator or the appropriate county school superintendent; and
    - f. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
  6. The requirements for the extension of the administrative interim certificate are:
    - a. Qualification for the initial issuance of the administrative interim certificate outlined in subsection (F)(5),
    - b. Official transcripts documenting the completion of required coursework,
    - c. Verification the holder of the interim certificate shall be under the direct supervision of an Arizona certified district administrator, and
    - d. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
  7. The holder of the administrative interim certificate may apply for an Arizona Standard Professional Supervisor Certificate upon completion of the following:
    - a. Successful completion of a Board approved alternative path to administrator certification program or a Board approved administrator preparation program. This shall include satisfactory completion of a field experience or capstone experience of no less than one full academic year. The field experience or capstone experience shall include performance evaluations in a manner that is consistent with policies for the applicable alternative professional preparation program, ~~as described pursuant to R7-2-604.04(B)(5);~~
    - b. A passing score on the Arizona Administrator Proficiency Assessment;
    - c. The submission of an application for the Standard Professional Supervisor certificate to the Department; and
    - d. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- F. Interim Principal Certificate – grades ~~Pre-K~~ PreK through 12
1. Except as noted, the administrative interim certificate is subject to the general certification provisions in R7-2-607.
  2. The certificate is valid for one year from the date of initial issuance and may be extended yearly for no more than two consecutive years at no cost to the applicant if the provisions in subsection (G)(6) are met.
  3. The administrative interim certificate entitles the holder to perform the duties described in subsection (C)(1). The candidate shall be enrolled in a Board approved alternative path to certification program, or a Board authorized administrative preparation program.
  4. An individual is not eligible to hold the administrative interim certificate more than once in a five year period.
  5. The requirements for initial issuance of the administrative interim certificate are:
    - a. A bachelor's degree or higher in education from an accredited institution;
    - b. Three years of verified full-time teaching experience in grades PreK through 12;



- c. Verification of enrollment in a Board approved alternative path to administrator certification program, or a Board approved administrator preparation program;
  - d. Verification the holder of the interim certificate shall be under the direct supervision of an Arizona certified district principal or superintendent of the appropriate county school superintendent; and
  - e. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
  - 6. The requirements for the extension of the administrative interim certificate are:
    - a. Qualification for the initial issuance of the administrative interim certificate outlined in subsection (G)(5),
    - b. Official transcripts documenting the completion of required coursework,
    - c. Verification the holder of the interim certificate shall be under the direct supervision of an Arizona certified district principal or superintendent, and
    - d. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
  - 7. The holder of the administrative interim certificate may apply for an Arizona Principal Certificate upon completion of the following:
    - a. Successful completion of a Board approved alternative path to administrator certification program or a Board approved administrator preparation program. This shall include satisfactory completion of a field experience or capstone experience of no less than one full academic year. The field experience or capstone experience shall include performance evaluations in a manner that is consistent with policies for the applicable alternative professional preparation program, ~~as described pursuant to R7-2-604.04(B)(5);~~
    - b. A passing score on either the Principal or Superintendent portion of the Arizona Administrator Proficiency Assessment;
    - c. The submission of an application for the Principal certificate to the Department; and
    - d. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- G. Interim Superintendent Certificate – grades ~~Pre-K~~ PreK through 12**
- 1. Except as noted, the administrative interim certificate is subject to the general certification provisions in R7-2-607.
  - 2. The certificate is valid for one year from the date of initial issuance and may be extended yearly for no more than two consecutive years at no cost to the applicant if the provisions in subsection (H)(6) are met.
  - 3. The administrative interim certificate entitles the holder to perform the duties described in subsection (D)(1). The candidate shall be enrolled in a Board approved alternative path to certification program, or a Board authorized administrative preparation program.
  - 4. An individual is not eligible to hold the administrative interim certificate more than once in a five year period.
  - 5. The requirements for initial issuance of the administrative interim certificate are:
    - a. A master’s degree or higher from an accredited institution;
    - b. Three years of verified full-time teaching experience or related education services experience in a PreK through 12 setting;
    - c. Verification of enrollment in a Board approved alternative path to administrator certification program, or a Board approved administrator preparation program;
    - d. Verification the holder of the interim certificate shall be under the direct supervision of an Arizona certified district superintendent or the appropriate county school superintendent; and
    - e. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
  - 6. The requirements for the extension of the administrative interim certificate are:
    - a. Qualification for the initial issuance of the administrative interim certificate outlined in subsection (H)(5),
    - b. Official transcripts documenting the completion of required coursework,
    - c. Verification the holder of the interim certificate shall be under the direct supervision of an Arizona certified district superintendent or the appropriate county school superintendent, and
    - d. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
  - 7. The holder of the administrative interim certificate may apply for an Arizona Superintendent Certificate upon completion of the following:
    - a. Successful completion of a Board approved alternative path to administrator certification program or a Board approved administrator preparation program. This shall include satisfactory completion of a field experience or capstone experience of no less than one full academic year. The field experience or capstone experience shall include performance evaluations in a manner that is consistent with policies for the applicable alternative professional preparation program, ~~as described pursuant to R7-2-604.04(B)(5);~~
    - b. A passing score on the Superintendent portion of the Arizona Administrator Proficiency Assessment;
    - c. The submission of an application for the Superintendent certificate to the Department; and
    - d. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.

**R7-2-617. Other Professional Certificates**

- A. All certificates are subject to the general certification provisions in R7-2-607 and the renewal requirements in R7-2-619.
- B. Standard Guidance Counselor Certificate - grades PreK-12
  - ~~1. The guidance counselor certificate is valid for six years.~~
  - 2. The requirements are:
    - ~~a.1.~~ A master’s or more advanced degree,
    - ~~b.2.~~ Completion of a graduate program in guidance and counseling. A valid guidance counselor certificate from another state may substitute for this requirement,
    - ~~e.3.~~ A valid fingerprint clearance card issued by the Arizona Department of Public Safety, and
    - ~~d.4.~~ One of the following:
      - ~~i.a.~~ Completion of a supervised counseling practicum in school counseling;
      - ~~ii.b.~~ Two years of verified, full-time experience as a school guidance counselor; or
      - ~~iii.c.~~ Three years of verified teaching experience.



- C. Standard School Psychologist Certificate - grades PreK-12
1. A standard school psychologist certificate is required for all personnel whose primary responsibility is in the role of a school psychologist providing services that include but are not limited to the duties of student psychoeducational assessment, therapeutic consultation and intervention, and involvement in the process of determination of student disabilities or disorders.
  - ~~2. The school psychologist certificate is valid for six years.~~
  - ~~3.2.~~ The requirements are:
    - a. A master's or more advanced degree;
    - b. Completion of a graduate program in school psychology consisting of at least 60 graduate semester hours, or completion of a doctoral program in psychology and completion of a re-training program in school psychology from an accredited institution or Board approved program with a letter of institutional endorsement from the head of the school psychology program;
    - c. A supervised internship of at least 1200 clock hours with a minimum of 600 of those hours in a school setting. Three years experience as a certified school psychologist within the last 10 years may be substituted for the internship requirement; and
    - d. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
  - ~~4.3.~~ Any of the following may be substituted for the requirement described in subsection (C)(3)(b):
    - a. Five years experience within the last 10 years working full time in the capacity of a school psychologist in a school setting serving any portion of grades kindergarten through 12; or
    - b. A Nationally Certified School Psychologist Credential; or
    - c. A diploma in school psychology from the American Board of School Psychology.
- D. Standard Speech-Language Pathologist Certificate - grades PreK-12
1. The standard speech-language pathologist certificate is required for school-based speech-language pathologists.
  2. The certificate is ~~valid for six years and~~ may be renewed consistent with the provisions of R7-2-619 with ~~the completion of a minimum of 60 clock hours of~~ relevant professional development in the field of speech pathology, or professional development in the areas of articulation, voice, fluency, language, low incidence disabilities, curriculum and instruction, professional issues and ethics, or service delivery models.
  3. The requirements are:
    - a. A master's or more advanced degree, from an accredited institution, in speech pathology or communication disorders;
    - b. A minimum of 250 clinical clock hours supervised by a university or a speech-language pathologist with a certificate of clinical competence;
    - c. A certificate of clinical competence, or a passing score on the national exam, or a passing score on the speech and language impaired special education portion of the Arizona Teacher Proficiency Assessment; and
    - d. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- E. Standard Speech-Language Technician - grades PreK-12
1. The standard speech-language technician certificate is required for school-based speech-language professionals.
  2. No new applications for a speech-language technician certificate will be accepted after June 30, 2014.
  3. The certificate is ~~valid for six years and~~ may be renewed consistent with the provisions of R7-2-619 with ~~the completion of a minimum of 180 clock hours of graduate level coursework in the field of speech pathology, or~~ professional development in the areas of articulation, voice, fluency, language disorders, low incidence disabilities, professional issues and ethics, or service delivery models.
  4. The requirements are:
    - a. A bachelor's degree from an accredited program in Speech-Language Pathology, Speech Hearing Sciences, or Communication Disorders;
    - b. A minimum of 50 hours of university supervised observation;
    - c. A minimum of 150 university clinical clock hours, or 150 clock hours supervised by a master's level licensed speech-language pathologist, or two years' experience as a school speech-language therapist or technician;
    - d. A passing score on the speech and language impaired special education portion of the Arizona Teacher Proficiency Assessment; and
    - e. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- F. Standard School Social Worker Certificate - grades PreK-12
1. The standard School Social Worker certificate is optional but may be required by local governing
  - ~~2. The certificate is valid for eight years.~~
  - ~~3.2.~~ The requirements are:
    - a. Master's or more advanced degree in Social Work from an accredited institution or completion of a Board approved school social worker program;
    - b. A valid fingerprint clearance issued by the Arizona Department of Public Safety; and
    - c. One of the following:
      - i. Completion of at least 6 semester hours of practicum in Social Work in a school setting completed through an accredited institution; or
      - ii. One year of full time experience as a Social Worker in a setting which primarily serves children in preschool through grade 12.
  - ~~4.3.~~ A valid, comparable School Social Worker certificate from another state may be substituted for the requirements of R7-2-617(F)(3) provided that the holder is in good standing with that state.

**R7-2-619. Renewal Requirements**

- A. A certificate may be renewed within six months of its expiration date except that an individual holding multiple valid certificates may renew all certificates at one time in order to align the expiration dates of each certificate. Certificates being aligned shall be renewed at the same time as the certificate that will expire first. Individuals seeking to align certificates shall meet the renewal requirements for each certificate being aligned. Certificates that are renewed or aligned pursuant to this Section shall be valid for ~~eight~~ 12 years.



- B. A certificate may be renewed within one year after it expires. Individuals whose certificates have been expired for more than one year shall reapply for certification under the requirements in effect at the time of reapplication. Nothing in this Section shall imply that an individual may be employed in a position that requires certification after the expiration of the relevant certificate.
- C. Renewal of certificates requires the completion of continuing education credits after the most recent issuance or renewal of the certificate, except that continuing education credits completed during the valid term of the certificate that expires first meets the requirement of certificates being aligned. Fifteen hours of continuing education credits are required each year of the certificate term to renew a certificate, which may be accumulated in various increments per year prior to renewal. One hour of continuing education credit shall be equivalent to one clock hour of a professional development activity. Continuing education credits must relate to Arizona academic or professional educator standards or apply toward the attainment of an additional Arizona certificate, endorsement, or approved area, and may include training regarding suicide awareness and prevention; child abuse, human trafficking of children and the sexual abuse of children, including warning signs that a child may be a victim of child abuse, human trafficking, or sexual abuses; screening, intervention, accommodation, use of technology and advocacy for students with reading impairments, including dyslexia; or other training programs explicitly permitted by state law. Professional development that may be counted toward the required hours of continuing education credit shall consist of any of the following activities:
  1. Courses related to education or a subject area taught in Arizona schools, taken from an accredited institution. Each semester hour of courses shall be equivalent to 15 clock hours of professional development. The required documentation shall be an official transcript.
  2. Professional activities such as conferences and workshops related to the profession of teaching or the field of public education. A maximum of 30 clock hours per year may be earned by attendance at professional conferences and workshops. The required documentation shall be a conference agenda and a statement or certificate from the sponsoring organization noting the clock hours earned.
  3. District-sponsored or school-sponsored in-services or activities which are specifically designed for professional development. The required documentation shall be written verification from the sponsoring district or school stating the dates of participation and the number of clock hours earned.
  4. Internships in business settings. The internship shall be based on an agreement between a business and a district or school with the stated objective of aligning teaching curriculum with workplace skills. A maximum of 80 clock hours may be earned through business internships. The required documentation shall be written verification by the sponsoring business and district or school stating the dates of participation and number of clock hours earned.
  5. Educational research. The research shall be sponsored by a research facility or an accredited institution or funded by a grant. The required documentation shall be the published report of the research or verification by the sponsoring agency; and a statement of the dates of participation and the number of clock hours earned.
  6. Serving in a leadership role of a professional organization that provides training, activities, or projects related to the profession of teaching or the field of public education. A maximum of 30 clock hours per year may be earned by serving in a leadership role of a professional organization. The required documentation shall be written verification by the governing body of the professional organization of the dates of service and clock hours earned.
  7. Serving on a visitation team for a school accreditation agency. A maximum of 60 clock hours per year may be earned by serving on a visitation team. The required documentation shall be written verification from the accreditation agency of the dates of service and clock hours earned.
  8. Completion of the process for certification by the National Board of Professional Teaching Standards. The required documentation shall be written verification from the National Board of Professional Teaching Standards and a statement from the employing district or school verifying the dates and the clock hours earned during the certification process.
- D. An individual holding a Standard teaching certificate, a standard administrative certificate, or other professional certificate may renew the certificate for eight 12 years upon completion of fifteen 15 hours of continuing education credits each year of the certificate term which may be accumulated in various increments per year prior to renewal or with a verified current professional license as a counselor, social worker, psychologist or speech pathologist.
- E. An individual who is employed by a school or school district at the time of renewal shall submit the required documentation of professional development to the district superintendent, director of personnel, or other designated administrator for verification. A certified individual who is not employed by a school or school district at the time of renewal shall submit the required documentation of professional development to a county school superintendent, the dean of a college of education, or the Department for verification. The school or district official, county school superintendent, or the dean of a college of education shall verify on forms provided by the Department the number of hours of professional development completed by the individual during the valid period of the certificate being renewed.
- F. The Department shall issue a Standard teaching certificate of the same type.
- G. Notwithstanding any other provision in this section, an individual with a valid fingerprint clearance card who has had a certificate or certificates expire for at least two years but not more than 10 years may renew the expired certificate or certificates and any endorsements or approved areas if the individual had 10 or more years of verified full-time experience in this state in the area the individual is seeking renewed certification and is in good standing. Standard certificates issued to that individual pursuant to this subsection shall be identical to the expired certificate or certificates.

**R7-2-621. Reciprocity**

- A. The Board shall issue a comparable standard Arizona teaching certificate or endorsement as applicable, if one is established pursuant to this Article, to an applicant who holds a valid certificate or endorsement from another state that included a requirement to pass that state's certification exams in order to be certificated in that state if required at the time of certification, and is in good standing with that other state. These applicants are exempt from all provisions of the Arizona Teacher proficiency examinations.
- ~~1-B.~~ Standard certificates shall be valid for eight 12 years and are renewable.
- ~~2-C.~~ The applicant shall possess a valid fingerprint clearance card issued by the Arizona Department of Public Safety.



- D. The applicant shall have completed the required class or passed a satisfactory examination on the provisions and principles of the Constitutions of the United States and Arizona.
- ~~3.E. Notwithstanding any other provision,~~ the deficiencies allowed pursuant to Arizona Revised Statutes in Arizona Constitution and United States Constitution shall be satisfied prior to the issuance of the same type of certificate prescribed in this Article, but are subject to suspension as follows:
- ~~a.1.~~ An applicant's standard Arizona teaching certificate shall be suspended three years from the date of issuance if the applicant has not completed the required class or passed a satisfactory examination on the provisions and principles of the Constitutions of the United States and Arizona.
  - ~~b.2.~~ An applicant's standard Arizona teaching certificate shall be suspended one year from the date of issuance if the applicant has not completed the required class or passed a satisfactory examination on the provisions and principles of the Constitutions of the United States and Arizona if the applicant applies for a certificate authorizing the person to teach an academic course that focuses predominantly on history, government, social studies, citizenship, law or civics.
- ~~B. The Board shall issue a comparable Arizona supervisor, principal or superintendent certificate to an applicant who holds a valid equivalent certificate from another state, that included a requirement to pass that state's administrator exams in order to be certificated in that state if required at the time of certification, and is in good standing with that other state.~~
- ~~1. Certificates shall be valid for eight years and are renewable.~~
  - ~~2. The applicant shall possess a valid fingerprint clearance card issued by the Arizona Department of Public Safety.~~
  - ~~3. The suspension for a deficiency in the Constitutions of the United States and Arizona is not considered a disciplinary action and the applicant shall be allowed to correct that deficiency within the remaining time of the standard certification.~~

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**REGISTER INDEXES**

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The *Register* is published by volume in a calendar year (See “General Information” in the front of each issue for more information).

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Abbreviations for rulemaking activity in this Index include:

**PROPOSED RULEMAKING**

PN = Proposed new Section  
PM = Proposed amended Section  
PR = Proposed repealed Section  
P# = Proposed renumbered Section

**SUPPLEMENTAL PROPOSED RULEMAKING**

SPN = Supplemental proposed new Section  
SPM = Supplemental proposed amended Section  
SPR = Supplemental proposed repealed Section  
SP# = Supplemental proposed renumbered Section

**FINAL RULEMAKING**

FN = Final new Section  
FM = Final amended Section  
FR = Final repealed Section  
F# = Final renumbered Section

**SUMMARY RULEMAKING****PROPOSED SUMMARY**

PSMN = Proposed Summary new Section  
PSMM = Proposed Summary amended Section  
PSMR = Proposed Summary repealed Section  
PSM# = Proposed Summary renumbered Section

**FINAL SUMMARY**

FSMN = Final Summary new Section  
FSMM = Final Summary amended Section  
FSMR = Final Summary repealed Section  
FSM# = Final Summary renumbered Section

**EXPEDITED RULEMAKING****PROPOSED EXPEDITED**

PEN = Proposed Expedited new Section  
PEM = Proposed Expedited amended Section  
PER = Proposed Expedited repealed Section  
PE# = Proposed Expedited renumbered Section

**SUPPLEMENTAL EXPEDITED**

SPEN = Supplemental Proposed Expedited new Section  
SPEM = Supplemental Proposed Expedited amended Section  
SPER = Supplemental Proposed Expedited repealed Section  
SPE# = Supplemental Proposed Expedited renumbered Section

**FINAL EXPEDITED**

FEN = Final Expedited new Section  
FEM = Final Expedited amended Section  
FER = Final Expedited repealed Section  
FE# = Final Expedited renumbered Section

**EXEMPT RULEMAKING****EXEMPT PROPOSED**

PXN = Proposed Exempt new Section  
PXM = Proposed Exempt amended Section  
PXR = Proposed Exempt repealed Section  
PX# = Proposed Exempt renumbered Section

**EXEMPT SUPPLEMENTAL PROPOSED**

SPXN = Supplemental Proposed Exempt new Section  
SPXR = Supplemental Proposed Exempt repealed Section  
SPXM = Supplemental Proposed Exempt amended Section  
SPX# = Supplemental Proposed Exempt renumbered Section

**FINAL EXEMPT RULEMAKING**

FXN = Final Exempt new Section  
FXM = Final Exempt amended Section  
FXR = Final Exempt repealed Section  
FX# = Final Exempt renumbered Section

**EMERGENCY RULEMAKING**

EN = Emergency new Section  
EM = Emergency amended Section  
ER = Emergency repealed Section  
E# = Emergency renumbered Section  
EEXP = Emergency expired

**RECODIFICATION OF RULES**

RC = Recodified

**REJECTION OF RULES**

RJ = Rejected by the Attorney General

**TERMINATION OF RULES**

TN = Terminated proposed new Sections  
TM = Terminated proposed amended Section  
TR = Terminated proposed repealed Section  
T# = Terminated proposed renumbered Section

**RULE EXPIRATIONS**

EXP = Rules have expired  
*See also “emergency expired” under emergency rulemaking*

**CORRECTIONS**

C = Corrections to Published Rules

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**RULEMAKING ACTIVITY INDEX**

Rulemakings are listed in the Index by Chapter, Section number, rulemaking activity abbreviation and by volume page number. Use the page guide above to determine the *Register* issue number to review the rule. Headings for the Subchapters, Articles, Parts, and Sections are not indexed.

**THIS INDEX INCLUDES RULEMAKING ACTIVITY THROUGH ISSUE 3 OF VOLUME 24.**

**Clean Elections Commission, Citizens**

R2-20-106.    FXM-107  
R2-20-109.    FXM-109  
R2-20-111.    FXM-111

**Education, State Board of**

R7-2-401.    FXM-140  
R7-2-810.    FXN-146

**Health Services, Department of - Food, Recreational, and Institutional Sanitation**

R9-8-102.    PM-99

**Health Services, Department of - Noncommunicable Diseases**

R9-4-601.    PN-93  
R9-4-602.    PN-93

**Insurance, Department of**

R20-6-607.    FM-103

**Secretary of State, Office of the**

R2-12-1102.    FM-137  
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**OTHER NOTICES AND PUBLIC RECORDS INDEX**

Other notices related to rulemakings are listed in the Index by notice type, agency/county and by volume page number. Agency policy statements and proposed delegation agreements are included in this section of the Index by volume page number.

Public records, such as Governor Office executive orders, proclamations, declarations and terminations of emergencies, summaries of Attorney General Opinions, and county notices are also listed in this section of the Index and published by volume page number.

**THIS INDEX INCLUDES OTHER NOTICE ACTIVITY THROUGH ISSUE 3 OF VOLUME 24.**

**County Notices Pursuant to A.R.S. § 49-112**

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**Public Information, Notices of**

Environmental Quality, Department of; pp. 114-122  
Health Services, Department of; pp. 150-151

**Substantive Policy Statement, Notices of**

Insurance, Department of; p. 123



RULES EFFECTIVE DATES CALENDAR

A.R.S. § 41-1032(A), as amended by Laws 2002, Ch. 334, § 8 (effective August 22, 2002), states that a rule generally becomes effective 60 days after the day it is filed with the Secretary of State's Office. The following table lists filing dates and effective dates for rules that follow this provision. Please also check the rulemaking Preamble for effective dates.

Table with 12 columns: January, February, March, April, May, June. Each month has sub-columns for Date Filed and Effective Date. Rows list dates from 1/1 to 1/31 and corresponding effective dates.



July		August		September		October		November		December	
Date Filed	Effective Date										
7/1	8/30	8/1	9/30	9/1	10/31	10/1	11/30	11/1	12/31	12/1	1/30
7/2	8/31	8/2	10/1	9/2	11/1	10/2	12/1	11/2	1/1	12/2	1/31
7/3	9/1	8/3	10/2	9/3	11/2	10/3	12/2	11/3	1/2	12/3	2/1
7/4	9/2	8/4	10/3	9/4	11/3	10/4	12/3	11/4	1/3	12/4	2/2
7/5	9/3	8/5	10/4	9/5	11/4	10/5	12/4	11/5	1/4	12/5	2/3
7/6	9/4	8/6	10/5	9/6	11/5	10/6	12/5	11/6	1/5	12/6	2/4
7/7	9/5	8/7	10/6	9/7	11/6	10/7	12/6	11/7	1/6	12/7	2/5
7/8	9/6	8/8	10/7	9/8	11/7	10/8	12/7	11/8	1/7	12/8	2/6
7/9	9/7	8/9	10/8	9/9	11/8	10/9	12/8	11/9	1/8	12/9	2/7
7/10	9/8	8/10	10/9	9/10	11/9	10/10	12/9	11/10	1/9	12/10	2/8
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7/14	9/12	8/14	10/13	9/14	11/13	10/14	12/13	11/14	1/13	12/14	2/12
7/15	9/13	8/15	10/14	9/15	11/14	10/15	12/14	11/15	1/14	12/15	2/13
7/16	9/14	8/16	10/15	9/16	11/15	10/16	12/15	11/16	1/15	12/16	2/14
7/17	9/15	8/17	10/16	9/17	11/16	10/17	12/16	11/17	1/16	12/17	2/15
7/18	9/16	8/18	10/17	9/18	11/17	10/18	12/17	11/18	1/17	12/18	2/16
7/19	9/17	8/19	10/18	9/19	11/18	10/19	12/18	11/19	1/18	12/19	2/17
7/20	9/18	8/20	10/19	9/20	11/19	10/20	12/19	11/20	1/19	12/20	2/18
7/21	9/19	8/21	10/20	9/21	11/20	10/21	12/20	11/21	1/20	12/21	2/19
7/22	9/20	8/22	10/21	9/22	11/21	10/22	12/21	11/22	1/21	12/22	2/20
7/23	9/21	8/23	10/22	9/23	11/22	10/23	12/22	11/23	1/22	12/23	2/21
7/24	9/22	8/24	10/23	9/24	11/23	10/24	12/23	11/24	1/23	12/24	2/22
7/25	9/23	8/25	10/24	9/25	11/24	10/25	12/24	11/25	1/24	12/25	2/23
7/26	9/24	8/26	10/25	9/26	11/25	10/26	12/25	11/26	1/25	12/26	2/24
7/27	9/25	8/27	10/26	9/27	11/26	10/27	12/26	11/27	1/26	12/27	2/25
7/28	9/26	8/28	10/27	9/28	11/27	10/28	12/27	11/28	1/27	12/28	2/26
7/29	9/27	8/29	10/28	9/29	11/28	10/29	12/28	11/29	1/28	12/29	2/27
7/30	9/28	8/30	10/29	9/30	11/29	10/30	12/29	11/30	1/29	12/30	2/28
7/31	9/29	8/31	10/30			10/31	12/30			12/31	3/1



**REGISTER PUBLISHING DEADLINES**

The Secretary of State's Office publishes the Register weekly. There is a three-week turnaround period between a deadline date and the publication date of the Register. The weekly deadline dates and issue dates are shown below. Council meetings and Register deadlines do not correlate. Also listed are the earliest dates on which an oral proceeding can be held on proposed rulemakings or proposed delegation agreements following publication of the notice in the Register.

<b>Deadline Date (paper only) Friday, 5:00 p.m.</b>	<b>Register Publication Date</b>	<b>Oral Proceeding may be scheduled on or after</b>
November 3, 2017	November 24, 2017	December 26, 2017
November 10, 2017	December 1, 2017	January 2, 2018
November 17, 2017	December 8, 2017	January 8, 2018
November 24, 2017	December 15, 2017	January 16, 2018
December 1, 2017	December 22, 2017	January 22, 2018
December 8, 2017	December 29, 2017	January 29, 2018
December 15, 2017	January 5, 2018	February 5, 2018
December 22, 2017	January 12, 2018	February 12, 2018
December 29, 2017	January 19, 2018	February 20, 2018
January 5, 2018	January 26, 2018	February 26, 2018
January 12, 2018	February 2, 2018	March 5, 2018
January 19, 2018	February 9, 2018	March 12, 2018
January 26, 2018	February 16, 2018	March 19, 2018
February 2, 2018	February 23, 2018	March 26, 2018
February 9, 2018	March 2, 2018	April 2, 2018
February 16, 2018	March 9, 2018	April 9, 2018
February 23, 2018	March 16, 2018	April 16, 2018



## GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES

The following deadlines apply to all Five-Year-Review Reports and any adopted rule submitted to the Governor’s Regulatory Review Council. Council meetings and *Register* deadlines do not correlate. We publish these deadlines as a courtesy.

All rules and Five-Year Review Reports are due in the Council office by 5 p.m. of the deadline date. The Council’s office is located at 100 N. 15th Ave., Suite 402, Phoenix, AZ 85007. For more information, call (602) 542-2058 or visit <http://grrc.az.gov>.

### GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES FOR 2018

[M18-01]

DEADLINE FOR PLACEMENT ON AGENDA*	FINAL MATERIALS SUBMITTED TO COUNCIL	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
<i>Tuesday</i> November 21, 2017	<i>Tuesday</i> December 19, 2017	<i>Wednesday</i> January 3, 2018	<i>Tuesday</i> January 9, 2018
<i>Tuesday</i> December 19, 2017	<i>Tuesday</i> January 23, 2018	<i>Tuesday</i> January 30, 2018	<i>Tuesday</i> February 6, 2018
<i>Tuesday</i> January 23, 2018	<i>Tuesday</i> February 20, 2018	<i>Tuesday</i> February 27, 2018	<i>Tuesday</i> March 6, 2018
<i>Tuesday</i> February 20, 2018	<i>Tuesday</i> March 20, 2018	<i>Tuesday</i> March 27, 2018	<i>Tuesday</i> April 3, 2018
<i>Tuesday</i> March 20, 2018	<i>Tuesday</i> April 17, 2018	<i>Tuesday</i> April 24, 2018	<i>Tuesday</i> May 1, 2018
<i>Tuesday</i> April 17, 2018	<i>Tuesday</i> May 22, 2018	<i>Wednesday</i> May 30, 2018	<i>Tuesday</i> June 5, 2018
<i>Tuesday</i> May 22, 2018	<i>Tuesday</i> June 19, 2018	<i>Tuesday</i> June 26, 2018	<i>Tuesday</i> July 10, 2018
<i>Tuesday</i> June 19, 2018	<i>Tuesday</i> July 24, 2018	<i>Tuesday</i> July 31, 2018	<i>Tuesday</i> August 7, 2018
<i>Tuesday</i> July 24, 2018	<i>Tuesday</i> August 21, 2018	<i>Tuesday</i> August 28, 2018	<i>Wednesday</i> September 5, 2018
<i>Tuesday</i> August 21, 2018	<i>Tuesday</i> September 18, 2018	<i>Tuesday</i> September 25, 2018	<i>Tuesday</i> October 2, 2018
<i>Tuesday</i> September 18, 2018	<i>Tuesday</i> October 23, 2018	<i>Tuesday</i> October 30, 2018	<i>Tuesday</i> November 6, 2018
<i>Tuesday</i> October 23, 2018	<i>Tuesday</i> November 20, 2018	<i>Tuesday</i> November 27, 2018	<i>Tuesday</i> December 4, 2018
<i>Tuesday</i> November 20, 2018	<i>Tuesday</i> December 18, 2018	<i>Thursday</i> January 3, 2019	<i>Tuesday</i> January 8, 2019
<i>Tuesday</i> December 18, 2018	<i>Tuesday</i> January 22, 2019	<i>Tuesday</i> January 29, 2019	<i>Tuesday</i> February 5, 2019

\* Materials must be submitted by **5 PM** on dates listed as a deadline for placement on a particular agenda. Placement on a particular agenda is not guaranteed.