

REFERENCE TITLE: continuing high school; workforce training

State of Arizona  
House of Representatives  
Fifty-fifth Legislature  
Second Regular Session  
2022

# HB 2122

Introduced by  
Representative Kaiser

AN ACT

AMENDING TITLE 15, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 15-217; RELATING TO THE STATE BOARD OF EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 15, chapter 2, article 1, Arizona Revised  
3 Statutes, is amended by adding section 15-217, to read:

4 15-217. Continuing high school and workforce training  
5 program; service providers; program schools;  
6 requirements; reporting; enrollment limits; rules

7 A. THE STATE BOARD OF EDUCATION SHALL ESTABLISH A CONTINUING HIGH  
8 SCHOOL AND WORKFORCE TRAINING PROGRAM THAT PROVIDES ADULT LEARNERS WITH  
9 ALTERNATIVE STUDY SERVICES AND THAT LEADS TO THE ISSUANCE OF A HIGH SCHOOL  
10 DIPLOMA AND INDUSTRY-RECOGNIZED CREDENTIALS. THE STATE BOARD OF EDUCATION  
11 SHALL AUTHORIZE ELIGIBLE SERVICE PROVIDERS TO PARTICIPATE IN THE  
12 CONTINUING HIGH SCHOOL AND WORKFORCE TRAINING PROGRAM AND TO ESTABLISH A  
13 PROGRAM SCHOOL IN PARTNERSHIP WITH A SCHOOL DISTRICT OR NONPROFIT CHARTER  
14 SCHOOL.

15 B. TO BE ELIGIBLE TO PARTICIPATE IN THE CONTINUING HIGH SCHOOL AND  
16 WORKFORCE TRAINING PROGRAM, A SERVICE PROVIDER MUST MEET BOTH OF THE  
17 FOLLOWING:

18 1. BE A NONPROFIT CORPORATION THAT IS QUALIFIED AS TAX-EXEMPT  
19 PURSUANT TO SECTION 501(c)(3) OF THE INTERNAL REVENUE CODE OR BE AN ADULT  
20 EDUCATION PROVIDER THAT IS APPROVED BY THE DIVISION OF ADULT EDUCATION  
21 WITHIN THE DEPARTMENT OF EDUCATION.

22 2. DEMONSTRATE AT LEAST A TEN-YEAR HISTORY OF PROVIDING WORKFORCE  
23 TRAINING AND CAREER SERVICES IN THIS STATE TO PERSONS WHO ARE AT LEAST  
24 EIGHTEEN YEARS OF AGE AND WHOSE EDUCATIONAL AND TRAINING OPPORTUNITIES  
25 HAVE BEEN LIMITED BY EDUCATIONAL DISADVANTAGES, DISABILITIES OR OTHER  
26 BARRIERS TO EDUCATION, SUCH AS LACK OF RELIABLE AND AFFORDABLE  
27 TRANSPORTATION, LACK OF CHILD CARE OR FOOD INSECURITY.

28 C. A HIGH SCHOOL DIPLOMA MAY BE ISSUED PURSUANT TO THIS SECTION  
29 ONLY TO AN ADULT LEARNER WHO MEETS ALL THE GRADUATION REQUIREMENTS OF  
30 SECTION 15-701.01 AND THE STATE BOARD OF EDUCATION.

31 D. A PROGRAM SCHOOL SHALL MEET ALL APPLICABLE LEGAL REQUIREMENTS  
32 PRESCRIBED IN THIS TITLE FOR A PUBLIC SCHOOL, INCLUDING REQUIREMENTS FOR  
33 STUDENT ASSESSMENTS AND SPECIAL EDUCATION SERVICES AND PROHIBITIONS  
34 AGAINST ADMISSION LIMITS BASED ON ETHNICITY, NATIONAL ORIGIN, GENDER,  
35 INCOME LEVEL, DISABLING CONDITION, ENGLISH LANGUAGE PROFICIENCY OR  
36 ATHLETIC ABILITY.

37 E. NOTWITHSTANDING ANY OTHER LAW, A PROGRAM SCHOOL SHALL BE FUNDED  
38 AS FOLLOWS:

39 1. THE PROGRAM SCHOOL SHALL RECEIVE \$7,700 PER FULL-TIME STUDENT  
40 ENROLLED IN THE PROGRAM SCHOOL EACH YEAR. PART-TIME STUDENTS SHALL BE  
41 FUNDED IN PROPORTION TO THE NUMBER OF ENROLLED COURSES OR HOURS OF  
42 INSTRUCTION.

43 2. IN THE 2024-2025 FISCAL YEAR AND EACH FISCAL YEAR THEREAFTER,  
44 THE AMOUNT PRESCRIBED IN PARAGRAPH 1 OF THIS SUBSECTION SHALL BE INCREASED  
45 BY A MINIMUM GROWTH RATE OF EITHER TWO PERCENT OR THE CHANGE IN THE GDP

1 PRICE DEFLATOR AS DEFINED IN SECTION 41-563 FROM THE SECOND PRECEDING  
2 CALENDAR YEAR TO THE CALENDAR YEAR IMMEDIATELY PRECEDING THE BUDGET YEAR,  
3 WHICHEVER IS LESS.

4 3. THE PROGRAM SCHOOL IS ELIGIBLE TO RECEIVE FUNDING FOR ANY ADULT  
5 STUDENT REGARDLESS OF AGE.

6 4. THE PROGRAM SCHOOL IS NOT ELIGIBLE FOR ANY OTHER SCHOOL FINANCE  
7 FORMULA FUNDING, INCLUDING ANY OF THE FOLLOWING:

- 8 (a) TRANSPORTATION FUNDING PURSUANT TO SECTION 15-945.
- 9 (b) ARIZONA ONLINE INSTRUCTION FUNDING PURSUANT TO SECTION 15-808.
- 10 (c) BASE SUPPORT LEVEL FUNDING PURSUANT TO SECTION 15-943.
- 11 (d) ADDITIONAL ASSISTANCE.

12 F. THE DEPARTMENT OF EDUCATION SHALL DEVELOP APPLICATION PROCEDURES  
13 FOR THE CONTINUING HIGH SCHOOL AND WORKFORCE TRAINING PROGRAM. THE  
14 SERVICE PROVIDER SHALL SUBMIT THE APPLICATION ON BEHALF OF THE PROGRAM  
15 SCHOOL. AN APPLICATION SUBMITTED PURSUANT TO THIS SECTION MUST INCLUDE  
16 ALL OF THE FOLLOWING:

17 1. A DESCRIPTION OF THE SERVICE PROVIDER'S PARTNERSHIP WITH A  
18 SCHOOL DISTRICT OR NONPROFIT CHARTER SCHOOL.

19 2. A DESCRIPTION OF THE PROGRAM SCHOOL'S ADMINISTRATIVE STRUCTURE,  
20 PROGRAM ACTIVITIES, PROGRAM STAFF, BUDGET AND SPECIFIC CURRICULUM THAT IS  
21 ALIGNED WITH THE STATE ACADEMIC STANDARDS.

22 3. THE PROGRAM SCHOOL'S ACADEMIC CALENDAR AND A SCHEDULE DESCRIBING  
23 THE PROGRAM SCHOOL'S LENGTH OF SCHOOL DAY, PROGRAM SEQUENCE,  
24 MULTIDISCIPLINARY COURSES, PACE AND INSTRUCTIONAL ACTIVITIES, OR ANY  
25 COMBINATION OF THESE ITEMS.

26 4. CONFIRMATION OF THE PROGRAM SCHOOL'S LOCATION AND A DESCRIPTION  
27 OF THE PROGRAM SCHOOL'S FACILITY, INCLUDING ALL OF THE FOLLOWING:

- 28 (a) ACCESSIBILITY.
- 29 (b) AVAILABLE CLASSROOM SPACE.
- 30 (c) CHILD CARE SPACE.
- 31 (d) HEALTH AND SAFETY REQUIREMENTS.

32 5. A DESCRIPTION OF SPECIFIC ACADEMIC, BEHAVIORAL AND EMOTIONAL  
33 SUPPORT SERVICES THE SERVICE PROVIDER WILL OFFER TO ADULT LEARNERS WHO  
34 ENROLL IN THE PROGRAM SCHOOL.

35 6. A DESCRIPTION OF THE ADULT LEARNER AND FAMILY SUPPORTS THAT THE  
36 PROGRAM SCHOOL WILL PROVIDE AT NO COST TO ADULT LEARNERS, INCLUDING ALL OF  
37 THE FOLLOWING:

- 38 (a) ON-SITE CHILD CARE FOR DEPENDENTS OF ENROLLED ADULT LEARNERS  
39 WHILE THE ADULT LEARNER IS ON SITE.
- 40 (b) LOCAL TRANSPORTATION ASSISTANCE FOR ADULT LEARNERS WITH A  
41 VERIFIABLE NEED.
- 42 (c) CAREER AND HIGHER EDUCATION COUNSELING.
- 43 (d) JOB PLACEMENT ASSISTANCE.

1           7. A DESCRIPTION OF THE AVAILABLE COUNSELING SERVICES THAT ASSIST  
2 ADULT LEARNERS IN OVERCOMING BARRIERS TO EDUCATIONAL SUCCESS, INCLUDING  
3 ANY OF THE FOLLOWING:

- 4           (a) EDUCATIONAL DISADVANTAGES.
- 5           (b) HOMELESSNESS.
- 6           (c) CRIMINAL HISTORY.
- 7           (d) DISABLING CONDITIONS.

8           8. A DESCRIPTION OF THE CAREER TECHNICAL EDUCATION INSTRUCTION THE  
9 PROGRAM SCHOOL WILL PROVIDE. CAREER TECHNICAL EDUCATION INSTRUCTION AND  
10 COURSES MUST LEAD TO INDUSTRY-RECOGNIZED CREDENTIALS OR RESULT IN AN ADULT  
11 LEARNER EARNING COURSE CREDITS FROM A UNIVERSITY OR COMMUNITY COLLEGE. A  
12 SERVICE PROVIDER MAY PARTNER WITH A COMMUNITY COLLEGE DISTRICT OR CAREER  
13 TECHNICAL EDUCATION DISTRICT TO PROVIDE CAREER TECHNICAL EDUCATION  
14 INSTRUCTION.

15           9. A DESCRIPTION OF SPECIFIC PROGRAM OUTCOMES, GOALS AND METRICS  
16 THE PROGRAM SCHOOL WILL USE TO DETERMINE ADULT LEARNER SUCCESS.

17           10. THE PROJECTED NUMBER OF ADULT LEARNERS THE PROGRAM SCHOOL WILL  
18 ENROLL.

19           G. THE STATE BOARD OF EDUCATION, IN CONSULTATION WITH THE  
20 DEPARTMENT OF EDUCATION, SHALL EVALUATE APPLICATIONS SUBMITTED FOR THE  
21 CONTINUING HIGH SCHOOL AND WORKFORCE TRAINING PROGRAM AND APPROVE PROGRAM  
22 SCHOOLS THAT DEMONSTRATE, THROUGH EVIDENCE OR OTHER DOCUMENTATION, THE  
23 ABILITY TO PROVIDE ADULT LEARNERS WITH THE INSTRUCTION AND SUPPORT THAT  
24 LEAD TO A HIGH SCHOOL DIPLOMA AND ONE OR MORE INDUSTRY-RECOGNIZED  
25 CREDENTIALS. THE FOLLOWING APPLY TO APPROVAL OF A PROGRAM SCHOOL'S  
26 PARTICIPATION IN THE CONTINUING HIGH SCHOOL AND WORKFORCE TRAINING  
27 PROGRAM:

28           1. INITIAL APPROVAL SHALL BE FOR A PERIOD OF NOT MORE THAN TWO  
29 SCHOOL YEARS.

30           2. RENEWAL OF APPROVAL SHALL BE FOR A PERIOD OF NOT MORE THAN FOUR  
31 SCHOOL YEARS AND IS CONTINGENT ON SPECIFIC PERFORMANCE EXPECTATIONS,  
32 INCLUDING STUDENT PROGRESSION, GRADUATION RATES AND EARNING OF  
33 INDUSTRY-RECOGNIZED CREDENTIALS.

34           3. IF AN APPROVED SERVICE PROVIDER FAILS TO MEET ANY REQUIREMENTS  
35 OF THIS SECTION OR ANY RULES ADOPTED BY THE STATE BOARD, THE STATE BOARD  
36 SHALL IMMEDIATELY INITIATE A PROCESS TO BRING THE PROGRAM SCHOOL INTO  
37 COMPLIANCE OR TO REVOKE THE PROGRAM SCHOOL'S AUTHORIZATION TO PARTICIPATE  
38 IN THE CONTINUING HIGH SCHOOL AND WORKFORCE TRAINING PROGRAM.

39           H. ON OR BEFORE JULY 1, 2024, THE STATE BOARD OF EDUCATION, IN  
40 CONSULTATION WITH THE DEPARTMENT OF EDUCATION, SHALL ADOPT PERFORMANCE  
41 EXPECTATIONS TO EVALUATE PROGRAM SCHOOLS. THE PERFORMANCE EXPECTATIONS  
42 SHALL INCLUDE MEASUREMENTS OF ADULT LEARNER PROGRESS TOWARD EARNING A HIGH  
43 SCHOOL DIPLOMA, THE GRADUATION RATES OF ADULT LEARNERS EARNING AT LEAST  
44 ONE ACADEMIC CREDIT, THE NUMBER OF INDUSTRY-RECOGNIZED CREDENTIALS EARNED  
45 AND OTHER RELEVANT MEASURES AS ADOPTED BY THE BOARD.

- 1 I. AN APPROVED PROGRAM SCHOOL PARTICIPATING IN THE CONTINUING HIGH  
2 SCHOOL AND WORKFORCE TRAINING PROGRAM SHALL ANNUALLY REPORT THE FOLLOWING  
3 INFORMATION TO THE DEPARTMENT OF EDUCATION:
- 4 1. THE NUMBER OF ADULT LEARNERS ENROLLED IN THE PROGRAM SCHOOL.
  - 5 2. THE GRADUATION RATE OF ADULT LEARNERS ENROLLED IN THE PROGRAM  
6 SCHOOL.
  - 7 3. THE AVERAGE PROGRESS OF ADULT LEARNERS TOWARD MEETING GRADUATION  
8 REQUIREMENTS.
  - 9 4. THE NUMBER AND TYPE OF INDUSTRY-RECOGNIZED CREDENTIALS EARNED BY  
10 ADULT LEARNERS ENROLLED IN THE PROGRAM SCHOOL.
  - 11 5. A DESCRIPTIVE SUMMARY OF THE ACADEMIC, BEHAVIORAL AND EMOTIONAL  
12 SUPPORT SERVICES THE SERVICE PROVIDER OFFERS TO ADULT LEARNERS IN THE  
13 PROGRAM SCHOOL.
- 14 J. ON OR BEFORE DECEMBER 15, 2025 AND ON OR BEFORE DECEMBER 15 OF  
15 EACH YEAR THEREAFTER, THE DEPARTMENT OF EDUCATION SHALL SUBMIT AN ANNUAL  
16 REPORT EVALUATING THE EFFECTIVENESS OF THE CONTINUING HIGH SCHOOL AND  
17 WORKFORCE TRAINING PROGRAM TO THE GOVERNOR, THE PRESIDENT OF THE SENATE  
18 AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. THE DEPARTMENT SHALL  
19 PROVIDE A COPY OF THE REPORT TO THE SECRETARY OF STATE.
- 20 K. THE STATE BOARD OF EDUCATION MAY APPROVE PROGRAM SCHOOLS WITH A  
21 TOTAL PROJECTED FULL-TIME ENROLLMENT OF:
- 22 1. IN FISCAL YEAR 2022-2023, NOT MORE THAN SIX HUNDRED.
  - 23 2. IN FISCAL YEAR 2023-2024, NOT MORE THAN ONE THOUSAND.
  - 24 3. IN FISCAL YEAR 2024-2025 AND EACH FISCAL YEAR THEREAFTER, NOT  
25 MORE THAN ONE THOUSAND FOUR HUNDRED.
- 26 L. IF THE TOTAL FULL-TIME ENROLLMENT REQUESTED BY APPROVED PROGRAM  
27 SCHOOLS IS GREATER THAN THE AMOUNTS PRESCRIBED IN SUBSECTION K OF THIS  
28 SECTION, THE STATE BOARD OF EDUCATION MAY PRIORITIZE FUNDING DISTRIBUTION  
29 TO PROGRAM SCHOOLS DEMONSTRATING THE HIGHEST PERFORMANCE. NEW PROGRAM  
30 SCHOOLS SHALL BE PRIORITIZED BASED ON THE SERVICES AND SUPPORTS FOR ADULT  
31 LEARNERS AS OUTLINED IN THEIR APPLICATIONS.
- 32 M. A PROGRAM SCHOOL MAY NOT EITHER:
- 33 1. CONDUCT ADVERTISING OR MARKETING CAMPAIGNS DIRECTED AT STUDENTS  
34 WHO ARE CURRENTLY ENROLLED IN A SCHOOL DISTRICT OR CHARTER SCHOOL, OR  
35 UNDERTAKE ANY OTHER ACTIVITY THAT ENCOURAGES STUDENTS WHO ARE CURRENTLY  
36 ENROLLED IN A SCHOOL DISTRICT OR CHARTER SCHOOL TO STOP ATTENDING SCHOOL  
37 IN ORDER TO ENROLL IN A PROGRAM SCHOOL.
  - 38 2. ENROLL A STUDENT WHO WAS ENROLLED IN A SCHOOL DISTRICT OR  
39 CHARTER SCHOOL WITHIN THE PRECEDING THIRTY DAYS.
- 40 N. THE STATE BOARD OF EDUCATION MAY ADOPT RULES TO CARRY OUT THE  
41 PURPOSES OF THIS SECTION.