

REFERENCE TITLE: **Arizona online; instructional time model**

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SB 1181

Introduced by
Senator Bennett

AN ACT

AMENDING SECTION 15-808, ARIZONA REVISED STATUTES; RELATING TO SCHOOL YEAR AND ATTENDANCE REQUIREMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-808, Arizona Revised Statutes, is amended to
3 read:

4 15-808. Arizona online instruction; reports; definitions

5 A. Arizona online instruction shall be instituted to meet the needs
6 of pupils in the information age. The state board of education shall
7 select district public schools and state-approved charter authorizers
8 shall sponsor charter schools to be online course providers or online
9 schools. The state board of education and state-approved charter
10 authorizers shall develop standards for the approval of online course
11 providers and online schools based on the following criteria:

12 1. The depth and breadth of curriculum choices.

13 2. The variety of educational methodologies employed by the school
14 and the means of addressing the unique needs and learning styles of
15 targeted pupil populations, including computer-assisted learning systems,
16 virtual classrooms, virtual laboratories, electronic field trips, ~~e-mail~~
17 EMAIL, virtual tutoring, online help desk, group chat sessions and
18 noncomputer-based activities performed under the direction of a
19 certificated teacher.

20 3. The availability of an intranet or private network to safeguard
21 pupils against predatory and pornographic elements of the internet.

22 4. The availability of filtered research access to the internet.

23 5. The availability of private individual ~~e-mail~~ EMAIL between
24 pupils, teachers, administrators and parents in order to protect the
25 confidentiality of pupil records and information.

26 6. The availability of faculty members who are experienced with
27 computer networks, the internet and computer animation.

28 7. The extent to which the school intends to develop partnerships
29 with universities, community colleges and private businesses.

30 8. The services offered to populations with developmental
31 disabilities.

32 9. The grade levels that will be served.

33 B. Each new school that provides online instruction shall provide
34 online instruction on a probationary status. After a new school that
35 provides online instruction has clearly demonstrated the academic
36 integrity of its instruction through the actual improvement of the
37 academic performance of its students, the school may apply to be removed
38 from probationary status. The state board of education or the
39 state-approved charter authorizer that sponsored the charter school shall
40 remove from Arizona online instruction any probationary school that fails
41 to clearly demonstrate improvement in academic performance within three
42 years measured against goals in the approved application and the state's
43 accountability system. All pupils who participate in Arizona online
44 instruction shall reside in this state. Pupils who participate in Arizona
45 online instruction are subject to the testing requirements prescribed in
46 chapter 7, article 3 of this title. On enrollment, the school shall

1 notify the parents or guardians of the pupil of the state testing
2 requirements. If a pupil fails to comply with the testing requirements
3 and the school administers the tests pursuant to this subsection to less
4 than ninety-five percent of the pupils in Arizona online instruction, the
5 pupil shall not be allowed to participate in Arizona online instruction.

6 C. The state board of education and state-approved charter
7 authorizers shall develop annual reporting mechanisms for schools that
8 participate in Arizona online instruction.

9 D. The department of education shall compile the information
10 submitted in the annual reports by schools participating in Arizona online
11 instruction. The department of education shall submit the compiled report
12 to the governor, the speaker of the house of representatives and the
13 president of the senate by November 15 of each year.

14 E. Each school selected for Arizona online instruction:

15 1. ~~Shall ensure that a daily log is maintained for each pupil who~~
16 ~~participates in Arizona online instruction. The daily log shall describe~~
17 ~~the amount of time spent by each pupil participating in Arizona online~~
18 ~~instruction pursuant to this section on academic tasks. The daily log~~
19 ~~shall be used by the school district or charter school to qualify the~~
20 ~~pupils who participate in Arizona online instruction in the school's~~
21 ~~average daily attendance calculations pursuant to subsection F of this~~
22 ~~section.~~ EACH PUPIL WHO PARTICIPATES IN ARIZONA ONLINE INSTRUCTION
23 RECEIVES THE MINIMUM INSTRUCTIONAL TIME OR INSTRUCTIONAL HOURS PRESCRIBED
24 IN THIS SECTION AND SECTION 15-901.

25 2. MAY ADOPT AN INSTRUCTIONAL TIME MODEL PURSUANT TO SECTION
26 15-901.08 TO MEET THE MINIMUM ANNUAL INSTRUCTIONAL TIME AND INSTRUCTIONAL
27 HOURS REQUIREMENTS PRESCRIBED IN THIS SECTION AND SECTION 15-901.

28 3. MAY USE ANY METHOD CONSISTENT WITH THE REQUIREMENTS PRESCRIBED
29 IN THIS SECTION AND SECTION 15-901.08 TO DETERMINE THE NUMBER OF
30 INSTRUCTIONAL HOURS PROVIDED TO EACH PUPIL AND THE AMOUNT OF TIME THAT
31 EACH PUPIL IS ENROLLED OR IN ATTENDANCE IN ARIZONA ONLINE INSTRUCTION FOR
32 THE CALCULATIONS PURSUANT TO SUBSECTION F OF THIS SECTION.

33 F. If a pupil is enrolled in a school district or charter school
34 and also participates in Arizona online instruction, the sum of the
35 average daily membership, which includes enrollment as prescribed in
36 section 15-901, subsection A, paragraph 1, subdivisions (a) and (b) and
37 daily attendance as prescribed in section 15-901, subsection A, paragraph
38 5, for that pupil in the school district or charter school and in Arizona
39 online instruction shall not exceed 1.0. If the pupil is enrolled in a
40 school district or a charter school and also participates in Arizona
41 online instruction and the sum of the daily membership or daily attendance
42 for that pupil is greater than 1.0, the sum shall be reduced to 1.0 and
43 shall be apportioned between the school district, unless the school
44 district is a career technical education district subject to the
45 apportionment requirements of section 15-393, or charter school and
46 Arizona online instruction based on the percentage of total time that the

1 pupil is enrolled or in attendance in the school district or charter
2 school and Arizona online instruction. The uniform system of financial
3 records shall include guidelines for the apportionment of the pupil
4 enrollment and attendance as provided in this subsection. Pupils in
5 Arizona online instruction do not incur absences for purposes of this
6 subsection and may generate an average daily attendance of 1.0 for
7 attendance hours during any hour of the day, during any day of the week
8 and at any time between July 1 and June 30 of each fiscal year. For
9 kindergarten programs and grades one through eight, average daily
10 membership shall be calculated by dividing the instructional hours ~~as~~
11 ~~reported in the daily log required in~~ PROVIDED PURSUANT TO subsection E of
12 this section by the applicable hourly requirements prescribed in section
13 15-901. For grades nine through twelve, average daily membership shall be
14 calculated by dividing the instructional hours ~~as reported in the daily~~
15 ~~log required in~~ PROVIDED PURSUANT TO subsection E of this section by nine
16 hundred. The average daily membership of a pupil who participates in
17 online instruction shall not exceed 1.0. Average daily membership shall
18 not be calculated on the one hundredth day of instruction for the purposes
19 of this section. Funding shall be determined as follows:

20 1. A pupil who is enrolled full-time in Arizona online instruction
21 shall be funded for online instruction ~~at ninety-five percent of the base~~
22 ~~support level that would be calculated for that pupil if that pupil were~~
23 ~~enrolled as a full-time student in a school district or charter school~~
24 ~~that does not participate in Arizona online instruction~~ IN THE SAME MANNER
25 AS FUNDING PROVIDED FOR A STUDENT IN A REMOTE SETTING PURSUANT TO SECTION
26 15-901.08. Charter additional assistance and district additional
27 assistance shall be calculated in the same manner they would be calculated
28 if the student were enrolled in a district or charter school that does not
29 participate in Arizona online instruction.

30 2. A pupil who is enrolled part-time in Arizona online instruction
31 shall be funded for online instruction ~~at eighty-five percent of the base~~
32 ~~support level that would be calculated for that pupil if that pupil were~~
33 ~~enrolled as a part-time student in a school district or charter school~~
34 ~~that does not participate in Arizona online instruction~~ IN THE SAME MANNER
35 AS FUNDING IS PROVIDED FOR A STUDENT IN A REMOTE SETTING PURSUANT TO
36 SECTION 15-901.08. Charter additional assistance and district additional
37 assistance shall be calculated in the same manner they would be calculated
38 if the student were enrolled in a district or charter school that does not
39 participate in Arizona online instruction.

40 G. If the academic achievement of a pupil declines while the pupil
41 is participating in Arizona online instruction, the pupil's parents, the
42 pupil's teachers and the principal or head teacher of the school shall
43 confer to evaluate whether the pupil should be allowed to continue to
44 participate in Arizona online instruction.

45 H. To ensure the academic integrity of pupils who participate in
46 online instruction, Arizona online instruction shall include multiple

1 diverse assessment measures and the proctored administration of required
2 state standardized tests.

3 I. A school district or charter school may not charge a fee to a
4 pupil who takes an examination in a particular course to obtain academic
5 credit, pursuant to section 15-701.01, subsection I, from the school
6 district or charter school if the academic credit for a course was
7 previously earned in an Arizona online instruction course or at any public
8 school in this state. Any test administered pursuant to this subsection
9 shall be an assessment that is aligned to the course-relevant state
10 academic standards.

11 J. For the purposes of this section:

12 1. "Full-time student" means:

13 (a) A student who is at least five years of age before September 1
14 of a school year and who is enrolled in a school kindergarten program that
15 meets at least three hundred forty-six hours during the school year.

16 (b) A student who is at least six years of age before September 1
17 of a school year, who has not graduated from the highest grade taught in
18 the school and who is regularly enrolled in a course of study required by
19 the state board of education. For first, second and third grade students,
20 the instructional program shall meet at least seven hundred twelve hours.
21 For fourth, fifth and sixth grade students, the instructional program
22 shall meet at least eight hundred ninety hours during the school year.

23 (c) Seventh and eighth grade students or ungraded students who are
24 at least twelve, but under fourteen, years of age on or before September 1
25 and who are enrolled in an instructional program of courses that meets at
26 least one thousand sixty-eight hours during the school year.

27 (d) For high schools, a student who has not graduated from the
28 highest grade taught in the school district, or an ungraded student who is
29 at least fourteen years of age on or before September 1, and who is
30 enrolled in at least four courses throughout the year that meet at least
31 nine hundred hours during the school year. A full-time student shall not
32 be counted more than once for computation of average daily membership.

33 2. "Online course provider" means a school other than an online
34 school that is selected by the state board of education or a
35 state-approved charter authorizer to participate in Arizona online
36 instruction pursuant to this section and that provides at least one online
37 academic course that is approved by the state board of education.

38 3. "Online school" means a school that provides at least four
39 online academic courses or one or more online courses for the equivalent
40 of at least five hours each day for one hundred eighty school days and
41 that is a charter school that is sponsored by a state-approved charter
42 authorizer or a district public school that is selected by the state board
43 of education to participate in Arizona online instruction.

44 4. "Part-time student" means:

45 (a) Any student who is enrolled in a program that does not meet the
46 definition in paragraph 1 of this subsection ~~shall be funded at~~

~~1 eighty-five percent of the base support level that would be calculated for
2 that pupil if that pupil were enrolled as a part-time student in a school
3 district or charter school that does not participate in Arizona online
4 instruction.~~

5 (b) A part-time student of seventy-five percent average daily
6 membership shall be enrolled in at least three subjects throughout the
7 year that offer for first, second and third grade students at least five
8 hundred thirty-four instructional hours in a school year and for fourth,
9 fifth and sixth grade students at least six hundred sixty-eight
10 instructional hours in a school year. A part-time student of fifty
11 percent average daily membership shall be enrolled in at least two
12 subjects throughout the year that offer for first, second and third grade
13 students at least three hundred fifty-six instructional hours in a school
14 year and for fourth, fifth and sixth grade students at least four hundred
15 forty-five instructional hours in a school year. A part-time student of
16 twenty-five percent average daily membership shall be enrolled in at least
17 one subject throughout the year that offers for first, second and third
18 grade students at least one hundred seventy-eight instructional hours in a
19 school year and for fourth, fifth and sixth grade students at least two
20 hundred twenty-three instructional hours in a school year.

21 (c) For seventh and eighth grade students, a part-time student of
22 seventy-five percent average daily membership shall be enrolled in at
23 least three subjects throughout the year that offer at least eight hundred
24 one instructional hours in a school year. A part-time student of fifty
25 percent average daily membership shall be enrolled in at least two
26 subjects throughout the year that offer at least five hundred thirty-four
27 instructional hours in a school year. A part-time student of twenty-five
28 percent average daily membership shall be enrolled in at least one subject
29 throughout the year that offers at least two hundred sixty-seven
30 instructional hours in a school year.

31 (d) For high school students, a part-time student of seventy-five
32 percent average daily membership shall be enrolled in at least three
33 subjects throughout the year that offer at least six hundred seventy-five
34 instructional hours in a school year. A part-time student of fifty
35 percent average daily membership shall be enrolled in at least two
36 subjects throughout the year that offer at least four hundred fifty
37 instructional hours in a school year. A part-time student of twenty-five
38 percent average daily membership shall be enrolled in at least one subject
39 throughout the year that offers at least two hundred twenty-five
40 instructional hours in a school year.

41 5. "State-approved charter authorizer" means any charter school
42 sponsor authorized pursuant to section 15-183.