

House Engrossed Senate Bill
dropout recovery programs; revisions

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

SENATE BILL 1208

AN ACT

AMENDING SECTION 15-901.06, ARIZONA REVISED STATUTES; RELATING TO DROPOUT
RECOVERY PROGRAMS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-901.06, Arizona Revised Statutes, is amended
3 to read:

4 15-901.06. Dropout recovery programs; written learning plan;
5 requirements; annual report; definitions

6 A. Each ALTERNATIVE SCHOOL WITHIN A school district and EACH
7 ALTERNATIVE charter school that provides instruction to high school ~~pupils~~
8 STUDENTS may offer a dropout recovery program for eligible ~~pupils~~
9 STUDENTS. AN ONLINE COURSE PROVIDER AS DEFINED IN SECTION 15-808 OR AN
10 ONLINE SCHOOL AS DEFINED IN SECTION 15-808 THAT PROVIDES ARIZONA ONLINE
11 INSTRUCTION UNDER SECTION 15-808 MAY NOT PROVIDE A DROPOUT RECOVERY
12 PROGRAM.

13 B. The state board of education shall prescribe standards and
14 achievement testing requirements for dropout recovery programs that
15 attempt to ensure that the programs are compatible with public school
16 education goals and requirements. The standards shall require dropout
17 recovery programs to do all of the following:

18 1. Provide curricula aligned to the academic standards adopted by
19 the state board of education. The curricula may be delivered online.
20 ~~A provider of Arizona online instruction pursuant to section 15-808 may~~
21 ~~not also operate a dropout recovery program pursuant to this section.~~ AN
22 ALTERNATIVE SCHOOL WITHIN A SCHOOL DISTRICT OR AN ALTERNATIVE CHARTER
23 SCHOOL WITH A UNIQUE ENTITY NUMBER MAY PROVIDE A DROPOUT RECOVERY PROGRAM
24 PURSUANT TO THIS SECTION IF THE SCHOOL IS NOT ALSO AN ONLINE COURSE
25 PROVIDER AS DEFINED IN SECTION 15-808 OR AN ONLINE SCHOOL AS DEFINED IN
26 SECTION 15-808 THAT PROVIDES ARIZONA ONLINE INSTRUCTION UNDER SECTION
27 15-808.

28 2. Provide standardized tests required by federal and state law.

29 3. Make available appropriate and sufficient supports for ~~pupils~~
30 STUDENTS, including tutoring, career counseling and college counseling.

31 4. Comply with federal and state laws governing ~~pupils~~ STUDENTS
32 with disabilities.

33 5. Meet state requirements for high school graduation.

34 C. Each eligible ~~pupil~~ STUDENT who is enrolled in a dropout
35 recovery program shall have a written learning plan developed by the
36 ~~pupil's~~ STUDENT'S assigned mentor. The written learning plan shall include
37 the following elements:

38 1. The start date and anticipated end date of the plan.

39 2. Courses to be completed by the ~~pupil~~ STUDENT during the academic
40 year.

41 3. Whether courses will be taken sequentially or concurrently.

42 4. State competency exams to be taken, as necessary.

43 5. Expectations for satisfactory monthly progress.

44 6. Expectations for contact with the ~~pupil's~~ STUDENT'S assigned
45 mentor.

1 7. WHETHER THE STUDENT WILL RECEIVE WRAPAROUND SERVICES OR SUPPORT
2 SERVICES, INCLUDING SOCIAL WORK COACHING SESSIONS, TRAUMA COACHING
3 SESSIONS OR FOOD AND HOUSING SECURITY COACHING SESSIONS, THAT COUNT TOWARD
4 THE STUDENT'S SATISFACTORY MONTHLY PROGRESS. SERVICES PROVIDED PURSUANT
5 TO THIS PARAGRAPH MAY COUNT TOWARD A STUDENT'S SATISFACTORY MONTHLY
6 PROGRESS ONLY DURING THE STUDENT'S INITIAL ENTRY INTO A DROPOUT RECOVERY
7 PROGRAM AND MAY NOT COUNT DURING ANY SUBSEQUENT ENTRIES INTO THE SAME
8 SCHOOL'S DROPOUT RECOVERY PROGRAM.

9 D. The monthly participation in a dropout recovery program shall be
10 recorded on or before the tenth school day of each month and shall be
11 reported to the department of education at the same time as other data
12 required pursuant to section 15-1042. Monthly participation calculations
13 shall include:

14 1. Newly enrolled ~~pupils~~ STUDENTS who have a written learning plan
15 on file on or before the first school day of the previous month.

16 2. ~~Pupils~~ STUDENTS who met the expectations for satisfactory
17 monthly progress in the previous month.

18 3. ~~Pupils~~ STUDENTS who did not meet the expectations for
19 satisfactory monthly progress in the previous month but did meet the
20 expectations in the month before the previous month.

21 4. ~~Pupils~~ STUDENTS who met expectations for program reentry in the
22 revised written learning plan in the previous month.

23 E. Because dropout recovery ~~pupils~~ STUDENTS are not expected to
24 regularly attend classes at the SCHOOL district OR CHARTER SCHOOL
25 facilities, standard procedures for recording ~~pupil~~ STUDENT attendance
26 cannot be effectively applied to those students. For ~~pupils~~ STUDENTS
27 participating in a dropout recovery program, an eligible ~~pupil~~ STUDENT
28 shall be counted as being in attendance in the school's average daily
29 attendance calculations pursuant to subsection F of this section if the
30 ~~pupil~~ STUDENT meets one of the following conditions:

31 1. Is in the first month of enrollment in the program and completes
32 the program orientation during that month.

33 2. Is enrolled in teacher-facilitated SYNCHRONOUS OR ASYNCHRONOUS
34 courses and meets the expectations for satisfactory monthly progress for
35 the current or previous month. A ~~pupil~~ STUDENT who does not meet
36 expectations for monthly progress for two or more consecutive months shall
37 not be ~~reported~~ COUNTED as being in attendance until the ~~pupil~~ STUDENT
38 meets the expectations for program reentry.

39 3. Meets the expectations for program reentry in the revised
40 written learning plan.

41 F. If a ~~pupil~~ STUDENT is enrolled in a school district or charter
42 school other than the school district or charter school that participates
43 in the dropout recovery program and also participates in a dropout
44 recovery program in the same fiscal year, the average daily membership as
45 prescribed in section 15-901, subsection A, paragraph 1, subdivisions (a)

1 and (b) for that ~~pupit~~ STUDENT in the school district or charter school
2 and in a dropout recovery program shall not exceed 1.0, except that if the
3 ~~pupit~~ STUDENT is enrolled in a dropout recovery program and a career
4 technical education district, the average daily membership provisions of
5 section 15-393 apply. If the ~~pupit~~ STUDENT is enrolled in both a school
6 district or charter school and a dropout recovery program in the same
7 fiscal year and the sum of the average daily membership and average daily
8 attendance for that ~~pupit~~ STUDENT is greater than 1.0 or the amount
9 prescribed in section 15-393 if the ~~pupit~~ STUDENT is enrolled in a career
10 technical education district, the sum shall be reduced to 1.0 or to the
11 amount specified in section 15-393 if the ~~pupit~~ STUDENT is enrolled in a
12 career technical education district and shall be apportioned between the
13 school district or charter school and the career technical education
14 district, if applicable, and the dropout recovery program based on the
15 proportionate shares of average daily membership in the school district or
16 charter school and the average daily attendance in the dropout recovery
17 program. The uniform system of financial records shall include guidelines
18 for ~~the apportionment of pupit~~ APPORTIONING STUDENT enrollment and
19 attendance as provided in this subsection. ~~Pupits~~ STUDENTS in a dropout
20 recovery program do not incur absences for purposes of this subsection and
21 may generate average daily attendance for attendance during any hour of
22 the day, during any day of the week and at any time between July 1 and
23 June 30 of each fiscal year. The average daily attendance of a ~~pupit~~
24 STUDENT who participates in a dropout recovery program shall not exceed
25 1.0 or the amount prescribed in section 15-393 if the ~~pupit~~ STUDENT is
26 enrolled in a career technical education district, ~~and~~ and shall be
27 calculated by fulfilling the requirements of subsection E of this
28 section. Average daily membership shall not be calculated on the one
29 hundredth day of instruction for the purposes of this section.

30 G. Notwithstanding section 15-901, subsection A, paragraph 1, the
31 average daily membership for ~~pupits~~ STUDENTS WHO ARE enrolled in a dropout
32 recovery program shall equal the average daily attendance of the ~~pupits~~
33 STUDENTS.

34 H. School districts and charter schools shall be responsible for
35 tuition charges and fees related to ~~pupit~~ STUDENT participation in a
36 dropout recovery program, including course materials and access to
37 technology for use with online courses.

38 I. School districts and charter schools may contract with an
39 educational management organization to provide ~~a~~ dropout recovery program
40 SERVICES. If contracting with an educational management organization, the
41 school district or charter school shall ensure that all of the following
42 requirements are met:

43 1. The educational management organization is accredited by a
44 regional accrediting body.

1 2. Teachers provided by the educational management organization
2 hold a current teaching license from any state and a valid Arizona
3 fingerprint clearance card pursuant to section 15-534, and teachers of
4 core subjects are highly qualified in the subjects to which they are
5 assigned.

6 J. THE DEPARTMENT OF EDUCATION SHALL CREATE AND MAINTAIN A LIST OF
7 ALTERNATIVE SCHOOLS WITHIN A SCHOOL DISTRICT AND ALTERNATIVE CHARTER
8 SCHOOLS THAT OFFER A DROPOUT RECOVERY PROGRAM AND THE EDUCATIONAL
9 MANAGEMENT ORGANIZATION, IF ANY, THAT PROVIDES DROPOUT RECOVERY PROGRAM
10 SERVICES TO EACH SCHOOL. THE DEPARTMENT SHALL UPDATE THE LIST DESCRIBED
11 IN THIS SUBSECTION ON A QUARTERLY BASIS.

12 K. AN ALTERNATIVE SCHOOL WITHIN A SCHOOL DISTRICT OR AN ALTERNATIVE
13 CHARTER SCHOOL MAY APPLY TO OPERATE A DROPOUT RECOVERY PROGRAM BY
14 SUBMITTING AN APPLICATION TO THE DEPARTMENT OF EDUCATION IN THE FORM AND
15 MANNER PRESCRIBED BY THE DEPARTMENT. NOTWITHSTANDING SUBSECTION L OF THIS
16 SECTION, IF THE SCHOOL DISTRICT OR ALTERNATIVE CHARTER SCHOOL CONTRACTS
17 WITH AN EDUCATIONAL MANAGEMENT ORGANIZATION TO PROVIDE THE DROPOUT
18 RECOVERY PROGRAM, THE SCHOOL DISTRICT OR ALTERNATIVE CHARTER SCHOOL SHALL
19 IDENTIFY THE EDUCATIONAL MANAGEMENT ORGANIZATION IN THE APPLICATION
20 REQUIRED UNDER THIS SUBSECTION. THE DEPARTMENT SHALL DETERMINE WHETHER
21 THE ALTERNATIVE SCHOOL OR ALTERNATIVE CHARTER SCHOOL MEETS THE CRITERIA
22 PRESCRIBED IN THIS SECTION AND NOTIFY THE SCHOOL DISTRICT OR ALTERNATIVE
23 CHARTER SCHOOL OF THE DETERMINATION WITHIN THIRTY DAYS AFTER RECEIVING THE
24 APPLICATION. THE SCHOOL DISTRICT OR ALTERNATIVE CHARTER SCHOOL MAY
25 RESPOND TO AND APPEAL THE DEPARTMENT'S DETERMINATION WITHIN THIRTY DAYS.

26 L. AN ALTERNATIVE SCHOOL WITHIN A SCHOOL DISTRICT OR AN ALTERNATIVE
27 CHARTER SCHOOL THAT OFFERS A DROPOUT RECOVERY PROGRAM PURSUANT TO THIS
28 SECTION SHALL NOTIFY THE DEPARTMENT OF EDUCATION WITHIN THIRTY DAYS AFTER
29 ENTERING OR TERMINATING A CONTRACT WITH AN EDUCATIONAL MANAGEMENT
30 ORGANIZATION FOR DROPOUT RECOVERY PROGRAM SERVICES.

31 ~~J.~~ M. Dropout recovery programs ~~shall be classified as alternative~~
32 ~~schools and shall be~~ ARE subject to the accountability provisions of
33 section 15-241.

34 ~~K.~~ N. Entities that are contracted to provide dropout recovery
35 programs may conduct outreach to encourage ~~pupils~~ STUDENTS who are not
36 currently enrolled in a school district or charter school in this state to
37 return to school. Entities that are contracted to provide dropout
38 recovery programs shall not conduct advertising or marketing campaigns
39 directed at ~~pupils~~ STUDENTS who are currently enrolled in a school
40 district or charter school, or undertake any other activity that
41 encourages ~~pupils~~ STUDENTS who are currently enrolled in a school district
42 or charter school to stop attending school in order to qualify for a
43 dropout recovery program.

1 ~~t. The department of education shall submit an annual report to the~~
2 ~~governor, the president of the senate and the speaker of the house of~~
3 ~~representatives that details the outcomes of dropout recovery programs,~~
4 ~~including the number of pupils who participate in the programs and the~~
5 ~~number of pupils who participate in the programs and who graduate from~~
6 ~~high school. The department shall provide a copy of the annual report to~~
7 ~~the secretary of state.~~

8 O. ON OR BEFORE JULY 31 OF EACH YEAR, EACH SCHOOL AND EDUCATIONAL
9 MANAGEMENT ORGANIZATION THAT PROVIDES A DROPOUT RECOVERY PROGRAM SHALL
10 REPORT TO THE DEPARTMENT OF EDUCATION THE FOLLOWING INFORMATION IN THE
11 FORM AND MANNER PRESCRIBED BY THE DEPARTMENT:

12 1. THE TOTAL NUMBER OF STUDENTS WHO SATISFY BOTH OF THE FOLLOWING
13 REQUIREMENTS DURING THE FISCAL YEAR:

14 (a) ARE CONTINUOUSLY ENROLLED IN THE DROPOUT RECOVERY PROGRAM FOR
15 AT LEAST EIGHTY SCHOOL DAYS.

16 (b) EARN AT LEAST FOUR AND ONE-HALF CREDITS OR EARN ALL THE
17 REMAINING CREDITS THAT THE STUDENT NEEDS FOR GRADUATION.

18 2. THE TOTAL NUMBER OF STUDENTS WHO ARE ENROLLED IN THE DROPOUT
19 RECOVERY PROGRAM ON OR BEFORE JANUARY 31 DURING THE FISCAL YEAR AND WHO
20 EITHER:

21 (a) GRADUATED BEFORE JANUARY 31.

22 (b) MET ALL OF THE FOLLOWING REQUIREMENTS ON JANUARY 31:

23 (i) WERE ENROLLED IN THE DROPOUT RECOVERY PROGRAM.

24 (ii) NEEDED THREE OR FEWER CREDITS TO SATISFY THE GRADUATION
25 REQUIREMENTS PRESCRIBED BY THE STATE BOARD OF EDUCATION.

26 (iii) NEEDED ONE OR FEWER CREDITS IN MATHEMATICS TO SATISFY THE
27 GRADUATION REQUIREMENTS PRESCRIBED BY THE STATE BOARD OF EDUCATION.

28 3. THE PERCENTAGE OF STUDENTS DESCRIBED IN PARAGRAPH 2 OF THIS
29 SUBSECTION WHO GRADUATED DURING THE FISCAL YEAR.

30 4. THE PERCENTAGE OF STUDENTS DESCRIBED IN PARAGRAPH 2 OF THIS
31 SUBSECTION WHO EARNED AT LEAST ONE COLLEGE AND CAREER READINESS INDICATOR
32 POINT.

33 P. ON OR BEFORE NOVEMBER 1 OF EACH YEAR, THE DEPARTMENT OF
34 EDUCATION SHALL COMPILE THE INFORMATION RECEIVED UNDER SUBSECTION O OF
35 THIS SECTION IN A REPORT, SHALL SUBMIT THE REPORT TO THE GOVERNOR, THE
36 PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
37 AND SHALL POST THE REPORT ON THE DEPARTMENT'S WEBSITE.

38 ~~M.~~ Q. For the purposes of this section:

39 1. "Eligible ~~pupil~~ STUDENT" means a ~~pupil~~ STUDENT who, ~~if enrolled,~~
40 ~~would be eligible for placement in an alternative school but who~~ is not
41 currently enrolled in a school district or charter school and who has been
42 withdrawn from a school district or charter school for at least ~~thirty~~ TEN
43 days, unless the SCHOOL district OR ALTERNATIVE CHARTER SCHOOL determines
44 that the student is unable to participate in other SCHOOL district OR
45 CHARTER SCHOOL programs.

1 2. "Satisfactory monthly progress":
2 (a) Means an amount of progress that is measurable on a monthly
3 basis and that, if continued for twelve months, would result in the same
4 amount of academic credit being awarded to the ~~pupit~~ STUDENT as would be
5 awarded to a ~~pupit~~ STUDENT in a traditional education program who
6 completes a full school year. ~~Satisfactory monthly progress may include a~~
7 (b) INCLUDES A lesser required amount of progress for the first two
8 months that ~~a pupit~~ THE STUDENT participates in the program SO THAT
9 WRAPAROUND SERVICES OR SUPPORT SERVICES PROVIDED PURSUANT TO THE STUDENT'S
10 WRITTEN LEARNING PLAN MAY BE ESTABLISHED.