

REFERENCE TITLE: dropout recovery programs; revisions

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

## **SB 1208**

Introduced by  
Senator Kaiser

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 AS DESCRIBED IN SUBSECTION O OF THIS SECTION THAT COUNT TOWARD  
3 THE STUDENT'S SATISFACTORY MONTHLY PROGRESS.

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

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

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

13           3. ~~Pupils~~ STUDENTS who did not meet the expectations for  
14 satisfactory monthly progress in the previous month but did meet the  
15 expectations in the month before the previous month.

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

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

26           1. Is in the first month of enrollment in the program and completes  
27 the program orientation during that month.

28           2. Is enrolled in teacher-facilitated courses and meets the  
29 expectations for satisfactory monthly progress for the current or previous  
30 month. A ~~pupilt~~ STUDENT who does not meet expectations for monthly  
31 progress for two or more consecutive months shall not be ~~reported~~ COUNTED  
32 as being in attendance until the ~~pupilt~~ STUDENT meets the expectations for  
33 program reentry.

34           3. Meets the expectations for program reentry in the revised  
35 written learning plan.

36           F. If a ~~pupilt~~ STUDENT is enrolled in a school district or charter  
37 school other than the school district or charter school that participates  
38 in the dropout recovery program and also participates in a dropout  
39 recovery program in the same fiscal year, the average daily membership as  
40 prescribed in section 15-901, subsection A, paragraph 1, subdivisions (a)  
41 and (b) for that ~~pupilt~~ STUDENT in the school district or charter school  
42 and in a dropout recovery program shall not exceed 1.0, except that if the  
43 ~~pupilt~~ STUDENT is enrolled in a dropout recovery program and a career  
44 technical education district, the average daily membership provisions of  
45 section 15-393 apply. If the ~~pupilt~~ STUDENT is enrolled in both a school

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

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

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

33 I. School districts and charter schools may contract with an  
 34 educational management organization to provide ~~a~~ dropout recovery program  
 35 SERVICES. If contracting with an educational management organization, the  
 36 school district or charter school shall ensure that all of the following  
 37 requirements are met:

38 1. The educational management organization is accredited by a  
 39 regional accrediting body.

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

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

7 K. THIRTY DAYS BEFORE AN ALTERNATIVE SCHOOL WITHIN A SCHOOL  
8 DISTRICT OR AN ALTERNATIVE CHARTER SCHOOL BEGINS OPERATING A DROPOUT  
9 RECOVERY PROGRAM, THE SCHOOL DISTRICT OR ALTERNATIVE CHARTER SCHOOL SHALL  
10 NOTIFY THE DEPARTMENT OF EDUCATION THAT IT MEETS THE CRITERIA PRESCRIBED  
11 IN THIS SECTION TO OPERATE A DROPOUT RECOVERY PROGRAM. NOTWITHSTANDING  
12 SUBSECTION L OF THIS SECTION, IF THE SCHOOL DISTRICT OR ALTERNATIVE  
13 CHARTER SCHOOL CONTRACTS WITH AN EDUCATIONAL MANAGEMENT ORGANIZATION TO  
14 PROVIDE THE DROPOUT RECOVERY PROGRAM, THE SCHOOL DISTRICT OR ALTERNATIVE  
15 CHARTER SCHOOL SHALL IDENTIFY THE EDUCATIONAL MANAGEMENT ORGANIZATION IN  
16 THE NOTICE REQUIRED UNDER THIS SUBSECTION. THE DEPARTMENT SHALL DETERMINE  
17 WHETHER THE ALTERNATIVE SCHOOL OR ALTERNATIVE CHARTER SCHOOL MEETS THE  
18 CRITERIA PRESCRIBED IN THIS SECTION AND NOTIFY THE SCHOOL DISTRICT OR  
19 ALTERNATIVE CHARTER SCHOOL OF THE DETERMINATION WITHIN THIRTY DAYS AFTER  
20 RECEIVING THE NOTICE. THE SCHOOL DISTRICT OR ALTERNATIVE CHARTER SCHOOL  
21 MAY RESPOND TO AND APPEAL THE DEPARTMENT'S DETERMINATION WITHIN THIRTY  
22 DAYS. IF THE DEPARTMENT DETERMINES THAT THE DROPOUT RECOVERY PROGRAM  
23 MEETS THE CRITERIA PRESCRIBED IN THIS SECTION, THE ALTERNATIVE SCHOOL OR  
24 ALTERNATIVE CHARTER SCHOOL MAY BEGIN OPERATING THE DROPOUT RECOVERY  
25 PROGRAM THIRTY DAYS AFTER THE DATE ON WHICH THE SCHOOL NOTIFIED THE  
26 DEPARTMENT PURSUANT TO THIS SUBSECTION.

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

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

35 ~~K.~~ N. Entities that are contracted to provide dropout recovery  
36 programs may conduct outreach to encourage ~~pupils~~ STUDENTS who are not  
37 currently enrolled in a school district or charter school in this state to  
38 return to school. Entities that are contracted to provide dropout  
39 recovery programs shall not conduct advertising or marketing campaigns  
40 directed at ~~pupils~~ STUDENTS who are currently enrolled in a school  
41 district or charter school, or undertake any other activity that  
42 encourages ~~pupils~~ STUDENTS who are currently enrolled in a school district  
43 or charter school to stop attending school in order to qualify for a  
44 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. AN ALTERNATIVE SCHOOL WITHIN A SCHOOL DISTRICT OR AN ALTERNATIVE  
9 CHARTER SCHOOL THAT OPERATES A DROPOUT RECOVERY PROGRAM MAY PROVIDE UP TO  
10 TWO MONTHS OF FUNDABLE ORIENTATION AND MENTORING PER STUDENT PER  
11 TWELVE-MONTH PERIOD. FOR THE PURPOSES OF THIS SUBSECTION, WRAPAROUND AND  
12 SUPPORT SERVICES, INCLUDING SOCIAL WORK SESSIONS, TRAUMA SESSIONS AND FOOD  
13 AND HOUSING SECURITY SESSIONS, ARE FUNDABLE ORIENTATION AND MENTORING.  
14 THE SCHOOL SHALL USE THE FOLLOWING PROGRESS MARKERS IN THE SCHOOL'S  
15 STUDENT INFORMATION SYSTEM TO IDENTIFY MONTHLY PROGRESS:

- 16 1. "O" FOR ORIENTATION.
- 17 2. "S" FOR SATISFACTORY.
- 18 3. "U" FOR UNSATISFACTORY.

19 P. ON OR BEFORE JULY 31 OF EACH YEAR, EACH SCHOOL AND EDUCATIONAL  
20 MANAGEMENT ORGANIZATION THAT PROVIDES A DROPOUT RECOVERY PROGRAM SHALL  
21 REPORT TO THE DEPARTMENT OF EDUCATION THE FOLLOWING:

- 22 1. THE ON-TRACK-TO-GRADUATE DATA FOR THE DROPOUT RECOVERY PROGRAM.
- 23 2. THE TOTAL NUMBER OF CREDITS EARNED BY STUDENTS IN THE DROPOUT  
24 RECOVERY PROGRAM.
- 25 3. THE ALTERNATIVE COLLEGE AND CAREER READINESS INDICATOR.

26 Q. ON OR BEFORE OCTOBER 1 OF EACH YEAR, THE DEPARTMENT OF EDUCATION  
27 SHALL COMPILE THE INFORMATION RECEIVED UNDER SUBSECTION P OF THIS SECTION  
28 IN A REPORT AND DISTRIBUTE THE REPORT AS FOLLOWS:

- 29 1. SUBMIT THE REPORT TO THE GOVERNOR, THE PRESIDENT OF THE SENATE  
30 AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.
- 31 2. SUBMIT A COPY OF THE REPORT TO THE SECRETARY OF STATE.
- 32 3. POST THE REPORT ON THE DEPARTMENT'S WEBSITE.

33 ~~M.~~ R. For the purposes of this section:

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

41 2. "Satisfactory monthly progress":

42 (a) Means an amount of progress that is measurable on a monthly  
43 basis and that, if continued for twelve months, would result in the same  
44 amount of academic credit being awarded to the ~~pupit~~ STUDENT as would be  
45 awarded to a ~~pupit~~ STUDENT in a traditional education program who

1 completes a full school year. ~~Satisfactory monthly progress may include a~~  
2 ~~lesser required amount of progress for the first two months that a pupil~~  
3 ~~participates in the program.~~

4 (b) NOTWITHSTANDING SUBDIVISION (a) OF THIS PARAGRAPH, MAY INCLUDE  
5 UP TO TWO MONTHS OF FUNDABLE ORIENTATION AND MENTORING PER STUDENT OVER  
6 THE TWELVE-MONTH PERIOD DESCRIBED IN SUBDIVISION (a) OF THIS PARAGRAPH,  
7 RESULTING IN A LESSER REQUIRED AMOUNT OF PROGRESS OVER THE TWELVE-MONTH  
8 PERIOD THAN THAT PRESCRIBED IN SUBDIVISION (a) OF THIS PARAGRAPH.