

REFERENCE TITLE: Arizona online instruction; reporting

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SB 1317

Introduced by
Senators Diaz: Alston, Burch, Epstein, Fernandez, Gabaldón, Gonzales,
Hatathlie, Hernandez, Marsh, Mendez, Miranda, Sundareshan, Terán

AN ACT

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

(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~~ STUDENTS in the information age. The state board of education
7 shall select district public schools and state-approved charter
8 authorizers shall sponsor charter schools to be online course providers or
9 online 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 ~~pupils~~ STUDENT populations, including computer-assisted learning
16 systems, virtual classrooms, virtual laboratories, electronic field trips,
17 ~~e-mail~~ 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~~ STUDENTS against predatory and pornographic elements of the
22 internet.

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

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

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

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

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

33 9. The grade levels that will be served.

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

1 participate in Arizona online instruction are subject to the testing
2 requirements prescribed in chapter 7, article 3 of this title. On
3 enrollment, the school shall notify the parents or guardians of the ~~pupit~~
4 STUDENT of the state testing requirements. If a ~~pupit~~ STUDENT fails to
5 comply with the testing requirements and the school administers the tests
6 pursuant to this subsection to less than ninety-five percent of the ~~pupits~~
7 STUDENTS in Arizona online instruction, the ~~pupit~~ STUDENT shall not be
8 allowed to participate in Arizona online instruction.

9 C. The state board of education and state-approved charter
10 authorizers shall develop annual reporting mechanisms for schools that
11 participate in Arizona online instruction. ONLINE COURSE PROVIDERS AND
12 ONLINE SCHOOLS SHALL REPORT THE FOLLOWING INFORMATION TO THE DEPARTMENT OF
13 EDUCATION:

- 14 1. THE TOTAL NUMBER OF COURSES TAKEN BY ALL STUDENTS.
- 15 2. THE TOTAL NUMBER OF COURSES COMPLETED.
- 16 3. THE NUMBER OF STUDENTS ENROLLED WHO DID NOT COMPLETE A SINGLE
17 COURSE.
- 18 4. THE NUMBER OF STUDENTS WHO ARE ENROLLED IN A COURSE THAT
19 INCLUDES END-OF-COURSE TESTING PURSUANT TO SECTION 15-741 OR WHO COMPLETED
20 A COURSE THAT INCLUDED END-OF-COURSE TESTING PURSUANT TO SECTION 15-741 AS
21 OF THE FALL, SPRING AND SUMMER TESTING WINDOWS.
- 22 5. THE NUMBER OF STUDENTS TAKING THE END-OF-COURSE EXAMINATION FOR
23 EACH COURSE THAT INCLUDES END-OF-COURSE TESTING PURSUANT TO SECTION 15-741
24 DURING THE FALL, SPRING AND SUMMER TESTING WINDOWS.
- 25 6. THE NUMBER OF STUDENTS WHO WERE EXCLUDED FROM ARIZONA ONLINE
26 INSTRUCTION FOR FAILING TO TAKE THE STATEWIDE ASSESSMENT ADOPTED PURSUANT
27 TO SECTION 15-741.
- 28 7. THE NUMBER OF STUDENTS WHO PASSED THE END-OF-COURSE EXAMINATIONS
29 IN ENGLISH LANGUAGE ARTS AND MATHEMATICS PURSUANT TO SECTION 15-741.
- 30 8. THE NUMBER OF FULL-TIME STUDENTS ENROLLED AND THE AVERAGE NUMBER
31 OF COURSES THAT THESE STUDENTS PASSED.
- 32 9. THE NUMBER OF PART-TIME STUDENTS ENROLLED AND THE AVERAGE NUMBER
33 OF COURSES THAT THESE STUDENTS PASSED.

34 D. The department of education shall compile the information
35 submitted in the annual reports by schools participating in Arizona online
36 instruction. The department of education shall submit the compiled report
37 to the governor, the speaker of the house of representatives and the
38 president of the senate by November 15 of each year.

39 E. Each school selected for Arizona online instruction shall ensure
40 that a daily log is maintained for each ~~pupit~~ STUDENT who participates in
41 Arizona online instruction. The daily log shall describe the amount of
42 time spent by each ~~pupit~~ STUDENT participating in Arizona online
43 instruction pursuant to this section on academic tasks. The daily log
44 shall be used by the school district or charter school to qualify the
45 ~~pupits~~ STUDENTS who participate in Arizona online instruction in the

1 school's average daily attendance calculations pursuant to subsection F of
2 this section.

3 F. If a ~~pupit~~ STUDENT is enrolled in a school district or charter
4 school and also participates in Arizona online instruction, the sum of the
5 average daily membership, which includes enrollment as prescribed in
6 section 15-901, subsection A, paragraph 1, subdivisions (a) and (b) and
7 daily attendance as prescribed in section 15-901, subsection A, paragraph
8 5, for that ~~pupit~~ STUDENT in the school district or charter school and in
9 Arizona online instruction shall not exceed 1.0. If the ~~pupit~~ STUDENT is
10 enrolled in a school district or a charter school and also participates in
11 Arizona online instruction and the sum of the daily membership or daily
12 attendance for that ~~pupit~~ STUDENT is greater than 1.0, the sum shall be
13 reduced to 1.0 and shall be apportioned between the school district,
14 unless the school district is a career technical education district
15 subject to the apportionment requirements of section 15-393, or charter
16 school and Arizona online instruction based on the percentage of total
17 time that the ~~pupit~~ STUDENT is enrolled or in attendance in the school
18 district or charter school and Arizona online instruction. The uniform
19 system of financial records shall include guidelines for the apportionment
20 of the ~~pupit~~ STUDENT enrollment and attendance as provided in this
21 subsection. ~~Pupits~~ STUDENTS in Arizona online instruction do not incur
22 absences for purposes of this subsection and may generate an average daily
23 attendance of 1.0 for attendance hours during any hour of the day, during
24 any day of the week and at any time between July 1 and June 30 of each
25 fiscal year. For kindergarten programs and grades one through eight,
26 average daily membership shall be calculated by dividing the instructional
27 hours as reported in the daily log required in subsection E of this
28 section by the applicable hourly requirements prescribed in section
29 15-901. For grades nine through twelve, average daily membership shall be
30 calculated by dividing the instructional hours as reported in the daily
31 log required in subsection E of this section by nine hundred. The average
32 daily membership of a ~~pupit~~ STUDENT who participates in online instruction
33 shall not exceed 1.0. Average daily membership shall not be calculated on
34 the one hundredth day of instruction for the purposes of this
35 section. Funding shall be determined as follows:

36 1. A ~~pupit~~ STUDENT who is enrolled full-time in Arizona online
37 instruction shall be funded for online instruction at ninety-five percent
38 of the base support level that would be calculated for that ~~pupit~~ STUDENT
39 if that ~~pupit~~ STUDENT were enrolled as a full-time student in a school
40 district or charter school that does not participate in Arizona online
41 instruction. Charter additional assistance and district additional
42 assistance shall be calculated in the same manner they would be calculated
43 if the student were enrolled in a district or charter school that does not
44 participate in Arizona online instruction.

1 2. A ~~pupit~~ STUDENT who is enrolled part-time in Arizona online
2 instruction shall be funded for online instruction at eighty-five percent
3 of the base support level that would be calculated for that ~~pupit~~ STUDENT
4 if that ~~pupit~~ STUDENT were enrolled as a part-time student in a school
5 district or charter school that does not participate in Arizona online
6 instruction. Charter additional assistance and district additional
7 assistance shall be calculated in the same manner they would be calculated
8 if the student were enrolled in a district or charter school that does not
9 participate in Arizona online instruction.

10 G. If the academic achievement of a ~~pupit~~ STUDENT declines while
11 the ~~pupit~~ STUDENT is participating in Arizona online instruction, the
12 ~~pupit's~~ STUDENT'S parents, the ~~pupit's~~ STUDENT'S teachers and the
13 principal or head teacher of the school shall confer to evaluate whether
14 the ~~pupit~~ STUDENT should be allowed to continue to participate in Arizona
15 online instruction.

16 H. To ensure the academic integrity of ~~pupit's~~ STUDENTS who
17 participate in online instruction, Arizona online instruction shall
18 include multiple diverse assessment measures and the proctored
19 administration of required state standardized tests.

20 I. A school district or charter school may not charge a fee to a
21 ~~pupit~~ STUDENT who takes an examination in a particular course to obtain
22 academic credit, pursuant to section 15-701.01, subsection I, from the
23 school district or charter school if the academic credit for a course was
24 previously earned in an Arizona online instruction course or at any public
25 school in this state. Any test administered pursuant to this subsection
26 shall be an assessment that is aligned to the course-relevant state
27 academic standards.

28 J. For the purposes of this section:

29 1. "Full-time student" means:

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

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

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

44 (d) For high schools, a student who has not graduated from the
45 highest grade taught in the school district, or an ungraded student who is

1 at least fourteen years of age on or before September 1, and who is
2 enrolled in at least four courses throughout the year that meet at least
3 nine hundred hours during the school year. A full-time student shall not
4 be counted more than once for computation of average daily membership.

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

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

16 4. "Part-time student" means:

17 (a) Any student who is enrolled in a program that does not meet the
18 definition in paragraph 1 of this subsection shall be funded at
19 eighty-five percent of the base support level that would be calculated for
20 that ~~pupil~~ STUDENT if that ~~pupil~~ STUDENT were enrolled as a part-time
21 student in a school district or charter school that does not participate
22 in Arizona online instruction.

23 (b) A part-time student of seventy-five percent average daily
24 membership shall be enrolled in at least three subjects throughout the
25 year that offer for first, second and third grade students at least five
26 hundred thirty-four instructional hours in a school year and for fourth,
27 fifth and sixth grade students at least six hundred sixty-eight
28 instructional hours in a school year. A part-time student of fifty
29 percent average daily membership shall be enrolled in at least two
30 subjects throughout the year that offer for first, second and third grade
31 students at least three hundred fifty-six instructional hours in a school
32 year and for fourth, fifth and sixth grade students at least four hundred
33 forty-five instructional hours in a school year. A part-time student of
34 twenty-five percent average daily membership shall be enrolled in at least
35 one subject throughout the year that offers for first, second and third
36 grade students at least one hundred seventy-eight instructional hours in a
37 school year and for fourth, fifth and sixth grade students at least two
38 hundred twenty-three instructional hours in a school year.

39 (c) For seventh and eighth grade students, a part-time student of
40 seventy-five percent average daily membership shall be enrolled in at
41 least three subjects throughout the year that offer at least eight hundred
42 one instructional hours in a school year. A part-time student of fifty
43 percent average daily membership shall be enrolled in at least two
44 subjects throughout the year that offer at least five hundred thirty-four
45 instructional hours in a school year. A part-time student of twenty-five

1 percent average daily membership shall be enrolled in at least one subject
2 throughout the year that offers at least two hundred sixty-seven
3 instructional hours in a school year.

4 (d) For high school students, a part-time student of seventy-five
5 percent average daily membership shall be enrolled in at least three
6 subjects throughout the year that offer at least six hundred seventy-five
7 instructional hours in a school year. A part-time student of fifty
8 percent average daily membership shall be enrolled in at least two
9 subjects throughout the year that offer at least four hundred fifty
10 instructional hours in a school year. A part-time student of twenty-five
11 percent average daily membership shall be enrolled in at least one subject
12 throughout the year that offers at least two hundred twenty-five
13 instructional hours in a school year.

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