

REFERENCE TITLE: **graduation; statewide assessment; requirements**

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

SB 1657

Introduced by
Senator Bennett

AN ACT

**AMENDING SECTIONS 15-701.01, 15-702 AND 15-808, ARIZONA REVISED STATUTES;
RELATING TO SCHOOL CURRICULA.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-701.01, Arizona Revised Statutes, is amended
3 to read:

4 15-701.01. High schools; graduation; requirements; community
5 college or university courses; transfer from
6 other schools; academic credit; report

7 A. The state board of education shall:

8 1. Prescribe a minimum course of study that incorporates the
9 academic standards adopted by the state board for the graduation of pupils
10 from high school.

11 2. Prescribe competency requirements for the graduation of pupils
12 from high school incorporating the academic standards in at least the
13 areas of reading, writing, mathematics, science and social studies. The
14 academic standards prescribed by the state board in social studies shall
15 include personal finance, American civics education and a comparative
16 discussion of political ideologies, such as communism and totalitarianism,
17 that conflict with the principles of freedom and democracy that are
18 essential to the founding principles of the United States. The state
19 board may consider establishing a required separate personal finance
20 course for the purpose of the graduation of pupils from high school. The
21 state board shall require at least one-half of a course credit in
22 economics, which shall include financial literacy and personal financial
23 management.

24 3. Through the graduating class of 2025, include in the competency
25 requirements for social studies prescribed in paragraph 2 of this
26 subsection a requirement that, in order to graduate from high school or
27 obtain a high school equivalency diploma, a pupil must correctly answer at
28 least sixty of the one hundred questions listed on a test that is
29 identical to the civics portion of the naturalization test used by the
30 United States citizenship and immigration services. Beginning with the
31 graduating class of 2026, the state board shall include in the competency
32 requirements for social studies prescribed in paragraph 2 of this
33 subsection a requirement that, in order to graduate from high school or
34 obtain a high school equivalency diploma, a pupil must correctly answer at
35 least seventy of the one hundred questions listed on a test that is
36 identical to the civics portion of the naturalization test used by the
37 United States citizenship and immigration services. A district school or
38 charter school shall document on the pupil's transcript only a pass or
39 fail designation that the pupil has passed or failed the test required by
40 this paragraph. A pupil in grade seven or eight may take the test
41 described in this paragraph, and if the pupil correctly answers at least
42 seventy of the one hundred questions on the test:

43 (a) The district school or charter school shall document on the
44 pupil's transcript only a pass or fail designation that the pupil has
45 passed or failed the test required by this paragraph.

1 (b) The pupil is not required to take the test required by this
2 paragraph again in high school.

3 4. Develop and adopt competency tests pursuant to section 15-741.
4 English language learners who are subject to article 3.1 of this chapter
5 are subject to the assessments prescribed in section 15-741.

6 B. THE DEPARTMENT OF EDUCATION SHALL:

7 1. ESTABLISH A METHOD AND STANDARD FOR DETERMINING THE MINIMUM
8 PERFORMANCE LEVEL ON THE STATEWIDE ASSESSMENT ADOPTED PURSUANT TO SECTION
9 15-741 REQUIRED FOR GRADUATION FROM HIGH SCHOOL. THE GRADUATION
10 REQUIREMENT PRESCRIBED IN THIS PARAGRAPH SHALL BE INCLUDED IN THE COURSE
11 OF STUDY AND COMPETENCY REQUIREMENTS FOR GRADUATION FROM HIGH SCHOOL
12 PRESCRIBED IN SUBSECTION A OF THIS SECTION.

13 2. NOTWITHSTANDING SECTION 15-741, SUBSECTION B, PRESCRIBE A
14 SCHEDULE FOR ADMINISTERING THE STATEWIDE ASSESSMENT ADOPTED PURSUANT TO
15 SECTION 15-741 TO PUPILS IN GRADES NINE THROUGH TWELVE.

16 ~~B.~~ C. The governing board of a school district shall:

17 1. Prescribe curricula that include the academic standards in the
18 required subject areas pursuant to subsection A, paragraph 1 of this
19 section.

20 2. Prescribe criteria for the graduation of pupils from the high
21 schools in the school district. These criteria shall include
22 accomplishment of the academic standards in at least reading, writing,
23 mathematics, science and social studies, as determined by district
24 assessment AND BY THE MINIMUM PERFORMANCE LEVEL ON THE STATEWIDE
25 ASSESSMENT PRESCRIBED IN SUBSECTION B OF THIS SECTION. Other criteria may
26 include additional measures of academic achievement and attendance.
27 Pursuant to the prescribed graduation requirements adopted by the state
28 board of education, the governing board may approve a rigorous computer
29 science course that would fulfill a mathematics course required for
30 graduation from high school. The governing board may approve a rigorous
31 computer science course only if the rigorous computer science course
32 includes significant mathematics content and the governing board
33 determines the high school where the rigorous computer science course is
34 offered has sufficient capacity, infrastructure and qualified staff,
35 including competent teachers of computer science. The school district
36 governing board or charter school governing body may determine the method
37 and manner in which to administer a test that is identical to the civics
38 portion of the naturalization test used by the United States citizenship
39 and immigration services. A pupil who does not obtain a passing score on
40 the test that is identical to the civics portion of the naturalization
41 test may retake the test until the pupil obtains a passing score.

42 ~~C.~~ D. The governing board may prescribe the course of study and
43 competency requirements for the graduation of pupils from high school that
44 are in addition to or higher than the course of study and competency
45 requirements ~~that the state board prescribes~~ PRESCRIBED BY THE STATE BOARD

1 OF EDUCATION AND THE REQUIREMENTS PRESCRIBED IN SUBSECTION B OF THIS
2 SECTION.

3 ~~D.~~ E. The governing board may prescribe competency requirements
4 for the passage of pupils in courses that are required for graduation from
5 high school.

6 ~~E.~~ F. A teacher shall determine whether to pass or fail a pupil in
7 a course in high school on the basis of the competency requirements, if
8 any have been prescribed. The governing board, if it reviews the decision
9 of a teacher to pass or fail a pupil in a course in high school as
10 provided in section 15-342, paragraph 11, shall base its decision on the
11 competency requirements, if any have been prescribed.

12 ~~F.~~ G. Graduation requirements established by the governing board
13 may be met by a pupil who passes courses in the required or elective
14 subjects at a community college or university, if the course is at a
15 higher level than the course taught in the high school attended by the
16 pupil or, if the course is not taught in the high school, the level of the
17 course is equal to or higher than the level of a high school course. The
18 governing board shall determine whether the subject matter of the
19 community college or university course is appropriate to the specific
20 requirement the pupil intends it to fulfill and whether the level of the
21 community college or university course is less than, equal to or higher
22 than a high school course, and the governing board shall award at least
23 one-half of a Carnegie unit and up to and including one Carnegie unit for
24 each three semester hours of credit that the pupil earns in an appropriate
25 community college or university course. If a pupil is not satisfied with
26 the decision of the governing board regarding the amount of credit granted
27 or the subjects for which credit is granted, the pupil may request that
28 the state board of education review the decision of the governing board,
29 and the state board shall make the final determination of the amount of
30 credit to be given the pupil and for which subjects. The governing board
31 shall not limit the number of credits that is required for high school
32 graduation and that may be met by taking community college or university
33 courses. For the purposes of this subsection:

34 1. "Community college" means an educational institution that is
35 operated by a community college district as defined in section 15-1401 or
36 a postsecondary educational institution under the jurisdiction of an
37 Indian tribe recognized by the United States department of the interior.

38 2. "University" means a university under the jurisdiction of the
39 Arizona board of regents.

40 ~~G.~~ H. A pupil who transfers from a private school shall be
41 provided with a list that indicates those credits that have been accepted
42 and denied by the school district. A pupil may request to take an
43 examination in each particular course in which credit has been
44 denied. The school district shall accept the credit for each particular
45 course in which the pupil takes an examination and receives a passing

1 score on a test designed and evaluated by a teacher in the school district
2 who teaches the subject matter on which the examination is based. In
3 addition to the above requirements, the governing board of a school
4 district may prescribe requirements for the acceptance of the credits of
5 pupils who transfer from a private school.

6 ~~H.~~ I. If a pupil who was previously enrolled in a charter school
7 or school district enrolls in a school district in this state, the school
8 district shall accept credits earned by the pupil in courses or
9 instructional programs at the charter school or school district. The
10 governing board of a school district may adopt a policy concerning the
11 application of transfer credits for the purpose of determining whether a
12 credit earned by a pupil who was previously enrolled in a school district
13 or charter school will be assigned as an elective or core credit. A
14 school district or charter school may note the learning outcomes that a
15 student mastered as prescribed in the rules adopted pursuant to section
16 15-203, subsection A, paragraph 38 to provide a record of the demonstrated
17 competencies and award partial credit.

18 ~~I.~~ J. A pupil who transfers credit from a charter school, a school
19 district or Arizona online instruction shall be provided with a list that
20 indicates which credits have been accepted as elective credits and which
21 credits have been accepted as core credits by the school district or
22 charter school. Within ten school days after receiving the list, the
23 pupil may request to take an examination in each particular course in
24 which core credit has been denied. The school district or charter school
25 shall accept the credit as a core credit for each particular course in
26 which the pupil takes an examination and receives a passing score on a
27 test that is aligned to the competency requirements adopted pursuant to
28 this section and that is designed and evaluated by a teacher in the school
29 district or charter school who teaches the subject matter on which the
30 examination is based. If a pupil is enrolled in a school district or
31 charter school and that pupil also participates in Arizona online
32 instruction between May 1 and July 31, the school district or charter
33 school shall not require proof of payment as a condition of the school
34 district or charter school accepting credits earned from the online course
35 provider.

36 ~~J.~~ K. The state board of education shall adopt rules to allow high
37 school pupils who can demonstrate competency in a particular academic
38 course or subject to obtain academic credit for the course or subject
39 without enrolling in the course or subject.

40 ~~K.~~ L. Pupils who earn a Grand Canyon diploma pursuant to article 6
41 of this chapter are exempt from the graduation requirements prescribed in
42 this section. Pupils who earn a Grand Canyon diploma are entitled to all
43 the rights and privileges of persons who graduate with a high school
44 diploma issued pursuant to this section, including access to postsecondary
45 scholarships and other forms of student financial aid and access to all

1 forms of postsecondary education. Notwithstanding any other law, a pupil
2 who is eligible for a Grand Canyon diploma may elect to remain in high
3 school through grade twelve and shall not be prevented from enrolling at a
4 high school after the pupil becomes eligible for a Grand Canyon diploma.
5 A pupil who is eligible for a Grand Canyon diploma and who elects not to
6 pursue one of the options prescribed in section 15-792.03 may only be
7 readmitted to that high school or another high school in this state
8 pursuant to policies adopted by the school district of readmission.

9 ~~M.~~ M. Each school district and charter school shall report to the
10 department of education all of the following aggregate data, organized by
11 grade level, relating to the test that is identical to the civics portion
12 of the naturalization test used by the United States citizenship and
13 immigration services required by subsection A, paragraph 3 of this
14 section:

- 15 1. The median score.
- 16 2. The percentage of pupils who passed by correctly answering the
17 minimum number of questions required to pass the test pursuant to
18 subsection A, paragraph 3 of this section.
- 19 3. The percentage of pupils who failed by correctly answering fewer
20 than the minimum number of questions required to pass the test pursuant to
21 subsection A, paragraph 3 of this section.
- 22 4. Any other data required by the department relating to the test.

23 ~~M.~~ N. A school district or charter school may not include the
24 personally identifiable information of any pupil in the data reported to
25 the department of education under subsection ~~M~~ M of this section. The
26 department of education shall make the data publicly available, organized
27 at a minimum by school district or charter school and grade level, on the
28 website that includes the school report cards required by section 15-746.

29 Sec. 2. Section 15-702, Arizona Revised Statutes, is amended to
30 read:

31 15-702. High school equivalency diploma; fees; rules

32 A. Any person who is sixteen years of age or older and who passes
33 an equivalency test adopted by the state board of education shall be
34 awarded an Arizona high school equivalency diploma by the state board of
35 education and the state superintendent of public instruction. The state
36 board of education may establish eligibility requirements for persons
37 wishing to take ~~an~~ THE equivalency test adopted by the state board of
38 education, except that the minimum age required to take the test may not
39 be older than sixteen ~~nor shall~~ AND the board MAY NOT require the
40 completion of any high school credits.

41 B. A person who meets the minimum course of study and competency
42 requirements prescribed by the state board of education for graduation
43 from high school through a combination of high school credits and
44 community college and university credits, which are converted to high
45 school credits in the same manner as provided in section 15-701.01,

1 subsection ~~F~~ G by the SCHOOL DISTRICT governing board or the state board
2 of education, shall be awarded an Arizona high school equivalency diploma.

3 C. The state board of education may establish and collect fees for
4 ~~the issuance~~ ISSUING and ~~reissuance of~~ REISSUING the following:

- 5 1. A high school equivalency diploma.
- 6 2. A high school equivalency transcript.

7 D. The state board of education shall adopt rules for fee waivers
8 for the high school equivalency diploma and high school equivalency
9 transcripts.

10 Sec. 3. Section 15-808, Arizona Revised Statutes, is amended to
11 read:

12 15-808. Arizona online instruction; reports; definitions

13 A. Arizona online instruction shall be instituted to meet the needs
14 of pupils in the information age. The state board of education shall
15 select district public schools and state-approved charter authorizers
16 shall sponsor charter schools to be online course providers or online
17 schools. The state board of education and state-approved charter
18 authorizers shall develop standards for the approval of online course
19 providers and online schools based on the following criteria:

- 20 1. The depth and breadth of curriculum choices.
- 21 2. The variety of educational methodologies employed by the school
22 and the means of addressing the unique needs and learning styles of
23 targeted pupil populations, including computer-assisted learning systems,
24 virtual classrooms, virtual laboratories, electronic field trips, ~~e-mail~~
25 EMAIL, virtual tutoring, online help desk, group chat sessions and
26 noncomputer-based activities performed under the direction of a
27 certificated teacher.
- 28 3. The availability of an intranet or private network to safeguard
29 pupils against predatory and pornographic elements of the internet.
- 30 4. The availability of filtered research access to the internet.
- 31 5. The availability of private individual ~~e-mail~~ EMAIL between
32 pupils, teachers, administrators and parents in order to protect the
33 confidentiality of pupil records and information.
- 34 6. The availability of faculty members who are experienced with
35 computer networks, the internet and computer animation.
- 36 7. The extent to which the school intends to develop partnerships
37 with universities, community colleges and private businesses.
- 38 8. The services offered to populations with developmental
39 disabilities.
- 40 9. The grade levels that will be served.

41 B. Each new school that provides online instruction shall provide
42 online instruction on a probationary status. After a new school that
43 provides online instruction has clearly demonstrated the academic
44 integrity of its instruction through the actual improvement of the
45 academic performance of its students, the school may apply to be removed

1 from probationary status. The state board of education or the
2 state-approved charter authorizer that sponsored the charter school shall
3 remove from Arizona online instruction any probationary school that fails
4 to clearly demonstrate improvement in academic performance within three
5 years measured against goals in the approved application and the state's
6 accountability system. All pupils who participate in Arizona online
7 instruction shall reside in this state. Pupils who participate in Arizona
8 online instruction are subject to the testing requirements prescribed in
9 chapter 7, article 3 of this title. On enrollment, the school shall
10 notify the parents or guardians of the pupil of the state testing
11 requirements. If a pupil fails to comply with the testing requirements
12 and the school administers the tests pursuant to this subsection to less
13 than ninety-five percent of the pupils in Arizona online instruction, the
14 pupil shall not be allowed to participate in Arizona online instruction.

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

18 D. The department of education shall compile the information
19 submitted in the annual reports by schools participating in Arizona online
20 instruction. The department of education shall submit the compiled report
21 to the governor, the speaker of the house of representatives and the
22 president of the senate by November 15 of each year.

23 E. Each school selected for Arizona online instruction shall ensure
24 that a daily log is maintained for each pupil who participates in Arizona
25 online instruction. The daily log shall describe the amount of time spent
26 by each pupil participating in Arizona online instruction pursuant to this
27 section on academic tasks. The daily log shall be used by the school
28 district or charter school to qualify the pupils who participate in
29 Arizona online instruction in the school's average daily attendance
30 calculations pursuant to subsection F of this section.

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

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

19 1. A pupil who is enrolled full-time in Arizona online instruction
20 shall be funded for online instruction at ninety-five percent of the base
21 support level that would be calculated for that pupil if that pupil were
22 enrolled as a full-time student in a school district or charter school
23 that does not participate in Arizona online instruction. Charter
24 additional assistance and district additional assistance shall be
25 calculated in the same manner they would be calculated if the student were
26 enrolled in a district or charter school that does not participate in
27 Arizona online instruction.

28 2. A pupil who is enrolled part-time in Arizona online instruction
29 shall be funded for online instruction at eighty-five percent of the base
30 support level that would be calculated for that pupil if that pupil were
31 enrolled as a part-time student in a school district or charter school
32 that does not participate in Arizona online instruction. Charter
33 additional assistance and district additional assistance shall be
34 calculated in the same manner they would be calculated if the student were
35 enrolled in a district or charter school that does not participate in
36 Arizona online instruction.

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

42 H. To ensure the academic integrity of pupils who participate in
43 online instruction, Arizona online instruction shall include multiple
44 diverse assessment measures and the proctored administration of required
45 state standardized tests.

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

9 J. For the purposes of this section:

10 1. "Full-time student" means:

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

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

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

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

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

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

43 4. "Part-time student" means:

44 (a) Any student who is enrolled in a program that does not meet the
45 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.