

Senate Engrossed

adult education; program schools; revisions

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

CHAPTER 50
SENATE BILL 1113

AN ACT

AMENDING SECTIONS 15-217 AND 15-217.01, ARIZONA REVISED STATUTES; RELATING TO PROGRAM SCHOOLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-217, Arizona Revised Statutes, is amended to
3 read:

4 15-217. Performance measures; adult education and workforce
5 development programs

6 A. On or before July 1, 2024, the state board of education, in
7 cooperation with the department of education, shall adopt performance
8 measures to evaluate the performance of adult education and workforce
9 development programs established under sections 15-217.01, 15-217.02 and
10 15-217.03. The performance measures shall include:

11 1. Measurements of adult learner progress toward earning a high
12 school diploma or high school equivalency diploma.

13 2. The number of high school diplomas or high school equivalency
14 diplomas earned.

15 3. The number of industry-recognized credentials earned.

16 4. The number of adult learners or graduates who have matriculated
17 at an institution of higher learning or postsecondary educational
18 institution.

19 5. The number of adult learners or graduates who have newly
20 acquired employment, who are now earning higher wages or who have obtained
21 a better job or a promotion.

22 6. Other relevant measures as adopted by the state board of
23 education, in cooperation with the department of education.

24 B. The performance measures adopted by the state board of education
25 pursuant to this section shall both:

26 1. Allow for a comparable evaluation across adult education and
27 workforce development programs.

28 2. Take into consideration the variety of learning levels of adult
29 learners entering the programs.

30 C. THE DEPARTMENT OF EDUCATION MAY NOT ASSIGN A LETTER GRADE
31 PURSUANT TO SECTION 15-241 TO A PROGRAM SCHOOL THAT IS ESTABLISHED
32 PURSUANT TO SECTION 15-217.01.

33 Sec. 2. Section 15-217.01, Arizona Revised Statutes, is amended to
34 read:

35 15-217.01. Continuing high school and workforce training
36 program; service providers; program schools;
37 requirements; exemptions; reporting; enrollment
38 limits; rules

39 A. The state board of education shall establish a continuing high
40 school and workforce training program that provides adult learners with
41 alternative study services and that leads to the issuance of a high school
42 diploma and industry-recognized credentials. The department of education
43 shall administer the program. The state board of education shall
44 authorize eligible service providers to participate in the continuing high

1 school and workforce training program and to establish a program school in
2 partnership with a school district or nonprofit charter school.

3 B. To be eligible to participate in the continuing high school and
4 workforce training program, a service provider must meet both of the
5 following:

6 1. Be a nonprofit corporation that is qualified as tax-exempt
7 pursuant to section 501(c)(3) of the internal revenue code or be an adult
8 education provider that is approved by the division of adult education
9 within the department of education.

10 2. Demonstrate at least a ten-year history of providing workforce
11 training and career services in this state to persons who are at least
12 eighteen years of age and whose educational and training opportunities
13 have been limited by educational disadvantages, disabilities or other
14 barriers to education, such as lack of reliable and affordable
15 transportation, lack of child care or food insecurity.

16 C. A high school diploma may be issued pursuant to this section
17 only to an adult learner who meets all the graduation requirements of
18 section 15-701.01 and the state board of education.

19 D. A program school shall meet all applicable legal requirements
20 prescribed in this title for a public school, including requirements for
21 student assessments and special education services and prohibitions
22 against admission limits based on ethnicity, national origin, gender,
23 income level, disabling condition, English language proficiency or
24 athletic ability. ~~UNLESS ONE OF THE FOLLOWING APPLIES:~~

25 1. PROGRAM SCHOOLS ESTABLISHED UNDER THIS SECTION ARE EXPRESSLY
26 EXEMPT FROM THE LEGAL REQUIREMENT.

27 2. THE STATE BOARD OF EDUCATION DETERMINES THAT THE LEGAL
28 REQUIREMENT IS NOT FEASIBLE.

29 3. THE STATE BOARD OF EDUCATION DETERMINES THAT THE LEGAL
30 REQUIREMENT IS NOT APPLICABLE TO THE EDUCATION OF ADULT LEARNERS.

31 E. THE FOLLOWING PROVISIONS OF THIS TITLE DO NOT APPLY TO PROGRAM
32 SCHOOLS ESTABLISHED UNDER THIS SECTION:

33 1. THE ENGLISH LANGUAGE PROFICIENCY ASSESSMENT REQUIREMENTS UNDER
34 SECTIONS 15-756 AND 15-756.05.

35 2. THE RESIDENCY RECORD REQUIREMENT UNDER SECTION 15-802.

36 3. THE WITHDRAWAL FORM REQUIREMENTS UNDER SECTION 15-827 FOR ANY
37 ADULT LEARNER WHO HAS NOT ATTENDED ANOTHER SCHOOL IN THIS STATE DURING THE
38 TWO YEARS IMMEDIATELY PRECEDING THE ADULT LEARNER'S ENROLLMENT IN THE
39 PROGRAM SCHOOL.

40 4. THE SCHOOL RECORDS REQUIREMENTS UNDER SECTION 15-828.

41 5. THE LETTER GRADES ASSIGNED UNDER SECTION 15-241.

42 F. EACH PROGRAM SCHOOL SHALL:

43 1. EXERCISE THE PROGRAM SCHOOL'S BEST EFFORT TO OBTAIN CONFIRMATION
44 OF EACH ADULT LEARNER'S WITHDRAWAL FROM ANOTHER SCHOOL IN THIS STATE,

1 INCLUDING REQUESTING A STUDENT TRANSCRIPT OR RECEIVING VERBAL CONFIRMATION
2 FROM AN OFFICIAL OF THE SCHOOL FROM WHICH THE ADULT LEARNER WITHDREW.

3 2. REQUIRE AN ADULT LEARNER WHO ENROLLS IN THE PROGRAM SCHOOL TO
4 PROVIDE BOTH:

5 (a) VERIFIABLE DOCUMENTATION OF THE ADULT LEARNER'S RESIDENCY IN
6 THIS STATE.

7 (b) RELIABLE PROOF OF THE ADULT LEARNER'S AGE, WHICH MAY INCLUDE AN
8 IDENTIFICATION RECORD ISSUED BY A STATE, FEDERAL OR TRIBAL GOVERNMENT OR A
9 MILITARY IDENTIFICATION CARD.

10 3. ADMINISTER AN ENGLISH LANGUAGE PROFICIENCY ASSESSMENT THAT IS
11 ACCEPTED BY UNIVERSITIES OR COMMUNITY COLLEGES IN THIS STATE.

12 ~~F.~~ G. Notwithstanding any other law, the department of education
13 shall distribute monies to an approved program school as follows:

14 1. The program school shall receive \$7,700 per full-time student
15 enrolled in the program school. Part-time students shall be funded in
16 proportion to the number of enrolled courses or hours of instruction.

17 2. The program school is eligible to receive funding for any adult
18 learner regardless of age.

19 3. The program school is not eligible for any other school finance
20 formula funding for adult learners enrolled in the program school,
21 including any of the following:

22 (a) Transportation funding pursuant to section 15-945.

23 (b) Arizona online instruction funding pursuant to section 15-808.

24 (c) Base support level funding pursuant to section 15-943.

25 (d) Additional assistance.

26 ~~F.~~ H. The department of education shall develop application
27 procedures for the continuing high school and workforce training
28 program. The service provider shall submit the application on behalf of
29 the program school. An application submitted pursuant to this section
30 must include all of the following:

31 1. A description of the service provider's partnership with a
32 school district or nonprofit charter school.

33 2. A description of the program school's administrative structure,
34 program activities, program staff, budget and specific curriculum that is
35 aligned with the state academic standards.

36 3. The program school's academic calendar and a schedule describing
37 the program school's length of school day, program sequence,
38 multidisciplinary courses, pace and instructional activities, or any
39 combination of these items.

40 4. Confirmation of the program school's location and a description
41 of the program school's facility, including all of the following:

42 (a) Accessibility.

43 (b) Available classroom space.

44 (c) Child care space.

45 (d) Health and safety requirements.

1 5. A description of specific academic, behavioral and emotional
2 support services the service provider will offer to adult learners who
3 enroll in the program school.

4 6. A description of the adult learner and family supports that the
5 program school will provide at no cost to adult learners, including all of
6 the following:

7 (a) On-site child care for dependents of enrolled adult learners
8 while the adult learner is on-site.

9 (b) Local transportation assistance for adult learners with a
10 verifiable need.

11 (c) Career and higher education counseling.

12 (d) Job placement assistance.

13 7. A description of the available counseling services that assist
14 adult learners in overcoming barriers to educational success, including
15 any of the following:

16 (a) Educational disadvantages.

17 (b) Homelessness.

18 (c) Criminal history.

19 (d) Disabling conditions.

20 8. A description of the career technical education instruction the
21 program school will provide. Career technical education instruction and
22 courses must lead to industry-recognized credentials or result in an adult
23 learner earning course credits from a university or community college. A
24 service provider may partner with a community college district or career
25 technical education district to provide career technical education
26 instruction.

27 9. A description of specific program outcomes, goals and metrics
28 the program school will use to determine adult learner success.

29 10. The projected number of adult learners the program school will
30 enroll.

31 ~~6.~~ I. The state board of education, in consultation with the
32 department of education, shall evaluate applications submitted for the
33 continuing high school and workforce training program and approve program
34 schools that demonstrate, through evidence or other documentation, the
35 ability to provide adult learners with the instruction and support that
36 lead to a high school diploma and one or more industry-recognized
37 credentials. The following apply to approval of a program school's
38 participation in the continuing high school and workforce training
39 program:

40 1. Initial approval shall be for a period of not more than two
41 school years.

42 2. Renewal of approval shall be for a period of not more than four
43 school years and is contingent on specific performance expectations,
44 including student progression, graduation rates and earning of
45 industry-recognized credentials.

1 3. If an approved service provider fails to meet any requirements
2 of this section or any rules adopted by the state board, the state board
3 shall immediately initiate a process to bring the program school into
4 compliance or to revoke the program school's authorization to participate
5 in the continuing high school and workforce training program.

6 ~~H.~~ J. An approved program school participating in the continuing
7 high school and workforce training program shall annually report the
8 following information to the department of education:

9 1. The number of adult learners enrolled in the program school.

10 2. The graduation rate of adult learners enrolled in the program
11 school.

12 3. The average progress of adult learners toward meeting graduation
13 requirements.

14 4. The number and type of industry-recognized credentials earned by
15 adult learners enrolled in the program school.

16 5. The number of adult learners who have newly acquired proficiency
17 in the English language, **AS DEMONSTRATED BY AN ASSESSMENT ADMINISTERED**
18 **PURSUANT TO SUBSECTION F, PARAGRAPH 3 OF THIS SECTION.**

19 6. A descriptive summary of the academic, behavioral and emotional
20 support services the service provider offers to adult learners in the
21 program school.

22 7. The information required by the performance measures adopted by
23 the state board of education pursuant to section 15-217.

24 ~~I.~~ K. On or before October 30, 2025 and on or before October 30 of
25 each year thereafter, each program school shall submit a report regarding
26 the continuing high school and workforce training program to the
27 department of education.

28 ~~J.~~ L. On or before December 15, 2025 and on or before December 15
29 of each year thereafter, the department of education shall submit an
30 annual report evaluating the effectiveness of the continuing high school
31 and workforce training program to the governor, the president of the
32 senate, the speaker of the house of representatives and the state board of
33 education. The department shall provide a copy of the report to the
34 secretary of state.

35 ~~K.~~ M. The state board of education may approve program schools
36 with a total projected full-time enrollment of:

37 1. In fiscal year 2022-2023, not more than six hundred.

38 2. In fiscal year 2023-2024, not more than one thousand.

39 3. In fiscal year 2024-2025 and each fiscal year thereafter, not
40 more than one thousand four hundred.

41 ~~L.~~ N. If the total full-time enrollment requested by approved
42 program schools is greater than the amounts prescribed in subsection ~~K.~~ M
43 of this section, the state board of education may direct the department of
44 education to prioritize funding distribution to program schools
45 demonstrating the highest performance. New program schools shall be

1 prioritized based on the services and supports for adult learners as
2 outlined in their applications.

3 ~~M.~~ O. A program school may not either:

4 1. Conduct advertising or marketing campaigns directed at students
5 who are currently enrolled in a school district or charter school, or
6 undertake any other activity that encourages students who are currently
7 enrolled in a school district or charter school to stop attending school
8 in order to enroll in a program school.

9 2. Enroll a student who was enrolled in a school district or
10 charter school within the preceding thirty days.

11 ~~N.~~ P. The state board of education may adopt rules to carry out
12 the purposes of this section.

13 ~~O.~~ Q. The department of education shall provide adequate staff
14 support for the state board of education to comply with this section.

APPROVED BY THE GOVERNOR MARCH 29, 2024.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 29, 2024.