

State of Arizona  
House of Representatives  
Forty-eighth Legislature  
Second Regular Session  
2008

# HOUSE BILL 2557

AN ACT

AMENDING SECTIONS 15-701, 15-701.01 AND 15-702, ARIZONA REVISED STATUTES;  
RELATING TO SCHOOL CURRICULUM.

(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, Arizona Revised Statutes, is amended to  
3 read:  
4 15-701. Common school; promotions; requirements; certificate;  
5 supervision of eighth grades by superintendent of  
6 high school district; high school admissions;  
7 academic credit  
8 A. The state board of education shall:  
9 1. Prescribe a minimum course of study, as defined in section 15-101  
10 and incorporating the academic standards adopted by the state board of  
11 education, to be taught in the common schools.  
12 2. Prescribe competency requirements for the promotion of pupils from  
13 the eighth grade and competency requirements for the promotion of pupils from  
14 the third grade incorporating the academic standards in at least the areas of  
15 reading, writing, mathematics, science and social studies.  
16 3. Distribute guidelines for the school districts to follow in  
17 prescribing criteria for the promotion of pupils from grade to grade in the  
18 common schools. These guidelines shall include recommended procedures for  
19 insuring that the cultural background of a pupil is taken into consideration  
20 when criteria for promotion are being applied.  
21 B. Pursuant to the guidelines which the state board of education  
22 distributes, the governing board of a school district shall:  
23 1. Prescribe curricula that include the academic standards in the  
24 required subject areas pursuant to subsection A, paragraph 1 of this section.  
25 A SCHOOL DISTRICT SHALL NOT ELIMINATE OR REDUCE INSTRUCTION IN PHYSICAL  
26 EDUCATION, THE ARTS, MUSIC, CAREER AND TECHNICAL EDUCATION OR VOCATIONAL  
27 EDUCATION IN ORDER TO COMPLY WITH THE REQUIREMENTS OF THIS PARAGRAPH UNLESS  
28 THE REDUCTION OR ELIMINATION OF INSTRUCTION IN PHYSICAL EDUCATION, THE ARTS,  
29 MUSIC, CAREER AND TECHNICAL EDUCATION OR VOCATIONAL EDUCATION IS NECESSARY  
30 FOR BUDGETARY REASONS OR UNLESS THE GOVERNING BOARD OF THE SCHOOL DISTRICT  
31 VOTES AT A PUBLIC MEETING TO REDUCE OR ELIMINATE PHYSICAL EDUCATION, THE  
32 ARTS, MUSIC, CAREER AND TECHNICAL EDUCATION OR VOCATIONAL EDUCATION.  
33 2. Prescribe criteria for the promotion of pupils from grade to grade  
34 in the common schools in the school district. These criteria shall include  
35 accomplishment of the academic standards in at least reading, writing,  
36 mathematics, science and social studies, as determined by district  
37 assessment. Other criteria may include additional measures of academic  
38 achievement and attendance.  
39 C. The governing board may prescribe the course of study and  
40 competency requirements for promotion which are in addition to or higher than  
41 the course of study and competency requirements which the state board  
42 prescribes.  
43 D. A teacher shall determine whether to promote or retain a pupil in  
44 grade in a common school as provided in section 15-521, paragraph 3 on the  
45 basis of the prescribed criteria. The governing board, if it reviews the

1 decision of a teacher to promote or retain a pupil in grade in a common  
2 school as provided in section 15-342, paragraph 11, shall base its decision  
3 on the prescribed criteria.

4 E. A governing board may provide and issue certificates of promotion  
5 to pupils whom it promotes from the eighth grade of a common school. Such  
6 certificates shall be signed by the principal or superintendent of schools.  
7 Where there is no principal or superintendent of schools, the certificates  
8 shall be signed by the teacher of an eighth grade. The certificates shall  
9 admit the holders to any high school in the state.

10 F. A governing board may request certificates of promotion from the  
11 county school superintendent. If a governing board requests these  
12 certificates from the county school superintendent, the county school  
13 superintendent shall furnish and sign the certificates.

14 G. Within any high school district or union high school district, the  
15 superintendent of the high school district shall supervise the work of the  
16 eighth grade of all schools employing no superintendent or principal.

17 H. A school district shall not deny a pupil who is between ~~the ages of~~  
18 sixteen and twenty-one years **OF AGE** admission to a high school because the  
19 pupil does not hold an eighth grade certificate. Governing boards shall  
20 establish procedures for determining the admissibility of pupils who are  
21 under sixteen years of age and who do not hold eighth grade certificates.

22 I. The state board of education shall adopt rules to allow common  
23 school pupils who can demonstrate competency in a particular academic course  
24 or subject to obtain academic credit for the course or subject without  
25 enrolling in the course or subject.

26 Sec. 2. Section 15-701.01, Arizona Revised Statutes, is amended to  
27 read:

28 **15-701.01. High school; graduation; requirements; community**  
29 **college or university courses; transfer from**  
30 **private schools; academic credit**

31 A. The state board of education shall:

32 1. Prescribe a minimum course of study, as defined in section 15-101  
33 and incorporating the academic standards adopted by the state board of  
34 education, for the graduation of pupils from high school.

35 2. Prescribe competency requirements for the graduation of pupils from  
36 high school incorporating the academic standards in at least the areas of  
37 reading, writing, mathematics, science and social studies.

38 3. Develop and adopt competency tests pursuant to section 15-741 for  
39 the graduation of pupils from high school in at least the areas of reading,  
40 writing and mathematics and shall establish passing scores for each such  
41 test. ~~A pupil not successfully passing the required competency test shall~~  
42 ~~graduate from high school with a recognized diploma if the pupil meets the~~  
43 ~~alternative graduation requirements established by section 15-701.02.~~ A  
44 pupil shall not be required to pass the competency test required in this  
45 paragraph to graduate from high school if the pupil transfers into the

1 district from out-of-state and has successfully passed a statewide assessment  
2 test on state adopted standards that are substantially equivalent to the  
3 state board adopted academic standards.

4 B. If the state board of education adopts a competency test as a  
5 graduation requirement for a child with a disability as defined in section  
6 15-761 or a child who receives special education pursuant to section 15-763,  
7 pupils with individualized education programs shall not be required to  
8 achieve passing scores on competency tests in order to graduate from high  
9 school unless the pupil is learning at a level appropriate for the pupil's  
10 grade level in a specific academic area and unless passing scores on a  
11 competency test ~~is~~ ARE specifically required in a specific academic area by  
12 the pupil's individualized education program as mutually agreed on by the  
13 pupil's parents and the pupil's individualized education program team or the  
14 pupil, if the pupil is at least eighteen years of age. These competency  
15 tests shall be administered to pupils in a manner prescribed in the pupil's  
16 individualized education program and school districts and charter schools  
17 shall make specific and appropriate accommodations for pupils with  
18 individualized education programs. Pupils with section 504 plans as defined  
19 in section 15-731 shall not be required to achieve passing scores on  
20 competency tests in order to graduate from high school unless the pupil is  
21 learning at a level appropriate for the pupil's grade level in a specific  
22 academic area and unless passing scores on a competency test ~~is~~ ARE  
23 specifically required in a specific academic area by the pupil's section 504  
24 plan that is developed in consultation with the pupil's parents. These  
25 competency tests shall be administered to pupils in a manner prescribed in  
26 the pupil's section 504 plan and school districts and charter schools shall  
27 make specific and appropriate accommodations for pupils with a section 504  
28 plan. A pupil with an individualized education program or a section 504 plan  
29 who graduates from high school but who is not required to achieve a passing  
30 score on a competency test in order to graduate from high school shall  
31 receive the standard diploma issued by the school district or charter school.

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

33 1. Prescribe curricula that include the academic standards in the  
34 required subject areas pursuant to subsection A, paragraph 1 of this section.  
35 A SCHOOL DISTRICT SHALL NOT ELIMINATE OR REDUCE INSTRUCTION IN PHYSICAL  
36 EDUCATION, THE ARTS, MUSIC, CAREER AND TECHNICAL EDUCATION OR VOCATIONAL  
37 EDUCATION IN ORDER TO COMPLY WITH THE REQUIREMENTS OF THIS PARAGRAPH UNLESS  
38 THE REDUCTION OR ELIMINATION OF INSTRUCTION IN PHYSICAL EDUCATION, THE ARTS,  
39 MUSIC, CAREER AND TECHNICAL EDUCATION OR VOCATIONAL EDUCATION IS NECESSARY  
40 FOR BUDGETARY REASONS, UNLESS THE GOVERNING BOARD OF THE SCHOOL DISTRICT  
41 VOTES AT A PUBLIC MEETING TO REDUCE OR ELIMINATE PHYSICAL EDUCATION, THE  
42 ARTS, MUSIC, CAREER AND TECHNICAL EDUCATION OR VOCATIONAL EDUCATION OR  
43 BECAUSE ENROLLMENT OR INTEREST IN THAT SUBJECT IS INSUFFICIENT TO JUSTIFY  
44 CONTINUED INSTRUCTION IN THAT SUBJECT.

1           2. Prescribe criteria for the graduation of pupils from the high  
2 schools in the school district. These criteria shall include accomplishment  
3 of the academic standards in at least reading, writing, mathematics, science  
4 and social studies, as determined by district assessment. Other criteria may  
5 include additional measures of academic achievement and attendance.

6           ~~C.~~ D. The governing board may prescribe the course of study and  
7 competency requirements for the graduation of pupils from high school which  
8 are in addition to or higher than the course of study and competency  
9 requirements which the state board prescribes.

10          ~~D.~~ E. The governing board may prescribe competency requirements for  
11 the passage of pupils in courses which are required for graduation from high  
12 school.

13          ~~E.~~ F. A teacher shall determine whether to pass or fail a pupil in a  
14 course in high school as provided in section 15-521, paragraph 3 on the basis  
15 of the competency requirements, if any have been prescribed. The governing  
16 board, if it reviews the decision of a teacher to pass or fail a pupil in a  
17 course in high school as provided in section 15-342, paragraph 11, shall base  
18 its decision on the competency requirements, if any have been prescribed.

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

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

43           2. "University" means a university under the jurisdiction of the  
44 Arizona board of regents.

1           ~~G~~ H. A pupil who transfers from a private school shall be provided  
2 with a list that indicates those credits that have been accepted and denied  
3 by the school district. A pupil may request to take an examination in each  
4 particular course in which credit has been denied. The school district shall  
5 accept the credit for each particular course in which the pupil takes an  
6 examination and receives a passing score on a test designed and evaluated by  
7 a teacher in the school district who teaches the subject matter on which the  
8 examination is based. In addition to the above requirements, the governing  
9 board of a school district may prescribe requirements for the acceptance of  
10 the credits of pupils who transfer from a private school.

11           ~~H~~ I. The state board of education shall adopt rules to allow high  
12 school pupils who can demonstrate competency in a particular academic course  
13 or subject to obtain academic credit for the course or subject without  
14 enrolling in the course or subject.

15           Sec. 3. Section 15-702, Arizona Revised Statutes, is amended to read:  
16           15-702. High school equivalency diploma; fees; rules

17           A. Any person who is sixteen years of age or older and who passes a  
18 general educational development test shall be awarded an Arizona high school  
19 equivalency diploma by the state board of education and the state  
20 superintendent of public instruction. The state board of education may  
21 establish eligibility requirements for persons wishing to take a general  
22 educational development test, except that the minimum age required to take  
23 the test may not be older than sixteen nor shall the board require the  
24 completion of any high school credits.

25           B. A person who meets the minimum course of study and competency  
26 requirements prescribed by the state board of education for graduation from  
27 high school through a combination of high school credits and community  
28 college and university credits, which are converted to high school credits in  
29 the same manner as provided in section 15-701.01, subsection ~~F~~ G by the  
30 governing board or the state board of education, shall be awarded an Arizona  
31 high school equivalency diploma.

32           C. The state board of education may establish and collect fees for the  
33 issuance and reissuance of the following:

- 34           1. A general equivalency diploma.  
35           2. A general equivalency transcript.

36           D. The state board of education shall ~~develop~~ ADOPT rules for fee  
37 waivers for the general equivalency diploma and general equivalency  
38 transcripts.

39           Sec. 4. Department of education; survey of physical education,  
40 the arts, music, career and technical education and  
41 vocational education; report

42           A. The department of education shall survey school districts in this  
43 state to determine whether and to what extent school districts provide  
44 instruction in physical education, the arts, music, career and technical  
45 education and vocational education.

1           B. The department of education shall complete the survey and submit a  
2 detailed report that summarizes the information collected in the survey to  
3 the governor, the president of the senate and the speaker of the house of  
4 representatives on or before December 15, 2008. The department of education  
5 shall provide a copy of this report to the secretary of state and the  
6 director of the Arizona state library, archives and public records.