



NOTICES OF FINAL EXEMPT RULEMAKING

This section of the Arizona Administrative Register contains Notices of Final Exempt Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the

interpretation of the final exempt rule should be addressed to the agency proposing them. Refer to Item #5 to contact the person charged with the rulemaking.

NOTICE OF FINAL EXEMPT RULEMAKING

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

PREAMBLE

[R16-13]

- 1. Article, Part, or Section Affected (as applicable) Rulemaking Action
R7-2-302 Amend
R7-2-302.10 Repeal
2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific), and the statute or session law authorizing the exemption:
Authorizing statute: A.R.S. §§ 15-203(A)(1) and 15-203(A)(14)
Implementing statute: Not applicable
3. The effective date of the rules and the agency's reason it selected the effective date:
October 26, 2015
4. A list of all notices published in the Register as specified in R1-1-409(A) that pertains to the record of the exempt rulemaking:
Not applicable
5. The agency's contact person who can answer questions about the rulemaking:
Name: Dr. Karol Schmidt, Executive Director
Address: State Board of Education
1700 W. Washington, Suite 300
Phoenix, AZ 85007
Telephone: (602) 542-5057
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6. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered to include an explanation about the rulemaking:
A.R.S. § 15-701.01 requires the Board to prescribe a minimum course of study and competency requirements for the graduation of students from high school. Two pieces of legislation enacted in 2015 require conforming changes to the high school minimum course of study.
Laws 2015, Chapters 1, requires students, beginning with the class of 2017, to correctly answer at least sixty of one hundred questions on a civics test identical to the civics portion of the naturalization test used by the United States Citizenship and Immigration Services in order to graduate.
Laws 2015, Chapters 5, specifically states that students are not required to pass the statewide assessment in order to graduate through school year 2018. This law conflicts with the Board policy and rules adopted in 2013-14 that required students through the class of 2017 to pass the previous statewide assessment (AIMS) in reading, mathematics and writing in order to graduate from high school.
7. A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:
Not applicable
8. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:
Not applicable



- 9. The summary of the economic, small business and consumer impact, if applicable:**
The rules are not expected to have significant, if any, economic impact on small businesses.
- 10. A description of the changes between the proposed rules, including supplemental notices and final rules (if applicable):**
Not applicable
- 11. A summary of the comments made regarding the rule and the agency response to them:**
Pursuant to the Board's rulemaking procedures, a public hearing was held on October 23, 2015, to collect public input on the proposed rule changes. No comments were received.
- 12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**
Not applicable
- 13. Incorporations by reference and their location in the rules:**
Not applicable
- 14. Was this rule previously made as an emergency rule? If so, please indicate the Register citation:**
Not applicable
- 15. The full text of the rule follows:**

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

ARTICLE 3. CURRICULUM REQUIREMENTS AND SPECIAL PROGRAMS

Section

- R7-2-302. Minimum Course of Study and Competency Requirements for Graduation from High School
R7-2-302.10. ~~AIMS, Substitute Passing Scores or Additional Credit, Beginning with the Graduation Class of 2013 Repealed~~

ARTICLE 3. CURRICULUM REQUIREMENTS AND SPECIAL PROGRAMS

R7-2-302. Minimum Course of Study and Competency Requirements for Graduation from High School

The Board prescribes the minimum course of study and competency requirements as outlined in subsections (1) through (5) and, beginning with the graduating class of 2017, receipt of a passing score of sixty correct answers out of one hundred questions on a civics test identical to the civics portion of the naturalization test used by the United States Citizenship and Immigration Services as prescribed in A.R.S. § 15-701.01(A)(2) ~~on the reading, mathematics, and writing portions of the AIMS (Arizona's Instrument to Measure Standards) assessment for the graduation of pupils from high school or issuance of a high school diploma, effective for the graduation class of 2013.~~

1. No change
 - a. No change
 - b. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - c. No change
 - i. Two credits containing course content covering the following areas in preparation for proficiency at the high school level on the AIMS test statewide assessment: Number Sense and Operations; Data Analysis, Probability and Discrete Mathematics; Patterns, Algebra and Functions; Geometry and Measurement; and Structure and Logic. These credits shall be taken consecutively beginning with the ninth grade unless a student meets these requirements prior to the ninth grade pursuant to subsection (1)(c)(iv).
 - ii. No change
 - iii. No change
 - iv. No change
 - v. No change
 - d. Three credits of science in preparation for proficiency at the high school level on the AIMS test statewide assessment.
 - e. No change
 - f. No change
 - g. No change
2. No change



- a. No change
- b. No change
- c. No change
- d. No change
- 3. No change
- 4. No change
 - a. No change
 - b. No change
 - c. No change
- 5. No change
 - a. The awarding of a credit toward the completion of high school graduation requirements shall be based on the successful completion of State Board-adopted academic standards for subject areas listed in subsections (1)(a) through (1) (e) and the successful completion of the competency requirements for the elective subjects specified in subsection (1)(f). Competency requirements for elective subjects as specified in subsection (1) (f) shall be the academic standards adopted by the State Board. If there are no adopted academic standards for an elective subject, the local school district governing board or charter school shall be responsible for developing and adopting competency requirements for the successful completion of the elective subject. The school district governing board or charter school shall be responsible for developing and adopting the method and manner in which to administer a test that is identical to the civics portion of the naturalization test used by the united states citizenship and immigration services, and a pupil who does not obtain a passing score on the test may retake the test until the pupil obtains a passing score.
 - b. No change
 - c. No change
- 6. No change

R7-2-302.10. AIMS, Substitute Passing Scores or Additional Credit, Beginning with the Graduation Class of 2013 Repealed

- ~~A. For the purpose of satisfying the graduation requirement to achieve a passing score on the AIMS:

 - 1. The Board shall adopt a minimum score required on one or more nationally recognized college entrance examinations selected by the state board of education, if examination information may be accessed at no cost to this state, as a substitute for passing scores on the AIMS test for a pupil who is in grade twelve;
 - 2. The Board shall adopt a minimum score required on a board examination prescribed in Arizona Revised Statutes, Title 15, Chapter 7, Article 6, as a substitute for passing scores on the AIMS test if a pupil who is in grade twelve has previously taken the board examination and has not achieved the minimum score required to be eligible for a Grand Canyon diploma; and
 - 3. If a pupil has transferred into a district from out of state and has successfully passed a statewide assessment test on state adopted standards that are substantially equivalent to the state board adopted academic standards, the pupil shall not be required to pass AIMS in order to graduate from high school.
 - 4. The Board shall adopt a minimum score required on any subsequently adopted assessments to measure pupil achievement of the state board adopted academic standards in reading writing and mathematics adopted by the Board pursuant to §15 741, as a substitute for passing scores on the AIMS test for pupils in the graduating class of 2015 and 2016.~~
- ~~B. Beginning with the graduation class of 2013 a pupil who fails to achieve a passing score on the AIMS assessment for high school graduation may graduate if the pupil meets the AIMS augmentation requirements established pursuant to this Section.~~
- ~~C. A school district or charter school is not required to comply with this Section if it is determined that augmenting the pupil's score on any section of the AIMS assessment by five percent would not meet or exceed the "Meets the Standard" threshold.~~
- ~~D. A pupil is eligible for the AIMS augmentation requirement established pursuant to this Section if all of the following apply:

 - 1. The pupil has completed with a passing grade all coursework and credits prescribed for the graduation of pupils from high school by the governing board of the pupil's school district or charter school.
 - 2. The pupil has taken the AIMS assessment each time the test was offered when the pupil was eligible to take the test after August 12, 2005.
 - 3. The pupil has participated in any academic remediation program available in the pupil's school in those subject areas where the pupil failed to achieve a passing score on AIMS.~~
- ~~E. If a pupil is not eligible for the AIMS augmentation due to a failure to meet the requirements in subsections (C)(2) and/or (3) the student may appeal this decision to the local governing board. The governing board may delegate these appeals to other school district or charter school officials. All appeals held pursuant to this subsection shall comply with the following requirements:

 - 1. The governing board shall adopt a form for a petition that a pupil, or a pupil's parent or legal guardian, must complete to initiate an appeal. The petition shall indicate what requirement is being appealed and the basis for the~~



- appeal. The petition shall also include a written explanation of the appeal procedures used by the school district or charter school.
2. The pupil, or the pupil's representative, shall have the burden of demonstrating what circumstances prevented compliance with the requirements in subsections (C)(2) and/or (3).
 3. An appeal for failing to meet the requirement in subsection (C)(2) should be granted only upon presentation of credible evidence that extreme circumstances made the pupil ineligible for each AIMS assessment administration the student did not attend.
 4. An appeal for failing to meet the requirement in subsection (C)(3) should be granted only upon presentation of credible evidence that the pupil has participated in at least one state or school sanctioned remediation program in those subject areas where the pupil failed to achieve a passing score on the AIMS assessment.
 5. School district or charter school officials shall provide adequate notice to the pupil and the pupil's parents or legal guardians regarding the date, time and place of the appeal. A pupil, or a pupil's representative, may participate in the appeal either personally, by telephone, or by providing written documentation.
 6. All other procedures regarding these appeals shall be determined by the local school district or charter school governing board.
- F.** Every school district or charter school that graduates pupils from high school shall determine whether the pupils that have failed to achieve a passing score on any section of the AIMS assessment meet the AIMS augmentation requirements established by this Section. In making this determination the school or school district shall adhere to the following requirements:
1. The school district or charter school shall augment the score of each section of the AIMS assessment where a pupil failed to achieve a passing score with additional points derived from classroom performance. These points shall represent a potential percentage augmentation from a pupil's original score. The number of additional points shall be calculated as follows:
 - a. Only classes that satisfy the following 15 credits shall be included in the calculation:
 - i. Four credits of English or English as a Second Language, which shall include but not be limited to the following: grammar, writing, and reading skills, advanced grammar, composition, American literature, advanced composition, research methods and skills and literature. One half credit of the English requirement shall include the principles of speech and debate but not be limited to those principles.
 - ii. Three credits in social studies to include the following:
 - (1) One credit of American history, including Arizona history;
 - (2) One credit of world history/geography;
 - (3) One half credit of American government, including Arizona government; and
 - (4) One half credit of economics.
 - iii. Four credits of mathematics to minimally include the following:
 - (1) Two credits containing course content covering the following areas in preparation for proficiency on the AIMS test: Number Sense and Operations; Data Analysis, Probability and Discrete Mathematics; Patterns, Algebra and Functions; Geometry and Measurement; and Structure and Logic. These credits shall be taken consecutively beginning with the ninth grade unless a student meets these requirements prior to the ninth grade pursuant to R7-2-302.02(1)(c)(iv).
 - (2) One credit covering Algebra II or course content equivalent to Algebra II. Courses meeting this requirement may include but are not limited to, career and technical education and vocational education, economics, science, and arts courses as determined by the local school district governing board or charter school.
 - (3) One credit that includes significant mathematics content as determined by the local school district governing board or charter school.
 - (4) Courses successfully completed prior to the ninth grade that meet the high school mathematics credit requirement may be applied toward satisfying those requirements.
 - (5) Mathematics credits earned using a personal curriculum pursuant to R7-2-302.03 may substituted for the credit in subsection R7-2-302.10(E)(1)(a)(iii)(2).
 - iv. Three credits of science in preparation for proficiency at the high school level on the AIMS test.
 - v. One credit of fine arts or career and technical education and vocational education.
 - b. Each eligible grade in an advanced placement class, or a school district or charter school designated "honors" class, up to the 1 1/2 credits prescribed in this Section, shall receive additional points as follows:
 - i. A letter grade of "A," or its equivalent, shall receive additional points equal to five times the amount of credit for that class.
 - ii. A letter grade of "B," or its equivalent, shall receive additional points equal to four times the amount of credit for that class.
 - iii. A letter grade of "C," or its equivalent, shall receive additional points towards the average augmentation equal to three times the amount of credit for that class.
 - iv. A letter grade of "D" or "F," or its equivalent, shall receive zero points towards the average.



- e. All other eligible grades, up to the 15 credits prescribed in this Section, shall receive additional points as follows:
 - i. A letter grade of "A," or its equivalent, shall receive additional points towards the average augmentation equal to four times the amount of credit for that class.
 - ii. A letter grade of "B," or its equivalent, shall receive additional points towards the average augmentation equal to three times the amount of credit for that class.
 - iii. A letter grade of "C," or its equivalent, shall receive additional points towards the average augmentation equal to two times the amount of credit for that class.
 - iv. Letter grades of "D" or "F," or their equivalent, shall receive zero points towards the average.
- d. Pupils that have earned additional credits in any of the areas prescribed in this Section may apply the grade that would award the highest augmentation.
- e. After determining a pupil's additional points the school district or charter school shall calculate the average number of points awarded per credit by dividing the sum of additional points earned by 15.
- f. The pupil's augmentation shall be calculated by applying the following formula:

$$\frac{\text{(Avg. Additional Points)}}{\text{(per Credit)}} \times \text{(Pupil's Original Score)} = \text{Augmentation Points}$$

- 2. The augmentation points shall be added to the pupil's highest achieved score on each section of the AIMS assessment where the student failed to achieve a passing score. If a pupil's augmented score exceeds the passing score for the applicable section of the AIMS assessment, the pupil shall be considered to have passed that section of the assessment for graduation purposes.
- 3. The school district or charter school shall augment the highest achieved score of each section of the AIMS assessment where a pupil failed to achieve a passing score separately and concurrently.
- G.** A pupil's augmented score shall be used only for the purpose of determining whether the pupil meets the competency test requirement for graduation from high school.
- H.** All school districts and charter schools shall report to the Arizona Department of Education the number of students in their schools that met the AIMS augmentation requirement prescribed in this Section. School districts and charter schools shall also report disaggregated data showing the number of students whose augmented scores met or exceeded the passing scores for the reading, writing and math sections of the AIMS assessment respectively. These reports shall be made annually and shall be received by the Arizona Department of Education by June 30.