

House Engrossed Senate Bill

online instruction; virtual setting; assessments

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

CHAPTER 239

SENATE BILL 1457

AN ACT

AMENDING TITLE 15, CHAPTER 8, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 15-808.01; RELATING TO ARIZONA ONLINE INSTRUCTION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 15, chapter 8, article 1, Arizona Revised
3 Statutes, is amended by adding section 15-808.01, to read:

4 15-808.01. Virtual schools; proctored assessments; virtual
5 setting; exemptions; definitions

6 A. EXCEPT AS PROVIDED IN SUBSECTION C OF THIS SECTION, EACH VIRTUAL
7 SCHOOL MAY ADMINISTER ANY ASSESSMENT THAT COMPLIES WITH SECTION 15-741 IN
8 A VIRTUAL SETTING, IF THE VIRTUAL SCHOOL DOES ALL OF THE FOLLOWING:

9 1. ASSIGNS A SPECIFIC DATE AND TIME TO ADMINISTER THE ASSESSMENT TO
10 PARTICIPATING STUDENTS IN A VIRTUAL SETTING, EXCEPT AS PROVIDED IN
11 SUBSECTION B OF THIS SECTION.

12 2. ADMINISTERS THE ASSESSMENT IN A SYNCHRONOUS SESSION THAT IS
13 INITIATED AND MANAGED BY PERSONNEL WHO ARE DESIGNATED BY THE VIRTUAL
14 SCHOOL.

15 3. PROVIDES AT LEAST ONE PROCTOR FOR EVERY TEN PARTICIPATING
16 STUDENTS TO MONITOR THE PARTICIPATING STUDENTS THROUGH SYNCHRONOUS VIDEO
17 FOR THE ENTIRE TESTING SESSION. FOR THE PURPOSES OF THIS PARAGRAPH, IF
18 THE TESTING PLATFORM DOES NOT ALLOW INTEGRATED CAMERA PROCTORING, THE
19 VIRTUAL SCHOOL SHALL REQUIRE EACH PARTICIPATING STUDENT TO USE A SECOND
20 DEVICE TO PROVIDE THE PROCTOR WITH SYNCHRONOUS VIDEO THAT SHOWS THE
21 STUDENT AND THE AREA IMMEDIATELY SURROUNDING THE STUDENT FOR THE ENTIRE
22 TESTING SESSION.

23 4. REQUIRES EACH PARTICIPATING STUDENT TO REMAIN IN THE VIRTUAL
24 SETTING UNTIL THE STUDENT IS INSTRUCTED TO EXIT THE TESTING PLATFORM BY
25 THE STUDENT'S ASSIGNED PROCTOR.

26 5. VERIFIES EACH ASSESSMENT THAT IS SUBMITTED BY A PARTICIPATING
27 STUDENT IN A VIRTUAL SETTING PURSUANT TO THIS SUBSECTION.

28 B. A VIRTUAL SCHOOL THAT ADMINISTERS AN ASSESSMENT PURSUANT TO
29 SUBSECTION A OF THIS SECTION MAY ALSO ADMINISTER THE ASSESSMENT IN PERSON
30 TO ANY SPECIFIC STUDENT OR GROUP OF STUDENTS AT A DATE AND TIME ASSIGNED
31 BY THE VIRTUAL SCHOOL IF THE VIRTUAL SCHOOL IDENTIFIES AN EXCEPTION TO THE
32 VIRTUAL SETTING THAT IS NECESSARY OR APPROPRIATE, INCLUDING AN EXCEPTION
33 FOR A STUDENT WHO HAS ONE OR MORE TESTING ACCOMMODATIONS IN THE STUDENT'S
34 INDIVIDUALIZED EDUCATION PROGRAM AS DEFINED IN SECTION 15-761 OR SECTION
35 504 PLAN AS DEFINED IN SECTION 15-731 OR FOR AN ENGLISH LEARNER AS DEFINED
36 IN SECTION 15-751 WHO NEEDS AN IN-PERSON ASSESSMENT.

37 C. A VIRTUAL SCHOOL MAY NOT ADMINISTER ANY OF THE FOLLOWING
38 PURSUANT TO SUBSECTION A OF THIS SECTION UNLESS THE ASSESSMENT IS
39 AVAILABLE TO BE PROCTORED IN A VIRTUAL SETTING:

40 1. A COLLEGE READINESS OR WORKFORCE ASSESSMENT PROVIDED BY A
41 NATIONAL COLLEGE AND CAREER READINESS ASSESSMENT PROVIDER.

42 2. AN ADVANCED PLACEMENT EXAMINATION.

43 3. AN INTERNATIONAL BACCALAUREATE EXAMINATION.

44 4. AN ALTERNATE ASSESSMENT AS INDICATED IN A STUDENT'S
45 INDIVIDUALIZED EDUCATION PROGRAM AS DEFINED IN SECTION 15-761.

1 5. AN ENGLISH LANGUAGE PROFICIENCY ASSESSMENT ADMINISTERED PURSUANT
2 TO SECTION 15-756.

3 D. WHEN SUFFICIENT MONIES ARE AVAILABLE, THE DEPARTMENT OF
4 EDUCATION SHALL INCLUDE A PROVISION FOR TESTING IN A VIRTUAL SETTING
5 PURSUANT TO SUBSECTION A OF THIS SECTION IN EACH CONTRACT THAT THE
6 DEPARTMENT EXECUTES OR EXTENDS WITH A THIRD-PARTY VENDOR FOR THE PROVISION
7 OF ANY ASSESSMENT THAT IS NOT LISTED IN SUBSECTION C OF THIS SECTION.
8 NOTWITHSTANDING SUBSECTION A OF THIS SECTION, A VIRTUAL SCHOOL MAY NOT
9 BEGIN ADMINISTERING AN ASSESSMENT PURSUANT TO SUBSECTION A OF THIS SECTION
10 UNTIL THE FIRST SCHOOL YEAR AFTER THE SCHOOL YEAR IN WHICH THE DEPARTMENT
11 EXECUTES OR EXTENDS A CONTRACT OR EXECUTES A CONTRACT AMENDMENT FOR THE
12 ASSESSMENT THAT INCLUDES THE PROVISION PRESCRIBED BY THIS SUBSECTION.

13 E. THIS SECTION DOES NOT REQUIRE A VIRTUAL SCHOOL TO ADMINISTER ANY
14 ASSESSMENT, INCLUDING THE ASSESSMENTS LISTED IN SUBSECTION C OF THIS
15 SECTION, IN A VIRTUAL SETTING.

16 F. FOR THE PURPOSES OF THIS SECTION:

17 1. "ASSESSMENT" MEANS A FORMAL ASSESSMENT, TEST OR EXAMINATION THAT
18 A PUBLIC SCHOOL IN THIS STATE IS REQUIRED BY STATE OR FEDERAL LAW TO
19 ADMINISTER TO STUDENTS WHO ARE ENROLLED IN THE SCHOOL.

20 2. "VIRTUAL SCHOOL" INCLUDES:

21 (a) A SCHOOL THAT PARTICIPATES IN ARIZONA ONLINE INSTRUCTION
22 PURSUANT TO SECTION 15-808.

23 (b) A DROPOUT RECOVERY PROGRAM THAT IS PROVIDED ONLINE PURSUANT TO
24 SECTION 15-901.06.

25 Sec. 2. Department of education; contracts for assessments;
26 delayed repeal

27 A. On or before June 30, 2026, if sufficient monies are available,
28 the department of education shall include the provision required by
29 section 15-808.01, subsection D, Arizona Revised Statutes, as added by
30 this act, in each contract that the department executes or extends with a
31 third-party vendor for the provision of an assessment to public schools in
32 this state.

33 B. This section is repealed from and after December 31, 2026.

APPROVED BY THE GOVERNOR JUNE 21, 2024.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 21, 2024.