



ARIZONA STATE SENATE
Fifty-Sixth Legislature, Second Regular Session

AMENDED
FACT SHEET FOR S.B. 1457

online instruction; virtual setting; assessments

Purpose

Authorizes an Arizona Online Instruction (AOI) school or dropout recovery program (DRP) that is provided online to administer a statewide assessment in a virtual setting as outlined.

Background

The State Board of Education (SBE) must adopt and implement annual statewide assessments to measure pupil achievement of the SBE-adopted academic standards in reading, writing and mathematics and may administer assessments of the academic standards in social studies and science. The SBE must ensure that the assessments are uniform throughout Arizona and establish: 1) fair and consistent methods and standards for evaluating assessment scores from schools within a school district (district schools); and 2) intervention strategies to assist schools with scores below the acceptable standard. The SBE must annually review district and school scores and offer assistance to school districts in analyzing data and implementing intervention strategies ([A.R.S. § 15-741](#)).

AOI allows school districts and charter schools to develop and provide online instructional systems. The SBE selects district schools and state-approved charter authorizers sponsor charter schools to be AOI schools or course providers. The SBE and state-approved charter authorizers develop standards for the approval of AOI schools and course providers based on specified criteria.

Statute subjects AOI students to the statewide assessment requirements. A student may not participate in AOI if: 1) the student fails to comply with the testing requirements; and 2) the AOI school or course provider administers the tests to less than 95 percent of the participating students. An AOI school or course provider must notify a student's parent or guardian of the state assessment requirements when a student enrolls. ([A.R.S. § 15-808](#)).

A DRP is an alternative education program that assists pupils who left the education system to achieve a high school diploma in an alternative setting ([ADE](#)). Each alternative school within a school district and each alternative charter school that provides instruction to high school students may offer a DRP for eligible students. The SBE must prescribe standards and achievement testing requirements for DRPs that attempt to ensure a DRP is compatible with public school education goals and requirements. A DRP may deliver the curricula to students online, but an AOI school or course provider may not provide a DRP ([A.R.S. § 15-901.06](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Allows a virtual school to administer a statewide assessment in a virtual setting, if the virtual school:
 - a) assigns a specific date and time to administer the assessment to participating students in a virtual setting;
 - b) administers the assessment in a synchronous session that is initiated and managed by personnel who are designated by the virtual school;
 - c) provides at least one proctor for every ten participating students through synchronous video for the entire testing session;
 - d) requires each participating student to remain in the virtual setting until the assigned proctor instructs the student to exit the testing platform; and
 - e) verifies each assessment that is submitted by a participating student in a virtual setting.
2. Directs, if a testing platform does not allow integrated camera proctoring, a virtual school to require each participating student to use a second device to provide the proctor with synchronous video that shows the student and the area immediately surrounding the student for the entire testing session.
3. Allows a virtual school that administers a statewide assessment in a virtual setting to also administer the assessment in person to any specific student or group of students at a date and time assigned by the virtual school, if the virtual school identifies an exception to the virtual setting that is necessary and appropriate.
4. Specifies that necessary and appropriate exceptions to a virtual setting includes exceptions for a student who:
 - a) has at least one testing accommodation in the student's Individualized Education Program (IEP) or Section 504 plan; or
 - b) is an English Language Learner and needs an in-person assessment.
5. Prohibits a virtual school from administering the following assessments in a virtual setting, unless the assessment is available to be proctored in a virtual setting:
 - a) a college readiness or workforce assessment provided by a national college and career readiness assessment provider;
 - b) an Advanced Placement examination;
 - c) an International Baccalaureate examination;
 - d) an alternate assessment as indicated in a student's IEP; or
 - e) an English Language Proficiency assessment.
6. Requires the Arizona Department of Education (ADE), when sufficient monies are available, to include a provision for testing in a virtual setting in each contract ADE executes or extends with a third-party vendor that provides any assessment, other than the outlined assessments exempt from being administered in a virtual setting.
7. Prohibits a virtual school from administering an assessment in a virtual setting until the first school year after the school year in which ADE executes or extends a contract, or executes a contract amendment, for the assessment that includes a provision for testing in a virtual setting.
8. Determines that a virtual school is not required to administer any assessment in a virtual setting.

- 9. Defines *assessment* as a formal assessment, test or examination that an Arizona public school is required by state or federal law to administer to enrolled students.
- 10. Defines *virtual school* to include:
 - a) an AOI school or course provider; and
 - b) a DRP that is provided online.
- 11. Becomes effective on the general effective date.

Amendments Adopted by Committee of the Whole

- 1. Authorizes an AOI school or course provider to administer a statewide assessment or test at a testing center.
- 2. Prohibits an AOI school or course provider from administering specified assessments in a virtual setting or at a testing center, unless the assessment is available by remote access.
- 3. Makes conforming changes.

Amendments Adopted by the House of Representatives

- 1. Extends the authorization to administer an assessment in a virtual setting to a DRP that is provided online.
- 2. Removes the authorization and requirements to administer an assessment at a testing center.
- 3. Allows a virtual school that administers an assessment in a virtual setting to also administer the assessment in person as specified if an exception to virtual testing is necessary or appropriate.
- 4. Outlines necessary or appropriate exemptions to testing in a virtual setting.
- 5. Requires ADE, when monies are available, to include a provision for testing in a virtual setting in each contract ADE executes or extends with a third-party provider that provides an assessment.
- 6. Prohibits a virtual school from administering an assessment in a virtual setting until the first school year after the school year in which ADE executes or extends a contract for the assessment that includes a provision for testing in a virtual setting.
- 7. Determines that a virtual school is not required to administer any assessment in a virtual setting.
- 8. Defines *assessment* and *virtual school*.
- 9. Makes technical and conforming changes.

Senate Action

House Action

| | | | | | | | |
|----------------------|---------|----|--------|----------------------|---------|-----|----------|
| ED | 2/14/24 | DP | 7-0-1 | APPROP | 3/20/24 | DPA | 12-3-2-0 |
| 3 rd Read | 3/6/24 | | 30-0-0 | 3 rd Read | 6/15/24 | | 35-20-5 |