



## 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 promulgating the rules. 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

[R16-152]

#### PREAMBLE

1. **Article, Part, or Section Affected (as applicable)**      **Rulemaking Action**  
R7-2-201      Amend
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)(3)  
Implementing statute: Not applicable
3. **The effective date of the rules and the agency's reason it selected the effective date:**  
August 1, 2016
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:**  
N/A
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  
Fax: (602) 542-3046  
E-mail: inbox@azsbe.az.gov
6. **An agency's justification and reason why a rule should be made, amended, repealed, or renumbered to include an explanation about the rulemaking:**  
Pursuant to A.R.S. § 15-203(A)(3) regarding the Board's powers to make rules for its own governance, the Board passed an amendment to R7-2-201 at its August 1, 2016 special meeting. R7-2-201 includes provisions related to the structure, membership and tasks of advisory committees, as well as appointment and removal of members. The adopted amendments to R7-2-201 distinguish between standing and ad hoc advisory committees, create an executive committee, and provide for the appointment of members to ad hoc advisory committees.
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:**  
N/A
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:**  
N/A
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):  
N/A
11. A summary of the comments made regarding the rule and the agency response to them:  
A public hearing was held regarding these proposed rules on July 18, 2016. No comment was received.
12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:  
N/A
13. Incorporations by reference and their location in the rules:  
N/A
14. Was this rule previously made as an emergency rule? If so, please indicate the Register citation:  
N/A
15. The full text of the rule follows:

## TITLE 7. EDUCATION

### CHAPTER 2. STATE BOARD OF EDUCATION

#### ARTICLE 2. STATE BOARD OF EDUCATION COMMITTEES

Section

R7-2-201. Advisory Committees

#### ARTICLE 2. STATE BOARD OF EDUCATION COMMITTEES

##### **R7-2-201. Advisory Committees**

- A. The State Board of Education ("Board") may create an advisory committee for the purpose of providing advice and recommendations as assigned by the Board. In this rule, unless the context otherwise requires, the following definitions shall apply:
  1. "Ad Hoc Advisory Committee" means a committee, established by the Board, for a limited time and scope, for the purpose of providing advice and recommendations to the Board.
  2. "Executive Committee" means a committee, whose members consist of the President and Vice-President of the Board, established for the purpose of appointing ad hoc advisory committee members.
  3. "Standing Advisory Committee" means the Certification Advisory Committee, the Certification Appeals Advisory Committee, and the Professional Practices Advisory Committee, or any other designated permanent committee, established by the Board, for the specific purpose of providing ongoing advice and recommendations as assigned by the Board.
- ~~B.~~ Any advisory committee or similar body that has been created by either the Board or ~~legislation~~ statute shall be appointed and conduct its business in accordance with this rule except as otherwise required by law.
- ~~B-C.~~ The Board shall determine the structure, membership, and tasks of any standing advisory committee the Board has created. An advisory committee created by the Board shall exist for the time necessary to accomplish its assigned task or for one year from the date it is created, whichever is less. An advisory committee created by the Board may continue to function beyond a one-year period only with the express approval of the Board.
- ~~C-D.~~ The Board's Appointments Subcommittee, whose members are appointed by the President of the Board, shall review nominations submitted by the Board members for appointment to ~~an~~ a standing advisory committee and shall provide a recommendation to the Board for consideration. A vacancy on ~~an~~ a standing advisory committee shall be filled in the manner described in this Section.
- ~~E.~~ The Board shall determine the structure and task of an ad hoc advisory committee it has created and may make ~~suggestions as to members. The Executive Committee shall appoint the members of an ad hoc advisory committee. An ad hoc advisory committee shall exist for the time necessary to accomplish its assigned task or for one year from the date it is created, whichever is less. An ad hoc advisory committee may continue to function beyond a one-year period only with the express approval of the Executive Committee. A vacancy on an ad hoc advisory committee shall be filled in the manner prescribed by the Executive Committee.~~
- ~~D-E.~~ The Board may in its discretion remove any member from and dissolve any standing advisory committee that the Board has created. The Executive Committee may in its discretion remove any member from and dissolve any ad hoc advisory committee that the Executive Committee has created.
- ~~E-G.~~ An advisory committee shall not conduct a meeting of its members without prior acknowledgment from the ~~Administrator to Executive Director~~ of the Board that the notice and agenda for the meeting have been approved by the President of the Board and posted and that there are sufficient funds to meet all expenses that would be incurred in connection with such meeting. An advisory committee member shall not obligate the payment of Board funds.
- ~~F-H.~~ The meetings of ~~an advisory~~ a committee shall be held at the offices of the ~~Department of Education Board~~ or any other facility for which no charges would be incurred for use of the facility. ~~Meetings of an advisory committee shall be held~~



as needed but shall not exceed four meetings per fiscal year without prior express approval of the Superintendent of Public Instruction.

~~G.L.~~ No change

~~H.J.~~ No change

~~I.K.~~ No change

1. Annually ~~Select~~ select from its members a chair and vice chair;

2. ~~Create procedures for conducting business not inconsistent with Robert's Rules of Order.~~

3-2. No change

~~J.L.~~ A quorum of an advisory committee shall be a majority of the voting members of the advisory committee. Voting members shall be only those members specifically appointed by the Board or Executive Committee. A quorum of an advisory committee is necessary to conduct its business. An affirmative vote of the majority of voting members present is necessary for an advisory committee to take action.

~~K.M.~~ No change

## NOTICE OF FINAL EXEMPT RULEMAKING

### TITLE 7. EDUCATION

#### CHAPTER 2. STATE BOARD OF EDUCATION

[R16-153]

#### PREAMBLE

1. Article, Part, or Section Affected (as applicable) Rulemaking Action  
R7-2-615 Amend
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: SB1208, Session Law 325 (Fifty-Second Legislature Second Regular Session)
3. The effective date of the rules and the agency's reason it selected the effective date:  
August 6, 2016
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:  
N/A
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  
Fax: (602) 542-3046  
E-mail: inbox@azsbe.az.gov
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. § 15-203(A)(14) authorizes the State Board to supervise and control the certification of educators. SB1208, Session Law 325 (Fifty-Second Legislature Second Regular Session), made a major change to the rules governing teacher certification. The law states that a provisional or full Structured English Immersion Endorsement may not be required for the purposes of teacher certification if the applicant is not being certificated to teach students in a Sheltered English Immersion or Structured English Immersion model, but does not prohibit a school district or charter school from requiring a Structured English Immersion Endorsement as a condition of employment. Conforming changes are made to R7-2-615(L).
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:  
N/A
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:  
N/A



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):**  
N/A
11. **A summary of the comments made regarding the rule and the agency response to them:**  
A public hearing was held regarding these proposed rules on July 18, 2016. No comment was received.
12. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**  
N/A
13. **Incorporations by reference and their location in the rules:**  
N/A
14. **Was this rule previously made as an emergency rule? If so, please indicate the Register citation:**  
N/A
15. **The full text of the rule follows:**

## TITLE 7. EDUCATION

### CHAPTER 2. STATE BOARD OF EDUCATION

#### ARTICLE 6. CERTIFICATION

Section  
R7-2-615.      Endorsements

#### ARTICLE 6. CERTIFICATION

#### R7-2-615.      Endorsements

- A. No change
- B. No change
- C. No change
- D. No change
  1. No change
  2. No change
  3. No change
    - a. No change
    - b. No change
    - c. No change
      - i. No change
      - ii. No change
      - iii. No change
- E. No change
  1. No change
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- F. No change
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      - ii. No change
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    - d. No change
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      - ii. No change



- e. No change
  - f. No change
- G.** No change
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- H.** No change
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    - e. No change
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    - b. No change
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- I.** No change
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- J.** No change
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- 3. No change
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  - b. No change
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    - iii. No change
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  - c. No change
  - d. No change
  - e. No change
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    - ii. No change
    - iii. No change
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  - f. No change
- K. No change
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    - a. No change
    - b. No change
  - 3. No change
    - a. No change
    - b. No change
      - i. No change
      - ii. No change
      - iii. No change
      - iv. No change
      - v. No change
      - vi. No change
    - c. No change
    - d. No change
      - i. No change
      - ii. No change
      - iii. No change
      - iv. No change
      - v. No change
      - vi. No change
      - vii. No change
    - e. No change
- L. Structured English Immersion (SEI) Endorsements - Pre-K through 12
  - 1. ~~From and after August 31, 2006, an SEI, ESL or bilingual endorsement is required of all classroom teachers, supervisors, principals and superintendents. For purposes of this rule, "supervisor," "principal" and "superintendent" means an individual who holds a supervisor, principal or superintendent certificate. An ESL or Bilingual endorsement obtained by a supervisor, principal, or superintendent on an Arizona teaching certificate may be added to a supervisor, principal, or superintendent certificate in order to satisfy the requirement in subsection (L)(1).~~



A Provisional or full Structured English Immersion (SEI) endorsement, or an English as a Second Language or Bilingual endorsement, shall be required of a teacher who is instructing students in a sheltered English immersion or structured English immersion model.

2-1. No change

- a. An Arizona elementary, secondary, special education, CTE, early childhood, ~~arts education~~, PreK-12 teaching, supervisor, principal or superintendent certificate; and
- b. One semester hour or 15 clock hours of professional development in Structured English Immersion methods of teaching English Language Learner (ELL) students, including but not limited to instruction in SEI strategies, teaching with the ELL Proficiency Standards adopted by the Board and monitoring ELL student academic progress using a variety of assessment tools through a training program that meets the requirements of A.R.S. § 15-756.09(B).

3-2. No change

- a. An Arizona elementary, secondary, special education, CTE, early childhood, ~~arts education~~, PreK-12 teaching, supervisor, principal, or superintendent certificate; and one of the following:
  - i. No change
  - ii. No change
  - iii. No change

4-3. Nothing in this Section prevents a school ~~districts~~ district or charter school from requiring certified staff to obtain an SEI, ESL or bilingual endorsement as a condition of employment.

5. ~~The requirements for a SEI endorsement may be waived for a period not to exceed three years in accordance with certification reciprocity as prescribed in R7-2-621.~~

6. ~~The requirements for a SEI endorsement may be waived for a period not to exceed three years for individuals who graduate from administrator or teacher preparation programs that are not approved by the Board and meet all other applicable certification requirements.~~

7. ~~The requirement for a SEI endorsement may be waived for a period not to exceed one year for individuals who apply and otherwise qualify for a Provisional or Standard CTE Certificate pursuant to R7-2-612 under any option that does not require a valid Arizona teaching certificate.~~

**M.** No change

1. No change
2. No change
  - a. No change
  - b. No change
  - c. No change
3. No change
  - a. No change
  - b. No change
  - c. No change
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    - ii. No change
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**N.** No change

1. No change
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- P. No change
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      - iii. No change
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- R. No change
  - 1. No change
  - 2. No change
    - a. No change
    - b. No change

## NOTICE OF FINAL EXEMPT RULEMAKING

### TITLE 7. EDUCATION

### CHAPTER 2. STATE BOARD OF EDUCATION

[R16-154]

#### PREAMBLE

- |  |  |
|--|--|
| <p><b>1. <u>Article, Part, or Section Affected (as applicable)</u></b><br/>R7-2-619</p> <p><b>2. <u>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:</u></b><br/>Authorizing statute: A.R.S. §§ 15-203(A)(1) and 15-203(A)(14)<br/>Implementing statute: SB1208, Session Law 325 (Fifty-Second Legislature Second Regular Session)</p> <p><b>3. <u>The effective date of the rules and the agency's reason it selected the effective date:</u></b><br/>August 6, 2016</p> <p><b>4. <u>A list of all notices published in the <i>Register</i> as specified in R1-1-409(A) that pertains to the record of the exempt rulemaking:</u></b><br/>N/A</p> | <p><b><u>Rulemaking Action</u></b><br/>Amend</p> |
|--|--|





**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  
 Fax: (602) 542-3046  
 E-mail: inbox@azsbe.az.gov

**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. § 15-203(A)(14) authorizes the State Board to supervise and control the certification of educators. SB1208, Session Law 325 (Fifty-Second Legislature Second Regular Session), made a major change to the rules governing teacher certification. The law states standard certificates shall be renewed for at least eight years and may not require more than fifteen hours of continuing education credits each year in order to renew any certificate issued. Conforming changes are made to R7-2-619.

**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:**

N/A

**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:**

N/A

**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):**

N/A

**11. A summary of the comments made regarding the rule and the agency response to them:**

A public hearing was held regarding these proposed rules on July 18, 2016. No comment was received.

**12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**

N/A

**13. Incorporations by reference and their location in the rules:**

N/A

**14. Was this rule previously made as an emergency rule? If so, please indicate the Register citation:**

N/A

**15. The full text of the rule follows:**

**TITLE 7. EDUCATION**

**CHAPTER 2. STATE BOARD OF EDUCATION**

**ARTICLE 6. CERTIFICATION**

Section

R7-2-619. Renewal Requirements

**ARTICLE 6. CERTIFICATION**

**R7-2-619. Renewal Requirements**

- A. A certificate may be renewed within six months of its expiration date except that an individual holding multiple valid certificates may renew all certificates at one time in order to align the expiration dates of each certificate. Certificates being aligned shall be renewed at the same time as the certificate that will expire first. Individuals seeking to align certificates shall meet the renewal requirements for each certificate being aligned. Certificates that are renewed or aligned pursuant to this Section may shall be valid for less than six eight years.
- B. No change
- C. Renewal of certificates requires the completion of professional development continuing education credits after the most recent issuance or renewal of the certificate, except that professional development continuing education credits completed during the valid term of the certificate that expires first meets the requirement of certificates being aligned. One

Vol. 22, Issue 35 | *Published by the Arizona Secretary of State* | August 26, 2016



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:  
N/A
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:  
N/A
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):  
N/A
11. A summary of the comments made regarding the rule and the agency response to them:  
A public hearing was held regarding these proposed rules on July 18, 2016. Becky Hill spoke on behalf of the Arizona Chamber of Commerce and Industry and also offered a letter in support of additional changes consistent with legislative intent. Senator Allen, the sponsor of SB1208, submitted a letter and offered additional revisions to more closely reflect legislative intent.
12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:  
N/A
13. Incorporations by reference and their location in the rules:  
N/A
14. Was this rule previously made as an emergency rule? If so, please indicate the Register citation:  
N/A
15. The full text of the rule follows:

## TITLE 7. EDUCATION

### CHAPTER 2. STATE BOARD OF EDUCATION

#### ARTICLE 6. CERTIFICATION

Section  
R7-2-621. Reciprocity

#### ARTICLE 6. CERTIFICATION

##### **R7-2-621. Reciprocity**

- A. The Board shall issue a comparable, ~~reciprocal provisional standard~~ Arizona teaching certificate, if one is established pursuant to this ~~Chapter Article~~, to an applicant who holds a valid certificate from another state, that included a requirement to pass that state's certification exams in order to be certificated in that state if required at the time of certification, and is in good standing with that other state and possesses a bachelor's or higher degree from an accredited institution.
  1. Certificates shall be valid for ~~three~~ eight years and are ~~nonrenewable~~ renewable.
  2. No change
  3. The deficiencies allowed pursuant to Arizona Revised Statutes in Arizona Constitution; and United States Constitution; ~~and a passing score on all required portions of the Arizona Teacher Proficiency Assessment shall be satisfied prior to the issuance of the same type of certificate prescribed in this Chapter, except as noted below Article, but are subject to expiration as follows:~~
    - a. An applicant's standard Arizona teaching certificate shall expire three years from the date of issuance if the applicant has not completed the required class or passed a satisfactory examination on the provisions and principles of the Constitutions of the United States and Arizona.
    - b. An applicant's standard Arizona teaching certificate shall expire one year from the date of issuance if the applicant has not completed the required class or passed a satisfactory examination on the provisions and principles of the Constitutions of the United States and Arizona if the applicant applies for a certificate authorizing the person to teach an academic course that focuses predominantly on history, government, social studies, citizenship, law or civics.
    - a. ~~The professional knowledge portion of the Arizona Teacher Proficiency Assessment shall be waived for applicants with three years of verified teaching experience. The three years of verified teaching experience shall have been during the last valid period of the certificate produced from the other state.~~



- b. ~~The subject knowledge portion of the Arizona Teacher Proficiency Assessment shall be waived for applicants who hold a master's degree or higher in the subject area to be taught.~~
- e. ~~The professional knowledge and subject knowledge portions of the Arizona Teacher Proficiency Assessment shall be waived for applicants who hold a current certificate from the National Board for Professional Teaching Standards.~~
- 4. ~~For the purpose of this rule the requirements in R7-2-615(J), related to the Structured English Language Immersion Endorsement, shall be waived for a period not to exceed three years.~~
- B. The Board shall issue a comparable Arizona ~~reciprocal~~ supervisor, principal or superintendent certificate to an applicant who holds a valid equivalent certificate from another state, that included a requirement to pass that state's administrator exams in order to be certificated in that state if required at the time of certification, and is in good standing with that other state and meets the requirements as set forth in subsection R7-2-616(B)(3), R7-2-616(C)(3), or R7-2-616(D)(3) except that an applicant for a reciprocal administrative certificate shall be required to have completed three semester hours of school law and three semester hours of school finance within three years.
  - 1. ~~Certificates shall be valid for three~~ eight years and are ~~nonrenewable~~ renewable.
  - 2. No change
  - 3. ~~The deficiencies allowed pursuant to Arizona Revised Statutes in U.S./Arizona Constitutions, a passing score on all required portions of the Arizona Administrator Proficiency Assessment, fulfillment of Structured English Immersion (SEI) clock hours as required by Board rule, and fulfillment of three semester hours of school law and three semester hours of school finance shall be satisfied prior to the issuance of any other certificate prescribed in subsection R7-2-616(B), except as noted below:~~
    - a. ~~The applicable Arizona Administrator Proficiency Assessment shall be waived for applicants with a passing score on a comparable assessment from another state or three years of verified full-time administrative experience.~~
    - b. ~~The three years of verified administrative experience shall have been during the last valid period of the certificate produced from the other state.~~