



**GOVERNING BOARD AGENDA ITEM**  
**AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10**

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**DATE OF MEETING:**      **March 11, 2014**

**TITLE:**    **Periodic Legislative Update**

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**BACKGROUND:**

This Item is presented to update the Governing Board regarding the status of bills in the current (second regular) session of the 51<sup>st</sup> Arizona Legislature.

The proposed legislation is grouped together by the general topic.

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**RECOMMENDATION:**

This item is presented for the Board's information only at this time. No action is required.

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**INITIATED BY:**

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Todd A. Jaeger, Associate to the Superintendent

Date: March 6, 2014

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Patrick Nelson, Superintendent

**BILLS INTRODUCED  
IN THE FIFTY-FIRST LEGISLATURE, SECOND REGULAR SESSION**

**Employee-Related Bills**

**HB 2017      ASRS; defined contribution plan**

- Requires an alternative agreement between an employee and an employer to be executed within 30 days, rather than two years, of employment and before an appeal of ASRS's determination of eligibility.
- Requires an employer to determine whether to cover a retired member from another statewide retirement system or plan within 30 days of employment.
- Clarifies that eligibility for the defined contribution retirement plan, established by A.R.S. § 38-955, is determined by whether or not the employee is covered by the State's 218 agreement because the employee is exempt by a mandatory retirement plan exclusion.

*Status:* Passed by the House on 2/3; transmitted to the Senate and assigned to the Finance and Rules Committees on 2/18.

**HB 2018      ASRS; in service distributions**

- Permits a member of ASRS whose retirement date is on or after January 1, 2015 to retire without terminating employment if the member is at least 62 years old and no longer meets the requirements for active membership.
- Clarifies that ASRS must suspend the pension of any member whose retirement date is on or after January 1, 2015 until the member no longer meets the requirements for active membership, has attained normal retirement age, and is age 62 or older.
- Requires ASRS to suspend a member's pension if the member returns to direct employment with an employer within 30 days after the member's retirement date, unless the member is age 62 or older at normal retirement and is employed for less than the hours required for active membership, effective January 1, 2015.

*Status:* Passed by the House on 2/3; transmitted to the Senate and assigned to the Finance and Rules Committees on 2/18.

**HB 2023      fingerprint clearance cards; mandatory updates**

Requires (from permissible) the Fingerprint Division to conduct periodic state criminal history records checks for the purpose of updating the clearance status of current fingerprint clearance card holders and may notify the board of fingerprinting and the agency employing the person of the results of the records check.

*Status:* Assigned to House Committees on Public Safety, Military and Regulatory Affairs, and Rules.

**HB 2050      ASRS membership; section 218 requirements**

***Decoupling of ASRS from 218 Agreements***

- Decouples ASRS's eligibility requirements from the state's Section 218 agreement with the Social Security Administration. ASRS members will no longer be required to have coverage under these agreements.
- Defines *eligible employee* as one of the following:
  - an employee who is currently employed by an ASRS employer, who was previously enrolled in ASRS but was disenrolled because the employee was not included in agreements providing for the

- employee's Social Security coverage, and who had the member and employer contributions to ASRS returned to the employer and the employee's service credit reduced;
- an employee who is currently employed by an ASRS employer and who was not enrolled in ASRS because the employee was not included in agreements providing for the employee's Social Security coverage; and
- an employee who is currently employed by an ASRS employer and who was participating in the DC plan repealed by this act.
- Prohibits the following persons from membership in ASRS:
  - a person who performs services in a hospital, home or other institution as an inmate or patient at the hospital, home or other institution;
  - a person who performs agricultural labor services, as defined in Section 210 of the Social Security Act;
  - a person who is a nonresident alien temporarily residing in the United States and who holds an F-1, J-1, M-1 or Q-1 visa when services are performed;
  - a person who performs services for a school, college or university in this state at which the person is enrolled as a student, as defined by the employing institution. Requires the employing institution to maintain an appeal process; and
  - a person who performs services under a program designed to relieve the person from unemployment.
- Requires interest to be calculated from the date of the return of the employee's and employer's contributions, for an employee who was employed by an ASRS employer, but who had contributions to ASRS returned and service credit reduced,
- Repeals statute stipulating how employers were required to decide eligibility for ASRS before this legislation.

#### ***DC Plan***

- Repeals ASRS's defined contribution plan established by Laws 2013, Chapter 216 (DC Plan).
- Requires any employee participating in the DC plan repealed by this act to discontinue employee contributions to the DC plan and the accompanying long-term disability program (LTD)
- Requires ASRS, at the request of the employee and within 180 days of the effective date to either distribute the balance of the employee's DC plan account or transfer the balance of the employee's account to another eligible retirement 401 (a)(31)(E) plan. If the employee does not make a designation within the required time, ASRS shall transfer the balance of the employee's account to an individual retirement account and designate the employee as the account holder.
- Allows an employee who was participating in the DC plan and who is receiving LTD benefits to receive those benefits until the earliest of the following:
  - the date the member ceases to be totally disabled;
  - the date the member ceases to be under the direct care of a doctor or refuses to undergo any medical examination or participate in any work rehabilitation program;
  - the later of: a) age 65; b) The month following 60 months of payments if the disability commences before the member reaches 65 years of age; c) The month after the member is at least 65 years of age if the disability commences when the member is at least 65 years of age;
  - The month following 12 months of payments if the disability commences when the member is at least 69 years of age; and
  - if the member is convicted of a criminal offense and sentenced to more than six months in a jail, prison or other penal institution, the first day of the month following the first 30 continuous days of the member's confinement for the remainder of the confinement.

- Allows an employee who elects to transfer the balance of the employee's DC plan to ASRS, to either pay the difference or to accept a reduced amount of service credits, if that balance is less than the amount required to purchase the employee's service credit.

***Service Purchase within 180 Days***

- Requires an ASRS employer to enroll an eligible employee in ASRS and allows the eligible employee to have the previous period of continuous employment credited for pension purposes if both of the following conditions are met:
  - the eligible employee elects to purchase eligible service credit within 90 days after the effective date of this act; and
  - the eligible employee pays into the ASRS depository the prescribed amounts within 180 days after the effective date of this act.
- Requires the employee to pay member contributions that would have been contributed by the employer on the employee's behalf, plus interest, equal to the interest rate assumption approved by the ASRS board for actuarial equivalency, through the date of deposit.
- Requires ASRS to proportionately reduce the amount of service credited to the member's account if the eligible employee pays less than the amount required.
- Requires the employer whose eligible employee is purchasing service credit to pay the employer contributions that would have been contributed by the employer on behalf of the member, except that the employer is required to pay for only the amount of service credit the eligible employee elects to purchase.
- Requires the employer to also pay interest, equal to the interest rate assumption approved by the ASRS board for actuarial equivalency, through the date of deposit into the ASRS depository. The employer shall pay the amounts within 12 months after the eligible employee elects to purchase eligible service credit.
- Allows the employer whose eligible employee is purchasing credit to elect to pay all or a portion of the interest due on the member contributions.

***Service Purchase Outside 180 Days***

- Allows employees with at least five years of credited service to purchase up to 60 months of eligible service at a later date, in an amount equal to the present value of the additional benefit that is derived from the purchased credited service using the actuarial assumptions that are approved by the ASRS Board.
- Allows employees who pay less than the full amount, to purchase the remaining amount of eligible service credit in an amount equal to the present value of the additional benefit at a later date.

*Status:* Passed by the House on 2/18; transmitted to the Senate and assigned to the Finance (passed 2/26) and Rules Committees.

**HB 2058      public pensions; limit on compensation [see also HB 2212]**

- Reduces the annual compensation that may be used to calculate a member's ASRS, PSPRS, or COPR retirement benefit to \$150,000 for members hired on or after the effective date.
- Redefines *termination incentive program* by reducing the total compensation that a member can receive before termination from 30% to 15%, if this amount is used to calculate pension benefits and is not attributed to a promotion.
- Defines *promotion* as a true change in position, job duties, and job title from the position occupied by the member prior to retirement.

*Status:* Passed by the House 2/24; transmitted to the Senate and assigned to the Finance and Rules Committees.

**HB 2069 ASRS; political subdivision entities**

- Changes the definition of *member* under statutes governing ASRS to exclude *political subdivision entity* employees hired after the effective date.
- Permits an employee of a political subdivision entity who is hired after the effective date to continue membership in ASRS if the person has been an active member within the preceding 30 days.

*Status:* Passed by the House Committee of the Whole 2/27.

**HB 2122 ASRS; election; EORP defined contribution**

- Clarifies that an elected official who is or has already been an active, inactive, retired, or disabled member of ASRS will maintain or resume membership within this system upon election, retroactive to January 1, 2014.
- Requires a member of Elected Officials' Defined Contribution Retirement System (EODCRS) to apply for disability benefits within one year of terminating office.
- Stipulates that payments of EODCRS disability benefits may be made retroactive only to the date the PSPRS board of trustees receives the application.

*Status:* Passed by the House by a vote of 32-27-1 on 2/24; transmitted to the Senate and assigned to the Finance and Rules Committees.

**HB 2212 ASRS; employer termination incentive program**

Revises ARS 38-749(D) to define

- *promotion* as a true change in position, job duties and job title from the position occupied by the member before ASRS retirement; and
- *termination incentive program* as a total increase in compensation of fifteen (from thirty) per cent or more that is given to a member in any one or more years before termination that are used to calculate the member's average monthly compensation if that increase in compensation is used to calculate the member's retirement benefit and that increase in compensation is not attributed to a promotion.

*Status:* Assigned to House Committees on Insurance & Retirement, and Rules.

**HB 2049 retirement plans; compensation; definition**

Clarifies the definition of *compensation* for the purposes of determining which types of pay count towards remitting contributions and calculating pension benefits.

*Status:* Assigned to Committees on Insurance & Retirement (failed 4-4 on 1/21/14), and Rules.

**HB 2056 retirement; return to work**

Prohibits an employer under ASRS, PSPRS or CORP from leasing or contracting a retired member to work.

*Status:* Assigned to Committees on Insurance & Retirement, and Rules.

**HB 2235 labor; rest periods; meal breaks**

Adds ARS 23-283 (meal breaks; rest periods; exemption) with provisions:

- Requires an employer to allow each employee to take at least:
  - one 30 minute meal break during every continuous 8 hours of labor performed.
  - one 10 minute rest period during every 4 hours of labor performed.
- Prohibits employers from deducting wages from the employee for the rest periods.

*Status:* Assigned to Committees on Commerce, and Rules.

**HB 2252 state employees; meet and confer**

- Establishes state employees' organizational rights.

- Prohibits state employees/organizations from participating in a sickout, work slowdown or strike or any other action that will disrupt the delivery of services.
- Defines *employee organization*.

*Status:* Assigned to Committees on Government, and Rules.

#### **HB 2255          noncertificated school employees; due process**

Revises ARS 15-502 (employment of school district personnel; payment of wages of discharged employee) to require a governing board to adopt policies that provide noncertificated personnel with substantially equivalent due process procedures as those prescribed in this chapter for certificated teachers.

*Status:* Assigned to Committees on Government, and Rules.

#### **HB 2290          schools; teacher inservice training**

Adds ARS 15-509 (teacher in-service training; scheduling; definition) with provisions that:

- A school district that schedules teacher in-service training during a school year shall schedule the in-service training for both:
  - an entire school day; and
  - a Monday or a Friday.
- Defines *teacher in-service* training as time designated during the school year in which:
  - classes are not held; and
  - teachers are required to report to the school or another site for training, professional development, team-building exercises, meetings, lesson planning, and/or self-study.

*Status:* Assigned to Committees on Education, and Rules.

#### **HB 2306          fingerprint clearance checks; periodic checks**

- Requires, instead of allows, DPS to conduct periodic state criminal history records checks on fingerprint clearance cardholders.
- Permits DPS to conduct federal criminal history records checks on fingerprint clearance cardholders, when authorized under federal law.

*Status:* Passed the House 2/18; transmitted to Senate and assigned to Committees on Public Safety (passed 2/26), and Rules.

#### **HCR2001          public retirement systems**

House concurrent resolution permitting member contribution increases and/or member benefit reductions based on actuarial standards for public retirement system's financial stability.

*Status:* Assigned to Committees on Insurance and Retirement, and Rules.

#### **SB 1084          ASRS; long-term disability compensation**

Clarifies the definition of *monthly compensation* in the ASRS long-term disability statutes.

*Status:* Passed the House 2/3; transmitted to Senate and assigned to Committees on Insurance & Retirement (passed 2/25), and Rules.

#### **SB 1085          ASRS; long-term disability program**

Bifurcates the benefit ratio for a member receiving long-term disability benefits in the ASRS.

*Status:* Passed the House Committee of the Whole 1/30/14; ready to transmit to the Senate.

**SB 1094            school employees; paycheck deductions; authorization**

- Changes the definition of *monthly compensation* as the amount determined by taking the six pay periods immediately before the date of the member's disability, disregarding the highest two and lowest two compensation amounts, and deriving the median of the two remaining pay periods.
- Stipulates that if the member was employed for fewer than six pay periods, monthly compensation will be determined by deriving the median of the number of pay periods the member worked.

*Status:* Assigned to Committees on Government & Environment (held 1/27/14), and Rules

**SB 1289            student teacher loan program; appropriation**

- Appropriates \$500,000 from the state General Fund to the ACPE in FY 2015 for the MSSE Program.
- Increases the maximum annual dollar amount for a MSSE Program loan from \$7,000 to \$10,000.
- Authorizes the ACPE to grant MSSE Program loans to students pursuing a teaching certificate at a qualifying postsecondary institution.
- Specifies that students pursuing a teaching degree or who are in a teacher certification program after obtaining a Bachelor's degree are not disqualified from the MSSE Program eligibility.
- Specifies that the loan recipients must begin the service commitment within one calendar year after completing:
  - teaching degree;
  - a teacher certification program;
  - postgraduate studies;
  - required military service; or
  - any other cause deemed sufficient by the ACPE.

*Status:* Assigned to Committees on Education (passed 2/13), Appropriations (passed 2/25), and Rules.

**SB 1399            teacher evaluator training; rules**

Requires SBE to adopt rules for teacher evaluator training programs.

*Status:* Assigned to Committees on Education; and Rules.

**SB 1443            employment discrimination; prohibition**

- Adds *gender*, *gender identity* or *expression* and *sexual orientation* to discriminatory employment practices; replaces sex with gender.
- Does not require employment/labor organization record maintenance to include information regarding a person's gender, gender identity or expression and sexual orientation.

*Status:* Assigned to Committees on Government & Environment; and Rules.

**SB 1451            public employees; collective bargaining [Also, HB 2253]**

- Establishes a Public Employee Bargaining Act.
- Provides definition of terms and employee/employer rights. Sets forth: the powers, duties, and membership of local boards and employee labor relations board; prohibited practices; scope of bargaining; and procedures regarding hearings, elections, and dispute resolution.

*Status:* Assigned to Committees on Government & Environment; and Rules.

**Scholarships**

**HB 2036            empowerment scholarship accounts**

Amends ARS 15-2401 (definitions) to include as a *qualified student* a state resident who parent was a first responder; the sibling of a current or previous empowerment scholarship account recipient; and who has not

previously attended a governmental primary or secondary school but is currently eligible to enroll in a program for preschool children with disabilities in this state.

*Status:* Assigned to Committees on Education (failed 2/17), and Rules.

**HB 2150            empowerment scholarship; military families**

- Includes children whose parent or guardian was killed in the line of duty in the definition of an *ESA qualified student*.
- Excludes children whose parent or guardian is an active duty member of the armed forces or who was killed in the line of duty from additional eligibility requirements to meet the definition of an *ESA qualified student*.

*Status:* Passed the House on 2/27.

**HB 2256            empowerment scholarship; district pupils**

Permits a District to vote to on allowing resident full-time students to apply for scholarship. District of residence includes student in ADM.

*Status:* Assigned to Committees on Education, and Rules

**HB 2291            empowerment scholarships accounts; expansion**

Amends ARS 15-2401 (definitions) to include as a *qualified student* a state resident a child who/whose:

- qualifies for free or reduced price lunches (beginning in SY 2016-2017 school year);
- whose family income exceeds by no more than 15% economic eligibility for free or reduced price lunches (beginning in SY 2017-2018 school year);
- family income exceeds by no more than 30% economic eligibility for free or reduced price lunches (beginning in the 2018-2019 school year);
- parent who is a first responder; and/or
- is the sibling of a current or previous empowerment scholarship account recipient.

*Status:* Retained on the House Committee of the Whole Calendar 2/27

**SB 1236            empowerment scholarships accounts; expansion**

Amends ARS 15-2401 (definitions) to include as a *qualified student* a state resident a child who/whose:

- qualifies for free or reduced price lunches (beginning in SY 2016-2017 school year);
- family income exceeds by no more than 15% economic eligibility for free or reduced price lunches (beginning in SY 2017-2018 school year);
- family income exceeds by no more than 30% economic eligibility for free or reduced price lunches (beginning in the 2018-2019 school year);
- parent who is a first responder; and/or
- is the sibling of a current or previous empowerment scholarship account recipient.

*Status:* Ready for the Senate Committee of the Whole 2/27

**SB 1237            empowerment scholarship accounts; revisions**

- Replaces the requirement for the ADE to provide a copy of an ESA contract to the county school superintendent with a list of students participating in the ESA program.
- Specifies that:
  - kindergarten eligible students must reside within the attendance boundary of a *D* or *F* school to be an *ESA qualified student*.
  - ESA monies may be used for tutoring or teaching services provided by an individual or facility accredited by a state, regional or national accrediting organization.
  - all *ESA qualified students* receive 90% of the sum of the base support level and charter school additional assistance.
- Requires:



- the ADE to contract with an independent third party who determines if a *qualified student* is eligible to receive educational therapies or services.
- parents of an ESA student to use a portion of the ESA monies allocated each quarter to provide an education, unless ESA monies are on a non-quarterly transfer schedule.
- Includes a child identified by the third party as a child with a disability in the definition of *qualified student*.
- Prohibits ESA monies from being used for educational therapies or services unless the student has been identified as having a disability by the school district or an independent third party contracted with the ADE.
- Allows the ADE to make ESA money transfers on a non-quarterly basis if the ADE determines that another transfer schedule is necessary for the operation of the ESA.

*Status:* Passed the Senate on a 17-13 vote on 2/24; transmitted to the House Committees of Education, Appropriations, and Rules.

### **Charter/Private Schools/JTEDs**

#### **HB 2039      charter schools; higher education charters**

Allows all charter schools to participate in the ASRS and all charter sponsors to include exceptions to financial and electronic data submission requirements in a school's charter, retroactive to June 30, 2013.

*Status:* Passed the House; transmitted to the Senate and assigned to Committees on Education (passed 2/27), Finance, and Rules.

#### **HB 2176      now: Joint technical education district governing board; report; definitions formerly JTEDs; 9<sup>th</sup> graders; certification; funding**

A strike everything amendment was passed in the House Education Committee on 2/10. Bill now sets forth requirements for JTED governing boards.

*Status:* Assigned to Committees on Education (passed s/e 2/10); Appropriations and Rules.

#### **HB 2230      charter schools; small school weight**

States that charter school pupils are not eligible for small school district support level weights.

*Status:* Assigned to Committees on Education; Appropriations and Rules.

#### **SB 1244      auditor general; charter schools**

Amends ARS 41-1279.03 (powers and duties) to require the auditor general to include charter schools in required performance audits and monitoring.

*Status:* Assigned to Committees on Government & Environment; Education, and Rules.

#### **SB 1391      schools; noncertificated employees; fingerprinting**

As amended in the Senate, this bill now:

- Requires:
  - noncertificated and [volunteers] to obtain a fingerprint clearance card.
  - no later than five years after the general effective date.
  - at least 20 percent of those personnel to comply each year until all personnel are in compliance.
- Exempts volunteers accompanied by fingerprint clearance cardholders from the requirement [such as a guest speaker].

*Status:* Passed the Senate and transmitted to the House 2/27

### **Finance/Budget**

**HB 2180      appropriation; information technology; education; certification**

Appropriates \$5 million for the DOE for K-12 information technology education/certification program. Provides that DOE to annually report:

- The number of vendor contracts awarded;
- A list of participating school districts, charter schools and joint technical education districts.
- Performance data regarding the information technology education and certification program, including performance data regarding pupils participating in the program.

*Status:* Assigned to Committees on Education (passed 2/10); Appropriations, and Rules.

**HB 2183      schools; excess carryforward monies; reduction**

Revises ARS 15-943.01 (maintenance and operation budget balance; definition). If a school district's budget balance carryforward exceeds 3% of its revenue control limit for 3 consecutive fiscal years, the district's state aid allocations will be reduced by an amount that corresponds to the sum of the carryforward balance of that school district for those years.

*Status:* Assigned to Committees on Education, and Rules.

**HB 2184      schools; ending balances; tax reduction**

Amends ARS 15-971 (determination of equalization assistance payments from county and state funds for school districts) to propose a reduction of the education equalization assistance amount); and ARS 15-972 (state limitation on homeowner property taxes; additional state aid to school districts; definitions). Provides calculation formulae for each.

*Status:* Assigned to Committees on Education, and Rules.

**HB 2187      classroom site fund; supplanting; restoration**

Permits the auditor general to require the restoration of improperly supplanted classroom site funds.

*Status:* Assigned to Committees on Education, and Rules.

**HB 2213      schools; class size reduction grants**

Enacts ARS 15-216 (class size reduction and teacher retention program; grants; appropriation; annual report; program termination). Directs SBE to establish a program to between 15 and 33 students/class in K-3; prescribe application/eligibility requirements for participating Districts. Appropriates \$1m for program grants (\$100,000 FY max); prohibits grants from funding District's capital projects.

*Status:* Assigned to Committees on Education; Appropriations, and Rules.

**HB 2219      tax credit; research activity; refunds**

Amends ARS 41-1507 (tax credit for increased research activity; qualification for refund) to increase the amount available for research tax refunds from \$5 million to \$10 million for the 2015 calendar year; and to \$15 million for 2016 and beyond. Specifies that only half of total amount may be approved in first 6 months of a calendar year; during the second 6 month period, remaining refund amount may be allocated.

*Status:* Assigned to Committees on Commerce (passed 2/19), and Rules.

**HB 2229      block grant; early childhood education**

Appropriates \$20 million for an early childhood education block grant.

*Status:* Assigned to Committees on Education; Appropriations, and Rules.

**HB 2238      ADE; appropriation; geographic literacy**

Appropriates \$100,000 for a grant to a statewide geographic alliance for the purpose of strengthening geographic literacy.

*Status:* Assigned to Committees on Education (withdrawn 2/20); Appropriations (passed 2/26), and Rules.

**HB 2259      state contracts; preference; Arizona businesses**

Requires that state contract grant preference be given to Arizona-headquartered businesses.

*Status:* Assigned to Committees on Government, and Rules.

**HB 2328           STOs; grants; corporate tax credit**

Modifies requirements for qualified students under Lexie's Law so that any student who is a prior qualified student who continues to attend a qualified school, is placed in foster care, or is identified as having a disability under relevant laws is eligible for the program.

*Status:* Assigned to Committees on Ways & Means (passed on 1/23/14), and Rules.

**HB 2395           property tax calculations; school districts**

Requires a county school superintendent to report primary and secondary property tax calculations to the Property Tax Oversight Commission (PTOC) and school district governing boards by July 10 and requires the PTOC to review, and correct if necessary, such estimates which are then reported to the County Board of Supervisors by the third Monday in August. Provides for a hearing before the PTOC if the PTOC notifies a school district of an incorrect calculation and the school district disputes the finding.

*Status:* Passed the House on a 33-25 vote; transmitted to the Senate 2/27.

**HB 2413           schools; bonding level increase; repeal**

Repeals the ineffective 2011 law that increased bond limits for school districts.

*Status:* Assigned to Committees on Ways & Means (passed 2/17), and Rules.

**HB 2428           appropriation; ADE; reading program grants**

- Allocates \$500,000 from the GF in FY 2015 to ADE for distribution to school districts and charter schools to fund reading intensive programs.
- Allots a grant equivalent to be determined by ADE for each student in the school district or charter school who has failed to meet the reading standards for the student's individual grade level.
- States that approval for a grant must be shown by a submitted review of the school district or charter school's reading program to ADE, which would include:
  - The types of evidence-based reading interventions that will be provided and the goals for the next three-year period to reduce the number of pupils at the end of grade 3 who are not promoted to grade 4 due to reading deficiencies.
- Stipulates that the ADE should award the grants with the goal of maximizing the number of pupils who meet or exceed the third grade reading standard.
- Allows the ADE to consider the following when awarding a grant:
  - The number of pupils in the school district or charter classified as an English Language Learners
  - The percentage of pupils in the school district or charter school that qualify for free and reduced lunch
  - The average number of pupils in the school district or charter school who fell below the reading standard for third grade pupils over the previous three years
- States that in order for a school to be eligible for a grant, they must have received monies generated by the K-3 Reading Support Level in FY 2015, only after their reading program was approved by ADE.

*Status:* Assigned to Committees on Education (withdrew 2/25); Appropriations (passed 2/26), and Rules.

**HB 2478           tax credit; public schools**

Increases school tax credits to \$300 (individual) and \$600 (married couples) for 2014 and beyond; modifies school tax credit reporting from February 28 to June 15.

*Status:* Assigned to Committees on Ways & Means; and Rules.

**HB 2521           school calendar; 200 days; funding**

Districts/Charters providing 200 instruction days may increase base level by 8 (from 5) percent. ADE must approve 200-day schedule by November 1. The House Committee on Appropriations amended the bill to limit the base level funding increase for new schools or districts entering into the 200-day instructional program at \$1,000,000.

*Status:* Assigned to Committees on Education (passed 2/10); Appropriations (passed 2/26), and Rules.

**HB 2543      appropriation; schools; mental health training**

Appropriates \$250,000 in FY 14-15 for ADE's program expenses and District/Charter reimbursement "for programs that promote safe and supportive school environments and mental health, including programs for youth mental health first aid."

*Status:* Assigned to Committees on Education (passed 2/7); Appropriations (passed 2/26), and Rules.

**HCR 2003      early childhood fund; protective services**

Requires 25% of early childhood development funds to be used for children and families in the CPS program. SBE/DES to determine allocations.

*Status:* Assigned to Committees on Health; and Rules.

**HCR 2018      funding ballot measures; reauthorization**

Proposed constitutional amendment requiring initiatives and referendums that require the expenditure of state monies to be re-authorized every eight years. Applies retroactively to previous ballot measures. Requires periodic reports on the costs of each voter-protected measure.

*Status:* Ready for the House Committee of the Whole 2/27

**HCR 2022      personal property tax; exemption**

Proposed constitutional amendment modifying the tax exemption for personal property used for agricultural, trade or business purposes. The current exemption threshold under which the legislature may exempt the property from taxation is a full cash value of \$50,000 adjusted annually for inflation. The proposed threshold is \$2.4 million annually adjusted for inflation, to apply to property acquired during or after tax year 2015.

*Status:* Assigned to Committees on Ways & Means (passed 1/27/14); and Rules.

**SB 1028      appropriation; D and F schools**

Appropriates \$40K for performance improvement of letter grade D or F schools.

*Status:* Assigned to Committees on Education; Appropriations, and Rules.

**SB 1030      solar school grant program**

Creates a tax on the delivery of electricity for consumption to fund the following grant programs:

- State solar grants for solar education programs in schools that use solar technology
- Solar school grants for the installation of solar technology in schools

Requires school districts to prescribe and enforce policies and procedures to install solar technology and deposit revenues from net metering in the solar school fund, which may be transferred to M&O when all schools in all school districts have converted to solar technology.

*Status:* Assigned to Committees on Education; Appropriations; Finance, and Rules.

**SB 1048      tax credits; STOs; preapproval; entities**

Permits shareholders of an S-Corporations to claim tax credits for contributions to school tuition organizations. Prohibits the award of grants or scholarships to students enrolled in multiple schools.

*Status:* Transmitted to the House and assigned to Committees on Ways & Means (passed 2/24); and Rules.

**SB 1092      school finance; funding system**

Designates distribution of classroom site fund monies; establishes The Arizona K-12 education fund to be administered by the ADE

*Status:* Ready for the Senate Committee of the Whole 2/25.

**SB 1101      appropriation; ADE; economic education grants**

Appropriates \$150,000 to the ADE in FY 2015 for the purpose of providing professional development to teachers in economic education.

*Status:* Passed the Senate and transmitted to the House. Assigned to Committees on Education; Appropriations, and Rules on 2/25.

**SB 1144            appropriation; K-3 reading program**

Appropriates \$40,000,000 to DOE to fund K-3 intervention and remedial reading strategies. Funds distribution based on number of district/charter school 3<sup>rd</sup> graders who are approaching or falling far below 3<sup>rd</sup> grade AIMS scores.

*Status:* Assigned to Committees on Education; Appropriations, and Rules.

**SB 1169            tax credits; rate reductions; suspension**

ARS 42-1301 (definition) revised to define a "trigger event" as a fiscal year in which:

- JLBC determines that state K-12 education expenditures per student are at least equal to the nationwide median; and/or
- 94% of 3<sup>rd</sup> graders are meeting AIMS reading tests; and/or
- the state high school graduation rate is 93%.

Until trigger event occurs,

- Class One property value assessment is 18.5% of its full cash value or limited valuation, as applicable; and
- Corporations, unless exempt, must pay the greater of 6% income or \$50.

*Status:* Assigned to Committees on Finance; and Rules.

**SB 1182            school district overrides; bonds; information**

***School District Overrides***

- Requires the purpose statement contained in any override election informational report to only present factual information in a neutral manner.
- Specifies that advocacy for the expenditures contained in any override election informational report is strictly limited to the arguments section of the informational report.
- Requires District Additional Assistance override informational reports to include the estimated cost of each capital improvement for an owner-occupied residence with an average assessed valuation of Class Three property in the school district for the current year.
- Eliminates the prohibition of a second override continuation request and modifies election pamphlet language.
- Modifies the purpose statement and arguments sections of override and bond election informational pamphlets.

***Bonds***

- Requires the purpose statement contained in any political subdivision bond election informational pamphlet to only present factual information in a neutral manner.
- Specifies that advocacy for the expenditures contained in any political subdivision bond election informational pamphlet is strictly limited to the arguments section of the informational pamphlet.
- Requires the bond election informational pamphlet to contain information on the projects and expenditures for which the bonds are to be issued.

*Status:* Passed the Senate on a 17-12 vote; transmitted to the House 2/28.

**SB 1257            school districts; budget requests; elections**

- Revises override language:
  - *override to operating budget request or capital budget request*
  - *budget increase to budget request*
  - *budget override continuation to budget request continuation*

- Election dates changed from November to any general or special election date allowed for bonds, overrides; purchase or sale of school property lease or lease purchase agreements for 10 years or more; and construction of school buildings.

*Status:* Assigned to Committees on Education; and Rules.

### **SB 1258                    appropriation; ADE; K-3 reading intervention**

Appropriates \$40,000,000 to DOE to fund K-3 intervention and remedial reading strategies. Funds distribution based on number of district/charter school 3<sup>rd</sup> graders who are approaching or falling far below 3<sup>rd</sup> grade AIMS scores.

*Status:* Assigned to Committees on Education; Appropriation, and Rules.

### **SB 1350                    ADE school finance revisions**

Revises ARS 15-101 (definitions):

- *student count* revised to *average daily membership*;
- *Elementary grades* means kindergarten programs and grades one through eight; and
- *Secondary grades* means grades nine through twelve.

Charters

- may use initial estimated student counts derived from student level data;
- State-sponsored 1<sup>st</sup> year charters are eligible for K-3 reading support level weight.

Requires preschool children with disabilities to meet 216 hours over a minimum number of days.

Finance:

- DOE ADM computation moved from April 15 to August 30; Schools count notification moved from April 22 to September 15; and
- Previous fiscal year State Aid calculations must be finalized/budget limits adjusted by November 1.

Transport:

- Clarifies that an eligible student who is transported part by contract/part by school may not be counted as more than one eligible student; and
- Adds that miles driven to transport eligible students may not be reported by more than 1 school district.

An Amendments adopted by the Education Committee grants school districts eligibility for supplemental state aid if the district loses a qualifying amount of property tax revenue resulting from decreased assessed valuation due to a natural disaster.

*Status:* Ready for Senate Committee of the Whole 2/27.

### **SB 1464                    appropriations; ADE; ACCR standards**

Appropriates \$32,000,000 to the ADE for District/Charters distribution to fund teacher stipends/professional development release time in state college and career ready standards.

- Monies distribution can only go to teachers who either provide:
  - K-8 classroom instruction; or
  - 9-12 classroom instruction in core academic subjects.
- Amount distributed to each teacher limited to:
  - 40 hours of professional development; and
  - no more than \$125 for each eight hours of professional development training.

Appropriates \$3m to ADE for additional staffing to implement program.

*Status:* Assigned to Committees on Appropriations; Education, and Rules.

## **Student Discipline**

### **HB 2143                    salvia divinorum; unlawful acts; defense**

Creates ARS 13-3424 which makes it a class 2 misdemeanor to provide *salvia divinorum* [a psychoactive plant] to anyone under age 21.

*Status:* Assigned to Committees on Judiciary; and Rules.

#### **HB 2243            graffiti implements; unlawful acts; minors**

In remedies available to court for graffiti damage, adds requirements for juvenile delinquent to:

- make full restitution for the economic loss incurred by the victim of the offense
- perform community restitution hours; community restitution may be ordered in lieu of a fine.
- Require custodial parents to make restitution if juvenile unable to do so
- Provide notice of the juvenile's adjudication to the department of transportation.

Defines: *economic loss*; *class 1 criminal damage*; unlawful possession of a graffiti implement by a minor.

Defines *graffiti implement* as including an aerosol or pressurized paint container, a broad tipped indelible marker, a solidified paint marker or an etching tool

Sets civil penalties for:

- minor illegally obtaining graffiti implements
- providing a minor with a graffiti implement
- storage and display of graffiti implements by businesses

*Status:* Assigned to Committees on Judiciary; and Rules.

#### **HB 2453            synthetic drugs; reporting**

Expands of the definitions of *dangerous drug* and *narcotic drugs* by adding additional synthetic substances and eliminates a reporting requirement relating to the sale of precursor or regulated chemicals.

*Status:* Passed the House and transmitted to the Senate. Assigned to Committees on Judiciary; and Rules 2/25.

#### **HB 2515            unlawful distribution of private images**

Prohibits a person from knowingly promulgating photographs, videotape, film or digital recording of a person engaged in a sexual act or in a state of nudity without that person's written consent. Exemptions for law enforcement procedures; medical treatment; voluntary exposure.

*Status:* Assigned to Committees on Judiciary (passed 2/6); and Rules.

#### **SB 1122            marijuana; definition**

Modifies the definition of *marijuana* within the criminal code. Excludes, from the definition of *marijuana*, the *Cannabis sativa L.* plant, or any part of the plant, whether growing or not, with a delta-9 THC concentration of less than .3% on a dry weight basis.

*Status:* Assigned to Committees on Judiciary (failed 2/17); and Rules.

#### **SB 1188            bullying; sexual orientation; gender identity**

Revises ARS 15-341 (general powers and duties; immunity; delegation) to require a governing board to include "harassing, intimidating and bullying other pupils based on actual or perceived sexual orientation or gender identity" to its bullying policies/procedures.

*Status:* Assigned to Committees on Government & Environment; and Rules.

#### **SB 1349            schools; corporal punishment**

Provides policies on corporal punishment [prohibited by Amphi policies].

*Status:* Assigned to Committees on Education; and Rules.

#### **SB 1373            schools; bullying policies; definition**

Revises ARS 15-101 (definitions) to include:

- "Bullying" means any written, verbal or physical act or any electronic communication that is intended to harm or that a reasonable person would know is likely to harm one or more pupils by doing any of the following:

- Substantially interfering with the educational opportunities, benefits or programs of one or more pupils.
- Adversely affecting the ability of a pupil to participate in or benefit from educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress.
- Having an actual and substantial detrimental effect on a pupil's physical or mental health.
- Causing substantial disruption in, or substantial interference with, the orderly operation of a school.
- Requires Charters to prescribe and enforce policies and procedures to prohibit pupils from harassing, intimidating and bullying other pupils.

Revises ARS 15-341 (general powers and duties; immunity; delegation) to require the District to include in its policies:

- Enforcement for bullying occurring off-campus if the alleged activity
  - is reported to school officials;
  - creates a hostile environment for the alleged victim at school,
  - infringes on the rights of the alleged victim at school or
  - materially and substantially disrupts the education process or the orderly operation of the school.
- Bullying through electronic means
- A statement that all pupils are protected under these policies and that bullying is prohibited without regard to the subject matter of the bullying or the motivation of the perpetrator.
- Directs school administrators to notify the alleged:
  - victim's parent of the activity:
    - in a manner that complies with FERPA; and
    - following consultation with available counselors "in the same manner as any other educationally relevant decision by considering the health, well-being and safety of any pupils involved in the incident."
  - perpetrator's parent per normal disciplinary notification.
- Includes victim's parent in investigation disposition (previously just victim).
- Includes *emotional harm* to potential effects to victim.
- Requires annual training for school staff, students and parents to prevent, identify, report and respond to incidents of harassment, intimidation or bullying .

*Status:* Assigned to Committees on Education; and Rules.

## **Curriculum**

### **HB 2144      school pupils; academic intervention**

Revises ARS 15-341 (general powers and duties; immunity; delegation) to require a governing board to:

- maintain a confidential list of pupils with a grade-point average of 2.0 or lower on a 4.0 scale, or the equivalent (beginning in SY 2016-2017);
- provide academic interventions to the pupils on the list until their grade-point average exceeds 2.0 on a 4.0 scale, or the equivalent; and
- determine the academic interventions.

*Status:* Passed by the House 2/27.

### **HB 2257      education; academic skills; prerequisites**

- Directs SBE to annually publish:
  - a list of academic skills that a pupil should possess in order to be placed in a particular grade level, including kindergarten programs; and
  - a list of academic skills that a pupil should acquire by the end of a particular grade level, including kindergarten programs.
- Lists must be provided to each AZ school district/charter school and posted:



- in a prominent location at each school site; and
- on the ADE website.
- Districts/charter schools directed to:
  - notify parents of the requirements; and
  - provide copies of the lists of academic skills to any person on request.
- Az Board of Regents directed to annually publish/post:
  - a list of academic skills that a student should possess and prerequisite courses that students should complete in order to be accepted for:
    - admission into a state community college or university; or
    - a particular postsecondary education program of study.

New statute would not alter the promotion or retention of students.

*Status:* Assigned to Committees on Education; Higher Education & Workforce Development, and Rules.

#### **HB 2265          computer science courses; math credit**

Allows school district governing boards to approve a computer science course to fulfill a required math course and directs the Board of Regents to accept approved computer science courses for university admissions if meet SBE's prescribed graduation requirements.

*Status:* Assigned to Committees on Education (passed 2/3); Higher Education & Workforce Development (withdrawn 2/12), and Rules.

#### **HB 2315          schools; online instruction; concurrent students**

Revises ARS 15-808 (Arizona online instruction; reports; definitions) to:

- Prohibit Districts/Charters from requiring online course receipts, as a condition of class credit acceptance, for current students taking online classes between May 1-July 31.
- Require Districts/Charters/Online Providers to:
  - Must release student transcripts within 10 days of request
  - Must accept elective/core credits earned
- If a student is enrolled for less than 75% of class time, online providers are not required to report a student's:
  - required standardized test score; or
  - participation (or lack of) participation on a required standardized test.
- Not require an Online Provider to withdraw a student if the student fails to take a required standardized test.
- If concurrently enrolled in online instruction and a homeschool, the homeschool is responsible for the administration of all standardized tests for a student.

Statute also sets forth noncompliance penalties.

*Status:* Assigned to Committees on Education; and Rules.

#### **HB 2391          schools; test results; report date**

Moves, from September to October, the deadline for the SBE to provide reports to schools on:

- average and range scores on the Arizona instrument to measure standards test;
- standardized test scores by subject area according to percentiles and stanines for the school, school district, county, state and nation;
- achievement related non-test indicator data collected in the surveys; and
- the numbers of students who have completed the academic standards at grades three, eight and twelve.

*Status:* Assigned to Committees on Education; and Rules.

#### **HB 2501          promotion; ceremony; 8th grade**

Removes a governing board's authority to request certificates of promotion from the county school superintendent and allows school districts to conduct eighth grade promotion ceremonies

*Status:* Passed the House 2/25; transmitted to the Senate and assigned to Committees on Education; and Rules.

**SB 1065      Arizona twenty-first century initiative; priority**

Requires that AZ businesses with 12 or fewer employees be given first preference for financial assistance under this program.

*Status:* Assigned to Committees on Commerce, Military & Energy; Government & Environment, and Rules.

**SB 1025      study committee; individualized education programs**

- Establishes the Individualized education program study committee to design a system to develop an individualized education program for every public school student.
- Non-compensable membership to consist of:
  - 4 certificated teachers who are members of a statewide labor organization composed of teachers;
  - 4 charter school teachers;
  - 2 public school administrators who are members of a statewide organization composed of school administrators; and
  - 1 member who is a member of a statewide partnership devoted to education reform and innovation.
- Report regarding the committee's recommendations due to the Governor no later than December 31, 2014.

*Status:* Assigned to Committees on Education; Appropriation, and Rules.

**SB 1107      schools; academic credit; online courses**

For students concurrently enrolled fulltime in District/Charter Schools and taking classes online from an accredited postsecondary institution, Schools are required to accept the earned course credits earned if the student achieves a passing score on an end-of-course assessment administered by a provider other than the District, the Charter or the postsecondary institution. District Governing Boards may also determine whether concurrent online courses will be assigned as an elective or core credit.

*Status:* Assigned to Committees on Education; and Rules.

**SB 1153      schools; curricular standards; assessments; requirements**

**[Similar to SB 1310 - schools; common core; prohibition]**

Establishes ARS 15-701.02 (public school curricular standards and assessments) with the following provisions:

- SBE may not implement the common core standards in English and mathematics in AZ public schools until:
  - SBE holds at least one public hearing in each congressional district of this state; and
    - At least 1 SBE member must attend; and
    - Public testimony will be heard at each hearing on the implementation of the common core standards.
  - SBE receives an analysis of the projected cost of implementing of the common core standards
- ADE is directed to contract with an independent entity with expertise in the development, implementation and assessment of curricular standards to conduct the fiscal analysis.
- SBE:
  - must compare the common core standards to other nationally recognized standards of student achievement.
  - may not:
    - adopt/revise curricular standards "in a manner that would effectively implement the common core standards" until the requirements set forth (above) have been met.
    - adopt common core standards in curricular areas other than English and mathematics.

Requires AZ to:

- withdraw from the partnership for assessment of readiness for college and careers;
  - may not implement the assessments aligned to the common core standards by that partnership
- adopt and implement different assessments that provide valid, reliable and timely testing of student performance.
- Prohibits SBE to enter into or renew an agreement that cedes to an outside entity control over AZ curricular standards or assessments

*Status:* Assigned to Committees on Education; and Rules.

**SB 1155            schools; common core; opt-out**

Permits District/Charter governing bodies to opt out of any competency requirements or assessments that are based on the common core standards, AZ's College and Career Ready Standards or any other standards or assessments that are aligned with standards or assessments proposed by the partnership for assessment of readiness for college and careers.

*Status:* Assigned to Committees on Education; and Rules.

**SB 1162            schools; CPR instruction**

Revises ARS 15-718.01 regarding Districts/Charters providing CPR to students:

- CPR instruction is a requirement (versus permissible) if funds are available at no cost;
- Removes access to CPR instruction to 7<sup>th</sup> and 8<sup>th</sup> grade students
- Excuses a student from CPR training if a school administrator determines the student is unable to complete the training.

*Status:* Assigned to Committees on Education (passed 2/6); Appropriations (passed 2/11), and Rules.

**SB 1242            critical languages; economic development; pilot**

Authorizes SBE to establish a 6-year pilot program to develop and implement critical language courses; may use paraprofessionals to are native or heritage speakers; *Critical languages* defined as those languages described in the national security language initiative, including Chinese, Russian, French, Spanish, Japanese, Arabic and Portuguese. *Native or heritage speakers* means either persons who were born in a country where the critical language is the primary spoken language or persons whose parents were born in a country where the critical language is the primary spoken language.

*Status:* Passed the Senate and transmitted to the House 2/24. Assigned to Committees on Education; Appropriations, and Rules.

**SB 1261            sex education; parental opt-out**

Permits a parent to opt out of sex education for student.

*Status:* Assigned to Committees on Education; and Rules.

**Safety**

**HB 2362            DPS; school bus rules oversight**

Sets forth methods to provide written notice to persons on the school bus advisory council's mailing list.

*Status:* Passed the House Committee of the Whole 2/27.

**HB 2412            firearms; schools; safety designee program**

Substantial amendments were added to original bill in the House Appropriations Committee. Provisions of this bill now include:

- Establishes the School Safety Designee Program (Program) in the attorney general's office and outlines Program training requirements:
  - Requires the attorney general and the Department of Public Safety (DPS) to provide training to an employee of a school district or charter school who has been approved and designated by the

- governing board of the school district or charter school to store a weapon on campus for the purpose of defending the campus;
  - States that Program training must be conducted by either a law enforcement firearms instructor certified by the Arizona Peace Officer Standards and Training Board or an instructor approved by the attorney general's office that has undergone a criminal background check, rather than DPS.
  - Requires the attorney general to issue a certificate that is valid for one year to each approved designee who has completed Program training, directs the designee to possess the certificate at all times while possessing or storing a firearm on school grounds, and requires the designee to present the certificate for inspection upon demand from a peace officer.
  - Allows a person to possess a deadly weapon on school grounds if they are approved and designated by a school district or charter school governing board and have satisfactorily completed Program training.
    - Allows the attorney general to establish rules regarding qualifications for authorized designees, limits on the types of firearms and ammunition that are authorized for Program use, and Program training standards.
    - States that a firearm must be stored in a locked, secured firearms locker and that the key or combination to the locker must remain in the possession of the designee at all times.
    - Authorizes a designee to remove the firearm from the firearms locker only to defend the lives of others on school grounds or to transport the firearm for lawful purposes, and states that the firearm must remain in a concealed holster or locked case upon transport.
  - Outlines requirements that must be met by any school district or charter school governing board that elects to participate in the Program.
    - Requires the attorney general to maintain a list of participating designees and schools to the local police department or sheriff's department of each school's city or town and directs the attorney general to remove any names off of the list that are not reported annually.
    - Requires a participating school district or charter school governing board to notify the local law enforcement agency of each designee and the designee's normal duty area of the school grounds.
- Status:* Assigned to House Committees on Judiciary (withdrawn 2/25); Appropriations (passed on a 7-3 vote on 2/26); and Rules.

**SB 1079      epinephrine auto-injectors; authorized use; entities**

Sets forth definitions regarding the use of epinephrine; who may administer the medication, and the training necessary to be qualified for its administration.

*Status:* Assigned to Committees on Health & Human Services; Government & Environment, and Rules.

**SB 1163      texting while driving; transportation vehicles**

Prohibits commercial drivers from using a mobile phone for conversation or texting; does not apply to use of 911 service.

*Status:* Assigned to Committees on Transportation; Public Safety; Government & Environment, and Rules.

**School Operation**

**HB 2088      now: study committee; extended learning opportunities**

200-day calendar; funding

A strike everything amendment was passed by the House Education Committee on 2/10. This bill now establishes the Joint Legislative Study Committee on Extended Learning Opportunities.

*Status:* As amended, passed by the House on 2/24 and transmitted to the Senate.

**HB 2316      schools; local control; student privacy**

- Prohibits SBE/ADE from:

- adopting any federally mandated educational standards, curricula or instructional approaches;
- applying for any federal grant that requires, as a condition of application, the adoption of any federally developed educational standards, curricula or instructional approaches.
- ADE may provide guidance and technical assistance to schools, but may not require the adoption of specific curricula or instructional approaches.
- Requires:
  - “transparent public rulemaking process” to make changes to the state academic standards
  - student data collection to be designed to protect student/family privacy
  - standardized test subject matter to comply with “generally accepted moral, civic and ethical values.”

*Status:* Assigned to Committees on Education (passed 2/17); and Rules.

**HB 2317      sales tax holiday; school supplies**

Exempts any purchases of clothing and school supply under \$100 from transaction privilege tax and use tax on the final Friday, Saturday, and Sunday of July.

*Status:* Assigned to Committees on Education (withdrawn 1/28/14); Ways & Means (discussed and held on 2/3), and Rules.

**HB 2319      school boards; nonprofit organizations; formation**

Allows a school district governing board to assist in the legal formation of nonprofit organizations that promote the educational mission of the school district.

*Status:* Passed by the House Committee of the Whole 3/3.

**HB 2333      medical marijuana fund; education; intervention**

A strike everything Amendment was passed in the House Health Committee. Now permits monies in the medical marijuana fund to be allocated to the biomedical research commission for marijuana research that is conducted in a university setting with the intent to conduct thorough, objective clinical research on the safety, efficacy and adverse events with marijuana.

*Status:* Assigned to Committees on Health (passed as amended on 2/19); and Rules.

**HB 2438      schools; transporting district conversion**

Allows a school district with less than 100 students enrolled for 3 years may petition to transport its students to another district.

*Status:* Retained on the House Committee of the Whole’s Calendar on 2/24; 2/27, and 3/3.

**HB 2440      gambling; raffle management; sales; operations**

Provides that a state agency may participate directly or indirectly in the management, sales or operation of a raffle if the net proceeds of the raffle will return to the state agency or one of the agency’s programs.

*Status:* Assigned to Committees on Judiciary; and Rules.

**HB 2448      now: study committee; contracting IT services**

Formerly: technical correction; legal opinions; schools

A strike everything Amendment was passed in the Technology & Infrastructure Committee. Establishes the information technology (IT) study committee. Requires the Committee to:

- Determine the costs and benefits associated with state agencies contracting for IT services.
- Determine which state agency IT services would benefit from contracting out those services.
- Develop a timeline for outsourcing IT services to the appropriate entities.

*Status:* Passed the House Committee of the Whole 3/3.

**HB 2485      technology-based language development software**

Directs SBE to issue a RFP for K-6 ELL students for language development and literacy software; establishes required criteria and assessments

*Status:* Assigned to Committees on Education (passed 2/17); Appropriations (withdrawn 2/25), and Rules.

**HB 2488      school bus routes mileage; violations**

State aid may be withheld from any School District who violates travel regulations regarding eligible nonresident pupils who are eligible to receive free/reduced price lunches.

*Status:* Assigned to Committees on Education; and Rules.

**HB 2497/HB 2502**

Proposes designating the fourth Monday in March, "Cesar Chavez Day".

*Status:* Assigned to Committees on Education; Government, and Rules.

**HB 2539      task force; physical education**

Establishes a task force on best practices in physical education and behavior management; membership criteria; review, consideration and adoption of task force recommendations.

*Status:* Passed the House Committee of the Whole 2/27.

**HB 2555      approved online courses; master list**

- Directs ADE to review all online course content for:
  - adherence to state standards,
  - courses that have state standards, and
  - issue a recommendation for approval or denial SBE/Charters for action.
- Requires SBE to adopt/maintain a master rubric for online courses by 12/15/14
- In SY 15-16 AND 16-17 ADE must limit online courses to those that award potential college credits and core academic courses.
- Beginning in school year 16-17, ADE may permit specified elective courses.
- Online courses must be a semester course that does not require a specified:
  - amount of time for daily instruction; or
  - total amount of time for completion of the course.
- DOE shall maintain and prominently display a master list of approved online courses on its website.
  - Courses offered prior to 7/1/15 will be approved for SY 15-16 through 20-21.
  - Fees may be charged to online course providers that submit applications for inclusion on the master list of approved online courses.
    - ADE will pay course cost to provider
    - Max cost is equivalent to 1/12 of the statewide average per student funding during prior FY
    - If courses cause a student to exceed a District's full-time credit load, state may not pay cost.

*Status:* Assigned to Committees on Education, and Rules.

**HCR 2013      state board of education; elected members**

Adds 3 laymembers to the composition of the SBE

*Status:* Assigned to Committees on Education; and Rules.

**SB 1318      study committee; K-12 master plan**

Establishes the K-12 education master plan legislative study committee and its membership. Duties include:

- Develop recommendations for programs that will address the goals of the governor's Arizona ready education council, including dropout prevention, early literacy and increased high school graduation rates;
- Develop recommendations that address teacher compensation/retention;
- Create a draft state K-12 education master plan; and
- Develop recommendations for improvements to the school funding formula.

*Status:* Assigned to Committees on Education; and Rules.

**SB 1049      duty to report abuse; records**

Allows, instead of requires, a school to maintain a written record of an abuse incident.

*Status:* Passed the Senate and transmitted to the House 2/10. Assigned to Committees on Judiciary 2/27; and Rules.

**SB 1114      schools; compulsory attendance age; increase**

- Increases minimum age required to take GED from age 16 to 18;
- Increases from 16 to 18 the maximum age required to attend school;
- Excuses a student under 18 from school attendance upon meeting grade 12 completion requirements;
- To excuse a working child from school, the student must be at least aged 16 (from 14)

*Status:* Assigned to Committees on Education; and Rules.

**SB 1115      seat belts; school buses**

Requires school buses bought in AZ to be equipped with lap belts as of 1/1/15.

*Status:* Assigned to Committees on Education; Appropriation; Transportation, and Rules.

**SB 1121      high school graduation; tests; moratorium**

Sets a temporary moratorium on administration of standardized tests for high school graduation for SY 2014-2015, 2015-2016; and 2016-2017.

*Status:* Assigned to Committees on Education (held 2/20); and Rules.

**SB 1156      prohibited electronic data; metadata collection**

Prohibits state and local agencies, including corporations providing services on their behalf, from providing certain types of assistance to federal agencies if those agencies claim the power to collect electronic data or metadata without a warrant.

*Status:* Ready for the House Committee of the Whole 2/25.

**SB 1191      character education study committee**

Establishes a joint legislation study committee on character education.

*Status:* Assigned to Committees on Education; Government & Environment, and Rules.

**SB 1199      school board members; school employment**

Prohibits a governing board from District employment for 24 months after leaving office.

*Status:* Passed the Senate and transmitted to the House 2/28.

**SB 1226      fingerprint clearance cards; human trafficking**

Expands the list of crimes prohibiting an individual from obtaining a fingerprint clearance card to include human trafficking.

*Status:* Passed the Senate and transmitted to the House. Assigned to Committees on Public Safety, Regulatory & Military Affairs; and Rules 2/25.

**SB 1238      electronic records; state library**

Expands State archives to include electronic records; establishes an electronic records repository fund.

*Status:* Passed the Senate and transmitted to the House. Assigned to Committees on Appropriation; Government, and Rules 2/25.

**SB 1288      school letter classification; science scores**

SBE directed to separately compute the percentage of pupils who meet or exceed the standard on the science portion of AIMS; it may add a plus symbol to the letter grade assigned if sufficient numbers of the students meet or exceed the standard on the science portion.

*Status:* Passed the Senate and transmitted to the House. Assigned to Committees on Education; and Rules 2/27.

**SB 1372        schools; sex education**

Requires all Districts to provide sex education that is medically accurate and comprehensive; defines terms. DOE will provide assistance upon request. Provides for parent opt-out.

*Status:* Assigned to Committees on Education; and Rules.

**SB 1377        schools; vision screening programs**

Child Hearing Programs is revised to *Child Hearing and Vision Programs*. Definitions revised to include vision evaluations and definition.

*Status:* Assigned to Committees on Health & Human Services; Appropriations, and Rules.

**SB 1389        medical marijuana fund; education programs**

Uses Medical Marijuana Fund (Fund) monies to discourage marijuana use among the general population, especially persons under 24 through public health education programs and specifies other requirements for the use of the monies in the Fund. Contains requirements for enactment for initiatives and referendums (Proposition 105).

*Status:* Placed on the Senate Consent Calendar 3/3.

**SB 1395        schools; competency requirements; assessments; optional**

Permits a District/Charter to opt out of any competency requirements or instrument to measure standards test and:

- are not subject to any financial penalty; and
- must administer an annual assessment to measure the extent to which students have met the adopted academic standards.

Removes *AIMS intervention*, defines *Instrument to Measure Standards test intervention*.

*Status:* Placed on the Senate Consent Calendar 3/3.

**SB 1396        schools; competency requirements; assessments**

Districts/Charters:

- must adopt and submit a course of study incorporating academic standards that meet or exceed the standards adopted by the state board of education for use during or after the 1998-1999 school year.
- must annually implement an instrument to measure standards test in reading, writing and mathematics in at least four Board-designated grades;
- may administer assessments in social studies and science
- may not require students to meet/exceed those standards

Failure to adopt/submit standards face financial penalty

*Status:* Placed on the Senate Consent Calendar 3/3.

**SB 1398        school accountability pilot program**

Establishes a competitive application process for a 5-year school accountability pilot program

*Status:* Assigned to Committees on Education; and Rules

**SB 1466        smart school technology pilot program**

Establishes a 3-year smart school technology pilot program to encourage the deployment of whole-school technology in public schools. Appropriates \$5m for ADE technology/program grants.

*Status:* Assigned to Committees on Education (failed 2/20); Appropriation, and Rules

**SCR 1013        superintendent of public instruction; appointment**

Removes the Superintendent of Public Instruction from the State's Executive Department; Governor to appoint to position

*Status:* Assigned to Committees on Government & Environment; and Rules

**Buildings/Property**



**SB 1066            green public schools task force**

Establishes a green public schools task force to make recommendations for a model green cleaning policy and a system to ensure that existing schools are retrofitted and new schools are constructed to promote energy efficiency and sustainability.

*Status:* Assigned to Committees on Education; Government & Environment, and Rules.

**SB 1072            energy conservation; school buildings**

By 12/31/15, requires school districts to adopt a green cleaning policy and purchase and use environmentally sensitive cleaning products, unless it would increase their cleaning costs. By 7/1/19, requires school districts to purchase at least 10% of their energy requirements from “green” sources such as solar, wind, landfill gas and low-impact hydroelectric generation. Establishes a loan program for energy and water conservation projects. Establishes a green public schools task force to make recommendations for a model green cleaning policy and a system to ensure that existing schools are retrofitted and new schools are constructed to promote energy efficiency and sustainability.

*Status:* Assigned to Committees on Education; Appropriation, and Rules.

**SB 1074            energy conservation; public buildings**

By 7/1/19, requires school districts to purchase at least 10% of their energy requirements from “green” sources such as solar, wind, landfill gas and low-impact hydroelectric generation.

*Status:* Assigned to Committees on Government & Environment; Appropriations, and Rules.

**SB 1100            schools; unused or underused buildings**

Establishes numerous requirements related to vacant and “underused” school buildings, including:

- Requires school buildings that were vacant in FY 2013 and buildings operating at less than 50% of the SFB capacity in FY 2012 and FY 2013 to be sold or leased to a charter school or private school. After one year, if no school makes an offer, a vacant building must be sold to the highest bidder.
- Requires school districts to sell or lease a building or part of a building that has been unused for two consecutive years to the lessee or the purchaser of the district’s choice, if a charter school or private school notifies the district of its desire to lease or purchase the building.
- Prohibits a school district from leasing a vacant school building to itself or an entity affiliated with that school district.

*Status:* Retained on the Senate Committee of the Whole’s Calendar 3/3

**SB 1102            school facilities board revisions**

- Specifies that:
  - the SFB building database must include all buildings that are owned by school districts.
  - square footage used solely for district administration, storage of vehicles and other nonacademic purposes must be excluded from the net, rather than the gross, square footage when determining minimum adequacy standards.
  - routine preventative maintenance for school facilities includes services recommended by the manufacturer of the specific building system or equipment.
- Requires school districts to include in their building reports any school or school buildings that have been closed, leased to another entity or that operate as a charter school.
- Eliminates language specifying the SFB must inventory and inspect all school buildings in the state in order to develop a database for the administration of the Building Renewal Grant Fund and the New School Facilities formula.

*Status:* Passed the Senate 3/3.

**SB 1123            property; liability; schools; recreational users**

Specifies that students who are registered at a school and who are in transit to or from the school are not considered recreational users of school grounds.

*Status:* Passed the Senate and transmitted to the House. Assigned to Committees on Education (passed 2/24); and Rules.

## **School Elections**

### **SB 1287      schools; ballot language; review**

Adds language to ARS 15-481 (override election; budget increases; notice; ballot; effect) that:

- Proposed ballot language is deemed approved by the Director of the Arizona legislative council if District does not receive objections within 15 calendar days of submission;
- 80 days before the election, District must notify County School Superintendent of ballot language approval;
  - If letter not submitted, ballot language will not appear on ballot.
- Unapproved language will void election results.

*Status:* Passed the Senate on a 17-13 vote; transmitted to the House and assigned to Committees on Education; and Rules 2/27.

### **SB 1293      publicity pamphlets; disclosure**

Requires inclusion of estimated tax impacts in publicity pamphlets for municipal, county and special taxing district bond elections. Modifies the form of required informational reports for school budget override elections as well as the informational pamphlet required for bond elections in any state political subdivision.

*Status:* Passed the Senate on a 19-11 vote; transmitted to the House and assigned to Committees on Education; and Rules 2/26.

### **SB 1254      election dates; school bonds; overrides**

Limits school district elections for the following purposes to even-numbered years: bonds, overrides, purchase or sale of school property, lease or lease purchase agreements for 10 years or more, and construction of school buildings.

*Status:* Failed 13-16 on the House Third Read 2/20.

## **Child Welfare**

### **SB 1016      schools; suicide prevention training**

By 1/1/15, the SBE is directed to

- develop suicide awareness and prevention training materials; and
- Require public school personnel to receive training:
  - at least 2 hours of training (beginning in the 2015-2016 school year);
  - within 12 months of new employees initial hiring date and every 5 years.

Specifies that the training does not impose any specific duty of care.

*Status:* Assigned to Committees on Education; and Rules.

### **SB 1256      children; reporting; criminal conduct**

Revises definitions regarding child welfare:

- Expands *criminal conduct allegation* to include allegations of conduct by a relative of a child, including siblings and step-siblings, or any other person who visits or resides in the child's home, including those in which the alleged perpetrator is a minor
- Expands list of *reportable offenses* to include abandonment; "surreptitious photographing, videotaping, filming or digitally recording/viewing a minor"; child prostitution; and incest.

*Status:* Assigned to Committees on Health and Human Services; Public Safety and Rules.

**SB 1018            high schools; nutrition standards**

By 7/1/15 DOE directed to develop nutrition standards for high schools (grades 9-12):

- Must meet, but may exceed, federal guidelines for normal school day nutrition
- May include guidelines regarding portion size, minimum nutrient values, contents listings
- For items sold on school grounds during normal school day
  - Food that must meet nutrition standards:
    - Culinary Arts program food/beverages
    - Food program *a la carte* items
    - Vending machines, snack bars, stores and kiosks
  - Beverage choices must include
    - Water
    - 100% fruit or vegetable juice drinks
    - Isotonic beverages [drinks containing similar amounts of salt and sugar as human body]
    - Low-fat milk
  - Beverage choices limited to no more than 50% availability include:
    - diet/unsweetened teas
    - 0-calorie carbonated drinks;
    - sports drinks [hypertonic drinks, or those containing more sugar than human body]
    - juice drinks with less than 50% juice.

As of 7/15/15

- school vending machine capacity may contain no more than 50% of above
- All other foods of “minimal nutritional value” on campuses are prohibited
- Allows any food/beverage item to be sold
  - in fund-raisers off-campus for off-campus consumption; or
  - to adults.

*Status:* Assigned to Committees on Education; Government, and Rules.

**SCR 1003            initiatives; referendum measures; periodic reauthorization**

Proposed constitutional amendment requiring initiatives and referendums that require the expenditure of public monies or affect State general fund revenues or expenditures to be re-authorized every eight years. Applies retroactively to previous ballot measures approved after 11/3/1998. Requires a financial and performance audit and analysis and policy evaluation of each measure in the year before a reauthorization vote takes place, which must be made available to voters. The evaluation shall include a recommendation by the Auditor General on whether the measure should be reauthorized.

*Status:* Ready for the Senate Committee of the Whole.