



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

DATE OF MEETING: June 3, 2014

TITLE: Periodic Legislative Update

BACKGROUND:

This item is submitted to provide the Governing Board with final information regarding the disposition of legislation during the 2014 legislative session. Attached for ease of reference and simplicity's sake is the final legislative "wrap-up" published each year by the Arizona School Board Association.

Mr. Jaeger will provide a brief presentation on some of the key bills that emerged from this year's session which he has not already reviewed. This review will include a focus on Empowerment Scholarship Accounts.

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

INITIATED BY:

A handwritten signature in cursive script that reads "Todd A. Jaeger".

Todd A. Jaeger, Associate to the Superintendent

Date: May 28, 2014

A handwritten signature in cursive script that reads "Patrick Nelson".

Patrick Nelson, Superintendent

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

Scholarships

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.
- Removes language specifying that all ESA students receive 90% of the base support level plus charter school additional assistance.
- Stipulates that all ESA students receive 90% of the base support level.
 - Allows students who previously attended a charter school to receive 90% of the charter additional assistance in addition to 90% of the base support level.
- Determines, as session law, that students enrolled in the ESA program before the effective date of this act will continue to receive funding at the current amount for the duration of time that the child remains continuously enrolled in the ESA program.

Status: SIGNED by the Governor.

Finance/Budget

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: Transmitted to the Governor 4/24. [no further action as of 5/5]

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 1st 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.

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: SIGNED by the Governor.

Student Discipline

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: SIGNED by the Governor.

School Operation

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.”

Eliminates the prohibition of certain subject matter in test questions and makes other changes regarding personal information and public review of state academic standards.

Status: VETOED by the Governor

Buildings/Property

SB 1336 property; liability; schools; recreational users

Allows charter schools to permit the use of school property to a person or organization and grants immunity from civil liability to charter schools, school districts and their employees for the use of school property.

Status: SIGNED by the Governor.