



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

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**DATE OF MEETING:** April 9, 2013

**TITLE:** Periodic Legislative Update

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**BACKGROUND:**

This Item is presented to permit the Governing Board to review and discuss the status of education-related legislation which has been proposed in the first regular session of the 51<sup>st</sup> Arizona legislature this year.

A summary of bills introduced in the Arizona House of Representative and the Senate follows and includes current status of those bills where available. In subsequent legislative updates, status updates on each bill will be provided. At this point, all bills to be presented have been. Absent “striker bills” (a.k.a. strike-everything amendments), there should be no further legislation affecting schools. Striker bills, however, have been recurring events in Arizona’s legislative process.

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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:**

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

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**Todd A. Jaeger, Associate to the Superintendent**

**Date: April 16, 2013**

A handwritten signature in cursive script that reads "Patrick Nelson", enclosed in a dashed rectangular box.

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**Patrick Nelson, Superintendent**

# BILLS INTRODUCED IN THE ARIZONA HOUSE OF REPRESENTATIVES

## **HB 2005 (political subdivision entities; public access)**

Modifies the definition of *public body* to include political subdivision entity;

Requires entities to:

- conspicuously post online where information about public notices and public meetings will be posted;
- give additional “reasonable and practicable” public notice for all meetings.
- post public meeting notices on their website
- store/maintain records in accordance with the standards set by Arizona State Library, Archives and Public Records.

States that temporary or permanent technology failure does not prohibit the holding of meetings for which notice was posted if all other public notice requirements were followed.

*Status:* ready for the Senate Committee of the Whole

*Sponsor:* Ugenti

## **HB 2010 (technical correction; legal opinion; schools)**

In matters relating to schools, if the attorney general revises the county attorney's opinion, the opinion of the attorney general shall prevail.

*Status:* Filed; no action taken.

*Sponsor:* Dial

## **HB 2037 (S/E: tax credit; unified sports programs)**

Allows an income tax credit for fees or contributions to a public school for the support of a sports program that combines high school students with and without intellectual disabilities on sports teams.

*Status:* passed the House. Transmitted to the Senate on 3/8 where it was assigned to the Senate Committees on Education, Finance and Rules

*Sponsor:* Carter

## **HB 2042 (schools; pupils with disabilities)**

formerly technical correction; home health agencies

The House Health Committee passed a strike-everything amendment on a 7-0 vote. This bill now allows voluntary diabetes care assistants to administer insulin in addition to glucagon, assist the pupil with self-administration of insulin in an emergency situation or perform any combination of these actions under certain conditions.

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

*Sponsor:* Carter

## **HB 2047 (pupil assessments; AIMS transition)**

Repeals a requirement that pupils pass certain competency tests in order to graduate high school and removes or replaces other statutes regarding pupil assessments.

*Status:* passed the House and was transmitted to the Senate on 2/5; assigned to Senate Committees on Education; Government & Environment, Rules

*Sponsors:* Goodale, Boyer

## **HB 2054 (preschool programs; charter schools)**

formerly technical correction; private schools

Allows charters schools to offer a preschool program for children with disabilities.

*Status:* ready for the Senate Committee of the Whole

*Sponsor:* Goodale

## **HB 2057 (ASRS; plan design amendments)**

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Makes administrative changes to the statutes governing the Arizona State Retirement System, including:

- Removes the \$5,000 threshold for survivor benefit annuity option;
- Limits a survivor to a lump sum or a straight-life annuity option only, provided the monthly payout amount is greater than an amount determined by the Board. The current Board determined amount is \$20 per month;
- Eliminates the present value calculation for survivor benefits;
- Eliminates Permanent Benefit Increases for members who join after this act's effective date;
- Allows recipients of survivor benefits to participate in the ASRS group health insurance plan.

*Status:* Passed the House on 2/26/13 on a 36-23-1 vote; transmitted to Senate; assigned to Senate Committees on Finance and on Rules.

*Sponsor:* Lovas

### **HB 2058 (federal conforming changes)**

Makes administrative changes to the statutes governing the Arizona State Retirement System in conformity with the Internal Revenue Code.

*Status:* ready for the Senate Committee of the Whole

*Sponsor:* Lovas

### **HB 2059 (ASRS; administration)**

Makes administrative changes to the statutes governing the Arizona State Retirement System

*Status:* passed the House on 2/6; transmitted to Senate and assigned to Committees on Finance, Rules.

*Sponsor:* Lovas

### **HB 2060 (school district governing boards; censure)**

Provides school district governing boards the opportunity to censure board members. The bill was amended to address both caucuses' concerns. It would be voluntary for a board to censure; however, to do so, there must be a two-thirds vote and limited to non-compliance of approved board policy, violation of conflict of interest and open meeting laws, or excessive absences as prescribed in policies adopted by the governing board and not in violation of federal law.

*Status:* passed the House Committee of the Whole on a 29-23 vote on 2/12/13.

*Sponsor:* Goodale

### **HB 2068 (public schools; chambers of commerce)**

Allows a school district or charter school to spend money on a local, state or national chamber of commerce membership.

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

*Sponsor:* Kavanagh

### **HB 2075 (school boards; vacancies; board appointment)**

Removes current §15-302(A)(3) which directs County School Superintendent to appoint member to fill Board vacancy; allows Governing Board to appoint new member.

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

*Sponsors:* Petersen, Stevens, Boyer, Mitchell, Livingston, Thorpe, Coleman, Townsend, Shope, Borrelli, Farnsworth, Biggs

### **HB 2151 (classroom site fund; supplanting; restoration)**

If a district has improperly supplanted monies in the classroom site fund, the supplanted monies must be restored

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

*Sponsor:* Seel

### **HB 2152 (schools; excess carry forward monies; reduction)**

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If a school district's budget balance carry-forward exceeds 3% of the school district's revenue control limit for each of three consecutive fiscal years, any state aid allocations apportioned to that school district in the next fiscal year shall be reduced by an amount that corresponds to the sum of the carry-forward balance of that school district for those three previous fiscal years.

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

*Sponsor:* Seel

### **HB 2156 (elections; public resources prohibited)**

Prohibits the state and all its political subdivisions from spending or using public resources to influence an election. Amendments adopted that expands the §15-511 electioneering prohibitions; to ensure that district governing board pro/con ballot arguments are still allowed. Senate-passed amendment defined "government-sponsored forum or debate" as "any event, or part of an event or meeting, in which the government is an official sponsor, which is open to the public or to invited members of the public, and whose purpose is to inform the public about an issue or proposition that is before the voters"

*Status:* Amended in Senate passed amended bill on 4/2 with a 17-11-2 vote; returned to House.

*Sponsor:* Kavanagh

### **HB 2168 (school age; increase; parental permission)**

Fully effective in the 2016-17 school year:

- Increases the age a child must attend school from 16 to 18;
- Increases the school dropout age from 16 to 18;
- increases the age exemption of a child who is employed and has parental consent to dropout from 14 to 16;
- Allows anyone who is at least 18 years old, and has not successfully completed the course of study required for high school graduation, to dropout if they submit a notarized consent form to the principal or head teacher at their school;
- Contains session law that allows a child who is at least 16.5 years old to dropout in the 2014-15 school year, and a child who is at least 17.5 years old to dropout in the 2015-16 school year, if their parent submits a notarized consent form to the principal or head teacher at their school;
- Exempts children who are homeschooled from the two year phase-in required by session law.

*Status:* Assigned to House Committees on Education (where it was discussed and held on 1/28/13), and Rules.

*Sponsor:* Dial

### **HB 2192 (school board agendas; posting; time)**

Requires a school district governing board agenda be available to the public at least 3 days before the meeting, except in the case of an actual emergency

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

*Sponsors:* Miranda; Dalessandro; Lesko; Steele; Cardenas; Gabadon; Mendez; Contreras; Gonzales; Otondo

### **HB 2194 (schools, bullying, enforcement)**

Adds language prohibiting harassment based on "actual or perceived sexual orientation" to antibullying policies; provides for revocation of an administrator's certificate if he/she "knowingly fails to follow the policies and procedures" of antibullying policies

*Status:* Assigned to House Committees on Education, Reform and Human Services, Rules.

*Sponsors:* Miranda; Dalessandro; Lesko; Steele; Cardenas; Gabadon; Mendez; Contreras; Gonzales; Otondo

### **HB 2195 (schools; student behavior threat assessment)**

Directs the SBE to, by 1/1/15, adopt a recommended pupil behavior threat assessment that may be used by school districts and charter schools. The assessment will both:

- Provide a structured approach to gather and organize information about a pupil in order to determine intervention and supervision strategies that are unique to that particular pupil and to the particular set of circumstances that gave rise to the behavior threat assessment.
- Provide information that may be collected and reviewed by school personnel, with input from the pupil's parent or guardian, to determine the appropriate category of concern about a particular pupil. If necessary, the school personnel may also seek input from law enforcement and mental health professionals to determine the appropriate category of concern about a particular pupil.

No later than 1/1/16, each School district governing board must conduct a public meeting to consider the adoption of the SBE's pupil behavior threat assessment

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

*Sponsors:* Miranda; Brophy McGee; Dalessandro; Mendez; Lesko; Cardenas; Gabaldon; Steele; Contreras; Gonzales

### **HB 2196 (promotion certificates; 8th grade)**

Removes the ability of school boards to request certificates of promotion from the county school superintendent and allows schools to hold 8th grade promotion ceremonies for students.

*Status:* ready for the Senate Committee of the Whole

*Sponsors:* Miranda, Contreras, Lesko, Shope, Brophy McGee, Gabaldon, Mendez, Cardenas, Gonzales, Otondo

### **HB 2202 (school district; leases)**

Extends the time period school boards are able to enter into lease agreements from 5 to 10 years and allows certain school districts to call for an override election to exceed CORL during periods of expending lease proceeds on capital outlay.

*Status:* ready for the Senate Committee of the Whole

*Sponsors:* Robson, Dial, McComish

### **HB 2217 (extraordinary educators special plates)**

Establishes the Extraordinary Educators Special Plates and Trust Fund upon "an entity" paying \$32,000 to the DOT

*Status:* ready for the Senate Committee of the Whole

*Sponsors:* Dial, Borrelli, Coleman, Forese, Orr, Steele, Thorpe, Bradley, Driggs, Gallardo, Landrum Taylor, Meza, Tovar, Alston, Barton, Boyer, Brophy McGee, Cardenas, Carter, Contreras, Dalessandro, Escamilla, Fann, Gabaldon, Gallego, Goodale, Hale, Kwasman, Larkin, Mitchell, Petersen, J. Pierce, Saldade, Shope, Smith, Stevens, Townsend, Ugenti, Wheeler, Ableser, Cajero Bedford, Crandall, Hobbs, Jackson, Lopez, McGuire, Murphy, Pancrazi, Reagan, Shooter, Worsley, Yarbrough, Yee

### **HB 2237 (schools; bonding level increase; repeal)**

Repeals:

- the increase in school district Class B bonding capacity limit;
- the requirement that the total amount of indebtedness from Class A and Class B bonds issued by a school district to be under the current Constitutional limit;
- The prohibition that kept a school district from issuing any new Class B bonds approved after April 15, 2011 until the district's total Class B bonded indebtedness would have fallen under the current statutory limits.

*Status:* Retained by the Senate Committee of the Whole  
4/1/13

*Sponsors:* Stevens, Thorpe

**HB 2280 (employee benefits; state preemption)**

Asserts the state's preemption authority over employee benefits, including:

- Prohibits further regulation by any county, city, town or political subdivision in Arizona.
- Includes employee compensation, paid and unpaid leave and other absences and meal breaks in the provision relating to employee benefits.
- Ensures the provisions do not apply to employee benefits provided by a city, town or other political subdivision of the state.

*Status:* ready for the Senate Committee of the Whole 3/27/13

*Sponsor:* Forese

**HB 2283 (government publications; other than English)**

Requires any publication or document, other than voting material, issued to the public by a state agency to be in English and requires the non-English version to only be issued online and maintained in print at the state agency office.

*Status:* Assigned to House Committees on Rules and Government (where it passed on a 5-3 vote on 2/5/13)

*Sponsor:* Smith

**HB 2284 (schools; pledge of allegiance; requirement)**

Sets aside a specific time each day for students (who want to) to recite the pledge of allegiance to the United States flag. Student may be excused at the request of a parent.

*Status:* Filed; no further action.

*Sponsors:* Smith, Shope

**HB 2285 (state budget; appropriation limitation; hearing)**

Requires that the Joint Legislative Budget Committee compute and transmit truth in spending estimates and requires the Legislature to hold a public hearing if these spending estimates are exceeded by proposed appropriations.

*Status:* Assigned to the House Committees on Rules; Federalism and Fiscal Responsibility (where it passed on 2/5); Appropriations (where it passed on 2/13)

*Sponsors:* Smith, Shope

**HB2289 (schools; data; noncitizen students)**

Requires ADE to "take any reasonable action to collect from all school districts data on populations of students who are enrolled in school districts and who are aliens who cannot prove citizenship or lawful residence in the United States, or both." ADE must submit report of collected information and include:

- Research on the adverse impact of the enrollment of students who cannot prove citizenship or lawful residence in the United States.
- A detailed estimate of the total cost for the education of students who are not citizens of the united states, including a separate detailed estimate of the total cost for the education of students who cannot prove citizenship or lawful residence in the United States.

*Status:* Filed; no further action taken.

*Sponsors:* Smith, Shope

**HB 2317 (fingerprint clearance card; expired use)**

Authorizes the use of expired fingerprint clearance cards with the appropriate affidavit signed by the cardholder.

*Status:* SIGNED BY THE GOVERNOR 3/21/13.

*Sponsor:* Farnsworth

**HB 2318 (schools without federal funding; exemptions)**

Exempts charter schools and district schools that do not accept federal funding from certain federal and state regulations. Senate-passed amendment specifies that the SBE is not prohibited from

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adopting state testing standards or implementing state assessments for students enrolled in qualifying schools.

*Status:* Passed the Senate Committee of the Whole 3/27/13

*Sponsor:* Farnsworth

**HB 2327 (dangerous drugs; definition)**

An emergency measure that expands the definition of dangerous drugs to include specific chemical configurations that typically compose synthetic cannabinoids and bath salts.

*Status:* TRANSMITTED TO THE GOVERNOR 4/1/13

*Sponsor:* Farnsworth

**HB 2349 (schools; ending balance; property tax reduction)**

For fiscal years 2014-2017, reduces state aid by a portion of the prior year ending balance in the M&O, capital outlay and soft capital funds. For FY 2018, reduces state aid by the prior year ending balance in the M&O fund. Requires additional state aid to be used to reduce property taxes (instead of being used to offset the loss of property tax revenue) and creates a new property tax reduction formula for classes two through nine for fiscal years 2014-2018.

*Status:* Assigned to House Committees on Education, Appropriations, Rules

*Sponsor:* Seel

**HB 2374 (school safety program; funding; expansion)**

Establishes The Arizona School Safety Fund. To be administered by the ADE, it will distribute grants to enhance security measures and equipment based on the needs identified in the comprehensive threat assessment that districts are required to develop and annually update for each school site. The threat assessment must review physical security deficiencies at each school site and identify measures to provide adequate security at that school site.

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

*Sponsor:* Campbell

**HB 2399 (school districts; bonded indebtedness limitations)**

Increases elementary and union school district class B bonding capacity limits from 5% to 10% and for unified districts from 10% to 20%. In addition, this bill applies to bonds pursuant to elections held before and after the effective date, except that for bonds issued pursuant to elections held before the effective date of this act only apply until July 1, 2016 and the 10% and 20% increase will apply after July 1, 2016.

*Status:* Assigned to House Committees on Rules, Ways & Means, and Education (where it was discussed and held on 2/11)

*Sponsors:* Carter, Stevens, Dial, Robson, McComish

**HB 2411 (schools; governing board; immediate family)**

Removes prohibition on members of same immediate family serving on same governing board

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

*Sponsors:* Quezada, Gallardo, Otondo, Steele

**HB 2414 (public employees; collective bargaining)**

A Public Employee Bargaining Act is created. Sets forth term definitions; the rights of public employees regarding labor organizations, representation and meet/confer activities; the rights of public employers and governing bodies. Establishes a public employee labor relations board and sets its powers and duties; local boards and appropriate bargaining units; sets scope of bargaining; dispute resolution methods

*Status:* Assigned to House Committees on Government, Rules

*Sponsors:* Quezada, Gonzales, Wheeler, Mendez, Cardenas, Larkin, Gallardo, Miranda, Gallego, Steele, Alston, Saldate

**HB 2418 (state personnel system; covered employees)**

Establishes a state personnel system; sets for powers and duties of Director for direction and control of personnel administration; defines exemptions; sets forth personnel rules for state service employees; encourages state employees to volunteer as mentors to school age youths at public schools, private schools or home schools or through faith-based organizations (provides for flex time for this purpose)

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

*Sponsors:* Quezada, Gallardo, Mendez, Otondo, Saldae, Steele

**HB 2425 (ELL task force replacement)**

Eliminates the Arizona English Language Learners Task Force and directs the State Board of Education to take over its statutory authority, powers, duties and responsibilities.

*Status:* SIGNED BY THE GOVERNOR 3/28/13.

*Sponsor:* Goodale

**HB 2427 (schools; unification; consolidation; initial meetings)**

Allows a unified school district governing board to be created when a unified district is formed to conduct operations for the following year.

*Status:* SIGNED BY THE GOVERNOR 3/21/13.

*Sponsors:* Goodale, Borrelli, Carter

**HB 2435 (200 day school calendar; funding)**

A school district, or one or more schools within that district, may extend their calendar to 200 days per school year; last day of instruction must be before June 30<sup>th</sup>; district that elects to provide 200 days of instruction may increase its base level from five to eight per cent. ADE must be notified of calendar revision by November 1<sup>st</sup> of year preceding new calendar implementation.

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

*Sponsors:* Miranda, Hernandez, Goodale, Meyer

**HB 2436 (surveys; ethnicity; multiracial category)**

In implementing a program that is required by law to determine the ethnicity of groups of people State agencies/political subdivisions must include "multiracial" as a category of different ethnicities in survey questions

*Status:* Assigned to House Committees on Education, Government, Rules

*Sponsors:* Miranda, Hernandez

**HB 2539 (education; academic skills)**

Requires SBE to 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 should be acquired by a pupil by the end of a particular grade level, including kindergarten programs.  
AZ Bd of Regents required to publish:
- A list of academic skills and prerequisite courses that a student should possess in order to be accepted for admission into a community college or university in this state.
- A list of academic skills and prerequisite courses that should be acquired by a student in order to be admitted into a particular postsecondary education program of study.

*Status:* Assigned to House Committees on Education, Rules, Higher Education and Workforce Development

*Sponsors:* Saldate, Wheeler, Dalessandro, Hernandez, Quezada, Gabaldon, Campbell, Gallego, McCune Davis, Steele, Miranda, Contreras, Gonzales, Peshlakai



**HB 2441 (schools; electronic fingerprinting services)**

Allows the Department of Public Safety (DPS) to contract with an entity to provide electronic or internet-based fingerprinting services for individuals applying for, or renewing, a teaching certificate and contains an emergency clause. Senate-passed amendment requires the contractor for electronic fingerprint services to comply with the DPS-approved information technology security policy.

*Sponsors:* Passed the Senate on 3/25/13.

*Sponsor:* Olson

**HB 2476 (schools; isolation rooms; restrictions)**

Requires that a process for prior written parental consent for confinement as a disciplinary measure be established; amended to remove references to special education legal citations.

*Status:* TRANSMITTED TO THE GOVERNOR 4/28/13

*Sponsors:* Townsend, Kwasman, Stevens, Lesko, Borrelli, Petersen

**HB 2488 (200-day school calendar; funding)**

Allows individual schools and charter schools to offer 200-day calendars and increases funding under certain conditions for school districts and charter holders that offer an extended calendar

*Status:* Passed the House; transmitted to the Senate on 3/5/13; assigned to Senate Committees on Education, Appropriations, and Rules. It failed in the Education Committee on a 4-5 vote on 3/21/13. On 3/26/13, the bill passed the Appropriations Committee with a 7-2 vote for a strike-everything amendment on "computer data center incentives".

*Sponsors:* Boyer, Lee, Lesko, Coleman, Carter, Thorpe, Orr, Goodale, Townsend

**HB 2493 (schools; online courses; requirements)**

Requires school districts to allow each pupil in grades 7-12 to enroll in an online course after which they must take an ADE-approved assessment. If assessment passed, school must accept course credits & apply them to promotion/graduation requirements. Students must give school 30-days notice of intent to enroll in online course & of chosen assessment. ADE shall pay the cost of the online course to the online course provider; max cost equivalent to 1/12 of the statewide average per pupil funding amount for AZ district/charter school high school students during the prior fiscal year. Funding distribution outlined.

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

*Sponsors:* Boyer, Coleman, Lesko, Thorpe

**HB 2494 (charter schools; enrollment preference)**

Gives charter school enrollment preference to the grandchildren or legal wards of employees of the school or charter holder, school board members or directors, officers, partners and board members of the charter holder.

*Status:* Passed the Senate on 3/19

*Sponsors:* Boyer, Lesko, Coleman, Thorpe, Goodale, Townsend

**HB 2495 (school districts; expenditures; refunds)**

Requires school districts to use 50% of net refunds or rebates received from energy saving devices or services for corresponding expenditures in the next fiscal year.

*Status:* Assigned to Committees on Rules, Education (where it was held on 2/4).

*Sponsor:* Mesnard

**HB 2496 (schools; petition; regulatory exemptions)**

Allows charter schools, in addition to school districts, to be exempt from certain rules and statutes if a letter grade of "A" is maintained for two of the last three consecutive years.

*Status:* ready for the Senate Committee of the Whole

*Sponsor:* Mesnard

### **HB 2499 (JTEDs; per pupil funding calculation)**

requires ADM for 10th, 11th and 12th grade students enrolled at a centralized campus that is leased by a Joint Technical Education District (JTED) to be calculated at no more than .75 if they meet certain requirements and allows a student enrolled at an accommodation school to be considered a student of the school district in which they physically reside for the purposes of enrolling in a JTED.

*Status:* Passed the Senate Education Committee on 3/14 with a ***strike-everything amendment regarding JTED government boards***; Passed the Senate Appropriations Committee on 3/19 with a strike-everything amendment.

*Sponsors:* Goodale, Orr, Bradley, Cajero Bedford, Meyer, Pancrazi, Farley, Saldate, Reagan, Dial, Jackson, Ward

### **HB 2500 (schools; teacher evaluations; dismissals)**

Makes various changes to teacher evaluations and dismissals, including:

- Replaces references to “certificated teacher who has not been employed by the school district for more than the major portion of three, or four, consecutive school years and who has been designated in one of the two lowest performance classifications” with *probationary teacher*.
- Regarding notice of a school board’s decision to not reemploy a teacher, removes the 90 day timeframe the board has to give the teacher written preliminary notice of inadequacy.
- Classifies a certified teacher who is currently a continuing teacher, but has been designated in one of the two lowest performance classifications for the preceding and current school years as a probationary teacher until that teacher’s performance classification is designated in either of the two highest performance classifications.
- Requires teacher evaluation policies to contain the requisite descriptions by school year 2015-16 rather than beginning in school year 2015-16.
- Revises requisite teacher evaluation policy descriptions.
- Requires teacher evaluation policies to require that the school district issue the preliminary notice of inadequacy of classroom performance no later than the second consecutive year that the teacher is designated in one of the two lowest performance classifications.
- Permits the last of the two classroom observations to follow the issuance of a preliminary notice of inadequacy of classroom performance and be used to determine whether the teacher has corrected inadequacies and demonstrated adequate classroom performance.
- Prohibits an observation from being conducted within two instructional days of any scheduled period that school is not in session for one week or more.
- Requires teacher performance evaluation procedures to include training requirements for qualified evaluators and a plan for the appropriate use of quantitative data of student academic progress in all certificated teacher evaluations.
  - Recommends that the plan make distinctions between certificated teachers who provide direct instruction to students and those that do not, as well as data for multiple school years. Limited use of data for certificated teachers who have taught for less than two complete school years can be used.
- Authorizes the school board to waive the requirement of a second classroom observation for a continuing teacher whose teaching performance, based on the first classroom observation, places the teacher in one of the two highest performance classification for the current school year, unless the teacher requests a second observation.
- Permits the qualified evaluator, in addition to a board designee, to confer with the teacher about their performance and provide professional development opportunities.
- Stipulates that a school district or charter school that receives information about a certificated teacher from the evaluation report and performance classification can solely use the information for employment purposes and cannot release to or allow access to the information by any other person, entity, school district or charter school.

- Requires written preliminary notice of inadequacy of classroom performance to be given at least 60 calendar days before notice of intention to dismiss or not reemploy, rather than 90 days.
- Increases from five to ten school days, the timeframe that a designated school board employee must report issuance of a preliminary notice of inadequate classroom performance to the school board.
- Requires the preliminary notice of inadequacy of classroom performance to be accompanied by a performance improvement plan designed to help the teacher correct inadequacies and demonstrate adequate classroom performance.
- Directs the school board to adopt a definition of inadequacy of classroom performance that aligns with the performance classifications in consultation with its certificated teachers, either in a public hearing, by forming an advisory committee or providing teachers the opportunity to respond to a proposed definition.
- Renames a certificated teacher who has been employed by the school district for more than the major portion of three consecutive school years and who is under contract of employment with the school district for the current year or who is not designated in the lowest performance classification and was offered a contract in the prior year as a *continuing teacher*.
- Removes language allowing a school board to define inadequacy of classroom performance if it has received approval to budget for a career ladder program.
- Defines *inadequacy of classroom performance*, *performance classifications*, *probationary teacher*, *continuing teacher* and *qualified evaluator*.
- Applies retroactively to July 1, 2013.

The Committee on Education passed the following amendments to this Bill:

- Stipulates that a certificated teacher who is currently a continuing teacher but has been designated in the lowest performance classification for the current school year must immediately become a probationary teacher and remain so until their performance classification is designated in one of the 2 highest classifications.
- Specifies that the dismissal or nonrenewal procedures in teacher evaluation policies must require that the school district issue the preliminary notice of inadequacy of classroom performance no later than the second consecutive year that the teacher is designated in one of the two lowest performance classifications, unless the teacher is in the first or second year of employment with the school district or has been reassigned to teach a new subject or grade level for the preceding or current school year.
- Requires at least two actual classroom observations, rather than at least two *annual* classroom observations.
- Requires results of an annual evaluation to be in writing or *provided* in electronic format to the certificated teacher, rather than *made available* in electronic format.
- Directs a school board to give written preliminary notice of inadequacy of classroom performance at least *45 instructional days* before giving notices of intent to dismiss or not reemploy a teacher, rather than *60 calendar days*.
- Reinserts language allowing a school board to define inadequacy of classroom performance if it has received approval to budget for a career ladder program.

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

*Sponsors:* Goodale, Boyer, Miranda, Orr, Borrelli, Brophy McGee, Carter, Coleman, Gray, Meyer, J. Pierce, Pratt, Stevens

### **HB 2505 (schools; vaccination exemption rates; posting)**

Requires school districts and private schools to annually post on its website the percentage of students who are attending with an exemption from immunization

*Status:* Assigned to House Committees on Health, Education, Rules

*Sponsors:* McCune, Davis

**HB 2506 (schools; sex education)**

Requires all school districts to provide sex education that is “medically accurate and comprehensive” (defined). District may request ADE provide a suggested course of study and teacher training. Parent may request their student be excused from this instruction.

*Status:* Assigned to Committees on Reform and Human Services, Education, Rules

*Sponsors:* Steele, Farley, Gabaldon, Miranda, Dalessandro, Alston, Mach, Quezada, Gonzales, Contreras, Meyer, Jackson

**HB 2530 (empowerment scholarship accounts; tests; surveys)**

Requires students enrolled in an Empowerment Scholarship Account to annually take a norm-referenced achievement test or a college admissions exam.

*Status:* Assigned to House Committees on Reform and Human Services; Rules; and Education (where it passed 2/11 with a 6-3 vote)

*Sponsors:* Carter, Orr, Alston, Gonzales, Pratt, Jackson, Meza, Brophy McGee, Crandall, Cardenas, Goodale, Crandell, Landrum Taylor, Tovar, Miranda, Lopez, Contreras, Larkin, Hobbs, McGuire

**HB 2563 (teacher preparation programs; common core)**

Requires SBE to ensure that postsecondary education programs that prepare students to teach in elementary schools are current and reflect a rigorous course of study that aligns with Common Core.

*Status:* Passed the House on a 36-21-3 vote. Transmitted to the Senate 3/1/13 and assigned to Senate Committees Education, Appropriations and Rules.

*Sponsors:* Miranda, Otondo, Pancrazi, Cardena, Escamilla, Gonzales, Lovas, Robson, Shope, Farley, Gabaldon, Cajero Bedford, Tovar, Carter, Fann, Goodale, McCune Davis, Saldade, Thorpe, Gallego, Lopez, Alston, Contreras, Forese, Hernandez, Orr, Sherwood Crandall

**HB 2581 (overrides; RCL; kindergarten pupils)**

Phases out over five years, the counting of fractional kindergarten students from the calculation of overrides approved before January 1, 2014.

*Status:* Passed the House on a 37-22-1 vote. Transmitted to the Senate 3/2/13 and assigned to Senate Committees Education (passed on 3/6/13), Appropriations and Rules.

*Sponsors:* Goodale, Carter, Coleman, Meyer, Boyer, Shope

**HB 2611 (school district superintendent contracts; renegotiation)**

Revises the timeframe a school board may extend or renegotiate a superintendent’s contract from the May of the year preceding their final year to no earlier than 15 months before their contract expires.

*Status:* ready for the Senate Committee of the Whole

*Sponsors:* Quezada, Dalessandro, Shope, Gallardo, Goodale, Alston, Sherwood

**HB 2617 (school tuition organizations; preapproval; entities)**

Requires the Department of Revenue to establish a website for processing requests for preapproval of STO contributions and outlines requirements associated with the tax credit allowed for a limited liability company or a small business corporation that makes contributions to an STO.

*Status:* ready for the Senate Committee of the Whole

*Sponsors:* Olson, Allen, Boyer, Gowan, Kavanagh, Kwasman, Lesko, Mitchell, Montenegro, Orr, Seel, Smith, Stevens, Burges, Murphy, Barton, Borrelli, Fann, Farnsworth, Forese, Gray, Livingston, Mesnard, Petersen, J. Pierce, Pratt, Thorpe, Townsend, Barto, McGuire, Melvin, Ward, Yee

**HCR 2021 (state expenditure limit)**

This would put on the November 2014 General Election Ballot a referendum to modify the constitutional state appropriations limit by adjusting defined base year revenues by population and cost of living growth.

*Status:* Introduced 2/12/13 and assigned to the House Committees on Federalism and Fiscal Responsibility (where it passed 5-3 on 2/19); Appropriations (withdrawn 2/25); and Rules

*Sponsor:* Kwasman, Livingston, Mesnard, Stevens, Petersen

### **HCR 2026 (clean elections; education funding)**

referendum would put on the 2014 General Election Ballot to direct current and excess Citizens Clean Elections Act monies to be equally distributed to districts and charter maintenance and operations purposes.

*Status:* Passed the House on 3/7/13 on a 31-27-2 vote. Transmitted to the Senate where it was assigned to the Senate Committees on Elections (passed 4-3 on 3/19), and Rules.

*Sponsor:* Boyer, Mesnard, Petersen, Tobin, Carter, Olson

### **HCR 2033 (funding ballot measures; reauthorization)**

This referendum would put on the November 2014 General Election Ballot to limit an initiative's or referendum's authorization, including those previously approved, to expend state monies to 8 years and requires reauthorization every 8 years thereafter. It further would require the Auditor General to evaluate the cost of voter protected measures.

*Status:* Assigned to the House Committees on Rules, Federalism and Fiscal Responsibility (where it passed 5-3 on 2/19)

*Sponsor:* Stevens

## **BILLS INTRODUCED IN THE ARIZONA SENATE**

### **SB 1019 (green public schools task force)**

Establishes members of a green public schools task force to:

- Identify the procedures and methods to retrofit public schools in this state to conform to the leadership in energy/environmental design building standards.
- Recommend a model green cleaning policy for public schools in this state.
- Make recommendations relating to the establishment and financing of a system to ensure that existing public schools are retrofitted and new public schools are constructed in a manner that promotes energy efficiency and sustainability.

*Status:* Assigned to Senate Committees on Education, Government & Environment, Rules

*Sponsor:* Abelser

### **SB 1020 (energy conservation; school buildings)**

By 12/31/14, Requires districts to adopt a green cleaning policy; must purchase/use environmentally sensitive cleaning products. Permits depletion of existing cleaning products. ADE to determine/provide cleaning supply guidelines; Establishes an energy and water efficiency fund for public facilities

*Status:* Assigned to Senate Committees on Education, Government & Environment, Rules

*Sponsor:* Abelser

### **SB 1051 (schools; bullying policies; sexual orientation) See also, HB 2194**

Adds language prohibiting harassment based on "actual or perceived sexual orientation" to antibullying policies

*Status:* Assigned to Senate Committees on Education, Public Safety, Rules

*Sponsors:* Ableser, Hobbs, pancrazi, Farley, Jackson, Tovar, Gallardo, Meza

**SB 1118 (schools; prohibited courses; repeal.)**

Repeals ARS 15-111 and 112 which prohibited courses/classes that include any of the following:

- Promote the overthrow of the United States government.
- Promote resentment toward a race or class of people.
- Are designed primarily for pupils of a particular ethnic group.
- Advocate ethnic solidarity instead of the treatment of pupils as individuals.

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

*Sponsors:* Quezada, Gallardo

**SB 1124 (public employees; collective bargaining) See also, HB 2414**

A Public Employee Bargaining Act is created. Sets forth term definitions; the rights of public employees regarding labor organizations, representation and meet/confer activities; the rights of public employers and governing bodies. Establishes a public employee labor relations board and sets its powers and duties; local boards and appropriate bargaining units; sets scope of bargaining; dispute resolution methods

*Status:* Assigned to Senate Committees on Government & Environment,

*Sponsor:* Gallardo

**SB 1192 (tax credit; public schools extracurricular)**

Raises allowable tax credit in 2013 from \$200 to \$400 (single); \$400 to \$800 (married, filing jointly). Sets computation for 2014 tax year on.

*Status:* Assigned to Senate Committees on Finance, Appropriations, Rules

*Sponsors:* Bradley, Crandall

**SB 1212 (high school instruction; federal constitution)**

Requires instruction in US/AZ Constitutions and AZ history to be given for 2 years consecutively: 1 year in middle and 1 year in high school. Must include instruction on the founding principles of the United States, the Declaration of Independence and the Bill of Rights.

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

*Sponsor:* Burges, Crandell, Murphy

**SB 1239 (technology-based reading intervention)**

Appropriates \$30,000,000 from the state General Fund to the State Board of Education (SBE) to provide research-based technology-based reading intervention for certain students in kindergarten programs and grades one, two and three

*Status:* Assigned to Senate Committees on Education (passed 2/7), Appropriations, Rules

*Sponsor:* Melvin

**SB 1252 (schools; suicide prevention training)**

Directs the SBE to adopt rules to require that all public school personnel receive at least 2 hours of suicide awareness and prevention training within 1 year of initial hire date/every 5 years thereafter beginning in the 2014-2015 school year

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

*Sponsors:* Ableser, Farley, Gallardo, Hobbs, Meza, Pancrazi

**SB 1257 (high schools; nutrition standards)**

Adds 15-242.01 on Nutrition standards for high schools. By 7/1/14, ADE to develop specific standards for high school nutrition. Standards apply to food/drinks sold on 9-12 school grounds during normal school day:

- must meet federal guidelines/regulations (may be more stringent)
- may include:
  - appropriate portion sizes for high school students
  - minimum nutrient values and
  - a listing of contents

Provisions include:

- Food/beverages sold/served during school/at school-sponsored events include those offered as a la carte items in the food service program and in vending machines, snack bars, in meal-period kiosks and at school stores.
- Exemption for Culinary education programs *unless* the culinary education programs sell food or beverages to students during the normal school day.
- Schools must provide variety of beverage choices such as bottled water, 100% juice/vegetable drinks, isotonic beverages and low-fat milk.
  - No more than 50% of available beverages may include diet and unsweetened teas, zero calorie carbonated drinks, sports drinks or juice drinks that contain less than 50% fruit or vegetable juice.
- Beginning July 15, 2014:
  - Diet and unsweetened teas, zero calorie carbonated beverages, isotonic drinks or juice drinks that contain less than 50% fruit or vegetable juice may be placed in no more than 50% of vending machine capacity
  - All other foods of minimal nutritional value shall be expressly prohibited on the campuses of 9-12 schools during the normal school day.
  - Provision to allow community review of food/beverage contracts

*Status:* Assigned to Senate Committees on Government & Environment, Education, Rules

*Sponsors:* Ableser, Farley, Gallardo, Hobbs, Meza, Pancrazi

#### **SB 1259 (character education study committee)**

Establishes a joint legislative study committee on character education to develop a list of approved curricula for character education programs for K-12 students that teachers may use as an alternative to character education programs offered by third-party vendors; requires report by 1/1/14

*Status:* Assigned to Senate Committees on Education, Government & Environment, Rules

*Sponsor:* Ableser

#### **SB 1271 (solar school grant program)**

Establishes The State Solar Grants Program Fund. ADE administration to provide grants to school districts for solar education programs in schools that use solar technology, including solar open houses and other demonstration projects. Sets forth policies and procedures.

*Status:* Assigned to Senate Committees on Education, Appropriations, Rules

*Sponsors:* Farley, Ableser, Tovar, Otondo, Pancrazi, Hobbs, Dalessandro, Steele, Jackson, Gabaldon

#### **SB 1285 (handbook; educational options)**

Requires the ADE to produce, update and distribute an educational options handbook to the parents of public school students.

*Status:* Assigned to Senate Committees on Education (failed 2/14), Appropriations (held 2/12), Rules

*Sponsors:* Ward, Crandell, Boyer, Kwasman, Melvin, Lesko, Murphy

#### **SB 1293 (schools; pilot; outcome-based funding)**

Establishes a four-year simulated outcome-based funding pilot program and allows school districts and charters to submit applications to the State Board of Education (SBE) to participate in the simulated pilot program.

*Status:* Ready for the House Committee of the Whole

*Sponsors:* Crandell, Griffin, Yee, Fann, Bruges, Pancrazi, Barton, Goodale, Thorpe, Ward, Boyer, Gray

#### **SB 1295 (schools; current-year funding)**

Makes changes to student count determination and other school finance formulas, including:

- Requires student count to be determined initially using an estimated student count based on actual registration of pupils before the start of the school year beginning in the 2013-2014 school year.
- Requires the school district to revise their student count to equal the district's actual ADM after the first 100 or 200 days in session, as applicable.
- Allows the Arizona Department of Education, before the first 100 or 200 days in session, as applicable to:
  - require a school district to report periodically regarding pupil enrollment and attendance; and
  - revise its computation of state aid and equalization assistance based on the school district's report.
- Requires a school district to revise its student count and BSL before May 15.
- Requires a school district that overestimated its student count to revise its budget before May 15.
- Allows a school district that underestimated its student count to revise its budget before May 15.
- Requires the Base Level to be increased by \$204.68, in addition to any other required Base Level changes in FY 2014.
- Requires Additional Assistance amounts to be reduced in order to offset increases in BSL funding charter schools will receive, in addition to any other required Additional Assistance changes in FY 2014, by:
  - \$226.66 per student count in kindergarten programs and grades 1 through 8; and
  - \$264.14 per student count in grades 9 through 12.

*Status:* Assigned to Senate Committees on Education (held 2/21), Appropriations, Rules

*Sponsors:* Crandell, Burges, Thorpe, Griffin, Pancrazi, Ward, Allen, Barton, Boyer, Fann, Goodale, Gray

#### **SB 1297 (appropriation; D and F schools)**

Appropriates \$40,000,000 from the state general fund in fiscal year 2013-2014 to ADE for distribution to schools that have been assigned a letter grade of D or F

*Status:* Assigned to Senate Committees on Education, Appropriations, Rules

*Sponsor:* Ableser

#### **SB 1298 (study committee; individualized education programs)**

Establishes the Individual Education Study Committee to design a system in which an individualized education program is developed for every student who is enrolled in an AZ public school; sets forth members of Committee and their powers/duties; must submit report of findings/recommendations by 12/31/13

*Status:* Assigned to Senate Committees on Education, Appropriations, Rules

*Sponsor:* Ableser

#### **SB 1308 (schools; AP courses; information)**

Requires the superintendent of public instruction to:

- provide advanced placement course information, including online courses, to districts/schools including:
  - The availability of advanced placement courses.
  - Resources available to schools that wish to offer advanced placement courses.
  - Delivery mechanisms for advanced placement courses.
- Annually rank schools on AP course offerings, AP participating and AP exam performance
- Annually provide information to individual school districts that do not offer advanced placement courses in each of the four academic areas of mathematics, English, science and social studies of:
  - the availability of additional advanced placement courses and



- the potential benefits to the pupils enrolled in that district if the district were to offer additional advanced placement courses

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

*Sponsors:* Lopez, Gallardo, Landrum Taylor, Meza, Tovar, Bradley, Hobbs, Jackson

### **SB 1320 (schools; corrections; repayment plans)**

Expands the completion timeframe for certain school finance corrections to up to ten years

*Status:* Passed the Senate on 3/13/13. Transmitted to the House where it was assigned to the House Committees on Education (passed on 3/18/13); Appropriations (failed 4-7 on 3/27/13); and Rules

*Sponsors:* Jackson, Hale, Crandall, Dalessandro, Steele, Gallardo, Bradley, Farley, Gonzales, Lopez, Cajero Bedford, Ward, Peshlakai

### **SB 1323 (school district duties; buses)**

Removes a requirement that school districts provide certain school bus information to the Superintendent of Public Instruction.

*Status:* ready for the Senate Committee of the Whole

*Sponsor:* Yee

### **SB 1325 (concealed firearms; schools; authorization requirements)**

Authorizes the governing board of an educational institution to allow certain teachers or administrators to possess a concealed firearm if various criteria are met. The Senate Appropriations-passed amendment adds that an authorized person must annually pass a handgun qualifying exam approved by AZPOST and conducted by an AZPOST recognized firearms instructor or a National Rifle Association certified firearms instructor.

*Status:* Passed the House on a 17-11 vote on 3/18/11. Transmitted to the Senate where it was assigned to Senate Committees on Education (withdrawn on 3/25); Judiciary (withdrawn on 3/25); Appropriations (amended and passed on a 6-5 vote on 3/27/13).

*Sponsor:* Crandall

### **SB 1328 (appropriations; school technology)**

Appropriates \$42,000,000 from state general fund for FY 13-14; requires SFB to complete a technology needs assessment for districts/charters by 1/1/14. SFB must address the ratio of students to computers, broadband access from the school to the internet and broadband connectivity within the school campus. SFB directed to provide grants for computer devices, including software, with the goal of meeting a ratio equal to no more than five students to each computer device. Provision made for SFB to grant leftover monies for internet and broadband connectivity.

*Status:* Assigned to Senate Committees on Education, Appropriations, Rules

*Sponsors:* Landrum Taylor, Gallardo, Jackson

### **SB 1329 (appropriation; base level)**

Appropriates \$81,700,000 from the state general fund in fiscal year 2013-2014 to ADE to increase the base level for schools.

*Status:* Assigned to Senate Committees on Education, Appropriations, Rules

*Sponsors:* Landrum Taylor, Gallardo, Jackson

### **SB 1330 (appropriation; K-3 reading program)**

Appropriates \$40,000,000 in FY 13-14 for ADE to fund intervention and remedial reading strategies developed by the SBE for K-3 students that are approaching/falling far below the third grade reading level on the AIMS

*Status:* Assigned to Senate Committees on Public Safety, Appropriations, Rules

*Sponsors:* Landrum Taylor, Gallardo, Jackson

**SB 1331 (appropriations; school safety)**

Appropriates monies in FY 13-14 for ADE's office of school safety:

- \$1,000,000 for additional personnel, training materials and meeting support to assist school districts and charter schools in performing threat assessments and updating school safety plans.
- \$10,000,000 to provide grants to schools for the assignment of peace officers or full authority Arizona peace officer standards and training board certified reserve peace officers pursuant to department of education program guidelines.

*Status:* Assigned to Senate Committees on Public Safety, Appropriations, Rules

*Sponsors:* Landrum Taylor, Gallardo, Jackson

**SB 1337 (schools; CPR training)**

Requires students in grades 7-12 to be provided instruction on cardiopulmonary resuscitation, allows an opt-out, and allows districts to receive in-kind donations of materials, equipment, and services. An amendment was adopted to delay implementation until the 2015-16 school year.

*Status:* Ready for the House Committee of the Whole

*Sponsor:* McGuire, Landrum Taylor, Miranda, Steele, Wheeler, Bradley, Cajero Bedford, Driggs, Farley, Hobbs, Jackson, Lopez, Pancrazi, Pierce, Reagan, Tovar, Contreras, Escamilla, Gabaldon, Gallego, Gonzales, Hale, Hernandez, McCune Davis, Saldate

**SB 1339 (schools; overrides; ballot language)**

In statutes addressing school budget overrides, the phrase "budget request" is substituted for the word "override" and "budget increase"

*Status:* Assigned to Senate Committees on Appropriations (held 2/19), Education, Rules

*Sponsors:* Bradley, Lopez

**SB 1346 (dangerous drugs; analogues; penalties)**

Expands the definitions of racketeering and dangerous drugs. Increases fines for drug-related offenses. The Senate Judiciary Committee passed ***strike-everything amendment regarding class action lawsuits*** on 3/21/13.

*Status:* Passed the Senate 3/6/13. Transmitted to the House and assigned to House Committees on Public Safety, Military & Regulatory Affairs (withdrawn 3/20/13); Rules; and Judiciary.

*Sponsors:* Shooter, Pierce, Griffin, Yarbrough, Burges, Ward, McComish, Pancrazi, Crandell, Melvin

**SB 1347 (JTEDs; per pupil funding calculation)**

Modifies certain Joint Technical Education District (JTED) Average Daily Membership (ADM) calculations.

*Status:* Assigned to Senate Committees on Appropriations (held 2/19), Education, Rules

*Sponsor:* Shooter

**SB 1352 (school leases; nonprofit corporations)**

Allows a school district governing board to lease school buildings and sites to a qualified nonprofit corporation.

*Status:* Assigned to Senate Committees on Education (passed on 2/14), Rules

*Sponsor:* Crandell, Ward, Dial, Goodale

**SB 1359 (schools; sex education) See also, HB2506**

Requires all school districts to provide sex education that is "medically accurate and comprehensive" (defined). District may request ADE provide a suggested course of study and teacher training. Parent may request their student be excused from this instruction.

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

*Sponsors:* Hobbs, Lopez, Farley, Meyer

**SB 1361 (schools; corporal punishment; prohibition)**

Removes Governing Board authority to authorize use of corporal punishment

Note: Amphi Policy JKA forbids use of corporal punishment

Status: Assigned to Senate Committees on Education, Rules

Sponsors: Hobbs, Lopez, Farley, Meyer

**SB 1363 (empowerment scholarship accounts; expansion; funding)**

Expands the Arizona Empowerment Scholarship Accounts Program to kindergarteners and to now include 90 percent of the sum of the BSL and Additional Assistance for the particular student if that student were attending a charter school.

Note: On February 13, 2013 The Arizona State Appellate Court heard oral arguments regarding the constitutionality of the Education Scholarship Empowerment Accounts (ESAs) ASBA's attorney Don Peters argued their position on the unconstitutionality of these accounts. The ruling is not expected for months.

Status: Passed the Senate on a 17-10-3 vote on 3/26/13. It was transmitted to the House where it was assigned to the House Committees on Rules; and Appropriations (where it passed 3/27/13)

Sponsors: Murphy, Fann, Seel, Biggs, Shooter, Allen, Brophy McGee, Kavanagh, J. Pierce, Burges, Lesko, Smith, Crandell, Ward, Barton, Carter, Kwasman, Stevens, Yarbrough, Montenegro, Barto, Melvin, Yee, Boyer, Gray, Mesnard, Thorpe

**SB 1379 (county school superintendent; qualifications)**

Requires county school superintendent applicants to be a qualified elector who resides in the county and is at least thirty years of age.

Status: Assigned to Senate Committees on Education, Rules

Sponsor:

**SB 1385 (aggravated assault; school grounds)**

Classifies assault when it occurs on the grounds of an educational institution as aggravated assault if:

- Person enters school grounds with the intent to commit assault and then assaults non-student
- Assault committed on school grounds by non-student

Status: Assigned to Senate Committees on Judiciary (passed on 2/18), Education (passed on 2/14), Rules

Sponsor: Worsley, Farley, Pierce, Yee, Candall, Yarbrough, Reagan, Driggs, Crandell, Ward

**SB 1386 (massive open online courses; credit)**

Amends 15-203 to direct the SBE to adopt rule to require school districts, charter schools to award academic credit to students K-12 who enroll in and receive a certificate of completion from an instructor of a massive open online course. "Massive open online course" defined as a course that meets all of the following requirements:

- The course is taught in a virtual classroom by one or more instructors, each of whom has credentials that meet or exceed the credentials required for classroom teachers.
- The course provides digital delivery of two-way communication between the instructor and the students who enroll in the course.
- The course consists of at least twelve consecutive weeks of instruction.
- The instructor provides students with periodic quizzes or other forms of assessments.
- The student obtains a passing score on a competency test selected or developed by the state board of education that is designed to measure readiness for college and careers.
- The course is provided either free of charge or at a reduced cost compared to similar courses that are offered at a physical location.

Status: Assigned to Senate Committees on Education, Rules

Sponsors: Worsley, Driggs, Pierce, Yarbrough, Crandall, Crandell, Farley, Reagan, Ward

**SB 1409 (schools, parental intervention)**

Adds new section 15-116 which includes

For schools assigned D or F grades for 2 of 3 consecutive years, parents and feeder parents can petition Governing Board to implement school reorganization via the "Turnaround", "Restart" or "Transformation" models (defined). Process outlined.

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

*Sponsors:* Murphy, Smith, Cardenas, Seel, Burges, Melvin, Gray, Thorpe, Montenegro, Ward, Kwasman

**SB 1421 (school personnel; emergency epinephrine administration)**

Requires school districts and charter schools to stock auto-injectable epinephrine at each school and establishes other requirements regarding auto-injectable epinephrine. An amendment was adopted to make the requirement to stock auto-injectable epinephrine voluntary if an appropriation isn't provided.

*Status:* Passed the Senate 2/28/13. Transmitted to the House and assigned to the House Committees on Rules, and Health (where it passed 3/13/13)

*Sponsors:* Lopez, Bradley, Landrum Taylor, Burges, Jackson, Melvin, Ward, Goodale, Lovas, Orr

**SB 1423 (schools; bullying policies; definition)**

Provisions include:

- Amends 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 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.
- Adds a new section (ARS 15-186) requiring charter schools to prescribe and enforce policies and procedures to prohibit pupils from harassing, intimidating and bullying other pupils.
- Requires evaluation "in the same manner as any other educationally relevant decision" of health, well-being and safety of involved students prior to notification to victim's parent of incident; requires annual training for administrators, school employees, students and parents.

*Status:* Assigned to Senate Committees on Education, Public Safety, Rules

*Sponsor:* Hobbs

**SB 1425 (appropriation; academic decathlon competitions)**

Appropriates \$82,400 from the state general fund in fiscal year 2013-2014 to the ADE to fund students in school districts and charter schools to compete in academic decathlon competitions.

*Status:* Assigned to Senate Committees on Education, Appropriations, Rules

*Sponsor:* Meza, Cadenas

**SB 1426 (DUI; elected school positions; disqualification)**

Disqualifies individuals with DUI convictions from elected school positions

*Status:* Assigned to Senate Committees on Education, Judiciary, Rules

*Sponsor:* Meza, Tovar, Cadenas

**SB 1444 (schools; performance funding)**

Implements the Governor's Performance Funding Plan, which provides \$2 of new general fund monies for \$1 of repurposed district monies based on a 50% static academic and 50% growth model.

*Status:* Retained on the Senate Committee of the Whole Calendar on 3/6/13 and 3/11/13

*Sponsor:* Yee, Carter, Crandell, Goodale, Boyer

#### **SB 1445 (school and school district accountability)**

Requires ADE to publish criteria for a school or school district's exit status from a previous assignment of an F letter grade and for the published criteria to prescribe the actions and results necessary to comply with required school improvement, including the proper implementation of a school improvement plan.

*Status:* Ready for the House Committee of the Whole

*Sponsor:* Yee

#### **SB 1446 (schools; student level data)**

Modifies statutes relating to the Arizona Education Learning and Accountability System (AELAS), the Data Governance Commission (DGC) and the Student Accountability Information System (SAIS). Provisions include:

- Requires the DGC to establish guidelines related to the form and format of data elements that are required for state and federal reporting and interagency data sharing.
- Requires the DGC to ensure that the guidelines and recommendations reduce duplication and administrative requirements for public schools, postsecondary institutions and public agencies.
- Adds Joint Technical Education Districts (JTEDs) to the SAIS.
- Stipulates that in addition to aggregate research and reporting, collected student level data may be used for providing access of the data to school districts, JTEDs and charter schools.
- Requires ADE to adopt policies and procedures that allow access of student level data for currently enrolled students of school districts, JTEDs and charter schools.
- Requires a pupil to be enrolled in the school or school district, or the country superintendent to record a pupil, using the pupil's legal name. Stipulates that this requirement does not prohibit the pupil from being called any name designated by the pupil's parent or guardian.

*Status:* Ready for the House Committee of the Whole

*Sponsors:* Yee, Crandell, Boyer

#### **SB 1447 (ADE; school finance revisions)**

Provisions include:

- Specifies that a charter school and a Joint Technical Education District (JTED) must provide a minimum of 180, rather than 175, instructional days per school year.
- Specifies that students over 21, rather than 22, years of age are prohibited from being included in a JTED's student count for certain budgetary purposes.
- Requires the four courses a pupil must take in order to qualify for a full day of high school attendance to meet a minimum of 123, rather than 120, hours a year.
- Modifies, in order to conform to the additional five days of instruction, the total instruction time necessary per year in order to qualify as one-half day of kindergarten attendance to be between 356 and 712 hours, rather than between 346 and 692 hours.

*Status:* Passed the Senate on 3/6/13. Transmitted to the House where it was assigned to the House Committees on Education (passed on 3/18), Appropriations, and Rules

*Sponsor:* Yee, Goodale, Crandall, Boyer

#### **SB 1449 (schools; graduation; personal finance; entrepreneurship)**

Requires the SBE to prescribe competency requirements for personal finance for high school graduation; prohibits the SBE from requiring a separate personal finance course when prescribing financial literacy competency requirements for high school graduation; however, allows school

district governing boards and charter schools to prescribe a separate personal finance course for the graduation of pupils from high school.

*Status:* Passed the Senate on 3/4/13. Transmitted to the House where it was assigned to the House Committees on Education (passed on 3/18/13), and Rules

*Sponsor:* Yee

**SB 1450 (school districts; FERPA violations; penalty).**

Establishes a notification and penalty process regarding violations of the Family Educational Rights and Privacy Act (FERPA).

*Status:* Passed the Senate on 2/27/13; transmitted to the House where it was assigned to the House Committees on Education (passed on 3/18/13), and Rules

*Sponsor:* Yee

**SB 1451 (alternative teacher development program; appropriation)**

Appropriates \$5 million to ADE for Teach for America.

*Status:* Assigned to Senate Committees on Education (passed on 2/14), Appropriations, Rules

*Sponsor:* Yee, Robson, Carter, Crandall, Melvin, Gallego, Dial, Boyer, Goodale

**SCR 1017 (school programs; clean election monies)**

Referendum to put on the 2014 General Election Ballot to direct a percentage of excess Citizens Clean Elections Act monies for school safety and behavioral health programs.

*Status:* Assigned to Senate Committees on Education (passed 5-4 on 2/21), Appropriations (held 2/26), Rules

*Sponsor:* Crandall

**SR 1002 (food allergies; awareness week)**

Resolution proclaiming the week of May 12, 2013 as food allergy and anaphylaxis awareness week in Arizona.

*Status:* Filed 1/29/13; no further action taken.

*Sponsor:* Lopez, Landrum Taylor, Bradley, McGuire, Tovar, Cajero Bedford