



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

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**DATE OF MEETING:**      **April 4, 2017**

**TITLE:**    **Periodic Legislative Update – Updated April 3, 2017**

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**BACKGROUND:**

The current (53<sup>rd</sup>) Arizona Legislature is well in session, and bills affecting public school districts are moving. This periodic review will provide an update on the session so far.

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In the pages that follow, updated information is presented in **blue**. Bills that have reached resolution are highlighted in **green**.

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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:**

**Date:** April 3, 2017



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**Patrick Nelson, Superintendent**

Bills Introduced in the 53<sup>rd</sup> Legislature:

### School Finance

#### **HB 2001 - school district tax levy; retention**

- Permits a district that levies a tax rate and does not have a budget override in place to retain a portion of the levy amount if the district receives less than the average amount of funding per student received by an adjoining district for election-approved budget overrides.
  - Amount that may be retained is adjoining district's average amount multiplied by the retaining district's student count, or the amount that would be transmitted to the State Treasurer, whichever is less.
- District may increase its budget limits by the additional amount of funding to which it is entitled

*Status:* Introduced 1/9; assigned to House Committees on Rules, and Ways and Means (passed 2/8).

#### **HB 2126 - schools; prior-year funding**

Multiple provisions include:

- Districts may continue to make ADM budget adjustments and use the adjustment for student count growth;
- Removes language defining student count as the current year ADM;
- Adds language regarding adjustment for growth in student count as:
- District may determine revenue control limit increase and district support level for current year after first 100 days (or 200 days in session) of current year due to student population growth by:
- District may determine revenue control limit increase and district support level for current year after first 100 days (or 200 days in session) of current year due to student population growth in the number of students in the Group B categories of moderate or severe intellectual disability, visual, hearing or orthopedic impairment, multiple disabilities, multiple disabilities with severe sensory impairment, preschool severe delay and students with emotional disabilities enrolled in private special education programs or district programs for students with severe disabilities:
- If district meets criteria for increase computation, Board:
  - may revise its budget before May 15 after holding public hearing
  - may submit revised budget by May 18
  - receive state aid based on adjusted amount, except it may not receive less than if it had not calculated adjustment
- If adjusted revenue control limit results in expenditure greater than district current year revenue, requires County School Superintendent to additional monies necessary to meet district liabilities in excess of revenues
- After first 40 days in session, District may request additional state monies to fund increased state aid due to anticipated student growth through first 100 days (or 200 days in session).
- County School Superintendent must include District's current year revenue control limit increase estimate when estimating additional amount needed from primary property tax (if district not eligible for equalization assistance)
- Percentage increase in ADM used to estimate revenue control limit increase may not exceed the average of the ADM percentage increase in the previous 3 years

*Status:* Introduced 1/17/17; assigned to House Committees on Rules, Education, and Appropriations.

See also:

#### **SB 1106 - schools; prior-year funding** [same provisions as HB 2126]

*Status:* Introduced 1/23/17; assigned to Senate Committees on Rules, and Appropriations.

### **HB 2219 – school capital finance revisions**

- Removes the SFB reporting requirement for school district guaranteed energy cost savings contracts and energy and water savings accounts.
  - Projects that qualify under either savings program are required to report to SFB by October 15 each year on the name, cost, provider and other items
- Prohibits school districts from expending monies on adjacent ways projects that are greater than \$50,000 unless SFB fails to act on validating the project within 60 days.
  - All adjacent ways projects funded by special assessment are required to be reported to SFB. Projects that cost more than \$50,000 are required to be validated by SFB prior to money being expended.
- Permits school districts to apply the proceeds of monies in the litigation recovery fund that are designated for the repair or replacement of school buildings and property to reimburse the SFB Building Renewal Grant Fund for monies disbursed to repair or replace the school buildings or property that was the subject of the legal dispute.
- Directs SFB to use the ADM through the first 100 days in session rather than the most recent 100<sup>th</sup> day ADM when measuring square footage per student to determine minimum adequacy.
- Permits SFB to distribute monies in the New School Facilities Fund for land if a school district submits enrollment projections that indicate a need for a new school or an addition to an existing school within the next 10 years.
  - If a school's capital plan indicates the need for a new school or an addition to an existing school within the next four years or a need for land within the next ten years, the school may apply to SFB for monies in the New School Facilities Fund. SFB may require school districts to sell land that was previously purchased with SFB monies if the new school or addition is no longer needed within the time frame.
- Specifies that the current distribution mechanism of the SFB New School Facilities Fund is for additional square footage.
- Directs SFB to issue funding for additional square footage if approved projections indicate that additional space will be needed in the School Year following the next FY rather than the current School Year.
- Permits school districts approved by SFB for funding from the New School Facilities Fund to use legally available monies to pay for the land or new construction project if the full legislative appropriation is unavailable in the FY following approval and receive reimbursement in subsequent years when the full appropriation is made available.
- Prohibits additional space funded by a school district from being included in new construction funding calculations once the district obtains approval for new facility construction monies until the completion of the project.

*Status:* Assigned to Senate Committees on Rules, Education ([passed 3/16](#)) and Appropriations ([passed 3/28](#)).

### **HB 2083 - schools; overrides; ballot language**

Replaces *budget increase* with *locally controlled funding*.

*ASBA SUPPORTS*

*Status:* Introduced 1/12/17; assigned to Senate Committees on Rules, Ways and Means, and Education ([HELD 1/30](#)).

### **HB 2119 - educational institutions; state law violations**

“any educational institution that receives state funding” failing to resolve state law/Constitutional violations will have 10% of annual state funding withheld, or must return up to 10% of expected state funding. Funding will be returned only when institution is in full compliance. 5% of withheld monies will be permanently withheld for each 30-day period institution is out of compliance.

*Status:* Introduced 1/9; assigned to Senate Committees on Rules, Appropriations, and Education.

**HB 2128 – joint legislative budget committee (JLAC); auditor general**

Various changes relating to audits of public agencies. Provisions include requiring the Auditor General to conduct investigations of any political subdivision for which a district must “afford reasonable and needed facilities” for Auditor General staff and to make records available “in the form and at the time prescribed”.

*Status:* [Ready for the Senate Committee of the Whole.](#)

**HB 2199 - gifted students; funding**

- Adds economically disadvantaged students and minority student populations to those for whom a district must provide gifted education;
- Defines *economically disadvantaged student* as a student who meets the eligibility requirements for free or reduced lunch;
- Requires additional assistance for gifted program funds (set forth in ARS 15-779.03(A)) set a priority for the local use of those monies as “identifying and serving economically disadvantaged student and minority student populations”.

*Status:* Passed the House 2/21. Transmitted to Senate and assigned to Senate Committees on Rules, and Appropriations.

See also:

**SB 1105 - gifted students; funding** [same provisions as HB 2199]

*Status:* Introduced 1/18/17; assigned to Senate Committees on Rules, Education (passed 2/9) and Appropriations.

**HB 2218 - school tax credit; capital outlay**

Permits tax credits for capital items acquired June 30, 2017 – June 30, 2020; items defined in USFR and ARS 15-903(C).

*Status:* [Passed the Senate Finance Committee 3/15](#); assigned to Senate Committees on Rules, and Appropriations.

**HB 2374 - schools; add assistance; reductions; elimination**

- Requires ADE to reduce the amount of basic state aid that otherwise would be apportioned to school districts statewide:
  - FY 2019 – \$293,702,300
  - FY 2020 – \$234,961,800
  - FY 2021 – \$176,221,400
  - FY 2022 – \$117,480,900
  - FY 2023 – \$58,740,500
  - FY 2024 – \$0
- Directs ADE to proportionally reduce DAA for school districts not eligible to receive BSA in the amount DAA would be reduced if the school district was eligible to receive BSA.
- Requires ADE to reduce the amount of basic state aid that otherwise would be apportioned to charter schools statewide:
  - FY 2019 – \$15,546,700
  - FY 2020 – \$12,437,300
  - FY 2021 – \$9,328,000
  - FY 2022 – \$6,218,700
  - FY 2023 – \$3,109,300
  - FY 2024 – \$0

*Status:* Introduced 2/2 and assigned to House Committees on Appropriations (discussed and held 2/22), and Rules.

### **HB 2385 - schools; accounting; budgeting; reporting**

Permits school districts to develop policies and procedures to allow principals to budget or assist with budgeting; provisions include:

- Replaces the current per student expenditure information required on school report cards with specified information and a comparison to other schools in the LEA beginning in the 2019 School Year.
- Requires school district and charter school report cards and annual financial reports to include the following:
  - Total revenues generated by student counts.
  - Total allocated revenue from state, local and federal sources.
  - Classroom Site Fund allocations.
  - Allocations for specified expenditures.
- Directs OAG to facilitate a process with public schools to identify efficient and transparent methods and formats for reporting specified information by FY 2021, including school-level funding information, monies not allocated at the school level and expenditures for special education students
- Directs JLAC to assess if school finance data submitted to ADE and OAG will be submitted by FY 2021 in a common format.

*Status:* [Ready for the Senate Committee of the Whole.](#)

### **HB 2457 - rural STEM program; tax credits**

Establishes the ADE-administered Rural STEM Program Fund and requires ADE to distribute monies to "rural school districts" to provide funding for STEM programs.

- Defines *rural* as either of the following:
  - A county with a population of less than 400,000 persons; or
  - A census county division with less than 50,000 persons in a county with a population of at least 400,000 persons.
- Defines *rural school district* as a district with at least 1 school that has a student count of fewer than 300 students located in any county except Maricopa, Pima and Pinal counties.

[Amendments passed in Committees extended program eligibility to charter schools; allows the Fund to consist of "grants, gifts, donations and devises"; adds requirements to eligible schools, and reporting requirements.](#)

*Status:* Assigned to Committees on Education ([passed 3/16](#)); Appropriations ([passed 3/28](#)), and Rules.

### **HB 2458 - employee donations; school districts**

A business entity located in Arizona is authorized to provide a program that encourages its employees to donate monies to school districts. School districts are authorized to use donated monies for maintenance and operations and/or capital purposes.

ASBA OPPOSES as inequities would be created within the system and further alleviate the state from its responsibility to public schools.

*Status:* Introduced 2/7 and assigned to House Committees on Rules, and Education ([passed 2/13](#)).

### **HB 2480 - schools; funding sources; bonds; overrides**

Expands the information that must be contained in the report on proposed school district budget increases or school bonds (which is mailed to the households in which qualified electors reside within the school district) to include:

- a statement with the total dollar amount per student in revenues that the district received from all funding sources (federal, state and local) for all capital and noncapital expenditures for the most recent available fiscal year, and
- any additional per student revenue or per student expenditure information that the school district governing board chooses to provide.

ASBA OPPOSES as changes in this bill would not accurately reflect the available resources that districts have for proposed projects. In addition, this information is already available to the public should a voter want to see it.

*Status:* Introduced 2/7 and assigned to House Committees on Rules, and Education (passed 2/13).

**See also:**

**SB 1375 - schools; bonds; overrides; funding sources**

*Status:* **FAILED** in the Senate on a 14-16 vote on 2/22.

**SB 1174 – schools; desegregation expenses; special override**

Requires desegregation dollars to be voter-approved. Allows a school district that was previously authorized to budget for expenses that were exempt from the revenue control limit (RCL) due to a previous court order of desegregation or Office of Civil Rights (OCR) administrative agreement, beginning in FY 2020, to request an additional budget increase. Provisions include:

***Special Override Election***

- Allows a school district that was previously authorized to budget for expenses that were exempt from the RCL due to a previous court order of desegregation or OCR administrative agreement, beginning in FY 2020, to request and authorize an additional budget increase.
- Limits the maximum amount of the budget increase request to the amount budgeted by the school district for desegregation expenses in FY 2009. The approved amount is in addition to any regular override.
- Requires a school district governing board to order the special override election and to contain the same information report as regular override elections, including:
  - the year of the original federal court order or administrative agreement that allows the school district to budget for desegregation expenses; and
  - a summary of information also required for regular override elections and the school district's plan to remediate alleged or proven civil rights violations.
- Requires the ballot to contain the words "desegregation/OCR tax, yes" and "desegregation/OCR tax, No", if the proposed increase will be fully funded by a levy of taxes on the taxable property within the school district.
- Requires the ballot to contain the amount of the proposed budget with the proposed tax compared to the alternate budget, a statement that the amount of the proposed tax will be based on a percentage of the school district's RCL in future years, and the following statement:
 

"Any budget increase authorized by this election will be entirely funded by a levy of taxes on the taxable property within this school district for the year for which adopted and for \_\_\_\_ subsequent years, will not be realized from monies furnished by the state and is not subject to the limit on taxes specified in article ix, section 18, Constitution of Arizona. Based on the current net assessed valuation used for secondary property tax purposes, funding the proposed increase in the school district's budget would require an estimated tax rate of \_\_\_\_\_ dollar per one hundred dollars of net assessed valuation used for secondary property tax purposes and is in addition to the school district's tax rate that will be levied to fund the school district's revenue control limit allowed by law."
- Requires the ballot to contain the words "budget increase, yes" and "budget increase, no", if the proposed increase will be fully funded by revenues from other than a levy of taxes on the taxable

property within the school district. That ballot shall also contain the amount of the proposed increase of the proposed budget compared to the alternate budget and the following statement:

"Any budget increase authorized by this election will be entirely funded by this school district with revenues from other than a levy of taxes on the taxable property within the school district for the year for which adopted and for \_\_\_\_\_ subsequent years and will not be realized from monies furnished by the state."

- Limits:
  - the maximum period of a special override to seven years.
  - in the second to last year of the original or renewed budget increase, the budget increase to two-thirds of the initial proposed percentage increase.
  - in the last year of the original or renewed budget increase, the budget increase to one-third of the initial proposed percentage increase.
- States that if the voters in the school district do not authorize the budget increase amount, the existing budget increase remains in effect for the time period for which it was authorized.
- Requires that budgeted expenditures approved for special overrides shall be made in accordance with statutes relating to other overrides.

#### ***Reductions Beginning FY 2020***

- Limits a school district that has an existing or previous administrative agreement with the U.S. Department of Education OCR directed toward remediating alleged or proven racial discrimination or previously was subject to a court order of desegregation, beginning in FY 2020, to the amount approved by a special override election for desegregation expenses.
- Allows any desegregation amount that is not approved at a special override election to be budgeted and annually reduced for five consecutive fiscal years by at least 15 percent beginning in FY 2020.
- Prohibits a school district from budgeting for desegregation expenses outside the RCL that exceed the amount approved in a special override election after FY 2024.

*ASBA OPPOSES*

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

#### **SB 1405 - schools; elections; ballot arguments; exclusion**

Requires the ballot argument for a proposed budget override or bond election to be signed as the governing board of the school district without listing any member's individual name.

*ASBA SUPPORTS*

*Status:* [Ready for the House Committee of the Whole.](#)

### **Schools – In General**

#### **HB 2016 - transfer students; transcripts**

Permits a school to request an incoming transfer student's transcript with the consent of the student's parent.

*Status:* Introduced 1/9/17; assigned to House Committees on Rules, and Education.

#### **HB 2078 - schools; concurrent enrollment**

In calculating average daily membership, concurrent enrollment requires:

- the student earns at least 3 credit hours per semester (versus meeting for at least 40 hours per semester)
- the district/charter pays the college course tuition or reimburses student;

ADM calculation:

- May not exceed 1.0;
- to be a "subject", 3 credit hour course is not required to meet 123 hours/year;
- must include concurrent course instructional hours;



- is based on combined instructional hours at district/charter and college/university;
  - divide combined hours by 720,
  - except grades 9-12 online: divide combined instructional hours by 900.
- revises definition of concurrent enrollment course
- removes requirement for course to be equal to/higher level than taught at high school

*Status:* [Ready for the Senate Committee of the Whole](#)

### **HB 2081 - schools; compulsory attendance age; increase**

Raises from 16 to 18 years of age:

- the minimum age required to qualify for a high school equivalency diploma
- the minimum age required to take a high school equivalency test
- the required age to attend school
  - to be excused, must be at least 16 years old and employed.

*Status:* Introduced 1/12/17; assigned to House Committees on Rules, and Education.

### **HB 2082 - schools; daily recess time**

- Requires districts/charters to provide at least a total of 50 minutes of unstructured recess each school day in grades K-5;
- Requires students enrolled in half-day kindergarten to be given at least a total of 25 minutes of unstructured recess time.
- Prohibits the withholding of unstructured recess time from a student as punishment without notification to the student's parent/guardian.
- Defines *Unstructured Recess* as both:
  - A period of time during which an adult/school employee is prohibited from defining the social interaction or activities of the student except for setting reasonable health/safety restrictions; and
  - Time designated for the student's lunch recess.

*Status:* [Ready for the Senate Committee of the Whole](#)

### **HB 2089 - student fees; political purposes; prohibition**

Prohibits districts/charters from using student activity fees for any political speech, activity or purpose.

*Status:* Introduced 1/12/17; assigned to House Committees on Rules, and Education.

### **HB 2107 - schools; nonresident students; military duty**

Requires districts to:

- accept student as resident if military parent is transferred to or is pending transfer "to a military installation" within AZ;
- accept electronic enrollment/course registration.

Requires military parent to submit residency proof within 10 days of arrival; acceptable forms of proof include temporary on-base or off-base government housing.

*Status:* [SIGNED BY THE GOVERNOR 3/24/17](#)

### **HB 2108 - education; conforming changes**

Removes language from statute providing that "parents have right to participate in a parental satisfaction survey".

*ASBA SUPPORTS*

*Status:* [Passed the House 2/2; transmitted to the Senate and amended. Returned to the House on 3/16; on 3/23, the House Majority Caucus recommended a Conference Committee be held. On 3/30, the Committee recommended the House accept the Senate amendments.](#)



### **HB 2134 - schools; children's camps; sunscreen use**

Requires public schools and camps to permit students to possess and use an FDA-approved topical sunscreen products without a health care providers' note or prescription. District/charters may adopt policies to permit employees/volunteers to assist in sunscreen application with civil immunity [removed via Senate amendment]. Amendments passed in the Senate include including children in group homes, childcare facilities and camps; removes authority to pass policies to assist children in sunscreen application.

*Status:* Passed the Senate Committee of the Whole 3/30.

### **HB 2202 - schools; dyslexia; handbook; definition**

Requires ADE to develop a guidance handbook for school use on dyslexia which must include:

- Guidelines for teachers and parents to identify dyslexia;
- A description of educational strategies shown to improve academic perform of dyslexic students; and
- A description of resources/services available for dyslexic students.

Redefines *dyslexia* as a specific learning disability that is neurological in origin. It is characterized by difficulties with accurate or fluent word recognition and by poor spelling and decoding abilities. Difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and to the provision of effective classroom instruction. Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede the growth of vocabulary and background knowledge.

*Status:* Passed the House 2/9; transmitted to the Senate and amended. Returned to the House on 3/20; on 3/23, the House Majority Caucus recommended Concurrence.

### **HB 2208 – NOW: inhaler administration; schools**

HB 2088 was initially entitled “inhalers; administration; schools; authorized entities”. On 1/24, a strike-everything amendment was passed in the House Health Committee. Current provisions of this bill now include:

- Requires a district/charter “that elects to administer inhalers” have on staff:
  - 2 employees trained in recognizing symptoms of respiratory distress; and
  - 2 employees trained in use of inhalers.
- Permits a district/charter employee to administer the use of an inhaler if:
  - A standing order has been issued by the DHS Chief Medical Officer; County Health Dept Chief Medical Officer or a Physician;
  - Employee has been trained in inhaler administration;
  - Employee has “good faith” belief that student/adult is exhibiting symptoms of respiratory distress while at school/school-sponsored activity;
    - Employee immune from civil liability.
- Each district/charter school permitted:
  - to stock “a supply” of inhalers for emergency use at each school;
  - to accept monetary donations and/or apply for grants to purchase inhalers/spacers/chambers;
  - to accept donations of inhalers/spacers/chambers directly from manufacturer.

Defines *authorized entity*, *bronchodilator*, *inhaler* and *respiratory distress*. Requires SBE to adopt rules and procedures to require district/charters to provide for annual training in inhaler use, symptoms of respiratory distress (optional unless legislature funds inhalers at schools).

*Status:* SIGNED BY THE GOVERNOR 3/24/17

### **HB 2217 - school districts; solar panels; overcharges**

Prohibits an installing solar panel company from charging a district for anything other than the energy used by the district; permits offenders to be filed with breach of contract and/or fraud.

*Status:* Introduced 1/7/17; assigned to House Committee on Education, and Rules.

**HB 2361 - high schools; college accessibility awareness**

Requires high schools to provide college accessibility awareness to communicate information to students enrolled at that school about college admissions requirements and the financial aid application process. Each report card issued to students in grades 9 through 12 is required to include a checklist that indicates that student's progress toward completing the admissions requirements for universities under the jurisdiction of the Arizona Board of Regents.

*Status:* Passed the House 2/23. Transmitted to the Senate; assigned to House Committees on Education, and Rules.

**HB 2395 - schools; illegal substances; notification**

Requires districts/charters to adopt procedures to annually report to the Auditor General the number of suspensions and expulsions that involve the possession, use or sale of an illegal substance and the type of illegal substance involved in each suspension or expulsion. The Auditor General is required to compile this information and annually post it online but prohibits personally identifiable information from being included.

*Status:* [Ready for the Senate Committee of the Whole.](#)

**HB 2416 - school district governing board; qualifications**

Regarding school district governing board service:

- Modifies the prohibition on family members running for or serving on the same school district governing board to prohibit persons related by blood, marriage or law to the third degree.
- Extends the prohibition on school district employees holding membership on the governing board to include service providing employees of third-party contractors and their spouses.
- Allows current school district governing board members to continue to serve until the end of their terms.

ASBA OPPOSES as an issue for small communities better left up to the voters.

*Status:* [Ready for the Senate Committee of the Whole.](#)

**HB 2473 - eighth grade promotion; requirements**

As amended in the House Education Committee:

- Requires SBE's math competency requirements for the promotion of 8<sup>th</sup> grade students to include:
  - the provision of intervention measures in grades 6-8 for students who score in the bottom 10% on the math portion of the state assessment and who do not have an IEP (if sufficient monies available).
  - A requirement that the school district recommend learning difficulty screening for students not demonstrating sufficient improvement after a year of interventions.
- Requires intervention measures to consist of intensive math instruction prescribed by SBE until the student scores higher than the bottom 10%.
- Requires teachers to notify parents if the student's score was the result of an "anomaly" and permits those parents to opt their child out of intervention measures.
- Appropriates \$10.7 million in FY 2018 to ADE for intervention measures.
- If sufficient monies appropriated, directs \$710 to schools for each applicable student;
- If sufficient monies not appropriated, directs districts to give priority to students with the lowest scores

*Status:* Introduced 2/7 and assigned to House Committees on Appropriations, Education (passed 2/13), and Rules.

**HB 2510 - schools; immunizations records; retention**

Revises retention of student's immunization record from permanent to 6 years after the student was last enrolled in the district/charter.

ASBA SUPPORTS as it removes unnecessarily burdensome record retention requirement a potential tool for teacher retention and recruitment.

*Status:* Passed the House 2/21. Transmitted to the Senate and assigned to Senate Committees on Education (HELD 3/23), and Rules.

### **SB 1156 – high school students; course time**

The original bill, which eliminated the requirement for high school course to meet for at least 180 hours during a 180-day school year, passed the Senate 2/13. It was transmitted to the House and assigned to House Committees on Education, and Rules. In the House Education Committee on 3/20, a strike-everything amendment was passed on an 11-0 vote. The Bill's current language directs that any of the hours in which a student attends, or is present at a high school during the regular school day, are to be included in the calculation of the student's ADM. It also contains a retroactive effective date of June 30, 2013.

*Status:* The revised bill is pending in the House Rules Committee.

### **SB 1099 - school safety program**

Expands on a School Safety Program, formerly administered through SBE, now through the ADE, for the purpose of supporting the costs of placing school resource officers or juvenile probation officers on school campuses. Provisions include:

- Program ends July 1, 2015
- The SBE will review program approval renewal applications.
- District/charter may apply for up to 3 fiscal years by submitting a program proposal to the ADE by April 15 and must include:
  - information on incidents for which law enforcement were summoned; and
  - Description of criminal activity on or around the school campus
- Directs ADE
  - to use crime statistics to assess programs needs and prioritize program proposals
  - To public guidelines, curricula and support resources on the ADE's website
  - Prioritize grants based on districts/charters
    - with a high number of incidents for which law enforcement were summoned or incidents of criminal activity on and/or around the school campus
    - with a cost-sharing agreement with a court or law enforcement agency
- Requirement for district/school to enter into an agreement with the law enforcement service provider, to include a dispute resolution process

Senate Amendments to Bill include:

- Modifies the description of criminal activity to exclude the occurrence of incidents in which law enforcement were summoned
- Reinstates ADE's cooperation with a law-related education provider and requires the contract to be awarded through a request for proposal and approved by SBE
- Removes a requirement for ADE to publish guidance, curricula and support resources for SROs and JPOs on its website
- Adds an emergency clause.

*Status:* Passed the House Committee of the Whole 3/28.

### **SB 1204 - high school textbooks; review period**

Requires districts to provide information on the school district's website of the basic textbooks that are proposed for each course, prior to approval.

Requires districts to provide an opportunity for public comment for at least 60 days via written, oral or e-mail comments and makes proposed textbooks available at the school districts office for review for at least 60 days, prior to approval.

Requires all meetings of committees for the purpose of textbook review and selection to be open to the public according to open meeting law.

*Status:* [Ready for the House Committee of the Whole.](#)

### **SB 1254 – schools; admissions; desegregation**

Removes a requirement and related procedures for school districts and charter schools to admit students who reside in the attendance area of a school that is under a court order of desegregation or that is a party to an agreement with the U.S. Department of Education OCR.

*Status:* [Passed the House Committee of the Whole 3/28.](#)

### **SB 1314 – schools; student data privacy**

Establishes prohibitions and requirements for third parties concerning the use, protection, and disclosure of student data. Provisions include:

- Defines:
  - *Covered information* is personally identifiable information/material, in any medium or format that is not publicly available that that is created by/provided to an operator for use of the operator’s site, service or application for school purposes and gathered by an operator;
  - *Operator* means the operator of an internet website, online service, online or mobile application that is used primarily for school purposes and was designed/marketed for school purposes
  - *School purposes* means purposes that are directed by/at the direction of a public school or teacher or that aid school activities, including classroom/home instruction, administrative activities and collaboration between students, school personnel or parents, or are that otherwise for the use/benefit of the school
  - *Service provider* mean a person/entity that provides a service that enables users to access content, information, e-mail or other services offered over the internet or a computer network
  - *Targeted advertising* means advertisements presented to a selected student based on information obtained/inferred over time that student’s online behavior/usage of applications or covered information. Does not include:
    - advertising to a student does not include advertising to a student at an online location based on that student’s current visit to that location, or
    - in response to that student’s information/feedback request if there is no retention of that student’s online activities/requests over time for the purposes of subsequent targeted advertising
- Prohibits an operator from knowingly engaging in targeted advertising or using information to amass a profile about a student except in furtherance of school purposes; and
- Prohibits an operator from knowingly disclosing, selling or renting a student's information covered information with exceptions.
- Directs operators to:
  - implement and maintain reasonable security procedures and practices from unauthorized access, destruction, use, modification or disclosure; and
  - delete, within a reasonable time period a student's covered information, unless the student or the student's parent or guardian consents to the maintenance of the covered information.
- Allows an operator to use or disclose covered information under specific circumstances.

ASBA SUPPORTS

*Status:* [Retained the Calendar of the House Committee of the Whole 3/16.](#)

### **SB 1384 - school-sponsored media; student journalists**

- Permits student journalists to exercise freedom of speech and press in school-sponsored media.
- Specifies that student journalists are not limited solely because the school-sponsored media is:

- Supported financially by the local school system, public school, community college or university or by the use of facilities owned by the school district, charter school, community college or university; or
- Produced in conjunction with a class in which the student is enrolled.
- Delegates the responsibility of determining content for school-sponsored media to student supervisors.
  - Specifies that student media advisers are not prevented from teaching professional standards of English and journalism to student journalists.
- States that school-sponsored media content is not authorized or protected if it:
  - Is libelous or slanderous;
  - Constitutes an unwarranted invasion of privacy;
  - Violates federal or state law; or
  - Creates the imminent danger of inciting students to violate the law or district regulations or materially and substantially disrupts the orderly operation of the public school, community college or university.
- States that prior restraint of any school-sponsored media is not authorized.
- Allows public schools, community colleges or universities to restrain the distribution of content in school-sponsored media if it does not meet prescribed content standards.
  - Specifies public schools have the burden of providing justification without undue delay.
- Prohibits student journalists from being disciplined solely for acting in accordance with requirements.
- Prohibits student media advisers from being dismissed, suspended, disciplined, reassigned, transferred or otherwise retaliated against solely for:
  - Acting to protect a student journalist engaged in protected conduct; or
  - Refusing to infringe on conduct protected by this Act, the U.S. Constitution or the Arizona Constitution.
- Requires district/charter to adopt, in a regular public meeting, a written policy that includes standards or guidelines for school-sponsored media consistent with and not more restrictive than prescribed content standards.
- States any expression made by students in school-sponsored media is not deemed to be an expression on behalf of the school, community college or university.
- Provides an exemption from liability in civil or criminal action for any expression made or published by a student in school-sponsored media to:
  - A school district, charter school, community college district or university; or
  - Any official, employee or agent of a school district, charter school, community college district or university.

*Status:* Passed the Senate 2/13. Transmitted to the House and assigned to House Committees on Education (passed 3/6), and Rules (held 3/27).

### Schools - Assessments

#### **HB 2210 - college readiness; assessments**

On 2/16, the House Appropriations Committee passed a strike-everything amendment. The amended bill now creates a pilot program through the Department of Education for districts to provide college readiness assessments.

#### **ASBA SUPPORTS**

*Status:* Assigned to the Senate Committees on Education (passed 3/23), Appropriations, and Rules.

#### **SB 1098 - schools; statewide assessment**

Arizona instrument to measure standards test is revised to “statewide assessment” on all Arizona Revised Statutes relating to student assessments

#### ASBA SUPPORTS

Senate Amendment to the Bill:

- Removes the continuation of the Mathematics or Science Achievement Grant Program.

Status: [Transmitted to the Governor 3/29](#)

### Schools - Courses/Programming

#### **HB 2120 - education; prohibited courses and activities**

Includes in prohibited district/charter instructional programs any courses, classes, events or activities that:

- Promote division, resentment or social justice toward a race, gender, religion, political affiliation, social class or other class of people;
- Advocate solidarity or isolation based on ethnicity, race, religion, gender or social class;
- Violates state or federal civil rights laws;
- Negatively targets specific nationalities or countries.

Permits courses, classes, events or activities:

- for Native American students that are required to comply with federal law;
- that include the accurate history of any ethnic group open to all students;
- that include the discussion of controversial aspects of history “acutely”

Status: Introduced 1/17/17; assigned to House Committees on Rules, and Education.

See also:

#### **SB 1126 - schools; prohibited courses; repeal**

Repeals ARS Sections 15-111 and 15-112 that state [in relevant part]:

- *15-111. Declaration of policy*

The legislature finds and declares that public school students should be taught to treat and value each other as individuals and not be taught to resent or hate other races or classes of people

- *15-112. Prohibited courses and classes; enforcement*

A. A school district or charter school in this state shall not include in its program of instruction any courses or classes that include any of the following:

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

Status: Introduced 1/18/17; assigned to Senate Committees on Rules, and Education.

#### **HB 2184 - at-risk youth; career, college readiness**

Permits district/charter to establish a career and college readiness programs for at-risk youth.

- Defines *at-risk youth* as a student in grades 11 or 12 who:
  - Is likely to drop out of high school without graduating; or
  - Has documented academic, personal or vocational barriers to high school/workplace success.

Program must:

- Consist of:
  - at least 9 consecutive months of academic support, including tutoring and remediation;
  - comprehensive instruction on SBE-adopted workplace skills;
  - leadership and civic duty
- Require participants to:
  - Earn credits toward high school graduation;



- Perform volunteer activities or community service;
- Continue in program for 12 months post-graduation to allow for follow-up assistance
  - May be a dual enrollment course program

Sets forth district/charter reporting requirements.

*Status:* Passed the House 2/22. Transmitted to the Senate and assigned to Senate Committees on Rules, Education ([passed 3/23](#)), and Appropriations.

### **SB 1131 - schools; K-3 reading program**

Revises K-3 reading program, provisions include:

#### ***Student Retention and Intervention***

- Prohibits third graders from being retained if assessment data is not available before the end of the current academic year, rather than the start of the following academic year
- Expands the exemption from third grade retention to include students who have demonstrated or subsequently demonstrate sufficient reading skills or adequate progress towards sufficient reading skills as evidenced through a collection of SBE approved alternative standardized reading assessments.
- Directs school districts and charter schools to offer more than one of the intervention and remedial strategies developed by SBE, rather than at least one.
- Requires students receiving intervention and remedial strategies to be assigned for evidence-based reading instruction by a different teacher designated in one of the top two performance classifications on the teacher's most recent evaluation.
- Expands the intervention and remedial strategies to include small group and teacher-led evidence-based reading instruction, which may include computer-based or online reading instruction.
- Requires intervention and remedial strategies to be evidenced-based.
- Directs school districts and charter schools to annually report to ADE by October 1 on the total number of:
  - Students who are subject to retention;
  - Students who are promoted by exemption;
  - Students retained in the third grade; and
  - Interventions administered.
- Requires school districts and charter schools to identify students at risk of reading below grade level in grades K-3 and provide parents with written notification, include a description of the student's specific individual needs.

#### ***ADE Implementation Guidance***

- ADE to develop implementation guidance to assist in administering an effective K-3 Reading Program Plan and outlines items that must be included.
- Directs ADE to prioritize supports and interventions for school districts and charter schools that have the highest percentage of students who do not demonstrate sufficient reading skills as established by SBE.

#### ***K-3 Program Monies***

- Requires K-3 Reading Support Level Weight monies to be used on instructional purposes intended to improve reading proficiency, rather than on reading programs.
- Requires C, D, or F school districts and charter schools to submit a K-3 Reading Plan for ADE approval before distribution of monies generated from the K-3 Reading Support Level Weight.
  - Directs SBE to approve plans before monies may be distributed.
- Requires ADE to deposit any monies received for reading training or professional development into the Department of Education Professional Development Revolving Fund.

#### ***Statewide Assessment***



- Directs contracts for statewide assessments to require the submission of test scores and assessment data to LEAs by:
  - May 15 from the reading portion; and
  - May 25 from all other portions.

Requires SBE to impose penalties on contractors who provide scores and data after the contractual date.

- Requires any testing window established and executed by ADE or SBE for administering the statewide assessment to be no longer than four consecutive weeks and ensure LEAs receive test scores and assessment data by:
  - May 15 from the reading portion; and
  - May 25 from all other portions.
- Allows ADE to adjust the testing window for the statewide assessment in academic years that SBE is revising or establishing proficiency levels, subject to review and approval by SBE.

### ***Annual Report***

- Directs ADE to submit an annual report to the Governor, the President of the Senate, the Speaker of the House of Representatives and the Secretary of State by December 15 on the K-3 Reading Program that includes:
  - Information on the improvement of K-3 Reading, including specific achievement data and data and information on continued proficiency on the statewide assessment in subsequent grades;
  - A description of ADE's activities to support school districts and charter schools improve K-3 reading;
  - Specific findings on methods by which ADE may continue to improve support and assistance for school districts and charter schools in administering K-3 Reading Plans;
  - Information and data on K-3 Reading Plans and the expenditure of K-3 Reading monies; and
  - Reported data on the number of students subject to retention, exempted from retention, and administered intervention.

### ***Miscellaneous***

- Removes the requirement that the AIMS test results for 12<sup>th</sup> grade students be recorded on the student's high school transcript.
- Removes the definition of *scientifically-based reading research* and adds the definition of *evidence-based reading research*.
- Replaces references to AIMS with statewide assessment.

*Status:* **SIGNED BY THE GOVERNOR 3/34/17**

### **SB 1136 – schools; computer coding instruction**

Requires districts/charters to require 1 hour of interactive computer instruction in grades 4-12 (disability exemption possible); if infrastructure prohibitive, waiver may be applied for through Supt of Public Instruction.

Senate Amendment to the Bill:

- Expands eligibility to an entity with expertise in providing interactive computer instruction and specifies that instruction be aligned with school curriculum or courses.

*Status:* Passed the Senate 2/21. Transmitted to the House and assigned to House Committees on Education (passed 3/6), and Rules.

### **SB 1317 – school-sponsored media; student journalists**

- Expands the definition of *specialty designed instruction* to include instruction that is delivered by any person who is certificated and who is determined by a student's IEP team to be an appropriate provider based on the student's individualized needs.
- Allows a person who has a teaching certification to provide specialty designed instruction if in accordance with a student's IEP.

House-passed amendment:

- Directs certificated personnel to collaborate when delivering specially designed instruction.
- Requires SBE to immediately begin adopting new rules that clarify the administration of specially designed instruction and review and amend rules regarding special education to meet specified criteria.
- Directs new rules to be adopted by November 15, 2017.
- Requires adopted rules to be consistent with and not more restrictive than IDEA.

*Status:* Passed the House 3/17; transmitted back to the Senate.

**School Property**

**HB 2113 – government vehicles; political speech; prohibition**

Prohibits a district vehicle from displaying any information regarding a political organization, including a labor organization, or political speech.

*Status:* **FAILED in the House on the third attempt with a 29-29-2 vote.**

**HB 2115 - school vehicles; global positioning systems**

Requires that, by September 1, 2018, all vehicles “owned, leased, operated by or that provide transportation services” to a state-funded district/charter be equipped with a global positioning system and an ADE-approved reporting system for the purpose of daily mileage recording and submission to ADE for verification of mileage and costs.

*Status:* Introduced 1/12; assigned to the House Committees on Rules, and Education.

**HB 2213 – GPLET reform; K-12 taxes**

Beginning with development agreements for the lease of government property improvements approved by a governing body beginning January 1, 2017, the proportional amount of GPLET revenue for school districts cannot be abated.

*Status:* **SIGNED BY THE GOVERNOR 3/30/17.**

**HB 2314 - school resources; religious purpose; prohibition**

Prohibits the use of district/charter resources (including employees) for any religious purpose. *Religious purpose* defined as any action that promotes a particular religious or a particular religious view and includes the creation, posting and distribution of religious flyers, religious meeting notices or any other type of religious information or paraphernalia.

*Status:* Introduced 1/18; assigned to the House Committees on Rules, and Education.

**HB 2353 - school district leases; duration**

Increases the maximum period of time that a school district governing board may enter into leases or lease-purchase agreements for school buildings or grounds without voter approval from 10 to 15 years,

ASBA SUPPORTS

*Status:* **Passed the Senate Committee of the Whole 3/28.**

**School Employees**

**HB 2010 - ASRS; political subdivision entities**

Excludes from the Arizona State Retirement System any employee of a political subdivision entity, i.e., school district, who is hired on or after the effective date of the bill’s passage.

*Status:* Passed the House Committee of the Whole 2/23.

### **HB 2106 - garnishment; continuing lien; school employee**

- Increases the timeframe from more than 60 days to more than 90 days from the time a judgment debtor leaves his or her employer before a lien is invalid.
- Increases the timeframe from at least 60 days to at least 90 days in which a judgement debtor has not earned any nonexempt earnings before a lien is invalid.
- Applies the above provisions only to a judgement debtor who is:
  - an employee of a school district, a charter school, ASDB or an accommodation school; and
  - subject to an employment contract specifying that paydays are restricted to the school year

*Status:* [SIGNED BY THE GOVERNOR 3/29/17.](#)

### **HB 2147 - experienced teacher retention pilot program**

Directs ADE to conduct a five-year Experienced Teacher Retention Pilot Program; provisions include:

- Permits eligible participants to receive a 75% tuition waiver at state universities on a first-come, first-served basis, subject to limitations.
- Eligibility requirements for Program participants:
  - A certificated teacher employed at one or more schools for at least ten years total or their spouse or dependent.
  - A certificated teacher employed at one or more schools for between three and ten years.
    - Specifies the tuition waiver may only be used to obtain one or more graduate degrees and requires the teacher to sign a contract with ADE to teach in a public school for at least two years.
- Requires participants who fail to fulfill the service requirements or whose certificate is suspended to repay the amount of discounted tuition to ADE.
- Appropriates \$2.5 million in FY 2018 and \$5 million in FYs 2019 through 2022 from the GF to ADE for program costs.
  - Allows ADE to retain up to 2% of the appropriated monies each FY to administer the Program.

*Status:* Introduced 1/17; assigned to House Committees on Education, Appropriations (discussed and held 2/22), and Rules.

### **HB 2163 - schools; certification; discipline; reciprocity**

- Instructs SBE to prohibit persons whose certification application is denied on grounds of immoral or unprofessional conduct from submitting an application for certification for up to five years rather than for five years.
  - Removes the exemption from the five-year prohibition on reapplication for persons who provide new information after certification denial that addresses the grounds for denial.
- Directs a final adjudication or judgement that a certificated person has engaged in immoral or unprofessional conduct in another jurisdiction to be treated the same in this state for disciplinary proceedings.
  - Requires the certification applicant to successfully complete the disciplinary process in the jurisdiction prior to applying for Arizona certification.
- Permits SBE to revoke all state certificates in a manner consistent with the terms of revocation in the other jurisdiction unless the person requests a hearing.
  - Directs SBE to determine whether to uphold or decline the revocation after the hearing.

*Status:* [SIGNED BY THE GOVERNOR 3/24/17](#)

### **HB 2164 - teachers; alternative performance evaluation cycle**

Permits a district's Governing Board to evaluate a teacher once every 3 years, if:

- teacher has been designated as either of the 2 highest performance classifications

- for at least 2 consecutive evaluations; and
- Board adopts policies for expedited performance review during years teacher is not undergoing a formal performance evaluation.

Adopted Amendments:

- Limits the alternative performance evaluation cycle to teachers in the highest performance classification.
- Increases the number of years those teachers need to be in the highest classification to at least three consecutive years and reduces the amount of time those teachers may be on the alternative performance evaluation cycle from 5 years to 3 years.
- Removes teachers from the alternative performance evaluation cycle if they are determined to no longer be in the highest performance classification.

*Status:* Passed the House on 2/6. Transmitted to the Senate on 2/16 and assigned to Senate Committees on Education ([passed 3/16](#)), and Rules.

**HB 2166 – ASRS; return to work**

Requires ASRS employers to pay retirement contributions at an alternate contribution rate on behalf of a retired member who returns to work with an ASRS employer in any capacity, instead of only a retired member who returns to work in a position ordinarily filled by an employee of the employer.

*Status:* [Ready for the Senate Committee of the Whole.](#)

**HB 2167 – ASRS; contributions; adjustments**

- If more than the correct amount is paid into the ASRS system through a mistake of law, requires ASRS to return employer/member contributions upon request through an employer credit.
- If less than the correct amount is paid into ASRS by an employer, members who are inactive, retired or on long-term disability must make required payments using after-tax income and a personal check, cashier's check or money order.

*Status:* [Ready for the Senate Committee of the Whole.](#)

**HB 2168 - ASRS; reinstatement; contribution amount**

Permits an ASRS member of the Arizona State Retirement System who is reemployed by an ASRS employer to redeposit the amount of the contributions that the ASRS paid, instead of that the member received, at the time of the member's separation from service, with interest.

*Status:* [Ready for the Senate Committee of the Whole.](#)

**HB 2169 – ASRS; state retirement; waiting period; repeal**

Repeals statute requiring any state employee initially hired on or after July 20, 2011 to wait until the 27th week of employment to become a member of the Arizona State Retirement System (ASRS) or the ASRS Long-Term Disability Program.

*Status:* [Ready for the Senate Committee of the Whole.](#)

**HB 2247 - school bus drivers; fingerprint cards**

Requires school bus driver applicants to submit an “identity verified fingerprint card” for DPS to use to process a fingerprint clearance card; clearance card must remain valid during driver certification period; DPS must suspend driver certificate if clearance card becomes invalid or is suspended, canceled or revoked.

*Status:* [Amended in the Senate Committee of the Whole on 3/27; transmitted back to the House 3/28.](#)

**HB 2252 - rural school employees; tuition waiver**

- Requires the Arizona Board of Regents to provide a tuition waiver to enroll in online courses to a person with an associate degree who wishes to enroll in courses to obtain a bachelor's degree in education or who is a certificated teacher or administrator who wishes to obtain a graduate degree or enroll in advanced education courses that are related to that person's current employment.
- Requires community college districts to provide a tuition waiver to a person who is a classified employee of a "rural school district" (defined) in Arizona who has not previously earned an associate or bachelor's degree and who wishes to obtain an associate degree.
- Defines *tuition* as tuition and mandatory fees and *rural school district* as school districts under 3,000 students located in a county under 425,000 persons.

ASBA SUPPORTS as a potential tool for teacher retention and recruitment.

*Status:* Introduced 1/17 and assigned to House Committees on Rules, and Education (passed on a 7-4 vote after amendment and reconsideration on 2/13).

### **HB 2370 – NOW: school employees, withholding of wages**

#### **FORMERLY: withholding of wages; school employees**

Requires, by 7/1/18, districts to remit employment compensation within 7 business days after the end of the most recent pay period.

*Status:* A strike-everything amendment was passed in the Senate Commerce and Public Safety Committee; the amended bill was passed in the Senate Committee of the Whole 3/29.

### **HB 2377 - teacher and principal evaluations**

Requires the SBE-adopted model framework for teacher and principal evaluations to include:

- Lowers the quantitative data component of teacher and principal evaluations to between 10 to 20 percent and requires the data to be directly attributable to the teacher being evaluated.
- Directs the framework to allow for the exclusion of students who were not enrolled for a full academic year from academic progress data.
- Directs the measures of academic progress to include academic growth and academic proficiency and permits, but does not limit, the data to come from:
  - State-administered assessments;
  - Student learning objectives;
  - LEA benchmark assessments; and
  - Formative or summative assessments and school achievement profiles.
- Directs school districts and charter schools to determine the appropriate weights of evaluation components, except that quantitative data on student progress must be between 10 to 20 percent of the evaluation outcome.
- Defines *academic progress* as the measurement of a student's learning of grade-level content standards.

ASBA SUPPORTS as an increased local control in determining data for teacher evaluations.

*Status:* [Ready for the Senate Committee of the Whole.](#)

### **SB 1034 - appropriation; teacher student loan program**

Appropriates \$250,000 to the Mathematics, Science and Special Education (MSSE) Teacher Student Loan Fund from the state General Fund in FY 2018.

*Status:* [Ready for the House Committee of the Whole.](#)

### **SB 1038 - teachers; professional development; pilot program**

Appropriates \$500,000 from the state General Fund in FY 2018 to fund a high-quality teacher professional development pilot program established by the Arizona Department of Education (ADE).

Provisions include:

- Appropriates \$500,000 from the state General Fund in FY 2018 to fund scholarships or grants, or both, provided through the pilot program and exempts the appropriation from lapsing.
- Directs ADE to:
  - establish a high-quality teacher professional development pilot program.
  - issue scholarships or grants, or both, on a competitive basis as determined by ADE, to qualified applicants
- Purpose is to support certificated teachers in gaining additional credentials and certifications to teach in high-need content areas, including career and technical education.
- Qualified applicant is required:
  - to agree to teach in a public school for at least 3 additional years after completing the coursework or program
  - pay back the full amount of the scholarship or grant in a manner determined by ADE if the qualified applicant does not teach in a public school in this state for at least 3 additional years.
- Limits scholarships and grants to \$2,000 per qualified applicant.
- Defines *high-need content area*, *qualified applicant* and *qualifying postsecondary institution*.

Senate Amendments to the Bill:

- Reduces the appropriation from \$500,000 to \$300,000.
- Narrows the definition of *high-need content area* to math, science, technology, engineering and career and technical education content.

*Status:* [Ready for the House Committee of the Whole.](#)

### **SB 1039 - teachers; alternative certification application**

Allows a district/charter that has received a letter grade of *A* or *B* for each of the last 3 years to apply to the SBE for authority to approve the alternative certification of teachers.

Provisions include:

- Requirement for rules to only facilitate the approval/certification process and to provide for the following:
  - the district superintendent/charter principal must verify that the applicant for alternative certification has made satisfactory progress and achievement with students;
  - a district/charter:
    - must submit data supporting the efficacy of its teacher training program before receiving authority to approve alternative certifications;
    - may adopt student achievement requirements that exceed the student achievement requirements prescribed by SBE for obtaining alternative certification;
    - the student achievement assessment data:
      - must be from an assessment approved by SBE; or
      - for untested grades and subjects, data may be from a nationally recognized norm-referenced or criterion-referenced test, but must
        - confirm at least 80% of the teacher's students at the end of the school year either are performing at grade level or have achieved at least 1 year of academic growth;
    - an alternative certification applicant:
      - must hold at least a bachelor's degree from an accredited university and meet background and fingerprint clearance card requirements; and
      - may not receive a certificate until:
        - the teacher has been in the classroom for at least one full year and
        - student data has been submitted (detailed above).
- A district/charter granted the authority to approve the alternative certification of teachers must submit evidence each year that high quality teachers are equally distributed across all schools within the district/charter.

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

### **SB 1040 - Arizona teachers; student loan program**

An emergency measure that provides loans to students that agree to provide instruction at an Arizona public school in a low income, rural or Indian reservation area.

Provisions include:

- Clarification that the Program is established to support the recruitment of teachers in AZ public schools;
- Program to provide loans to qualified applicants who agree to instruct in an AZ public school that is low-income; rural; or located on an Indian reservation.
- Qualified applicants eligible for a loan includes students who are:
  - pursuing a teaching certificate through an alternative teacher certificate programs as students;
  - in an alternative teacher certification program after obtaining a bachelor's degree;
  - continuing their service commitment in the public school they started in (even if that school no longer qualifies as low-income or rural).
- Definitions include:
  - *Eligible area* redefined to an area that is low-income, rural or located on an Indian reservation from 'a geographic area that is experiencing a shortage of teachers';
  - *low income school* as a public school in this state at which 60 percent or more of the students are eligible for free or reduced price lunches under the national school lunch and child nutrition;
  - *rural school* as an AZ public school that is located in a county with a population of less than 300,000 persons.

*Status:* Passed the Senate on 1/26. Transmitted to the House and assigned to House Committees on Education (passed 2/27) and Rules.

### **SB 1042 - teacher certification; reciprocity**

Issues standard teaching certificates for at least 8 years and makes various changes to alternative preparation programs, proficiency examination exemptions and reciprocity. Provisions include:

#### ***Alternative Preparation Programs***

- Rules for alternative teacher and administrator preparation programs shall:
  - Be adopted by November 15, 2017;
  - be substantially different from the rules adopted for traditional preparation programs; and
  - not unnecessarily restrict a variety of alternative preparation programs from operating and providing instruction in the state.
- Allows nonprofit organizations and private entities to apply for alternative preparation program approval.
- Eliminates structured English immersion training as a requirement for individuals to graduate from an alternative preparation program.

#### ***Certification and Proficiency Examination***

- Requires SBE rule to issue standard certificates for at least eight years;
- Exempts a person from examination requirements of:
  - the professional knowledge test, the subject knowledge test or the entire proficiency examination if the person has passed corresponding portions of an another state's equivalent examination; and
  - any portion of the proficiency examination if the person has been a full-time teacher for at least 2 years in the same area of certification in which the person is applying.
- Requires, rather than allows, SBE rule to exempt a secondary education certificate applicant from the subject knowledge portion of the proficiency examination if SBE determines the applicant has:
  - experience in science, technology, engineering or mathematics, and
  - demonstrates knowledge of the subject through a postsecondary degree; or



- 24 credit hours of relevant course work.

### ***Reciprocity***

- For persons applying for reciprocity:
- Eliminates a requirement for an applicant's certification from another state to include passing that state's subject knowledge and professional exams.
- Issues a standard certificate to persons.
- applies existing U.S. and State Constitution competency requirements and timelines; and
- Allows ADE or SBE to revoke a standard certification if the applicant fails to meet the U.S. and State Constitution competency requirements and timelines.

### Senate Amendments to the Bill:

- Increases the number of years a standard certificate is issued to 12 years.
- Allows ADE or SBE to temporarily suspend, rather than revoke, certain certificates and allows these persons to correct the deficiency.
- Requires the exam taken in another state to be substantially similar, rather than equivalent, to this state's exam in order to qualify for an exemption from the proficiency exam.
- Specifies the proficiency examination exemptions apply to persons applying for a provisional, standard or reciprocal certificate.

*Status:* Passed the Senate on 2/6. Transmitted to the House and assigned to House Committees on Education (passed 3/6) and Rules.

### **SB 1052 – ASRS; optional retirement benefits overpayment**

If a member of the Arizona State Retirement System (ASRS) has received an overpayment due to an error in the records, prohibits ASRS from authorizing the distribution through a partial lump sum rollover, but is permitted to authorize a direct partial lump sum distribution directly to the member.

### Senate Amendment to the Bill:

- Allows ASRS to withhold an overpayment from a lump sum distribution, rather than not allowing a rollover

*Status:* **SIGNED BY THE GOVERNOR 3/28/17**

### **SB 1053 – ASRS; board powers**

Expands the powers of the ASRS Board to include authorization to determine the rights, benefits or obligations of any ASRS member under the Long-Term Disability Program or transfers to another retirement system.

*Status:* **SIGNED BY THE GOVERNOR 3/29/17**

### **SB 1057 – experienced teachers; certification renewal**

- Requires the State Board of Education (SBE) to adopt rules that allow a certificate, and any endorsement or approved area related to that certificate, to be renewed at least 2 years but not more than 10 years after that certificate expires without any other requirements adopted by SBE or the Arizona Department of Education if the person:
  - is in good standing;
  - has at least 10 years of verified full-time experience in this state in the area the person is seeking renewed certification; and
  - possesses a valid fingerprint clearance card.
- Requires the renewed certificates to be identical to the expired certificates.

### Adopted Amendments:

- Limits those who are eligible to renew expired certificates to individuals who had verified full-time experience in this state in the area the person is seeking renewed certification.

- Includes endorsements and approved areas related to the certificate as renewable under the requirements of the act.
- Applies the ability to renew expired certificates to all certificates, rather than only teaching certificates.
- Requires individuals seeking to renew the expired certificate to wait at least two years after its expiration.
- Specifies the renewed certificates are identical to the expired certificates.
- Caps the renewal period at 10 years after the certificate expires.

*Status:* **SIGNED BY THE GOVERNOR 3/24/17**

### **SB 1206 – teachers; short-term certificates; dismissals**

Permits school district governing boards to dismiss teachers holding an intern certificate, emergency certificate or other type of nonstandard certificate that is valid 1 year or less without complying with statutory dismissal requirements.

- Directs dismissals to be effective 10 days after the delivery of the notice of dismissal to the teacher.
- Requires teacher contracts to include a notice of the authority to dismiss.

*Status:* **SIGNED BY THE GOVERNOR 3/24/17**

### **SB 1282 – teachers; performance pay; evaluations**

- Requires district teacher evaluation policies to include increased compensation based on performance.
- Beginning in school year 2018-19, individual teacher performance (as measured by the teacher's performance classification) is required to account for at least 50% of a district/charter's portion of the 40% allocation for teacher compensation based on performance.
- Repeals the Arizona Performance Based Compensation System Task Force.

*Status:* Introduced 1/26/17; assigned to Senate Committees on Rules, Education (passed 4-3) and Appropriations.

## **Joint Technical Education Districts**

### **HB 2229 - JTEDs; courses and programs; approval**

- Permits JTED career/technical course to be awarded credit towards high school graduation;
- Adds *instructional materials* to specialized equipment as a cost in excess of a standard educational course;
- Adds as a required assessment a career readiness exam;

*Status:* Passed the House on 2/19. Transmitted to the Senate and assigned to Senate Committees on Rules, Education (**passed 3/9**), and Appropriations (**passed 3/29**).

### **HB 2248 - JTEDs; adults**

- Permits JTEDs to offer vocational education programs to adults who have graduated from high school or obtained a GED;
- Prohibits JTEDs from offering college-level credit except through a dual credit agreement with an accredited college
- Permits adults to attend JTED courses (except massage therapy) during regular school hours on a central campus leased and operated by a JTED

*Status:* **SIGNED BY THE GOVERNOR 3/21/17**

## **School Tuition Organizations / Empowerment Scholarships**

**HB 2057 - STO scholarships; beneficiary recommendations**

Prohibits school tuition organizations from awarding, designating or reserving scholarships on the basis of donor recommendations

*Status:* Introduced 1/10; assigned to House Committees on Ways and Means, and Rules.

**HB 2058 - STO credit cap; growth trigger**

- Extends through FY 16-17 the 20% increase in the aggregate dollar amount of the previous year's STO tax credit cap;
- Beginning in FY 17-18, the annual tax credit cap increase will not increase if the transaction privilege tax growth rate and the total nonfarm employment growth rate are each less than 2%.

*Status:* Introduced 1/10; assigned to House Committees on Ways and Means, and Rules.

**HB 2059 - STO aggregate credit cap; freeze.**

Extends through FY 16-17 the 20% increase in the aggregate dollar amount of the previous year's STO tax credit cap.

*Status:* Introduced 1/10; assigned to House Committees on Ways and Means, Appropriations, and Rules.

**HB 2060 - STO scholarships; means testing**

Requires STO to award at least 66% of scholarships/grants to low income students (family income that does not exceed 185% of free lunch-eligible).

*Status:* Introduced 1/10; assigned to House Committees on Ways and Means, Appropriations, and Rules.

**HB 2061 - STOs; administrative cost allocation**

Increases from 90 to 95% the amount of tax credit contributions STO is required to provide for scholarships/grants to qualified students.

*Status:* Introduced 1/10; assigned to House Committees on Ways and Means, and Rules.

**HB 2062 - STO cap; general fund percentage**

Limits the aggregate dollar amount of the tax credit cap to 1% of the amount appropriated from the state's general fund

*Status:* Introduced 1/10; assigned to House Committees on Ways and Means, Appropriations, and Rules.

**HB 2063 - STO scholarships; student transfers**

Eliminates as an eligible recipient of an STO scholarship/grant any student who previously qualified as a recipient simply because the student is enrolled at a qualified school in a subsequent year.

*Status:* Introduced 1/10; assigned to House Committees on Ways and Means, Appropriations, and Rules.

**HB 2080 - STO; credit cap; low-income qualification**

- Extends through FY 16-17 the 20% increase in the aggregate dollar amount of the previous year's STO tax credit cap;
- Beginning in FY 17-18, the annual tax credit cap increase will increase by the greater of the Metro Phoenix consumer price index or 2%.
- Increases from 90 to 95% the amount of tax credit contributions STO is required to provide for scholarships/grants to students whose family income does not exceed 133% of federal poverty level;
- Requires STO to:
- include on website the percentage and total dollar amount of scholarships/grants awarded to students whose family income doesn't exceed the federal poverty level

- Eliminates as an eligible recipient of an STO scholarship/grant any student who previously qualified as a recipient simply because the student is enrolled at a qualified school in a subsequent year.

*Status:* Introduced 1/17; assigned to House Committees on Ways and Means, Appropriations, and Rules.

**HB 2394 - empowerment scholarships; expansion; phase-in**

- Expands the definition of an ESA qualified student to include:
  - Beginning in SY 2018, any child in or eligible for grades K-1, 6 and 9;
  - Beginning in SY 2019, any child in or eligible for grades K-2, 6-7 and 9-10;
  - Beginning in SY 2020, any child in or eligible for grades K-3 and 6-11; and
  - Beginning in SY 2021, any child in or eligible for grades K-12.
- Requires qualified students in grades 3-12 to annually take any nationally standardized non-referenced achievement exam, an AP exam or any exam related to college admission that assesses reading and mathematics, beginning in SY 2018.
  - Direct exam results to be reported to the student's parent; and
  - Exempts students identified with disabilities from exam requirements.
- Modifies the definition of qualified student.
  - Removes a definition for legally blind; and
  - Stipulates the required full-time attendance at a government school be at least 100 days rather than the first 100 days of the prior Fiscal Year.

ASBA OPPOSED as these programs lack both financial and academic accountability.

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

See also:

**SB 1431 - empowerment scholarships; expansion; phase-in**

ASBA OPPOSED to any expansion of the ESA program.

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

**HB 2465 - empowerment scholarship accounts; revisions**

Various changes relating to empowerment scholarship accounts (ESAs); provisions include:

- Permits child under 7 years old to enroll in Kindergarten
- Removes the eligibility requirement for children with disabilities who received monies from an STO/scholarship to have attended a public school as a full-time student for at least 90 days or a full semester.
- Removes a definition of legally blind.
- Stipulates that the failing school district eligibility qualification applies to students residing within the boundaries of a D or F school district.
- Requires students to have attended a public school for at least 100 days in the prior Fiscal Year rather than the first 100 days.
- Permits students who have qualified for an ESA to remain eligible to apply for renewal until the student graduates high school, obtains a GED or reaches 22 years of age, rather than until the student finishes high school.
- Allows ESA monies to be used for contributions to a 529 College Savings Account and caps Coverdell and 529 contributions at \$2,000 annually.
- Allows ESA monies to be spent on costs associated with third-party evaluations for students with disabilities to receive educational therapies.
- Removes the Annual Education Plan process.
- Directs ADE to:
  - allow ESA applicants to identify potentially applicable eligibility criteria when applying and prohibits ADE from restricting applicants to identifying a single eligible criteria.

- deposit monies into the ESA immediately or, if necessary, retroactively prorate monies when parents agree to ESA terms and conditions and prohibits delaying the deposit of monies until a subsequent quarter.
- notify ineligible applicants of statutory deficiencies in the application and the rationale for denial.
- adopt procedures, rather than rules, for ESA administration and requires policies and procedures to be developed and implemented to the intent of the law and to give students the most education options available.
- Requires, rather than permits, the State Treasurer to contract with private financial management firms to manage ESAs and extends the requirement to ADE.
- Modifies parental appeal processes to allow for the appeal of any administrative decision made by ADE, including decisions regarding enrollment eligibility, and requires ADE to notify parents of their ability to appeal when notifying the parent of administrative decisions.
- Reduces the time for ADE to enroll and issue award letters from 45 to 30 days after receipt of completed applications and required documentation.
- Permits ADE to establish policies to establish expense reporting, eligible expenses and application procedures that do not restrict the type or amount of curricular choices.
- Instructs ADE to annually develop and publish a policy handbook by July 1.
  - Requires the handbook to include information relating to adopted policies and restricts policy administration only to those outlined in the handbook.
  - Prohibits ADE from publishing, revising or enforcing new policies and procedures before a 60-day public comment period and submission of the handbook/revisions to the Governor, President of the Senate and Speaker of the House of Representatives.
- Instructs ADE to post specified ESA information and data on their website that is updated monthly.
- Requires ADE to enter into at least one contract with one or more private contractors to assist in the administration of ESAs by December 15, 2017.
- Establishes the ESA Review Council and outlines membership.

ASBA OPPOSED to any expansion of the ESA program.

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

### **SB 1281 – empowerment scholarship accounts; revisions**

Various changes relating to empowerment scholarship accounts (ESAs) Provisions include:

- *Qualified student* definition revised to include an Arizona resident who resides within the attendance boundary of a school district, instead of only a school, that has been assigned a letter grade of D or F.
- Modifies the list of authorized uses of ESA money to include contributions to a 529 education savings account, and to limit those contributions or contributions to a Coverdell education savings account to \$2,000 per year.
- Requires (instead of permits) the State Treasurer and ADE to contract with private financial management firms to manage ESAs.
- Requires ADE:
  - to issue an award letter within 30 days (from 45 days) after receipt of a completed application;
  - is prohibited from delaying the deposit of ESA monies until a subsequent quarter;
  - to develop and publish an ESA policy handbook by July 1 of each year.

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

### **Alternative Education**

### **HB 2077 - Arizona online instruction; funding; testing**

- An online student's state testing will be correlated to the online school that awarded him credit in that subject area
- Permits a school district to test a student to determine whether to award academic credit in a course if:
  - The student requests the examination;
  - The student previously earned course credit in an AZ online course; and
  - The online course provider did not proctor the final examination under the supervision of a school staff member and the student provides student identification

**ASBA SUPPORTS**

*Status:* Introduced 1/12; assigned to House Committees on Education, and Rules.

**SB 1041 - transfer credits; Arizona online instruction**

Awards credit without an examination to public school transfer students who complete credit in this state; allows certain Arizona Online Instruction (AOI) students to generate up to 1.25 average daily membership (ADM).

***Transfer Credits***

- Awards core or elective credit at a district, charter or AOI to a student who completed a core or elective credit at an AZ charter, district or regionally accredited AOI.
- Eliminates the ability for school district boards to adopt a policy concerning the acceptance of a transfer credit as an elective or core credit.
- Applies existing procedures concerning the acceptance of transfer credits from in-state charters, districts and AOI, only to students who transfer credits from out-of-state districts, charters and online instruction in another state that is not regionally accredited.

***AOI Funding***

- Allows a student who generated an ADM of 1.0 during the regular school year at a district or charter, and subsequently or concurrently enrolls in AOI through a charter authorizer, to generate ADM above 1.0, not to exceed 1.25.
- Funds these students at 85 % of the base support level.
- Calculates charter and district additional assistance for these students in the same manner as if the students were enrolled in a district or charter that does not participate in AOI.

**Senate Amendments to the Bill:**

- Removes the ability for certain AOI students to generate up to 1.25 average daily membership.
- Includes requirements for transfer credits to qualify as core credits.
- Allows students to test and demonstrate competency for core credit if they do not meet those requirements.

*Status:* Passed the Senate on 2/13. Transmitted to the House; on 2/20 assigned to House Committees on Education and Rules.

**SB 1261 - Arizona community schools pilot program**

Establishes a Community Schools Pilot Program; provisions include:

***Pilot Program Requirements for Governor's Office***

- Establishes a three-year Pilot Program and requires the Governor's Office to select three eligible schools to participate, one of which must be an elementary school.
- Caps grant amounts as follows:
  - \$60,000 each academic year for the salary and benefits of a full-time community school coordinator; and
  - \$25,000 each academic year to develop and implement a community school plan.
- Directs the Governor's Office to select a third-party organization for the purposes of soliciting, accepting and distributing Pilot Program monies.

***Pilot Program Requirements for Participating Schools***

- Describes an eligible school as one that demonstrates a commitment to do the following:
  - establishing a school-community partnership team to function as the campus-level planning and decision-making committee composed of school officials and community representatives;
  - establishing a partnership with a community-based organization, a social service provider or an education or youth services organization that has experience in developing and implementing a community school plan; and
  - developing and implementing a plan for sustaining the community school beyond the end of the Pilot Program.
- Requires a school selected to participate in the Pilot Program, to hire a full-time community school coordinator that is an individual with relevant experience as a:
  - school district employee;
  - charter school employee; or
  - community-based organization employee with experience in developing and implementing a community school plan.
- Outlines a community school coordinator's duties to include the following:
  - recruiting community partners and building community support;
  - coordinating:
    - school-community partnership team's planning and training activities;
    - planning and evaluation efforts between school and community partners;
    - academic, student and family support programs; after-school, summer and enrichment programs; and
    - with school-community partnership team to conduct an annual needs assessment report;
  - encouraging community and parent engagement;
  - seeking available resources for program and service implementation; and
  - acting as a liaison between the participating school, other community schools, the school district or charter school and community partners.
- Prohibits participating schools from using monies for direct programs for students, families or other activities that are not related to the development or implementation of a community school plan.
- Allows the third-party organization and schools selected to participate in the Pilot Program to seek additional funding through public-private partnerships and accept gifts, grants, donations and monies from federal, state and private sources for purposes related to the Pilot Program.
- Requires the school district/charter selected to participate in the Pilot Program to be involved in the following:
  - approving Pilot Program applications;
  - approving community school plan prior to implementation; and
  - reviewing school's progress on implementing community school plan annually.
- Requires the school that has been selected to participate in the Pilot Program to conduct two community meetings annually for the following purposes:
  - inform stakeholders about school's progress on community school plan implementation; and
  - seek community input regarding any improvements or changes to the community school plan.

Senate Education Committee removed the original Bill's establishment of a tax credit.

#### ASBA SUPPORTS

*Status:* Introduced 1/25 and assigned to House Committees on Education (passed 2/16), and Rules.

#### **SB 1293 - private vocational program license; exemption**

*Background:* A private vocational program is an instructional program, for which a student does not earn a degree, designed to provide a student with sufficient skills for entry into a paid occupation. A person or institution operating a private vocational program is required to hold a license issued by the Board for Private Postsecondary Education.



SB 1293, as amended in the Senate, exempts a private instructional program or course that is fewer than 40 contact hours and costs less than \$1,000 from licensure by the Board. *Contact hour* defined as a 50-minute session of schedules in-class or online instruction.

*Status:* [Ready for the House Committee of the Whole.](#)

### Schools / Elections

#### **HB 2017 – bonds; disclosure; notice**

Requires the following information to appear on bond elections pamphlets distributed by a county or municipality:

- The estimated tax impact of debt service for the bond, at the maximum interest rate authorized by the voters.
- The estimated total cost of the bond, including principal and interest at the maximum interest rate authorized by the voters.
- A disclosure that the expenditure authorized by the bond is governed by the general purposes of the bond and not the proposed projects listed in the pamphlet.

Requires a county or municipal bond election ballot to include a disclosure that a “yes” vote may increase the primary tax rate to pay for the maintenance and operation of projects funded by the bond.

*ASBA OPPOSES*

House Amendment to the Bill:

- Adds ballot language stating that payment for M&O of bond-funded projects may come from a primary tax increase *or from other revenue sources.*
- Requires a bond election pamphlet to also include the estimated tax impact of debt service for the bonds at the estimated interest rate based on current market conditions

*Status:* [Ready for the Senate Committee of the Whole.](#)

#### **HB 2317 - partisan offices; districts; cities; schools**

Requires district governing board candidates’ partisan designation and the office title to appear on ballots for primary and general elections.

*Status:* Introduced 1/17; assigned to House Committees on Government, and Rules.

#### **SB 1405 – schools; elections; ballot arguments; exclusions**

Requires the ballot argument for a proposed budget override or bond election to be signed as the governing board of the school district without listing any member’s individual name.

*Status:* [Ready for the House Committee of the Whole.](#)

#### **HCR 2004 – clean elections repeal; education funding**

Resolution to place the question on the 2018 general election ballot of whether to amend state statute to repeal the Citizens Clean Elections Act (except for the 10 percent surcharge on all civil and criminal fines and penalties collected by the courts which is deposited in the Clean Elections Fund), and to require the State Treasurer to annually transfer the monies in the Clean Elections Fund to the ADE for an equitable per student distribution to school districts and charter schools for maintenance and operations.

*Status:* Introduced 1/9/17; assigned to House Committees on Rules and Appropriations (failed 1/9)

### Miscellaneous

#### **HB 2187 - study committee; elementary mathematics retention**

Establishes a committee to study and develop policies to retain students in elementary school who are not proficient in mathematics; requires report by December 1, 2018; establishes membership as legislators and two members each from: the SBE, the public, the business community, higher education community. Also 2 members each who are: public schoolteachers, district governing board members and school administrators.  
*Status:* Introduced 1/17 and assigned to House Committee on Rules.

**HB 2354 - science education special plates**

Creates the science education special license plate; directs the funds generated to be allocated to a charitable organization that provides science education to students, teachers, and families.

*Status:* **SIGNED BY THE GOVERNOR 3/27/17**

**HB 2387 - early childhood; school readiness committee**

Establishes a 6-member Legislative Early Childhood and School Readiness Study Committee to study a list of issues concerning early childhood and school readiness. The Committee is required to submit a report of its recommendations to the Legislature by November 15 of each year.

*Status:* Introduced 2/6; assigned to House Committees on Rules.

**HB 2389 - governmental entities; diplomas; transcripts; recognition**

Requires the state, state agencies, political subdivisions and other governmental entities to recognize and treat all diplomas and transcripts associated with schooling options described in statute in the same manner.

ASBA OPPOSES

*Status:* [Passed the Senate and transmitted to the House 3/28.](#)

**HB 2396 - ASDB revisions**

The ASDB Superintendent is no longer required to file a written report on the discharge of a probationary employee. The ASDB Superintendent is required to have a valid fingerprint clearance card. The ASDB Board of Directors is required to determine the qualifications for the ASDB Superintendent by action taken at a public meeting. Statute allowing school employees to receive food supplies for their families is deleted.

*Status:* **SIGNED BY THE GOVERNOR 3/24/17**

**SB 1019 - public records; unduly burdensome requests**

Requires anyone appealing denial of public records access to have identified the requested records with “reasonable particularity”. Specifies that grounds for production denial be on the grounds that the request is “unduly burdensome or harassing”.

*Status:* Introduced 1/9/17; assigned to Senate Committees on Rules, and Government.

**SB 1036 - charter schools; rulemaking exemption**

Exempts the State Board for Charter Schools (Board) from the following rulemaking requirements, unless otherwise required by law:

- publication of agency rules;
- rulemaking procedures;
- Attorney General review of rulemaking; and
- GRRC.

Requires Board to:

- adopt rulemaking procedures for the Board and charter schools sponsored by the Board;
- provide notice and 2 opportunities for public comment on rules and policies proposed for adoption; and
- adopt rules and policies that the Board deems necessary to accomplish its statutory purpose.

[Amendments to the Bill:](#)

- Permits filing of objections to adopted policies;
- Removes Az Board of Regents from the definition of agency.

*Status:* Amended in the House Committee of the Whole and passed on 3/16.

### **SB 1037 - special education; audit; cost study**

Directs, by December 15, 2017, the Auditor General to complete a comprehensive performance audit and cost study of state special education programs to include the:

- cost of providing special education programs;
- amount of money provided for student special education services;
- appropriateness and number of services/programs offered to students;
- effectiveness and quality of services/programs, including transition success rate; and
- areas in which the state can reduce/eliminate administrative and reporting requirements.

Senate Amendments to the Bill:

- Adds a requirement for the governing board or county school superintendent to report special education program expenditures for each disability classification.
- Removes the requirement to evaluate the appropriateness and effectiveness of services and programs being offered.
- Adds a requirement to the special audit and cost study to analyze the utilization and cost trends for independent evaluation teams and any other areas deemed necessary by the OAG.
- Appropriates \$150,000 for FYs 2018, 2019 and 2020.
- Removes the deadline for the OAG to complete the special audit and cost study.
- Extends the repeal of the section.

*Status:* Passed the Senate 2/27. Transmitted to the House and assigned to Committees on Education (passed 3/13), Appropriations (passed 3/15), and Rules.

### **SB 1177 – commerce authority; concrete masonry education**

Establishes the Arizona Concrete Masonry Education Council as a nonprofit corporation to operate under a written contract with the Arizona Commerce Authority to plan, implement and conduct educational programs to train individuals in the field of concrete masonry and to support research and education programs related to the masonry industry.

*Status:* Introduced 1/24/17; assigned to Senate Committees on Rules, and Commerce and Public Safety

### **SB 1210 - state law; violations; political subdivisions**

Requires the Attorney General to investigate if one or more members of the Legislature allege a of a political subdivision's governing body adopted a rule, ordinance, regulation or other official action in violation of state law or the Arizona Constitution

ASBA OPPOSES as there is no due process or defined percentage for revenue loss.

*Status:* Introduced 1/24; assigned to Senate Committees on Government (passed 2/15 on a 4-2-1 vote), and Rules.

### **SCR 1026 - EXPRESSING A COMMITMENT TO THE PROMOTION OF CIVICS EDUCATION IN ARIZONA SCHOOLS.**

Whereas, in 2014, the National Assessment of Educational Progress (NAEP), which is administered by the National Center for Education Statistics in the United States Department of Education, found that only 23% of eighth graders performed at or above the proficient level in civics; and

Whereas, a 2014 survey of 1,416 adults conducted by the Annenberg Public Policy Center of the University of Pennsylvania (Annenberg survey) found that only 36% of respondents could name all three branches of government and that 35% of respondents could not name a single one; and

Whereas, the Annenberg survey also found that only 27% of Americans know that it takes a two-thirds vote of the House and Senate to override a presidential veto, that 21% of Americans incorrectly think that a 5-4 Supreme Court decision is sent back to Congress for reconsideration and that more than half of Americans do not know which party controls the House and Senate; and

Whereas, in the words of Justice Sandra Day O'Connor, "[t]he practice of democracy is not passed down through the gene pool. It must be taught and learned anew by each generation of citizens"; and

Whereas, the lack of an educational foundation regarding the fundamentals of the democracy established by this country's founders and defended by generations of American soldiers increases the potential for incivility and threatens the sustainability of the American Democracy; and

Whereas, civics education produces an enlightened citizenry through increased knowledge of this nation's form and execution of government along with its historical significance as a protector of civility and freedom; and

Whereas, there are a number of civics education programs that are free and available for use in the Arizona K-12 public school system; and

Whereas, affording Arizona students a proper and thorough civics education using contemporary teaching and learning methods is vital to ensuring the success of this great nation.

Therefore, Be it resolved by the Senate of the State of Arizona, the House of Representatives concurring:

That the Members of the Legislature express a continuing commitment to the promotion of civics education in Arizona schools.

*Status:* Transmitted to the Secretary of State 3/16.