



GOVERNING BOARD AGENDA ITEM
AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10

DATE OF MEETING: **August 11, 2015**

TITLE: **Study of Proposed Revisions to Governing Board Policies GBI (Staff Participation in Political Activities), and IKF (Graduation Requirements).**

BACKGROUND: The 2015 Legislative Session ended with a number of changes to state law that affect existing Governing Board policy. Over the course of the next two months, recommendations for revision of District policy suggested or made necessary by legislation will be presented for Governing Board review and action.

Policy GBI— Staff Participation in Political Activities

The first policy presented for the Board’s consideration this month concerns the limitations set forth by state law (A.R.S. §15-511) on the use of district resources to influence the outcome of an election. As the Governing Board is aware, generally speaking, the same is a prohibited activity under law. House Bill 2613 from the last legislative session amended A.R.S. §15-511, adding clarifying language related to prohibitions on the use of public resources and also defining “routine school district communications” as the statute permits the same.

HB 2613 added a new section (B) to the statute which now provides:

The prohibition on the use of public resources to influence the outcome of bond, budget override and other tax-related elections includes the use of school district-focused promotional expenditures that occur after an election is called and through election day. This prohibition does not include routine school district communications.

This provision addresses the issue of what may be ongoing communications issued by a school district pertaining to the district “generally” but which are issued after an election is called for and before the election is held.

The revision stems from apparent concerns that a governmental body’s communications on its operations may “influence the outcome of an election”, as the statute would define and prohibit the same. Significantly, similar language has been added to several statutes pertaining to the elections of other governmental bodies in the state and the similar prohibition of using resources of those bodies to influence the outcome of their own elections as well. Thus, there does not seem to be an exclusive focus on school district elections in this respect.

The quoted section above notably includes a provision that routine school district communications are not prohibited by the statute. HB 2613 therefore also added a provision to the statute which operates to define the “routine school district communications” that the statute, by its express terms, does not intend to restrict:

“Routine school district communications” means messages or advertisements that are germane to the functions of the school district and that maintain the frequency, scope and distribution consistent with past practices or are necessary for public safety.

This provision of the statute is intended to prohibit communications on school district functions which are only initiated after an election is called, presumably based upon a legislative concern that such communications are suspect in their purpose.

Policy IKF -- Graduation Requirements

Policy IKF is presented with several additions based on revisions to A.R.S. 15-763 (Plan for providing special education; definition) and A.R.S. 15-701.01 (High school; graduation; requirements) included in House Bill 2064 and Senate Bill 1093 during last legislative session. The proposed policy language addresses pupil transfer of credit from a charter school, school district, or Arizona online instruction; the designation of such credit as core credit; and examination if the core credit designation is denied.

Another addition is the new social studies/civics test graduation requirement which becomes effective in the 2016-2017 school year. The law now requires that students, in order to receive a high school diploma in Arizona, obtain a minimum score of sixty (60) out of one hundred (100) on a test that is identical to the civics portion of the naturalization test used by the United States Citizenship and Immigration Services. The Governing Board determines the details of the method and manner in which to administer the test. Unlimited student re-testing is allowed.

Finally, IKF needs to include protections for special education students regarding passing scores on the Arizona Instrument to Measure Standards (AIMS) or the test that is identical to the civics portion of the naturalization test under A.R.S. 15-701.01.

RECOMMENDATION:

This item is presented for the Board's study at this time. The proposed policies will be brought back at a later date for the Board's approval.

INITIATED BY:



Todd A. Jaeger, Associate to the Superintendent

Date: August 5, 2015



Patrick Nelson, Superintendent