



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

DATE OF MEETING: March 6, 2012

TITLE: Periodic Legislative Update (3.5.12)

BACKGROUND: On February 7, 2012, a summary of bills introduced in the second regular session of the 50th Arizona legislature this year were outlined. A status of each bill's progress through the Arizona House of Representative and the Senate follows, along with a brief review of the education budget proposal currently under consideration. The legislature's education budget bills are HB 2858 and SB 1529:

- The base level, without teacher comp., will be \$3,267.72 (same as this year)
- Transportation amount per mile will increase by 1.7% per mile
- The additional assistance for charters will increase by 1.7% [prior to any cuts] but after the increase additional assistance will be cut by \$17.6 million
- Capital Outlay Revenue Limit (CORL) – the funding formula will be reduced by \$98.9 million. This year the CORL funding was reduced by \$63.9 million with an additional \$35 million one time reduction because of EduJobs funding. The one time \$35 million cut is eliminated but \$30 million of this year's soft capital cut has been moved to CORL. Non-state aid districts will be subject to the reduction.
- The Soft Capital formula for districts will be reduced by \$158.1 million. This is a decrease of \$30 million. The Legislature is moving \$30 million of the current year soft capital cut to CORL because of declining Soft Capital revenues did allow them to make the reduction. Non-state aid districts will be subject to the reduction.
- For districts with fewer than 1,100 students, the statewide Soft Capital and CORL cuts cannot exceed \$5 million. This cut is the process that was in place this year.
- Phase out of Career Ladder and OPIP programs over 5 years will continue.
- The current provision of funding JTEDs at 91% continues.
- Restrictions on Early Graduation Scholarship Program (EGSP) continues

At the last Governing Board meeting, Mr. Grant requested that these legislative update items include bill sponsorship information. This particular item had already been completed without the sponsor details, so a revision including that information will follow by Friday, March 2, 2012.

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

INITIATED BY:

Todd A. Jaeger, Associate to the Superintendent

Date: March 5, 2012

Vicki Balentine, Ph.D., Superintendent

BILLS INTRODUCED IN THE ARIZONA HOUSE OF REPRESENTATIVES

HB2006: SCHOOL BUS ROUTES; DISTANCE LIMITATIONS

Deletes statute allowing school district governing boards to provide transportation of up to 20 miles each way for open enrollment students who qualify for free or reduced price lunches. Transportation services provided by charter schools are limited to no more than 15 miles each way to and from the charter school

SPONSOR: Fillmore

Status: this bill has been assigned to the following House Committees: Rules and Education.

HB2008: SCHOOLS; AUDITS; EXEMPTIONS

Schools, school districts, and charter schools that are assigned a letter grade of "A" are exempt from statutory audit and investigatory requirements. Schools assigned a letter grade of "B" are exempt from annual audit requirements and instead will have biannual audits. The exemption is waived if the Auditor General, State Board of Education, or Department of Education make or receive an allegation of gross negligence or criminal conduct

SPONSOR: Fillmore

Status: this bill has been assigned to the following House Committees: Rules and Education (held)

HB2009: SCHOOL PRINCIPALS; QUALIFICATIONS

School principals must have at least 5 years of classroom teaching experience

SPONSOR: Fillmore

Status: this bill has been assigned to the following House Committees: Employment and Regulatory Affairs; Rules; and Education.

HB2011: SCHOOLS; TEACHERS; PUPILS; DISCIPLINE

Teachers are granted the authority to remove pupils from the classroom and suspend pupils, and a teacher's decision to remove or suspend a pupil is not subject to review or appeal by any other person or entity

SPONSOR: Fillmore

Status: this bill has been assigned to the following House Committees: Employment and Regulatory Affairs; Rules; and Education.

HB2016: STATE EMPLOYEES; HEALTH INSURANCE COST

State employees and officers are required to pay at least 18 percent of the cost of the total premium for health and accident insurance

SPONSOR: Fillmore

Status: this bill has been assigned to the following House Committees: Banking and Insurance; Appropriations; and Rules.

HB2022: LEGISLATOR LOBBYING MORATORIUM; REPEAL

The moratorium on lobbying for one year after a person ceases to be a member of the Legislature is repealed

SPONSOR: Harper

Status: this bill has been assigned to the following House Committees: Judicial; Rules; and Government (passed on a 5-4 vote on 1/17).

HB2034: HOOKAH USE; MINORS; PROHIBITION

It is a petty offense to knowingly sell or give any paraphernalia designed for smoking or ingesting tobacco, including a hookah or water pipe, to a minor. It is a petty offense for a minor to buy or possess such paraphernalia, with a penalty of at least 30 hours of community supervision and a minimum \$100 fine

SPONSORS: Yee

Status: this bill has passed the House and was transmitted to the Senate on 2/24 where it was assigned to the following Committees: Judiciary; Rules.

HB2039: SCHOOL DISTRICTS; NONCERTIFICATED TEACHERS

Schools may employ teachers who do not have a certificate for teaching granted by the State Board of Education

SPONSOR: Fillmore

Status: this bill has been assigned to the following House Committees: Rules and Education.

HB2040: SCHOOL DISTRICTS; MEET & CONFER

Statute authorizing school boards to make employment decisions cannot be construed to allow school boards to meet and confer with representatives of labor organizations

SPONSOR: Fillmore

Status: this bill has been assigned to the following House Committees: Employment and Regulatory Affairs; Rules; and Education.

HB2041: SCHOOLS; CURRICULUM; FREE ENTERPRISE; CONSTITUTION; FINANCE

The course on the U.S. Constitution and Arizona Constitution that school districts and charter schools are required to offer to high school students for at least one full school year must also include instruction on the arguments in the Federalist Papers. Beginning in the 2014-2015 school year, students cannot obtain a high school diploma without passing this course. Beginning with students entering high school in the 2012-2013 school year, students must also pass a one semester course on the free enterprise system developed by the State Board of Education. Beginning in the 2013-2014 school year, students must also pass a personal finance course as part of mathematics curriculum. The Department of Education must submit a report to the Governor and the Legislature by 9/15/2014 on the implementation of free enterprise instruction

SPONSOR: Fillmore

Status: this bill has been assigned to the following House Committees: Rules and Education.

HB2043: ELECTION DATES; EVEN-NUMBERED YEARS

Effective January 1, 2014, county, municipal, school district and special district elections can no longer be held in March or May and must be held in even-numbered years

SPONSOR: Fillmore

Status: this bill has been assigned to the following House Committees: Rules and Judiciary.

HB2050: ASRS; MEMBER'S STATUS; INFORMATION

The statement showing the status of each ASRS member's account may be provided electronically or online and is no longer required to be provided annually

SPONSOR: Robson

Status: No action has been taken on this bill.

HB2083: ENERGY CONSERVATION; SCHOOL BUILDINGS

By July 1, 2017, all state agencies, universities, school districts, and community college districts must purchase at least 10 percent of their energy from "green sources" (defined) and all existing state buildings that are more than 50,000 square feet must conform to the leadership in energy and environmental design (LEED) existing building standards. All new or leased state buildings must conform to the LEED green building rating system. The Department of Administration, Department of Transportation, and AZ Board of Regents must reduce energy use in public buildings they administer by 20 percent per square foot by July 1, 2020, using FY2002 as the baseline year. Establishes the Energy and Water Efficiency Fund for public facilities to be administered by the AZ Commerce Authority. The Fund will provide loans to finance energy and water efficiency measures for public facilities. By December 31, 2013, school districts and charter schools are required to adopt a green cleaning policy and purchase and use environmentally sensitive cleaning products. Also establishes an 11-member Green Public Schools Task Force to recommend a model green cleaning

policy for public schools. The Task Force must submit a report to the Governor and the Legislature by November 1, 2013 and self-repeals January 1, 2014

SPONSOR: Abelser

Status: this bill has been assigned to the following House Committees: Energy and Natural Resources; Rules; and Appropriations.

HB2085: ENERGY CONSERVATION; PUBLIC BUILDINGS

By July 1, 2017, all state agencies, universities, school districts, and community college districts must purchase at least 10 percent of their energy from "green sources" (defined) and all existing state buildings that are more than 50,000 square feet must conform to the leadership in energy and environmental design (LEED) existing building standards. All new or leased state buildings must conform to the LEED green building rating system

SPONSOR: Abelser

Status: this bill has been assigned to the following House Committees: Energy and Natural Resources; Rules; and Government.

HB2088: RETIREMENT; ASRS; AMENDMENTS

Various changes to the Arizona State Retirement System, including removing the power over hiring investment management and setting investment policy from the ASRS Board and instead allowing the Board to authorize the ASRS Director to retain and manage staff to make investments as an investment manager. Repeals and replaces regulations relating to ASRS investment management. The ASRS Director is authorized to issue subpoenas and take evidence relevant to the collection of monies due to ASRS, and bring an action in court to recover unpaid monies due to ASRS. Debt owed to ASRS constitutes a lien on the debtor's property, and ASRS may collect the debt by levy. Repeals the level income alternative for members who retire prior to age 62. Changes certain specified health insurance program and long-term disability program benefits for members whose retirement or disability begins after the effective date of this legislation. Also modifies the process for crediting service to a member for an officially granted leave without pay and allows annual member statements to be delivered electronically or online. Appropriates \$47,000 from the ASRS Administration Account in FY2012-2013 to ASRS for implementation

SPONSOR: Robson

Status: this passed the House and was transmitted to the Senate on 2/20, where it was assigned to the following Senate Committees: Finance (passed); and Rules.

HB2089: RETIREMENT; ASRS; SERVICE PURCHASE AMENDMENTS

ASRS members may only purchase service for an officially granted leave of absence without pay if the member's employer certifies that the leave of absence benefits or is in the best interest of the employer

SPONSOR: Robson

Status: this passed the House and was transmitted to the Senate on 2/21, where it was assigned to the following Senate Committees: Finance; and Rules.

HB2090: RETIREMENT; ASRS; DISTRIBUTIONS; HEALTH SUPPLEMENT PAYMENT

For members who retire after the effective date of this legislation, ASRS will not pay health insurance premium assistance to a retired, contingent annuitant or disabled member who is enrolled in an employer's active employee group health insurance program, with some exceptions. For the purpose of survivor benefits and returning ASRS member contributions, the amount of employer contributions paid on behalf of a member excludes health insurance premium assistance. Effective July 1, 2013, repeals the level income alternative for members who retire prior to age 62. Appropriates \$47,000 from the ASRS Administration Account in FY2012-2013 to ASRS for implementation

SPONSOR: Robson

Status: this bill passed the House and was transmitted to the Senate on 2/21, where it was assigned to the following Senate Committees: Finance; and Rules.

HB2134: SCHOOL PUPILS; FOOD HANDLERS; IDENTIFICATION

If a governmental entity requires a person who is handling food, preparing food or supervising food preparation to obtain a food handler's card, a student who is doing so as a classroom activity or as part of a school-sponsored extracurricular activity cannot be required to furnish any additional identification other than the identification issued by the school

SPONSORS: C. Miranda, R. Miranda, Saldate

Status: this bill has been assigned to the following House Committees: Health and Human Services; Rules; and Education.

HB2135: SCHOOLS; BULLYING; SEXUAL ORIENTATION; ENFORCEMENT

School board policies and procedures on bullying must include bullying based on actual or perceived sexual orientation. A school administrator who fails to follow school board policies and procedures on bullying is guilty of unprofessional conduct and the administrator's certificate is revoked

SPONSORS: C. Miranda, Jackson, Arredondo, Gallego, R. Miranda, Saldate

Status: this bill has been assigned to the following House Committees: Rules and Education.

HB2138: SCHOOL DAY; ADDITIONAL HOUR

School districts are required to add one instructional hour to every school day or the equivalent thereof to the school year.

SPONSORS: C. Miranda, Fillmore, R. Miranda, Saldate, Urie

Status: this bill has been assigned to the following House Committees: Appropriations; Rules; and Education.

HB2139: SCHOOL BOARD AGENDAS; POSTING; TIME

A school board is required to make their agenda available to the public three days prior to a meeting, instead of 24 hours prior, except in an "actual emergency" (defined)

SPONSORS: C. Miranda, Arredondo, Fillmore, Gallego, Saldate, Urie

Status: this bill has been assigned to the following House Committees: Rules and Education (held).

HB2140: SCHOOL BOARD MEMBERS; OATH

Beginning in 2013, if a school board member has not subscribed to the oath of office by January 1 of the year following the person's election, the county school superintendent shall declare the office vacant and shall appoint a replacement

SPONSORS: C. Miranda, Arredondo, Fillmore, Gallego, Saldate, Urie

Status: this bill has been assigned to the following House Committees: Rules and Education.

HB2142: SCHOOLS; STUDENT BEHAVIOR THREAT ASSESSMENTS

Requires SBE, on or before January 1, 2014 to adopt a recommended pupil behavior threat assessment that may be used by school districts and charter schools. No later than January 1, 2015, requires each School district governing board and each charter school governing body to conduct a public meeting to consider the adoption of the pupil behavior threat assessment recommended by the SBE. The assessment shall be designed to both:

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

SPONSORS: C. Miranda, Saldate

Status: this bill has been assigned to the following House Committees: Military and Public Safety; Rules; and Education.

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HB2143: HIGH SCHOOL CERTIFICATE OF COMPLETION

SBE shall issue a certificate of completion of high school to pupils who have not obtained sufficient scores on the Arizona instrument to measure standards test to graduate from high school if all of the following apply:

- The pupil has satisfied all the other requirements prescribed by the SBE for the graduation of pupils from high schools in this state.
- The pupil has satisfied all the other requirements prescribed by the governing board of the school district for the graduation of pupils from the high schools in the school district.
- The pupil does not meet the alternative graduation requirements prescribed in section 15-701.02.

SPONSORS: C. Miranda, R. Miranda, Saldate, Urie

Status: this bill has been assigned to the following House Committees: Rules and Education.

HB2145: SCHOOLS; PARENTAL INVOLVMENT REQUIREMENT

Requires a governing board, in consultation with parents, teachers and administrators, to develop and adopt a policy to promote the involvement of parents and guardians of children enrolled in the schools within the school district, including a requirement that each pupil's parent or guardian contributes at least thirty hours of classroom assistance each school year. If a pupil has more than one parent or guardian, the requirement prescribed in this paragraph may be satisfied by one person who contributes thirty hours of classroom assistance or by multiple persons who contribute a total of thirty hours of classroom assistance

SPONSORS: C. Miranda, Saldate

Status: this bill has been assigned to the following House Committees: Government; Rules and Education.

HB2161: TEACHERS; SPECIALIZED CERTIFICATION

Board of Education rules governing teacher certification must provide for the issuance of a specialized teaching certificate to classroom teachers with expertise in science, technology, engineering or mathematics. Eligibility requirements for the specialized certificate are specified. A teacher with a specialized certificate may provide instruction in his/her field of expertise in grades seven through twelve at any public school in Arizona

SPONSORS: Carter, Robson, Brophy McGee, Seel, Dial, Urie, Gowan, Goodale, Pierce

Status: this bill passed the House and was transmitted to the Senate on 2/6 where it has been assigned to the following Committees: Rules and Education (passed).

HB2171: SCHOOL; HOT LINE; CLEARINGHOUSE; REPEAL

Repeals statutes establishing the public school information hot line and school safety clearinghouse, which terminated on July 1, 2009 and July 1, 2010

SPONSORS: Brophy McGee

Status: this bill passed the House and was transmitted to the Senate on 2/6 where it has been assigned to the following Committees: Rules and Education (passed).

HB2172: SCHOOLS; AIMS INTERVENTION; TECHNOLOGY PILOT; REPEAL

Repeals statutes establishing the AIMS intervention and dropout prevention program and the instructional technology systems pilot program, which terminated July 1, 2010

SPONSORS: Brophy McGee

Status: no action has been taken on this bill.

HB2180: SCHOOLS; PILOT; OUTCOME-BASED FUNDING

The SBE is required to establish a four-year pilot program for outcome-based funding for schools. After a competitive application process, five school districts and five charter schools will be selected to participate in the program each school year. Each school will receive up to \$6,500 for each student in kindergarten through eighth grade and up to \$7,500 for students in grades nine through

twelve, plus an additional \$250 per student with specified grades. Makes an appropriation (blank in original) from the general fund in FY2013-2014 to the Board for the program. Self-repeals September 15, 2019

SPONSORS: Crandell, Allen, Barton, Burges, Pancrazi, Goodale

Status: this bill has passed the House and was transmitted to the Senate on 3/2.

HB2260: ADM CALCULATIONS; ARIZONA ONLINE INSTRUCTION

Allows a public school to charge tuition if a student enrolls in AOI any time between April 1 and July 31. States that if a student is enrolled in a school district or charter school and also participates in AOI, the student cannot generate ADM for AOI between May 1 and July 31.

SPONSORS: Carter, Crandall, Brophy McGee, Goodale, Meyer, Proud

Status: this bill has passed the House and was transmitted to the Senate on 3/2.

HB2264: RETIREMENT; ASRS; EMPLOYEE; EMPLOYER CONTRIBUTIONS; RATE

Reverses the current 47% employer and 53% employee contribution rate split to the original 50/50 split for the Arizona State Retirement System (ASRS.)

SPONSOR: Robson

Status: Passed the Committee of the Whole on 3/2

HB2271: TAX CREDIT; SCHOOLS; DUAL ENROLLMENT

Contributions to public schools that qualify for the individual income tax credit may be used to support dual enrollment courses

SPONSOR: Goodale

Status: this bill has been assigned to the following House Committees: Rules; and Education.

HB2292: SCHOOLS; SINGLE ACHIEVEMENT PROFILE

Repeals session law requiring school districts and charter schools to be designated by both the terminated achievement profile system (performing, underperforming, etc) and the grade letter achievement profile system for academic years 2011-2012 and 2012-2013. (Effect will be to transition immediately to the grade letter system only). Emergency clause

SPONSOR: D. Smith

Status: this bill has been assigned to the following House Committees: Rules; and Education.

HB2317: PUBLIC EMPLOYEES; ACTIVITIES; UNIONS; COMPENSATION

Public employers are prohibited from entering into any employment bargain with public employees or unions. The prohibition of public sector union employment bargains is of statewide concern and is not subject to further inconsistent regulation by political subdivisions. Severability clause

SPONSORS: D. Smith, Gowan, Fann, Stevens, Williams, Crandell

Status: this bill has been assigned to the following House Committees: Rules; and Employment and Regulatory Affairs.

HB2318: UNIONS; PUBLIC EMPLOYEES; PROHIBITIONS

State agencies and political subdivisions do not possess authority to recognize any union, collectively bargain or enter into employment bargains with any union, or meet and confer with any union representing any public officer or employee. Any such employment bargains are declared illegal and void. The prohibition of public sector union employment bargains is of statewide concern and is not subject to further inconsistent regulation by political subdivisions. Severability clause

SPONSORS: D. Smith, Gowan, Fann, Stevens, Williams, Crandell

Status: this bill has been assigned to the following House Committees: Rules; and Employment and Regulatory Affairs.

HB2339: TAX CREDIT; PUBLIC SCHOOL ACTIVITIES

The individual income tax credit for contributions to public schools may be used for any educational activities sponsored and sanctioned by the school, instead of only extracurricular activities or character education programs

SPONSORS: Jones, McLain, Yee, Pancrazi, Meyer, Carter, Saldate, Goodale, Urie, Judd, Vogt

Status: this bill has been assigned to the following House Committees: Rules; Ways and Means; and Education

HB2404: VOLUNTARY ADDITIONAL SCHOOL TAX PAYMENTS

Any property owner may make voluntary payments to the school district in which the property is located at the same time as paying taxes levied by the district. Voluntary payments may be used by the district for any purpose in the sole discretion of the school board. Beginning with tax year 2012, creates an income tax credit of up to \$600 for an individual or corporation and \$1,200 for a married couple filing jointly for voluntary payments to school districts

SPONSORS: Stevens, Shooter

Status: this bill has been assigned to the following House Committees: Rules; and Ways and Means (where it was discussed and held).

HB2405: SCHOOLS; BONDED INDEBTEDNESS; TEMP INCREASE

From the effective date of this legislation through July 1, 2016, the limitations on bonded indebtedness for school districts is increased to specified amounts. Any class B bonds issued under the temporary increase are considered special class B bonds and are treated like class A bonds after the temporary increase is no longer in effect

SPONSORS: Stevens, R. Gray, Gowan, Mesnard, Proud, Vogt, Carter, Antenori, Fann

Status: this bill is ready for the Committee of the Whole

HB2463: SCHOOL DISTRICTS; CHAMBER OF COMMERCE MEMBERSHIP

Permits a school district to spend money for membership in a chamber of commerce

SPONSOR: Pratt

Status: this bill passed the Committee of the Whole on 3/2

HB2473: SCHOOLS; BIBLE ELECTIVE

To the extent permitted by the U.S. and AZ Constitutions, school boards may include in the curricula for high school students an elective course for the critical evaluation and examination of the Bible as a literary work

SPONSOR: Proud

Status: this bill has been assigned to the following House Committees: Rules; and Education.

HB2478: SCHOOLS; BUDGET INCREASES; BONDS; BALLOTS

Limits the application of a Class 9 assessment to improvements and property used exclusively for athletic, recreational, entertainment, artistic, cultural and convention facilities.

SPONSORS: Carter, Crandall, Goodale

Status: this bill passed the Committee of the Whole on 3/2

HB2489: SCHOOLS; PUPILS; LAWFUL STATUS; STATE AID

For the purpose of determining state aid to school districts and charter schools, the determination of average daily membership and student count excludes children whose parents are unable to prove the child's lawful presence in the U.S.

SPONSORS: Seel, Fillmore, Harper, Judd

Status: this bill has been assigned to the following House Committees: Rules; Government; and Education.

HB2490: BOND; BUDGET ELECTIONS; BALLOT FORMAT

For any election on a bond approval question, budget override approval or renewal question, or sales or property tax question, the ballot must state "bond and tax liability increase" yes or no, "budget and tax liability increase" yes or no, and "tax increase" yes or no

SPONSORS: Seel, Kavanagh, Burges, Fillmore, Harper, Judd

Status: this bill has been assigned to the following House Committees: Rules; and Judiciary

HB2497: SCHOOL TEACHERS; MULTIYEAR CONTRACTS

School boards are authorized to offer teaching contracts for a term of employment from one to three years in duration. Teachers may accept a multiyear contract or decline and accept a one year contract

SPONSORS: Meyer, Arredondo, Goodale

Status: this bill is ready for the Committee of the Whole

HB2500: SCHOOLS; POORLY PERFORMING; INTERVENTION STRATEGY

A school that is assigned a letter grade of D or F for two consecutive years must implement a science, technology, engineering and mathematics intervention strategy under the supervision of the State Board of Education

SPONSORS: Yee, Jackson, Pierce, Crandall, Goodale, Mesnard

Status: this bill passed the Committee of the Whole on 3/2

HB2504: SCHOOL DISTRICTS; CAMPAIGN FINANCE INFO

If a school district maintains a website, the school board is required to post a link to the website of the appropriate county office where campaign finance reports are available for candidates for school board. The county's website must also list school board candidates who have filed a \$500 threshold exemption statement. If the school district does not maintain a website, the district must notify each district resident of where campaign finance reports are available

SPONSOR: Yee

Status: this bill has been assigned to the following House Committees: Education; and Rules.

HB2505: SCHOOLS; FINANCIAL LITERACY; MARKETS CAPITALISM

High school mathematics standards must include financial literacy, and high school social studies standards must include free market economics and the history of capitalism

SPONSOR: Yee

Status: this bill has been assigned to the following House Committees: Education (held); and Rules.

HB2563: BIBLICAL INFLUENCE SCHOOLS; ELECTIVE

(formerly schools; elective; biblical influence)

The SBE is required to prescribe requirements for a high school course designated as "The Bible and its Influence on Western Culture." Components of the course and teacher requirements are specified

SPONSOR: Proud

Status: this bill passed the House and was transmitted to the Senate on 2/21 where it was assigned to the following Committees: Education (passed); and Rules.

HB2578: SCHOOL FACILITIES BD; REVISIONS

Makes changes to School Facilities Board (SFB) statutes, including:

- Requires SFB to include the net square footage of space funded in whole or in part by SFB instead of the gross square footage when measuring the square footage per pupil requirements.
- Deletes the requirement that the Executive Director of SFB report monthly to the Joint Committee on Capital Review (JCCR) on the progress of the development of proposed rules establishing minimum school adequacy guidelines.
- Requires school districts to report to SFB by October 15 of each year on the nature and cost of any renovations instead of only the nature and cost of completed renovations.

- States that the proceeds derived through the sale of any land purchased or partially purchased, or the sale of buildings funded or partially funded, with monies provided by SFB be returned to the state fund from that it was appropriated from. Currently, only proceeds from the sale of land must be returned.
- Repeals Arizona Revised Statutes sections 15-2063 and 15-2092, which require an audit of SFB's revenue bond receipts and debt service fund and the School Improvement Revenue Bond Proceeds Fund.

SPONSORS: Goodale, Crandell, Carter, Mesnard, Meyer, Arredondo, Pratt, Chabin, Crandall
Status: this bill passed the House and was transmitted to the Senate on 2/29 where it was assigned to the following Committees: Education; Appropriations; and Rules.

HB2583: TAX CREDIT; TEACHERS; SCHOOL SUPPLIES

Establishes an individual income tax credit for qualified teachers for the amount they paid for certain school supplies

SPONSORS: Dial, Seel, Mesnard, Robson, McComish

Status: this bill has been assigned to the following House Committees: Ways and Means (held); and Rules.

HB2598: SCHOOLS; CLASSIFICATION LABELS; PARENTAL INVOLVEMENT

requires high school achievement profiles to include the extent to which schools attempt to involve parents and directs the State Board of Education to determine the criteria for measuring schools' efforts

SPONSOR: Mesnard

Status: this bill is ready for the House Committee of the Whole

HB2599: REGULATORY EXEMPTIONS; "A" SCHOOL DISTRICT

(Formerly school instruction; personal finance)

Allows certain school districts assigned an "A" letter grade to submit exemptions to statutes and rules regarding schools, governing boards and school districts to the State Board of Education (SBE) for approval

SPONSOR: Mesnard

Status: this bill passed the House and was transmitted to the Senate on 2/29 where it was assigned to the following Committees: Rules; and Education.

HB2600: TEACHERS; LIABILITY INSURANCE

By December 31, 2012, the Department of Administration is required to contract with an insurance carrier to provide statewide personal liability insurance to teachers. Beginning January 1, 2013 any teacher employed by a school district may apply to receive this liability insurance. Makes an appropriation (blank in original) from the general fund in FY2012-13 to the Dept for the cost of supplying the insurance

SPONSOR: Mesnard

Status: this bill has been assigned to the following House Committees: Appropriations; and Rules.

HB2609: ACTIONS AGAINST GOVERNMENT OFFICIALS

A taxpaying resident of this state is authorized to bring a court action against any state or federal official who enforces any federal law or regulation that purports to displace, supersede, control or condition the exercise of the traditionally reserved powers of this state in violation of the U.S. Constitution. Establishes procedures and restrictions for these proceedings

SPONSOR: Mesnard

Status: this bill has been assigned to the following House Committees: Judiciary; and Rules.

HB2616: SCHOOLS; SEX EDUCATION

All school districts are required to provide sex education that is "medically accurate" and "comprehensive" (both defined)

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SPONSORS: Hobbs, Alston, Pancrazi, Gallego, Tovar, Hale, Wheeler, McCune Davis, Abelser, Meyer

Status: this bill has been assigned to the following House Committees: Health and Human Services; Education; and Rules.

HB2622: SCHOOL RANKINGS; DISPLAY; TIME PERIOD

Schools are prohibited from displaying any classification or ranking assigned to them by a public or private entity that is not current. Any person may submit a complaint to the Department of Education if they believe a violation of this section has occurred

SPONSORS: Lesko, Fann, Mesnard, Robson, Murphy, Fillmore, R. Miranda, Tovar, Carter, Goodale, Pancrazi, Urie, Crandell, Gowan, Pierce, Yee, Dial, Kavanagh, Proud

Status: this bill has passed the House and was transmitted to the Senate on 2/24 where it was assigned to the following Committees: Rules; and Education.

HB2636: CLASSROOMS; INTERIOR DOOR LOCKS

Revises 15-341 to require that any existing classroom facilities that are renovated or expanded contain doors that are capable of being locked from inside the classroom. Also requires SFB to require that any newly constructed classroom facilities and that are funded in whole or in part with SFB-distributed monies to contain doors that are capable of being locked from inside the classroom

SPONSOR: R. Miranda

Status: this bill has been assigned to the following House Committees: Appropriations; Education; and Rules.

HB2654: PROHIBITED COURSES; REPEAL

Repeals ARS 15-111 and 112

SPONSORS: Gonzalez, R. Miranda, Cajero Bedford, Arredondo, Pancrazi, Abelser, Patterson, Gallardo, Campbell, Aboud, Hale, Saldade, Lopez, Chabin, Jackson, Hobbs, Tovar, Schapria, Gallego, Landrum Taylor, C. Miranda, Wheeler, Alston, Heinz

Status: this bill has been assigned to the following House Committees: Education; and Rules.

HB2662: ASRS; EMPLOYEES; ELECTION; ENROLLMENT

Permits state employees, over the age of 65, who are not active, inactive or retired members of the Arizona State Retirement System (ASRS) to opt-out of participation

SPONSORS: Robson, Tobin

Status: this bill passed the House and was transmitted to the Senate on 2/24 where it was assigned to the following Committees: Education; and Rules.

HB2663: UNDERPERFORMING SCHOOL DISTRICTS; RECLASSIFICATION

Permits the State Board of Education (SBE) to assign a school a letter grade of "F" before the school has been assign a "D" grade for three consecutive years if SBE determines it is unlikely that the school's performance will not improve in two years

SPONSORS: Yee, Carter, Pierce, Pancrazi, Crandell, Proud, Crandall, Goodale, Tovar, Gray, R. Gray, Murphy, Alston, Meyer, Smith

Status: this bill passed the House and was transmitted to the Senate on 2/24 24 where it was assigned to the following Committees: Education; and Rules.

HB2697: TEACHERS; CERTIFICATION; SUBJECT KNOWLEDGE

requires the State Board of Education (SBE) to establish a process for individuals with experience in science, technology, engineering or mathematics (STEM) to obtain a secondary education certificate to teach in rural communities

SPONSORS: Yee, Mesnard, Leako, Olson, Urie, Pierce, Gray, Proud, Crandell, Melvin

Status: this bill passed the House Committee of the Whole on 3/2.

HB2706: THIRD GRADE PROMOTION; PARENTAL EXEMPTION

Permits a student to be promoted to 3rd grade who demonstrates, through a student portfolio, that he/she is reading at grade level as evidenced by mastery of the state standards beyond the retention level

SPONSORS: Yee, Pierce, Meyer, Proud, Tovar, Carter, Crandell

Status: this bill has been assigned to the following House Committees: Education; and Rules.

HB2712: COMPUTER ACCESS BY MINORS

modifies definitions and rules governing the access of minors to harmful material on public access computers

SPONSOR: Court

Status: this bill passed the House Committee of the Whole on 3/2.

HB2719: FIREARMS; FEDERAL LAW; SCHOOL PERIMETERS

States that a person who lawfully owns and possesses a firearm is considered to be licensed and verified to possess a firearm immediately outside the grounds of a school

SPONSORS: Seel, Harper, Antenori, Gowan, Judd, D. Smith, Kavanagh, Stevens, Mesnard, Crandell, Proud

Status: this bill passed the House Committee of the Whole on 3/1.

HB2727: PUBLIC SCHOOL TAX REFUND CHECKOFF

Allows a taxpayer to voluntarily contribute any amount of their individual income tax refund for state aid to public schools

SPONSORS: Carter, Kavanagh

Status: this bill passed the House and was transmitted to the Senate on 2/24 where it was assigned to the following Committees: Finance; and Rules

HB2743: RENEWABLE ENERGY DEVELOPMENT

Permits governing school boards to lease, sell or purchase school property obtained through renewable energy development agreements or energy performance contracts without having a school district election

SPONSORS: Carter, Kavanagh

Status: this bill is ready for the House Committee of the Whole

HB2747: COMPULSORY ATTENDANCE; AGE; INCREASE

Raises compulsory age of school attendance to 18 years old

SPONSORS: Patterson, Campbell, Meyer, Pancrazi, Tovar

Status: this bill passed the House and was transmitted to the Senate on 3/2.

HB2752: DELIVERY; CLAIM NOTICE; PUBLIC BODY

If the chief executive officer of a public entity is a group or body, the claim shall be served on each member of the group or body or on an employee of the group or body who is specifically designated by the group or body as authorized to accept service

SPONSOR: Brophy McGee

Status: this bill has been assigned to the following House Committees: Judiciary; and Rules.

HB2753: NOTICE; CLAIM; PUBLIC ENTITY; EMPLOYEE

States that if there is a genuine issue of material fact exists as to whether someone complied with the pre-suit requirements for claims against public agencies, it must be resolved before a trial on the merits and at the earliest possible time

SPONSORS: Brophy McGee

Status: this bill passed the House Committee of the Whole on 3/2.

HB2769: ASRS; NEW MEMBERS; EIGHT-FIVE POINTS

Increases a state employee's "Normal retirement date": to the first day that the sum of a member's age and years of total credited service equals eighty-five

SPONSORS: Alston, Gallego, Gallargo, Hobbs, Gonzales, Pancrazi, McCune Davis, Patterson, Saldate, Arredondo, Tovar

Status: no action has been taken on this bill.

HB2782: SALVIA DIVINORUM; UNLAWFUL ACTS

Makes it unlawful to sell, distribute etc. the herb *salvia divinorum* to anyone under age 21

SPONSORS: Meyer, Farley, Gallego, Tovar, Wheeler

Status: this bill has been assigned to the following House Committees: Military Affairs and Public Safety; Judiciary; and Rules.

HB2808: SCHOOLS; BULLYING POLICIES; DEFINITION

Defines "Bullying"; requires charter schools to put bullying policies into place (already required of school districts; revises procedures regarding bullying safeguards and education

SPONSOR: Hobbs

Status: this bill has been assigned to the following House Committees: Military Affairs and Public

HB2823: SCHOOLS; TEACHERS; PRINCIPALS; EVALUATION SYSTEMS

makes various changes to principal and teacher evaluations, including:

- Requires SBE to adopt four state performance classifications for the teacher and principal evaluation instrument by December 1, 2012.
- Allows SBE to make periodic adjustments to align the evaluation instrument with state assessment or data changes.
- Requires school districts and charter schools to apply the performance classifications in their evaluation instruments by school year 2013-14.
- Requires ADE to post best practices for the implementation and assessment of principal and teacher evaluation systems on its website.

Principals

- Requires principal performance evaluation systems developed by a school board to meet the requirements of the new evaluation system.
- Asserts that a principal who is designated in the highest performance classification:
 - May be offered a multiyear contract not exceeding three years.
 - Is eligible for incentives to work at "D" or "F" schools.
- Prohibits a principal who is classified in the lowest performance classification for one year from being transferred as a principal to another school within the school district.
- Requires the principal to complete a professional development program focused on the areas that the principal needs to improve in within one year of receiving the classification.
- Prohibits a principal from being transferred to another school within that district unless the school board approves the transfer in writing, and when considering the transfer, considers the needs of the students at each school.
- Prohibits a principal who is classified in the lowest performance classification for two consecutive years or three nonconsecutive years from being employed as a principal in any other public school in Arizona for two years.
- Requires the principal to complete professional development in instructional leadership.

- Stipulates that copies of a principal's evaluation report and performance classification retained by the school board are confidential, do not constitute a public record and cannot be released to anyone except:
 - To the principal, who can make any use of it.
 - To authorized district officers and employees for all personnel matters regarding employment and contracts and for any hearing that relates to personnel matters.
 - For introduction in evidence or discovery in any court action between the school board and the principal if either the principal's competency is at issue or the evaluation and performance classification were an exhibit at a hearing and the result is being challenged.

Teachers

- Instructs every teacher to make student learning the primary focus of the teacher's professional time.
- Requires a school district to use the teacher evaluation to place a certified teacher who has been employed for the major portion of two consecutive school years in a performance classification adopted by SBE.
- Allows a teacher who has not been employed for the major portion of three consecutive years and has been designated in the lowest performance level to be offered a contract; however, the teacher is not eligible for due process until the teacher has achieved a higher performance classification for two consecutive years.
- Requires a school district to use the teacher evaluation to place a certified teacher who has been employed for the major portion of three or more consecutive school years in a performance classification adopted by SBE.
- Asserts that a teacher who has been employed for the major portion of three consecutive years or more and has been designated in the highest performance classification:
 - May be offered a multiyear contract not exceeding three years.
 - Is eligible for incentives to work at "D" or "F" schools.
- Prohibits a teacher who has been employed for the major portion of three or more consecutive years and has been designated in the lowest performance classification for two consecutive years from being transferred as a teacher to another school in the school district.
- Specifies that a teacher who has been employed for the major portion of three or more consecutive years and who is designated in the lowest performance classification for two consecutive years or three nonconsecutive years cannot be the teacher of record (a person responsible for the planning, assessment and delivery of instruction to students) assigned to a classroom until the teacher completes a professional development program focused on the areas that the teacher needs to improve.
- Stipulates that if a school district does not provide professional development, the school district is required to use the teacher evaluation to document and notify the teacher of inadequate classroom performance pursuant to statute.
- Removes provisions related to the evaluation system including specific criteria for measuring performance and requires the inclusion of at least one actual classroom observation of the teacher.
- Stipulates that within 30 days of the observation, the person doing the evaluation must provide written results to the teacher and the teacher can request an additional observation within 30 days, which must be completed in time to be reflected in that school year's evaluation outcomes.
- Removes provisions related to the frequency that teachers must be regularly evaluated.

- Makes copies of a teacher's performance classification confidential.
- Prohibits the transfer of a teacher to another school within the school district unless the principals of the transferring and receiving school and the human resources department at the school district approve the transfer in writing.
- Requires the transfer decision to take into consideration the current distribution of educators across all performance classifications and the needs of the students in the school.
- Permits a school district to use one year of student data for a teacher evaluation if the data and other portions of the evaluation suggest an inability to meet the standards of the school district for student achievement.

SPONSORS: Goodale, Meyer, Proud, Vogt, Stevens, Yee, Carter, Crandell

Status: this bill passed the House and was transmitted to the Senate on 2/29 where it was assigned to the following Committees: Education; and Rules.

HB2842: CESAR CHAVEZ DAY

Would remove Columbus Day (second Monday in October) as a state holiday in favor of Cesar Chavez Day on the fourth Monday in March each year

SPONSORS: Gonzales, Saldate

Status: this bill has been assigned to the following House Committees: Government; Appropriations; and Rules.

HB2858: K-12 EDUCATION; BUDGET RECONCILIATION; 2012-2013

Makes statutory and session law changes related to K-12 education and the implementation of the FY 2012-13 state budget. Provisions include:

- As permanent law, specifies the per-pupil Base Level amount for school districts and charter schools for FY 2012-13 is \$3,267.72. *This amount remains unchanged since FY 2009-10.*
- As permanent law, increases the school district Transportation Support Level per route mile formula for FY 2012-13 by 1.7%.
- Reduces the school district Soft Capital Allocation funding formula and corresponding budget limits for FY 2012-13 by \$158.1 M.
- Requires a proportionate reduction in Soft Capital Allocation and budget limits for school districts not eligible to receive Basic State Aid.
- Reduces the school district Capital Outlay Revenue Limit (CORL) funding formula and corresponding budget limits for FY 2012-13 by \$93.9 M.
- Requires a proportionate reduction in CORL funding and budget limits for school districts not eligible to receive Basic State Aid.
- Caps the sum of Soft Capital and CORL reductions for school districts with a student count of less than 1,100 students at \$5 M.
- As permanent law, includes district-owned space that is leased to another entity, including a district-sponsored charter school, in the total square footage used when calculating whether a school district has a space deficiency and if it qualifies for New School Facilities Fund monies.
- As permanent law, prohibits a school district from using Building Renewal Grant Fund monies on any project in a building, or part of a building, that is being leased to another entity, including a district-sponsored charter school.

The following provisions are a continuation of current policies enacted since FY 2008-09:

- Prohibits SFB from authorizing or awarding funding for the design or construction of any new school facility or for school site acquisitions for FY 2012-13.

- Requires school districts to submit capital plans to SFB during FY 2012-13 and allows SFB to review and award new school facilities, subject to future appropriations.
- Stipulates that the new construction moratorium does not apply to lease-to-own transactions entered into by SFB, as previously authorized by the Legislature.
- Specifies that the new construction moratorium does not prevent SFB from distributing monies for construction projects that began construction before FY 2008-09.
- Prohibits SFB from distributing monies from the Building Renewal Fund in FY 2012-13.

The following provisions are a continuation of current policies enacted since FY 2009-10:

- Prohibits the student count and per-pupil funding of a school district or charter school from being adjusted under the Early Graduation Scholarship Program (EGSP) in FY 2012-13 for students who graduate high school early.
- Prohibits ADE from transferring any monies to the Commission for Postsecondary Education for the EGSP in FY 2012-13.
- Prohibits new participants in the EGSP and, if sufficient monies are available, continues to fund students admitted to the EGSP before July 1, 2009.
- Suspends the annual performance audit of the Arizona Instrument to Measure Standards Intervention and Dropout Prevention Program (Program) for FY 2012-13. *The Program was statutorily terminated on July 1, 2010. This provision is a continuation of current policy enacted since FY 2009-10.*

SPONSOR: Kavanagh

Status: this bill has been assigned to the following House Committees: Appropriations (passed); and Rules.

HCM2006: SCHOOLS; TRADITIONAL AMERICAN HOLIDAYS; RECOGNITION

The Legislature urges the school districts and charter schools of this state to recognize and celebrate traditional American holidays. The Secretary of State is directed to transmit copies of this memorial to the Governor, the Superintendent of Public Instruction, the State Board for Charter Schools and each school board in the state

SPONSORS: Judd, Mesnard, Gonzales, C. Miranda, Dial, Harper

Status: this Memo passed the House and was transmitted to the Senate on 2/24 where it was assigned to the following Committees: Government Reform; and Rules.

HCM2007: FEDERAL BALANCED BUDGET AMENDMENT

The Legislature urges the U.S. Congress to pass and propose to the states for ratification an amendment to the U.S. Constitution requiring that federal appropriations for any fiscal year not exceed the total of all federal revenues for that fiscal year. The Secretary of State is directed to transmit copies of this memorial to the President of the U.S. Senate, the Speaker of the U.S. House of Representatives, each member of Congress from Arizona, and the secretary of state and presiding officer of both houses of the Legislature in each state in the union

SPONSORS: Mesnard, Melvin, Judd, Robson, Seel, Murphy, Kavanagh, Yee, Stevens, Dial, Olson, Barto, Fillmore, Pierce, Lewis, Goodale, Proud

Status: this Memo passed the House and was transmitted to the Senate on 2/24 24 where it was assigned to the following Committees: Appropriations; and Rules.

HCR2003: PUNITIVE DAMAGE AWARDS; EDUCATION FUNDING

The 2012 general election ballot is to carry to question of whether to amend the state Constitution to require all punitive or exemplary damages awarded to be deposited in a fund used only to educate K-12 students. The 2012 general election ballot is also to carry the question of whether to establish in statute the punitive or exemplary damage awards fund consisting of all awards for punitive or exemplary damages and to be used only for the purpose of educating K-12 pupils

SPONSOR: Fillmore

Status: this Resolution has been assigned to the following House Committees: Judiciary; Education; and Rules.

HCR2005: INITIATIVES; REFERENDUM MEASURES; PERIODIC REAUTHORIZATION

The 2012 general election ballot is to carry the question of whether to amend the state constitution to make statewide initiative and referendum measures that create a fund for public monies or dedicate public fund revenues or expenditures valid for only the remaining portion of the current fiscal year and the 6 following fiscal years. After 5 fiscal years, a reauthorization measure must be referred to a vote at a general election. Applies retroactively to all ballot measures approved on or after November 3, 1998

SPONSORS: Crandell, Barton, Fillmore, Ugenti, Allen

Status: this Resolution has passed the House and was transmitted to the Senate on 3/1.

BILLS INTRODUCED IN THE ARIZONA SENATE

SB1033: SCHOOLS; ELL INSTRUCTION; HOURLY REQS

Schools may reduce the daily English language development instruction for students classified as intermediate at the end of the first year of the English language learner program to two hours per day, from four. For ELL students classified as basic or below for two or more years, schools are required to reassess the student and determine an appropriate plan of English language development, including two to four hours per day of instruction

SPONSOR: Barto

Status: this bill passed the Senate and was transmitted to the House on 2/2 where it was assigned to the following Committees: Education; and Rules.

SB1035: SCHOOLS; ATHLETICS; HEAT SAFETY

Policies and procedures that school boards must develop relating to the health and safety of students participating in athletics are required to include guidelines and training for coaches, parents, and students on the dangers of dehydration, heat stroke, and other heat-related conditions

SPONSOR: Gray

Status: this bill passed the Senate and was transmitted to the House on 2/2 where it was assigned to the following Committees: Health and Human Services; Education; and Rules.

SB1043: DANGEROUS DRUGS; DEFINITION

Various substances are added to the list of "dangerous drugs" and the list of controlled substances included in schedule IV. Emergency clause

SPONSORS: Gray, S. Pierce, Barto

Status: this bill passed the Senate and was transmitted to the House on 1/19

SB1059: SCHOOL PROPERTY; COMMUNITY USE; LIABILITY

The owners of outdoor school grounds that are open to recreational users during non-instructional hours are not liable to the users except on a showing of willful, malicious or grossly negligent conduct that was a direct cause of injury to the user. Excludes swimming pools and other aquatic features

SPONSORS: Crandall, Driggs, Barto

Status: this bill passed the Senate and was transmitted to the House on 2/16 where it was assigned to the House Committees on Education and Rules.

SB1060: SCHOOL DISTRICTS; PROCUREMENT PRACTICES

School districts are authorized to establish an internal service fund that allows a district eligible for Title I monies to consolidate those monies with other monies to implement a program that focuses on improving the academic performance of all pupils. The fund is exempt from the general and

aggregate budget limits. Also establishes a maximum amount of \$1 million for an individual job order for job-order-contracting construction services for school districts

SPONSORS: Crandall, Driggs, Barto

Status: this bill passed the Senate and was transmitted to the House on 2/9 where it was assigned to the House Committees on Education (passed) and Rules.

SB1061: NATIONAL SCHOOL LUNCH PROGRAM; OPTIONAL

Elementary schools, middle schools and junior high schools are allowed, rather than required, to participate in the national school lunch program. High schools are also authorized to participate in the program

SPONSORS: Crandall, Driggs, Barto

Status: this bill passed the Senate and was transmitted to the House on 2/9 where it was assigned to the House Committees on Education and Rules.

SB1067: SCHOOLS; AMERICAN COMPETITIVENESS PROJECT FUND

The list of programs that are eligible to receive monies from the American Competitiveness Project Fund administered by the Department of Education is expanded to include those that emphasize international philosophy, defined as a course comprising "the study of epistemology, logic and critical thinking."

SPONSOR: Schapira

Status: this bill has been assigned to the following Senate Committees: Education; and Rules.

SB1069: TELECOMMUNICATION RECORDS; SCHOOL POLICY VIOLATIONS

School districts and charter school administrators are authorized to take action to obtain telecommunication records in connection with the investigation of a violation of school or school district policy. School districts and charter school administrators are added to the list of entities to which a public utility may provide records

SPONSOR: Schapira

Status: this bill has been assigned to the following Senate Committees: Education; Government Reform; and Rules.

SB1118: RETIREMENT; ASRS; LONG-TERM DISABILITY AMENDMENTS

For ASRS members whose disability commences on or after the effective date of this legislation, a member's monthly income from all sources, including long-term disability program benefits, cannot exceed 100 percent of the member's monthly compensation. A disability must be based on "objective medical evidence" (defined)

SPONSORS: Yarbrough, McComish

Status: this bill passed the Senate and was transmitted to the House on 1/26 where it was assigned to the following House Committees: Employment and Regulatory Affairs; and Rules.

SB1119: RETIREMENT; ASRS; SPOUSAL CONSENT

An ASRS member who is married must name their current spouse as a beneficiary to receive at least 50 percent of the member's account, and at retirement the member is required to elect a joint and survivor annuity with the spouse as the contingent annuitant. The spouse may consent to a waiver of these requirements. Appropriates \$200,000 from the ASRS Administration Account in FY 2012-13 to the ASRS for implementation

SPONSORS: Yarbrough, McComish

Status: this bill passed the Senate and was transmitted to the House on 1/26 where it was assigned to the following House Committees: Employment and Regulatory Affairs (discussed/held); and Rules.

SB1120: RETIREMENT PLANS; BENEFIT INCREASES

The effective date for retirement benefit increases for Elected Officials' Retirement Plan and Corrections Officer Retirement Plan retirees and survivors is moved to July 1, 2012, from July 1, 2013. Retroactive to July 1, 2012

SPONSOR: Yarbrough

Status: this bill passed the Senate and was transmitted to the House on 1/26 where it was assigned to the following House Committees: Employment and Regulatory Affairs; and Rules.

SB1168: DROPOUT RECOVERY PROGRAM; CHANGES

(formerly Education; Federal Funds)

Makes changes to dropout recovery program statutes, including:

- Prohibits an Arizona Online Instruction provider from operating a dropout recovery program.
- Requires dropout recovery program monthly participation data to be reported to ADE along with other student data that is currently required.
- Deletes the exemption for attendance, graduation and test scores of dropout recovery program pupils from the requirements of annual achievement profiles and school report cards.
- Adds that dropout recovery programs are classified as alternative schools and are subject to the accountability provisions for alternative schools.
- Permits entities that are contracted to provide dropout recovery programs to conduct outreach to encourage pupils who are not currently enrolled in a school district or charter school to return to school.
- Prohibits entities that are contracted to provide dropout recovery programs from using advertising or marketing campaigns aimed at students who are currently enrolled in a school district or charter school, or participate any other activity that encourages students who are currently enrolled in a school district or charter school to stop attending school in order to qualify for a dropout recovery program.
- Clarifies that funding for a student participating in a dropout recovery program will not exceed 1.0 average daily membership (ADM) plus average daily attendance if the student is enrolled in a school district or charter school other than the school district or charter school operating the recovery program.
- Specifies that the ADM for a student enrolled in a dropout recovery program and a joint technological education district (JTED) owned and operated by a school district cannot exceed 1.25.
- Revises the definition of *eligible pupil* to mean a pupil who, if enrolled, would be eligible for placement in an alternative school or is unable to participate in another district program.
- Defines *satisfactory monthly progress* as an amount of progress that measurable on a monthly basis and that, if continued for a full 12 months, would result in the same amount of academic credit being awarded to the pupil as would be awarded to a pupil in a traditional education program who completes a full school year. Satisfactory monthly progress can include a lesser required amount of progress for the first two months that a pupil participates in a dropout recovery program.

SPONSOR: Crandall

Status: this bill passed the Senate and was transmitted to the House on 2/23 where it was assigned to the following Committees: Education; and Rules.

SB1185: SCHOOL SAFETY PROGRAM; REQUIREMENT

Requires the School Safety Program Oversight Committee to add to the School Safety Program Guidance Manual that a dispute resolution process must be included in the service agreement between a school district or charter school that received a grant from the School Safety Program and the law enforcement agency providing services to the school district or charter school

SPONSORS: Gray, Yee, Allen, Crandall, Driggs, McComish

Status: this bill passed the Senate and was transmitted to the House on 2/27 where it was assigned to the following Committees: Education; and Rules.

SB1202: SCHOOLS; PARTISAN INSTRUCTION PROHIBITED

(formerly veterans; conservatorship)

Prohibits public schools teachers from using partisan books or any partisan doctrine. Prescribes penalties for teachers, school districts, and charter schools that violate the prohibition on partisan instruction.

SPONSORS: Klein

Status: this bill FAILED on a 14-16 vote on the House Third Read.

SB1203: SCHOOLS; COURSE OF STUDY; APPROVAL

(formerly luxury tax; exemption)

Restricts high school and common school teachers from using supplemental books that are not preapproved

SPONSORS: Klein

Status: on 2/28 this bill FAILED on a 13-17 vote on the House Third Read.

SB1204: SCHOOLS; PARENTAL INTERVENTION OPTIONS

Establishes a petition process to allow parents and legal guardians of students in a “D” or “F” school to require the school district governing board to make certain changes at the school. Provisions include:

- Allows the parents or legal guardians of pupils attending a school that has been assigned a “D” or “F” label and the parents or guardians of pupils attending a school that feeds into that “D” or “F” school to submit a petition to the school district governing board for that school that requests the governing board to take any of the following actions:
 - close the school;
 - convert the school to a charter school; or
 - replace the existing school principal with a different principal who must be allowed sufficient operational flexibility with respect to staffing, calendars and budgeting to implement a fully comprehensive approach in order to improve student achievement outcomes and increase high school graduation rates.
- Specifies that if the petition is signed by at least one parent or guardian in more than fifty per cent of the households with children who are enrolled in the “D” or “F” school signs the petition, the school district governing board must take the action requested in the petition within 30 days after verifying the signatures on the petition.
- Requires a school district governing board that receives a petition to notify the Superintendent of Public Instruction and the State Board of Education upon receipt of the petition.
- Expands the definition of *qualified student* to allow a student that is attending a “D” or “F” school to receive an Arizona Empowerment Account.

SPONSORS: Klein

Status: this bill passed the Senate on 2/27 and transmitted to the House where it was assigned to the following Committees: Education; and Rules

SB1205: CLASSROOM INSTRUCTION; FCC STANDARDS

(formerly taxation; trust income)

Establishes penalties for a classroom instructor that uses obscenity, profanity or indecency

SPONSORS: Klein

Status: on 2/28, this bill FAILED the Senate on a 14-16 vote

SB1252: HIGH SCHOOL GRADUATION REQUIREMENT; ALTERNATE

Removes the requirement for a 12th-grade student to have taken AIMS each time it was administered in order to substitute a minimum SBE-determined score on a national college entrance exam for a passing score on AIMS for the purpose of high school graduation

SPONSORS: Crandall

Status: this bill passed the Senate and was transmitted to the House on 2/16 where it was assigned to the following committees: Education (passed on 2/21); and Rules

SB1255: SCHOOL COURSES; MASTERY OF COMPETENCY

Directs SBE to adopt rules to define competency-based educational pathways that may be used by schools. Requires the inclusion of the following components in the rules:

- The establishment of expected learning outcomes in a particular subject.
- A process and criteria by which assessments may be identified or established to determine if students have reached the desired competencies in a particular subject.
- A mechanism to allow secondary students who have demonstrated competency in a subject to immediately obtain credit for mastery of that subject.
- A list of applicable subjects, including the level of competency required for each subject.

SPONSORS: Crandall

Status: this bill passed the Senate and was transmitted to the House on 2/16 where it was assigned to the following committees: Education (passed on 2/27); and Rules

SB1256: COLLECTIVE BARGAINING AGREEMENTS; TEACHERS; TRANSFERS

Adds requirements for school district collective bargaining agreements relating to teacher transfers:

- Prohibits a school district governing board from entering a collective bargaining agreement that requires the transferring or reassigning of a certificated teacher employed at a school within the district during the previous year to another school within the same district during the next year.
- Contains a saving clause that excludes all collective bargaining agreements currently in effect by school districts.

SPONSORS: Crandall

Status: this bill passed the Senate and was transmitted to the House on 2/27 where it was assigned to the following committees: Education; and Rules

SB1258: THIRD GRADE PROMOTIONS; REQUIREMENTS; EXCEPTIONS

Removes the parental exemption from the list of *good cause exemptions*. Makes changes to the exemptions preventing the retention of a third grade pupil who do not demonstrate a third grade reading level on the Arizona Instrument to Measure Standards (AIMS)

SPONSORS: Crandall

Status: this bill passed the Senate and was transmitted to the House on 2/28 where it was assigned to the following committees: Education; and Rules

SB1259: SCHOOLS; ONLINE COURSES; REQUIREMENTS; FUNDING

Establishes a program to allow pupils in pupil in grades 7 thru 12 to enroll in up to 2 online courses in each academic year. Provisions include:

- Requires school districts, beginning July 1, 2013, to allow each pupil in grades seven through twelve to enroll in up to two online courses in each academic year as part of the pupil's regular course load. The following applies to this requirement:
 - the SBE, in school years 2013-2014 and 2014-2015, must limit the approved online courses to courses that award potential college credits or core academic courses which are tightly aligned to common core standards;
 - beginning in school year 2015-2016, SBE may expand the approved courses to included specified electives; and
 - pupils must be enrolled in a school district in this state in order to take online courses.
- Adds that a pupil that wishes to enroll in an online course pursuant to this act must:
 - select a course from the master list of online courses; and
 - notify the school district the pupil is enrolled in by March 31 which online courses and the name of the provider of the course the pupil will be taking in the next school year, the district can waive this notification if it is in the best interest of the student.

- Requires the provider of an online course that a pupil enrolls in to notify the district the pupil is enrolled at of the pupil's enrollment within 30 days of the pupil's enrollment in the online course.
- Allows a pupil to exceed the two course limitation if the pupil has demonstrated mastery of the subject on an assessment associated with the course.
- Requires ADE to maintain a master list of online courses that are approved by SBE. SBE must adopt criteria to ensure the quality and effectiveness of the approved online courses.
- Allows SBE to enter into reciprocity agreements with other states or with other public or private organizations to assist the Board in the review of online courses.
- Allows SBE to charge a fee to online course providers that submit applications for to be included on the master list of online courses.
- Requires an online course provider who submits an application to SBE for inclusion on the master list to provide the price that will be charged for the course. The price:
 - will not be listed on the master list of approved courses provided to pupils and parents but will be available to school districts;
 - for the 2013-2014 school year, will be no more than \$700; and
 - will be annually adjusted by SBE for inflation beginning in the 2014-2015 school year.
- Permits school districts, charter schools, nonprofit organizations, for-profit organizations and open education resource providers to submit applications to SBE to have courses included on the master list of online courses.
- Requires ADE to, for school years 2013-2014 through 2018-2019, automatically approve online course providers that have previously provided AOI.
- Requires, beginning in the 2019-2020 school year, online course providers that have previously provided AOI to submit an application to SBE in order for their course to remain on the master list of online courses.
- Requires SBE to select and enter into an agreement with a nonprofit private organization which will:
 - collect and analyze feedback on online courses from pupils, parents and school districts, this feedback will be provided to the provider and the data will be incorporated into the master list;
 - review passing rates, completion rates, state test scores and dropout rates for individual online courses and individual providers; and
 - develop a ranking system to identify the online courses that are most effective for specific demographic and socioeconomic groups of pupils and for pupils with varied language capacities.
- Specifies that SBE shall establish a process to remove from the master list:
 - courses that consistently rank near the bottom of the rankings; and
 - all online courses provided by a provider that consistently ranks near the bottom of the rankings.
- Specifies that the funding for each online course is equal to the total state and local funding that would be allocated to a school district if the pupil had taken the same course in person.
- Requires a school district to transfer money received for a course that a provider of an online course enrolled a district's pupil in as follows:
 - on the thirtieth day of the pupil's enrollment in the online course, the district will transfer 35% of the funding the district received for the course to the provider;
 - when a pupil completes an online course with a grade of "C-" or better, or the equivalent, 50% of the district's remaining funding for the course will be sent to the provider; and
 - the remaining 15% will be transmitted to the provider when the pupil has demonstrated mastery of subject matter of the course on an assessment approved by ADE
- Adds that *demonstrated mastery* means that a pupil has obtained one of the following:

- a grade of “A” or “B”, or the equivalent, on an end-of-course assessment; SBE can require a specific end-of-course assessment to be used; or
- if the course awards potential college credit, a score that awards the credit on the final exam.
- Requires midterm and final exams taken by a pupil for an online course to be monitored by a nonfamily member who is physically present in the same room during the entire exam.
- Allows SBE to charge a pupil enrolled in a course a minimal fee. 50% of the fee shall be used by ADE to maintain and operate the master list of online courses and the other 50% of the fee will be distributed to the nonprofit private entity that SBE contracts with to develop the ranking system for courses.

SPONSORS: Crandall

Status: this bill is ready for the Committee of the Whole.

SB1260: K-12 TEACHERS; COMMUNITY COLLEGE INSTRUCTORS

Permits a school to hire a teacher who has not received a SBE-issued teaching certificate if all of the following requirements are met:

- A AZ community college has previously determined the teacher has met the instructional staff qualifications established pursuant to section 15-1445(8).
- The teacher person is currently employed by an AZ community college district, or has been employed as an instructor within previous 10 years.
- The person obtains a valid fingerprint clearance card.

SPONSORS: Crandall

Status: this bill was assigned to the following Senate Committees: Education; and Rules.

SB1277: CESAR CHAVEZ DAY

Sets the fourth Monday in March as "Cesar Chavez Day". Unlike House bill, *adds* to list of holidays, as opposed to *replacing* Columbus Day as a holiday

SPONSORS: Gallardo, Jackson

Status: this bill was assigned to the following Senate Committees: Government Reform; Appropriations; and Rules.

SB1377: TAX CREDIT; SCHOOLS; CLASSROOM EXPENSES

Allows contributions and fees associated with direct classroom expenses to qualify for a credit against taxable income

SPONSORS: Shooter, Jones

Status: this bill was assigned to the following Senate Committees: Finance (held); and Rules.

SB1389: SCHOOLS; PARENTAL INTERVENTION

Establishes a petition process to allow parents and legal guardians of students in a “D” or “F” school to require the school district governing board to make certain changes at the school. Changes the definition of *qualified student* for Arizona Empowerment Accounts

SPONSORS: Klien, Biggs, Brophy McGee, Melvin, Burges, Goodale, Murphy, Gray, Harper, Seel, Shooter, Mesnard, Antenori, Barton, Proud

Status: this bill was assigned to the following Senate Committees: Education (held); and Rules.

SB1394: PUBLIC OFFICERS; EMPLOYEES; PROMOTIONAL MATERIALS

For 1 year before election, public employee may not cause to be printed, mailed, broadcast, transmitted or otherwise conveyed to the public, any promotional or informational material at public expense that features the face or voice of a person who is a candidate for any public office in this state at that election

SPONSORS: Gallardo

Status: this bill was assigned to the Senate Rules Committee.

SB1396: ADE; TEACHERS; LIABILITY INSURANCE

Requires ADE to issue RFPs to provide statewide personal liability insurance to teachers who are employed by school districts to cover conduct that falls outside of a teacher's scope of employment and that is not already covered by the district's existing insurance coverage. Contract to be awarded by 12/31/12; teacher may authorize pay withheld to pay for insurance

SPONSORS: Murphy

Status: this bill was assigned to the following Senate committees: Education; and Rules.

SB1426: SCHOOL BOARD MEMBERS; OATH

Beginning in 2013, if a governing board member has not subscribed to the oath of office on or before January 1 following that member's election or appointment, the county school superintendent may declare that office vacant and fill the office per 15-302

SPONSORS: Gallardo

Status: this bill was assigned to the following Senate committees: Education; and Rules.

SB1435: EDUCATION STATUTES; STUDY; REPORT

Requires SBE to initiate a study (no later than 9/15/2012) to reduce statutory educational barriers and to enable the adoption of e-learning to enhance student academic performance. Must submit report by 6/30/2013 with recommendations to:

- Amend or repeal specified statutes that have been determined to be barriers or potential barriers to the effective, efficient and accessible implementation of e-learning systems, infrastructure, curricula and pedagogy by teachers and other educators in the pursuit of individualized, student-paced e-learning-supported education for all students.
- Enact new statutes that that are required to facilitate the effective, efficient and accessible implementation of e-learning systems, infrastructure, curricula and pedagogy by teachers and other educators in the pursuit of individualized, student-paced e-learning-supported education for all students.

SPONSORS: Nelson, Crandall, Campbell, Goodale, Lujan, Jackson, Chabin, Hale, Reagan, McComish, Crandell, Kavanagh, Schapira, Yarbrough, Fillmore, Pierce, Antenori, Alston, Gallego

Status: this bill was assigned to the following Senate committees: Education; and Rules.

SB1443: TEACHERS; PERFORMANCE PAY

Restructures teacher performance pay allocations from the Classroom Site Fund

SPONSORS: Smith

Status: this bill was assigned to the following Senate committees: Education (where it failed on a 4-4 vote); and Rules.

SB1444: SCHOOLS; DATA; NONCITIZEN STUDENTS

To the extent permitted by federal law, requires ADE to "take any reasonable action" to collect data on school district student populations who are aliens who cannot prove citizenship or lawful residence in the United States, or both. ADE, districts/employees have civil liability immunity for decisions/actions taken to comply with these requirements

SPONSORS: Smith, Allen, Burges, Antenori, Gould, Klein, Murphy

Status: this bill was assigned to the following Senate committees: Government Reform; Education; and Rules.

SB1455: TAX CREDIT; EDUCATION TRANSFORMATION FUND

Allows a premium and corporate tax credit for funding to public schools to implement transformative educational practices, improve academic performance, fund improvements and enhancements to statewide data systems and to purchase software and technology for the use of all public schools

SPONSORS: Crandall

Status: this bill passed the Senate on a 19-11 vote and was transmitted to the House on 3/1

SB1456: SCHOOL FINANCE REVISIONS

Revises school finance statutes relating to average daily membership (ADM), audits and monitoring activities

SPONSORS: Crandall

Status: this bill passed the Senate and was transmitted to the House on 3/1

SB1457: TEACHERS; PRINCIPALS; EVALUATIONS; DELAY; PILOT

Allows school district and charter schools to delay the implementation of the new teacher and principal evaluation framework. Establishes an Arizona Department of Education (ADE) pilot program for an evaluation instrument in the 2012-2013 school year

SPONSORS: Crandall

Status: this bill passed the Senate and was transmitted to the House on 3/1

SB1461: SCHOOL RECORDINGS; RETENTION SCHEDULE

Adds that standards and procedures adopted by the ASLAPR cannot require a school district or charter school to destroy audio or video recordings of their public meetings

SPONSORS: Schapira, Lewis, Biggs, Lopez, Crandall, Lujan, Gallardo, Murphy, Gray

Status: this bill passed the Senate and was transmitted to the House on 2/28

SB1462: SCHOOLS; BULLYING POLICIES; DEFINITION

Expands the requirements for school district policies on harassment, intimidation and bullying. Establishes a statutory definition of *bullying*

SPONSORS: Schapira

Status: Ready for the Committee of the Whole

SB1482: SCHOOL DISTRICTS; BUDGET OVEREXPENDITURES; COMPENSATION

An emergency measure that requires qualifying school districts to repay certain budget overexpenditures

SPONSORS: Jackson, Lopez, Chabin, Gonzales, Hale, Landrum Taylor

Status: this bill was assigned to the following Senate committees: Appropriations (withdrawn); Education (passed); and Rules.

SB1486: PUBLIC EMPLOYEES; ACTIVITIES; UNIONS; COMPENSATION

Prohibits a public employer from compensating a public employee or third party for union activities

SPONSORS: Murphy, Klein, Melvin, Barton, Reagan, S. Pierce, Burges, Smith, Shooter, Gould, Antenori, Montenegro, Griffin, Gray, Proud

Status: this bill passed the Senate on an 18-11 vote and was transmitted to the House on 2/28

SB1529: K-12 EDUCATION; BUDGET RECONCILIATION; 2012-2013

Makes necessary statutory and session law changes relating to K-12 education to implement the FY 2013 budget

SPONSORS: Shooter, Biggs, S. Pierce

Status: this bill was assigned to the following Senate Committees: Appropriations (passed); and Rules