

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

DATE OF MEETING: **September 7, 2010**

TITLE: **Study of 2010 Legislative Changes Requiring Governing Board Policy Development or Modification; Direction to Administration**

BACKGROUND: As is often the case, last year's legislative sessions resulted in new laws or changes to existing law that may require modification of existing district policies and regulations, or the promulgation of new ones.

This item will permit the administration to present specific laws of relevance and seek Governing Board direction and comment that might facilitate development of appropriate policy language for study and approval in subsequent board meetings.

While more details concerning these requirements will be presented during the study of this item, the relevant bills and requirements are as follows:

1. HB 2385 Schools; ADM collection (Boone) Chapter 318, Laws 2010

Under current law, the Arizona Department of Education collects and stores data through the SAIS system. This bill substantially altered the means by which school funding was determined using the previously understood concepts of *average daily attendance* and *average daily membership*. The Governing Board is required to adopt a policy governing excused pupils from school attendance and the policy.

2. HB 2725 Education; omnibus (Court) Chapter 332, Laws 2010

This bill requires that, no later than January 1, 2011, each school district governing board to conduct a public meeting with notice to parents and guardians to consider the adoption of a policy which would mandate at least 30 minutes of recess each day for students in grades K through 5 with the following provisions:

- The recess requirements consist of structured physical activity outside or inside the classroom.
- P.E. classes may satisfy the recess requirement.
- Unstructured recess time immediately after lunch does not satisfy the requirement.

While consideration of such a policy is mandated, its adoption is not. That is left to the discretion of the Governing Board.

3. SB 1308 Schools; instruction; dating abuse (L. Gray) Chapter 335, Laws 2010

This law requires school district governing boards to conduct public meetings to review and consider the adoption of dating abuse curriculum and policies on or before June 30, 2011. A local domestic violence organization must be notified of the policy or and/or curriculum meetings at least two weeks in advance.

4. SB 1309 Parents'; rights (C. Gray) Chapter 307, Laws 2010

This law Requires a policy developed and adopted by school district governing boards to promote the involvement of parents and guardians to include:

- procedures by which parents may learn about and review the source of any supplemental education materials;
- procedures to prohibit a school district from providing sex education instruction to a pupil unless the pupil's parent provides written permission for the child to participate in the curricula;
- procedures by which parents will be notified in advance of an given the opportunity to withdraw their children from any instruction or presentations regarding sexuality in courses other than formal sex education curricula; and procedures by which parents may learn about the nature and purpose of clubs and activities that are part of the school curriculum, extracurricular clubs and activities that have been approved by the school.
- the right to opt in to a sex education curriculum if one is provided by the school district;
- open enrollment rights;
- the right to opt out of immunizations and assignments;
- the competency requirements to promote a pupil from one grade to the next;
- the minimum course of study and competency requirements for graduation from high school;
- the right to opt out of instruction on AIDS;
- the right to review test results, access instructional materials and receive a school report card;
- the right to participate in gifted programs;
- attendance requirements;
- the right to public review of courses of study and textbooks;
- the right to be excused from school attendance for religious purposes;
- policies related to parental involvement;
- the right to participate in a parental satisfaction survey;
- information about the student accountability information system; and
- the right to access the Failing Schools Tutoring Fund.

The bill allows the governing board to adopt a policy to provide information to parents in an electronic form, and also creates procedures for a parent to request information from a school or school district and states that if the request is denied or the parent does not

receive the information they may request that the Board hear the request and that if the request cannot be properly noticed the request must be placed on the next agenda.

Obviously, the Governing Board and District presently have several policies which already address these matters which the legislature has now identified for policy requirements.

5. HB 2732 Schools; third grade retention (Crandall) Chapter 296, Laws 2010

This bill established competency requirements for the promotion of pupils from third grade (beginning with the 2013-2014 third grade cohort), which include the following:

- A requirement that a pupil not be promoted from the third grade if the pupil obtains a score on the reading portion of the AIMS test, or a successor test, that demonstrates that the pupil is reading far below the third grade level.
- A mechanism to allow a school district governing board to promote a pupil from the third grade who obtains a score on the reading portion of the AIMS test, or successor test, that demonstrates the pupil is reading far below the third grade level for any of the stated good cause exemptions.
- Intervention and remedial strategies developed by the SBE for pupils who are not promoted from the third grade and requires school districts to offer at least three of the intervention and remedial strategies developed by the SBE chosen by the parent or guardian of a pupil who is not promoted from the third grade.

The law also mandates that, beginning this school year (2010-2011) school year, school districts (and charters) must provide annual written notification to parents of pupils in Kindergarten programs through grade three that a pupil who obtains a deficient score on the reading portion of the AIMS test will not be promoted from the third grade.

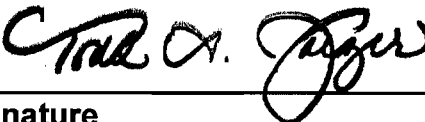
School districts/charter schools are also required to provide the following to parents of a pupil who is substantially deficient in reading before the end of grade three:

- A description of currently provided reading services.
- A description of available supplemental instructional services and supporting programs that are designed to remediate reading deficiencies.
- Parental strategies to assist the pupil to attain reading proficiency.
- A description of the school district or charter school's policies on midyear promotion to a higher grade.

The law also contains a provision which would permits a parent, within 30 days after receiving notification that their child will not be promoted from the third grade, to submit a written request to the governing board for an exemption. The board must issue a written acceptance or rejection of the parent's exemption request within 30 days after receipt of the parent's request.

The nature of the requirements of this law compels the Governing Board to develop policy and procedures for its implementation.

RECOMMENDATION: The administration will provide a presentation on the requirements of these new laws and will request Governing Board comment and direction that will assist in the development of necessary policy language.

INITIATOR:		Todd A. Jaeger, J.D. Associate to the Superintendent	8/30/2010
	Signature	Name/Title	Date

**ASSOCIATE SUPERINTENDENT
SIGNATURE:**

SUPERINTENDENT SIGNATURE: