



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

DATE OF MEETING: May 8, 2012

TITLE: Periodic Legislative Update

BACKGROUND:

This Item is presented to permit the Governing Board to review and discuss the status of education-related legislation which has been proposed in the second regular session of the 50th Arizona legislature this year.

Summaries of bills presented during the current legislative session following in the attached pages. A brief presentation on a few key bills signed into law will also be made during the Board's consideration of this item.

RECOMMENDATION:

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

INITIATED BY:

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

Todd A. Jaeger, Associate to the Superintendent

Date: May 1, 2012

A handwritten signature in cursive script that reads "Vicki Balentine".

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: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on Rules; and Education (where it was held).

HB2009: SCHOOL PRINCIPALS; QUALIFICATIONS

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

SPONSOR: Fillmore

Status: Status: no recent action has been taken regarding this bill since its assignment to House Committees on 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: Status: no recent action has been taken regarding this bill since its assignment to House Committees on 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 Status: no recent action has been taken regarding this bill since its assignment to House Committees on 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: Status: no recent action has been taken regarding this bill since its assignment to House Committees on the Judiciary; Rules; and Government (where it 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 was SIGNED by the Governor March 27, 2012.

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: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on 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 bill was VETOED by the Governor on April 11, 2012. The Governor expressed her concern "about certain provisions" in the bill, stating:

"This legislation exempts ASRS from all procurement oversight and rules including audit and termination protections, an exemption that could impact approximately billions of dollars in contracts. Our procurement and risk management offices have worked with ASRS for years to provide them the special flexibility they need to successfully operate in the financial markets, while retaining the safeguards provided under Arizona laws. This balance has worked and can continue to work. While following State procurement rules can be burdensome at times, the protections they provide, especially in contractual disputes are critical to every one of our retirees. I am open to providing additional flexibility to ensure the ASRS Board has the ability to properly manage these public funds. However, exempting ASRS from procurement oversight and rules is a step too far.

HB 2008 also makes changes to the governance of ASRS by transferring general oversight of the system away from the Board to ASRS, presumably to staff. This change, while intended to clarify ASRS governance, instead clouds it and potentially weakens the authority of the Board."

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 (where it was held 3/18); and Rules.

HB2090: Relating to Parity Funding for Arizona Universities

Formerly retirement; ASRS; distributions; health supplement payment

SPONSOR: Robson

Status: this bill, as originally introduced, passed the House then was assigned to the Senate Committees on Finance; and Rules. On 3/8 the Finance Committee passed a strike-everything relating to parity funding for Arizona Universities.

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: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on Rules; and Education (where it was held on 2/6).

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: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on Military and Public Safety; Rules; and Education.

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: no recent action has been taken regarding this bill since its assignment to House Committees on Rules and Education.

HB2145: SCHOOLS; PARENTAL INVOLVEMENT 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: no recent action has been taken regarding this bill since its assignment to House Committees on Government; Rules and Education.

HB2161: TEACHERS; SPECIALIZED CERTIFICATION

Directs SBE to provide a specialized teaching certificate to teachers with expertise in science, technology, engineering or mathematics (STEM) fields but does not require otherwise certificated teachers who teach STEM courses to obtain a specialized certificate. Provisions include:

- Enables a teacher who possesses a specialized STEM teaching certificate to provide instruction in the teacher's field of expertise to public school students in grades 7 through 12.
- Outlines the following requirements a teacher must satisfy in order to be eligible for the specialized certificate:
 - Submit proof of providing instruction in STEM courses at an accredited postsecondary education institution for the last two consecutive years and a total of three years.

- Possess a baccalaureate, master's or doctoral degree in a STEM subject or pass an SBE-recognized statewide educator assessment in a STEM subject.
- Complete training in Structured English Immersion.
- Obtain a valid fingerprint clearance card.
- Exempts a teacher who receives the specialized teaching certificate from the requirement to prove proficiency in professional and subject knowledge and the United States and Arizona Constitutions.

SPONSORS: Carter, Robson, Brophy McGee, Seel, Dial, Urie, Gowan, Goodale, Pierce
Status: this bill was SIGNED by the Governor 3/15/12.

HB2171: SCHOOL; HOT LINE; CLEARINGHOUSE; REPEAL

Repeals the Public School Information Hot Line Program and the School Safety Clearinghouse Program; Repeals the AIMS Intervention and Dropout Prevention Program and the Instructional Technology Systems Pilot Program.

SPONSORS: Brophy McGee
Status: this bill was SIGNED by the Governor 3/15/12.

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 is ready for the Senate Committee of the Whole.

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 was transmitted to the Senate on 3/2 where it was assigned to the following House Committees: Rules; Appropriations; and Education (where it passed on 3/12)

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: this bill passed the Senate and was transmitted to the House on 4/24.

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: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on Rules; and Ways and Means (where it was discussed and held on 2/16).

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 passed the Senate on a 42-16 vote on 3/5; it was transmitted to the Senate Committees on Finance (withdrawn 3/9); Rules; and Education (where it was amended for clarity, then passed on a 5-3 vote).

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 Senate on a 42-16 vote on 3/6; it was transmitted to the Senate Committees on Rules; and Education (where it passed on a 5-3 vote on 3/12).

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: no recent action has been taken regarding this bill since its assignment to House Committees on Rules; and Education.

HB2478: PROPERTY TAX; FACILITIES

Formerly 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: Senator Crandall motioned to reconsider the bill (which originally failed on 15-14-1 vote); The Motion carried and the bill was passed by the Senate on a 19-10-1 on 4/19. A House concurrence was recommended on 4/24.

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: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on 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 passed the House and was transmitted to the Senate on 3/7; it was assigned to the Committees on Rules; and Education (where it was held on 3/12).

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 was SIGNED by the Governor April 5, 2012.

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: no recent action has been taken regarding this bill since its assignment to House Committees on 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 on 2/6); and Rules.

HB2563: BIBLICAL INFLUENCE SCHOOLS; ELECTIVE

(formerly schools; elective; biblical influence)

- Requires SBE to include concepts of the history and literature of the Old and New Testament eras in History or English Arts standards, or both.
- Permits a school district or charter school to offer a high school elective course pertaining to how the Bible has influenced Western culture (Course), and additionally allows a school to:
 - Offer the Course online.
 - Develop a new curriculum or use an existing curriculum that includes teacher's guides and is currently in use in public schools in Arizona or another state. An existing curriculum must meet the standards outlined for the Course.
- Stipulates that the newly adopted standards do not require students to receive instruction on the historical study of biblical text if a student chooses not to enroll in the elective course.
- Requires the Course be designed to familiarize students with the following:
 - The contents, characters, poetry and narratives that are prerequisites to understanding society and culture, including literature, art, music, mores, oratory and public policy.
 - The contents of, history recorded by and literary style and structure of the Old and New Testament.
 - The influence of the Old and New Testament on laws, history, government, literature, art, music, customs, morals, values and culture.
- Allows a student to use a different translation of the Old or New Testament than the one chosen by the school board, charter school governing body or the teacher as the basic textbook.
- Prohibits personnel from being assigned to teach the Course based on a religious or nonreligious test, a profession of faith, lack of faith or prior or current religious affiliation or lack thereof.
- Grants immunity from civil and disciplinary action (certificate revocation) to a teacher who instructs the Course in its appropriate historical context and in good faith.
- Stipulates that a legal review must be conducted before a school offers the Course to ensure that it complies with the First Amendment.

- Directs the Course to follow applicable law and all federal and state guidelines in maintaining religious and nonreligious neutrality and accommodating the diverse religious views, traditions, and perspectives of students.
- Specifies that the Course standards and guidelines are not intended to violate any provision of the United States Constitution, the Constitution of Arizona, rules, guidelines or regulations adopted by the United States Department of Education, SBE or the Arizona Department of Education.

SPONSOR: Proud

Status: this bill passed was SIGNED by the Governor on April 17, 2012.

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 Senate and was transmitted to the House on 4/12 where concurrence was recommended.

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: no recent action has been taken regarding this bill since its assignment to House Committees on Ways and Means (held); and Rules.

HB2598: SCHOOLS; CLASSIFICATION LABELS; PARENTAL INVOLVEMENT

Adds a parent involvement strategy to the list of corrective procedures a school district that has been assigned a grade of "D" or "F" for two consecutive years must implement and requires the strategy to be included in the improvement plan of each applicable school in the district.

SPONSOR: Mesnard

Status: this bill was SIGNED by the Governor on April 18, 2012.

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 Senate and was transmitted to the House on 4/19

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: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on Judiciary; and Rules.

HB2616: SCHOOLS; SEX EDUCATION

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

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

Status: no recent action has been taken regarding this bill since its assignment to House Committees on 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; the adopted Senate and House Conference Committee amendment incorporates provisions from HB 2626 (empowerment scholarship accounts; expansion), and makes various changes including a modification the definition of a *qualified student*.

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 Senate and was transmitted to the House on 4/3 where a conference committee was recommended; the committee recommended the House accept Senate amendments which the Senate adopted on 4/25.

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: no recent action has been taken regarding this bill since its assignment to House Committees on 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, Saldate, Lopez, Chabin, Jackson, Hobbs, Tovar, Schapria, Gallego, Landrum Taylor, C. Miranda, Wheeler, Alston, Heinz

Status: no recent action has been taken regarding this bill since its assignment to House Committees on 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; provisions include:

- Permits state employees over the age of 65 to elect not to participate in ASRS before July 1, 2015.
- Stipulates that the person may not be an active or inactive member of ASRS, a member who has retired and is receiving benefits from the system, or a member with credited or prior service in ASRS.
- Requires the employee to make the election not to participate in writing.
- Instructs the employee to file the written election within 30 days of employment.
- Clarifies that the decision to opt-out is irrevocable for the remainder of the person's employment, and constitutes a waiver of all benefits provided by ASRS.
- Eliminates the ability for a person to purchase service in ASRS for the period they make the election to opt-out.
- Requires ASRS to provide a report to the President of the Senate, Speaker of the House of Representatives, and the committees that are responsible for retirement issues in both the Senate and the House either on or before December 31, 2014.
- Requires the report to include the number of employees who have elected not to participate in the system, the actuarial impact to ASRS, the administrative impact to ASRS and recommendations from the system and employers regarding the feasibility of continuing to allow an opt-out.
- Repeals the section requiring ASRS to issue the report from and after December 31, 2014.

SPONSORS: Robson, Tobin

Status: this bill was SIGNED by the Governor on April 17, 2012.

HB2663: UNDERPERFORMING SCHOOL DISTRICTS; RECLASSIFICATION

Enables a school that is assigned a letter grade of "D" for less than three consecutive years to also be assigned a letter grade of "F" if SBE determines that it is not reasonably likely that the school will achieve an average level of performance within the next two years.

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

Status: this bill was SIGNED by the Governor March 21, 2012.

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 was SIGNED by the Governor April 3, 2012.

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: no recent action has been taken regarding this bill since its assignment to House Committees on Education; and Rules.

HB2712: COMPUTER ACCESS BY MINORS

Modifies definitions and rules governing the access of minors to harmful material on public access computers; provisions include:

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- Mandates that public access computers deploy and enforce a technology protection measure preventing minors from gaining access to visual depictions that are child pornography, harmful to minors, or obscene.
- Requires the governing board of every school district to prescribe policies, standards, and rules for the enforcement of computer access.
- States that every school district must make its policies, standards, and rules available to the public.
- Requires the State Board of Education (Board) or the Superintendent of Public Instruction (Superintendent) to notify the school district or charter school that it is in violation of this Act.
- Grants the Board or Superintendent the option to direct the Department of Education (Department) to withhold up to 10% of the monthly apportionment of state aid that would otherwise be due to the school district or charter school if the Board or Superintendent determines that the school district or charter school has failed to comply with this Act within 60 days after a notice has been issued.
- Directs the Department to adjust the school district or charter school's apportionment accordingly. When the Board or Superintendent determines that the school district or charter school is in compliance with this Act, the Department must restore the full amount of state aid payments to the school district or charter school.

SPONSOR: Court

Status: this bill was SIGNED by the Governor April 3, 2012.

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 and was transmitted to the Senate where it was assigned to Committees on Rules; and Judiciary (where it passed on 3/12)

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 was SIGNED by the Governor 3/21/12.

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 was SIGNED by the Governor April 3, 2012.

HB2747: COMPULSORY ATTENDANCE; AGE; INCREASE

Raises compulsory age of school attendance to 18 years old

SPONSORS: Patterson, Campbell, Meyer, Pancrazi, Tovar

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

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: no recent action has been taken regarding this bill since its assignment to House Committees on 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 was SIGNED by the Governor April 5, 2012.

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: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on Military Affairs and Public

HB2823: SCHOOLS; TEACHERS; PRINCIPALS; EVALUATION SYSTEMS

makes various changes to principal and teacher evaluations, including:

State Board of Education (SBE)

- Requires the model teacher and principal evaluation framework adopted by SBE to include, on or before December 1, 2012, four performance classifications and guidelines for school districts and charter schools to use in their evaluation instruments. The four classifications must be designated as highly effective, effective, developing and ineffective.
- Permits SBE to periodically make adjustments to the model framework to align the teacher and principal evaluations with assessments or data changes at the state level.

Arizona Department of Education (ADE)

- Requires ADE, by September 15, 2012, to identify and prominently post on their website the best practices for the implementation and assessment of principal and teacher evaluation systems.
- Specifies that the best practices posted by ADE must be from at least the following public schools:
 - one large school district located in a county with a population of at least eight hundred thousand persons;
 - one small school district located in a county with a population of at least eight hundred thousand persons;
 - one school district located in a county with a population of fewer than eight hundred thousand persons; and
 - one charter school.
- Adds that the best practices posted by ADE must include detailed information on the following:

- the implementation process for teacher and principal evaluation systems;
- the evaluation weightings;
- the types of qualitative and quantitative elements used;
- the methods in which the evaluations guide professional development; and
- the types of decisions for which the evaluations are used.
- Allows ADE to develop an evaluation instrument that complies with the evaluation framework adopted by SBE for school districts and charter schools. This instrument may be pilot tested in the school districts and charter schools that choose to participate in the pilot evaluation instrument in school year 2012-2013.

School District Governing Boards

- Specifies that by school year 2013-2014, school districts and charter schools must adopt the definitions for performance classification adopted by SBE. The adoption must be done in a public meeting and the performance classifications must be incorporated into the school district or charter school's evaluation instrument in a manner designed to improve teacher and principal performance.
- Adds that for charter schools the principal evaluation instrument applies to the instructor at the school who is primarily responsible for overseeing instruction. The evaluation instrument will not apply to an officer, director, member or partner of the charter holder.
- Requires the governing board to adopt, at a public meeting where public comment is heard, a teacher evaluation policy by school year 2013-2014 that includes:
 - incentives for teachers in the highest performance classification, including multiyear contracts not to exceed three years;
 - incentives for teachers in the two highest performance classifications to work at schools that are assigned a letter grade of "D" or "F";
 - protections for teachers who are transferred to schools that are assigned a letter grade of "D" or "F"; and
 - protections for teachers if the principal of the school is designated in the lowest performance classification.
- Requires in school year 2015-2016, the school district governing board policy on teacher evaluations must describe:
 - the support and consequences for the teacher in the lowest performing classification;
 - an intervention option for teachers designated in the lowest performance classification that includes the use of a performance improvement plan for those teachers, the policy shall specify that this intervention option may be used only once for each teacher;
 - dismissal policies for teachers who continue to be designated in the lowest performance classification; and
 - dismissal policies for teachers who are not provided an intervention option.
- Requires school district governing boards to discuss their aggregate performance classifications of principals and teachers at a public meeting at least once a year.
- Requires school district governing boards to make the evaluation and performance classification of each principal in the school district available to school districts and charter schools that are inquiring about the performance of the principal for hiring purposes.
- Removes the requirement that the teacher evaluation system adopted by a governing board include the following:
 - a reliable evaluation instrument for measuring effective teaching performance; and
 - an assessment of the competencies of teachers for measuring teacher performance.
- Deletes the requirement that regular evaluation of the performance of each certificated teacher must be performed at least twice each year for a teacher who has not been employed by the school district for more than the major portion of three consecutive school years and at least once each year for a teacher who has been employed by the school district for more than the major portion of three consecutive school years.
- Changes the requirement that a teacher evaluation system include a specified number of classroom observations to require that the system include at least two observations of complete and uninterrupted lessons. The first and the last observation must be separated by

at least 60 calendar days and the teacher must receive written feedback within 10 business days.

- Changes the name of the report on a teacher to evaluation from assessment.
- Requires an annual evaluation of a teacher.
- Adds that the performance classification of a teacher is confidential but may be disclosed to other school districts and charter schools for employment purposes.
- Requires that school district policies pertaining to the transfer of teachers from one school to another school in a school district must take into consideration the current distribution of teachers across all of the performance classifications and the needs of the pupils in the school district.
- Requires that the definition of inadequacy of classroom performance align with SBE's performance classifications.
- Allows a school district governing board or a charter school governing body to choose to postpone the full implementation of the required teacher and principal evaluation until the 2013-2014 school year if governing board or governing body votes on the delay at a public meeting before September 31, 2012. The vote to delay must receive a majority vote of the board or body in order to be implemented. The governing board or governing body must also adopt a plan at that time that includes certain requirements.

Principals

- Requires school district governing boards to adopt at a public meeting where public comment is heard, and implement, by school year 2013-2014, policies for principal evaluations. The policies must describe:
 - the principal evaluation instrument, including the four performance classifications required by SBE adopted by the governing board;
 - alignment of professional development opportunities to the principal evaluations;
 - incentives for principals in one of the two highest performance classifications which may include: multiyear contracts pursuant to statute, and incentives to work at schools that are assigned a letter grade of "D" or "F"; and
 - transfer and contract processes for principals designated in the lowest performance classification.
- Allows a principal's term of employment to be for any period up to three years pursuant to the policies school district governing boards are required to adopt. If the contract is for multiple years, the school district cannot offer to extend or negotiate the contract until May of the year preceding the final year of the contract.

Teachers

- Requires every teacher to make student learning the primary focus of the teacher's professional time.
- Permits a teacher who is beginning the teacher's fourth year of employment at a district and who has been designated in one of the two lowest performance level to be offered a contract for the next school year.
- Prohibits a teacher who has been employed by the school district for the major portion of three or more consecutive school years and who is designated in the lowest performance classification for two consecutive school years from being transferred as a teacher to another school in that school district unless the school district has issued a notice of inadequacy of classroom performance and approved a performance improvement plan for the teacher pursuant to statute and the governing board has approved the new placement as in the best interests of the pupils in the school. A teacher who continues to be designated in one of the two lowest performance classifications cannot be permitted to transfer to another school. A teacher cannot be transferred more than once.
- Prohibits a certificated teacher who has not been employed for more than the major portion of four consecutive school years by a district, but who is under a contract currently and has been designated in one of the two lowest performance classification from receiving a hearing on their dismissal from the governing board.

Classroom Site Fund (CSF)

- Adds that beginning in school year 2014-2015, individual teacher performance shall account for 33% of the 40% of CSF monies used for performance pay by a district.

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

Status: this bill was SIGNED by the Governor on April 12, 2012.

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: no recent action has been taken regarding this bill since its assignment to House Committees on 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 on a 9-4 vote on 2/21); 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 was transmitted to the Secretary of State April 19, 2012.

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 was transmitted to the Secretary of State March 20, 2012.

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: no recent action has been taken regarding this Resolution since its assignment to House Committees on 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 was transmitted to the Senate on 3/1 where it was assigned to the Committees on Rules; and Appropriations (where it passed on an 8-3-2 vote on 3/13).

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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: no recent action has been taken regarding this bill since the House Second Read on 2/21.

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 is ready for the House Committee of the Whole.

SB1043: VACCINES; HEALTH INSURANCE

Formerly Dangerous Drugs; Definition

A strike-everything amendment on the House Committee on Government was passed on 3/15

SB 1043 provides that stock or mutual insurers, health care services organizations, disability or group disability insurers, blanket disability insurers or accountable health plans that enter into or renew a contract with a health care provider on or after January 1, 2013 must reimburse the health care provider for the cost of child and adolescent immunizations.

SPONSORS: Gray, S. Pierce, Barto

Status: The amended bill was passed by the House Committee of the Whole on 4/25.

SB1059: SCHOOL PROPERTY; COMMUNITY USE; LIABILITY

Gives schools immunity from liability for injuries sustained by recreational users of outdoor school grounds, excluding swimming pools and other aquatic features; adds that a recreational user does not include students registered at a school who are in transit to or from school and who are on school grounds during designated allowed times or a school sanctioned activity.

SPONSORS: Crandall, Driggs, Barto

Status: this bill was SIGNED by the Governor March 13, 2012.

SB1060: SCHOOL DISTRICTS; PROCUREMENT PRACTICES

- Allows, notwithstanding rules adopted by the SBE, the maximum dollar amount of a single job order for job-order-contracting construction services issued by a school district governing board to be \$1 million or a higher or lower amount prescribed by a governing board policy.
 - The policy setting a higher or lower amount must be adopted by the school district governing board at public meeting.
 - The job order cannot be divided or fragmented in order to satisfy the maximum dollar amount requirements.
- Requires the duration of contracts for job-order contracting construction services to be limited to no more than five years unless the governing board determines in writing before the procurement solicitation is issued that a longer contract would be beneficial.
- Removes language permitting a school district to establish an internal service fund in accordance with Title 1 of the Elementary and Secondary Education Act (ESEA) in order to consolidate Title 1 monies with other federal, state, local and nonprofit monies.

SPONSORS: Crandall, Driggs, Barto

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Status: this bill was SIGNED by the Governor on 4/17/12.

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 was transmitted to the House and assigned to the House Committees on Rules; and Education (where it was held on 3/12).

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: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on Education; Government Reform; and Rules.

SB1118: FOREST; HISTORICAL; AND PRESERVATION FUNDS

Formerly Retirement; ASRS; Long-term Disability Amendments

Allocations made for the livestock and land conservation fund.

SPONSORS: Yarbrough, McComish

Status: this bill was transmitted to the House where it was assigned to the following House Committees: Employment and Regulatory Affairs (from which it was withdrawn); the bill was reassigned to the Agriculture and Water Committee where a strike-everything amendment was passed on 3/15; it passed the Rules Committee on 3/26. It FAILED on the House Third Read on an 18-40-2 vote.

SB1119: RETIREMENT; ASRS; SPOUSAL CONSENT

Provisions include:

Beneficiary Designation

- Allows ASRS members to change their beneficiary at any time in a manner established by the board.
- Requires a married member to name and maintain their current spouse as a beneficiary to receive at least 50 percent of the member's account, and allows the member's current spouse to consent to a waiver of this requirement.
- States that if a member's contingent annuitant (CA) is the member's current spouse, the member shall obtain the consent of the CA before the member names a new CA, or before the member rescinds the election, and does not require consent if the current spouse ceases to be a CA, pursuant to the terms of a qualified domestic relations order or by death.
- Requires a member who is married at the time of retirement to elect a monthly benefit in the form of a joint and survivor annuity, and requires the member's current spouse to be the CA unless the member's spouse consents to a waiver, or ASRS is required to cancel the married member's membership.

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Spousal Waiver and Consent

- Allows a member to reapply for retirement at any time in a manner established by ASRS.
- Allows a member's current spouse to consent to one of the following requirements by submitting an acknowledgement to ASRS:
 - A change of beneficiary that provides the member's current spouse with less than 50 percent of the member's account balance.
 - The member's retirement application that does not name the member's current spouse as a CA of a joint and survivor annuity.
 - A change or rescission of the member's current spouse's CA status.
- States that if a member's current spouse is not capable of executing the acknowledgement of the requirements due to an incapacitating mental or physical condition, a power of attorney or guardian may execute the acknowledgment on the current spouse's behalf.
- Allows a member to affirm in writing under penalty of perjury, in a manner determined by ASRS, that spousal consent is not required due to one of the following reasons:
 - The member is not married.
 - The member's current spouse has no identifiable community property interest in the member's benefits.
 - The member does not know and has taken all reasonable steps to determine the location of the member's current spouse.
 - The member has received notification from the board that a domestic relations order is acceptable, and that a domestic relations order requires ASRS to pay benefits to an alternate payee.
 - Obtaining consent violates another law or existing court order.
- Specifies that the statute concerning spousal waiver and consent does not abrogate any community property laws of this State.
- States that payments or distributions made by ASRS in good faith reliance on the consent, waiver of a member's current spouse, affirmation of a member contained in documents submitted to ASRS and the member's indication to ASRS that the member is not married, constitutes a full and complete discharge and release of all liability of both the board and ASRS respecting these payments or distributions.
- Requires ASRS to use reasonable judgment to distribute member's account in a manner consistent with the Arizona community property laws, and interpretations of those laws regarding questions that arise as to that distribution of a particular member's account.

Applicability

- States that the new spousal consent statutes added by this act apply to ASRS members who retire, name or change their beneficiary, CA, or retire on or after July 1, 2013.

SPONSORS: Yarbrough, McComish

Status: this bill was SIGNED by the Governor 3/27/12.

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: no recent action has been taken regarding this bill since its assignment to House Committees on Employment and Regulatory Affairs; and Rules.

SB1168: DROPOUT RECOVERY PROGRAM; CHANGES

(formerly Education; Federal Funds)

Makes changes to dropout recovery program statutes, including:

Dropout Recovery Programs

- 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.

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- 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.

Dropout Recovery Program Funding

- 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.

Miscellaneous

- 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.
- Becomes effective on the general effective date, retroactive to July 1, 2011.

SPONSOR: Crandall

Status: this bill was SIGNED by the Governor 3/20/12.

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 was SIGNED by the Governor 3/29/12.

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

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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: no recent action has been taken regarding this bill since its assignment to House Committees on 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 was SIGNED by the Governor 3/20/12.

SB1255: SCHOOL COURSES; MASTERY OF COMPETENCY

Requires multiple pathways to be made available to students who are eligible for a high school diploma through a defined, competency-based college-ready educational pathway. Provisions include:

- Allows eligible students to do one of the following:
 - Enroll the following fall semester in a community college.
 - Public community colleges in this state must admit students who obtain a high school diploma through the fulfillment of a defined, competency-based educational pathway and who are otherwise qualified.
 - The school district or charter school from which the student earned the high school diploma must include that student in its student count and continue to receive per-pupil

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- funding until that student would otherwise have graduated at the end of 12th grade, as long as that student is enrolled as a full-time community college student.
- The school district or charter school is required to subtract 20% of its average daily membership (ADM) amount to reimburse the community college.
 - If the student attends classes on a community college campus, the school district or charter school must reimburse the community college district for the amount of operating and capital outlay full-time student equivalency (FTSE) monies. The amount of operating FTSE monies must equal the average appropriation per FTSE for all community college districts.
 - Half of the remaining balance of per-pupil funding must be used for teacher and student incentives, including scholarship programs, to offset the costs of competency-based pathways and to provide customized programs of assistance for students who do not demonstrate mastery.
 - The other half must be used for maintenance and operations, including capital.
 - A student who chooses this option is responsible for tuition.
 - A student who earns a high school diploma can enroll in community college courses offered on a community college or high school campus, or both.
 - Community colleges are prohibited from classifying a student who elects to remain in high school as a full-time equivalent student.
 - A student who takes community college classes on a high school campus is eligible to participate in extracurricular activities, including interscholastic sports, through the end of 12th grade.
 - The expenditure by community college districts of payments from the school district or charter school will not be included in the constitutional community college district expenditure limit.
 - If the student takes classes on a community college campus, the funding and implementation mechanics must be determined by agreement between the school district or charter school and the community college.
- Remain in high school and participate in the programs of study available through the school district or charter school.
 - The school district or charter school must include that student in the school district or charter school's student count and continue to receive per-pupil funding until that student would otherwise have graduated at the end of 12th grade, as long as the student is enrolled in approved advanced preparation programs of study at the school district or charter school.
 - Students who choose to remain in high school cannot be prevented from enrolling at a high school after becoming eligible for a high school diploma and must be allowed to participate in extracurricular activities, including interscholastic sports, through the end of 12th grade.
 - Enroll in a full-time career and technical education (CTE) program offered on a high school or joint technical education district (JTED) campus, or any combination of these campuses.
 - A student who chooses this option cannot be prevented from enrolling at a high school after becoming eligible for a high school diploma and must be allowed to participate in extracurricular activities, including interscholastic sports, through the end of 12th grade.
 - The school district or charter school at which the student became eligible for the high school diploma must include that student in its student count and continue to receive per-pupil funding until that student would otherwise have graduated at the end of 12th grade, as long as that student is enrolled in a full-time CTE program.
 - If the student receives instruction from a JTED in a full-time CTE program that is designed to lead to a certificate awarded by an industry or recognized as meeting industry standards, the sum of the ADM for that student cannot exceed 1.25. The ADM will be apportioned at 1.0 for the JTED and 0.25 for the school district.
 - If accepted for admission to a university under the jurisdiction of the Arizona Board of Regents, enroll in the university after completion of additional high school coursework

designed to prepare students for admission to selective postsecondary institutions that offer baccalaureate degrees.

- The school district or charter school from which the student earned the high school diploma must include that student in the school district or charter school's student count and continue to receive per-pupil funding until that student would otherwise have graduated at the end of 12th grade, as long as that student is enrolled full-time in the university.
 - One-third of the school district or charter school's ADM will be retained by the school district or the operator of the charter school.
 - One-third of the school district or charter school's ADM will be retained for use at the school site.
 - One-sixth of the school district or charter school's ADM will be deposited in a scholarship account for that student established and managed by the school district or charter school from which the student graduated.
 - One-sixth of the school district or charter school's ADM will be retained by the university where the student is enrolled.
- Prohibits a student who obtains a high school diploma through a defined, competency-based educational pathway from being eligible to participate in the Early Graduation Scholarship Program.
 - Requires SBE to adopt rules to define competency-based educational pathways, including:
 - 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 was SIGNED by the Governor 3/29/12.*

SB1256: PRESCHOOL PROGRAMS; CHARTER SCHOOLS

Formerly collective bargaining agreements; teachers; transfers

Allows charter schools to offer preschool programs for children with disabilities.

SPONSOR: Crandall

Status: *this bill passed the Senate and was transmitted to the House on 2/27. On 3/12/12, the House Education Committee passed a strike-everything amendment on a 6-2 vote. The Governor VETOED the new bill on 4/10/12. The Governor stated that she "cannot sign legislation with a fiscal impact while budget discussions are ongoing".*

SB1258: THIRD GRADE PROMOTIONS; REQUIREMENTS; EXCEPTIONS

Removes the parental exemption from the list of *good cause exemptions*. Provisions include:

Removes the following good cause exemptions:

- A student with a disability who did not take AIMS.
 - A student with a disability who has taken AIMS and was previously retained in a grade.
 - A student with a reading deficiency who has been retained twice in a grade.
 - A student who has shown reading proficiency on another reading assessment approved by the State Board of Education (SBE).
 - The parent of a student requests an exemption within 30 days of receiving notification that the child is recommended to be retained and the district or charter school governing board approves the parent's request.
- Replaces the current good cause exemptions listed above with a mechanism to allow a school board or the governing body of a charter school to promote a student with a disability whose reading score falls far below the third grade level if the student's guardian and IEP team agree that promotion is appropriate based on the IEP.

- Directs SBE to develop intervention and remedial strategies for students in kindergarten and grades one through three who have reading deficiencies and requires each school district or charter school to offer at least one intervention strategy and one remedial strategy.
- Adds the following information for inclusion in a written notification to parents of students in kindergarten and grades one through three who have a reading deficiency:
 - A list of the intervention and remedial strategies offered.
 - Instruction for the parent or guardian to choose the strategy that will be implemented for that child.
- Requires the Arizona Department of Education to post examples of best practices for reading intervention and remedial reading strategies on its website.

SPONSORS: Crandall

Status: *this bill was SIGNED by the Governor 3/29/12.*

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: on 3/29, this bill failed the House Third Read on a 28-28-4 vote; Representative Carter moved that the House reconsider it, after which the bill passed on a 55-5 vote on 4/2. It was transmitted to the Senate where concurrence was recommended on 4/26.

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

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Status: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on Education (held on 2/16); 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 Status: no recent action has been taken regarding this bill since its assignment to House 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: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on: Education; and Rules.

SB1443: TEACHERS; PERFORMANCE PAY

Restructures teacher performance pay allocations from the Classroom Site Fund

SPONSORS: Smith

Status: no recent action has been taken regarding this bill since its assignment to House Committees on 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: no recent action has been taken regarding this bill since its assignment to House Committees on 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 was transmitted to the House on 3/1 where it was assigned to Committees on Rules; and Ways and Means.

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 House on 3/29 and transmitted to the Senate; a conference committee appointment was recommended on 4/16.

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 was transmitted to the House on 3/1 where it was assigned to Committees on Education; and Rules.

SB1458: SCHOOLS; ACHIEVEMENT PROFILES

Removes the requirement that ADE assign both an achievement profile label and a letter grade to a school, school district or charter in the 2012-2013 school year, only a letter grade must be assigned; Specifies that a school, school district or charter school will be assigned a letter grade of "F" if the school was required to participate in a mandatory school improvement plan for the previous two academic years; Specifies how a school, school district, or charter school may be assigned a letter grade of "F" in the next two academic years as follows:

- in academic year 2012-2013, a school, school district or charter school may be assigned a letter grade of "F" if the school's classification under the achievement label statutes in effect before September 1, 2011 was underperforming; and
- in academic year 2013-2014, a school may be assigned a letter grade of "F" if the school was assigned a letter grade of "D" in academic year 2012-2013, and the school's classification in academic year 2011-2012 under achievement label statutes in effect before September 1, 2011 was underperforming;

Repeals language relating to how a letter grade of "F" will be assigned during the next two academic years on July 1, 2014.

SPONSORS: Crandall

Status: this bill was SIGNED by the Governor 3/21/12.

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 is ready for the House Committee of the Whole.

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: this bill was transmitted to the House on 3/8.

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 transmitted to the House on 3/8.

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 was transmitted to the House where it was assigned to Committees on Rules; and Employment and Regulatory Affairs.

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: no recent action has been taken regarding this bill since its assignment to Senate Committees on Appropriations (where it passed on 2/21); and Rules.