



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

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**DATE OF MEETING:**      May 7, 2019

**TITLE:**              Periodic Legislative Update - Supplement

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**BACKGROUND:**

This item permits the Governing Board to review and discuss the status of K-12 education-related legislation proposed in the first regular session of the Fifty-Fourth Arizona legislature this year.

This Item supplements the previous Board item with the latest information as of Monday, May 6, 2019.

Information updated/added since the Board's March 7<sup>th</sup> review is noted in **BLUE**. Information deleted pursuant to Committee amendment is in **RED**. Bills that have been signed by the Governor are in **GREEN**.

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**RECOMMENDATION:**

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

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**INITIATED BY:**

Michelle H. Tong, J.D.,  
Associate to the Superintendent and General Counsel

Date: May 6, 2019

Todd A. Jaeger, J.D., Superintendent

## **SCHOOLS – Assessments**

### **HB 2033 – schools; failing; underperforming; turnaround specialists**

Requires the Arizona Department of Education (ADE) to recommend the State Board of Education (SBE) to determine whether a school district with a least one school that is assigned a letter grade of D or F should be subject to an alternative operation plan (AOP) that includes the appointment of a turnaround specialist.

*Status:* Introduced 1/24/19; assigned to House Committees on Education, and Rules.

### **HB 2044 – statewide assessment; college placement exams**

Specifies that, beginning in the 2019-2020 school year, the statewide assessment shall consist of “at least” three nationally recognized college entrance examinations selected by the State Board of Education (SBE).

*Status:* [Assigned to the House Rules Committee 4/25](#).

### **HB 2094 – schools; online test preparation**

Requires the Arizona Department of Education (ADE) to provide an online test preparation system for high school students who take a college admissions test. Provisions include:

- Requires Arizona Department of Education (ADE) to contract with a provider that is selected through a request for proposal to provide an online test preparation system for high school students who take a college admissions test that assesses language arts, mathematics, and science that is most commonly submitted to the universities under the jurisdiction of Arizona Board of Regents.
- Establishes requirements for this online test preparation system.
- Mandates that districts/charters encourage the use of this online test preparation system.
- Requires Arizona Department of Education (ADE) and districts/charters to make this online test preparation system available to students beginning in the 2019-2020 school year.
- Appropriates \$500,000 from the state General Fund to Arizona Department of Education (ADE) in FY 2020 to fund the online test preparation system.

*Status:* Assigned to House Committees on Education (passed 2/4), Appropriations (passed 2/6) and Rules.

### **HB 2303 – computer science; credit; science; mathematics *NOW***

An emergency measure that establishes priorities for the Arizona Department of Education's (ADE's) Computer Science Professional Development Program Fund (Computer Science Fund) grant application process. Requires the State Board of Education (SBE) and the Arizona Board of Regents (ABOR) to develop mathematics and science course guidelines.

#### ***High School Graduation Requirement***

- Directs SBE and ABOR to:
  - Develop guidelines for district/charters on the necessary rigor and content that a mathematics or science course must have to meet SBE's high school graduation requirements and ABOR's university admissions requirements; and
  - Prioritize developing guideline for computer science and integrated science courses, and to work with mathematics and science teaching communities and representatives from related workforce industries to develop these guidelines.
- Specifies that ABOR must review the timeliness and transparency of its process for determining whether courses submitted by district/charters meet university admissions standards.
- Repeals these requirements from and after June 30, 2020.

#### ***Computer Science Professional Development Program Fund***

- Directs ADE to prioritize Computer Science Professional Development Fund grant awards to eligible public schools that either:
  - Have at least 60% of students enrolled who are eligible for free and reduced-priced lunches under the National School Lunch and Child Nutrition Acts; and

- Are rural schools as defined in [A.R.S. § 15-249.13](#).
- Clarifies that ADE may not distribute grant monies in an amount that is more than 50% of the total state General Fund appropriation to this fund unless matching monies are received from gifts, grants, or donations of monies or in-kind services.

*Status:* **SIGNED by the Governor 4/24/19**

### **SB 1111 – arts proficiency; state seal**

Creates a State Seal of Arts Proficiency Program (Program) recognizing students who achieve a high level of proficiency in the arts

- Establishes a Program to recognize students who:
  - attain a high level of proficiency in the arts; and
  - graduate from a school district or charter school.
- Requires the Superintendent of Public Instruction (SPI) to:
  - create a State Seal of Arts Proficiency (Seal) to be placed on a qualifying student's diploma and noted on their transcript; and
  - deliver the Seal to each participating school district or charter school.
- Requires State Board of Education (SBE) in collaboration with the Arizona Department of Education (ADE) and experts in arts education to adopt minimum requirements and adopt necessary rules for the Program.
- Allows any school district or charter school to voluntarily participate in the Program by notifying the SPI.
- Requires each participating school district or charter school to:
  - identify the students meeting the Program requirements; and
  - place the Seal on a qualifying student's high school diploma and note it on their transcript.
- Terminates the Program on July 1, 2029.

ASBA is neutral.

*Status:* Passed the Senate; transmitted to the House 2/11. [Ready for the House Committee of the Whole 4/9.](#)

## **SCHOOLS – Building(s)**

### **HB 2428 – no water urinals required; public buildings**

Requires water-free urinals to be installed in new construction and remodeling of state buildings. Provisions include:

- Applies to all new construction and remodeling of city, town or county public buildings if the cost of construction exceeds \$10,000.
- Requires all flushable urinals located in state buildings to be replaced with water-free urinals within two years.

The Committee on Natural Resources, Energy & Water amended the original Bill to:

- Allow the replacement urinals to be either water-free or ultra-low water use.
- Require the urinals in the first-floor men's restrooms in the House of Representatives and Senate to be replaced with water-free or ultra-low water use urinals during the first year.
- Allow replacement urinals to be any of the three most readily available types of water-free or ultra-low water use urinals that:
  - Uses ½ gallon of water per flush; or
  - Automatically uses a small amount of water to periodically flush the plumbing pipes.
- Require maintenance personnel to be trained in and follow the specific unit's manufacturer's maintenance procedures.

*Status:* Assigned to House Committees on Natural Resources, Energy & Water (passed 2/19); Government (withdrawn 2/11), and Rules.

### **HB 2699 – school buildings; vulnerability assessment**

Following the passage of a strike-everything amendment in the House Committee on Public Safety on 2/19, this Bill new provisions include:

- Requires each district/charter to:
  - Have a vulnerability assessment conducted, by August 1, 2020, for each building owned, rented, occupied or operated; and
  - Submit information gathered by the vulnerability assessment to the statewide critical information system.
- Requires the vulnerability assessment to be conducted by an Arizona Peace Officer Standards and Training Board (AZPOST) certified peace officer who has completed the approved threat vulnerability assessment training.
- Specifies that any information concerning school safety needs or security measures that is required to be submitted does not constitute a public record.
- Specifies that a school district or charter school employee that submits or receives information and knowingly publishes, divulges, discloses or makes known any critical information that is protected from disclosure is guilty of a class 5 felony.
- Requires at least one peace officer from each law enforcement agency to complete an AZPOST-approved threat vulnerability assessment training course by December 15, 2019.
- Allows a law enforcement agency serving a city, town or county with a population of less than 10,000 people to enter into an intergovernmental agreement with another law enforcement agency in a contiguous city, town or county.

*Status:* Introduced 2/13/19; assigned to House Committees on Public Safety (passed on a 4-3 vote on 2/20), and Rules.

### **SB 1101 – school facilities; revisions**

Requires the School Facilities Board (SFB) to list vacant or partially used buildings that are suitable for school operations and establishes guidelines for the sale or lease of those buildings. Provisions include:

#### ***School Facilities Board***

- Requires the SFB and the Arizona Department of Administration to annually publish a list of vacant and partially used buildings, owned by the state or by school districts, that may be suitable for school operations.
- Requires the SFB to make the list publicly available on its website, and upon request, to:
  - charter school applicants;
  - SFB applicants who are applying for additional space; and
  - existing school districts and charter schools.
- Requires the list to include:
  - the address of each building;
  - a short description of each building;
  - the building owner's name; and
  - any other pertinent information related to the vacancy and capacity of each building.
- Requires the SFB to annually submit the list to the Governor, the President of the Senate and the Speaker of the House of Representatives and provide a copy to the Secretary of State and the State Board for Charter Schools.
- Prohibits a school district from restricting a charter school or private school from negotiating to buy or lease a property, for sale or lease by a school district, in the same manner as other potential buyers or lessees.
- Requires school districts to report any school or school buildings that are vacant or partially used and requires the SFB to establish reporting guidelines.
- Requires the SFB to inspect school buildings to ensure the accuracy of the vacant and partially used buildings as reported by the school districts.

#### ***Sale or Lease of Buildings***

- Requires a school district to attempt to obtain the highest possible value, under current market conditions, for the sale or lease of a vacant or partially used building and prohibits a school district from accepting an offer that is less than an offer from a charter or private school.
- Specifies an owner of a building on the list is not required to sell or lease the building, or a portion of the building, to a charter school, any other school or to any prospective buyer or tenant.
- Prohibits an owner of a building on the list from withdrawing the property from sale or lease solely because a charter or private school is the highest bidder.
- Restricts a building owner from increasing the lease payment for an existing tenant that is a public school or provides services to public school students by more than the lease renewal terms negotiated in the expiring agreement, unless agreed to by both parties.
- Specifies that, in absence of an agreement, a negotiated lease increase can be aligned with an established standard for the percentage of revenue dedicated to:
  - educational facilities;
  - inflators related to student enrollment increases; or
  - the annual gross domestic product price deflator.
- Specifies cost increases may also include expenses for building and parking lot maintenance and upgrades.
- Allows a school district to sell used equipment to a charter or private school, prior to selling or disposing of the equipment by other means.
- Exempts, from being considered *partially used buildings*, buildings used for special education services, preschool programs, schools open for less than five years or magnet schools.
- Specifies the exemption applies only to less than 25 percent of a district's school buildings.
- Allows a school district to form a partnership, according to a written agreement, with a charter school, another school district or a military base to:
  - operate a school;
  - offer educational services in a district building, including a vacant or partially used building, or
  - offer educational services in any building on the entity's property.
- Allows a school district governing board (governing board) to:
  - enter into leases or lease-purchase agreements for school buildings or grounds for periods of less than 20 years, rather than 15 years, that are subject to voter approval for school building construction as prescribed; or
  - sell school sites or enter into leases or lease-purchase agreements for school buildings and grounds for a period of 20 years or more, rather than 15 years or more, if authorized by a vote of the school district electors.

#### ***Elections pertaining to school property***

- Requires a special election to reauthorize the governing board to negotiate a lease, if the lease is not entered into within 20 years, rather than 10 years, of the election date.
- Allows the school district to end the lease at any time for a leased school that:
  - receives a letter grade of D for more than one year; or
  - receives a letter grade of F for any length of time.
- Specifies, if a school is closing, that the notice must comply with prescribed notice requirements.
- Exempts, from being subject to approval at an election, the sale or lease of a school building or the lease of a portion of a building if the building is vacant or partially used for at least three years.
- Allows revenues from the sale or lease of buildings, owned by the school district that are vacant or partially used for at least three years, to be used for other capital and academic needs identified by the governing board and prioritized for schools with at least 60 percent of the students enrolled in the National Free and Reduced-Price Lunch Program.
- Requires a statement listing the number of vacant buildings in the school district to be mailed out in an informational pamphlet for an election to purchase a building or building site.

#### ***Miscellaneous***

- Repeals statute relating to a listing of vacant buildings suitable for charter or private school operations.
- Defines *partially used building* as a building with at least 4,500 square feet of contiguous, unused space that does not include a building being used for special education services, a preschool program, a school open for less than five years or a magnet school.
- Defines *vacant building* as a building that has been vacant and unused for at least two years.

*Status:* Transmitted to the House 3/6 and assigned to House Committees on Education (passed on a 7-4-0-2 vote 3/25); Appropriations (discussed and held 4/4), and Rules.

### **SB 1110 – damaged school facilities; replacement; grants**

Allows school districts to utilize grants from the Building Renewal Grant Fund (Fund) to replace school buildings or facilities under certain conditions. Provisions:

- Allows the School Facilities Board (SFB) to award Fund monies to a school district for replacing a damaged building or facility, including demolition, if the following conditions are met:
  - the SFB initiates the request for monies after information is submitted by the school district on the damaged school building or facility;
  - the SFB or the school district obtains a cost estimate to replace the school building or facility;
  - the cost to repair the school building or facility exceeds the cost to replace the school building or facility;
  - the SFB submits a project proposal to the Joint Committee on Capital Review (JCCR) to replace the building or facility using Fund monies; and
  - Joint Committee on Capital Review (JCCR) reviews the project proposal.
- Requires the SFB to collaborate with the State Historic Preservation Officer to prevent the demolition of historic buildings when considering replacing damaged school buildings or facilities.

ASBA supports.

*Status:* Passed the Senate; transmitted to the House 2/11. On 2/26, assigned to House Committees on Education; Appropriations and Rules.

### **SB 1161 – school facilities; revisions**

Requires the School Facilities Board (SFB) to list vacant or partially used buildings that are suitable for school operations and establishes guidelines for the sale or lease of those buildings. Provisions include:

#### ***School Facilities Board***

- Requires the SFB and the Arizona Department of Administration to annually publish a list of vacant and partially used buildings, owned by the state or by school districts, that may be suitable for school operations.
- Requires the SFB to make the list publicly available on its website, and upon request, to:
  - charter school applicants;
  - SFB applicants who are applying for additional space; and
  - existing school districts and charter schools.
- Requires the list to include:
  - the address of each building;
  - a short description of each building;
  - the building owner's name; and
  - any other pertinent information related to the vacancy and capacity of each building.
- Requires the SFB to annually submit the list to the Governor, the President of the Senate and the Speaker of the House of Representatives and provide a copy to the Secretary of State and the State Board for Charter Schools.
- Prohibits a school district from restricting a charter school or private school from negotiating to buy or lease a property, for sale or lease by a school district, in the same manner as other potential buyers or lessees.
- Requires school districts to report any school or school buildings that are vacant or partially used and requires the SFB to establish reporting guidelines.

- Requires the SFB to inspect school buildings to ensure the accuracy of the vacant and partially used buildings as reported by the school districts.

### ***Sale or Lease of Buildings***

- Prohibits a school district from accepting an offer for the sale or lease of a vacant or partially used building that is less than an offer from a charter or private school.
- Specifies an owner of a building on the list is not required to sell or lease the building, or a portion of the building, to a charter school, any other school or to any prospective buyer or tenant.
- Prohibits an owner of a building on the list from withdrawing the property from sale or lease solely because a charter or private school is the highest bidder.
- Allows a lease to be terminated, renewed according to an existing agreement or renewed with a negotiated increase at the conclusion of a lease for an existing tenant that is a public school or that provides services to public school students.
- Requires a building owner to justify a proposed increase to the lessee, which can include considerations for the percentage of revenue dedicated to:
  - educational facilities;
  - inflators related to student enrollment increases;
  - the annual gross domestic product price deflator; or
  - expenses for building and parking lot maintenance and upgrades.
- Allows a school district to sell used equipment to a charter or private school, prior to selling or disposing of the equipment by other means.
- Exempts, from being considered *partially used buildings*, buildings used for career and technical education, special education services, preschool programs, schools open for less than five years or magnet schools.
- Specifies the exemption applies only to less than 25 percent of a district's school buildings.
- Allows a school district to form a partnership, according to a written agreement, with a charter school, another school district or a military base to:
  - operate a school;
  - offer educational services in a district building, including a vacant or partially used building; or
  - offer educational services in any building on the entity's property.
- Allows a school district governing board (governing board) to:
  - enter into leases or lease-purchase agreements for school buildings or grounds for periods of less than 20 years, rather than 15 years, that are subject to voter approval for school building construction as prescribed; or
  - sell school sites or enter into leases or lease-purchase agreements for school buildings and grounds for a period of 20 years or more, rather than 15 years or more, if authorized by a vote of the school district electors.

### ***Elections pertaining to school property***

- Requires a special election to reauthorize the governing board to negotiate a lease, if the lease is not entered into within 20 years, rather than 10 years, of the election date.
- May call an election to lease, as lessor or as lessee, school buildings and grounds for 20 years or more.
- Exempts, from being subject to approval at an election, the sale or lease of a school building or the lease of a portion of a building if the building is vacant or partially used for at least 3 years.

### ***Miscellaneous***

- Repeals statute relating to a listing of vacant buildings suitable for charter or private school operations.
- Defines *partially used building* as a building with at least 4,500 square feet of contiguous, unused space that does not include a building being used for special education services, a preschool program, a school open for less than five years or a magnet school.
- Defines *vacant building* as a building that has been vacant and unused for at least two years.

*Status:* Amended and passed the House Committee of the Whole 4/4.

### **SB 1438 – school facilities; revisions**

- Requires SFB to publish a list of vacant and partially used state- or district-owned buildings suitable for the operation of a school, including buildings where the use of 50% or less of its potential capacity. List to be publicly available
- Prohibits a district from denying sale/lease to charters.
- Permits a district to sell used equipment to a charter/private school before disposal by other means.
- Extends from 10 to 20 years the lease period of a school building or grounds.
- District may end the lease for a leased school that is assigned a D letter grade for more than 1 year, or an F for any period of time.
- Clarifies that a district is not required to call an election for the sale or lease of a building or partially used building that has been vacant or partially use for at least 3 years.
- Repeals the provision allowing a district to use revenues from the sale/ lease of any building for other capital and academic needs in which at least 60% of students participate in the National Free and Reduced-Price School Lunch Program.

*Status:* Failed in Senate Education Committee 2/19.

### **SCHOOLS – Curriculum**

#### **HB 2106 - schools; prohibited courses; repeal**

#### **HB 2228 – schools; prohibited courses; repeal**

#### **SB 1055 – schools; prohibited courses; repeal**

Each Bill repeals Sections 15-111 and 15-112 of the Arizona Revised Statutes, which sets forth:

- 15-111. Declaration of policy

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

- 15-112. Prohibited courses and classes; enforcement

- A school district or charter school in this state shall not include in its program of instruction any courses or classes that include any of the following:
  - Promote the overthrow of the United States government.
  - Promote resentment toward a race or class of people.
  - Are designed primarily for pupils of a particular ethnic group.
  - Advocate ethnic solidarity instead of the treatment of pupils as individuals.
- If the state board of education or the superintendent of public instruction determines that a school district or charter school is in violation of subsection A, the state board of education or the superintendent of public instruction shall notify the school district or charter school that it is in violation of subsection A. If the state board of education or the superintendent of public instruction determines that the school district or charter school has failed to comply with subsection A within sixty days after a notice has been issued pursuant to this subsection, the state board of education or the superintendent of public instruction may direct the department of education to withhold up to ten per cent of the monthly apportionment of state aid that would otherwise be due the school district or charter school. The department of education shall adjust the school district or charter school's apportionment accordingly. When the state board of education or the superintendent of public instruction determines that the school district or charter school is in compliance with subsection A, the department of education shall restore the full amount of state aid payments to the school district or charter school.
- The department of education shall pay for all expenses of a hearing conducted pursuant to this section.
- Actions taken under this section are subject to appeal pursuant to title 41, chapter 6, article 10.
- This section shall not be construed to restrict or prohibit:
  - Courses or classes for Native American pupils that are required to comply with federal law.



- The grouping of pupils according to academic performance, including capability in the English language, that may result in a disparate impact by ethnicity.
- Courses or classes that include the history of any ethnic group and that are open to all students, unless the course or class violates subsection A.
- Courses or classes that include the discussion of controversial aspects of history.
- Nothing in this section shall be construed to restrict or prohibit the instruction of the holocaust, any other instance of genocide, or the historical oppression of a particular group of people based on ethnicity, race, or class.

*Status of HB 2106: Filed.*

*Status of HB 2228: [Assigned to House Rules Committee 5/1.](#)*

*Status of SB 1055: Introduced 1/15/19; assigned to Senate Committees on Education, and Rules.*

### **HCR 2026 - English language education; requirements**

Repeals and modifies several English language learner (ELL) statutes. Provisions include:

- Repeals, upon voter approval, the following provisions of statute:
  - Requiring that all children Arizona public schools to be taught English through English language instruction in English language classrooms.
  - Allowing a child's parents or legal guardian to apply for a waiver so that their child can be transferred to classes teaching English and other subjects through bilingual education techniques or other educational methodologies permitted by law.
  - Permitting the parent or legal guardian of any Arizona child to have standing to sue for enforcement of ELL laws, and specifying that any school board member or other elected official or administrator who repeatedly refuses to enforce statute to be held personally liable for fees and actual and compensatory damages.
  - Mandating that a standardized, nationally-normed written test of academic subject matter in English be administered at least once each year to all Arizona public schoolchildren in grades 2-12.
- Requires, upon voter approval, that each public school ensure that ELL students:
  - Receive the highest quality of education;
  - Master the English language; and
  - Access high quality, innovative research-based language programs.
- Allows, upon voter approval, districts/charters to establish dual-language immersion program for both native and nonnative English speakers.
- Mandates, upon voter approval, that public schools provide students effective and appropriate instructional methods to establish English language acquisition programs and to solicit community and stakeholder input on these methods and programs.
- Requires Legislative Council to prepare proposed legislation that conforms Arizona Revised Statutes to the provisions of this bill for consideration in the 55<sup>th</sup> Legislature, 1<sup>st</sup> regular session.
- Requires the Secretary of State to submit this proposition to the voters at the next general election.

ASBA supports.

*Status: Passed the Senate Democrat Caucus 4/2; held in the Senate Republican Caucus 4/2.*

### **SB 1014 - English language learners; instruction; budgeting**

*Substitute for HB 2184 - English language learners; instruction; budgeting*

Modifies statute relating to English language learners (ELL). Provisions include:

- Directs the State Board of Education (SBE) to:
  - adopt and approve models that include a minimum amount of English language development as follows:
    - 120 minutes per day, 600 minutes per week, or 360 hours per school year for pupils in kindergarten through grade 6; and

- 100 minutes per day, 500 minutes per week, or 300 hours per school year for pupils in grades 7 through 12.
- adopt alternative English instruction models that are evidence-based and research-based.
- establish a framework for evaluating research-based models submitted for approval and solicit input from experienced educators. Requires the framework to ensure that adopted or approved models meet the following criteria:
  - Provide coherent instruction aligned with Arizona's English language proficiency standards;
  - Include oral and written language instruction, including structured opportunities to develop verbal and written skills and comprehension strategies;
  - Include access to complex language content through grade-level textbooks with appropriate support; and
  - Include parental engagement strategies.
- Allows districts/charters to submit SEI models and alternative English instruction for approval by the SBE.
- Removes the requirement that:
  - State Board of Education (SBE) use programs developed by the ELL Task Force.
  - SEI models be limited to programs not to exceed one year.
  - SBI:
    - Identify the minimum amount of English language development per day for all models; and
    - Develop separate models for the first year in which a pupil is classified as an ELL that include at least four hours per day of English language development.
  - Districts/charters include a copy of the adopted ELL program in the annual report.
  - Arizona Department of Education (ADE):
    - each month, select a random sample of 300 ELLs to determine how many can read certain factors as outlined.
    - Present a detailed annual summary of all ELL programs and funding at a public State Board of Education (SBE) meeting; and
    - Present a summary of information relating to the demonstrated success of schools and school districts at achieving English proficiency for ELLs.
- Declares that ELLs are not prohibited from concurrently enrolling in an SEI and alternative English instruction model.
- Removes:
  - the prohibition on distributing ELL Fund monies and ELL support level weight monies for the same student for more than two fiscal years.
  - the offset for federal monies and the exclusion of incremental costs of any students classified as ELL for more than two years.
- Renames the Arizona SEI Fund to the Arizona ELL Fund.
- Repeals A.R.S. §15-756.06 relating to the annual testing of previously classified ELLs and the subsequent reenrollment of students who fail to demonstrate English proficiency on the reassessment test in the two years following their exit from SEI.
- In the Senate Committee of the Whole, an amendment was adopted that reduces the minimum hours of English language development for 6th grade English language learner (ELL) students to be the same as students in grades 7 through 12.

ASBA supports.

*Status:* **SIGNED by the Governor 2/14/19.**

#### **HB 2354 – schools; financial literacy; mathematics credit**

Permits a district board to approve a financial literacy course that would fulfill a mathematics course required for high school graduation.

*Status:* Introduced 1/29/19; assigned to House Committees on Education, and Rules.

**HB 2457 – school instruction; AIDS; homosexuality****SB 1415 – school instruction; AIDS; homosexuality**

Removes language prohibiting the inclusion in its course of study instruction that:

- Promotes a homosexual life-style.
- Portrays homosexuality as a positive alternative life-style.
- Suggests that some methods of sex are safe methods of homosexual sex.

*Status* of HB 2457: Filed.

*Status* of SB 1415: Introduced 2/5/19; assigned to House Committees on Education, and Rules.

**HB 2578 – schools; sex education**

Current law requires a school board to develop procedures that notify parents of the right to “opt in” to a sex education curriculum for their child; this bill would revise that to an “opt out” option. Requires all districts to provide a sex education curricula that is medically accurate and comprehensive and permits Arizona Department of Education (ADE) to provide curricula assistance at the request of the district.

*Status*: Filed.

**HB 2739 – schools; health education curriculum**

- Removes the language permitting parents the right to opt out of instruction on the acquired immune deficiency syndrome
- Requires districts to adopt an age appropriate comprehensive health education curriculum that educates students on healthy relationships; sexual violence prevention, and consent and coercion.

*Status*: Filed.

**SB 1177 – home school district, special education**

Defines *home school district* as either:

- the school district or charter school that the child last attended; or
- the school district in which the person resides who has legal custody of child if the child has not previously attended a public school in this state.

*Status*: **SIGNED by the Governor 4/20/19.**

**SB 1184 - schools; economics; personal financial management**

Directs State Board of Education (SBE) to require at least a one-half course credit in economics for high school graduation, which includes financial literacy; and personal financial management.

ASBA is neutral.

*Status*: **SIGNED by the Governor 4/11/19.**

**SB 1251 – schools; sexual abuse prevention education**

Requires districts/charters to establish education/training on sexual abuse prevention for employees and students using ADE-developed guidelines and curricula

*Status*: Assigned to Senate Committees on Education, and Rules on 1/29.

**SB 1252 – schools; sex education curriculum**

- Current law requires a school board to develop procedures that notify parents of the right to “opt in” to a sex education curriculum for their child; this bill would revise that to an “opt out” option.
- Requires all districts to provide a sex education curricula that is medically accurate and comprehensive and permits Arizona Department of Education (ADE) to provide curricula assistance at the request of the district.
- Requires districts to provide sex education instruction for K-12 students. Instruction must include information on:

- Contraceptive use to prevent pregnancy and sexually transmitted infections
- Human physical, social and emotional maturation
- Critical thinking and decision-making
- Communication

*Status:* Assigned to Senate Committees on Education, and Rules on 1/29.

### **SB 1329 – schools; recess; definition**

Redefines *recess* as a time period during a regular school day when a pupil is able to engage in physical activity or social interaction with other pupils, including time during a scheduled lunch period.

*Status:* Passed the Senate. On 3/12, assigned to House Committees on Education, and Rules.

### **SB 1387 – textbooks; representation; disabilities; sexual orientation**

Requires district's to ensure that textbooks and supplemental materials selected for use include "fair, accurate, inclusive and respectful representations of persons with disabilities and persons who are lesbian, gay, bisexual or transgender".

*Status:* Introduced 2/4/19; Assigned to Senate Committees on Education, and Rules.

## **SCHOOLS – Employees / Employment**

### **HB 2002 – educators; ethics; professional responsibility**

Directs State Board of Education (SBE) to adopt rules to provide for an Educator Code of Ethics and Professional Responsibility

Provisions include:

- [unspecified] enforcement mechanisms for appropriate professional and ethical behavior by certificated teachers;
- Prohibit taxpayer-supported teachers from engaging in "political, ideological or religious advocacy" in their classrooms;
- Requirement of 3 continuing education instruction on responsibilities under this rule, and
- Defines controversial issue as an issue that is a point in political party platform at the local, state or federal level.

*Status:* [On 4/25, assigned to House Rules Committee.](#)

### **HB 2007 - ASRS; political subdivision plans; adjustments**

Adjusts the amount a political subdivision must pay to the Arizona State Retirement System (ASRS) and prohibits employees from receiving service credit from two separate public retirement systems for the same period of employment.

- Requires the political subdivision to pay to ASRS the amount equal to the present value of the costs of benefits to service for the political subdivision using the actuarial assumptions approved by the Board.
- Specifies that an employee is ineligible to receive service credit from ASRS for the same period of employment if an employee of a political subdivision receives or is eligible to receive retirement benefits from that public employee retirement system.
- Allows an employer to correct a contributions error if the adjustment is made within the same fiscal year that the contributions were due and if the employer obtains written consent from the employee.
- Outlines the manner in which the employer may correct a contributions error pursuant to statute.

*Status:* **SIGNED by the Governor 3/22/19.**

### **HB 2008 – duty to report; supervisor; administrator**

Requires the immediate or next-higher-level supervisor or administrator of a person responsible for the care or treatment of a minor other than a parent, stepparent, or guardian to report a reasonable belief of abuse, physical injury, neglect, or deprivation of care developed in the course of employment.

- Adds an immediate or next higher-level supervisor or administrator of a person with the duty to report to the list of mandatory reporters if that supervisor or administrator has a reasonable belief that the minor is or has been the victim of an outlined offense.
- Excludes an immediate or next higher-level supervisor or administrator from the duty to report if the supervisor or administrator *reasonably believes* that the report has been made by a person who is required to report.

*Status:* **SIGNED by the Governor 4/11/19.**

#### **HB 2015 – school employees; statements; employer discipline**

- Expands list of school resources that is prohibited from use to influence an election or espouse personal belief to include “school time” unless statements are “germane to the subject matter of the class or activity”.
- Permits an enrolled student’s parent to initiate a lawsuit alleging violation under this statute. Funds collected as a result must be transferred to the State’s General Fund.

*Status:* Introduced 2/5/19; assigned to House Committees on the Education (passed 2/18); Judiciary (withdrawn 2/21) and Rules.

#### **HB 2016 – public school teachers; harassment; discipline**

A district/charter teacher may not “harass, intimidate or harm any parent, pupil or other public school employee”. Doing so will subject the teacher to disciplinary action.

*Status:* [Assigned to House Rules Committee 4/25.](#)

#### **HB 2032 – school employees; statements; employer discipline** *NOW*

*Formerly* - early ballots; tabulation period

*Originally* - **Formerly** charter schools; public meetings

A second strike-everything amendment was passed during the discussion of this bill. HB 2032 now prohibits a person, acting on behalf of a school district or charter school or who aids another person acting on behalf of a school district or charter school, from using speech or curricula during school time with the intent to influence or change a student's political ideology or religious belief.

~~HB 2032 originally required charter schools to comply with the provisions of the state’s Open Meeting Law. Following the passage of a strike-everything amendment in the Elections Committee, the bill now authorizes the county recorder to begin tallying early ballots 14 days before election day.~~

*Status:* On 2/27, assigned to Senate Committees on Judiciary (withdrawn 3/27); Appropriations (amended and passed 4/2), and Rules.

#### **HB 2364 – school supplies grants pilot program**

- Directs Arizona Department of Education (ADE) to conduct a 1-year teacher school supplies grants pilot program.
- Arizona Department of Education (ADE) to select participants on a first-come, first-served basis.
- Selected teachers are eligible for a grant of up to \$200 to purchase school supplies for use in the teacher's classroom beginning SY 2019-2020.
- Appropriates \$12,000,000 for program; permits ADE to retain up to 5% for program administration.

*Status:* Failed in the House; amendment to reconsider within 14 days passed 3/4. Reconsidered, amended and failed in the House 3/11 on a 29-31 vote.

#### **HB 2525 – experience teacher retention pilot program**

Directs Arizona Department of Education (ADE) to establish a three-year experienced teacher retention pilot program. Program participants, who are selected on a first-come, first-served basis, are eligible to receive a 75% discount on universities governed by the Arizona Board of Regents for the duration of the pilot program.

- Teachers eligible to participate:
  - A certificated teacher who has been employed at one or more AZ district/charters for a total of at least 10 years.
    - Their spouse
    - Their dependent
  - A certificated teacher who has been employed at one or more AZ district/charters for at least 3 years but fewer than 10 years.
- Requirements:
  - Participant must sign a contract with the Arizona Department of Education (ADE) to continue to teach in an AZ public school for at least 2 years after obtaining the graduate degree.
    - Must repay tuition if participant's certificate revoked or fails to fulfill service requirement
- Appropriations to the Arizona Department of Education (ADE) for the costs of the experienced teacher retention pilot program:
  - In FY 2019-2020, \$2,500,000.
  - In FY 2020-2021, \$5,000,000.
  - In FY 2021-2022, \$7,500,000.
  - In FY 2022-2023, \$10,000,000.
  - In FY 2023-2024, \$10,000,000.
- The amount of monies appropriated in the previous fiscal year is appropriated in FY 2022-2023 to the Arizona Department of Education (ADE) for distribution to the persons or entities that are selected to study the impact of the experienced teacher retention pilot program.
- Arizona Department of Education (ADE) may retain up to 2% of the monies appropriated each fiscal year to administer the pilot program.

ASBA supports.

*Status:* Amended and passed the House. Transmitted to the Senate 3/6 and assigned to Committees on Higher Education and Workplace Development (amended and passed 3/18); Appropriations, and Rules.

### **HB 2632 – teacher recruitment and retention**

Establishes the Arizona Teacher Recruitment and Retention Incentive Program as a partnership between AZ universities and participating school districts to develop teaching fellows program

- Juniors/Seniors in undergraduate program to train teachers permits will receive \$5K stipend annually for:
  - program participation;
  - one year of student teaching, and
  - first 3 years of district employment.
    - 3<sup>rd</sup> year district employment stipend to be at least twice the amount paid during first year
    - Fellowship expires at end of third calendar year after graduation
- Current teachers to train towards master's or doctoral degrees
  - \$5K annual for each year of study
  - Fellowship expires at end of 3 consecutive years or attainment of grad degree
- Applicant districts will be selection criteria includes extent of district's need for teachers due to vacancies and the length of time positions have been vacant
- \$5,000,000 is appropriated from the state general fund in fiscal year 2019-2020

*Status:* Filed.

### **HB 2647 – teacher resignation; contract damages**

- Permits district certificated teaching contracts, issued on/after 1/1/2020, to contain a liquidated damages provision of no more than \$500.
- Prohibits a teacher's resignation after signing/returning contract, unless:
  - Board approves resignation, or
  - For contracts signed/returned effective in succeeding year, written resignation:
    - Must be submitted to be effective at end of current year
    - And must be at least 90 days before students report for new year
- Teacher who complies with these requirements:
  - "not deemed" to have committed an unprofessional act on the basis of resignation, and
  - Is not subject to any discipline/penalty by the State Board of Education (SBE) for the resignation

*Status:* Filed.

#### **HB 2650 – teachers; contracts; salary reductions**

- Requires district to issue teaching contracts to:
  - probationary teachers between March 15 and May 15, unless notice not to offer a contract is provided on/before April 15.
  - continuing teachers between March 15 and May 15, unless notice not to offer a contract is provided on/before May 15.
- Requirement that board must give notice to the teacher of its intention to suspend without pay or dismiss the teacher is extended from 10 to 30 days.
- Allows a teacher "not less than 85 instructional days" to correct inadequacy of classroom performance from date of written preliminary notice.
  - If not corrected, Board dismissal date is extended from 10 to 30 days.
- Removes statutory language addressing career ladder program.
- Teachers must be notified of general salary reductions no later than May 15 before the fiscal year in which the reduction is to take effect.

*Status:* Introduced 2/14/18; assigned to House Committees on Education, and Rules.

#### **HB 2652 – teacher evaluations; academic progress measures**

Expands on the State Board of Education (SBE)'s teacher/principal evaluation model framework. Provisions include:

- Quantitative student academic progress data
  - Is reduced from "33%-50%" to not more than 25% of the evaluation outcomes.
  - Must be directly attributable to the teacher being evaluated.
  - Permits exclusion of data for students who were not enrolled for a full academic year.
- Academic progress measures
  - Must include demonstrated academic growth and proficiency
  - May be calculated using data including
    - State-administered assessments,
    - Student learning objectives,
    - LEA benchmark assessments,
    - Formative or summative assessments, and
    - School achievement profiles
  - districts/charters shall determine the appropriate weight of any evaluation component
    - quantitative data may not exceed 20% of the evaluation outcomes.
- *Academic progress* defined as the measurement of a student's learning of grade level content standards.
- Directs State Board of Education (SBE) to adopt certification rules that allow sub teachers who can demonstrate primary teaching responsibility in a classroom to use the time spent in that classroom toward the required capstone experience for standard teaching certification.



*Status:* Introduced 2/14/18; assigned to House Committees on Education, and Rules.

**HB 2654 – repeal; college credit by examination**

- Removes State Board of Education (SBE)’s ability to use “qualifying examinations for college credit by examination incentive program” to establish an assessment, data gathering and reporting system for student performance
- Directs State Board of Education (SBE) to adopt certification rules that allow sub teachers who can demonstrate primary teaching responsibility in a classroom to use the time spent in that classroom toward the required capstone experience for standard teaching certification.

*Status:* Filed.

**SB 1010 - ASRS; waiting period; repeal**

Repeals statute that prohibits a state employee from becoming a member of the Arizona State Retirement System (ASRS) before the 27th week of employment.

ASBA is neutral.

*Status:* Passed the Senate. Assigned to House Committees on Government (passed 3/7), and Rules 2/26.

**SB 1016 - ASRS; ineligible contributions; unfunded liability**

Requires employers in the Arizona State Retirement System (ASRS) to pay the unfunded liability for ineligible contributions. Provisions:

- Requires an ASRS employer that has paid contributions on compensation that is not eligible by statute or rule for ASRS contributions to pay to ASRS any unfunded liability resulting from the provision of benefits or credit to the person.
- Applies current statute to contributions made on behalf of any person who is not eligible by rule, in addition to statute.
- Redefines *unfunded liability* to include contributions on compensation that is not eligible by statute or rule for ASRS contributions, the difference, if any, of the amount that the present value of a person's benefit or credit, using the actuarial assumptions approved by ASRS, exceeds the amount of the present value of the benefit or credit the person would receive if the ineligible contributions, and the compensation and credit associated with those ineligible contributions, had not been reported to ASRS and the amount in the person's ASRS account that is associated with the ineligible contributions on compensation.

ASBA is monitoring.

*Status:* **SIGNED by the Governor 4/20/19.**

**SB 1017 - ASRS; paying interest; authorization**

Prohibits the Arizona State Retirement System (ASRS) from paying interest on any amount to a member, an alternate payee or an employer, unless specifically authorized by retirement statutes.

ASBA is monitoring.

*Status:* **SIGNED by the Governor 3/17/19.**

**SB 1018 - ASRS; compensation; definition**

Bifurcates, by date of hire, the definition of *compensation* for the Arizona State Retirement System (ASRS) members, and revises that definition for members hired on or after January 1, 2020. Provisions:

- *Compensation* defined, for those members of the ASRS who are hired on or after January 1, 2020, as only gross wages paid to a member by the employer for services rendered to the employer during the period considered as credited service, including amounts reported as wages and tips and other compensation on the member's federal form W-2 wage and tax statement, including pretax deductions, except for:
  - payments made for accrued leave that is not being used to replace regular work hours, whether paid in a lump sum or in installments;



- payments made on termination from employment, whether paid in a lump sum or in installments or as a bonus or an incentive for termination or retirement;
- employer-paid contributions that are made to, and any distributions from, plans, programs or arrangements qualified under the Internal Revenue Code (IRC), e.g., deferred compensation plans;
- payments for allowances;
- reimbursements for employee business expenses or employee personal expenses;
- employer-paid contributions for coverage under, or distributions from, an accident, health or life insurance plan, program or arrangement;
- payments made in lieu of any employer-paid insurance coverage;
- workers' compensation, unemployment compensation payments and disability payments;
- merit awards;
- payments paid pursuant to a court order or settlement agreement;
- payments made in the form of goods or services in lieu of gross wages;
- any other payment that is not reported as wages and tips and other compensation on the member's federal form W-2 wage and tax statement;
- payments in excess of IRC limits;
- payments for any other employment benefit; and
- payments for which employer or employee contributions have not been paid.

ASBA is monitoring.

*Status:* [Passed the House; transmitted to the Senate 4/30. Passed the Senate and transmitted to the Governor 5/1.](#)

### **SB 1051 - high quality teacher pilot program**

Extends funding for the High-Quality Teacher Professional Development Pilot Program (Program) through FY 2022. Provisions include:

- Appropriates \$200,000 from the state General Fund to Arizona Department of Education (ADE) in each of FYs 2020 through 2022 to fund scholarships and grants provided through the Program.
- Extends the Program from July 1, 2020, to July 1, 2023.
- Delays, from July 2, 2022, to July 2, 2025, the repeal of the Program's statutory authorization.
- Allows Arizona Department of Education (ADE) to retain up to three percent of appropriated monies to offset administrative costs.
- Exempts the appropriations from lapsing.

ASBA supports.

*Status:* Passed the Senate 2/4. Assigned to House Committees on Education (passed 3/4); Appropriations (passed 3/6), and Rules.

### **SB 1071 – school districts; personnel evaluations**

Replaces the State Board of Education (SBE) model framework and guidelines for teacher and principal evaluation instruments with requirements for teacher and principal evaluation systems established by a school district governing board (governing board). Provisions include:

#### ***State Board of Education (SBE):***

- Removes the requirements that State Board of Education (SBE) adopt:
  - a model framework for a teacher and principal evaluation instrument;
  - guidelines for school districts and charter schools to use in evaluation instruments; and
  - best practices for professional development and evaluator training.
- Removes State Board of Education (SBE) authority to adjust the model framework to align with state assessment or data changes, and removes requirements that the model framework:
  - account for between 33 and 50 percent of evaluation outcomes using quantitative data on student academic progress; and

- include the four performance classifications. Reinserted by amendment.

### ***Governing Boards and Charter Schools***

- Replaces the requirement that a governing board establish a teacher performance evaluation system that meets State Board of Education (SBE) requirements with a requirement that a governing board establish a system that:
  - is designed to improve teacher performance and improve student achievement; and
  - accounts for between 20 and 33 percent of the evaluation outcomes using quantitative data on student academic progress on the statewide assessment, or an assessment from the menu of assessments for high school students in a district that uses the menu.
- Replaces the requirement that a principal performance evaluation system meet State Board of Education (SBE) requirements and be used to annually evaluate principals with the requirement that a governing board adopt principal evaluation policies that:
  - are designed to improve principal performance and improve student achievement;
  - require quantitative data on student academic progress on the statewide assessment, or another assessment on the menu of assessments for high school students, to account for between 20 and 33 40 percent of the evaluation outcomes;
  - describe the principal performance evaluation methods, including the data used to measure student performance and job effectiveness; and
  - describe the formula used to determine evaluation outcomes.
- Removes the requirement that governing board policies describe:
  - the principal evaluation instrument, including the four performance classifications;
  - alignment of professional development opportunities with principal evaluations;
  - incentives for principals in the two highest performance classifications;
  - multiyear contracts;
  - incentives to work at schools assigned a D or F letter grade; and
  - transfer and contract processes for principals in the two lowest performance classifications.
- Removes the requirement that a charter school use an instrument that meets State Board of Education (SBE) requirements to annually evaluate teachers and principals.
- Removes the requirement that a charter holder principal evaluation instrument apply to each charter school's instructional leader with the primary responsibility of overseeing the school's academic performance and the exemption for a charter holder officer, director, member or partner.
- Removes the requirement that school districts and charter schools adopt definitions for performance classifications in a public meeting and apply the classification to the evaluation instruments in a manner designed to improve principal and teacher performance.
- Removes the requirement that governing boards discuss aggregate teacher and principal performance classifications at least annually at a public meeting.
- *Performance classifications* redefined to mean classifications adopted by a governing board.

ASBA supports.

*Status:* [Passed the House and transmitted to the Senate 4/30. Passed the Senate 5/2 and transmitted to the Governor.](#)

### **SB 1079 - ASRS; long term disability program**

Expands consideration of members of the Arizona State Retirement System (member) with disabilities to include members unable to perform one or more duties of the occupation. Authorizes the Arizona State Retirement System (ASRS) to investigate falsified information or records related to Long-term Disability Program (LTD) eligibility or benefits. Provisions include:

- Considers a member to have a disability if during the first 30 months of a period of disability, based on objective medical evidence, the member is unable to perform one or more duties of the member's occupation, rather than being unable to perform all duties of the member's position.

- Allows the ASRS or its contracted administrator to investigate information that indicates falsification related to LTD eligibility or benefits.
- Allows ASRS, its contracted administrator or an authorized third party to collect and examine any statement or evidence related to falsification.
- Excludes, from the requirement of a minimum \$50 monthly LTD benefit, members who receive 100 percent of their pre-disability monthly compensation

ASBA is monitoring.

*Status:* [Passed the House and transmitted to the Senate 5/1. Passed the Senate transmitted to the Governor 5/2.](#)

### **SB 1130 – employees; school conferences; leave**

Requires employers to grant an employee leave of up to 16 total hours during a school year to attend school conferences or activities

*Status:* Introduced 1/22/19; assigned to Senate Committees on Commerce; Education, and Rules.

### **SB 1350 – teachers; administrators; civics education training**

Requires district/charter’s certificated teachers/administrators to complete civics education training as a condition of certification. By 8/1/2020, must correctly answer at least 60% of the 100 questions “on a test that is identical to the civics portion of the naturalization test used” by the U.S. Citizenship and Immigration Services.

Requirement does not apply to noncertificated employees.

*Status:* Introduced 2/4/19; assigned to Senate Committees on Education, and Rules.

### **SB 1385 – noncertificated school employees; due process**

Requires a district to adopt and administer personnel policies that provide noncertificated personnel with “substantially equivalent due process procedures” as those prescribed for certificated teachers.

*Status:* Introduced 2/4/19; assigned to Senate Committees on Education, and Rules.

### **SB 1390 – school personnel; reporting; drug offenses**

Amends ARS §13-3411 regarding possession, use, sale or transfer of drugs in a drug free school zone. Removes the requirement that all school personnel “who observe a violation of this section shall immediately report the violation to a school administrator. The administrator shall immediately report the violation to a peace officer. It is unlawful for any school personnel or school administrator to fail to report a violation...”.

*Status:* Introduced 2/4/19; assigned to Senate Committees on Judiciary, and Rules.

### **SB 1419 – schools; teacher performance evaluations**

Revises the requirements for teacher and principal evaluations. Provisions include:

- Revises requirement that the model framework account from between 33% and 50% to zero and 20% of evaluation outcomes using quantitative data on student academic progress.
- Requires framework to exclude students who were not enrolled in a school for a full academic year from the student academic progress data.
- For teachers who did not instruct students in the statewide assessment’s tested content areas, excludes use of quantitative data associated with the assessment from the teacher’s evaluation.
- Directs State Board of Education (SBE) to adopt certification rules that allow sub teachers who can demonstrate primary teaching responsibility in a classroom to use the time spent in that classroom toward the required capstone experience for standard teaching certification.
- Observations
  - Reduces actual classroom observations by the evaluator from 2 observations to 1.
  - Removes requirement for at least 60 calendar days between first and last observations.
  - Removes prohibition preventing observations to be conducted within 2 instructional days of any scheduled period in which school is not in session for one week or more.

- Permits evaluator to “use a series of informal walk-throughs” throughout the school year to determine teacher performance.

*Status:* Introduced 2/5/19; assigned to Senate Committees on Education, and Rules.

### **SB 1420 – schools; teacher omnibus**

- Subjects charter schools’ teachers/administrators to same certification and fingerprint requirements as those at districts
- Revises certification requirements
  - Directs State Board of Education (SBE) to prescribe certification rules for teachers from another state that are not “unnecessarily restrictive” and that are “substantially similar” to rules prescribed for Arizona teachers.
  - Directs State Board of Education (SBE) to adopt certification rules that allow sub teachers who can demonstrate primary teaching responsibility in a classroom to use the time spent in that classroom toward the required capstone experience for standard teaching certification.
  - Renames *Subject matter expert standard* teaching certificate to *Specialized* teaching certificate
  - Standard certificate renewal reduced from 12 to 8 years
- Alternative teacher and administrator preparation programs
  - Removes language directing rules for the programs to be substantially different from the rules adopted for the approval of traditional preparation programs
  - Removes nonprofit organizations and private entities from those permitted to provide program
  - Prescribes program requirements
  - Graduates to be qualified with a Specialized teaching certification to classroom teachers with expertise in either Science, Technology, Engineering or Mathematics.
    - May teach in grades 6-12
    - If applicable, must complete training in structured English immersion
- Specialized teaching certificate not required for classroom teacher to teach grades 6-12 STEM courses; Certificate eligibility requires:
  - Having taught Science, Technology, Engineering or Mathematics for the last 2 consecutive years, and
  - for a total of at least 3 years at one or more regionally/nationally accredited postsecondary institutions.
  - Has either a baccalaureate degree, a master's degree or a doctoral degree
    - in an academic area specific to Science, Technology, Engineering or Mathematics, or
    - passed a State Board of Education (SBE)-recognized statewide educator assessment in Science, Technology, Engineering or Mathematics
    - obtains valid fingerprint clearance card
- Reciprocal Teaching Certificates
  - requires passing that state’s subject knowledge and professional exams
  - State Board of Education (SBE) prohibited from reciprocal certificate issuance until all certification requirements have been met
  - A person is not required to take the proficiency examination if the person possesses a comparable valid certification from another state and is in good standing with that other state
  - Subject knowledge proficiency exam not required if applicant holds a Master’s degree

*Status:* Introduced 2/5/19; assigned to Senate Committees on Education, and Rules.

## **SCHOOLS - Elections**

### **HB 2304 – school districts; overrides; ballot question**

Changes ballot language in override ballot from *budget increase* to *local support*.

*Status:* Introduced 1/30/19; assigned to House Committees on Ways & Means (failed on a 5-5 vote 2/20); Education, and Rules.

**HB 2330 – school districts; overrides; assessed valuation**

In determining the average assessed value of an owner-occupied residence, the time period of evaluation is increased from the current year, to the “previous 5 years or the previous 10 years, whichever is greater”

*Status:* Introduced 1/30/19; assigned to House Committees on Ways & Means; Education, and Rules.

**HB 2331 – school districts; override language; SFB**

If the intent of an override election is to exceed district additional assistance, removes requirement for information previously required to be included in the information pamphlet:

- an executive summary of the school district's most recent capital improvement plan submitted to the school facilities board be
- A complete list of each proposed capital improvement that will be funded with the budget increase and a description of the proposed cost of each improvement, including a separate aggregation of capital improvements for administrative purposes as defined by the school facilities board.

*Status:* Introduced 1/30/19; assigned to House Committees on Ways & Means; Education, and Rules.

**SCHOOLS – Funding**

**HB 2022 – empowerment scholarships; financial oversight; treasurer**

Regarding empowerment scholarship accounts, sets forth that the state treasurer has “exclusive authority” to oversee and manage the issuance of requests for proposals; the selection of payment processing vendors, and the execution of vendor contracts and providers of goods and services.

*Status:* [On 4/25, assigned to House Rules Committee.](#)

**HB 2035 – school districts; procurement charter schools**

Subjects school districts to the same procurement laws and procedures that apply to charter schools beginning in the 2019-2020 school year.

*Status:* [On 4/25, assigned to House Rules Committee.](#)

**HB 2563 – education funding; use tax; TPT**

Specifies distribution of revenues generated by taxes. Revises requirements for use of Classroom site fund. Removes language directing fund allocations regarding performance-based compensation and employment-related expenses.

- Revises list of permissible fund distributions, adding:
  - Educational interventions.
  - Voluntary full-day kindergarten.
  - Increased cost of additional school days that were enacted in 2000.
  - *Student support services* defined as “any expenditure in the student support services function as defined in the Uniform System of Financial Records”.
  - Tutoring.
  - Character development.
  - Career and technical education.
  - school safety.
  - accountability purposes.
- Removes from list of permissible fund distributions:
  - assessment intervention programs, and

- teacher liability insurance premiums.

*Status:* Introduced 2/12/19; assigned to House Committees on Ways & Means (withdrawn 2/14); Education (amended and passed 2/18), and Rules.

### **SB 1345 – education funding; TPT; use tax**

Establishes new revenue distributions for education and the Classroom Site Fund (CSF) subject to an amendment to the Arizona Constitution. Conditions the enactment of this legislation on the affirmative vote of the people of a resolution at the next general election

*Status of SB 1345:* Introduced 1/31/19; assigned to Senate Committees on Education (discussed and held 2/19), and Rules.

### **HB 2649 – school funding; inflation adjustments**

Increases the amount of school additional assistance for districts/charters by at least 2%, beginning 2019-2020. For FY 2020-2021 forward, amount to be increased by a minimum growth rate of 2% or the change in the GDP price deflator, whichever is less. Assistance may not be reduced below the base level established for FY 19-20.

*Status:* Introduced 2/14/19; assigned to House Committees on Appropriations, and Rules.

### **HB 2653 – school funding task force**

Establishes a School Funding Task Force within the Arizona Department of Education (ADE) with membership to be determine by the Superintendent of Public Instruction. Task force charged with reviewing the current school funding formula and examine each of the following to determine whether the current school funding formula could be modernized and improved:

- The availability and cost of modern education technology.
- School capital.
- Transportation.
- Online instruction.
- Modern student populations and the needs of those students.
- The best practices and most efficient methods to provide educational resources.
- The cost of educating and providing services to students with special needs, including:
- Students with incarcerated or deceased parents.
- Students in foster care and other forms of state custody.
- The costs to provide support for the psychological and emotional needs of students.

*Status:* Introduced 2/14/19; assigned to House Committees on Education, and Rules.

### **HB 2689 – schools; qualifying tax rate levy**

- Tax for property not located in a school district raised from one-half to 75% of the qualifying tax rate per \$100 of assessed value.
- Raises the levy of additional tax in each school district from 50 to 75% of the applicable qualifying tax rate, per \$100 assessed valuation.

*Status:* Filed.

### **HB 2742 – schools; current year funding; elimination**

- Prohibits per pupil funding amounts to be calculated based on current year funding.
- Requires ADM to be calculated on a rolling 3-year average.
- Directs that a district's budget balance carryforward in any 1 fiscal year not exceed 4% of the district's revenue control limit for the current year.

*Status:* Introduced 2/13/19; assigned to House Committees on Appropriations; Education, and Rules.

### **HB 2744 – schools; poverty foster neglect weight**

Defines additional terms to be used for base support level computations:

- *POV* defined as a program for children living in poverty as verified by the Arizona Department of Education (ADE) based on rules that are adopted by the State Board of Education (SBE) and that incorporate poverty data published by the U.S. Census Bureau.
- *FH* is defined as a program for children living in foster homes as verified by the Department of Child Safety.
- *ND* is defined as a program for children living in facilities for neglected children as verified by the Department of Child Safety or in facilities for delinquent children as verified by the Department Juvenile Corrections.

*Status:* Introduced 2/13/19; assigned to House Committees on Appropriations; Education, and Rules.

### **SB 1022 - hours; seventh and eighth grades**

Decreases, from 1,000 to 890, the minimum number of hours 7<sup>th</sup> and 8<sup>th</sup> grade instructional programs must meet in a 180-day school year for an enrolled student to be considered a *full-time student* when calculating ADM. In definition of *full-time student*, includes 4<sup>th</sup> through 8<sup>th</sup> grade student at schools that operate on a 144-day school year who are enrolled in an instructional program that meets for the equivalent of the 890 hours required for a 180-day school year.

ASBA supports.

*Status:* **SIGNED by the Governor 4/1/19.**

### **SB 1050 – school districts; adjacent ways; water**

Permits a school district to use a portion of the monies generated from the special assessment for adjacent ways for expenses that are directly related to water supply systems or wastewater treatment systems.

*Status:* Introduced 1/15/19; assigned to Senate Committees on Education, and Rules.

### **SB 1080 - TPT; use tax; education**

Establishes new revenue distributions for education and the Classroom Site Fund (CSF) subject to an amendment to the Arizona Constitution. Provisions include:

#### ***Distribution of Revenues***

- Stipulates all monies collected, as outlined in the constitutional amendment, are distributed each fiscal year with 75% paid monthly to the CSF;
- Requires the qualified entities receiving monies to jointly present annually to a legislative committee tasked with workforce development regarding the use of monies.
- Requires the monies collected to be distributed in addition to any other appropriation, transfer or allocation of public or private monies from any other source and prohibits the monies from supplanting, replacing or causing a reduction in other school district, charter school university or community college funding sources.
- Conditions the enactment of this legislation on the passage of the constitutional amendment at the next general election contained in S.C.R. 1001.

#### ***Classroom Site Fund***

- Removes requirements, for districts/charters, to allocate the following amounts from the CSF:
  - 40 percent for teacher compensation increases, based on performance and employment-related expenses;
  - 20 percent for teacher base salary increases and employment-related expenses; and
  - 40 percent for maintenance and operation purposes.
- Removes requirements that CSF monies be spent for maintenance and operation purposes including:
  - class size reduction; (reinserted via amendment)
  - assessment intervention programs; and
  - teacher liability insurance premiums.
- Adds requirements that CSF monies be spent for the following purposes:
  - teacher compensation;

- educational interventions;
- voluntary full-day kindergarten;
- student support services;
- tutoring;
- school safety;
- career and technical education;
- character education; and
- accountability.
- Requires the Arizona Department of Education (ADE) to annually use \$86,280,500 from the CSF to fund basic state aid for schools.

#### ***Miscellaneous***

- Repeals A.R.S. § 42-5010.01 relating to the additional 0.6 percent TPT and use tax beginning in 2021.
- Repeals A.R.S. § 42-5029.02 relating to the distribution of revenues collected for education.
- Repeals A.R.S. § 43-1072.02 relating to a refundable tax credit.

ASBA is neutral.

*Status:* Amended and passed the Senate Committee of the Whole 3/4.

#### **SB 1101 - schools; calculated opportunity index**

Establishes a calculated opportunity index to provide funding for school districts and charters. Requires school districts to reduce their desegregation expenditures by the amount received from the index. Provisions include:

##### ***Calculated Opportunity Index***

- Requires the Superintendent of Public Instruction, by February 1, to annually determine the calculated opportunity index by finding:
  - the difference, rounded to the nearest tenth of a percentage point, between the average percentage of students eligible for free or reduced-price lunches at each Arizona school district or charter, and the statewide average percentage of students eligible for free or reduced-price lunches in districts/charters;
  - multiplying by 0.059;
  - dividing by 100;
  - dividing the school ADM by the school district or charter school ADM;
  - multiplying the result by the previous number resulting from the difference between the individual school and statewide average; and
  - adding the product for all schools within the school district or charter school.
- Establishes an equivalent measure that is recognized for participating in the free and reduced-price lunch program and other school programs dependent on a poverty measure, including the community eligibility provision for which free and reduced-price lunch data is not available, can be used to determine the calculated opportunity index.
- Stipulates if the statewide average percentage of students eligible for free or reduced-price lunches is greater than the average percentage of students eligible for free or reduced-price lunches at each school district or charter, use zero for the calculated opportunity index.

##### ***Base Support Level***

- Adds the school district's TEI or 1.00, whichever is greater, to the school district's calculated opportunity index.
- Adds 1.00 to the calculated opportunity index of a charter school.
- Multiplies the sum of the school district's TEI and the calculated opportunity index by the WSC, rather than multiplying the district's TEI by the WSC.

##### ***Desegregation Expenses***

- Modifies a school district's budget for desegregation expenses by subtracting the calculated opportunity index from that amount.



- Prohibits a school district from budgeting for desegregation expenses, if the calculated opportunity index is greater than the FY 2009 limit for desegregation expenditures.

ASBA supports.

*Status:* Amended and passed the Senate 3/6. Transmitted to the House and assigned to House Committees on Education (passed 3/25); Appropriations (discussed and held 4/4), and Rules.

### **SB 1102 – tax credit; public school projects**

- Establishes the Public School Innovation Project Program to award competitive grants to districts/charters for innovative education projects that have a proven track record of success of improving student achievement and relating technology, instructional delivery and material.
- Sets Innovation Project Selection Committee membership, duties and reporting requirements
- Allows tax credits for voluntary cash contributions to the Project Fund.
  - \$500 for single individual; \$1000 for married couple filing jointly

*Status:* Introduced 1/22/19; Assigned to Senate Committees on Finance; Education, and Rules.

### **SB 1171 – funding; gifted education programs**

Appropriates \$5 million to the Arizona Department of Education (ADE) for additional assistance for gifted education programs

*Status:* Introduced 1/24/19; Assigned to Senate Committees on Education (passed 2/19); Appropriations, and Rules.

### **SB 1230 - extraordinary special education needs fund**

Establishes eligibility requirements for Extraordinary Special Education Needs Grants (Grants). [Continuously](#) appropriates \$5,000,000 from the state General Fund to the Extraordinary Special Education Needs Fund (Extraordinary Needs Fund). Provisions include:

- Establishes that a school district or charter school is eligible for a Grant if either:
  - Arizona Department of Education (ADE) determines that the school's weighted student count subtotal for the following program funding categories is equal to at least 10% of its average daily membership for the prior fiscal year: HI; MD-R, A-R and SID-R; MD-SC, A-SC and SID-SC; MD-SSI; OI-R; OI-SC; P-SD; DD, ED, MIID, SLD, SLI and OHI; ED-P; MOID; and VI; or
  - the school is eligible for the small school weight and at least 20% of its total maintenance and operation budget from the prior fiscal year were special education expenditures.
- Allows a school to apply for and receive more than one Grant in the same school year, but limits, to \$200,000, the total amount a school may receive in the same school year.
- Transfers \$5,000,000 from the Special Education Fund to the Extraordinary Needs Fund in FY 2020.
- Transfers, from the State Board of Education (SBE) to the Arizona Department of Education (ADE), administration and application oversight of the Extraordinary Needs Fund.

ASBA supports

*Status:* Passed the House 2/27. Transmitted to the House and assigned to House Committees on Education (passed 3/11); Appropriations (amended and passed 3/13), and Rules 3/5.

### **SB 1256 – school districts; procurement practices; auditors**

- Removes the prohibition against a district from hiring the same auditor/auditing firm for more than 3 consecutive years
- Permits an auditor/auditing firm hired by a district to receive consulting fees from that district.
- Repeals the requirement that the SBE adopt rules for district procurement requiring contracts for materials, services, goods, construction or construction services to be awarded based on the lowest qualified bidder.

- Requires, by September 1, 2019, the School Facilities Board (SFB) to select three districts with ongoing or planned procurements of construction services using alternative project delivery methods to establish a School Procurement Consulting Pilot Program (Pilot Program). Requires:
  - One selected school to have an average daily membership (ADM) between 2,000 and 8,000, and two selected schools to have an ADM of less than 2,000.
  - Selected districts to agree to participate in the Pilot Program.
  - The selected districts' ongoing or planned procurements of construction services and alternative project delivery methods to be SFB-approved projects or locally-procured projects that are not submitted to or paid for through the SFB.
- Requires the SFB to provide technical assistance and procurement consulting services to the districts, including:
  - drafting specifications;
  - developing solicitations;
  - managing the procurement and construction processes; and
  - reviewing all bids, proposals, responses to requests for information, technical offers, statements of qualifications, specifications and protests.
- Requires the SFB to provide guidance and advice to a selected district's procurement evaluation committee, if any, and prohibits the SFB from serving as a voting member of the committee.
- Repeals the Pilot Program on February 16, 2021.

ASBA supports.

*Status:* **SIGNED by the Governor 4/11/19.**

#### **SB 1320 – empowerment scholarships; oversight; state treasurer**

Shifts oversight of Empowerment Scholarship Accounts (ESAs) from the Arizona Department of Education (ADE) to the State Treasurer's Office.

*Status:* Assigned to Senate Committees on Finance (passed 2/13), and Rules.

#### **SB 1344 – school counselors; grants**

If sufficient monies are appropriated beginning in the 2024-2025 school year, directs districts/charters to hire at least 1 school counselor for every 550 enrolled students.

- If school enrollment is less than 550 students, district/charter must either:
  - Hire 1 part-time counselor, or
  - Enter into an Intergovernmental Agreement with other district/charter to contract for counselor services
- *School Counselor* defined as a professional educator who holds a valid school counselor certificate issued by the State Board of Education (SBE).
- Directs State Board of Education (SBE) to issue certificate to school counselors who meet certificate requirements. Certificate must conform to standards adopted for school counseling programs by a national association of school counselors
- Prohibits employment of person as a school counselor after 6/30/2020 without State Board of Education (SBE) school counselor certificate
- Establishes the School Counseling Plan Grant Fund, administered by the Arizona Department of Education (ADE), to assist with the costs of school counseling plans
  - Arizona Department of Education (ADE) to establish application/selection procedures for grant distribution to schools, districts and charters.

*Status:* Introduced 1/31/19; Assigned to Senate Committees on Education; Appropriation, and Rules.

#### **SB 1395 – empowerment scholarship accounts; program revisions**

Continues empowerment scholarship accounts (ESA) renewal eligibility until the student graduates from high school, obtains a general equivalency diploma (GED) or reaches 22 years of age. Requires enrolled students to

annually take a standardized exam. Establishes the Arizona ESA Review Council (Council), which will terminate on January 1, 2023.

*Status:* Ready for the Senate Committee of the Whole 2/27.

#### **SB 1396 – empowerment scholarship accounts; qualified students**

- Defines as eligible for an Arizona empowerment scholarship a child whose family income does not exceed 185% of the income limit required to qualify a child for reduced price lunches under the National Lunch Program.
- Directs ADOR and Arizona Department of Education (ADE) to develop procedures to determine eligibility requirements.
- Authorizes the disclosure of confidential information to the Arizona Department of Education (ADE) to verify income eligibility.

*Status:* Introduced 2/4/19; assigned to Senate Committees on Finance, and Rules.

#### **SB 1522 – schools; special education weights; funding**

Revisions made to funding definitions and formulae:

- *Economically disadvantaged pupil* defined as a student who meets the economic eligibility requirements established under the National School Lunch Program for free or reduced-price lunches
- Includes in definition of a *gifted pupil* those “economically disadvantaged pupils and minority pupils who have been underrepresented in gifted education programs.
- In ADM calculations, *G* defined as educational programs for gifted pupils.
- “Group B” adds educational programs for gifted pupils.
- New formula issued for base support levels for FY 2023-2024 and each fiscal year thereafter.

*Status:* Introduced 2/6/19; assigned to Senate Committees on Education; Appropriations, and Rules.

#### **SB 1525 – concurrent coursework; average daily membership**

Following a strike-everything amendment passed in the House Education Committee on 3/4, this Bill now changes the formula for calculating average daily membership for high school students who are concurrently enrolled in a State community college or university. Provisions include:

- Requires ADM for classes at a community college/university be based on the community college or university credits earned by the student.
- Mandates that one-eighth ADM will be generated for each community college or university course in which three credits are earned.

*Status:* [Ready for the House Committee of the Whole 4/30.](#)

#### **SCR1001 – education; TPT; use tax**

Subject to voter approval, constitutionally establishes an additional one percent transaction privilege tax and use tax, beginning July 1, 2021. Provisions include:

- Beginning July 1, 2021, levies and collects a TPT and use tax for raising primary, secondary and higher education state revenues.
- Establishes the tax as a separate rate increment, in addition to the state TPT rates and the use tax rate, and is levied as follows:
  - one percent of the tax base for each TPT classification subject to a rate of at least 5 percent; and
  - one percent of the tax base for the use tax.
- Subjects the tax to the same exemptions, deductions and exclusions for each TPT classification and for the use tax.
- Specifies the net revenues from the tax will be credited to, and separately accounted in, the state General Fund and appropriated as follows:
  - 75 percent for primary and secondary classroom education purposes;

- 20 percent for maintaining an in-state tuition rate consistent as outlined in the Arizona Constitution and for technology and research initiatives; and
- 5 percent for community college trade and workforce development programs.
- Specifies the net revenues from the tax are not subject to distribution to counties, municipalities or other governmental entities.
- Stipulates the tax is not subject to the limitations on any tax, fee, stamp requirement or other assessment in effect on December 31, 2017.
- Requires the Secretary of State to submit the proposition to the voters at the next general election.
- Becomes effective if approved by the voters and on proclamation of the Governor.

*Status:* Passed the Senate Committee of the Whole 3/4.

## **SCHOOLS - Reporting**

### **HB 2241 – JLAC; political subdivisions; investigation**

Requires political subdivisions to comply with the Uniform Expenditure Reporting Systems using instructions and forms prescribed by the Auditor General. Permits the AG to investigate any entity violating this section.

*Status:* [Passed the Senate Committee of the Whole 4/17.](#)

### **HB 2243 – political subdivision; JLAC; shared revenues**

Requires political subdivisions to comply with the Uniform Expenditure Reporting Systems using instructions and forms prescribed by the Auditor General. Permits the AG to investigate any entity violating this section. Permits monies withheld from subdivisions in violation to be redistributed.

*Status:* Introduced 1/28/19; assigned to House Committees on Government (failed 2/21), and Rules.

### **HB 2697 – ADE; school safety report**

- Requires Arizona Department of Education (ADE) to submit, annually by December 15, a report with the number of specific incidents reported at each school site in the state:
  - Bullying
  - Fighting
  - Sexual Assault
  - Threatening
  - Intimidation
  - Harassment
  - Suicide
  - Hazing
  - Any other form of physical attack
- Permits Arizona Department of Education (ADE) to establish a survey to gather the information from each district/charter;
  - Information may not contain student identifiable data.
  - Must be posted on the Arizona Department of Education (ADE) website.

*Status:* Filed 2/21 and assigned to House Committees on Education, and Rules.

## **SCHOOLS - Students / Student Health**

### **HB 2024 – electronic smoking devices; restrictions; use**

Under the Smoke-free Arizona Act, defines:

- *Electronic smoking device* as “any device that can be used to deliver aerosolized or vaporized nicotine to the person inhaling from the device, including an e-cigarette, e-cigar, vape pen or e-hookah, and any component, part or accessory of the device, whether or not sold separately;” and “includes any substance that is intended to be aerosolized or vaporized during the use of the device”.
- To the definition of smoking, adds “the use of an electronic smoking device”.

*Status:* Introduced 1/15/19; assigned to House Committees on Health & Human Services, and Rules.

#### **HB 2352 – schools; immunizations; registered nurses; posting**

- Requires a charter school to post on its website whether the school has an assigned registered nurse; how student health issues are addressed, and the credentials, if any, of the school’s health service provider, if any.
- Requires a school to post on the district’s website and on each school’s website whether the school has an assigned registered nurse; how student health issues are addressed, and the credentials, if any, of the school’s health service provider.
- Includes charter schools to district/private schools’ requirement to report to the local and state health services the numbers of enrolled students and their status regarding immunizations or lack thereof. Each school must also annual post this information on its website.

*Status:* Filed [and assigned to the House Rules Committee 5/2.](#)

#### **HB 2385 – suspensions; expulsions; kindergarten; preschool**

This act may be cited as the "Too Young to Suspend Act".

- Prohibits the suspension or expulsion of a preschool or kindergarten student, unless the child:
  - “willfully caused, attempted to cause or threatened serious bodily injury to another person, except in self-defense.
  - On school property, possessed or furnished to another person a firearm, knife, explosive or other dangerous substance or object.”
- Permits district/charter, as an alternate to suspension/expulsion to:
  - transfer a preschool/kindergarten student to another school if a more appropriate special needs placement.
  - suspend the student pending an investigation.
- By March 1, 2020, directs the Superintendent of Public Instruction to issue guidelines regarding suspension/expulsion of preschool/kindergarten students, to include:
  - Length of suspension recommendations.
  - Requires district/charters to report “detailed information” on suspended/expelled preschool/kindergarten students.

*Status:* Filed.

#### **HB 2387 – medical marijuana; autism spectrum disorder**

##### **SB 1479 – medical marijuana; medical conditions**

Adds *autism spectrum disorder* to those “debilitating medical conditions” for which marijuana may be prescribed in Arizona

*Status* of HB 2387: Introduced 2/4/19; assigned to House Committees on Regulatory Affairs; Health & Human Services, and Rules.

*Status* of SB 1479: Introduced 2/5/19; assigned to Senate Committees on Health & Human Services, and Rules.

#### **HB 2470 – schools; immunization; religious exemption**

ARS 15-873(A)(1) allows an immunization exemption based on “personal beliefs”. This bill clarifies that a student at any level through grade 12 is eligible for a “religious exemption”.

*Status:* Ready for the House Committee of the Whole 2/26.

**SB 1114 – schools; immunization; religious exemption**

ARS 15-873(A)(1) allows an immunization exemption based on “personal beliefs”. This bill clarifies that a student at any level through grade 12 is eligible for a “religious exemption”.

*Status:* Introduced 1/22/19; assigned to Senate Committees on Education (failed 2/19), and Rules.

**HB 2505 – school immunizations; religious exemption**

ARS 15-873(A)(1) allows an immunization exemption based on “personal” beliefs. This bill revises the language from “personal” to “religious” beliefs.

*Status:* Introduced 2/4/19; assigned to House Committees on Education; Health & Human Services, and Rules.

**HB 2599 – medical conditions; medical marijuana**

Adds *opioid use disorder* and *autism spectrum disorder* to those “debilitating medical conditions” for which marijuana may be prescribed in Arizona

*Status:* Filed.

**HB 2715 – feminine hygiene products; public buildings**

Requires any public building that offers a restroom to the public to make available feminine hygiene products.

*Status:* Filed.

**SB 1009 – tobacco products; electronic smoking devices**

Adds electronic smoking devices to the definition of *tobacco product* as it relates to the sale and use of tobacco products by minors. Prescribes requirements for delivery sales of electronic smoking devices.

- Expands the definition of *tobacco product* to include:
  - any product made or derived from tobacco or containing nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means;
  - shisha, snuff, snus or an electronic smoking device; and
  - any component, accessory, instrument or paraphernalia that is used in the consumption of a tobacco product, whether or not it includes nicotine, or that is solely designed for smoking or ingesting tobacco or shisha.
- Exempts, from the definition of *tobacco product*, any product that is authorized for sale by the U.S. Food and Drug Administration (FDA).
- Defines *electronic smoking device* as:
  - a device that delivers aerosolized or vaporized nicotine by inhalation and any component, part or accessory of the device whether or not they are sold separately; and
  - any substance intended to be aerosolized or vaporized during the use of the device.
- Exempts electronic smoking devices from the definition of *tobacco product* as it relates to the prohibition on delivery sales.
- Requires retailers that engage in delivery sales of electronic smoking devices to implement age verification through an independent, third-party verification service to verify that purchasers are at least 21 years of age.
- Removes the definition of *vapor product*.

*Status:* Transmitted to the House 2/12. Assigned to House Committees on Health & Human Services (held 3/28), and Rules.

**SB 1026 - school pupils; emergency medication administration**

Permits a district/charter employee to administer epinephrine auto-injectors, naloxone and inhalers to a minor child without consent of a parent or guardian in the case of an emergency. Amendment passed in the House

Education Committee includes “private schools” and “preschools” as an entity in which emergency administration may occur.

ASBA is neutral.

*Status:* [Passed the House and transmitted to the Senate 4/30.](#)

#### **SB 1147 – tobacco products; vapor products**

A strike-everything amendment passed in the House Health & Human Services Committee on March 28<sup>th</sup>. ASBA had sent out an “Action Alert” regarding this bill prior to the Committee’s discussion. Their concern was that the bill was originally drafted to allow people over 21 to bring tobacco products onto campuses for personal use. The issue was resolved as a “drafting error” and taken out of the bill with a verbal amendment. ASBA remains opposed as language remains that forbids any political subdivision other than the state from regulating tobacco products, including e-cigarettes.

ASBA opposed.

*Status:* [Ready for the House Committee of the Whole 4/30.](#)

#### **SB 1149 – student suspension; admission**

Following a strike-everything amendment passed in the House Judiciary Committee on 3/27, this Bill’s provisions now include:

- Permits a district/charter to refuse to admit a pupil who is currently suspended or in the process of being suspended from another educational institution.
- Permits a district/charter that admits a student suspended from or in the process of being suspended from another educational institution to place that student in an alternative-to-suspension program.
- Requires a district/charter to admit a student who has completed all suspension time.
- Requires each charter school to establish an alternative-to-suspension program and to adopt policies regarding the requirements for participation in such a program.
- Requires a charter school to transfer a student who qualifies for an alternative-to-suspension program to a location isolated from other students or off the school premises.

*Status:* Ready for the House Committee of the Whole 4/2.

#### **SB 1201 – schools; immunization rate; website posting**

Requires each public school that maintains a website to post the immunization rate of its enrolled students.

*Status:* Introduced 1/28/19; assigned to Senate Committees on Education, and Rules.

#### **SB 1205 – school meals; water**

By 7/1/2020, requires districts/charters to provide access to free, fresh drinking water during all meal times in the food service area of each school. Permits compliance by “cups and containers of water” or soliciting/receiving donated bottle water.

*Status:* Introduced 1/28/19; assigned to Senate Committees on Education, and Rules.

#### **SB 1318 – schools; training; screening; dyslexia**

Requires the Arizona Department of Education (ADE) to develop a dyslexia plan and training opportunities that are intended to screen students for risk factors and to provide dyslexia specialists, support and resources to districts/charter schools. Provisions include:

- Directs ADE to designate a dyslexia specialist to provide school districts and charter schools with support and resources to assist students with dyslexia.
- Requires the ADE to annually develop a list of training opportunities related to dyslexia.
- Requires each district/charter to ensure that at least one K-3 teacher in each school will have received training related to dyslexia by July 1, 2020.



- Directs the rules developed for dyslexia training comply with professional development requirements and will include at least one online training opportunity.
- Mandates dyslexia training opportunities meet the following requirements:
  - comply with the knowledge and practice standards of an international organization on dyslexia that is designated by the ADE;
  - enable the teacher to understand and recognize dyslexia; and
  - enable the teacher to implement structured literacy instruction that is systematic, explicit, multisensory and evidence based to meet the educational needs of students with dyslexia.
- Requires, beginning on July 1, 2020, the SBE's rules for certification for common school instruction to include reading instruction that satisfies dyslexia training requirements.
- Requires the ADE to develop a dyslexia screening plan that:
  - ensures that each K-1 student is screened for risk factors of dyslexia within 45 days after the beginning of each school year or student enrollment occurs;
  - provides guidance for notifications sent by school districts to the parents of students who are identified as being at risk for dyslexia based on a screening of risk factors;
  - is developed collaboratively with ADE's dyslexia specialist and other experts on dyslexia, including representatives in this state of an international organization on dyslexia; and
  - Ensures that dyslexia screenings include the following:
    - phonological and phonemic awareness;
    - rapid naming skills;
    - correspondence between sounds and letters;
    - nonsense word repetition;
    - sound symbol recognition; and
    - identification of family history with difficulty in learning to read.
- Allows screenings of risk factors for dyslexia to be integrated with reading proficiency screenings.

ASBA is opposed.

*Status:* [Passed the Senate 3/4. Passed the House 4/29. Passed the Senate and transmitted to the Governor 5/2.](#)

### **SB 1346 – schools; tests; menu of assessments**

Modifies the statutory requirements for the menu of assessments and directs the State Board of Education (SBE) to adopt a plan for the development, implementation, and adoption of a new statewide assessment and menu of assessments. Provisions include:

#### ***SBE Plan for Statewide Assessment and Menu of Assessments***

- Directs the SBE to adopt a plan for the development, implementation, and adoption of a new statewide assessment and menu of assessments in grades 3-8 and 9-12 before July 2, 2019.
  - Requires this plan to include a timeline for implementation and the possibility of implementing the menu of assessments in grades 3-8 in the 2021-2022 school year.
  - Directs the Arizona Department of Education (ADE) to collaborate with a diverse group of Arizona educators and school administrators to revise and replace test items for the statewide assessment.
  - Contains a retroactivity clause that applies on July 1, 2019.

#### ***LEA Selection of Assessment from the Menu of Assessments***

- Extends to the 2023-2024 school year the deadline for an LEA that offers instruction in grades 3-8 to select an assessment from the menu of assessments instead the statewide assessment.
- Allows the SBE to designate which grades an LEA that offers instruction to grades 9-12 may administer an assessment from the menu of assessments.
- Directs the SBE to adopt policies, rules and procedures to carry out these statutory changes.
- Clarifies that any policy, rule, or procedure adopted may not require an LEA to receive additional approval from the SBE or ADE to select an assessment from the menu of assessments.

### ***Classroom Instruction***



- Requires those school districts that deliver instruction on AIDS and HIV to provide a description of the course curriculum for this instruction to all parents.

ASBA supports.

*Status:* **SIGNED by the Governor 4/11/19.**

### **SB 1399 – school health pilot program; appropriations**

Directs Arizona Department of Education (ADE) to develop and conduct a 3-year physical and health education professional development pilot program to develop the ability of each participating school's physical and health educators and related school staff to improve student health. Appropriates \$9,650,000 in FY 2019-2020 for the Program.

*Status:* Introduced 2/4/19; assigned to Senate Committees on Appropriations; Education (passed 2/19), and Rules.

### **SB 1456 – vision screening; schools; appropriation**

Appropriates \$100,000 to the Department of Health Services (DHS) for child vision screening. Provisions include:

- Requires schools to provide vision screening services to student:
  - upon initial entry to school and not more than two additional grade levels as prescribed by DHS rules;
  - who have not been screened in the last year and are receiving or being considered for special education services;
  - who have not been screened in the last year and whose teacher has made a request for the student to be screened; and
  - who are not reading at grade level by the third grade, if screening is not required in third grade under DHS rules.
- Requires a school nurse, volunteer or other school personnel to undergo training developed or approved by DHS to administer the vision screenings, except for persons who are trained prior to the effective date of this legislation.
- Prohibits a vision screening from satisfying the requirement that a medical professional complete a vision screening of a child, according to established guidelines, for pediatric care.
- Requires the school governing body to:
  - provide the vision screening results to the parent or guardian of a student who has not passed a vision screening within 45 days; and
  - comply with all applicable privacy laws.
- Requires the vision screening results of a student who has not passed a vision screening to:
  - identify that the student did not pass the vision screening and the need for a comprehensive eye and vision examination; and
  - state that a vision screening is not equivalent to a comprehensive eye and vision examination.
- Requires the school governing body providing vision screening services to provide annual data submissions that comply with student privacy laws to DHS.
- Stipulates that a student is not required to submit to any vision screening if:
  - the student's parent or guardian objects and submits a statement of the objection to the school for any reason, including if the student received a comprehensive eye and vision examination in the last year; or
  - the student has a current diagnosis of permanent vision loss.
- Allows DHS to:
  - develop and provide vision screening training to school nurses, volunteers or other school personnel;
  - provide schools with materials necessary for conducting vision screenings; and
  - compile any school vision screening data, excluding all individual-identifying information, for review and analysis by researchers, public agencies or any foundation, not for profit or organization that

provides free approved vision screening services or training, grants for vision screening services, eye glasses or examinations.

- Requires DHS:
  - to adopt rules to carry out the vision screening for children.
  - rules to include feedback from any public education programs required to implement the vision screenings.
  - to consult with ADE to adopt rules relating to vision screening services in schools.
- Prohibits DHS rules from requiring materials or equipment specific to any one provider.
- Appropriates \$100,000 from the state GF in FY 2020 to DHS for child vision screening services, including to purchase vision screening kits if monies are available.
- Defines:
  - *Comprehensive eye and vision examination* as a vision examination performed by an optometrist or ophthalmologist
  - *Department* as the Department of Health Services.
  - *School* as a school district or charter school that provides instruction in preschool, kindergarten programs and grades 1 through 12, or any combination of those programs or grades.
  - *Vision screening* means using a vision screen methodology approved or prescribed by rules adopted by the Department ... that, as age appropriate, include the evaluation of visual acuity, depth perception and color vision and that may include refraction.
  - *Vision screening services* are services that include identifying, testing and evaluating a child's vision and identifying the need for follow-up services....
  - *Volunteer* includes any individual or member of a foundation, not for profit or other organization that provides vision screenings and is invited to provide vision screenings by the school.

ASBA is opposed.

*Status:* Passed the Senate 3/5. Transmitted to the House 3/5 and assigned to House Committees on Health and Human Services (passed 3/28), and Rules.

### **SB 1468 – schools; suicide prevention training**

Requires the Arizona Health Care Cost Containment System Administration (AHCCCS) to make suicide awareness and prevention training available and requires districts/charters and Arizona teacher training programs to include suicide awareness and prevention training. Provisions include:

- Requires AHCCCS to make available and post to the AHCCCS website suicide awareness and prevention training that meets outlined requirements for districts/charters and teacher training programs.
- Requires, beginning in the 2020-2021 school year, districts/charters to provide the following at least once every three years to school guidance counselors, teachers, principals and other school personnel who work with pupils in grades 6 through 12:
  - training in suicide prevention;
  - training to identify warning signs of suicidal behavior in adolescents and teens; and
  - intervention and referral techniques.
- [Personnel required to take the training must complete the training once every three years.](#)
- Requires AHCCCS, by July 1, 2020, to identify or develop, and post on the AHCCCS website, a list of approved materials that schools may use to provide suicide awareness and prevention training and annually update the materials.
- Requires Arizona teacher training programs to include suicide awareness and prevention training that meets the same requirements as training provided by districts/charters.
- Requires suicide prevention training to use evidence-based training materials.
- Allows districts/charters to provide suicide awareness and prevention training within the framework of existing in-service training programs or as part of professional development activities.

- Indemnifies, from civil or criminal liability, school personnel and any other persons for good faith actions relating to suicide prevention training.
- Classifies as classroom spending school district implementation costs for the purposes of the Auditor General's annual report.

*Status:* Amended and passed the House Committee of the Whole 5/1. Passed the Senate and transmitted to the Governor 5/2.

## **SCHOOLS - Miscellaneous**

### **HB 2014 – schools; voluntary posting; abuse hotline**

Permits all schools to post a readily accessible sign that contains that contains an abuse/neglect hotline number; instructions to call 911 in an emergency; and directions for accessing DCS website for reporting of abuse, neglect and exploitation.

*Status:* Filed.

### **HB 2017 – public schools; closure**

- Prohibits a district/charter school from closing for any part of a regularly-scheduled school day, except for the following reasons:
  - An invasion, hostile attack, riot, insurrection or other act of violence;
  - An epidemic of disease or plague of insects;
  - A flood or floodwaters;
  - An act of God or any major disaster;
  - A wildfire;
  - Inclement weather that prevents the safe transportation of students to/from school;
  - Any other bona fide threat to the safety or security of the school.
- Sets a \$5,000 penalty for violation of this statute, the money to be used for costs of prosecution.
- To the statute that prohibits the use of public school resources from influencing an election, adds “or coordinating the closure of a school”.
- Defines *closure of a school* as “the cessation of operations or other closure of a school or any part of a school within a school district, an entire school district or a charter school for any portion of a day during regular school hours when the school is scheduled to be open for student attendance....”

*Status:* [Assigned to House Rules Committee 4/25.](#)

### **HB 2018 – state law violation; school districts**

At the request of a legislator alleging a state law/constitutional violation, requires the State Attorney General to investigate any “policy, procedure or other official action adopted or taken” by a district governing board or district employee acting in an official capacity.

Report must be submitted within 30 days; District budget limit reduced by \$5,000 per violation

*Status:* Filed.

### **HB 2077 – schools; consolidation; unification**

Requires every school district in Arizona to be a “Unified” district by July 1, 2024. Requires districts to annually determine the cost savings from any consolidation or unification with another district

Resulting cost savings will be retained and used for classroom expenditures with at least 25% to be used for teacher salaries.

*Status:* Introduced 2/11/19; assigned to House Committees on Education; Appropriations, and Rules.

### **HB 2083 – kindergarten; survey; report**

- Requires Arizona Department of Education (ADE) to conduct an annual statewide kindergarten survey on or before January 1, 2020 and each year after based on information that districts/charters submit as part of the K-3 reading program, including:
  - The reading proficiency of pupils in kindergarten programs and in grades 1, 2 and 3 at each school;
  - How full-day kindergarten instruction is funded at each school; and
  - How many hours per day of kindergarten instruction are provided at each school.
- Requires a summary of results of the survey and data collection to be included in the early literacy program report.

ASBA is neutral.

*Status:* Passed the Senate [and House 5/1; transmitted to the Governor.](#)

### **HB 2119 – school safety; reporting**

- Requires districts/charters to:
  - Prescribe/enforce policies/procedures for reporting any suspected crime that is a “serious offense”, as defined in the criminal code, or that involves a deadly weapon, a dangerous instrument, serious physical injury or conduct that poses a threat of death or serious injury to anyone on school property.
    - [Requires the policies to dictate a process for employees to document and report the conduct, including specifying the employees responsible for making a report to law enforcement.](#)
    - [Post the policies/procedures on its website by January 1, 2020.](#)
      - [Allows a link to the online manual of policies and procedures to be posted with a reference to the reporting/notification policies and procedures.](#)
  - Notify parent/guardian of [each student involved, subject to the requirements of federal law](#) ~~any student suspected of a crime.~~
- [ADE must develop a process by July 1, 2020 to verify the districts/charters have adopted the policies/procedures.](#)
- [Failure to adopt the policies/procedures will invalidate School Safety Program eligibility.](#)
- [Allows a person who fails to report a suspected crime/threatening conduct to be disciplined in the same manner as a person who violates districts/charters policies](#)
  - [Employee may be subject to](#) ~~Consider~~ dismissal ~~if violator is an employee.~~
  - Maintain a record that is available upon request to any school intending to hire that person.
- Permits information obtained through a background investigation, including any records that an employee or applicant for employment violated the policy of a district, be retained and provided to any other district/school that is performing a background investigation.
- Senate Judiciary Committee amended the bill to provide for a 30-day violation correction period before monies can be withheld for violating procedures.

*Status:* [Amended and passed the Senate on a 17-12 vote 4/25. Passed the House on a 31-27 vote 5/1 and transmitted to the Governor.](#)

### **HB 2139 – schools; consolidation; unification**

Following a strike-everything amendment passed in the Senate Appropriations Committee, this bill now requires all school districts to be unified school districts by July 1, 2024.

*Status:* On 2/27, assigned to Senate Committees on Judiciary (withdrawn 3/26), Appropriations (amended and passed 4/2), and Rules.

### **HB 2186 – [tuition; Arizona high school graduates](#) NOW**

*Formerly - school meals; unpaid fees*

[A strike-everything amendment passed in the Senate Health & Human Services Committee on 3/28. This revised bill now:](#)

- Requires the Arizona Board of Regents (ABOR) and each district board to establish the Arizona tuition rate for an individual who applies for admission to an Arizona university or community college after graduating from an Arizona public, private, charter or home school.
- Delegates to ABOR and district boards the authority to prescribe tuition rates and requires ABOR and district boards to:
  - verify that the individual's high school diploma meets the outlined requirements; and
  - treat all diplomas in the same manner.
- Excludes postsecondary education from the definition of a *state or local public benefit* as prescribed.

~~Establishes the requirements for local education agencies (LEA) to provide school meals to pupils who request them and outlines the conditions of collection of payment and policies to which an LEA must adhere. Provisions include:~~

- ~~• Requires a school to provide a school meal to a pupil who requests it.~~
- ~~• Prohibits an LEA from publicizing or disciplining individuals with unpaid school meal fees.~~
- ~~• Requires an LEA to establish a policy for resolving unpaid school meal fees.~~
- ~~• Allows LEA to collect unpaid school meal fees but prohibits the LEA from using a debt collector to do so.~~
- ~~• Allows a taxpayer to earn tax credit contributions to a public school for unpaid school meal fees.~~
- ~~• Allows tax credits to be used towards unpaid school meal fees.~~

*Status:* Passed the House 3/11; transmitted to Senate and assigned to Senate Committees on Education (withdrawn 3/26); Health & Human Services (amended and passed 3/28), and Rules (held 4/15).

#### **HB 2193 – high schools; college accessibility awareness**

- Requires each high school to communicate to enrolled students information about college admissions requirements and the financial aid application process.
- Requires report cards issued in Grades 9-12 to include a checklist that indicates the student's progress towards completing Arizona university admission requirements

*Status:* On 4/30 assigned to the House Rules Committee.

#### **HB 2204 – employers; employee salary history; prohibitions**

#### **HB 2205 – wage disclosure; employee rights**

Prohibits employers from screening a prospective employee based on that person's previous wage/salary history, benefits or other compensation.

*Status of HB 2204:* Filed.

*Status of HB 2205:* Filed.

#### **HB 2223 – youth entrepreneurship; pilot program; appropriation**

- Establishes the Youth Entrepreneurship Pilot Program through the Arizona commerce authority with the intent to support "Disconnected youths" at least 16 but under 24 who are not employed or enrolled in school as:
  - A community-based entrepreneurial education.
  - Increased economic knowledge and entrepreneurial skills.
  - Mentoring from local small business owners and professionals.
  - Increased opportunities for disconnected youths to meaningfully participate in community economic activities.
  - Opportunities for collaboration and innovation.
  - An appreciation for the benefits and challenges of owning a successful business enterprise, including a successful microenterprise.
- The Arizona commerce authority:
  - May coordinate with local small business leaders to organize and conduct educational workshops, seminars and discussions on alternative career pathways for youths.

- Shall include in the pilot program a component to serve youths in counties with a population of less than seven hundred fifty thousand persons.
- *Microenterprise* defined as any business that is located or principally based in this state and that employs ten or fewer employees. Microenterprise includes a start-up business, a home-based business and a self-employed business.
- Appropriates \$5,000,000 in fiscal year 2019-2020:
  - \$50,000 to award seed capital on a competitive basis to youths who are residents of counties with a population of less than seven hundred fifty thousand persons, who have successfully completed one year in the pilot program and who present a meritorious new business enterprise proposal to the authority. Seed capital awarded pursuant to this paragraph shall be used by the recipients for start-up costs for the new business enterprise.
  - \$50,000 to award seed capital on a competitive basis to youths who are residents of counties with a population of seven hundred fifty thousand persons or more, who have successfully completed one year in the pilot program and who present a meritorious new business enterprise proposal to the authority. Seed capital awarded shall be used by the recipients for start-up costs for the new business enterprise.

*Status* of HB 2223: Introduced 1/28/19; assigned to House Committees on Commerce; Appropriations, and Rules.

#### **SB 1424 – census; appropriation; outreach NOW**

*Formerly* - youth entrepreneurship; appropriation; pilot program

Following a strike-everything amendment in the House Appropriations Committee, this revised bill now:

- Appropriates \$5 million from the GF in FY 2020 to Arizona Department of Administration (ADOA) to award a statewide contract to a vendor to conduct a communication and outreach effort before the 2020 United States decennial census for the purpose of increasing the response rate and accuracy of the census in this state.
- Stipulates that ADOA must award the contract through a competitive process pursuant to statute, to a vendor that demonstrates past success in implementing statewide communication and outreach strategies.
- Specifies that the contract shall require that:
  - The vendor give equal priority to both the rural and urban portions of this state; and
  - The communication and outreach effort include a focus on HTC populations.
- ~~Establishes the Youth Entrepreneurship Pilot Program through the Arizona commerce authority with the intent to support "Disconnected youths" at least 16 but under 24 who are not employed or enrolled in school as:~~
  - ~~A community-based entrepreneurial education.~~
  - ~~Increased economic knowledge and entrepreneurial skills.~~
  - ~~Mentoring from local small business owners and professionals.~~
  - ~~Increased opportunities for disconnected youths to meaningfully participate in community economic activities.~~
  - ~~Opportunities for collaboration and innovation.~~
  - ~~An appreciation for the benefits and challenges of owning a successful business enterprise, including a successful microenterprise.~~
- ~~The Arizona commerce authority:~~
  - ~~May coordinate with local small business leaders to organize and conduct educational workshops, seminars and discussions on alternative career pathways for youths.~~
  - ~~Shall include in the pilot program a component to serve youths in counties with a population of less than seven hundred fifty thousand persons.~~



- ~~○ Microenterprise defined as any business that is located or principally based in this state and that employs ten or fewer employees. Microenterprise includes a start-up business, a home-based business and a self-employed business.~~
- ~~Appropriates \$5,000,000 in fiscal year 2019-2020:~~
  - ~~○ \$50,000 to award seed capital on a competitive basis to youths who are residents of counties with a population of less than seven hundred fifty thousand persons, who have successfully completed one year in the pilot program and who present a meritorious new business enterprise proposal to the authority. Seed capital awarded pursuant to this paragraph shall be used by the recipients for start-up costs for the new business enterprise.~~
  - ~~○ \$50,000 to award seed capital on a competitive basis to youths who are residents of counties with a population of seven hundred fifty thousand persons or more, who have successfully completed one year in the pilot program and who present a meritorious new business enterprise proposal to the authority. Seed capital awarded shall be used by the recipients for start-up costs for the new business enterprise.~~

*Status:* Passed the Senate 2/28. Transmitted to the House and assigned to House Committees on Commerce ([withdrawn 4/1](#)); Appropriations ([amended and passed 4/4](#)), and Rules.

### **HB 2310 – school procurement; lowest bidder; repeal**

Eliminates the requirement for the State Board of Education (SBE) to adopt rules that school districts must award contracts for materials, services and goods based on the lowest qualified bidder effective on or after June 30, 2019.

*Status:* Ready for the House Committee of the Whole 3/7; [retained on the calendar 3/11](#).

### **HB 2597 – school safety; plans; task force**

Requires each school district to adopt a safe school plan to provide recognition, initial screening and responses to emotional or behavioral distress in students and requires the Superintendent of Public Instruction (SPI) to develop a taskforce oriented towards identifying successful strategies for partnerships with qualified health, mental health and social services agencies. Provisions include:

- Requires all school districts to adopt a safe school plan that recognizes and responds to emotional or behavioral distress in students beginning in the 2022–2023 school year.
- Mandates that each school district shall annually distribute the safe school plan to all school employees.
- Establishes minimum requirements for the safe school plan.
- Requires the SPI to post the safe school plan on the Arizona Department of Education (ADE)'s website along with resources and information for school districts to follow, beginning on or before February 1, 2020.
- Mandates the SPI to annually post resources and community-based organizations that provide support to youth who have been subjected to discrimination, harassment, intimidation, violence and psychological trauma on the Arizona Department of Education (ADE)'s website.
- Describes the conditions of the SPI taskforce for identifying successful strategies for school districts to form partnerships with qualified mental health and social services agencies.

*Status:* Introduced 1/24/19; assigned to House Committees on Education (passed 2/18); Public Safety (passed 2/20), and Rules.

### **HB 2624 – DCS; investigation; schools; children; disabilities**

Allows a child safety worker/investigator to enter a school that teaches a child with disabilities to investigate a report of abuse of such a child at school.

*Status:* Filed.

### **HB 2655 – schools; unfunded mandates; prohibition**

Beginning in 2020, prohibits the Legislature from enacting “any unfunded mandate on public schools”. Requires every legislative measure introduced that has a fiscal impact on public schools to contain a sustainable funding source.

*Status:* Filed.

#### **HB 2670 – study committee; special education; gifted**

Establishes a study committee on special education weights and funding for gifted pupils; [specifies committee membership, duties and time constraints](#).

ASBA supports.

*Status:* [Amended and passed the Senate Committee of the Whole 4/23](#).

#### **HB 2743 – schools; suspensions and expulsions**

- Prohibits a district/charter from suspending or expelling students in Preschool or grades K-2, unless:
  - Expulsion is required by federal law.
  - If there is “imminent threat or serious harm to other students or staff that cannot be reduced or eliminated through intervention and support as determined after consultation with school psychologist or other mental health professional”
    - May suspend for “not more than 5 school days”
    - Parent/guardian must be notified
- School must provide “intervention and support” to address the student’s behavior if:
  - Student is suspended
  - Is disruptive to the school environment
  - Commits an act that would be considered an “offense” if done by a student in a higher grade.
- Intervention and Support may include:
  - A behavior intervention plan
  - A referral to a support team
  - A referral to an individualized education program team
  - A referral for appropriate community-based services
- District/charter must remedy the impact of the student’s behavior through *appropriate restorative practices*, defined as practices that both:
  - Are conducted in a whole-school setting that supports peacemaking and solves conflicts by building a community and addressing harm in the school setting; and
  - Meet all of following requirements:
    - Are conducted by trained staff;
    - Focus on repairing the harm to the community through dialogue that emphasizes individual accountability
    - Help build a sense of belonging, safety and social responsibility in the school community.

*Status:* Filed.

#### **HCR 2010 – Arizona school choice week**

A concurrent resolution proposed by the House proclaiming the week of January 20, 2019 at School Choice Week in Arizona because ... “research in Arizona and across our nation demonstrates conclusively that providing children with multiple schooling options improves academic performance.”

*Status:* Filed.

#### **SB 1044 – safe schools; task force; report**

This Bill was rewritten following the passage of a strike-everything amendment in the Senate Health and Human Resources Committee. The Bill now requires the Superintendent of Public Instruction (SPI) to develop a Safe



Schools Plan Task Force (Task Force) to identify successful strategies for partnerships with qualified health, mental health and social services agencies.

- Requires that the Task Force include at least the following members:
  - students and student organizations;
  - administrators;
  - counselors;
  - licensed mental health professionals;
  - law enforcement officers; and
  - teachers.
- Requires the Task Force to:
  - explore the potential use of advanced online youth emotional health and crisis response systems that have been developed for use in other states and countries;
  - suggest to all school district governing boards a school safety plan that includes:
    - reliable protocols and procedures for communicating with parents; and
    - training opportunities in recognition, screening and referral that may be available for school staff; and
  - identify and develop partnerships with community organizations and agencies to refer students for health, mental, substance abuse and social support services.

ASBA supports.

*Status:* Passed the Senate 2/28 and transmitted to the House.

### **SB 1066 – manufactured housing; construction; definitions**

*Formerly - kindergarten; survey; report*

Following a strike-everything amendment in the House Commerce Committee on 3/19, the revised bill adds and modifies certain definitions relating to manufactured housing.

- ~~Requires Arizona Department of Education (ADE) to conduct an annual statewide kindergarten survey on or before January 1, 2020 and each year after based on information that districts/charters submit as part of the K-3 reading program, including:~~
  - ~~The reading proficiency of pupils in kindergarten programs and in grades 1, 2 and 3 at each school;~~
  - ~~How full day kindergarten instruction is funded at each school; and~~
  - ~~How many hours per day of kindergarten instruction are provided at each school.~~
- ~~Requires a summary of results of the survey and data collection to be included in the early literacy program report.~~

~~ASBA is neutral.~~

*Status:* On 3/6 assigned to House Committees on Commerce (amended and passed 3/19), and Rules (passed 4/8). Ready for the House Committee of the Whole 4/9.

### **SB 1128 – schools; compulsory attendance age; increase**

Raises the compulsory attendance age to attend school from 16 to 18 years old.

*Status:* Introduced 1/22/19; assigned to Senate Committees on Education, and Rules.

### **SB 1148 – DPS; school safety; hotline**

Establishes a Center for School Safety within the Arizona Counterterrorism Information Center (ACTIC) for the purpose of operating a Safe Schools Hotline program.

- Requires the Director of DPS (Director) to establish a Center for School Safety in the ACTIC for the purpose of operating an anonymous Safe Schools Hotline Program (Hotline).
- Specifies that the Hotline will allow a person to report dangerous, violent or unlawful activity that is being conducted or threatened on a school campus, school transportation, school sponsored event or school-related activity.

- Requires DPS to coordinate training on school safety and best practices for school security between the Arizona Department of Education, school districts and law enforcement agencies.
  - Requires the Director to establish policies and procedures to address the following:
    - protection of the identity of any person submitting information and reports based on a good faith belief that the information is true; and
    - dissemination of information between school districts and law enforcement agencies.
  - States that any information reported via the Hotline is confidential and does not constitute a public record.
  - Stipulates that confidential information and related materials may only be disclosed before a court pursuant to a court order and must be limited to the specific case before the court.
  - States that the Attorney General, when acting on behalf of DPS, has standing in any action to oppose the disclosure of confidential information or materials that is in the custody of the Center for School Safety.
- Status:* Assigned to Senate Committees on Transportation and Public Safety (discussed/held 1/30), and Rules.

### **SB 1238 – schools; graduation requirements; adjustment**

Adjusts the minimum number of credits necessary for qualified homeless youth, foster children or delinquent juveniles to graduate from high schools.

*Status:* Introduced 1/29/19; assigned to Senate Committees on Education, and Rules.

### **SB 1388 – hearing evaluations; preschools**

Requires schools to perform hearing evaluations on enrolled preschool students

*Status:* Introduced 2/4/19; assigned to Senate Committees on Education, and Rules.

### **SB 1400 – teachers workforce database**

Beginning 1/2/2021, requires Arizona Department of Education (ADE) to collect from initial/renewal teaching certification applicants “designated database information”. Arizona Department of Education (ADE) is to develop policies prescribing the information. Information is confidential and is not to be defined as a public record.

*Status:* Introduced 2/4/19; assigned to Senate Committees on Education, and Rules.

### **SB 1414 – repeal; results-based funding; schools; appropriation**

Includes schools for prekindergarten students as recipients of early literacy program fund support.

*Status:* Introduced 2/5/19; assigned to Senate Committees on Education; Appropriations, and Rules.

### **SB 1416 – pupils; unpaid school meal fees**

Sets procedures for addressing unpaid school meal fees.

- Student
  - may not be shamed
  - Treated differently, or
  - Served a meal that differs from what another student receives whose meal is paid
  - Disciplined in a way that results in the denial or delay of a meal
  - Made to work to pay for meals
- Sets criteria for parent communication regarding unpaid meal fees
- Permits a district/school to establish a meal fee debt fund consisting of donations/gifts to pay outstanding unpaid meal fees

*Status:* Introduced 2/5/19; assigned to Senate Committees on Education, and Rules.

### **SB 1417 – schools; pupil discipline; annual report**

- Beginning September 1, 2020 Arizona Department of Education (ADE) required to report to the Governor statistical information regarding district/charters' imposition of student discipline. Provisions include reporting on:
  - Total number of students enrolled in each district/charter
  - Total number of students enrolled in each district/charter's subgroup
  - Percentage each subgroup represents of the district/charter's total enrollment
  - Number of students in each subgroup
  - Disciplinary rate for each discipline measure for a district/charter's total student enrollment
  - Number of students who appear in more than 1 subgroup
  - The rate of disciplinary disparity for each discipline measure, for each subgroup, compared with the subgroup with the lowest disciplinary rate
  - Discipline-related strategies, alternatives and resources available to districts/charters
- Directs Arizona Department of Education (ADE) to:
  - Track district/charter's progress in reducing the disciplinary rate and rate of disciplinary disparity
  - Identify district/charters that make progress in reducing the disciplinary rate and rate of disciplinary disparity; assess their successful strategies
  - Assess the gains in student academic achievement that correspond to the reduction of disciplinary rates and rates of disciplinary disparity
- *Disciplinary Rate* defined as a 3-year average for each discipline measure of the number of district/charter students, or in a subgroup of the district/charter, who have at least 1 discipline measure, divided by the corresponding total enrollment in the district/charter of the total enrollment in the subgroup.
- *Discipline measure* defined as in-school suspension; out-of-school suspension; expulsion, or referral to law enforcement.
- *Rate of Disciplinary Disparity* defined as a subgroup's disciplinary rate subtracted from another subgroup's disciplinary rate.
- Subgroup defined as enrolled students defined demographically as students who are:
  - White
  - Asian
  - American Indian or Alaskan Native
  - African-American
  - Latino
  - Native Hawaiian or other Pacific Islander
  - Low-Income students, including students who are economically disadvantaged for standardized testing purposes

*Status:* Introduced 2/5/19; assigned to Senate Committees on Education, and Rules.

#### **SB 1418 – schools; transfer students; competency requirements**

Exempts, for one year, a school, school district or charter school from reporting or counting a transfer pupil's failure to promote or graduate if the transfer pupil does not meet:

- the competency requirements for third or eighth grade promotion; or
- high school graduation requirements.

*Status:* Introduced 2/5/19; assigned to Senate Committees on Education (passed 2/19), and Rules.

#### **SB 1457 – schools; improvements; turnaround plans**

- Requires Arizona Department of Education (ADE) to submit to State Board of Education (SBE) a recommendation for a public hearing to determine whether a district/charter should be subject to a "school turnaround plan", if:
  - At least 50% of a district's school are assigned a D or F letter grade;
  - Any school in a district is assigned a D or F letter grade for 2 of the last 3 years;

- If Arizona Department of Education (ADE) does not recommend a public hearing within 3 months, State Board of Education (SBE) may initiate a ‘school turnaround plan’ for the school/district
- District must compile and submit to Arizona Department of Education (ADE) or State Board of Education (SBE) information on the schools that received a D or F letter grade:
  - Whether district is/has participated in a school improvement program, and the results
  - List of school improvement strategies currently/previously used
  - The extent to which district Board and administrators impacted the letter grade assignment
  - Information provided by the school’s principal on letter grade’s contributing factors
  - List of curricula, formative assessment and other instructional tools used by teachers
  - List of teachers’ professional development opportunities provided by the district
  - Whether schools have demonstrated reasonable academic growth
  - Whether school is/has been subject to receivership
  - Sets criteria for School Turnaround Plan

*Status:* Introduced 2/6/19; assigned to Senate Committees on Education (discussed only 2/21), and Rules.

#### **SB 1458 – school resources; improper use; complaints**

Adds to the statute prohibiting use of district/charter resources to influence elections.

- Adds language prohibiting “a person acting on behalf of a school district” from using district/charter resources for campaign literature distribution or gathering petition signatures on school grounds to advocate support for/opposition to pending or proposed administrative, legislative or judicial actions.
- Specifically notes that the statute does not prohibit a district from reporting its Board’s official actions.
- Directs Attorney General to establish a complaint process.

*Status:* Introduced 2/5/19; assigned to Senate Committees on Education, and Rules.

#### **SB 1459 – schools; parental information; curricula**

At the beginning of each school year, requires every district/charter school to provide a “curriculum information form” to each parent for signature and return. Signed forms must be kept on file until the beginning of the next school year. Form must contain:

- The test of the Parents’ Bill of Rights (as set forth in ARS §§ 1-601 and 602).
- Detailed information on the school’s curriculum.
- Complete list of mandatory and option student reading materials and digital learning materials.

*Status:* Introduced 2/6/19; assigned to Senate Committees on Education (failed 2/19), and Rules.

#### **SB 1472 – TPT; use tax; education; distribution**

A strike-everything amendment was passed in the Senate Appropriations Committee 2/26. Increases the fixed amount of Proposition 301 monies that is distributed to the Classroom Site Fund to \$300,000,000.

ASBA is opposed.

*Status:* Passed the Senate 3/4 (on an 18-12 vote) [and transmitted to the House](#).

#### **SB 1503 – team-teaching pilot program; appropriations**

Establishes a five-year team-teaching pilot program (pilot program) for qualified student teachers. Appropriates \$5,000,000 from the state General Fund to the Arizona Board of Regents (ABOR) in each of FY's 2020 through 2025 for the pilot program

*Status:* Introduced 2/6/19; assigned to Higher Education & Workforce Development (passed 2/18); Appropriation, and Rules.

#### **SB 1504 – schools; bullying policy; definition**

- *Bullying* defined as a written, verbal or physical act or an electronic communication that is intended to harm or that a reasonable person would know is likely to harm one or more pupils by doing any of the following:

- Substantially interfering with a pupil's educational opportunities, benefits or programs.
- Adversely affecting a pupil's ability to participate in or benefit from educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress.
- Having an actual and substantial detrimental effect on a pupil's physical or mental health.
- Causing substantial disruption in, or substantial interference with, the orderly operation of a school.
- Requires a charter school governing body to prescribe and enforce policies/procedures to prohibit harassment, intimidation and bullying.
- Permits a district to add to its policies prohibiting harassment, intimidation and bullying, such behavior that occurs at "any off-campus location or activity" if the alleged activity is:
  - reported to school officials, and
  - if the harassment, intimidation and bullying creates a hostile environment for the alleged victim at schools; OR
  - materially and substantially disrupts the education process; OR
  - the orderly operation of the school.

*Status:* Introduced 2/6/19; assigned to Senate Committees on Education, and Rules.

## **STATE APPROPRIATIONS**

### **HB 2187 – appropriation; K-12 rollover**

Reduces the K-12 rollover from \$930,727,700 to \$630,727,700 for fiscal year 2020. Provisions include:

- Requires the Arizona Department of Education (ADE) to defer until after June 30, 2020, but not later than July 12, 2020, \$630,727,700 in BSA and additional state aid payments that otherwise would be apportioned to school districts in fiscal year 2020.
  - Requires Arizona Department of Education (ADE) to make the deferral by reducing the appointment of state aid for each month in the fiscal year by the same amount.
  - Stipulates that this funding deferral does not apply to charter schools or to school districts with a student count of less than 600 pupils.
- Appropriates \$630,727,700 to Arizona Department of Education (ADE) and the Superintendent of Public Instruction (SPI) in fiscal year 2021 for BSA and additional state aid entitlement to several counties for the school districts in each county in amounts equal to the reductions in apportioning BSA and additional state aid required for fiscal year 2021.
  - Requires this appropriation to be disbursed after June 30, 2020 but not later than July 12, 2020.
- Requires each school district to include the monies it will receive in the revenue estimate it uses to compute its tax rate for fiscal year 2020.
- States that the Legislature intends that monies for remaining amounts for existing reductions in apportioning BSA and additional state aid will be appropriated and disbursed not later than July 12, 2022.

*Status:* Passed the House 2/11. Transmitted to the Senate and assigned to Senate Committees on Appropriations, and Rules.

### **HB 2203 – appropriation; school facilities; building renewal**

Appropriates \$34,500,000 in fiscal year 2019-2020 to the building renewal grant.

*Status:* [On 4/30, assigned to House Rules Committee.](#)

### **HB 2518 – appropriations; online early learning**

- Appropriates \$500,000 to Arizona Department of Education (ADE) in FY 2020 to conduct an online early learning program for children who are four years of age.

- Requires Arizona Department of Education (ADE) to contract for the administration of the online learning program to a service provider that is a 501(c)(3) organization and that can demonstrate past success in conducting such a program.
- Mandates that Arizona Department of Education (ADE) require the service provider to submit quarterly reports that include information such as the number of families volunteering to participate in the program, parental feedback on the program, and student performance on prekindergarten and kindergarten readiness assessments.
- Defines *online early learning program*:
  - Is designed to improve a child's transition into elementary education and contains content in reading, math and science.
  - Is aligned with nationally recognized early learning standards.
  - Is provided in the student's home and consists of at least forty-five instructional hours.
  - Provides for installing a computer or home internet service, or both, for low-income families participating in the project that do not have a computer or home internet service.
  - Includes a parental engagement and involvement component, with support models provided in English, Spanish and other languages as needed.
  - Includes an evaluation component with measures for student growth over the course of the program.

*Status:* Assigned to House Committees on Appropriations; Education (held 2/18) and Rules.

#### **HB 2645 – appropriations; early childhood; block grants**

Establishes a competitive preschool grant program under the Arizona Department of Education (ADE) with provisions that”

- Appropriates \$2,000,000 from the General Fund annually to ADE in Fiscal Years 2019-2022 for the competitive preschool grant program (program).
- Requires ADE to establish the program to help public and private preschools provide high quality, full day, full year, programs to low income children who are four years old.
- Mandates ADE to develop a plan to implement the program, which includes goals for the program and how the goals will be measured.
- Allows ADE to retain up to 5% of appropriated monies to administer and evaluate the program, and to use up to \$500,000 of appropriated monies to conduct an online early learning program for children in rural areas.
- Requires ADE to award a contract on a competitive basis to a provider to administer the online early learning program if ADE conducts an online early learning program.
- Specifies that the provider must be a nonprofit organization exempted from the 501(c)(3) tax code and can demonstrate past success conducting an online early learning program.
- Terminates the program on December 31, 2022.

*Status:* Assigned to House Committees on Appropriations (amended and passed 2/25), and Rules.

#### **HB 2648 – appropriation; school support personnel; salaries**

Appropriates \$220,000,000 to the Superintendent of Public Instruction for basic state aid to fund an increase in the base level, above that prescribed by law for fiscal year 2019-2020. Statement of intent included specifying that this appropriation is to be used to fund salary increases for personnel who provide student support and instruction support services, including student food service, student transportation and school site plant operations.

*Status:* Introduced 2/12/19; assigned to House Committees on Appropriations; Education, and Rules.

#### **SB 1009 – tobacco products; electronic smoking devices**

Modifies definitions of tobacco products and defines electronic smoking device; prescribes requirements for delivery sales of electronic smoking devices.

- Electronic smoking device (Device) defined as:
  - Device that can be used to deliver aerosolized or vaporized nicotine to a person who inhales from the Device and any component, part or accessory of the Device, whether sold separately or not; and
  - Any substance intended to be aerosolized or vaporized during its use.
- Expands the definition of tobacco product(s) to include:
  - Any product that is made or derived from tobacco or that contains nicotine intended for human consumption;
  - Pipe tobacco, shisha, snuff, snus, and a Device;
  - Any component, accessory, instrument or paraphernalia that is used in the consumption of a tobacco product, whether it contains nicotine or not, or that is solely designed for the smoking or ingesting of tobacco or shisha.
- Excludes from the definition of tobacco product(s):
  - Drugs, devices or combination products that are authorized for sale by the United States Food and Drug Administration (FDA); and
  - Devices in relation to delivery sales.
- Removes the definition of vapor product (currently A.R.S. § 13-3622(E)(3)).

Status: Passed the Senate 2/12; transmitted to the House and assigned to House Committees on Health & Human Services (held 3/28), and Rules.

#### **SB 1106 – appropriation; STEM internship**

- Appropriates 2,000,000 in FY 2019-2020 to the Arizona commerce authority for matching monies for educational stipends for high school, college and university students and for K-12 teachers who participate in STEM internships.
  - 45% for stipends for high school Limited to and undergraduate college and university students (\$5,000 max).
  - 45% for stipends for graduate-level college/university students, and for K-12 teachers (\$8,000 max).
  - 10% for administration and outreach costs.
- Directs Arizona Commerce Authority to establish guidelines/procedures for stipend awards

*Status:* Introduced 1/22/19; assigned to House Committees on Appropriations; Education, and Rules.

#### **SB 1325 – schools; counselors on campus; appropriation**

- Establishes the Counselors on Campus Program
  - Any school, district or charter may apply to participate by submitting a 5-year program proposal by April 15
  - Proposal must contain information on the district/school counselor-to-student ratio
  - How a counselor/social worker would serve the district/school needs
  - Arizona Department of Education (ADE)/State Board of Education (SBE) will select participants; Arizona Department of Education (ADE) will administer program
- Program monies to be used to hire either a counselor or social worker
- Appropriates \$5,500,000 to Arizona Department of Education (ADE) for FY 2019-2020

*Status:* Introduced 1/31/19; assigned to House Committees on Appropriations; Education, and Rules.

#### **SB 1392 – appropriation; school finance system**

In addition to any other appropriations made in fiscal year 2019-2020, the sum of \$9,000,000 and two FTE positions are appropriated from the state general fund in fiscal year 2019-2020 to the Arizona Department of Education (ADE) to develop and implement a replacement for school district budgeting and financial assistance technology.

*Status:* Introduced 2/4/19; assigned to House Committees on Appropriations, and Rules.



## **TAXES**

### **HB 2034 – tax credit; teachers; school supplies**

Permits a *Qualified school teacher* (defined as a K-12 teacher) to receive a tax credit of up to \$1,000 for “educational supplies and materials” used in the classroom and for uniforms/clothing that are used for educational purposes.

*Status:* Introduced 2/12/19; assigned to House Committees on Ways & Means, and Rules.

### **HB 2150 – tax credit; title I schools**

Establishes the Arizona Title I School Matching Grant Fund. Qualifying Title I schools that receive tax credit donations are eligible to apply to the Arizona Department of Education (ADE) to receive a grant of matching monies from the Fund.

- Grants will be awarded at \$4 for each \$1 received in tax credit donation up to \$250,000.
- *Qualifying Title I School* defined as “a school that qualifies to receive financial assistance from the U.S. Government pursuant to Title I, Part A ... and that further qualifies because of at least 70% of the pupils enrolled in that school are from low-income families.
- Tax credits to Title I schools: \$200 individual; \$400 married

*Status:* Introduced 1/28/19; assigned to House Committees on Education; Ways & Means, and Rules.

### **HB 2425 – school tax credit; contributions**

- Permits tax credit donations to be used for acquiring capital items between June 30, 2019 and June 30, 2020, including:
  - furniture, furnishings, athletic equipment and other equipment, including computer software;
  - pupil and nonpupil transportation vehicles and equipment, including all capital expenditures within a contract if the school district contracts for pupil transportation;
  - textbooks and related printed subject matter materials adopted by the governing board of the school district;
  - instructional aids;
  - library books;
  - payment of principal and interest on bonds; and
  - school district administration emergency needs that are directly related to pupils;
    - community school meal programs;
    - student consumable healthcare supplies; and
    - playground equipment and shade structures for playground equipment.
- Allows the site council to transfer undesignated contributions to any school within the same school district.
- *Community school meal programs*, which are defined as a school meal program that takes place before or after the regular school day on school property
- *Student consumable health care supplies*, which are defined as including tissues, hand wipes, bandages and other health care consumables that are generally used by children
- A school site council may transfer undesignated contributions to any other school within the same

*Status:* **SIGNED** by the Governor 5/1.

## **MISCELLANEOUS**

### **HB 2176 - college credit by examination; payments**

Establishes the College Credit by Examination Development Fund, which consists of appropriated monies and is administered by 8, Arizona Department of Education (ADE).



- Beginning in fiscal year 2018, ADE shall pay the following incentive bonuses to districts/charters for each student who receives a passing score on a qualifying exam:
  - \$300 per passing score for a student who is enrolled in a school where *less* than 50% of the students are eligible for free or reduced-price lunches.
  - \$450 per passing score for a student who is enrolled in a school where *more* than 50% of the students are eligible for free or reduced-price lunches.
- \$5 million from the state General Fund for fiscal year 2020 for the College Credit by Examination Incentive Program was appropriated. This amount is unchanged from fiscal year 2019.
- Allows a school principal to identify additional teachers who instructed a student in a relevant subject area so that they may receive an incentive bonus if the student passed a qualifying examination for college credit while in high school.
- Allows either a school principal, school district governing board, or charter school governing body to identify additional teachers who instructed a student in the same department or subject area so that they may receive an incentive bonus if the student passed a qualifying examination for college credit while in high school.
- Requires the incentive bonus to be provided to the teacher no earlier than the end of the school year and by no later than 30 days after the end of the school year.
- Requires ADE to prioritize distributions from the fund based on need.
- Mandates ADE distribute monies in the fund to schools in which 50% or more of the students are eligible for free and reduced-priced lunches.

*Status:* **SIGNED by the Governor 4/17/19.**

#### **HB 2224 – procurement; Arizona bidders; preference**

#### **SB 1058 – state procurement; identical bids**

#### **SB 1425 – state contracts; preference; Arizona businesses**

Requires state purchasing agencies to give preference to Arizona bidders over a nonresident bidder in identical price situations.

*Status of HB 2224 – Filed.*

*Status of SB 1058 – Introduced 1/15/19; assigned to Senate Committees on Government; Commerce (passed 2/21), and Rules.*

*Status of SB 1425 – Introduced 2/5/19; assigned to Senate Committees on Government, and Rules.*

#### **HB 2431 – Arizona online instruction; cost study**

- Directs the Auditor General to conduct a cost study of Arizona online instruction to include:
  - The cost of providing Arizona online instruction to students pursuant to section 15-808, Arizona Revised Statutes, including administration, technology, personnel and curriculum costs.
  - The percentage of online courses offered that are taught in real time by a human instructor.
  - The average amount of monies that school districts and charter schools spend on each type of course offered as online instruction.
  - The average class size of online courses that are offered by Arizona online instruction providers.
  - The amount of monies that the school finance formula generates for a student who receives Arizona online instruction and the amount of monies that follow the student to the student's school of attendance.
  - Areas in Arizona online instruction in which this state can reduce or eliminate administrative and reporting requirements.
- Appropriates \$150,000 in FY 2019-2020 to the Auditor General.

*Status:* On 5/6 assigned to House Rules Committee.

#### **HB 2501 – electronic records; state library**

Directs the state library to establish, operate and maintain a trusted electronic records repository. Provisions include:

- Includes electronic records in the central depository of the state library records and the records received by public officials or employees of this state, counties or municipalities; ~~includes the records from terminated agencies.~~
- Requires the state library to establish, operate and maintain a trusted electronic records repository.
- Specifies that the trusted electronic records repository is for the purpose of keeping, preserving, securing and making available the electronic and digitized records of the state archives, the state documents program and public records that are received pursuant to statute.
- Establishes the Electronic Records Repository Fund (Fund) consisting of legislative appropriations, nonfederal grants, gifts, fees and donations.
- Instructs the Maricopa County Clerk of the Superior Court to appropriate sufficient monies to the Fund in order to fund a three-year pilot project to develop an archives management program and a trusted electronic records repository.
- Appropriates \$70,000 and one full-time equivalent position in Fiscal Year 2024 to the Secretary of State.

*Status:* Passed the House 3/4. [Amended and passed the Senate 4/30.](#)

### **HB 2693 – misconduct involving weapons; school grounds**

Modifies exceptions to committing misconduct involving weapons by knowingly possessing a deadly weapon on school grounds.

- Specifies that a person does not commit misconduct involving weapons for knowingly possessing a loaded or unloaded firearm on school grounds that is carried within a means of transportation and under the control of an adult. (Currently, this exception only applies to a firearm that is unloaded ([A.R.S. § 13-3102](#)).)

*Status:* FAILED in the Senate on a 15-14-1 vote 4/11.

### **HB 2729 – conflict of interest; public officers**

Prohibits a public officer or employee from assisting in a political party, candidate activity, campaigning or political fund-raising while on government time.

*Status:* Introduced 2/13/19; assigned to House Committees on Government, and Rules.

### **SB 1059 – online instruction; average daily membership**

### **SB 1189 – online instruction; average daily membership**

Sets the formula for the calculation of an online student

*Status of SB 1159:* Introduced 1/15/19; assigned to Senate Committees on Education, and Rules.

*Status of SB 1189:* Introduced 1/28/19; assigned to Senate Committees on Education, and Rules.

### **SB 1099 - patriotic youth groups; school access**

Allows any youth group that is designated as a patriotic society, to address and encourage student participation, upon review of a principal within public schools. Prohibits the denial of equal access or fair opportunity for a youth group that wishes to conduct a meeting. Provisions include:

- Allows a public school principal, within the first quarter of an academic school year, to authorize representatives of any youth group to address students for up to 10 minutes during regular school hours, about how the youth group supports educational interests and civic involvement.
- Requires a youth group representative to submit a verbal or written request to the principal during the first two weeks of the academic school year.
- Allows the principal, after receiving the request, to:
  - provide the youth group with a verbal or written approval, including the date and time the representative may address the students; and

- request prior approval of materials provided by a youth group and determine how they are distributed directly to students.
- Requires the principal to ensure that material provided by a youth group be distributed to students on school property through the academic school year, to encourage participation in the youth group.
- Prohibits a public school from denying equal access, a fair opportunity or discriminating against any youth group that wishes to conduct a meeting, on the basis of membership, leadership criteria or oath of allegiance to God and country.
- Defines that a *youth group listed in 36 U.S. Code, Subtitle II, Part B as a patriotic society* means any group or organization that intends to serve youth and that is listed in 36 U.S.C., Subtitle II, Part B or its affiliated organizations.

ASBA is neutral.

*Status:* Passed the Senate 2/14. Transmitted to the House and, on 2/26, assigned to the House Committee on Education ([passed 3/18](#)), and Rules.

### **SB 1135 – public records; responses**

Expands on requirements for responses to public records requests.

- Request is deemed denied if the custodian fails to respond within 10 business days either by:
  - Providing requested record
  - Denying the request, with a detailed explanation
  - Notifying the requestor that:
    - the request is under review, that a response is expected and the estimated date of that response;
    - the public body does not maintain the records & re-directing the requestor to the public body that does maintain the record
- Response must include any index of records or categories of records that are withheld from production

*Status:* Introduced 1/22/19; assigned to Senate Committees on Government, and Rules.

### **SB 1230 – extraordinary special education needs fund**

Establishes eligibility requirements for Extraordinary Special Education Needs Grants (Grants). [Continuously](#) appropriates \$5,000,000 from the state General Fund to the Extraordinary Special Education Needs Fund (Extraordinary Needs Fund).

*Status:* Passed the Senate 2/27 and transmitted to the House. Assigned to House Committees on Education (passed 3/11); Appropriations (amended and passed 3/13), and Rules.

### **SB 1264 – Arizona community schools pilot program**

Requires the Arizona Department of Education (ADE) to establish a 3-year Arizona Community Schools Pilot Program (Pilot Program) and award grants to assist public elementary and middle schools in developing, implementing and participating in community school plans and the Pilot Program

- Directs the Arizona Department of Education (ADE) to select three schools with at least 400 students, to participate in the Pilot Program, including at least one elementary school.
- Elementary/middle school may apply for a grant if the school demonstrates a commitment to:
  - establishing a school-community partnership team to act as the campus-level planning and decision-making committee made up of school officials and current representatives;
  - establishing a partnership with a community-based organization, a social service provider or an education or youth services organization with experience in community school plans; and
  - developing and implementing a plan for sustaining the community school plan beyond the end of the Pilot Program.
- Requires schools selected to participate in the Pilot Program to hire and use grant monies to support a full-time community school coordinator and outlines the coordinator's duties

- Prohibits grants from being used for direct programs for students, families or other activities not related to the community school plan.
- Allows a participating school to seek assistance in developing the community school plan from other community schools, regional education service centers or technical assistance providers.
- Allows participating schools to seek and accept additional funding from public-private partnerships, gifts, grants and donations from federal, state and private sources.
- Appropriates \$765,000 in FY 2019-2020 to ADE to disburse to the schools selected to participate in the Arizona community schools pilot program.

*Status:* Passed the Senate 2/25. Transmitted to the House 3/6 and assigned to House Committees on Education (withdrawn 3/25); Appropriations (amended and passed 3/27), and Rules.

### **SB 1283 – ADE; digital and media instruction**

- Directs Arizona Department of Education (ADE) to identify best practices and make recommendations for instruction in digital citizenship and media literacy.
- Beginning SY 2020-2021, districts/charters must annually review policies on digital citizenship and media literacy.
- *Digital Citizenship* defined as a diverse set of skills related to current technology and social media, including the norms of appropriate, responsible and healthy behavior.
- *Media Literacy* defined as the ability to access, analyze, evaluate, and use media and includes the foundational skills that lead to digital citizenship.

*Status:* Introduced 1/30/19; Assigned to Senate Committees on Education, and Rules.

## **CHARTER / PRIVATE SCHOOLS**

### **HB 2220 – charter schools; auditors; requirement**

Requires a charter school to contract with a different auditor at least once every 6 years to conduct its annual audits.

*Status:* Filed.

### **HB 2221 – charter school board members; conflicts**

Prohibits a person from membership on a charter school governing body if the candidate:

- is related as immediate family to and has the same residence as charter holder; or
- is an employee of that school, including a person who directly provides services to the school as an employee of a third-party contractor, or that person's spouse.

*Status:* [On 5/1 assigned to the House Rules Committee.](#)

### **HB 2222 – charter schools; procurement requirements**

Removes provisions allowing a school's charter to include exceptions to auditing or public bidding requirements. Requires written quotes for materials, services or construction that exceed \$50,000.

*Status:* Filed.

### **HB 2323 – charter schools; parent councils**

Requires charter schools to establish a parent council and sets forth membership requirement and duties.

*Status:* Filed.

### **HB 2325 – charter schools; administrative costs; cap**

Limits the administrative costs of a charter school to no more than 15% of the school's expenses. Requires profits to be identified as administrative cost. Defines *profits* as revenues minus expenses.

*Status:* [On 5/2 assigned to the House Rules Committee.](#)

**HB 2326 – charter schools; financial reform; appropriation**

Requires charter schools to submit an annual financial report to the State Board for Charter Schools, which must review, audit and take corrective action as necessary.

*Status:* Filed.

**HB 2388 – charter schools; financial records**

- Removes provision directing Auditor General to conduct a comprehensive review/revision of the USFR to ensure charter school provisions are in line with private business accounting principles.
- Prohibits a school's charter from exempting the school from USFR.

*Status:* Filed.

**HB 2389 – auditor general; charter schools**

Includes charter schools with school districts as subject to Auditor General audits and attendance at governing body executive sessions.

*Status:* Filed.

**HB 2641 – charter schools; sponsorship; state board**

Removes the responsibilities of charter school administrative duties, oversight, legal authority, etc. from a charter's sponsor in favor of the State Board for Charter Schools.

*Status:* Filed.

**HB 2642 – charter schools; lunches; national acts**

Requires that charters participate in and comply with the National School Lunch and Child Nutrition Acts. Exception permitted for charter schools with fewer than 100 students if criteria met.

*Status:* Filed.

**HB 2651 – charter school governance; meetings; records**

Requires charters and their governing bodies to comply with Arizona's Open Meeting Law.

*Status:* Filed.

**HB 2690 – charter schools; closure; property transfer**

Requires, when a charter school closes or ceases operations, that all charter property purchased with public monies be transferred to the district within which the school was located, or the nearest district if not located in a district boundary. Property purchased with non-public monies remain the property of the charter.

*Status:* Filed.

**SB 1118 - appropriation; state board; charter schools**

Appropriates \$630,900 and 8 full-time employee positions in FY 2020 to the State Board for Charter Schools (SBCS) for personal and employee-related expenditures for the following positions:

- 4 education program managers;
- 3 financial program managers; and
- 1 audit program manager.

ASBA supports.

*Status:* Introduced 1/22/19; assigned to Senate Committees on Education (passed 1/29); Appropriations, and Rules.

**SB 1228 – charter school; ASDB campus; admissions**

Permits a charter that operates on the Arizona State Schools for the Deaf and the Blind's campus to be selective in its student admissions.

*Status:* Introduced 1/22/19; assigned to Senate Committees on Education, and Rules.

**SB 1394 – charter schools; training; information; procurement NOW**

*Formerly - charter school; training; procurement; posting*

A strike-everything amendment was passed in the Senate Education Committee on 2/21. The revised bill modifies procurement statute relating to charter schools and requires each charter school to adopt procurement policies. Requires a charter school sponsor (sponsor) to compile and post on a public website outlined information for each school it sponsors. Outlines membership and training requirements for a charter school governing body (governing body). Requires that, when a charter holder anticipates a purchase will exceed \$50,000, the school must maintain records demonstrating the purchase is in the school's best interest.

*Status:* Passed the Senate on a 17-13 vote on 3/14 and transmitted to the House.

**SB 1404 – ADE; charter schools; impact assessments**

- Requires that Arizona Department of Education (ADE) to prepare an annual assessment of the impact of charter schools on school districts. Assessment to include:
  - A review of the funding flow between districts and charters.
  - Student enrollment trends.
  - Educational outcomes.
  - Identification of “noteworthy, innovative or promising” practices within charters.
  - Documentation of efforts that lead to the sharing of promising practices between districts and charters.
- Requires the ADE to publish the assessment on its website

*Status:* Introduced 2/5/19; assigned to Senate Committees on Education, and Rules.

**SB 1405 – charter schools; formation; petition requirements**

Requires applicants seeking to establish a charter school in a county to present to the County School Superintendent a petition that is one of the following:

- Signed by at least 30 parent/guardians of students who both:
  - Reside more than 4 miles from any district school that is assigned an A letter grade
  - Intend on enrolling their child in the charter
- Signed by at least 20 parent/guardians of students who both:
  - Reside more than 4 miles from any district school that is assigned a B letter grade
  - Intend on enrolling their child in the charter
- Signed by at least 10 parent/guardians of students who both:
  - Reside more than 4 miles from any district school that is assigned a C or lower letter grade
  - Intend on enrolling their child in the charter

*Status:* Introduced 2/5/19; assigned to Senate Committees on Education, and Rules.

**SB 1406 – charter schools; omnibus**

- Requires charters that enter into management services contracts to ensure annual financial statement audits are conducted.
- Audit results must be made available to the public, including:
  - salaries paid to management organizations.
  - identification of the source of any profit distribution that exceeds that year’s net profits.
- Requires, in the event of a charter closing, that its assets acquired with public monies be returned to the State. Charter may use proceeds to fund new charter campus capital costs instead.

*Status:* Introduced 2/5/19; assigned to Senate Committees on Finance, and Rules.

**SB 1407 – charter schools; governing bodies; conflicts**

- Requires a charter school to have at least 3 governing body members, except:
  - A charter that is part of a network of more than 3 schools must have at least 5 governing body members.
- Prohibits a person from membership on a charter school governing body if the candidate:
  - is related as immediate family to and has the same residence as charter holder; or

- is an employee of that school, including a person who directly provides services to the school as an employee of a third-party contractor, or that person's spouse.

*Status:* Introduced 2/5/19; assigned to Senate Committees on Education, and Rules.

#### **SB 1408 - charter schools; public meetings; records**

Requires charters to comply with Arizona Open Meeting Law and public record requirements, including the posting of required meeting notices, etc.

*Status:* Introduced 2/5/19; assigned to Senate Committees on Education, and Rules.

#### **SB 1409 – charter schools; audit requirements**

Sets forth the requirements for charter school audits.

*Status:* Introduced 2/5/19; assigned to Senate Committees on Finance, and Rules.

#### **SB 1410 – charter schools; auditor general**

- Requires the Auditor General to conduct a comprehensive annual audit of each charter school in the state, including a review of compliance with the Uniform System of Financial Records (USFR) that includes:
  - Classroom spending
  - Special education programs, and
  - The diversity of the charter's students and staff.
- Adds "and charter schools" to performance audits to which school districts are subject.
- Permit the Auditor General or representative to attend charter's governing body executive session.

*Status:* Introduced 2/5/19; assigned to Senate Committees on Government, and Rules.

#### **SB 1411 – charter schools; website posting requirements**

Does not require a charter to maintain a website, but if it does, sets forth posting requirements.

*Status:* Introduced 2/5/19; assigned to Senate Committees on Government, and Rules.

#### **SB 1412 – charter schools; sale; vacant buildings**

Prevents a charter from prohibiting a district from negotiating to buy/lease a charter's vacant/unused building or building portion.

*Status:* Introduced 2/5/19; assigned to Senate Committees on Government, and Rules.

### **Career and Technical Education Districts (CTEDs)**

#### **HB 2064 – CTEDs; 9<sup>th</sup> grade; workforce need**

Allows 9<sup>th</sup> grade students to be included in the career and technical education district's (CTED) student count if the Arizona Department of Education (ADE) determines workforce need in certain workforce areas. Provisions include:

- Allows a student in ninth grade who is enrolled in a CTED to be included in the CTED's student count or ADM if ADE determines there is a workforce need in the areas of agriscience, automotive technologies, construction technologies, manufacturing, or engineering.
- Appropriates \$4.4 million from the state General Fund to ADE in FY 2020 for state aid to CTEDs.

*Status:* [Introduced 4/25.](#)

#### **HB 2082 – junior reserve officer training; CTE**

- Requires a district/charter/CTED to classify Junior Reserve Officers' Training Corps (JROTC) programs as a career technical education (CTE) course or district program. Provides funding for JROTC programs that meet the requirements of a CTE course or district program.
- Directs the CTE Division of Arizona Department of Education (ADE) to approve a CTE district's JROTC program that meets the requirements of either a CTE course or district program.



- Appropriates \$500,000 in FY 2020 to ADE for distribution on a prorated per pupil basis to:
  - CTE districts that offer a JROTC program that has been approved by the CTE division of ADE as either a CTE course or district program; and
  - School districts that offer a JROTC program that ADE determines would meet the requirements for either a CTE course or district program, if the JROTC program were operated by a CTE district.

*Status:* Passed the House 2/25/19. Transmitted to the Senate and assigned to Senate Committees on Education ([passed 3/12](#)); Appropriations ([passed 3/19](#)), and Rules.

### **HB 2353 – CTEDs; schools districts; governing boards**

- Prohibits a person from membership on a CTED governing board if the candidate:
  - is an employee of a school district that is either a member of a CTED or that contracts for services with a CTED
  - is a person who directly provides certified/classified services to the district as an employee of a third-party contractor, or is that person's spouse
- Prohibits a person, who is an employee of a school district, from membership on any school district governing board that contracts for CTED services with his employer.

*Status:* [On 5/6 assigned to the House Rules Committee.](#)

### **HB 2683 – CTEDS; omnibus *NOW***

*Formerly* CTEDs; letter grades; exclusion

[A strike-everything amendment was passed in the Senate Higher Education and Workforce Development on 3/25. The Bill now prescribes the requirements for career technical education district \(CTED\) students to generate average daily membership \(ADM\).](#) Excludes CTEDs from the letter grade classification system [and allows CTEDs to partner with additional entities for services and facilities.](#)

ASBA supports.

*Status:* Passed the House 3/4. [Transmitted to the Senate and assigned to the Senate Committees on Higher Education and Workforce Development \(amended and passed 3/25\), and Rules.](#)

### **HB 2709 – CTEDs; nonprofits; private postsecondary institutions**

Permits a nonprofit organization or a licensed private postsecondary institution to enter into an agreement with a career and technical education district (CTED) governing board for services and facilities.

[ASBA supports.](#)

*Status:* [Ready for the Senate Committee of the Whole 4/2.](#)

### **SB 1025 – vocational and technical education; evaluation.**

Requires a CTED to provide an annual evaluation of programs.

*Status:* Introduced 1/14/19 and assigned to Senate Committees on Education, and Rules.

### **SB 1065 - CTEDs; fourth-year funding**

Adds students in grades 9 and those immediately in the school year following graduation to the calculation of student count and average daily membership (ADM) for career technical education districts (CTEDs). Provisions include:

- Adds students in grade 9 and those students immediately in the school year following graduation, enrolled in CTED courses, to be included in the student count or ADM.
- Further specifies the ADM, for those same students enrolled in a CTED course meeting for at least 150 minutes per class period at a centralized or leased centralized campus, will not exceed 0.75 ADM.
- Requires the member school district and the CTED to determine the apportionment of the ADM and student enrollment for a student that does not exceed 1.0 for either entity.
- Prohibits funding for the same student for more than four years.



- Restricts funding for students in grade 9 until they reach grade 10, at which time funding will be provided for the previous year, and any subsequent year they are eligible for funding as outlined.

ASBA supports.

*Status:* Passed the Senate 2/6 and transmitted to the House.

### **SB 1335 – CTEDs; ADM; dual enrollment**

- Prescribes that a CTED student at a centralized or leased centralized campus generates 1.0 ADM, if the student is a full-time CTED student who is enrolled in 1 or more courses that meet for at least 600 hours.
- Requires ADM for a student at a centralized or leased centralized campus to be calculated by dividing the instructional hours as reported in the student information system by 600 hours, with the following exceptions:
  - between 150 hours and 299 hours equals 0.25 ADM;
  - between 300 hours and 449 hours equals 0.5 ADM; and
  - between 450 hours and 599 hours equals 0.75 ADM.
- Removes:
  - the requirement that a CTED student at a centralized campus enrolled in a course that meets for at least 150 minutes per class period generates 0.75 ADM.
  - the 0.75 ADM cap on the ADM a CTED student at a leased centralized campus may generate if enrolled in a course that meets for at least 150 minutes per class period.
- Specifies that:
  - a CTED at a centralized campus and the member school district determine the apportionment of ADM, with no more than 1.0 ADM apportioned to one entity.
  - a student in an approved CTED centralized program at a centralized or leased centralized campus may generate up to 1.0 ADM on any day of the week and at any time between July 1 and June 30.
- Prescribes that a student enrolled in a career technical education course generates 0.25 ADM for every five community college credits earned for career technical education courses.
- Expands the class status requirements for dual enrollment admission to a community college to all high school students, rather than only junior and senior students.

ASBA supports.

*Status:* Passed the Senate 3/4 and transmitted to the House.

## **SCHOOL TUITION ORGANIZATIONS**

### **HB 2185 – STO; income tax credit cap**

Beginning in FY 2019-2020, annually increases the aggregate dollar of the tax credit cap from the previous fiscal year by the greater of either the percentage of the annual increase in the metropolitan Phoenix consumer price index; or 2%.

*Status:* [On 4/30 assigned to the House Rules Committee.](#)

### **HB 2250 – STO scholarship; means testing**

Requires STO to award at least 66% of educational scholarships/grants to students who qualify for reduced-price lunches. If not, STO has 90 days to correct violations; after that ADE may remove the STO from the list of certified STOs. Removal results in potential refund of all tax credit donations received after the date of termination.

*Status:* [On 5/1 assigned to the House Rules Committee.](#)

### **HB 2251 – STO aggregate credits; cap freeze**

Extends to FY 2018-2019 the \$10 million aggregate tax credit cap increase of 20% annually.

*Status:* [On 5/1 assigned to the House Rules Committee.](#)

**HB 2252 – STO scholarship; student transfers**

Removes students who previously received an educational scholarship or tuition grant from the list of students eligible for STO tax credit contributions for educational scholarships or tuition grants.

*Status:* [On 5/1 assigned to the House Rules Committee.](#)

**HB 2253 – STO scholarships; beneficiary recommendations**

Removes ability of an STO from awarding, designating or reserving a scholarship on the basis of donor recommendations.

*Status:* [On 5/1 assigned to the House Rules Committee.](#)

**HB 2254 – STO cap; general fund percentage**

Limits the aggregate tax credit cap in any fiscal year; cap “shall not exceed 1% of the amount the legislature appropriates for all purposes from the State General Fund in that fiscal year”.

*Status:* [On 5/1 assigned to the House Rules Committee.](#)

**HB 2255 – STO credit cap; growth trigger**

Extends to FY 2018-2019 the \$10 million aggregate tax credit cap increase of 20% annually. Sets requirements for increases (if any) beginning 2019-2020.

*Status:* [On 5/1 assigned to the House Rules Committee.](#)

**HB 2256 – STO; administrative costs; allocation**

Raises the percentage of annual revenues for educational scholarships/tuition grants from 90% to 95%.

*Status:* [On 5/1 assigned to the House Rules Committee.](#)

**HB 2324 – STO cap; education funding**

Extends to FY 2018-2019 the \$10 million aggregate tax credit cap increase of 20% annually. Sets requirements for decreases or increases beginning 2019-2020.

*Status:* [On 5/2 assigned to the House Rules Committee.](#)

**HB 2517 – STOs; qualified schools; preschool programs**

Requires STOs to provide educational scholarships or tuition grants to children who attend a preschool program at a government school or a quality preschool program.

*Status:* Filed.

**SB 1168 – STO; credit cap; low-income qualification**

- Beginning in FY 2019-2020, annually increases the aggregate dollar of the tax credit cap from the previous fiscal year by the greater of either the percentage of the annual increase in the metropolitan Phoenix consumer price index; or 2%.
- Family income criteria revised from meeting the economic eligibility requirements of free or reduced-price lunch to income that “exceeds the federal poverty guidelines but does not exceed 133%” of the guidelines.
- Raises from 90 to 95% the allocation requirement to be used for scholarships or grants

*Status:* Introduced 1/24/19; assigned to Senate Committees on Finance; Education, and Rules.

**SB 1485 - school tuition organization; inflator**

- Beginning in FY 2020-2021, annually increases the aggregate dollar of the tax credit cap from the previous fiscal year:
- FY 2020-2021, 15%
- FY 2021-2022, 10%
- FY 2022-2023, 5%

- For FY 2023-2024 and each year thereafter, by the greater of either the percentage of the annual increase in the metropolitan Phoenix consumer price index; or 2%.

ASBA supports.

*Status:* [Passed the House Committee of the Whole 4/15.](#)