



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

DATE OF MEETING: **February 10, 2015**

TITLE: **Periodic Legislative Update**

BACKGROUND:

This Item is presented to permit the Governing Board to review and discuss the status of education-related legislation which has been proposed in the first regular session of the 52nd Arizona legislature this year.

On November 18, 2014, the Governing Board approved the following District Legislative Priorities for the 2015 Legislative Session(s):

1. Increase Funding for K-12 Education.
2. Restore Career Ladder Funding.
3. Maintain Desegregation Funding.
4. Provide Adequate Funding to Serve English Language Learners.
5. Establish a Reliable and Adequate Source of Funding for the School Facilities Board.
6. Provide User-friendly and Practical Reporting Requirements and Provide Funding Support for the Same.
7. Protect and Support Educator Due Process Rights.

A summary of bills introduced in the Arizona House of Representatives and the Senate follows and includes current status of those bills where available. In subsequent legislative updates, status updates on each bill will be provided.

The currently proposed legislation is grouped together by the general topic.

RECOMMENDATION:

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

INITIATED BY:

A handwritten signature in cursive script, appearing to read "Todd A. Jaeger".

Todd A. Jaeger, Associate to the Superintendent

Date: February 3, 2015

A handwritten signature in cursive script, appearing to read "Patrick Nelson".

Patrick Nelson, Superintendent

**BILLS INTRODUCED
IN THE FIFTY-SECOND LEGISLATURE, FIRST REGULAR SESSION**

Professional Development

HB 2185 - alternative teacher development program; appropriation

Appropriates \$5 million from the General Fund to the ADE for the Alternative Teacher Development Program and continues the Program through 2020. Amendment passed in the Education Committee requires 50% of the appropriated monies to be used by the service provider in counties with a population under 1 million persons.

Status: Introduced 1/15/15; Assigned to House Committees on Education (passed 1/21), Appropriations and Rules.

HB 2516 - teachers; abuse prevention; continuing education

Allows awareness and prevention training for child abuse and the sexual abuse of children to count as continuing education credits for certificated teachers and administrators.

Status: Introduced 1/28/15; Assigned to House Committees on Education (passed 1/28), and Rules.

HB 2518 - temporary kindergarten teachers; certification

Permits teacher of grades 1-8 to provide instruction in a kindergarten program for 1 year (only) while working to obtain an early childhood endorsement.

Status: Introduced 1/29/15; Assigned to House Committees on Education, and Rules.

SB 1076 - teacher student loan program; appropriation

Appropriates \$200,000 from the state General Fund in FY 2016 to the Arizona Commission for Postsecondary Education (ACPE) for the Mathematics, Science and Special Education Teacher Student Loan Forgiveness Program (MSSE Program). Modifies a MSSE Program loan from \$7,000 to \$10,000. Requires a 1 year service commitment to receive a loan.

Status: Introduced 1/20/15; Assigned to Senate House Committees on Education (passed 1/29), Appropriations and Rules.

Charter/Private Schools/JTEDs

HB 2208 - charter schools; agricultural buffer zones

Charter school may be located less than .25 mile from regulated agricultural land

Status: Introduced 1/22/15; Assigned to House Committees on Education, and Rules.

HB 2249 - JTEDs; funding; ninth graders

Student count/ADM calculations to include 9th graders enrolled in JTED courses.

Status: Introduced 1/22/15; Assigned to House Committees on Education, Appropriations and Rules.

HB 2262 - school district transportation; JTED students

If a school district provides student transportation services to/from a JTED campus for its enrolled students, it must also provide student transportation to/from that campus for non-district students enrolled at the JTED.

Status: Introduced 1/22/15; Assigned to House Committees on Education, and Rules.

HB 2478 - JTEDs; satellite courses; charter schools

Permits a JTED to contract with any charter school located within the JTED to offer CTE courses as a satellite campus.

Status: Introduced 1/26/15; Assigned to House Committees on Education (passed 1/28), and Rules.

HB 2537 - charter schools; teachers; funding

Charters schools are eligible to compute and receive funding for the teacher experience index pursuant to section 15-941 and for additional teacher compensation pursuant to section 15-952.

Status: Introduced 1/29/15; Assigned to House Committees on Education, and Rules.

SB 1117 - online instruction; state-approved charter authorizers

Allows state-approved charter authorizers to sponsor charter schools to be Arizona Online Instruction (AOI) course providers or online schools.

Status: Introduced 1/27/15; Assigned to Senate House Committees on Education (passed 1/29) and Rules.

SB 1286 - charter schools; private postsecondary institutions

Adds a private university or college to those entities permitted to sponsor a charter school.

Status: Introduced 1/29/15; Assigned to Senate House Committees on Education and Rules.

Finance/Budget

HB 2207 – schools; parking fees

Allows school district to use monies collected from parking fees for any maintenance and operation (M&O) or unrestricted capital outlay expense.

Status: Introduced 1/15/15; Assigned to House Committees on Education (passed 1/28), Appropriations and Rules.

HB 2260 - schools; audit frequency; review

Schools, district, JTED or charters are exempt from procurement audit if last 3 consecutive audits contained no significant negative findings; would still be subject to “procedural review”.

Status: Introduced 1/22/15; Assigned to House Committees on Education, and Rules.

HB 2520 - appropriation; grants; reading-intensive programs

Would appropriate \$500,000 for ADE to provide grants to school districts and charter schools to fund reading-intensive programs.

Status: Introduced.

SB 1303 - special education; cost study

Requires ADE to complete a cost study of special education programs by 12/1/15 and every 2 years thereafter.

Status: Introduced.

Student Privacy

SB 1172 - schools; information; political activity; prohibition

Prohibits a school district/charter school from releasing information (including directory information) to anyone engaging in political activity; prohibits district/charter from accepting compensation or gifts, other than legally-permitted fees, for records/information production.

Status: Introduced 1/26/15; Assigned to Senate House Committees on Education, and Rules.

SB 1247 - student data; privacy

Directs SBE to create website for student data. Sets forth privacy safeguards like those in Family Educational Rights and Privacy Act of 1974 (20 United States Code section 1232g) aka FERPA.

Status: Introduced 1/28/15; Assigned to Senate House Committees on Public Safety, Military and Technology; Education, and Rules.

SB 1306 - schools; data privacy [See also SB 1247]

Defines terms. In addition to the bill's components similar to SB 1247, SB 1306 also directs the ADE to develop criteria for the approval of data requests from state and local agencies, the legislature and researchers if the ADE determines the request qualifies for an exception under FERPA.

Status: Introduced.

Curriculum

HB 2064 - graduation requirement; civics test

Directs the SBE to include the requirement for students to pass a civics test in the high school competency requirements for graduation, beginning in the 2016-17 school year.

Status: Introduced 1/15/15; SIGNED by the Governor on 1/15/15

HB 2190 - schools; common core; replacement

Beginning with SY 2015-2016, SBE will adopt areas of subject matter standards that are subject to legislative review and approval and will be implemented by every AZ public school.

- SBE may not adopt/ADE may not implement common core standards or any other standards or assessments aligned with/proposed by the partnership for assessment of readiness for college and careers.
- SBE is sole authority for adopting academic content standards for AZ public schools;
- SBE must provide notice on ADE website of any proposed adoption/revision of academic content standards and must request public comment
- Schools/charters are not required to use any statewide academic standards adopted by the SBE as a condition for approval to operate or for receiving state monies.
- Student and teacher information privacy will be protected from state education entities; information may not be used for the development of commercial products or services.
- By 8/1/17, SBE will adopt subject matter standards for English language arts, American history and mathematics:
 - that are college and career ready;
 - evaluated by ADE and AZ Board of Regents;
 - address the goals of reducing the need for remedial coursework at the postsecondary level;
 - increase the successful completion of postsecondary education.
 - will replace the previous standards
- Until the statewide student assessments for English language arts, American history and mathematics are implemented, the SBE will implement the standards that were in place on May 31, 2010.
- By SY 2018-2019, the SBE will direct the process of developing annual statewide student assessments for English language arts, American history and mathematics that align with the college and career ready subject matter standards;
- SBE is prohibited from contracting with any entity that cedes or limits state control over public school standards or assessments
- Districts/charters:
 - shall exclusively determine the instruction, curriculum, reading lists and instructional materials and textbooks, to be used in meeting the subject matter standards.
 - may adopt supplementary student assessments that are in addition to the statewide student assessments.
- Student academic performance data may not be collected except to evaluate student's readiness for promotion or graduation.
- Personally identifiable data may not be transmitted except to governing bodies of districts/charters

Status: Introduced 1/22/15; Assigned to House Committees on Education, and Rules.

HB 2199 - schools; class size reduction grants

Directs the SBE to reduce class sizes to 15 in K-3

Status: Introduced 1/29/15; Assigned to House Committees on Education, Appropriations and Rules.

HB 2228 - school pupils; academic intervention

Requires school districts to create a list of students with a 2.0 grade point average or lower; to provide academic interventions to these students until exceeds 2.0 grade point average. Interventions to be determined by district Governing Board.

Status: Introduced 1/29/15; Assigned to House Committees on Education, and Rules.

HB 2246 - statewide assessments; parental opt out

Parent may opt-out of statement assessment; Alternatives other than statewide assessment to be used for 3rd grade promotion and high school graduation.

Status: Introduced 1/22/15; Assigned to House Committees on Education, and Rules.

HB 2261 - university admissions; CTE; fine arts

Requires the AZ Board of Regents to permit CTE/JTED fine arts credits for university admission.

Status: Introduced 1/15/15; Assigned to House Committees on Education, and Rules.

HB 2476 - sex education programs; requirements

Requires all school districts to provide medically accurate, developmentally accurate and age-appropriate sex education in K-12; permits parents to opt out of program

Status: Introduced.

SB 1018 - character education study committee

Establishes a study committee to develop a list of curricula for character education programs for K-12 students that teachers may use as an alternative to character education programs offered by third-party vendors.

Status: Introduced 1/12/15; Assigned to Senate House Committees on Education, and Rules.

SB 1019 - sex education; parental opt-out

Permits a school district to provide sex education instruction to a student unless the parent opts-out in writing.

Status: Introduced 1/12/15; Assigned to Senate House Committees on Education, Government and Rules.

SB 1021 - bullying; sexual orientation; gender identity

Expands A.R.S. §15-341(A)(37) to require a school district's governing board to prescribe and enforce anti-bullying policies to include "harassing, intimidating and bullying other pupils based on actual or perceived sexual orientation or gender identity"....

Status: Introduced 1/15/15; Assigned to Senate House Committees on Education, Government and Rules.

SB 1126 - schools; daily organized physical activity

Requires school districts and charter schools to adopt policies that require students to engage in daily organized physical activity.

Status: Introduced 1/22/15; Assigned to Senate House Committees on Education (passed 1/29), Appropriations and Rules.

SB 1244 - competency-based innovation pilot programs

Permits the SBE to approve competency-based innovation pilot programs.

- Defines "Competency-based education" as a system that:
 - has sufficient flexibility to provide personalized instruction and flexible pacing for students and
 - in which Students progress and credit is awarded when competency is demonstrated.
- Defines "Innovation pilot program" as a voluntary pilot program to improve student achievement through competency-based education, and
 - is conducted by an SBE-approved school district/charter school.
- Permits pilot programs to be "provided flexibility from selected state and local laws, rules, policies and ordinances".

- Directs SBE to adopt rules for conditions/procedures for districts/charters and provide oversight including:
 - District/charter application, plan review, approval and amendment processes;
 - rules that may be disregarded or modified for SBE-approved innovation pilot programs;
 - Timelines, including initial 3-year program w/ 5-year renewal
 - revocation process for failed program;
 - SBE may select and enter into 5-year agreement for private operation/administration of program;
- Status:* Introduced 1/28/15; Assigned to Senate House Committees on Education, Appropriations and Rules.

SB 1289 - schools; letter classification; transition process

Sets forth a transition process to revised school/district accountability system.

- For School Years 14-15, 15-16 or 16-17:
 - Prohibits ADE from assigning schools/district letter grade classifications so that SBE can develop and implement a revised accountability system.
 - ADE will continue to collect and publish academic performance data
 - ADE will develop criteria to identify school/districts that demonstrate a below average level of performance, a failing level of performance, or that are persistently low achieving.
- During SY 14-15, 15-16 and 16-17, governing boards may adopt:
 - alternative policies regarding performance based funding, or
 - policies regarding dismissal or nonrenewal procedures for teachers who continue to be designated in the lowest performance classification
- In FY 2015-2016, 2016-2017 and 2017-2018, each district/charter that:
 - was assigned a letter grade of C, D or F in SY 13-14, or
 - that has more than 10% of its pupils in grade 3 reading far below the 3rd grade level according to the reading portion of AIMS (or successor test)

... shall receive monies generated by the K-3 reading support level weight, after receiving SBE approval its K-3 reading program plan.
- By 12/15/15, SBE must submit proposed legislation to implement the revised accountability system for schools and school districts.

Status: Introduced 1/29/15; Assigned to Senate House Committees on Education and Rules.

SB 1305 - continuous improvement academic standards committee

Establishes the ADE's continuous improvement academic standards committee which will annually:

- Seek public input on the AZ education standards;
- conduct public meetings;
- Review academic standards and related education issues;
- Analyze public input;
- Make recommendations to the SBE for changes to the academic standards

Status: Introduced.

On-line courses

HB 2229 - approved online courses; master list

No later than 12/15/15, SBE to adopt/maintain master rubric of online courses; ADE will limit online course categories in SY 16-17/17-18 to those that award college credits and core academic courses. Each course to be semester-long; no daily time requirement; no specified completion time.

Status: Introduced 1/29/15; Assigned to House Committees on Education, and Rules.

HB 2530 - schools; Arizona online instruction

Requires school districts to concurrently enroll online students who are eligible to attend district schools. Homeschools are responsible for the standardized test administration for students enrolled concurrently in online programs.

Status: Introduced 1/27/15; Assigned to House Committees on Education, and Rules.

SB 1093 - online instruction; concurrent enrollment; testing

Requires district schools to concurrently enroll eligible students who are also enrolled in Arizona online instruction (AOI) and prohibits district schools from charging fees for examination.

Status: Introduced 1/21/15; Assigned to Senate House Committees on Education (passed 1/29) and Rules.

School Operation

SB 1281 - schools; compulsory attendance age; increase

Raises mandatory education age to 18 years old.

Status: Introduced 1/15/15; Assigned to Senate House Committees on Education; Appropriations, and Rules.

Buildings/Property

HB 2562 - school property; proceeds; limitations; removal

Removes limitations to a school districts' ability to expend the proceeds from the sale or lease of school property for maintenance and operation or capital outlay

Status: Introduced.

SB 1323 - school districts; partnerships; school facilities

Removes the provision prohibiting a school district from entering into an agreement "with any party other than a master planned community party". A master planned community was defined as a land area consisting of at least 320 acres, which may be noncontiguous, that is the subject of a zoning ordinance.

Prohibits a school district that receives monies from the new school facilities fund for a school facility from receiving monies from the SFB for the donation of real property.

Status: Introduced.

Child Welfare

SB 1127 - foster children; educational requirements

Establishes A.R.S. §8-848 to encourage school stability for students in foster care. Sets forth:

- If child's foster placement changes, directs Dept. of Child Safety to "make arrangements for the child to remain in the same school if this is in the best interests of the child."
- Sets forth notice requirements for planned placement changes
- If court report is required, DCS will report:
 - The child's recent academic performance.
 - The child's educational goals and objectives and the child's progress in meeting these goals and objectives.
 - The suitability of the person or entity that is legally entitled to make educational decisions on behalf of the child.
- Establishes ARS §15-105 regarding children in foster care; school liaison; graduation requirements.
 - Requires school districts/charter schools to assign an employee to act as a liaison for children in foster care; specific duties set forth.
 - Allows a child in foster care to continue enrollment in that child's current school and to enroll in schools that provide instruction in higher-level grades in the same attendance area for the remainder of the time in which the child is in foster care.

- Prohibits denial of school enrollment for
 - outstanding monies due to previous school;
 - lack of school uniform
 - lack of academic records, medical records, immunization history or proof of residency.
- Requires district to allow student's high school graduation if he/she meets SBE graduation requirements, even if school's requirements are in addition to or higher than the SBE's.
- Permits student to stay in high school until age 22 to meet graduation requirements of that school if those are in addition to or higher than the SBE's.

Status: Introduced.

SB 1321 - foster child education liaison program [see also SB 1127]

Establishes the Department of Child Safety's foster child education liaison program to improve the educational outcomes of foster children by coordinating foster child education services among the department, the courts and the schools.

Status: Introduced.