



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

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**DATE OF MEETING:** March 6, 2018

**TITLE:** Periodic Legislative Update

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**BACKGROUND:**

This item permits the Governing Board to review and discuss the status of education-related legislation proposed in the first regular session of the 52<sup>nd</sup> Arizona legislature this year.

Information that has been added to this Item since the Board's last review appears in **BLUE**.

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

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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: February 26, 2018

  
Todd A. Jaeger, J.D., Superintendent

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

**SCHOOLS - Curriculum**

**HB 2281 - ELL instruction; dual language programs**

Removes the 4-hour requirement for ELL students in the 1st year of instruction who are enrolled in a dual language program in their school.

*Status:* Passed the House; transferred to the Senate 2/12/18 and assigned to Senate Committees on Rules, and Education.

ASBA supports.

**HB 2398 – Education; federally defined illegal substances**

*Formerly: health education; marijuana; opioids; alcohol*

On 2/15/18, a strike-everything amendment was passed unanimously in the House Committee on Health. The bill now specifies that “The Governor’s Office of Youth, Faith and Family may partner with local education agencies to teach children the dangers of federally defined illegal substances.”

~~Requires districts/charters to provide minimum of 2 hours of health education for students in grades 5-12 concerning negative health effects of tobacco, marijuana, illegal drugs; opioid, prescription drug and alcohol abuse. Education to be taught by teachers or volunteers either during or after class hours.~~

*Status:* Assigned to House Committees on Rules, and Health (passed 2/18/18).

**HB 2392 - schools; sexual abuse prevention program**

**SB 1384 - schools; sexual abuse prevention program**

- Directs DCS/ADE, by July 1, 2019, to develop statewide child sexual abuse and assault awareness and prevention program for public schools.
- Directs LEAs to implement program by October 1, 2019.
  - Parental waiver to all/part of the program is permitted.
- Enabling act to be cited as “Erin’s Law”.

*Status of HB 2392:* Introduced 1/30/18; assigned to House Committees on Rules, and Education.

*Status of SB 1384:* Introduced 1/30/18; assigned to Senate Committees on Rules, Appropriations and Education.

ASBA opposed.

**HB 2502 - child abuse prevention education; schools**

Requires districts/charters to educate/train employees/students on child abuse prevention beginning SY 18-19.

*Status:* Ready for the House Committee of the Whole.

ASBA opposed.

**HB 2612 - schools; prohibited courses; repeal**

This Bill would repeal A.R.S. Sections 15-111 and 15-112.

- Section 15-111 states: “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.”
- Section 15-112 sets forth prohibited courses and classes.
  - 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:* Introduced 2/6/18; assigned to House Committees on Education, and Rules.

### **SB 1082 - full-day kindergarten; instruction requirements**

For schools offering more than two and one-half hours of kindergarten instruction per day, requires the instruction:

- Aligns with academic standards for kindergarten instruction prescribed by the SBE;
- Is academically meaningful;
- Emphasizes literacy;
- Provides active learning enrichment; and
- Incorporates play as an instructional strategy.

*Status:* Passed the Senate; transmitted to the House 2/12/18 and assigned to Senate Committees on Rules, and Education.

### **SB 1083 - schools; recess periods**

- Requires school districts and charter schools to provide recess during the school day as follows:
  - At least two recess periods for pupils in grades K-5; and
  - At least one recess period for pupils in half-day kindergarten programs.
- Allows school districts and charter schools to count a pupil's participation in a physical education course as one of the recess periods for that day.
- Specifies that school districts and charter schools are not required to extend the school day as part of meeting the recess period requirement.

- Exempts from the recess requirements middle schools, junior high schools, high schools, online schools or schools where fifth grade is the lowest grade of instruction offered.
- Defines *recess* as a period of time during the regular school day, including time during a scheduled lunch period, during which a pupil is able to engage in physical activity or social interaction with other pupils.

*Status:* [Passed the Senate; transmitted to the House 2/12/18 and assigned to Senate Committees on Rules, and Education.](#)

ASBA opposed.

### **SB 1168 - school instruction; AIDS; homosexuality**

Removes prohibition against including course instruction that:

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

*Status:* Ready for the House Committee of the Whole.

### **SB 1177 - schools; ELL; English duration; waivers**

Permits a district/charter to apply to the SBE for a renewable 3-year waiver from the minimum 4-hour English language development requirement upon demonstrating that instruction will be provided to ELLs through an alternative research-based language program.

*Status:* Introduced 1/16/18; assigned to Senate Committees on Rules, and Education

### **SB 1275 - schools; sexual abuse prevention education**

Beginning SY 18-19, requires districts/charters to educate/train employees and students on ADE-developed sexual abuse prevention at least twice a year. Enabling act may be cited as “Jenna’s Law”.

*Status:* Introduced 1/23/18; assigned to Senate Committees on Rules, Appropriations and Education

### **SB 1356 - sex education curricula; requirements**

Requires districts to provide sex education for K-12 students that is medically and developmentally accurate and age-appropriate; sets specific instructional requirements.

*Status:* Introduced 1/24/18; assigned to Senate Committees on Rules, and Education.

### **SB 1444 - schools; American civics education**

Requires SBE to include American Civics among competency requirements for high school graduation

*Status:* Introduced 1/30/18; assigned to Senate Committees on Rules, Appropriations ([passed 2/20/18](#)), and Education ([passed 2/15/18](#)).

## **SCHOOLS - Assessments**

### **HB 2037 - schools; statewide college readiness examination**

Beginning SY 18-19, SBE:

- Prohibited from administering statewide assessment to measure student achievement in
  - Reading, writing and math to 11<sup>th</sup> grade students.
  - Science assessments to high school students.
- Must administer statewide college readiness exam that includes science component to all high school students.

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

### **HB 2113 - schools; online test preparation**

- Directs SBE to contract with an online test preparation provider to prepare students to take a college admission test that assesses outlined subjects and is most commonly submitted to universities under the jurisdiction of ABOR.
- Requires the online test preparation system be available to students for at least one full year beginning in SY 2019.
- Allows students who are in 11<sup>th</sup> grade during SY 2019 to access the online test preparation system as soon as it is operational.
- Outlines requirements for the online test preparation system.
- Instructs LEAs to encourage the use of the online test preparation system, and inform parents and students about it, to be eligible to administer a college admissions test provided by SBE from monies appropriated for college readiness assessments.
- Appropriates \$800,000 from the GF to SBE in FY 2019 to fund the online test preparation system.

*Status:* Introduced 1/9/18; assigned to House Committees on Rules, Appropriations (held 2/19/18) and Education (passed 1/29/18).

### **HB 2477 (high school mathematics; proficiency; notification) passed 9-1**

This bill prescribes that if the statewide assessment results are available before the start of each school year, then school districts and charter schools must provide notification in the first quarter of the year to parents of 6<sup>th</sup>-8<sup>th</sup> graders who failed to demonstrate proficiency in grade-level mathematics. The notification must include the following: a description of the student's mathematics deficiencies based on the statewide assessment, a description of the current mathematics services provided by the district, including supplemental instruction and supporting programs.

*Status:* Passed the House 2/16/18; transmitted to the Senate and assigned to Senate Committees on Education, and Rules.

### **SB 1172 - schools; transfer students; competency requirements**

Third grade promotion requires a demonstration of “sufficient reading skills”, from a demonstration that the student’s “reading falls far below the 3<sup>rd</sup> grade level”.

- Skills may be evidenced through a collection of SBE-approved reading assessments.
  - Student’s assessment data on a statewide test be available before the end of the current academic year.
    - If test data not available, student must receive evidence-based intervention if subsequent assessment data demonstrates insufficient reading skills.
    - Instruction must be with a different teacher who is in the top 2 performance classifications and may include computer-based instruction.

*Status:* Introduced 1/16/18; assigned to Senate Committees on Rules, and Education.

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

### **HB 2085 - schools; emergency epinephrine administration**

- Permits, rather than requires, LEAs to stock epinephrine auto-injectors pursuant to a standing order issued by a specified health professional.
- Allows LEAs to stock additional epinephrine auto-injectors.
- Repeals the requirement that ADE include epinephrine auto-injectors in its annual budget request.
- Authorizes LEAs to accept monetary donations, apply for grants or participate in third-party programs to obtain epinephrine auto-injectors.

- Modifies the requirements for SBE rules regarding the annual training and procedures for administration of auto-injectable epinephrine.

*Status:* Passed the House 2/14/18; transmitted to the Senate and assigned to Senate Committees on Education, and Rules.

**HB 2086 - schools; diabetes management policies; pharmacists**

Adds AZ-licensed pharmacists to the list of individuals who may participate in developing a diabetes management plan for a student. District responsibilities are unchanged.

*Status:* Passed the House 2/8/18; transmitted to the Senate and assigned to Senate Committees on Education, and Rules.

**HB 2088 - pupils; concussions; parental notification**

Requires a student's parent or guardian to be immediately notified by the school district in the event of a suspected concussion.

*Status:* Passed the House 2/9/18; transmitted to the Senate and assigned to Senate Committees on Education, and Rules.

**HB 2089 - interscholastic activities; health dangers; information**

Instructs school district athletics policies to include guidelines, information and forms developed in consultation with a private entity that supervises athletics to inform coaches, students and parents on the dangers of heat-related illnesses, sudden cardiac death and prescription opioid use. Requires students and parents to annually sign an information form stating they are aware of the risks before participating in athletic activity.

*Status:* Passed the House 2/6/18; transmitted to the Senate and assigned to Senate Committees on Education, and Rules.

**HB 2252 - schools; concussions; health care provider**

Defines *health care provider* who is permitted to authorize student's return to play after head injury as a "licensed health care professional who has been trained to evaluate and manage concussions and head injuries".

*Status:* Introduced 1/17/18; assigned to House Committees on Rules, and Education.

**HB 2323 – schools; inhalers; contracted nurses**

Adds to persons authorized to administer or assist in administering an inhaler at school to include a "contracted" nurse.

*Status:* Passed the House 2/8/18; transmitted to the Senate and assigned to Senate Committees on Education, and Rules.

**HB 2403 - athletic trainers; regulation; repeal**

Removes an athletic trainer as a *health care provider* who may permit a student's return to play following the student's head injury.

*Status:* Introduced 1/18/18; assigned to House Committees on Rules, and Military, Veterans & Regulatory Affairs.

**HB 2506 - schools; vision screenings**

- Requires districts/charters to:
  - Annually provide vision screen for K-5 and 9 students;
  - Written notice to parents of student who are found to have possible vision defect or eye disease, and
  - Written explanation to those parents whose students were not screened.

- Directs ADE to create database regarding vision screenings, and within 10 days of screening, district must provide to ADE statistical info by grade level of the number of:
  - Screenings, and
  - Students referred for follow up exams.

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

### **HB 2592 - schools; suicide; self-harm; prevention**

Requires districts/charters to adopt evidence-based research policies to prevent student suicide and self-harm. Permits districts/charters to request assistance in formulating policies from DHS, AHCCCS and ADE.

*Status:* Introduced 2/6/18; assigned to House Committees on Education, and Rules.

### **SB 1291 - schools; pupil assessment data**

- Requires ADE to provide raw data assessment data to LEAs within 30 days of request;
- Prohibits ADE/SBE from prohibiting Superintendent or staff from sharing information with governing board.

*Status:* Ready for the Senate Committee of the Whole.

ASBA supports.

### **SB 1358 - schools; health information; website posting**

Requires districts/charters to post on their websites:

- Immunization rate of enrolled students;
- Whether school employs a nurse;
- If personnel (other than nurse) provides student health care and, if so, their qualifications.

*Status:* Introduced 1/24/18; assigned to House Committees on Rules, and Education.

### **SB 1449 - schools; statewide assessment contracts; review**

Districts/charters:

- May administer statewide assessment in written form.
- Offering SBE menu assessments will receive same funding amounts for SY17-18 and SY18-19.

Requires JLBC review/approval prior to ADE/SBE adoption, renewal, extension or modification of any proposed or current contract for statewide assessment.

*Status:* Introduced 1/30/18; assigned to Senate Committees on Rules, and Education (passed 2/8/18).

## **SCHOOLS - Miscellaneous New Requirements**

### **HB 2018 - schools; suspensions and expulsions**

Amends ARS 15-843.01; prohibits P-2 public/charter students from suspension or expulsion:

- Except:
  - If required by federal law;
  - If imminent threat to other students/staff than cannot be reduced/eliminated through intervention/support, may suspend no more than 5 school days.
- Admin shall “promptly” contact parent/guardian.
- School shall provide intervention/support to address behavior if student is either:
  - Suspended.
  - Disruptive to school environment.
  - Commits an act for which an older student would be suspended.
- Intervention/support may include:
  - Positive behavior intervention and support.

- Referral to a support team; IEP team, and/or community-based services.
- “Restorative practices” to remedy impact of student’s behavior.

*Restorative Practices* are defined as “practices that are conducted in a whole-school setting that supports peacemaking and solves conflict by building a community and addressing harm in the school setting and that meet all of the following requirements:

- Are conducted by trained staff.
- Focus on repairing the harm to the community through dialogue that emphasizes individual accountability; and
- Help build a sense of belonging, safety and social responsibility in the school community.

*Status:* Introduced 1/9/18; assigned to House Committees on Rules, and Education.

**HB 2341 - homeschooled children; school buses; JTEDs**

- Instructs LEA's that provide transportation services to a JTED campus to provide the same transportation services to homeschooled children residing within the LEA's boundaries who are enrolled in a JTED course.
- Specifies that LEAs are not obligated to change routes or add bus stops to accommodate homeschooled children.
- Requires children using the LEA's transportation to comply with bus conduct rules and permits the LEA to exclude children for misconduct.
- Directs the LEA to be reimbursed for fuel costs and expenses for adding equipment, staff or routes, except that existing transportation costs may not be included.
- Requires the JTED to provide identification information and indemnification required by an LEA for transporting homeschooled children.
- Exempts LEAs from the transportation requirement if there insufficient capacity to transport the homeschooled children.

*Status:* Introduced 1/17/18; assigned to House Committees on Rules, and Education (held 1/22).

*ASBA opposed.*

**SB 1391 - schools; suicide prevention training**

Beginning SY19-20, requires annual 2-hour training for grades 6-12 school personnel in:

- Suicide prevention
- Identification of suicidal behavior warning signs
- Intervention/referral techniques

Act may be cited as the "Mitch Warnock Act".

*Status:* Introduced 1/29/18; assigned to Senate Committees on Rules, Health and Human Services, and Education.

**SCHOOLS - Reports**

**HB 2055 - dual enrollment; annual report date**

Prerequisite course waivers for dual-enrollment high school students must be reported to JLBC by December 1.

*Status:* Introduced 1/9/18.

**HB 2216 - schools; dropout recovery programs; report**

Requires SBE to submit annual report detailing Dropout Recovery Program outcomes.

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



### **SB 1254 - special education; cost study**

Requires Board to prepare a detailed report of special education program expenditures for each disability classification in §15-761.

*Status:* Introduced 1/9/18; assigned to House Committees on Rules, Appropriations (passed 2/20/18), and Education (passed 2/8/18).

ASBA supports.

### **SB 1306 - schools; pupil discipline; annual report**

Requires ADE to produce statistical disciplinary information and outcomes on specific demographic subgroups.

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

## **SCHOOLS – Employees / Employment**

### **HB 2036 - substitute teachers; experience; certification**

- Directs SBE to permit substitute teachers with primary teaching responsibility to use that time toward any classroom teaching requirements for a standard teaching certificate.
- Clarifies that the requirements for renewing active and expired certificates apply to standard teaching certificates.

*Status:* Passed the House 2/6/18; transmitted to the Senate and assigned to Senate Committees on Rules, and Education.

### **HB 2077 - public employees; collective bargaining**

Permits public employees to form, join and participate (or not) in any labor organization.

*Status:* Introduced 1/9/18; assigned to House Committees on Rules, and Government.

### **HB 2139 - experienced teacher retention pilot program**

ADE directed to conduct 5-year program; Participants will receive 75% discount on AZ university tuition during program.

- Discount may only be used toward graduate degree(s) from College of Education.
  - Must sign contract to teach at AZ public school for min. 2 years after receiving degree.
    - Failure to fulfill terms requires repayment of discounted tuition.
- Applicants selected first-come/first-serve; to qualify:
  - Must be certified teacher at 1/more district/charter.
    - Minimum of 10 years;
      - Qualified teacher's spouse or dependent.
    - Minimum of 3 but less than 10 years.
- Appropriates 2.5 million in FY 18-19; 5 million in FYs 19-20, 20-21 and 22-23.

*Status:* Introduced 1/9/18; assigned to House Committees on Rules, Appropriations, and Education.

### **HB 2187 - schools; teacher evaluation systems**

- Replaces the model framework with periodically updated guidance for teacher and principal evaluations.
- Removes the requirement that data on student academic progress account for 33-50% of evaluation outcomes.
- Authorizes LEAs to measure student academic progress for evaluations with an instrument other than the statewide assessment.
- Asserts that LEAs may determine the measurement tool(s) used for evaluations and the formula that will be used to determine evaluation outcomes.

- Instructs school district governing boards to adopt policies describing the methods for evaluations and the formula to determine evaluation outcomes in a public meeting.
  - Includes student academic performance data and job effectiveness in the methods for evaluations.
- Clarifies that the following requirements apply to standard teaching certificates:
  - Certificates must be issued and renewed for at least 12 years, with up to 15 hours of CE; and
  - Expired certificates are renewable within 2-10 years of expiration, if criteria are met.

*Status:* [Passed the House 2/8/18; transmitted to the Senate and assigned to Senate Committees on Rules, and Education.](#)

#### **HB 2326 - appropriation; salary increases; counselors; aides**

- Directs districts/charters to provide a 1.06% salary increase in FY 17-18 to guidance counselors and teacher aides who:
  - Taught at a district/charter during SY 17-18; and
  - Who is teaching at a district/charter during SY 17-18.
- Increase is in addition to any other salary increase.
- Requires ADE to allocate funds:
  - No later than May 1, 2018.
  - Will include funding needed to pay the employer share of related increases in employee-related expenses for ASRS and Federal insurance contributions.
- *Guidance Counselor* and *Teachers Aide* defined as a person who was coded separately from certified teachers in the USFR as being a guidance counselor, elementary teacher aide, secondary teacher aide or special education teacher aide in the school district employee report for the school district for the prior year.
- Appropriates 1.7 million in FY 18-19.

*Status:* Introduced 1/18/18; assigned to House Committees on Rules, and Appropriations.

#### **SB 1171 - schools; teacher performance evaluations**

- Requires SBE's model framework for teacher and principal evaluation instruments to include quantitative data on student academic progress that accounts for zero to 20%, previously from 33-50%, of the evaluation outcomes.
  - Permits exclusion of students who were not enrolled in a school for a full academic year from progress data.
  - Prohibits statewide assessment quantitative data as part of evaluation for teachers who did not instruct students in content areas that are tested by the statewide assessment.
- Reduces classroom observations, to 1 from 2, that governing boards must include as an element of a teacher evaluation.
  - Removes requirement for 60 calendar days between first and last observations.
  - Permits evaluator to use a series of informal "walk-throughs" throughout school year to determine teacher performance.
  - If more than 1 observation takes place, the last observation may:
    - Follow the issuance of a preliminary notice of inadequacy of classroom performance; and
    - Be used to determine whether teacher has corrected inadequacies and demonstrated adequate classroom performance.
  - Permits an observation to be conducted within 2 instructional days of a school break of 1 week or more.

*Status:* Introduced 1/16/18; assigned to Senate Committees on Rules, and Education.

#### **SB 1226 - employees; school conferences; leave**

- Requires an employer (with at least 50 employees) to grant leave to employees up to 16 hours/school year (no more than 4/day) for school-related conferences or activities under certain conditions.
- Requires school to provide verification of attendance at events to employer, and to notify parents/guardians of school's visitation policy.

*Status:* Introduced 1/18/18; assigned to Senate Committees on Rules, and Education.

### **SB 1235 - state holiday; Native American day**

A strike everything amendment passed in the Government Committee revises proposed holiday date ~~July 15~~ to June 2 as a state holiday: Native American Day.

*Status:* Introduced 1/18/18; assigned to Senate Committees on Rules, and Government (passed 2/14/18).

### **SB 1242 - salary history information; employers**

- Prohibits an employer from:
  - Relying on an applicant's salary history as a determining factor whether to offer employment, or what salary to offer.
  - Seek salary information, whether verbally, in writing, personally or through an agent about a job applicant.
- Requires employer to provide position pay scale.
- Permits an applicant from "voluntarily and without prompting" disclosing salary history information.
- Section does not apply to salary history information that is subject to public disclosure.

*Status:* Introduced 1/18/18; assigned to Senate Committees on Rules, and Government.

### **SB 1255 - teachers; alternative performance evaluations**

Permits a Governing board to use an *alternative teacher performance evaluation cycle* defined as an "expedited review during years teacher is not undergoing a formal evaluation"; may include categories such as teamwork and support for lower-performing teachers.

- Only permitted for teachers having undergone evaluation for 3 consecutive years and are in highest performance classification.
- If expedited review determines teacher is not in highest performance classification, teacher shall be removed from the alternative cycle.

*Status:* Passed the Senate 2/20/18; transmitted to the House.

ASBA supports.

### **SB 1306 - schools; teacher omnibus**

- Requires same certification and fingerprint requirements for charter school teachers and administrators as exist for districts.
- SBE prohibited from making teaching reciprocity requirements "unnecessarily restrictive".
- *Subject matter expert* standard teaching certificate revised to *specialized* certificate.
- Requires SBE to issue specialized certificate for classroom teachers with STEM expertise. Such teachers are exempt from professional knowledge and subject knowledge proficiency requirements.
- Decreases standard certificate renewals from 12 to 8 years.

*Status:* Introduced 1/24/18; assigned to Senate Committees on Education, and Rules.

### **SB 1402 - teacher preparation; English language programs**

Directs SBE to determine necessary qualifications for teaching endorsements for English as a Second Language, and for Bilingual Education.

*Status:* Introduced 1/29/18; assigned to Senate Committees on Rules, and Education.

### **SB 1497 - teachers; principals; evaluation instrument**

- Expands the SBE duties regarding teacher/principal model evaluation framework.
- Revises from 33% to 50% to 20% to 40%, the percentage of student academic progress data to be included in the evaluation instruction.
- Requires quantitative data to be directly attributable to the teacher being evaluated.
- Excludes data from statewide assessments and from students who were not enrolled for full academic year.

*Status:* Passed the Senate Education Committee 2/8/18. Found to be proper for consideration in the Rules Committee 2/21/18.

## **SCHOOLS - Funding**

### **HB 2091 - small school districts; declining enrollment**

For FY 18-19 through 22-23, school districts with 500 or less students whose enrollment declines in the current fiscal year by at least 5%, funding calculations will be based on previous fiscal years' final ADM in the current and next fiscal years.

*Status:* Introduced 1/9/18; assigned to House Committees on Rules, and Education.

### **HB 2112 - funding; gifted pupils**

As amended in the Senate Committee of the Whole, appropriates the following amounts from the GF to ADE in FY 2019:

- \$3.4 4.5 million for gifted program additional assistance.
- \$500,000 for ~~grants to school districts and charter schools who apply to ADE for gifted student identification assessments.~~

*HB 2112:* Passed the House on a 47-12 vote 2/20/18; transmitted to the Senate.

ASBA supports.

### **SB 1161 – gifted pupils; funding**

As amended in the Senate Appropriations committee, appropriates \$500,000 ~~\$5,000,000~~ from the state GF in FY 2019 to ADE for additional assistance for gifted programs and exempts the appropriation from lapsing. Specifies that the scope and sequence criteria developed by a school district governing board apply to all schools served by the school district and that the program design elements must be equitable.

*Status:* Assigned to Senate Committees on Rules, Appropriations (passed 2/20/18) and Education (passed 1/25/18).

ASBA supports.

### **HB 2158 - TPT; additional rate; education**

Permanently continues the education sales tax (Proposition 301, passed by state's voters in 2000. Currently, Prop 301 is set to expire in June 2021.

*Status:* Introduced 1/16/18; assigned to House Committees on Ways & Means, Education (passed 2/12/18, and Rules.

ASBA supports.

### **HB 2171 - schools; bonds; overrides; funding sources**

Requires override informational report to contain statements regarding the amount of total per student revenues the requesting district received; and any additional revenue/expenditure information a Board chooses to provide.

*Status:* Introduced 1/16/18; assigned to House Committees on Rules, and Education.

### **HB 2533 - schools; average daily membership**

- Directs 7<sup>th</sup> and 8<sup>th</sup> grade ADM calculations to be based on enrolled subjects and defines a *full-time student* in those grades as a student enrolled in 6 subjects.
  - Funds fractional ADM at 1/6 ADM per enrolled subject in 7<sup>th</sup> and 8<sup>th</sup> grade, up to 1.0 ADM.
- Removes the instructional hour requirements for high school ADM calculations.

*Status:* Introduced 2/6/18; assigned to House Committees on Education (held 2/12) and Rules.

### **HB 2574 - schools; results-based funding; repeal**

Repeals \$37,600,000 previously appropriated from the state general fund in fiscal year 2018-2019 for a one-time increase in district additional assistance to be used for classroom technology, instructional materials, tutoring support and additional classroom aides.

*Status:* Introduced 2/6/18; assigned to House Committees on Appropriations, and Rules.

### **HB 2565 - public school tax credit; expansion**

Allows tax credits to be used by a public school for:

- Student supplies
- School meal programs
- Student health care consumables (including tissues, hand wipes, bandages)

*Status:* Introduced 2/6/18; assigned to House Committees on Education, and Rules.

### **SB 1378 - schools; bonds; overrides; funding sources**

Requires override informational report to contain statements regarding the amount of total per student revenues the requesting district received; and any additional revenue/expenditure information a Board chooses to provide.

*Status:* Introduced 1/29/18; assigned to Senate Committees on Rules, Appropriations (passed on a 5-3-2 vote 2/20/18) and Education (passed on a 4-2-1 vote on 2/15/18).

ASBA opposed.

### **HB 2282 – schools; transportation funding; calculation**

Caps the difference between each school district's transportation revenue control limit (TRCL) and transportation support level (TSL) at the amount calculated in fiscal year 2017-2018.

Specifies that if a school district's transportation support level decreases from the current year to the budget year, then the transportation revenue control limit in the budget year must decrease by the same amount.

*Status:* Introduced 1/17/18; assigned to House Committees on Rules, and Education (discussed and held 1/29). ASBA opposed – revenue.

### **HB 2363 - results-based funding; schools; repeal**

### **SB 1170 - results-based funding; schools; repeal**

Permits early literacy grant funds to be used for Pre-Kindergarten students.

*Status of HB 2363:* Introduced 1/17/18; assigned to House Committees on Rules, and Appropriations.

*Status of SB 1170:* Introduced 1/16/18; assigned to Senate Committees on Rules, and Appropriations.

### **HB 2368 - school enrollment; funding**

Beginning SY 19-20, bases per student funding on school enrollment, not attendance.

*Status:* Introduced 1/17/18; assigned to House Committees on Rules, and Appropriations.

### **HB 2453 - mitigation monies; school bus fleets**

Directs Attorney General to seek a share of funds from an environmental mitigation trust agreement (Volkswagen “Clean Diesel” Marketing); in consultation with ADE, funds distributed to school districts to be used to purchase/repower class 4-8 school buses.

*Status:* Introduced 1/22/18; assigned to House Committees on Rules, and Education.

#### **HB 2524 - school facilities board; underutilized schools**

- Directs SFB to take ownership of a district school facility upon determining the current enrollment is below 25% capacity, if sufficient monies available.
- Instructs SFB to reimburse the school district for 10% of the assessed value of either the school facility or of the land, whichever is greater.
  - Reimbursement fund monies are exempt from lapsing and are subject to legislative appropriation
- Authorizes SFB to transfer ownership of the school facility to an adjacent school district if the adjacent district:
  - Is assigned an A, B or C letter grade;
  - Has experienced enrollment growth in at least 3 of the 5 previous fiscal years; and
  - The governing board votes to assume ownership of the facility.
- Stipulates that the transfer of a school facility is contingent upon the revision of school district boundaries.
- Requires SFB to facilitate any fiduciary agreements for the transfer of a school facility between the two districts.

*Status:* Introduced 2/6/18; retained on Calendar of the House Committees of the Whole on 2/21 and 2/22/18. ASBA opposed due to concern over loss of local control.

#### **HB 2578 – damaged school facilities; replacement; grants**

- Directs SFB (School Facilities Board) to submit a proposal to JCCR (Joint Committee on Capital Review) to replace a damaged building with BRG (Building Renewal Grant Fund) monies if:
  - A school district submits information on the damaged building to SFB;
  - SFB or the school district obtains an estimate of the cost to replace the building; and
  - The cost to repair the building exceeds the cost to replace it.
- Allows SFB to award monies to a school district from the BRG to replace a building after JCCR reviews the project proposal.

*Status:* Introduced 2/6/18; passed the House 2/22/18 and transmitted to the Senate.  
ASBA supports

#### **SB 1152 - education; appropriation; noncustodial federal monies**

- Defines monies as "noncustodial federal monies" if they meet one of the following criteria:
  - Are federal block grants;
  - Are federally designated general revenue sharing monies;
  - Provide the state the ability to decide how monies for a program or service are spent; and
  - Are required by federal or state spending requirements to fund a program where at least one percent of the appropriation must come from the state.
- Exempts monies appropriated directly to a school district or charter school.
- Permits the Legislature to appropriate noncustodial federal monies allocated to ADE.
- Requires the Legislature to specify the purpose of the appropriation to ADE.
- Allows lump sum appropriations to ADE when the Legislature is not in session.
- Requires Joint Legislative Budget Committee to review lump sum expenditures made by ADE during times when the Legislature is not in session.
- Lowers appropriation to ADE by a proportional amount if the monies received is less than those appropriated.

- Requires the State Treasurer to give appropriate ADE accounts credit if the monies received are greater than the appropriation.

*Status:* Passed the Senate on a 17-12 vote 2/15/18; transmitted to the House and assigned to the House Committees on Appropriations, and Rules.

### **SB 1256 - school bus definition; vans**

- Allows a district to include any vehicle that meets the definition of a school bus in the calculation of daily route mileage.
- Prohibits the ADE from denying transportation funding/state aid for a district that transports students in any vehicle meeting the definition of school bus.
- ~~Modifies the definition of *school bus* to mean a motor vehicle designed for carrying at least 7, instead of more than 10, passengers and may include a van. (Amended in the Senate Education Committee).~~

*Status:* Passed the Senate 2/15/18; transmitted to the House and assigned to the House Committees on Education, Appropriations, and Rules.

### **SB 1439 - school funding; appropriations**

Amends A.R.S. 15-2031:

- Establishes Building Renewal Fund to maintain adequacy of existing school facilities.
- Direction to SFB to inventory/inspect school buildings and to include student capacity along with building renewal formula for database; database updated annually.
- Districts directed to use monies received first for projects falling below minimum school facility adequacy guidelines, and second for other (specified) projects; such projects require SFB approval.
- Prohibits renewal fund monies for use on:
  - New construction.
  - Aesthetic interior remodeling.
  - Exterior beautification.
  - Demolition.
  - Capital item purchases.
  - Routine preventive maintenance (most).
- Provides computation formula for aging buildings, and form building renewal fund.
- Permits ending cash balances in district's renewal fund to be used in following fiscal years.
- If district converts building space listed in database to administrative purposes, the costs for the conversion, maintenance and space replacement will be borne by district.
- Defines *primary projects*, *routine preventive maintenance* and *secondary projects*.

*Status:* Introduced 1/30/18; assigned to Senate Committees on Rules, and Education.

### **SB 1456 - schools; bullying policy; definition**

- Defines *bullying* 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 the educational opportunities, benefits or programs of a pupil;
  - Adversely affecting the ability of a pupil 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.
- Amends A.R.S. 15-841(36) and provides that school districts' bullying, intimidation and harassment policies/procedures **may** include: bullying, intimidation and harassment that occurs at "any off-

campus location or activity if the alleged activity is reported to school officials and if the bullying, intimidation or harassment creates a hostile environment for the alleged victim at school, infringes on the rights of the alleged victim at school or materially and substantially disrupts the education process or the orderly operation of the school.

- Policies/procedures **must** include:
  - Policy prohibiting bullying, intimidation or harassment through the use of electronic technology and electronic communications;
  - A statement that all pupils are protected under these policies and that bullying is prohibited without regard to the subject matter of the bullying and the motivation of the perpetrator.
  - Adds to victim notification requirement that victim’s parent/guardian also be notified after considering the health, well-being and safety of both the victim and perpetrator.
- Requires annual training for administrators, employees, pupils and parents in preventing, identifying, responding to and reporting incidents of bullying, intimidation or harassment.
- Requires charters to prescribe/enforce bullying policies/procedures.

*Status:* Introduced 1/30/18; assigned to Senate Committees on Rules, and Education.

## **SCHOOLS - Budget**

### **HB 2373 - classroom teacher supply assistance**

- Requires each district/charter to establish a “classroom teacher supply assistance account” from M & O budget.
- ADE to distribute appropriated monies on/before July 15;
  - Monies based on total number of district/charter classroom teachers and includes full-time media specialists and certified school counselors.
- Monies from account are:
  - To be distributed equally to classroom teachers:
  - Supplementary to other materials/supplies available to classroom teachers.
  - To be used for purchase of classroom supplies/materials to be used in student instruction
  - Not to be used to purchase equipment.
- Purchases are not subject to competitive bidding requirements.
- District/charter may accept donated funds for account.
- Unspent/returned funds will roll over to next year’s account.

*Status:* Introduced 1/16/18; assigned to House Committees on Rules, Appropriations, and Education ([passed on a 6-3 vote 2/12/18](#)).

[ASBA supports.](#)

### **SB 1008 - common schools; average daily membership**

Includes in ADM, the number of hours in which a student is scheduled to attend school; removes the exclusion of lunch periods and recess periods from being part of the instructional hours.

*Status:* [Passed the Senate 2/15/18; transmitted to the House and assigned to House Committees on Education, Appropriations, and Rules.](#)

## **STATE APPROPRIATIONS**



**HB 2022 - appropriation; ASDB; education program**

Appropriates 1.6 million in FY 18-19 for ASDB early childhood and family education program.

Status: [Passed the House 2/20/18; transmitted to the Senate.](#)

**HB 2374 – appropriation; teacher certification**

Appropriates 200,000 in FY 18-29 for expenses incurred in administering teacher certification.

Status: [Ready for the House Committee of the Whole.](#)

**SB 1212 - ADE; appropriation; geographic literacy**

Appropriates \$100,000 in FY 18-19 for ADE grant to a “statewide geographic alliance” to strengthen AZ geographic literacy.

Status: [Passed the Senate 2/15/18; transmitted to the House and assigned to House Committees on Appropriations, and Rules.](#)

**SB 1223 - Arizona principal academy; grants**

Appropriates undetermined amount of money to establish an “Arizona Principal Academy” competitive grant to be administered by ADE through county school superintendent; grant may be supplemented by Title II, Part A federal monies. Applicants must demonstrate:

- How to establish/continue a leadership program for current, new or aspiring school administrators.
- A research-and evidence-based curriculum.
- Community interest and need for the program.

Status: Introduced 1/18/18; assigned to Senate Committees on Rules, Appropriations, and Education.

**HB 2489 - schools; anonymous reporting; dangerous activity**

Establishes ADE’s “Safe-To-Tell” program to enable anonymous reports of dangerous, violent or unlawful activity being/threatened to be conducted on school property, at school-sponsored activity or on a school bus.

Appropriates \$400,000 in FY18-19.

Status: [Ready of the House Committee of the Whole.](#)

**TAXES**

**HB 2185 - school districts; tax levy; calculation**

- Requires a school district property tax levy to be equal to the *applicable* QTR (Qualified Tuition Reduction) or a levy equal to the district Equalization Assistance Base, subtracted by specified amounts, whichever is less.
  - *A school district property tax levy is currently required to equal the QTR or the District Support Level, subtracted by specified amounts, whichever is less (A.R.S. § 15-992). A unified school districts maximum tax rate is the QTR, while common districts and high school districts are capped at 50% of the QTR (A.R.S. § 15-971).*
- Modifies the list of separate tax rates included in a district's property tax levy as follows:
  - Adds a rate that would result in a levy equaling amounts for a qualifying dropout prevention program.
  - Clarifies the rate for outstanding cash deficits includes any separately stated cash deficit from the prior FY resulting in a deviation from the property tax roll, including resolutions or judgments relating to property tax appeals or the correction of a property tax error.
  - Removes the requirement that the county treasurer provide recommendations for this tax rate.
- Removes the requirement that expected interest earnings, amounts received from the County School Fund and the Special County School Reserve Fund and other revenue source monies be included in

county school superintendent budget estimates provided to the PTOC (Property Tax Oversight Commission).

- Allows a school district to tax less than the difference between the TRCL (Transportation Revenue Control Limit) and the TSL (Transportation Support Level).
- Repeals additional statute requiring the levy of a tax to fund high school districts.

*Status:* [Passed the Senate 2/8/18; transmitted to the House and assigned to House Committees on Education, and Rules.](#)

## **SCHOOL TUITION ORGANIZATIONS**

### **HB 2179 – STO; administration costs; low-income qualification**

- STO required to allocate 95% (from 90%) of annual revenues to scholarships/grants for students: whose family income does not exceed federal poverty guidelines
- whose family income exceeds federal poverty guidelines, but not more than 133% (from 185%)

*Status:* Introduced 1/16/18; assigned to House Committees on Rules, and Ways & Means.

### **HB 2293 - STOs; administrative cost allocation**

- STO required to allocate 95% (from 90%) of annual revenues to scholarships/grants for students: whose family income does not exceed federal poverty guidelines
- whose family income exceeds federal poverty guidelines, but not more than 133% (from 185%)

*Status:* Introduced 1/16/18; assigned to House Committees on Rules, and Ways & Means.

### **SB 1302 - schools; poverty foster neglect weight**

- STO required to allocate 95% (from 90%) of annual revenues to scholarships/grants for students: whose family income does not exceed federal poverty guidelines
- whose family income exceeds federal poverty guidelines, but not more than 133% (from 185%)

*Status:* Introduced 1/24/18; assigned to Senate Committees on Rules, Appropriations, and Education.

## **JTEDs**

### **HB 2205 - JTED governing boards; membership; prohibition**

Prohibits an educator who teaches or administers a CTE program/course at a satellite JTED campus from JTED governing board membership. Permits current JTED governing board members to serve the remainder of their normal term.

*Status:* [Passed the House 2/8/18; transmitted to the Senate and assigned to Senate Committees on Education, and Rules.](#)

### **HB 2319 - JTEDs; letter grades; exclusion**

Prohibits ADE from assigning A-F Letter Grades to JTEDs

*Status:* [Passed the House 2/15/18; transmitted to the Senate and assigned to Senate Committees on Education, and Rules.](#)

ASBA supports.

### **HB 2350 - JTEDs; 9th grade; workforce need**

JTED may include in its student count/ADM 9<sup>th</sup> grade students if ADE determines the program “serves a workforce need” in Agriscience; Automotive or Construction Technologies; Manufacturing, or Engineering.  
*Status:* Introduced 1/16/18; assigned to House Committees on Rules, Appropriations, and Education.

#### **HB 2525 - JTEDs; fourth year funding**

Regarding JTED Agriscience, Auto Tech, Construction, Engineering or Manufacturing programs, permits:

- Any grade K-9 student enrolled to be included in the JTED’s ADM.
- A student to begin instruction in any year of high school.
  - Permits/funds graduated student to continue in JTED for additional year to complete program.

*Status:* Introduced 2/6/18; assigned to House Committees on Education, Appropriations, and Rules.

#### **HB 2619 - JTEDs; maintenance of effort**

Directs ADE to determine the average per pupil MOE (Maintenance of Efforts) during FY 2018 for school districts participating in a JTED. Limits the required MOE to the average per pupil amount calculated by ADE  
*Status:* Introduced 2/6/18; assigned to House Committees on Education (failed on a 5-6 voted 2/12/18), and Rules.

ASBA supports.

#### **SB 1026 – JTEDs; ninth graders; funding**

JTED may include in its student count/ADM 9<sup>th</sup> grade students if ADE determines the program “serves a workforce need” in Agriscience; Automotive or Construction Technologies; Manufacturing, or Engineering.  
*Status:* Introduced 1/8/18; assigned to Senate Committees on Rules, Appropriations, and Education.

#### **SB 1269 – JTEDs; ninth graders; funding; programs**

JTED may include in its student count/ADM 9<sup>th</sup> grade students if ADE determines the program “serves a workforce need” in Agriscience; Automotive or Construction Technologies; Manufacturing, or Engineering.  
*Status:* Introduced 1/22/18; assigned to House Committees on Rules, Appropriations ([discussed only 2/20/18](#)), and Education ([passed 2/1/18](#)).

ASBA supports.

#### **SB 1027 - JTEDs; entrepreneurship programs; review exemption**

Removes JTED programs/courses primarily devoted to teaching entrepreneurship methods and skills from ADE’s CTE review.

*Status:* Introduced 1/8/18; assigned to Senate Committees on Rules, and Education.

### **CHARTER / PRIVATE SCHOOLS**

#### **HB 2141 - charter schools; lunches; national acts**

Requires charters to participate in, and comply with, the National School Lunch and Child Nutrition Acts  
*Status:* Introduced 1/16/18; assigned to House Committees on Rules, and Education.

#### **HB 2142 - charter schools; closure; property transfer**

Requires closed charter school property to revert to school district in which it was located; or, if not located within a district’s boundaries, transferred to the nearest school district.

*Status:* Introduced 1/9/18; assigned to House Committees on Rules, and Education.

#### **SB 1055 substituted for ~~HB 2286~~ - charter school board; rulemaking exemption**

- Exempts SBCS from state rulemaking requirements that include Publication of agency rules; Rulemaking guidelines; Attorney General review; and GRRC review.
- Directs SBCS to adopt policies/rules for the board and board sponsored charter schools that provide notice of and opportunity for comment on policies and rules proposed for adoption. Requires SBCS to provide at least two opportunities for public comment when changing or implementing any rules.

*Status:* [Passed the House Committee of the Whole 2/8/18.](#)

**HB 2358 - charter school board members; conflicts**

Prohibits charter school governing board members from serving on the board with anyone with whom they are related as immediate family and share a household; is a charter school employee, or an employee’s spouse.

*Status:* [Passed the House 2/20/18; transmitted to the Senate.](#)

**HB 2364 – charter schools; procurement requirements**

Removes charter’s exceptions to requirements for financial and electronic data submissions similar to school districts.

*Status:* Introduced 1/16/18; assigned to House Committees on Rules, and Education.

**HB 2365 - charter school governance; meetings; records**

Requires charters to comply with Open Meeting Law requirements.

*Status:* Introduced 1/16/18; assigned to House Committees on Rules, and Education.

**HB 2460 - charter schools; vacant buildings; equipment**

- Requires district to permit a private school to negotiate to buy/lease unused building/spaces.
- Prohibits offer acceptance if charter/private school’s offer is higher.
- May not withdraw property from sale/lease solely because charter/private school is the highest bidder.
- Permits sale of used equipment to charter/private school before attempts to sell/dispose by other means.

*Status:* [Passed the House on a 34-23 vote 2/20/18; transmitted to the Senate and assigned to Senate Committees on Education, and Rules.](#)

[ASBA opposed - loss of local control.](#)

**HB 2461 - zoning regulations; private schools**

Prohibits any municipality from adopting/enforcing any land use regulation that places a requirement on a private school that is not placed on a district/charter.

*Status:* [Passed the House on a 34-23 vote 2/20/18; transmitted to the Senate and assigned to Senate Committees on Education, and Rules.](#)

**SB 1174 - ADE; charter schools; assessments**

Requires ADE to publish an annual assessment of charter schools’ impact on school districts that will:

- Include a review and assessment of the flow of funding between charters and districts; student enrollment trends, and educational outcomes.
- Identify “noteworthy, innovative or promising practices” within charters.
- Document efforts that lead to sharing of promising practices between districts and charters.

*Status:* Introduced 1/16/18; assigned to Senate Committees on Rules, and Education.

**SB 1297 – charter schools; profit distributions**

Requires state board for charter schools to annually monitor and approve/disapprove of charter’s profit distribution in open meeting; and evaluate draws on owner’s equity.

*Status:* Introduced 1/24/18; assigned to Senate Committees on Rules, and Education.

**SB 1298 – auditor general; charter schools**

Subjects charter schools to the same audit reporting as school districts.

*Status:* Introduced 1/24/18; assigned to Senate Committees on Rules, Appropriations and Education.

**SB 1299 –charter schools; financial information; audits**

Required audits must include compensation of non-instructional personnel in either an administrative or ownership capacity to provide justification for total compensation received.

*Status:* Introduced 1/24/18; assigned to Senate Committees on Rules, Appropriations and Education.

**SB 1303 – charter schools omnibus**

Requires:

- Charters to undergo annual independent audit of financial statements.
  - Information including salaries be made public.
  - Must identify source of profit distribution that exceeds net profits for that year.
- Upon closing of a charter, that assets acquired in whole/part with public monies be returned to the state
  - Does not apply to proceeds used to fund capital costs of new campus.
- Charter to report withdrawal/transfer of a student during school year to ADE within 2 weeks; ADE must adjust ADM accordingly.
- Solicited procurement bids in excess of \$50K for materials/services or construction must be in writing.
- Auditor General to perform annual audit that includes USFR compliance and exams of classroom spending, special education programs, and diversity of students/staff.

Prohibits a new charter school within a 3-mile radius of a district school that received an A or B letter grade.

*Status:* Introduced 1/24/18; assigned to Senate Committees on Rules, Appropriations and Education.

**SB 1304 – charter schools; public meetings; records**

Requires charters to comply with Open Meeting and Public Records Laws regarding notices, agendas and minutes of meetings.

*Status:* Introduced 1/24/18; assigned to Senate Committees on Rules, and Education.

**SB 1305 – auditor general; charter schools; audits**

Subjects charter schools to the same audit reporting as school districts.

*Status:* Introduced 1/24/18; assigned to Senate Committees on Rules, Appropriations and Education.

**SB 1306 – schools; teacher omnibus**

Subjects charter school administrators/teachers to same fingerprinting requirements as school district administrators/teachers.

*Status:* Introduced 1/24/18; assigned to Senate Committees on Rules, and Education.

**SB 1307 – charter schools; state board; membership**

Revises membership of state board for charter schools.

*Status:* Introduced 1/24/18; assigned to Senate Committees on Rules, and Education.

**SB 1308 – charter schools; financial reporting**

Sets forth requirements of charter school audits.

*Status:* Introduced 1/24/18; assigned to Senate Committees on Rules, Appropriations and Education.

**SB 1309 - charter schools; accounting; procurement; audits**

Permits charters with less than 200 students to undergo an abbreviated audit process; subjects charters to same competitive public bidding requirements as districts including provision that any executed contracts become public records.

*Status:* Introduced 1/24/18; assigned to Senate Committees on Rules, Appropriations and Education.

## **ASDB**

### **HB 2108 - ASDB; teacher salaries; personnel fingerprinting**

- Asserts that ASDB teachers are eligible for the same salary increase, in the same manner, as other public schoolteachers
- Eliminates the requirement that ASDB employees have the criminal history form notarized
- Limits the requirement that noncertificated employees and nonpaid personnel submit fingerprints to persons who do not have a valid FPCC.
- Defines *teacher who is employed by ASDB*.

*Status:* Passed the House 2/8/18; transmitted to the Senate and assigned to Senate Committees on Education, and Rules.

## **MISCELLANEOUS**

### **HB 2026 - county school superintendent; services; entities**

- Expands the duties of the county school superintendent to provide programs, services and assistance to private libraries and schools, and tribal libraries and schools.
- Permits school district governing boards to enter into intergovernmental agreements with private libraries and schools, and tribal libraries and schools.

*Status:* Passed the House 2/8/18; transmitted to the Senate and assigned to Senate Committees on Education, and Rules.

### **HB 2096 - pupils; unpaid school meal fees**

#### **SB 1036 – pupils; unpaid school meal fees**

- In situations where student's meal account reaches a negative balance, requires LEAs to:
  - Ensure student is not “shamed, treated differently or served a meal that differs” from other student meals.
  - “Exhaust all options and methods to directly certify” student for free/reduced-price meals.
  - If unable to certify directly, LEA must encourage parent/guardian to submit application.
  - Notify to parent/guardian no later than 10 days of negative meal account balance.
- Prohibits:
  - Student discipline that results in denial or delay of a meal.
  - Student chores/work assignments to pay for meals.
  - Use of a debt collector for collection attempts.
  - “Indefinite accrual of unpaid school meal fees”.

Governing Board may establish meal fee debt fund from donations/gifts.

*Status of HB 2096:* Introduced 1/11/18; assigned to House Committees on Rules, and Education.

*Status of SB 1036:* Introduced 1/8/18; assigned to Senate Committees on Rules, and Education.

### **HB 2253 – schools; exchange teachers; employment duration**

Removes the two-year limitation on how long an international teacher or professor may be employed

*Status:* Passed the House 2/8/18; transmitted to the Senate and assigned to Senate Committees on Education, and Rules.

**HB 2332 - school resource officers; residential vouchers**

Permits a facility that receives a continuing residential education voucher to participate in the School Safety Program

*Status:* Passed the House on a 35-23 vote 2/8/18; transmitted to the Senate and assigned to Senate Committees on Education, and Rules.

**HB 2343 - schools; child abuse hotline**

Requires all district/charters to post a sign, with specific requirements, in a public area that contains: the phone number of the child abuse and neglect hotline, instructions for making 911 calls, and information for accessing the Department of Child Services website

*Status:* Passed the House 2/15/18; transmitted to the Senate and assigned to Senate Committees on Education, and Rules.

**HB 2377 - teachers' school supplies; tax credit**

*Classroom Teacher Supply Assistance Account*

- Requires districts/charters to establish a Classroom Teacher Supply Assistance Account in the M&O budget.
- Instructs schools to distribute monies in the Account to teachers to purchase classroom supplies and materials, but not equipment.
- Directs monies to supplement materials and supplies otherwise available to teachers.
- Directs ADE to annually distribute appropriated monies by July 15 of each year based on the total number of classroom teachers employed at the school district or charter school.
- Allows monies raised or donated for school supplies to be deposited in the Account.
- Directs monies in the Account to be annually distributed in an equal amount to each classroom teacher, outlines distribution timeframes and prorates the amount for part-time teachers.
- Allows for the distribution of monies to be provided by any means determined to be appropriate including direct deposit, check, debit card or purchasing card and requires debit cards to identify that the card is limited to classroom supplies.
- Excludes purchases from competitive bidding requirements.
- Asserts that monies received do not affect wages, hours or terms and conditions of employment and are not subject to collective bargaining agreements.
- Permits teachers to decline or return monies without explanation or cause.
- Requires teachers who accept monies to sign and date an acknowledgment of receipt containing a specified statement, maintain receipts for at least three years and return unspent monies at the end of the school year.
- Permits ADE, districts/charters to enter into private-public partnerships to increase available monies.
- Appropriates \$8,700,000 from the GF to ADE in FYs 2019 and 2020 for deposit in the Account.
- Defines *classroom teacher* as a certificated teacher who is employed by a district/charter on/before September 1 of each year and who provides classroom instruction to students.

*Teachers' School Supply Tax Credit*

- Establishes a tax credit for TYs 2019 and 2020, capped at \$150, for educational supplies and materials purchased by a qualified schoolteacher and used in the teacher's classroom.
- Specifies that the amount of the credit excludes supplies purchased with monies received from the Account.
- Requires a schoolteacher to receive and spend the full amount of monies made available from the Account to qualify for the tax credit.

- Permits a husband and wife who are both qualified schoolteachers and filing jointly to claim the tax credit separately.
- Permits a 5-year carryforward of the tax credit.
- Requires any expenses of elementary and secondary schoolteachers deducted from Federal Adjusted Gross Income to be added to Arizona Gross Income if a tax credit is claimed for the same expenses.
- Defines a *qualified schoolteacher* as a K-12 teacher.

*Status:* Introduced 1/17/18; assigned to House Committees on Ways & Means (passed 2/7 on 5-3 vote); Education (passed 2/7 on 6-3 vote), and Rules (passed 2/19). Retained on Calendar of the House Committee of the Whole 2/21/18, then amended 2/22/18. Failed in House Committee of the Whole on a 23-34-4-2 vote 2/22/18. Motion by Rep. Clodfelter for reconsideration within the next 14 days passed. ASBA opposed – revenue.

### **HB 2435 - English language learners; instruction; budgeting**

Establishes ADE's Office of English Language Acquisition Services; makes provisions for duties and annual reporting:

- Requires:
  - SBE to require not less than 120 minutes per day of English language development models that are evidence- and research-based;
  - Auditor General to conduct an analysis on the effectiveness of models.
- Removes:
  - Requirement to provide compensatory instruction outside or regular school day/year (and removes funding for same).
  - Maximum budget request offsets.
  - Requirement for districts/schools to include a copy of ELL program in annual report.
  - Superintendent of Public Instruction monitoring requirements.

*Status:* Introduced 1/17/18; assigned to House Committees on Rules, and Education. ASBA supports.

### **HB 2452 – schools; corporal punishment; prohibition**

Prohibits corporal punishment in schools. [Amphi already prohibits].

*Status:* Introduced 1/17/18; assigned to Senate Committees on Rules, and Education.

### **HB 2458 - school bond elections; ballot arguments**

- Requires bond election pamphlets to contain between 2 and 10 arguments each for, and against, bond issuance.
- Arguments:
  - May not exceed maximum of 200 words each.
  - In favor of bond issuance must be signed by Board (without listing individual's name).
  - Additional arguments in favor/against must be signed by persons/entities submitting argument
  - Names of all persons/entities that submit arguments must be included in pamphlet.
- Requires county school superintendent to review all *factual* statements and make corrections, if necessary.

*Status:* Introduced 1/24/18; assigned to House Committees on Ways & Means, and Rules.

### **HB 2520 - schools; reading requirements**

- Requires applicants for a Standard Elementary Education Teaching Certificate to complete 45 classroom hours, or 3 credit hours, in research-based reading instruction from a public or private provider.



- Limits the use of K-3 reading support level weight monies to evidence-based instructional programs and practices.
- Instructs ADE to:
  - Ensure that the program implementation guidance include the most current evidence-based practices by consulting with public universities.
  - Award early literacy grants based on applications from eligible schools rather than on a per pupil basis.
- Directs ADE's best practice examples of reading intervention and remedial reading strategies to be selected from LEAs showing the most improvement on 3<sup>rd</sup>-grade reading proficiency.
- Directs ADE to develop an application process for early literacy grants that requires schools to provide detailed descriptions of how the monies will increase reading proficiency.
- Modifies the MOWR (Move On When Reading) retention requirements as follows:
  - Requires a 3<sup>rd</sup>-grade student be retained if the student does not demonstrate sufficient reading skills, rather than if the student's reading falls far below the 3<sup>rd</sup>-grade level; and
  - Prohibits a student from being retained if assessment data is not available before the end of the current SY, rather than the beginning of the next SY.
- Authorizes ADE to use up to 1% of the monies in the Early Literacy Grant Program Fund per year to administer the grants.
- Allows an ELL student, or student with limited English proficiency, to be promoted regardless of the amount of English language instruction the student has received.
- Allows a student to be promoted if the student demonstrates sufficient reading skills or adequate progress through a collection of SBE-approved assessments.
  - SBE-approved alternative standardized reading assessments may be used to demonstrate adequate progress.
- Requires LEAs that promote students through a MOWR exemption to submit an annual report to ADE of the number of students promoted because of an exemption, the number retained and the interventions administered.
- Increases the number of SBE-approved intervention and remedial strategies a LEA must offer to students who are retained in 3<sup>rd</sup> grade because of insufficient reading skills.
- Prescribes the following modifications for SBE-approved intervention and remedial strategies:
  - For students assigned to a different teacher for reading instruction, the teacher must be designated as highly effective or effective in the most recent performance evaluation;
  - Online reading instruction components must be used through small group and teacher-led evidence-based reading instruction.
- Directs LEAs to identify each student who is at risk of reading below grade level in grade K-3 and provide a notice to the student's parent that include a description of the student's specific individual needs, in addition to other outlined information.
- Requires the notice to instruct the parent to consult the student's teacher when choosing the most appropriate intervention and remediation strategies to be provided for the student.
- Requires diagnostic information to be used for planning appropriate instruction.
- Expands the definition of *eligible expenses* to include evidence-based summer programs.
- Modifies the definitions of *essential components of reading instruction* and *reading*.

*Status:* Introduced 2/6/18; passed the House 2/21/18 and transmitted to the Senate.

#### **HB 2561 - schools; civics literacy state seal**

- Establishes a State Seal of Civics Literacy Program to recognize public school graduates who have achieved a high level of civics proficiency.
- Permits voluntary participation by districts/charters.
- Directs SBE to establish proficiency tests

- Directs the seal to be awarded to students who complete all Social Studies graduation requirements with at least a 2.0 GPA and pass the adopted test.

*Status:* Introduced 2/6/18; passed the House on a 34-25 votes and transmitted to the Senate 2/21/18.

**HB 2630 - definitions; cannabis; marijuana**

Revises the definition of marijuana in A.R.S. Title 13, (Arizona’s Criminal Code) to include “all parts of any plant of the genus *Cannabis*. “Usable marijuana” definition revised to include “any extract or tincture derived from the plant”.

*Status:* Introduced 2/6/18; assigned to House Committees on Judiciary & Public Safety, and Rules.

**HB 2646 - appropriation; STEM internships**

Appropriates \$2,000,000 for matching monies for educational stipends for students who participate in specific STEM internships. 45% of appropriated amount to be awarded to:

- high school, college and university students (award up to \$5,000).
- K-12 teachers of kindergarten programs (award up to \$8,000).

Requires an AZ business sponsorship for student or teacher to participate in a STEM internship at the business.

*Status:* Introduced 2/6/18; assigned to House Committees on Appropriations, and Rules.

**SB 1057 – county school superintendent; report; approval**

Removes:

- The requirement that the county school superintendent approve district governing board annual financial reports.
- The exclusion of school districts that assume accounting responsibility from the requirement to send a copy of the annual financial report to the county school superintendent.

*Status:* Passed the House 1/29/18; transmitted to the Senate and assigned to Senate Committees on Education, and Rules.

**SB 1056 - schools; letter grades; absenteeism; illnesses**

- Exempts, from being considered chronically absent in the determination of annual achievement profiles or letter grade classifications, pupils absent due to chronic health problems.
- Expands the definition of *chronic health problem* to include mental illness.
- Removes the term *severe illness* and replaces it with *chronic health problem* and expands the definition of *chronic health problem* to include mental illness.

*Status:* Ready for the Senate Committee of the Whole.

**SB 1066 – School Facilities Board; reform**

Subjects SFB members and employees to Arizona laws on conflicts of interest for public employees.

Restrictions are placed on employees regarding financial interests. The SFB is also required to develop and implement policies and procedures that:

- Ensure districts are notified in a uniform manner of board services and the funds provided by the board for facility construction, renovation, and repair projects. The SFB must provide at least one annual communication to districts and it must develop and maintain a list of district officials who are responsible for facilities management.
- Establish a project eligibility assessment for all projects submitted for Building Renewal Grant funding or emergency deficiencies correction funding. They must also establish standardized criteria for project eligibility.

*Status:* Ready for the Senate Committee of the Whole.

**SB 1159 - school employees; contracts; revisions**

Allows employee leasing firms that contract with a district to withhold wages for up to 7 business days during their normal two-week payroll processing cycle and applies to those firms the same payroll policies that districts follow.

*Status:* Retained on the Senate Committee of the Whole Calendar 2/21/18.

**SB 1169 - schools; pupils; removal; reassignment**

Each school's placement review committee:

- Will review, but no longer determine, a student's placement following a teacher's refusal to readmit a student to his/her class.
  - Teacher may request student's reassignment to another classroom through the committee
    - Committee will consider request within 3 school days.
- Will make a recommendations to the Governing Board regarding the readmission of an expelled student.

*Status:* Introduced 1/16/18; assigned to Senate Committees on Rules, and Education.

**SB 1178 - schools; English immersion instruction; duration**

Includes "evidence-based" with research-based criteria on which to base models of structured English immersion programs at districts/charters.

*Status:* Introduced 1/16/18; assigned to Senate Committees on Rules, and Education.

**SB 1194 - schools; dual enrollment; admission**

Removes requirement that dual enrollment students be high school juniors or seniors and that they demonstrate satisfaction of prerequisites.

*Status:* Introduced 1/17/18; assigned to Senate Committees on Rules, and Education.

**SB 1219 - classrooms; student removal procedures**

- Includes *bullying* in the acts for which a teacher is permitted to remove a student from the classroom.
- Permits a school's placement review committee, upon teacher removal of student from a classroom, to place the student:
  - In a new class.
  - Back in current class (unless teacher refuses).
  - Into an alternative to suspension program.
    - Requires the "integration of social skills with fidelity".
    - Committee to be notified upon successful completion of this program.
    - Multiple placements permitted,
      - If not successful, committee may recommend suspension or expulsion.

*Status:* Introduced 1/18/18; assigned to Senate Committees on Rules, and Education.

**SB 1225 - schools; compulsory attendance age; increase**

- Prohibits anyone older than 18 from taking high school equivalency exam.
- SBE may not require completion of any high school credits.
- Revises age of school attendance to "every child who is at least 6 and under 18".
- Must be "at least 16" and employed to receive school attendance waiver.

*Status:* Introduced 1/18/18; assigned to Senate Committees on Rules, and Education.

**SB 1236 - dual enrollment; tribal colleges**

Permits districts to enter into intergovernmental agreements for dual enrollment at tribal colleges for high school students.

*Status:* Introduced 1/18/18; assigned to Senate Committees on Rules, Appropriations and [Education \(held 2/1/18\)](#).  
[ASBA supports](#).

**SB 1270 - CTE certifications; incentive bonus program**

College credit incentive program expanded to include certification or licensure for students who obtain a certification or license through a CTE course/program that addresses a critical economic need or identified as emerging. ADE-paid incentive bonuses also paid to districts/charters for each student qualified.

*Status:* Introduced 1/22/18; assigned to Senate Committees on Rules, Appropriations ([discussed only 2/20/18](#)) and Education ([passed 2/8/18](#)).

**SB 1289 - schools; national motto; state motto**

Adds to those materials permitted to be read/posted in any school building:

- The national motto “In God We Trust”; and
- The state motto, “Dit at Deus”, which means “God Enriches”.

*Status:* [Passed the Senate on a 17-13 vote 2/21/18; transmitted to the House.](#)

**SB 1411 - schools; annual achievement profiles**

Expands annual achievement profile to include SBE-approved academic/educational performance indicators Academic progress on assessments:

- Multiple measures of indicators of school quality that assess a school’s educational impact, such as graduation and attendance rates.
- Each performance indicator and Achievement Profile will use A through F letter grade classifications and will be included on the annual school report card (per §15-746).

*Status:* [Retained on the Senate Committee of the Whole Calendar 2/19/18.](#)

[ASBA supports](#).

**SB 1442 - personal finance**

[Requires the Superintendent of Public Instruction to establish a State Seal of Personal Finance Proficiency Program for district/charters. It applies the same rules to the Superintendent and the schools that are applied to the State Seal of Biliteracy Program. Provides the SBE with the ability to establish a required separate personal finance course for high schoolers for the purpose of graduation.](#)

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

**SB 1473 - schools; civics literacy state seal**

Directs Superintendent of Public Instruction to establish a “State Seal of Civics Literacy Program” to recognize graduating students who have attained a high level of proficiency in civics from participating districts/charters. Seal to be affixed to diploma and noted on transcript. Directs SBE to adopt assessments list to determine proficiency in civics and social studies with minimum 2.0 GPA.

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

**SCR1006 - schools; English language requirement; repeal**

A concurrent resolution to place a proposition on the next general election to “make Arizona students competitive in a global economy and remove constraints on teachers and schools to provide research-based [English] language programs.”

*Status:* Introduced 1/16/18; assigned to Senate Committees on Rules, and Education.