



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

---

**DATE OF MEETING:**      **May 3, 2016**

**TITLE:**            **Periodic Legislative Update**

---

**BACKGROUND:**

The current (52nd) Arizona Legislature is well in session, and bills affecting public school districts are moving. This periodic review will provide an update on the session so far.

In the pages that follow, we provide summaries of bills status. Items in **red** are those bills that have not proceeded further since the last Board review; those in **green** have reached resolution (either voted down or signed by the Governor). Those bill summaries in black are new to the list or have proceeded to another step in the bill process.

---

**RECOMMENDATION:**

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

---

**INITIATED BY:**

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

---

**Todd A. Jaeger, Associate to the Superintendent**

**Date: April 25, 2016**

A handwritten signature in cursive script that reads "Patrick Nelson".

---

**Patrick Nelson, Superintendent**

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

**FUNDING**

**HB 2209 – STOs; administrative cost allocation**

Increases the amount a school tuition organization must use from 90% to 95% of contributions to provide educational scholarships or tuition grants to qualified students.

*Status:* Filed. (No change since last Board review).

**HB 2356 - gifted pupils; group B weight**

Establishes a Group B weight (set at 0.115) for gifted students. Amended in the House Education Committee to require a gifted student to score at or above the 97<sup>th</sup> percentile based on national norms on an ADE-adopted test to be eligible for the Group B weight.

*Status:* Assigned to House Committees on Education (passed 2/3); Appropriations, and Rules. (No change since last Board review).

**HB 2401 - schools; desegregation funding; phase-down [see SB 1125]**

Provides for school district reduction of expenses relating to racial desegregation order or OCR agreement.

*Status:* Retained on the House Committee of the Whole's calendar 2/23. (No change since last Board review).

**HB 2518 – NOW: regulatory exemption; school garden produce**

Formerly: **schools; auxiliary operations fund; accounts**

A strike-everything amendment was passed in the Senate Education Committee on 3/17. New bill requires DHS rule to provide an exemption for a whole fruit or vegetable grown in a public school garden that is washed and cut on-site for immediate consumption. Exempts these whole fruits or vegetables from regulation by DHS until the rules for exemption are adopted.

*Status:* Passed the Senate; concurrence recommended in the House Committee of the Whole 3/31.

**HB 2551 - schools; bonds; overrides; funding sources**

Requires school district bond and override election informational materials to include a statement of the total amount of per pupil funding received by a school district. Provisions include:

- Requires district budget override election informational reports and bond election publicity pamphlets to include the total amount of funds the district received from state, local and federal funding sources per pupil for the Fiscal Year as reported Volume II of the Superintendent of Public Instruction's Annual Report.
- Requires any person submitting an argument for an override information report to sign a sworn statement confirming their identity.
- Allows a district governing board to provide any additional per pupil expenditure or revenue information in the pamphlets or reports.
- Removes the prohibition on the county school superintendent reviewing and correcting written arguments in override information reports that are statements of opinion.
- Permits a county school superintendent to remove and replace arguments from an override information report if the identity of the submitter is determined to be false and the county school superintendent provides notice to the submitter.

*Status:* Failed in the House 3/1 on a vote of 27-31-1.

### **HB 2688 - schools; additional funding weight; disabilities**

Adds additional multiplier provision of “an equity assistance weight of   .  ” to the computation of base support level for school districts. The monies received by a district/charter pursuant to the calculation made under this paragraph may be used only for the costs associated with educating disabled students or who receive free or reduced-price lunches.

*Status:* Introduced 2/10; assigned to House Committees on Education; Appropriations, and Rules. (No change since last Board review).

### **SB 1125 - schools; desegregation funding; phase-down [see also HB 2401]**

Reduces desegregation funding over 5 years for schools with existing or previous agreements with the United States Department Office of Civil Rights (OCR) and 10 years for schools that were subject to previous court orders of desegregation and schools declared to be in unitary status.

Requires districts:

- that have an existing or previous administrative agreement with the OCR to reduce deseg expenses by at least 15% of the amount levied in FY 2009-2010 for 5 consecutive fiscal years beginning in FY 2017-2018; prohibits those schools from budgeting for deseg expenses outside the revenue control limit after FY 2021-2022.
- that were subject to previous deseg court orders to reduce deseg expenses by at least 7% of the amount levied in FY 2009-2010 for 10 consecutive fiscal years beginning in FY 2017-2018; prohibits those schools from budgeting for deseg expenses outside the revenue control limit after FY 2026-2027.
- that have been declared to be in unitary status to reduce deseg expenses by a least 7% of the amount levied in FY 2009-2010 for 10 consecutive fiscal years beginning in the fiscal year following the declaration of unitary status; prohibits those schools from budgeting for deseg expenses outside the revenue control limit after 10 fiscal years following the declaration of unitary status.

*Status:* Passed the Senate Committee of the Whole 2/16. (No change since last Board review).

### **SB 1489 - schools; prior-year funding**

Revises definition of *student count* to remove references to year 2016.

*Status:* Introduced 2/2; assigned to House Committees on Education; Appropriations, and Rules. (No change since last Board review).

## **BUDGET**

### **HB 2111 – zero-based budgeting**

Incorporates zero-based budgeting into the state budgeting process for the Joint Legislative Budget Committee (JLBC), the Governor, budget units and other officials.

- Directs JLBC to select budget units that must submit a zero-based budget for the second fiscal year after the current calendar year.
  - Requires JLBC to select the budget units by January 15.
  - Requires budget units to submit a zero-based budget at least once every ten years.
- Instructs the Governor to include zero-based budgets when preparing necessary documents for budget units, respective administrative heads and state officials.
- Requires budget unit estimates containing a zero-based budget to include a detailed explanation of the forecast and assumptions used to obtain the projections.
- Defines *zero-based budget* as a budget estimate that is prepared without regard to any previous level of funding, services or personnel.

*Status:* Passed the Senate Committee of the Whole on 3/23.

## **STATE APPROPRIATIONS**

### **Committees**

#### **SB 1205 - education funding; incarceration study committee**

Establishes an education funding and incarceration study committee to study the correlation between the funding levels of K-12 students to the rate of incarceration and recidivism.

*Status:* Assigned to Senate Committees Public Safety, Military and Technology; Education; Appropriations, and Rules on 1/21. (No change since last Board review).

### **Grants/Scholarships**

#### **HB 2062 – appropriation; grants; reading-intensive program**

Directs that monies in the technology-based language development and literacy intervention fund be continuously appropriated to the DOE provide school grants to fund reading-intensive programs for third grade students.

*Status:* Introduced 1/12/16; Assigned to House Committees on Education; Appropriations, and Rules. (No change since last Board review).

#### **HB 2064 – empowerment scholarships; pupil funding amount**

Clarifies language from “sum of the base support level and additional assistance prescribed in sections 15-185 and 15-943” to “funding”.

*Status:* Introduced 1/19/16; Assigned to House Committees on Ways & Means, and Rules. (No change since last Board review).

#### **HB 2358 - prevention education; appropriation**

Appropriates \$1,000,000 to Dept of Health Services for competitive grants for the development of training materials for a proactive prevention education program for middle and high school students. Requires the program to:

- Promote positive life choices by educating about the harms and consequences of destructive behaviors in order to reduce the motivation to abuse substances and be involved in harmful social environments.
- Include a proactive prevention component focused on substance abuse and violence.
- Include an educational component focused on mental health.

*Status:* Assigned to House Committees on Health (passed 2/2); Appropriations, and Rules. (No change since last Board review).

#### **HB 2482 - empowerment scholarships; expansion; phase-in**

Includes in definition of a "Qualified student":

- Any child attending a public school in grades K-5 (beginning SY 16-17);
- Any child attending a public school in grades K-8 (beginning SY 17-18); and
- Any child attending a public school in grades K-12 (beginning SY 18-19).

*Status:* Passed the House Committees on Ways & Means (2/1), and Rules (2/2). Retained on the Committee of the Whole’s calendar on 2/24 and 3/1. (No change since last Board review).

#### **HB 2678 - appropriation; foreign teachers; work visas**

Appropriates \$100,000 to the ADE for distribution to school districts/charters for reimbursement of their expenses, including filing fees and legal fees, relating to obtaining an H-1B or J-1 visa for a foreign teacher who teaches in this state.

*Status:* Filed.

#### **SB 1015 - schools; class size reduction grants**

Requires SBE to establish a program for class size reduction and teacher retention program with goal to reduce class sizes to between 15-22 students per classroom in K-3. Prescribes requirements for districts to participate beginning SY 17-18; appropriates \$1,000,000 beginning in FY 18-19 for program grants (to a maximum of \$100,000 each), and prescribes SBE report requirements.

*Status:* Introduced 1/11/16; assigned to Senate Committees on Education; Appropriations, and Rules. (No change since last Board review).

**SB 1048 - ADE; appropriation; geographic literacy**

Appropriates \$100,000 to ADE for a grant to a statewide geographic alliance for the purpose of strengthening geographic literacy.

*Status:* Passed the Senate on 2/18; transmitted to the House and assigned to House Committees on Education (passed 3/2); Appropriations (passed 3/23), and Rules. (No change since last Board review).

**SB 1113 - student loans; teachers; appropriation**

Appropriates \$250,000 to the Mathematics, Science and Special Education (MSSE) Student Loan Fund in FY 2017; modifies eligibility for MSSE grant loans to include public schools on an Indian reservation or in rural or urban areas experiencing a teacher shortage instead of a geographic area experiencing a teacher shortage. Amended in the Senate Committee of the Whole to state that teacher shortage areas are determined by the Superintendent of Public Instruction instead of the SBE.

*Status:* Passed the Senate on 2/24; transmitted to the House and assigned to House Committees on Appropriations (passed 3/16), and Rules. (No change since last Board review).

**SB 1465 - appropriations; education.**

Appropriates monies for specific purposes from specified sources. If monies from funding sources are unavailable, no other funding source may be used. From the state general fund in fiscal year 2016-2017, directs appropriations of:

- \$ 121,747,400 for ADE, along with distribution protocols, for:
  - \$ 40,000,000 for additional assistance to school districts;
  - \$ 30,000,000 for restoration of funding to JTEDs;
  - \$ 1,747,400 for full funding for large JTED districts;
  - \$ 35,000,000 for starting teachers retention bonus; and
  - \$ 15,000,000 for teacher mentoring.
- \$57,000,000 to the AZ Board of Regents for its 3 universities' performance funding
- \$8,000,000 to the University of Arizona for the Oro Valley veterinary medicine program
- \$20,000,000 to the financial aid trust fund.

*Status:* Introduced 2/2; assigned to House Committees on Education; Appropriations, and Rules. (No change since last Board review).

**SB 1466 - appropriations; additional assistance; districts; charters**

- Appropriates monies from the state general fund in the specified fiscal years to the ADE for additional assistance funding to school districts:
  - \$35,244,270 in FY 2016-2017;
  - \$70,488,540 in FY 2017-2018;
  - \$105,732,810 in FY 2018-2019;
  - \$140,977,080 in FY 2019-2020;
  - \$176,221,350 in FY 2020-2021;
  - \$211,465,620 in FY 2021-2022;
  - \$246,709,890 in FY 2022-2023;
  - \$281,954,160 in FY 2023-2024;

- \$317,198,430 in FY 2024-2025; and
- \$352,442,700 in FY 2025-2026.
- Appropriates \$18,656,000 from the state general fund to the ADE for additional assistance funding to charter schools in FY 2025-2026.

*Status:* Filed. (No change since last Board review).

**SB 1319 - appropriation; school solutions teams**

Appropriates \$3,000,000 from the state general fund in FY 2016-2017 to the assistance for education fund to fund solutions teams assigned to schools.

*Status:* Introduced 1/27 and assigned to the Senate on 2/18; Committees on Appropriations, and Rules. (No change since last Board review).

**SB 1328 - appropriation; teacher mentoring** [see SB 1465]

Appropriates \$15,000,000 from the state general fund in FY 2016-17 to the ADE for distribution to districts/charters to fund teacher mentoring programs. Program requires a mentor teacher to work with a mentee teacher on lesson planning, classroom management, time management and other areas of professional development, as determined by the mentor teacher and the principal. Requires report to ADE on the number of first-year, second-year and third-year teachers; set amounts for mentor teacher’s stipend:

- \$1,500 for each first-year teacher in the program;
- \$1,000 for each second-year teacher in the program; and
- \$500 for each third-year teacher in the program.

*Status:* Introduced 1/27 and assigned to the Senate on 2/18; Committees on Education; Appropriations, and Rules. (No change since last Board review).

**SB 1329 - appropriation; K-3 reading intervention**

Appropriates \$40,000,000 from the state general fund in FY 2016-17 to the ADE for distribution to districts/charters to fund K-3 reading intervention. Requires ADE distribution based on the number of third grade students in each district/charter who receive a score of minimally proficient or partially proficient on the English language arts portion of the statewide assessment to measure academic standards.

*Status:* Introduced 1/27 and assigned to the Senate on 2/18; Committees on Education; Appropriations, and Rules. (No change since last Board review).

**Provisional Funding Programs**

**HB 2205 – school pupils; academic intervention**

If funds available, requires schools to maintain list of student with grade point average of 2.0 or lower; provide academic interventions until averages exceed 2.0.

*Status:* Introduced 1/25/16; assigned to House Committees on Education, and Rules. (No change since last Board review).

**SB 1239 - schools; state seal of biliteracy**

If funding available, requires Sup’t of Public Instruction to establish a state seal of biliteracy program to recognize district/charter students who graduate having attained a high level of proficiency in one or more languages in addition to English.

- Requires districts/charters:
  - Identify the students who have met the requirements to be awarded the seal.
  - Affix the seal to the student’s diploma, and note it on the transcripts, of those students who graduate and meet the following requirements:

- Successfully complete all English Language Arts requirements for graduation with an overall grade point average of 2.0 or higher on a 4.0 scale;
  - Pass the end-of-course examinations in English Language Arts;
  - Demonstrate proficiency in one or more languages other than English by meeting the requirements set by SBE.
  - Obtain a score of proficient or higher based on the English language proficiency standards, if the student has a primary language other than English.
- Requires SBE:
  - in collaboration with the ADE, to adopt a list of assessments using researched-based methodology to determine a student’s proficiency in a language other than English.
  - To prescribe that biliteracy certificated students meet university entrance requirements for foreign language.

*Status:* Passed the House Committee of the Whole 3/24.

## **TAXES**

### **HB 2028 – taxes; payment; condemned property**

Stipulates that neither the state nor a political subdivision is required to pay unpaid taxes, penalties or interest exceeding the fair market value of any property acquired by condemnation.

*Status:* Assigned to House Committees on Ways and Means (held 1/25), and Rules. (No change since last Board review.)

### **HB 2481 - schools; primary property tax rates**

Outlines the manner in which school district taxes are to be levied and eliminates the 4% cap on school district budget balance carryforwards.

- Requires each county board of supervisors to annually levy school district taxes on the properties in each school district at a rate equal to the lesser of:
  - the Qualifying Tax Rate (QTR), and
  - the District Support Level/per \$100 of assessed value.
- Directs each county school superintendent to authorize any additional primary school district tax levy requests outside of the revenue control limit at rates that would result in a levy equaling each of the following:
  - The difference between the transportation revenue control limit and the transportation support level.
  - Expenses for excess utilities, desegregation, bond issues and registering warrants.
  - The necessary amount for tuition loss.
  - Small school adjustments.
  - Liabilities in excess of the school district budget.
  - Adjacent ways.
  - The amount not captured by QTR due to properties that pay a government property lease excise tax.
  - An amount not levied due to an underestimated average daily membership or a judgement on a property tax appeal.
  - An amount that corrects an outstanding cash deficit.
- Eliminates the 4% cap on school district budget balance carryforwards.
- Strikes the requirement for districts to use any remaining maintenance and operation (M&O), unrestricted capital outlay and adjacent ways monies leftover after encumbrances to reduce taxes.

- Decreases a district's portion of its local tax revenues dedicated towards property tax delinquencies and accommodations for decreases in assessed value after a natural disaster necessary to trigger supplemental state aid from 20% to 10%.
- Requires monies remaining after a construction project authorized by a bond or after the sale of a bond, to be used to reduce district taxes.

*Status:* Passed the Senate COW 3/24. (No change since last Board review.)

## **TAX CREDITS**

### **HB 2008 - extracurricular activity credit; optional fees**

Modifies the definition of *extracurricular activities* under the public school tax credit to mean any optional, noncredit, educational or recreational activity that supplements that education program of the school, whether offered before, during or after regular school hours, which may require enrolled students to pay a fee in order to participate.

*Status:* Assigned to Senate Committees on Education (passed 3/3); Finance (passed 2/24), and Rules. (No change since last Board review.)

### **HB 2063 - STO; credit cap; allocation**

Increases the annual tax credit cap for a school tuition organizations' tax credit by 20% through FY 2015-16; beginning FY 2016-17, increases by the greater of the US Bureau of Labor Statistics' metro Phoenix consumer price index; or 2%.

*Status:* Filed. (No change since last Board review.)

### **HB 2328 - public school tax credit reallocation**

Establishes the "public school needs fund" to support of the programs and activities of public schools; increases the tax credit to \$1000 for 2017 for a married couple filing a joint return. Of tax credit monies received, permits a school to retain the first \$200,000; of remaining funds, 25% is to be transferred to the fund, and balance kept for school purposes.

*Status:* Introduced 1/26; assigned to House Committees on Ways & Means, and Rules. (No change since last Board review.)

### **HB 2354 - tax credit; unified sports programs**

Permits tax credit allowance for fees paid for school extracurricular activities and unified sports programs. Sets allowance limits. Defines a *unified sports program* as an inclusive program that combines students with intellectual disabilities and students without intellectual disabilities on sports teams for training and competition.

*Status:* Assigned to Senate Committees on Education; Finance (failed 3/9), and Rules. (No change since last Board review.)

### **HB 2631 - public school tax credit; expansion**

To existing allowable tax credits, this bill adds cash contributions for the support of:

- Extracurricular activities of a public school;
- School meal programs; and
- *Consumable student health care supplies* defined as tissues, hand wipes, bandages and other health care consumables that are generally used by children.

*Status:* Filed. (No change since last Board review.)

### **HB 2641 - separate charitable contributions; tax credit**



Allows a tax credit, not exceeding \$400 for an individual or \$800 for a married couple, for contributions made to a qualifying foster care charitable organization in addition to those made to a qualifying charitable organization. Contains a retroactive effective date of January 1, 2016.

*Status:* Passed the House 3/2. Transmitted to the Senate and assigned to Senate Committees on Finance, and Rules on 3/7. (No change since last Board review.)

### **HB 2685 - tax credit; early childhood education**

Modifies the State Block Grant for Early Childhood Education Program (Program) and establishes an individual and corporate income tax credit for contributions to the Program. Provisions include:

#### ***State Block Grant for Early Childhood Education Program***

- Transfers the Program from the Arizona State Board of Education (SBE) to the Arizona Department of Education (ADE).
  - Determines the Program to consist of appropriated monies and tax credit contributions.
- Removes:
  - the ability for the Program to include programs that serve K-3 students.
  - requirements for schools with an Average Daily Membership (ADM) over 600.
- Requires:
  - programs for disadvantaged children to be provide to ages 3-5.
  - Districts/charters that devote monies to preschool programs to ensure that program funding only supplements and does not supplant existing program capacity.
  - ADE to pay the grants to participating providers and schools based on necessary information provided by successful applicants.
- Modifies the Program to apply to district/charter students who are ages 3-5 and whose family income is less than 133% of the federal poverty level.
- Prohibits grants from exceeding \$150,000 per year to a single provider or school.
- Determines any provider that receives a block grant to be subject to oversight by ADE as necessary.
- Permits ADE to use up to 2% of the monies received each year to administer the Program.

#### ***Individual Tax Credit***

- Establishes an individual income tax credit for contributions to ADE for the Program, beginning in FY 2016.
- Limits the credit to \$200 for a single individual or head of household or \$400 for a married couple filing jointly.
- Directs married couples filing separately to each claim only one-half of the credit.
- Determines the credit to be in lieu of any deduction taken.
- Permits a taxpayer to carry the unused amount of credit forward up to five consecutive years if the credit exceeds taxes due.
- Permits a contribution made by April 15 to be applied to the current or previous taxable year.

*Status:* Introduced 2/11. Assigned to House Committees on Education (passed 2/17), and Rules. (No change since the last Board review.)

### **HB 2686 - school district tax levy; retention**

Authorizes a school district that receives no equalization assistance and that does not have a budget override in place to retain a portion of its tax levy that would have otherwise been remitted to the state general fund if that district receives less than the average funding per student than that of an adjoining school district for budget overrides.

*Status:* Introduced 2/11. Assigned to House Committees on Ways & Means (passed 2/17); Appropriations, and Rules. (No change since last Board review.)

### **SB 1269 - school tax credit; classroom supplies**

Expands the public school individual income tax credit to include cash contributions for classroom supplies.

*Status:* Passed the Senate 2/29. Transmitted to the House and assigned to House Committees on Education (passed 3/9), and Rules. (No change since last Board review.)

## **TECHNOLOGY**

### **HB 2013 – information technology; transfer; title 18**

Establishes Title 18 relating to information technology (IT) and transferring and renumbering all IT-related statutes.

*Status:* SIGNED by the Governor 3/30/16.

### **HB 2014 – electronic documents; state agencies**

- Requires agencies to provide a method on their website to accept non-sensitive data in a format that allows data entry;
- Permits agencies to provide a method on their website to accept sensitive data in a format that allows data entry;
- Allows a person to submit agency mandated applications in a format that allows data entry;
- Defines *agency* as any department, office, agency, commission, board or other instrumentality of this state regardless of whether monies are appropriated; and
- Establishes Title 18 relating to Information Technology.

*Status:* Transmitted to the Senate 2/16 and assigned to Senate Committees on Government, and Rules. (No change since last Board review.)

### **HB 2437 - department of education; technology; reports**

Removes specified Education Learning and Accountability System (ELAS) reporting requirements.

*Status:* Passed the Senate Committee of the Whole 3/28.

## **JTED**

### **HB 1525 – JTED restorations and reforms (also SB 1525)**

Makes various reforms to Joint Technical Education Districts (JTEDs) and retroactively reverses a 7.5% reduction in JTED funding. Provisions include:

- Reverses, retroactive to July 1, 2016, a 7.5 % reduction in JTED funding, and funding for school districts and charter schools receiving satellite students, set to begin in FY 2017.
- Removes, beginning July 1, 2016, for the purposes of calculating student count for state aid, student who:
  - have graduated from high school or received a GED; and
  - are enrolled in an internship course as a part of a JTED program.
- Allows students enrolled on 1/1/16, who have yet to graduate or receive a GED, to continue to participate in the program
- Prohibits school districts and charter schools from requiring students to generate a full 1.0 ADM or enrolling in more courses than are needed to graduate before enrolling and attending JTED programs or courses.
- Includes charters with district to the prohibition against barring or discouraging students from attending JTED courses

### ***JTED Programs and Courses***

- Requires JTED courses to:
  - require a majority of instructional time to be conducted in a lab, field-based or work-based learning environments;
  - demonstrate a need for extra funding; and
  - require specialized equipment in order to provide instruction to students that exceeds the cost of a standard educational course.
  
- Prohibits a JTED course from being a course or any variation of a course, including honors, that is required under the minimum course of study to graduate from high school.
  
- Requires JTED programs to:
  - fill a high-need vocational or industry need as determined by the CTE Division of ADE (CTE Division);
  - require a single or stackable credential or a skill that will allow a student to obtain work on graduation before receiving an Associate’s Degree or Bachelor’s Degree;
  - lead to certification or licensure in the designated vocation or industry that has been verified and accepted by that vocation or industry and that qualifies the recipient for employment for which the student would not otherwise qualify;
  - require instruction and instructional materials in courses that are substantially different from and exceed the scope of standard instruction and that include vocational skills, competencies and knowledge to be successful in the JTED program, vocation or industry;
  - have an industry or vocation agree to provide financial or technical support to the JTED for a specific program; and
  - demonstrate a need for extra funding in order to provide the JTED program.
  
- Specifies:
  - if there is no certification or licensure that is accepted by the vocation/industry then completion of the JTED program must qualify the student for employment for which the student would not otherwise qualify.
  - *financial support* from an industry/vocation includes in-kind contributions and donations.
  - students must obtain a passing score of at least 60% on assessments for JTED education courses and programs; specifies those assessments must demonstrate knowledge in addition to skills or competencies in the designated vocation/industry or are necessary for certification.
  - JTED programs must demonstrate alignment through a curriculum, instructional model and course sequence to meet CTE prep program standards.
  - the defined pathway to career and postsecondary education must be in a specific vocation or industry as determined by the CTE Division.

### ***Achievement Profile and Letter Grade***

#### **Requires ADE**

- to include each JTED in the annual achievement profiles.
- subject to the State Board of Education (SBE) approval, to develop specific criteria applicable to JTEDs and include JTEDs in the letter grade classification system.
- to include all of the following in the annual achievement profiles and letter grade classification:
  - the graduation rate of all students enrolled in a CTE program or course;
  - the completion rate for each JTED program;
  - performance on assessments that demonstrate the level of skills, knowledge and competencies necessary to be successful in the designated vocation or industry; and
  - post-graduation employment rates for students who complete a CTE program.

- Includes JTEDs in the Auditor General’s (OAG) performance audits and directs the OAG to consider the differences and applicable laws for JTEDs.

***CTE Division Review***

- Requires, beginning in 2020 and every 5 years thereafter, the CTE Division to review JTED programs and JTED courses to ensure compliance, quality and eligibility.
- Withholds funding for the preceding school year for any JTED program or JTED course deemed to not meet statutory requirements.
- Removes JTED programs and JTED courses that do not meet statutory requirements from the approved program and course list.
- Allows the CTE Division to establish a staggered schedule to conduct the five year reviews of each JTED.
- Modifies the annual CTE JTED report by removing a requirement for JTEDs to submit data to the CTE Division and modifies the contents of the report to include the following:
  - ADM and the actual student count delineated by centralized campus, satellite campus and leased satellite campus;
  - programs and corresponding courses by the location at which they are offered;
  - the enrollment of each program and course based on location;
  - a listing of programs and courses continued and discontinued as a result of the 5 year CTE Division review; and
  - a listing of programs and courses that were added by the CTE Division.
- Retains the following from the annual CTE JTED report:
  - the costs associated with each program offered by the JTED; and
  - any other data or information deemed necessary by ADE.
- Removes the following from the annual CTE JTED report:
  - the completion rate for each JTED program;
  - the graduation rate from the school district of residence of students who have completed a JTED program; and
  - a detailed list of career opportunities available to students after completion of a JTED program.
- Requires, beginning July 1, 2016, the intergovernmental agreement between a JTED and another JTED, school district, charter school or community college district to include the following:
  - that JTEDs provide the following minimum services:
    - professional development of CTE teachers at a satellite campus; and
    - ongoing evaluation and support of satellite campus programs and courses to ensure quality and compliance; and
  - an itemized listing of other goods and services that are provided to the member district and that are paid for by the retention of satellite campus student funding.

*Status:* SIGNED by the Governor 2/17/16

**HB 2054 – debt limitations; assessed value**

Stipulates that the net assessed value (NAV) of the full cash value (FCV) of property is the basis for calculating debt limitations for counties; cities; towns; school districts; unified school districts, and JTEDs.

*Status:* Concurrence recommended by the House 3/28.

**HB 2057 – repeal; JTED funding reductions**

Beginning FY 16-17, removes base support level funding for any district/charter in which a student is enrolled in both the district/charter and a JTED. Prohibits a district/charter from using JTED funds to offset loss of regular education funding. Removes prohibition disallowing a school district to prohibit/discourage JTED enrollment.

*Status:* Filed. (No change since last Board review.)

**HB 2313 - Indian tribes; JTED expenses**

Requires state treasurer to deposit 5% of transaction privilege tax revenues from previous month; funds deposited for Indian tribe to support a JTED on the reservation; requires a 10-year compact term and audits.

*Status:* Filed. (No change since last Board review.)

**HB 2454 - JTEDs; funding; ninth graders**

Removes 9<sup>th</sup> grade JTED-enrolled students from JTED student counts; JTED cannot fund 9<sup>th</sup> graders' classes; includes 9<sup>th</sup> graders in student counts if their courses are approved jointly by district and JTED boards. Provides average daily membership percentages to include 9<sup>th</sup> graders.

*Status:* Filed. (No change since last Board review.)

**HB 2508 - JTED funding reductions; repeal**

Beginning FY 16-17, repeals the removal of base support level funding for any district/charters in which a student is enrolled in both the district/charter and a JTED. Removes prohibition on district/charters from using JTED funds to offset loss of regular education funding.

*Status:* Filed. (No change since last Board review.)

**HB 2642 JTED restoration and reforms**

Removes the reduction to JTEDs, districts and charters enacted in the 2015 K-12 Budget Reconciliation Bill; establishes requirements for JTED reporting and administration; establishes the Career and Technical Education (CTE) Task Force and requires a special audit of JTEDs.

*Status:* Passed the House 2/9; transmitted to the Senate. (No change since last Board review.)

**HB 2672 unused school buildings; JTEDs; notification**

Requires districts intending to sell or lease a vacant and unused building or portion of a building to give written notice to every JTED in AZ. District may not negotiate to sell or lease the property with anyone other than a JTED for 90 days after notice.

*Status:* Filed. (No change since last Board review.)

**SB 1130 - JTEDs; funding reduction; repeal**

Beginning FY 16-17, removes base support level funding for any district/charter in which a student is enrolled in both the district/charter and a JTED. Prohibits a district/charter from using JTED funds to offset loss of regular education funding.

*Status:* Filed. (No change since last Board review.)

**SB 1170 - JTEDs; base support; ninth graders**

Beginning FY 16-17, removes base support level funding for any district/charter in which a student is enrolled in both the district/charter and a JTED. Prohibits a district/charter from using JTED funds to offset loss of regular education funding. Removes 9<sup>th</sup> grade JTED-enrolled students from JTED student counts; JTED cannot fund 9<sup>th</sup> graders' classes; includes 9<sup>th</sup> graders in student counts if their courses are approved jointly by district and JTED boards. Provides average daily membership percentages to include 9<sup>th</sup> graders.

*Status:* Filed. (No change since last Board review.)

**SB 1258 JTED funding reductions; repeal**

Beginning FY 16-17, repeals the removal of base support level funding for any district/charters in which a student is enrolled in both the district/charter and a JTED. Removes prohibition on district/charters from using JTED funds to offset loss of regular education funding.

*Status:* Filed. (No change since last Board review.)

## **SCHOOLS**

### **Curriculum**

#### **HB 2066 - schools; daily physical activity; policy**

By 1/1/17, requires governing boards to conduct a public meeting to consider a policy to provide physical activity for K-5 students. Activity can be structured/unstructured and inside/outside classrooms. PE classes will satisfy requirements; unstructured recess time immediately before or after lunch does not satisfy the requirements.

*Status:* Introduced 1/13/16; Assigned to House Committees on Education, and Rules. (No change since last Board review.)

#### **HB 2108 - schools; CPR instruction**

Requires public schools to provide cardiopulmonary resuscitation (CPR) training to high school students by July 1, 2019; permits satisfaction of the requirement via homework, if verified by a teacher or parent; permits school administrators to excuse students with a physical, mental or emotional disability.

*Status:* Passed the House (2/4) on a 38-18-4 vote. Transmitted to the Senate and assigned to Senate Committees on Education; Appropriations; Health and Human Services, and Rules. (No change since last Board review.)

#### **HB 2203 – schools; partisan instruction prohibited**

Any teacher found to promote “any partisan doctrine, advocates for or against any political party or conducts any partisan exercise” during classroom instruction or extracurricular activities”; or “puts on public display a pupil's support for the teacher's political position in order to promote the teacher's position” is guilty of unprofessional conduct; requires school to revoke the teacher's certificate.

*Status:* Introduced 1/28/16; assigned to House Committees on Education, and Rules. (No change since last Board review.)

#### **HB 2207 – approved online courses; master list**

Before 12/15/16, requires SBE to adopt a master rubric for the ADE approval of online courses. Sets requirements for courses.

*Status:* Introduced 1/21/16; assigned to House Committees on Education, and Rules. (No change since last Board review.)

#### **HB 2410 - sex education curricula; requirements [see also SB 1020]**

Requires all school districts to provide sex education in K-12 that is medically accurate, developmentally accurate and age-appropriate.

*Status:* Filed. (No change since last Board review.)

#### **SB 1019 - school instruction; AIDS; homosexuality**

Removes prohibition on district's providing instruction on homosexuality.

*Status:* Introduced 1/11/16; assigned to Senate Committees on Education, and Rules. (No change since last Board review.)

#### **SB 1020 - sex education programs; requirements [see also HB 2410]**

Revises parental right from “opt in to” to “opt out of” a sex ed curriculum. Requires all school districts to provide sex education in K-12 that is medically accurate, developmentally accurate and age-appropriate. Teach effective use of contraceptives and barrier methods to prevent unintended pregnancy and to protect against STDs; and encourage youths to communicate in order to make healthy decisions about sexuality and relationships.

*Status:* Introduced 1/11/16; assigned to Senate Committees on Education, and Rules. (No change since last Board review.)

**SB 1137 - schools; CPR instruction** [see also HB 2108]

Requires public schools to provide cardiopulmonary resuscitation (CPR) training to high school students by July 1, 2019; permits satisfaction of the requirement via homework, if verified by a teacher or parent; permits school administrators to excuse students with a physical, mental or emotional disability.

*Status:* Passed the House Committee of the Whole 3/15.

**SB 1197 - schools; cursive writing requirement**

Requires the minimum course of study to include instruction in cursive reading and writing to ensure that students can create readable documents through legible cursive handwriting by the end of 5<sup>th</sup> grade; requires school districts to include instruction in cursive reading and writing in the curricula. Specifies the cursive reading and writing requirement shall not be included as a part of statewide achievement assessments.

*Status:* VETOED by the Governor 3/30/16.

**Assessments**

**HB 2056 – statewide assessments; parental opt-out**

Permits a parent to opt his/her child out of statewide assessments.

*Status:* Introduced 1/19/16; Assigned to House Committees on Education (held 1/20), and Rules. (No change since last Board review.)

**HB 2088 - schools; assessments; surveys; informed consent**

Prohibits public schools from administering specified assessments or surveys to students without notifying and obtaining written informed consent from parent; prescribes penalties for violations.

*Status:* Passed Senate 4/5; return to the House where concurrence was recommended on 4/13.

**HB 2544 - schools; statewide achievement assessments; menu** (see SB 1321)

Requires the Arizona State Board of Education (SBE) to adopt a menu of locally procured achievement assessments from which Local Education Agencies (LEA) select an assessment to administer. Provisions include:

- Directs SBE to:
  - adopt a menu of locally procured achievement assessments, and rules and procedures for the approval of those assessments.
    - prohibits adopted rules or procedures from requiring LEAs to receive additional SBE or ADE approval to select from the menu of assessments.
    - prohibits *D* and *F* LEAs from choosing an assessment on the menu; requires those LEAs to use the statewide assessment adopted by SBE.
  - require the provider of a proposed assessment considered for the menu to do the following:
    - provide evidence that the assessment is high quality.
    - demonstrate that the assessment meets or exceeds SBE’s adopted academic standards.
    - demonstrate that assessment scores can be equated for state accountability programs.
    - submit an evaluation from a third party approved by SBE that shows that the assessment meets the previous requirements.
    - provide a copy of assessment scores to ADE when scores are provided to the partnering LEA.
- Permits LEAs offering instruction in grades 9-12 to select an assessment from the menu to administer in one or more schools rather than the assessment adopted by SBE, as provided for in SBE’s rules and procedures, beginning in School Year (SY) 2018.
  - Allows LEAs offering instruction in grades 3-8 to select an assessment from the menu beginning in SY 2019.
- Permits locally procured achievement assessments in use by an LEA to be added to the menu on request of the LEA and approval by SBE.
  - Requires SBE to evaluate locally procured assessments not on the menu at least annually.

- Determines LEAs that select an assessment from the menu to be in compliance with statewide assessment requirements.
- Requires LEAs to include the name of the assessment it administers in the school report card.
- Directs LEAs to administer the selected assessment for a minimum period of time prescribed by SBE.

*Status:* SIGNED by the Governor 3/11/16.

**SB 1321 - schools; statewide achievement assessments; menu** (see HB 2544)

Requires the SBE to adopt a menu of locally procured achievement assessments from which Local Education Agencies (LEA) select an assessment to administer.

*Status:* Passed the Senate Committee of the Whole 2/29. (No change since last Board review.)

**Scholarships**

**HB 2608 - student tuition scholarships; revenue department**

Replaces “school tuition organization” with the Department of Revenue regarding monies paid/received and tax credits pursuant to a student scholarship.

*Status:* Filed. (No change since last Board review.)

**SB 1279 - empowerment scholarships; expansion; phase-in**

The original SB 1279 expanded the eligibility in the Empowerment Scholarship Account (ESA) program to all K-12 students by the 2018-2019 school year. On 3/23, a **strike-everything amendment** was passed in the House Appropriations Committee. The revised bill now specifies that *qualified student* includes a child who meets the family income eligibility requirements for free or reduced price lunches under the National School Lunch and Child Nutrition Acts, rather than the specified educational scholarship. It also removes the requirement for STO verification and prohibits a child from being awarded *any other* educational scholarship in the same year, rather than only the specified scholarship.

*Status:* Passed the Senate on a 17-13 vote 2/22. Retained on the Calendar of the House Committee of the Whole 3/30.

**SB 1280 - empowerment scholarship accounts; eligibility; administration**

Modifies the Empowerment Scholarship Account (ESA) program’s eligibility criteria and administration. Provisions include:

- Prohibits a previous recipient of an Arizona Scholarship for Pupils with Disabilities or an ESA from being ESA-eligible if the recipient’s parent has been removed from eligibility in the program for failure to comply with the terms of the contract or applicable laws.
- Expands the eligibility for the ESA program to include:
  - Siblings of an eligible qualified student who accepts the terms of and enrolls in the program.
  - Students who attended a preschool for children with disabilities.
  - A child of a parent who is legally blind, deaf or hard of hearing.
  - A child with an Individualized Education Program or a Section 504 plan that requires the use of instructional materials in a specialized format.
- Outlines ESA eligibility requirements for students enrolled in Arizona Online Instruction as follows:
  - For grades 1-3, 400 hours of logged instruction.
  - For grades 4-6 and high school, 500 hours of logged instruction.
  - For grades 7-8, 550 hours of logged instruction.
- Requires the Arizona Department of Education (ADE) or a tribal government to determine residency for a student within the boundaries of an Indian reservation.
- Requires an ESA parent to use a portion of the ESA monies annually to provide education for the qualified student rather than quarterly.



- Allows ESA monies to be spent on uniforms purchased from or through a qualified school.
  - Permits qualified students who meet specified criteria to use the following services:
    - A licensed or accredited paraprofessional or educational aide;
    - Tuition for vocational and life skills education approved by ADE; and
    - Associated services that include educational and psychological evaluations, assistive technology rentals and braille translation services.
  - Requires ADE to accept applications for the ESA program year-round.
  - Requires ADE to enroll and issue an award letter to eligible ESA applicants within 45 days after receipt of a completed application and all required documentation.
  - Modifies the definition of *curriculum* to require ADE to approve complete course of study.
- Status:* Passed the House 3/17. (No change since last Board review.)

**SB 1457 - empowerment scholarships; persons with disabilities**

Establishes a process for students with a disability in the Empowerment Scholarship Account (ESA) program to continue to receive ESA monies after their 12th grade cohort year.

*Status:* Passed the Senate 3/3. Transmitted to the House and assigned to House Committees on Education (passed 3/16), and Rules. (No change since last Board review.)

**Misc. New Requirements**

**HB 2044 - schools; personally identifiable information; prohibition**

Requires Governing Boards to develop/adopt a policy to promote the parental involvement of district students, including procedures regarding the administration of surveys to students, to include:

- Advance notification to parents regarding:
  - Survey administration and purpose
  - Parents rights to opt in (written permission required for survey administration)
  - The full text of the survey.
  - List of survey result recipients
  - personally identifiable student information may not be distributed beyond the school district.
- Procedures to identify and discipline those who mishandle or misuse student survey information

*Status:* Introduced 1/11/16; Assigned to House Committees on Education, and Rules. (No change since last Board review.)

**HB 2653 – K-3 reading program; administration**

An emergency measure that statutorily shifts administration of the K-3 Reading Program from the SBE to the ADE. Provisions include:

- Directs school districts and charter schools assigned a letter grade of *A* or *B* to submit plans to improve reading proficiency biennially instead of annually beginning in FY 2017.
- Requires ADE to review and recommend for approval the plans to improve reading proficiency from school districts and charter schools assigned a letter grade of *C*, *D* or *F*.
- Allows SBE to establish rules and policies for the K-3 Reading Program, including the following:
  - the proper use of monies;
  - the distribution of monies by ADE; and
  - the compliance of reading proficiency plans.

*Status:* Passed the House 3/2; passed the Senate Committee of the Whole 4/6

**SB 1201 - civics test; voter registration materials**

Requires districts to provide voter registration materials to students.

*Status:* Introduced 1/21/16; assigned to Senate Committees Education; Government, and Rules. (No change since last Board review.)

## **Reports**

### **HB 2231 – school pupils; concussions; reporting**

Requires that the ADE be notified annually of all students removed from athletic activity due to concussion injury.

*Status:* Introduced 1/25; assigned to House Committees on Education, and Rules. (No change since last Board review.)

### **HB 2234 – schools; audit; county school superintendent**

Requires school district audit report copies to be sent to the county school superintendent in paper or electronic form.

*Status:* Passed the Senate 3/22; transmitted to the House where concurrence was recommended on 3/30.

### **SB 1051 - schools; transfer students; competency requirements**

A district/school is not required to report/count a transfer student's second failure to meet 3<sup>rd</sup> or 8<sup>th</sup> grade promotion requirements unless the failure occurs 1 year after original failure.

*Status:* Introduced 1/11/16; assigned to Senate Committees on Education, and Rules. (No change since last Board review.)

## **EMPLOYMENT**

### **HB 2435 – NOW school districts; transportation repayment; extension**

An emergency measure that requires a school district that meets certain requirements to correct an overstatement of daily route mileage over a three-year period. Provisions of the bill include requirements that:

- As session law, a school district that overstated its daily route mileage during fiscal year (FY) 2012, FY 2013 and FY 2014 to correct the overstatement over a three-year period beginning in FY 2017 and ending in FY 2019 if all of the following apply:
  - the school district is a common school district;
  - the school district's average daily membership was between 100 and 150 for FY 2015; and
  - the total amount of the overstatement is more than \$200,000 but less than \$250,000.
- The repayment amount to be paid in equal installments in each of the three FYs.
- The accrued interest to be paid at a rate determined by the SPI.
- District governing boards affected by this section to:
  - adopt a formal resolution to comply with this section; and
  - submit annual daily route mileage audits, if requested by the Arizona Department of Education.

*Status:* SIGNED by the Governor 3/24/16.

### **HB 2157 – ASRS; political subdivision entities**

Precludes any new employee of a political subdivision entity (like a school district) from enrolling in the Arizona State Retirement System (ASRS). Modifies the definition of an ASRS "member" does not include any employee of a political subdivision entity who is hired on or after the effective date of this amendment to this section

*Status:* Passed the House Committee of the Whole 2/11. (No change since last Board review.)

### **HB 2352 - teachers; human trafficking; continuing education**

Requires the SBE to adopt rules to allow human trafficking awareness and prevention training to count as continuing education credits.

*Status:* Passed the Senate Committee of the Whole on 3/23.

### **HB 2510 - experienced teacher retention pilot program**

Requires the ADE to conduct a 5-year “experienced teacher retention pilot program”; participants are eligible for a 75% discount on Arizona university tuition for the program’s duration. Eligible participants include:

- Current 10-year teacher; his/her spouse; his/her dependent; and
- Current teacher with 3-10 years’ experience.

Requires repayment if service requirement unfulfilled. Appropriates \$15,000,000 for program costs.

*Status:* Introduced 2/10 and assigned to House Committees on Education (held 2/17); Appropriations, and Rules. (No change since last Board review.)

### **HB 2620 - education; certification renewal fees**

Increases the maximum fee amount the SBE may establish for certificate renewals, name changes, duplicate copies or changes of coding to \$30. Contains requirements for enactment and becomes effective on signature of the Governor (Proposition 108).

*Status:* FAILED in the Senate Committee of the Whole on a 9-15-6 vote; 4/7

### **HB 2633 - noncertificated school employees; due process**

Directs district’s governing boards to adopt/administer personnel policies that provide noncertificated personnel with substantially equivalent due process procedures as those prescribed for certificated teachers.

*Status:* Filed. (No change since last Board review.)

### **SB 1014 - teacher student loans; appropriation**

Permits STEM student teachers (who’ve already received their Bachelors Degree) to apply for loans to defray education costs/fees; increases available loan from \$7,000 to \$10,000; requires service commitment of 1 full year for each loan year plus 1 additional year, or repayment at 7% interest.

*Status:* Introduced 1/11/16; assigned to Senate Committees on Education; Appropriations, and Rules. (No change since last Board review.)

### **SB 1208 - teacher certification; reciprocity**

Modifies teaching certification requirements concerning reciprocity, renewal and competency. Provisions include:

#### ***Reciprocity***

- A standard teaching certificate will be issued, without additional requirements from SBE or ADE, to an applicant who possesses:
  - a valid certification from another state and is in good standing with that state; and
  - a valid fingerprint clearance card.
- Exempts persons who obtain a standard teaching certificate through reciprocity from the following:
  - the teacher proficiency examination;
  - competency requirements concerning the U.S. and State Constitutions; and
  - SEI endorsement requirements.
- Requires certification rules concerning reciprocity to include a requirement for applicants to be in good standing with the other state.

#### ***Renewal and Competency Requirements***

- Directs SBE to adopt rules that:
  - allow for certificate renewal of at least 10 years; and
  - do not require more than 15 hours of continuing education credits each year in order to renew a certificate.

- Exempts teachers, principals and superintendents from U.S. and State Constitution competency requirements unless the individual is a teacher of academic courses that focus predominantly on history, government, social studies, citizenship, law or civics.
- Exempts SEI endorsement requirements from teacher certification requirements unless the person is being certified to teach students in a sheltered English immersion or structured English immersion model.
- States school districts and charter schools are not prohibited from requiring an SEI endorsement as a condition of employment.
- Removes a requirement for teachers who have not taught for 10 years to repass the teacher proficiency examination.

### ***Teaching Intern Certificates***

- Issues teaching intern certificates to persons entering the practicum portion of an approved teacher preparation program.
- Requires placement decisions of teaching intern certification holders to be based on agreements between the teacher preparation provider, the provider's partner organizations and the local education agency.
- Limits ADE and SBE to only consider the following concerning the placement of teaching intern certification holders:
  - the academic quality of the school;
  - the effectiveness of the teaching intern certification holder's on-site mentor; and
  - the opportunity for a wide variety of schools and school models to access teaching intern certification holders concerning placement decisions.
- Prohibits ADE and SBE from restricting the placement of teaching intern certification holders based on local education agency instruction models.

The Senate Committee of the Whole adopted amendments that:

- Renew certifications for at least 10 years and prohibits SBE rule from requiring more than 15 hours of continuing education credits each year in order to renew a certification.
- Limits Arizona and U.S. Constitution competency requirements to teachers in certain subject areas.
- Limits SEI endorsement requirements to certain individuals.
- Removes a requirement for teachers who have not taught for 10 years to repass the teacher proficiency exam.
- Removes language that automatically renews a teaching certificate if the teacher does not receive notice within 3 weeks after submitting the renewal application.

*Status:* Passed the House 3/17; Senate concurrence recommended 3/31

### **SB 1313 - teachers; alternative certification application**

- Allows a school district or charter school that has received a letter grade of *A* or *B* for each of the preceding 3 years to apply to SBE for the authority to approve the alternative certification of teachers.
- Requires the rules to not be more restrictive or require more than is prescribed, to only facilitate the approval and certification process and to provide for the following:
  - requires the district superintendent or charter principal to verify that the applicant for alternative certification has made satisfactory progress and achievement with students;
  - requires a district/charter to submit data supporting the efficacy of the district's/charters teacher training program before receiving authority to approve alternative certifications;
  - prohibits a teacher from receiving a certificate until the teacher has been in the classroom for at least 1 full year and student data has been submitted by the district/charter confirming that 80% of

- the teacher's students at the end of the school year either are performing at grade level or have achieved at least 1 year of academic growth;
- allows a district/charter to adopt student achievement requirements that exceed the student achievement requirements prescribed by SBE for obtaining alternative certification;
- requires the assessment data used to demonstrate student achievement to be from an assessment approved by SBE;
- requires an applicant for alternative certification to hold at least a Bachelor's Degree from an accredited university and meet background and fingerprint clearance card requirements;
- directs a district/charter that has been granted the authority to approve the alternative certification of teachers to submit evidence each year that high quality teachers are equally distributed across all schools within the district/charter;
- issues a standard teaching certificate on the submission of the verification of requirements from the district/charter; and
- allows, for untested grades and subjects, a school district or charter school to submit data from a nationally recognized norm-referenced or criterion-referenced test conforming that at least 80% of the teacher's students at the end of the school year either are performing at a grade level or have achieved at least 1 year of academic growth.

*Status:* Assigned to House Committees on Education (held 3/16); Federalism and States Rights, and Rules. (No change since last Board review.)

**SB 1455 – parental opt-out; statewide assessments** (Formerly: educational certification applicants; restrictions)

Permits a parent, on behalf of the student, to opt-out of the statewide student assessment system.

*Status:* Failed in the House 3/7 on an 11-18-1 vote. Motion to Reconsider filed 3/8.

**SB 1456 - educational certification applicants; process**

Removes SBE from involvement in applications of administrative deficiencies

*Status:* Introduced 2/2 and assigned to House Committee on Education, and Rules. (No change since last Board review.)

**SB 1502 - CTE instructors; specialized teaching certificates**

Requires the SBE to issue specialized standard teaching certificates in Career and Technical Education (CTE). Provisions include:

- Requires SBE to issue specialized CTE standard teaching certificates to individuals who provide instruction in CTE courses or programs offered by a school district or Joint Technical Education District and who:
  - Demonstrate expertise in the area of instruction;
  - Demonstrate at least five years of work experience in the area of instruction; and
  - Comply with fingerprinting and background check requirements.
- Requires SBE to adopt rules to carry out this Act.
- Exempts individuals who have been issued a CTE certificate from:
  - Completing required classes or passing a satisfactory exam regarding the United States and Arizona Constitutions.
  - Passing each component of the proficiency exam.
  - Obtaining a Structured English Immersion (SEI) endorsement.

*Status:* Passed the House 3/24. (No change since last Board review.)

**SB 1503 - educator recruitment and retention; report**

By January 31, 2017, directs the ADE to submit a report and present recommendations on educator recruitment and retention to a joint meeting of the Senate and House Education Committees.  
*Status:* Introduced 2/2; assigned to Senate Committees on Education, and Rules. (No change since last Board review.)

## **CHARTER SCHOOLS**

### **HB 2294 - charter schools; special education funding**

Permits charter schools to apply for grants from the Extraordinary Special Education Needs Fund.

*Status:* SIGNED by the Governor 3/30/16.

### **HB 2655 - auditor general; classroom spending; charters**

Adds charter schools to school districts:

- that may be monitored by audit team to determine the percentage of every dollar spent in the classroom.
- To whose governing body's executive sessions may be attended by a representative of the auditor general in the performance of official duties

*Status:* Filed.

### **HB 2665 - charter schools; preference; foster children**

Establishes the Foster Youth Education Success Program (Program) that:

- Requires:
  - charters to give enrollment preference to children in foster care or who meet the definition of unaccompanied youth;
  - school districts to give preference to children in foster care;
  - a selected service provider to contract with a nonprofit organization to provide:
    - a partnership with local agencies, child welfare and judicial agencies to implement a continuous cycle of data-driven interventions for children in foster care.
    - identification and support of an education champion who is informed of the rights and responsibilities of children in foster care paired with an education coach to increase capacity to support educational success.
    - development and monitoring of an education team.
    - A customized education plan for each child in foster care based on individual strengths and needs that uses a research-based tool.
  - a selected service provider to annually submit a report that includes an evaluation of the Program's effectiveness, demographic information and academic outcomes.
- Establishes the Foster Youth Education Success Fund (Fund) consisting of appropriated monies and monies received from public or private sources and:
  - Directs the Governor to administer the Fund.
  - Determines monies in the Fund to be continuously appropriated and not revert to the state general fund.
  - Permits the Governor to accept and spend local, state and federal monies and private grants, gifts, devises and contributions.
- Appropriates:
  - \$1 million in FY 2017 from the state general fund to the Governor to be deposited in the Fund.
  - \$500,000 in FY 2017 from the state general fund to the Governor to be deposited in the Fund to be spent when matching monies from non-state sources are deposited in the Fund.
  - Determines the state general fund's appropriations to be non-lapsing.

- Permits monies from public sources other than the state, gifts, grants and donations to be spent as they are collected; requires the Governor to report the accounting of the Program to the Joint Legislative Budget Committee to determine qualifications for state match.

*Status:* Assigned to the Senate Committees on Education (passed 3/17); Health and Human Services (passed 3/16), and Rules. (No change since last Board review.)

**SB 1052 - charter schools; procurement requirements**

Removes charters' exemptions from financial/electronic data submission requirements, audits and public bidding requirements; requires charters to get written quotes for solicited procurement exceeding \$50,000.

*Status:* Filed. (No change since last Board review.)

**SB 1053 - charter schools; teachers; administrators; certification**

Removes requirement that fingerprint clearance is required for "all persons engaged in instructional work directly or indirectly"; removes language prohibiting charters from employing teacher whose certificate has been surrendered or revoked; requires that charter school teachers and administrators meet same certification and fingerprint requirements as school district teachers and administrators; requires certificated teacher or a certificated administrator to be in classroom with volunteers/guest speakers; permits charters to hire non-certificated personnel who are awaiting fingerprint clearance.

*Status:* Introduced 1/11/16; assigned to Senate Committees on Education, and Rules. (No change since last Board review.)

**SB 1393 – charter school pupils; transfer; ADM**

Requires a charter school to notify the ADE within 2 weeks that a student has withdrawn or transfers out of the school; requires ADE to adjust the charter's ADM accordingly.

*Status:* Introduced 2/1/16; assigned to Senate Committees on Education, and Rules. (No change since last Board review.)

**SB 1394 – charter schools; prohibited locations**

Prohibits a new charter school from being established within a 3-mile radius of a school district-operated school that has received a letter grade of A or B.

*Status:* Introduced 2/1/16; assigned to Senate Committees on Education, and Rules. (No change since last Board review.)

**SB 1395 – charter schools; audit requirements**

Removes charters' permissible exceptions to financial and electronic data submission requirements; removes definition of *nonexempt charter school*. Directs Auditor General to conduct annual audit of all state charter schools; specifies audit requirements. Adds charters to existing audit requirements for school districts

*Status:* Introduced 2/1/16; assigned to Senate Committees on Education, and Rules. (No change since last Board review.)

**SB 1396 – charter schools; public meetings; records**

Subjects charter schools and their governing bodies, sponsors, charter holders, school operators, corporate boards of directors, and management organizations that contract with charter schools to requirements of both of the Open Meeting Law and the Public Records Law.

*Status:* Filed. (No change since last Board review.)

**MISCELLANEOUS**

**HB 2065 – NOW vision screening program; schools** (Formerly schools; vision screening program)

Expands the Arizona Department of Health Services (DHS) Program to include vision screening services.

*Status:* Assigned to the Senate Committees on Appropriations; Health and Human Services; Education, and Rules. (No change since last Board review.)

### **HB 2067 - county school superintendents; qualifications**

Removes current requirement that a county school superintendent must hold a standard Arizona teaching certificate. Adds that he/she must be a qualified elector who resides in that county.

*Status:* Introduced 1/19/16; Assigned to House Committees on Education, and Rules. (No change since last Board review.)

### **HB 2228 – high schools; academic growth awards**

- Requires SBE and ADE, subject to available appropriations, to present an annual award to the public high school demonstrating the highest levels of student academic growth in each classification.
- Requires SBE to establish a method of identifying public high schools demonstrating the highest rate of student longitudinal growth in one or more school years.
- Stipulates the awards are known as the academic growth award for that classification and must resemble trophies presented for athletic accomplishments.
- Requires ADE to use up to \$500 annually from the appropriated funding or other funding received by ADE to award trophies.
- Defines *classification* as a grouping of schools that corresponds to the classification system for schools established by a statewide interscholastic association in this state.

*Status:* Assigned to Senate Committees on Education (passed 3/3), and Rules. (No change since last Board review.)

### **HB 2265 - epinephrine auto-injectors**

Permits an authorized entity to obtain and store epinephrine auto-injectors, as prescribed by a medical practitioner, and outlines training requirements for employees responsible for the oversight and emergency provision or administration of epinephrine auto-injectors.

*Status:* SIGNED by the Governor 3/30/16.

### **HB 2322 - schools; safe-to-tell program**

Requires ADE to establish the safe-to-tell program to enable anonymous reports of dangerous, violent or unlawful activity conducted or threatened on a school property, at a school-sponsored or on a school bus.

*Status:* Introduced 1/26 and assigned to House Committees on Education, and Rules. (No change since last Board review.)

### **HB 2421 - school conference or activity leave**

Requires employers to provide time off for an employee to attend their child's school conference or school activity.

*Status:* Filed. (No change since last Board review.)

### **HB 2671 - school safety; threat assessments; fund**

Establishes the "Arizona school safety fund" to be administered by the ADE; appropriates \$5,000,000 from the state general fund in fiscal year 2016-2017

- ADE may:
  - accept and spend federal monies, private grants, gifts, contributions and devises to enhance school safety
  - distribute grant monies to school districts where at least 85% of the students are eligible for free or reduced-price lunches



- School districts shall use grant monies to provide more on-site school resource officers and to enhance security measures and equipment based on the needs identified in the comprehensive threat assessment or emergency response plan
- Each school district shall develop and annually update a comprehensive threat assessment for each school site in conjunction with local law enforcement agencies which includes:
  - physical security deficiencies at each school site, and
  - identification of measures to provide adequate security at that school site.
- If, within the previous year, a school district has developed or updated an emergency response plan that includes a threat assessment of school sites, the school district:
  - Is not required to develop and update a separate comprehensive threat assessment
  - Shall annually review the emergency response plan and any identified deficiencies at a public meeting

*Status:* Filed.

**HCR 2002 - superintendent of public instruction; appointment**

Removes term limits on position of Superintendent of Public Instruction; amends Article XI, section 4 of the Constitution to require the governor to appoint the superintendent of public instruction with powers and duties as prescribed by law.

*Status:* Filed. (No change since last Board review.)

**HCR 2017 - schools; English language requirement; repeal**

Requires voter proposition on the repeal of A.R.S. 15-751 through 15-754 requiring English language learning.

*Status:* Introduced 1/26/16; assigned to House Committees on Elections; Judiciary, and Rules. (No change since last Board review.)

**SB 1117 - school districts; adjacent ways; verification**

Requires the School Facilities Board (SFB) to validate any proposed adjacent ways projects with a cost exceeding \$50,000. Provisions include:

- Restricts a school district from making an adjacent ways expenditure with a cost exceeding \$50,000, unless the SFB validates both of the following:
  - The proposed project is in compliance with state law.
  - The proposal selected by the school district does not contain additional work that is not listed in the district’s adjacent ways proposal.
- Requires each adjacent ways project proposal, funded through a special assessment, to be filed with the SFB and to include the project cost estimate.
- Stipulates that a school district annual financial report must include information on the school district budgeted and actual expenditures from the Adjacent Ways Fund.

*Status:* SIGNED by the Governor 3/18/16.

**SB 1134 - schools; compulsory attendance age; increase**

Increases from 16 to 18 the minimum age to earn a GED; requires compulsory school attendance from 16 to 18 years old; increases school attendance from “not less than” to “at least” 180 days.

*Status:* Introduced 1/19/16; assigned to Senate Committees on Education; Appropriations, and Rules. (No change since last Board review.)

**HB 2189 – omnibus education**

Permits a governing board to comply with SBE or SFB rules, or laws affecting governing boards to take necessary/appropriate actions regarding district property and the education/related services for its students.

*Status:* Filed. (No change since last Board review.)

## **HB 2190 – education omnibus**

Repeals and modifies numerous education statutes, including:

### *Pest Management (A.R.S. § 15-152)*

- Removes the requirement directing school districts to consult with teachers, parents, guardians, administrators, members of the public, a certified applicator and at least one health professional when developing pesticide notification policies.
- Requires school districts to include procedures for written, electronic or telephonic notification and removes the following procedure requirements concerning:
  - posting of signs;
  - requiring contracted pest control applicators to provide information to schools;
  - continued instruction of students absent due to the pesticide application; and
  - maintaining written records of notifications and the authority for applicators to fill out and post notices.
- Specifies *pesticides* do not include:
  - nonresidual pesticide applications performed or contracted by public health agencies for vector control; or
  - emergency applications of a pesticide that has a toxicity category of III or IV pursuant to federal law to control pests that pose an imminent threat to public health.

### *School District Requirements*

- Removes the requirement for ADE to establish and maintain an environmental education information resource system.
- Requires environmental education to be based on reliable scientific information.
- Eliminates the requirement for school districts to prescribe and enforce policies and procedures concerning the smoking of tobacco within school buildings.
- Eliminates the requirement for school districts to establish policies and procedures concerning the notification of a boundary change to entities that donated land within the past five years on which a school was built.
- Requires school districts to prescribe and enforce policies and procedures that define the duties of principals and teachers and requires the policies and procedures to authorize teachers to do the following:
  - take and maintain daily classroom attendance; and
  - make the decision to promote, retain, pass or fail a pupil subject to review by the school district board.
- Limits the hearing requirement concerning school districts' use of insurance recovery monies and litigation recovery monies towards the construction, improvement, repair or furnish of school property to projects that cost more than \$250,000.

### *General*

- Permits a school district, retroactive to July 1, 2015, that admits year-round sports, music or acting academy students who are not residents of the state, but are residents of the United States, without payment of tuition to include the students for the purpose of determining student count and state aid.
- Allows a school district, retroactive to July 1, 2015, to admit the same number of nonresident foreign students in exchange programs on J-1 Visas that is equal to the number of resident students enrolled in that school district who are participating in a foreign exchange program.
- Eliminates the full-time equivalent student enrollment requirements for a community college or group of community colleges to sponsor charter schools.

- Includes in service providers' reporting requirements concerning the alternative teacher development program (ATDP), retroactive to July 1, 2015, the following:
  - classroom-level data collected by the service provider that demonstrates the academic progress of students instructed by teachers participating in ATDP;
  - a descriptive summary of the ongoing support, evaluations and professional development provided to participating teachers; and
  - the performance classifications of teachers participating in ATDP, as reported to the service provider by participating teachers.
- Removes a requirement for the service provider report concerning ATDP to include a comparison of the annual academic achievement gain of students and limits the report to only those items listed in statute.
- Requires parent participation plans, developed by school districts, to include a parent-teacher survey.
- Requires charter schools and school districts to keep personnel files on all current employees instead of resumes on all current and former employees.
- Eliminates special education subcategories in school districts' budget forms.

#### *Repeals*

- A.R.S. § 15-306 requiring county school superintendents to keep a register of warrants.
- A.R.S. § 15-348 permitting K-8 students to participate in practice sessions of noncontact sports with secondary school students.
- A.R.S. § 15-349 concerning alternative fuels for school districts' vehicle fleets.
- A.R.S. § 15-353 detailing principals' responsibilities.
- A.R.S. § 15-505 exempting school district employees from annual or periodic examinations for tuberculosis unless an employee displays symptoms of a pulmonary disease.
- A.R.S. § 15-521 detailing the duties of teachers.
- A.R.S. § 15-707 allowing high schools to educate driver education students about the option to donate organs.
- A.R.S. § 15-708 concerning remedial education for children with learning problems who are presently being served in special education programs but no longer qualify after July 1979.
- A.R.S. § 15-709 concerning the review of the educational development of children receiving remedial education.
- A.R.S. § 15-711.01 allowing K-8 schools to include stranger danger instruction.
- A.R.S. § 15-718 requiring public schools to include skin cancer instruction if the U.S. EPA provides free programs on the prevention of skin cancer.

*Status:* Passed the House Committee of the Whole 3/28

#### **HB 2552 - delegation of powers; parent; custodian**

Provides for a parent/guardian to be informed about community service programs that provide respite care, voluntary guardianship or other support services for families in crisis if a Dept of Child Safety investigation does not result in an out-of-home placement.

- Provides specific definitions for:
  - *attorney-in-fact* - a person to whom any powers regarding the care or custody of a child are transferred [by a parent]
  - *custodian* –a person to whom custody has been given by a Court;

Modifies statute regarding delegation of authority over children; permits a parent/custodian to delegate to an attorney-in-fact the powers regarding the care/custody of a child, with exceptions:

- Attorney-in-fact may not consent to
  - marriage/adoption of the child;
  - terminate the child's pregnancy; or

- terminate parental rights to the child.
- Delegation of powers does not:
  - Modify any parental/legal rights, obligations or authority established by a Court, including that of custody, visitation or support
- May not extend longer than one (1) year [except for those of a parent serving in the armed forces;
- May be revoked at any time
- For each additional year, a new power of attorney must be completed.

Amendment passed in the House Committee on Children and Family Affairs:

- Requires the attorney-in-fact to submit a full set of fingerprints to the parent or custodian for submission to the Department of Public Safety for the purpose of obtaining a state and federal criminal records check.
- Allows private, nonprofit organizations to receive public monies to assist parents with the process of delegating parental and legal custodial authority.

*Status:* Introduced 2/1; retained on the House Committee of the Whole's calendar 2/25. (No change since last Board review.)