

## **SCHOOLS – Assessments**

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

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

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

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

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

*Status:* Filed.

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

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

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

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

### **HB 2303 - computer science; credit; mathematics; science**

Requires the Arizona Board of Regents (ABOR) to modify its admissions requirements for each university so that a computer science course can count as a mathematics or science course

- Allows a district to approve a rigorous computer science course that meets the academic standards adopted by the State Board of Education and would fulfill either a mathematics or science course required for graduation from high school.
- Requires ABOR's admissions requirements for each university to count a computer science course as a mathematics or science course that is approved by a district as a mathematics or science course.

ASBA is neutral.

*Status:* Passed the House; transmitted to the Senate 2/13.

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

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

- Establishes a Program to recognize students who:
  - attain a high level of proficiency in the arts; and
  - graduate from a school district or charter school.
- Requires the Superintendent of Public Instruction (SPI) to:
  - create a State Seal of Arts Proficiency (Seal) to be placed on a qualifying student's diploma and noted on their transcript; and
  - deliver the Seal to each participating school district or charter school.

- Requires State Board of Education (SBE) in collaboration with the Arizona Department of Education (ADE) and experts in arts education to adopt minimum requirements and adopt necessary rules for the Program.
- Allows any school district or charter school to voluntarily participate in the Program by notifying the SPI.
- Requires each participating school district or charter school to:
  - identify the students meeting the Program requirements; and
  - place the Seal on a qualifying student's high school diploma and note it on their transcript.
- Terminates the Program on July 1, 2029.

ASBA is neutral.

*Status:* Passed the Senate; transmitted to the House 2/11.

## **SCHOOLS – Building(s)**

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

- Requires each district/charter to have a vulnerability assessment conducted for every building it owns, rents, occupies or operates to evaluate:
  - School environment's vulnerability to external/internal safety threats;
  - Preparedness of school personnel to manager emergencies
- Establishes Safe School Grant Fund consisting of appropriations, grants, gifts, devises ad donations from any public or private source
- Arizona Department of Education (ADE) to administer/distribute grants to help school sites decrease vulnerabilities to threats

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

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

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

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

ASBA supports.

*Status:* Passed the Senate; transmitted to the House 2/11.

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

- Requires SFB to publish a list of vacant and partially used state- or district-owned buildings suitable for the operation of a school, including buildings where the use of 50% or less of its potential capacity. List to be publicly available
- Prohibits a district from denying sale/lease to charters.
- Permits a district to sell used equipment to a charter/private school before disposal by other means.
- Extends from 10 to 20 years the lease period of a school building or grounds.

- District may end the lease for a leased school that is assigned a D letter grade for more than 1 year, or an F for any period of time.

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

## **SCHOOLS – Curriculum**

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

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

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

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

- 15-111. Declaration of policy

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

- 15-112. Prohibited courses and classes; enforcement

- A school district or charter school in this state shall not include in its program of instruction any courses or classes that include any of the following:
  - Promote the overthrow of the United States government.
  - Promote resentment toward a race or class of people.
  - Are designed primarily for pupils of a particular ethnic group.
  - Advocate ethnic solidarity instead of the treatment of pupils as individuals.
- If the state board of education or the superintendent of public instruction determines that a school district or charter school is in violation of subsection A, the state board of education or the superintendent of public instruction shall notify the school district or charter school that it is in violation of subsection A. If the state board of education or the superintendent of public instruction determines that the school district or charter school has failed to comply with subsection A within sixty days after a notice has been issued pursuant to this subsection, the state board of education or the superintendent of public instruction may direct the department of education to withhold up to ten per cent of the monthly apportionment of state aid that would otherwise be due the school district or charter school. The department of education shall adjust the school district or charter school's apportionment accordingly. When the state board of education or the superintendent of public instruction determines that the school district or charter school is in compliance with subsection A, the department of education shall restore the full amount of state aid payments to the school district or charter school.
- The department of education shall pay for all expenses of a hearing conducted pursuant to this section.
- Actions taken under this section are subject to appeal pursuant to title 41, chapter 6, article 10.
- This section shall not be construed to restrict or prohibit:
  - Courses or classes for Native American pupils that are required to comply with federal law.
  - The grouping of pupils according to academic performance, including capability in the English language, that may result in a disparate impact by ethnicity.
  - Courses or classes that include the history of any ethnic group and that are open to all students, unless the course or class violates subsection A.
  - Courses or classes that include the discussion of controversial aspects of history.
- Nothing in this section shall be construed to restrict or prohibit the instruction of the holocaust, any other instance of genocide, or the historical oppression of a particular group of people based on ethnicity, race, or class.

*Status* of HB 2106: Filed.

*Status* of HB 2228: Filed.

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

## **HB 2184 - English language learners; instruction; budgeting**

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

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

- Directs the State Board of Education (SBE) to:
  - adopt and approve models that include a minimum amount of English language development as follows:
    - 120 minutes per day, 600 minutes per week, or 360 hours per school year for pupils in kindergarten through grade 6; and
    - 100 minutes per day, 500 minutes per week, or 300 hours per school year for pupils in grades 7 through 12.
  - adopt alternative English instruction models that are evidence-based and research-based.
  - establish a framework for evaluating research-based models submitted for approval and solicit input from experienced educators. Requires the framework to ensure that adopted or approved models meet the following criteria:
    - Provide coherent instruction aligned with Arizona's English language proficiency standards;
    - Include oral and written language instruction, including structured opportunities to develop verbal and written skills and comprehension strategies;
    - Include access to complex language content through grade-level textbooks with appropriate support; and
    - Include parental engagement strategies.
- Allows districts/charters to submit SEI models and alternative English instruction for approval by the SBE.
- Removes the requirement that:
  - State Board of Education (SBE) use programs developed by the ELL Task Force.
  - SEI models be limited to programs not to exceed one year.
  - SBI:
    - Identify the minimum amount of English language development per day for all models; and
    - Develop separate models for the first year in which a pupil is classified as an ELL that include at least four hours per day of English language development.
  - Districts/charters include a copy of the adopted ELL program in the annual report.
  - Arizona Department of Education (ADE):
    - each month, select a random sample of 300 ELLs to determine how many can read certain factors as outlined.
    - Present a detailed annual summary of all ELL programs and funding at a public State Board of Education (SBE) meeting; and
    - Present a summary of information relating to the demonstrated success of schools and school districts at achieving English proficiency for ELLs.
- Declares that ELLs are not prohibited from concurrently enrolling in an SEI and alternative English instruction model.
- Removes:
  - the prohibition on distributing ELL Fund monies and ELL support level weight monies for the same student for more than two fiscal years.
  - the offset for federal monies and the exclusion of incremental costs of any students classified as ELL for more than two years.
- Renames the Arizona SEI Fund to the Arizona ELL Fund.
- Repeals A.R.S. §15-756.06 relating to the annual testing of previously classified ELLs and the subsequent reenrollment of students who fail to demonstrate English proficiency on the reassessment test in the two years following their exit from SEI.
- In the Senate Committee of the Whole, an amendment was adopted that reduces the minimum hours of English language development for 6th grade English language learner (ELL) students to be the same as students in grades 7 through 12.

ASBA supports.

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

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

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

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

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

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

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

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

*Status* of HB 2457: Filed.

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

**HB 2578 – schools; sex education**

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

*Status:* Filed.

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

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

*Status:* Filed.

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

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

ASBA is neutral.

*Status:* Passed the Senate and transmitted to the House 2/14.

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

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

*Status:* Assigned to Senate Committees on Education (passed 2/5) and Rules.

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

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

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

*Status:* Assigned to Senate Committees on Education (passed 2/5) and Rules.

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

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

*Status:* Assigned to Senate Committees on Education (passed 2/12) and Rules.

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

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

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

**SCHOOLS – Employees / Employment**

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

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

Provisions include:

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

*Status:* Filed.

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

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

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

*Status:* Passed the House on 2/11/19; transmitted to the Senate.

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

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

*Status:* Assigned to House Committees on the Judiciary (passed 2/13), and Rules.

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

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

*Status:* Introduced 2/5/19; assigned to House Committees on the Education; Judiciary and Rules.

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

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

*Status:* Filed.

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

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

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

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

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

- Teachers eligible to participate:
  - A certificated teacher who has been employed at one or more AZ district/charters for a total of at least 10 years.
    - Their spouse
    - Their dependent
  - A certificated teacher who has been employed at one or more AZ district/charters for at least 3 years but fewer than 10 years.
- Requirements:
  - Discount may only be used to obtain one or more graduate degrees from a college of education
  - Participant must sign a contract with the Arizona Department of Education (ADE) to continue to teach in an AZ public school for at least 2 years after obtaining the graduate degree.
    - Must repay tuition if participant’s certificate revoked or fails to fulfill service requirement
- Appropriations to the Arizona Department of Education (ADE) for the costs of the experienced teacher retention pilot program:
  - In FY 2019-2020, \$2,500,000.
  - In FY 2020-2021, \$5,000,000.
  - In FY 2021-2022, \$7,500,000.
  - In FY 2022-2023, \$10,000,000.

- In FY 2023-2024, \$10,000,000.
- \$2,000,000 is appropriated in FY 2022-2023 to the Arizona Department of Education (ADE) for distribution to the persons or entities that are selected to study the impact of the experienced teacher retention pilot program.
- Arizona Department of Education (ADE) may retain up to 2% of the monies appropriated each fiscal year to administer the pilot program.

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

**HB 2632 – teacher recruitment and retention**

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

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

Status: Filed.

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

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

Status: Filed.

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

- Requires district to issue teaching contracts to:
  - probationary teachers between March 15 and May 15, unless notice not to offer a contract is provided on/before April 15.
  - continuing teachers between March 15 and May 15, unless notice not to offer a contract is provided on/before May 15.
- Requirement that board must give notice to the teacher of its intention to suspend without pay or dismiss the teacher is extended from 10 to 30 days.
- Allows a teacher “not less than 85 instructional days” to correct inadequacy of classroom performance from date of written preliminary notice.
  - If not corrected, Board dismissal date is extended from 10 to 30 days.



- Removes statutory language addressing career ladder program.
- Teachers must be notified of general salary reductions no later than May 15 before the fiscal year in which the reduction is to take effect.

*Status:* Filed.

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

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

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

*Status:* Filed.

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

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

*Status:* Filed.

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

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

ASBA is neutral.

*Status:* Passed the Senate 2/4 and transmitted to the House.

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

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

- Requires an ASRS employer that has paid contributions on compensation that is not eligible by statute or rule for ASRS contributions to pay to ASRS any unfunded liability resulting from the provision of benefits or credit to the person.

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

ASBA is monitoring.

*Status:* Passed the Senate on 2/4; transmitted to the House.

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

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

ASBA is monitoring.

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

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

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

- *Compensation* defined, for those members of the ASRS who are hired on or after January 1, 2020, as only gross wages paid to a member by the employer for services rendered to the employer during the period considered as credited service, including amounts reported as wages and tips and other compensation on the member's federal form W-2 wage and tax statement, including pretax deductions, except for:
  - payments made for accrued leave that is not being used to replace regular work hours, whether paid in a lump sum or in installments;
  - payments made on termination from employment, whether paid in a lump sum or in installments or as a bonus or an incentive for termination or retirement;
  - employer-paid contributions that are made to, and any distributions from, plans, programs or arrangements qualified under the Internal Revenue Code (IRC), e.g., deferred compensation plans;
  - payments for allowances;
  - reimbursements for employee business expenses or employee personal expenses;
  - employer-paid contributions for coverage under, or distributions from, an accident, health or life insurance plan, program or arrangement;
  - payments made in lieu of any employer-paid insurance coverage;
  - workers' compensation, unemployment compensation payments and disability payments;
  - merit awards;
  - payments paid pursuant to a court order or settlement agreement;
  - payments made in the form of goods or services in lieu of gross wages;
  - any other payment that is not reported as wages and tips and other compensation on the member's federal form W-2 wage and tax statement;
  - payments in excess of IRC limits;
  - payments for any other employment benefit; and
  - payments for which employer or employee contributions have not been paid.

ASBA is monitoring.

*Status:* Passed the Senate on 2/5; transmitted to the House.

### **SB 1020 - school employees; investigations; information sharing**

Allows the Arizona Department of Education (ADE) to provide to schools, school districts, third-party entities and agencies information, records or reports on a certificate holder investigation in certain circumstances. Provisions include:

- Adds to the entities Arizona Department of Education (ADE) may provide with information, records or reports relating to the investigation of a certificate holder:
  - a school or school district to which the certificate holder has applied for employment;
  - a third-party entity that contracts to provide a school or school district with educators and to which the certificate holder has applied for employment; and
  - an agency investigating the certificate holder's application for certification or licensure or that is investigating the certificate holder to make a certification or licensure decision.

ASBA is monitoring.

*Status:* Passed the Senate 2/5 and transmitted to the House.

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

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

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

ASBA is neutral.

*Status:* Passed the Senate 2/4 and transmitted to the House.

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

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

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

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

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

- Replaces the requirement that a governing board establish a teacher performance evaluation system that meets State Board of Education (SBE) requirements with a requirement that a governing board establish a system that:
  - is designed to improve teacher performance and improve student achievement; and
  - accounts for between 20 and 40 percent of the evaluation outcomes using quantitative data on student academic progress on the statewide assessment, or an assessment from the menu of assessments for high school students in a district that uses the menu.

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

Status: Introduced 1/16/19; assigned to Senate Committees on Education (held 1/29), and Rules.

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

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

- Considers a member to have a disability if during the first 30 months of a period of disability, based on objective medical evidence, the member is unable to perform one or more duties of the member's occupation, rather than being unable to perform all duties of the member's position.
- Allows the ASRS or its contracted administrator to investigate information that indicates falsification related to LTD eligibility or benefits.
- Allows ASRS, its contracted administrator or an authorized third party to collect and examine any statement or evidence related to falsification.
- Excludes, from the requirement of a minimum \$50 monthly LTD benefit, members who receive 100 percent of their pre-disability monthly compensation

ASBA is monitoring.

Status: Ready for the Senate Committee of the Whole 2/12.

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

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

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

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

Requires district/charter’s certificated teachers/administrators to complete civics education training as a condition of certification. By 8/1/2020, must correctly answer at least 60% of the 100 questions “on a test that is identical to the civics portion of the naturalization test used” by the U.S. Citizenship and Immigration Services. Requirement does not apply to noncertificated employees.

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

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

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

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

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

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

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

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

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

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

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

**SB 1420 – schools; teacher omnibus**

- Subjects charter schools’ teachers/administrators to same certification and fingerprint requirements as those at districts
- Revises certification requirements

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

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

## **SCHOOLS - Elections**

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

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

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

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

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

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

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

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

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

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

### **SCHOOLS – Funding**

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

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

*Status:* Filed.

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

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

*Status:* Filed.

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

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

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

- Revises list of permissible fund distributions, adding:
  - Educational interventions.
  - Voluntary full-day kindergarten.
  - Increased cost of additional school days that were enacted in 2000.
  - Student support services.
  - Tutoring.
  - Character development.
  - School resource officers.
  - Career and technical education.
- Removes from list of permissible fund distributions:
  - assessment intervention programs, and
  - teacher liability insurance premiums.
- Directs Arizona Department of Education (ADE) to annually use \$86,280 of the funds for basic state aid for schools.

*Status of HB 2563:* Introduced 2/12/19; assigned to House Committees on Ways & Means; Education, and Rules.

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

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

Increases the amount of school additional assistance for districts/charters by at least 2%, beginning 2019-2020. For FY 2020-2021 forward, amount to be increased by a minimum growth rate of 2% or the change in the GDP price deflator, whichever is less. Assistance may not be reduced below the base level established for FY 19-20. *Status:* Introduced 2/14/19; assigned to House Committees on Appropriations, and Rules.

**HB 2653 – school funding task force**

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

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

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

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

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

*Status:* Filed.

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

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

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

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

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

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

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



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

Decreases, from 1,000 to 890, the minimum number of hours 7<sup>th</sup> and 8<sup>th</sup> grade instructional programs must meet for an enrolled student to be considered a *full-time student* when calculating ADM.

ASBA supports.

*Status:* Passed the Senate 2/5 and transmitted to the House.

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

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

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

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

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

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

- Stipulates all monies collected, as outlined in the constitutional amendment, are distributed each fiscal year with 73% paid monthly to the CSF;
- Requires the qualified entities receiving monies to jointly present annually to a legislative committee tasked with workforce development regarding the use of monies.
- Requires the monies collected to be distributed in addition to any other appropriation, transfer or allocation of public or private monies from any other source and prohibits the monies from supplanting, replacing or causing a reduction in other school district, charter school university or community college funding sources.
- Conditions the enactment of this legislation on the passage of the constitutional amendment at the next general election contained in S.C.R. 1001.

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

- Removes requirements, for districts/charters, to allocate the following amounts from the CSF:
  - 40 percent for teacher compensation increases, based on performance and employment-related expenses;
  - 20 percent for teacher base salary increases and employment-related expenses; and
  - 40 percent for maintenance and operation purposes.
- Removes requirements that CSF monies be spent for maintenance and operation purposes including:
  - class size reduction;
  - assessment intervention programs; and
  - teacher liability insurance premiums.
- Adds requirements that CSF monies be spent for the following purposes:
  - teacher compensation;
  - educational interventions;
  - voluntary full-day kindergarten;
  - the increased cost of additional school days enacted in 2000;
  - student support services;
  - tutoring;
  - character education; and
  - school resource officers.
- Requires the Arizona Department of Education (ADE) to annually use \$86,280,500 from the CSF to fund basic state aid for schools.

#### ***Miscellaneous***

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

*Status:* Assigned to Senate Committees on Education (passed 1/22), and Rules.  
ASBA is neutral.

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

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

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

- Requires the Superintendent of Public Instruction, by February 1, to annually determine the calculated opportunity index by finding:
  - the difference, rounded to the nearest tenth of a percentage point, between the average percentage of students eligible for free or reduced-price lunches at each Arizona school district or charter, and the statewide average percentage of students eligible for free or reduced-price lunches in districts/charters;
  - multiplying by 0.059; and
  - dividing by 100.
- Stipulates if the statewide average percentage of students eligible for free or reduced-price lunches is greater than the average percentage of students eligible for free or reduced-price lunches at each school district or charter, use zero for the calculated opportunity index.

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

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

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

- Modifies a school district's budget for desegregation expenses by subtracting the calculated opportunity index from that amount.
- Prohibits a school district from budgeting for desegregation expenses, if the calculated opportunity index is greater than the FY 2009 limit for desegregation expenditures.

ASBA supports.

*Status:* Assigned to Senate Committees on Education (passed 2/5); Appropriations, and Rules.

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

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

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

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

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

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

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

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

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

ASBA supports

*Status:* Assigned to Senate Committees on Education (passed 2/5); Appropriations, and Rules.

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

- Removes the prohibition against a district from hiring the same auditor/auditing firm for more than 3 consecutive years
- Permits an auditor/auditing firm hired by a district to receive consulting fees from that district.

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

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

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

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

**SB 1344 – school counselors; grants**

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

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

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

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

Continues empowerment scholarship accounts (ESA) renewal eligibility until the student graduates from high school, obtains a general equivalency diploma (GED) or reaches 22 years of age. Requires enrolled students to annually take a standardized exam. Establishes the Arizona ESA Review Council (Council), which will terminate on January 1, 2023.

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

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

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

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

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

Revisions made to funding definitions and formulae:

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

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

**SCHOOLS - Reporting**

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

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

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

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

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

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

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

- Requires Arizona Department of Education (ADE) to submit, annually by December 15, a report with the number of specific incidents reported at each school site in the state:
  - Bullying
  - Fighting
  - Sexual Assault
  - Threatening

- Intimidation
- Harassment
- Suicide
- Hazing
- Any other form of physical attack
- Permits Arizona Department of Education (ADE) to establish a survey to gather the information from each district/charter;
  - Information may not contain student identifiable data.
  - Must be posted on the Arizona Department of Education (ADE) website.

*Status:* Filed.

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

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

Under the Smoke-free Arizona Act, defines:

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

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

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

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

*Status:* Filed.

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

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

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

- Requires district/charters to report “detailed information” on suspended/expelled preschool/kindergarten students.

*Status:* Filed.

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

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

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

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

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

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

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

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

*Status* of HB 2470: Introduced 2/4/19; assigned to House Committees on Health & Human Services, and Rules.

*Status* of SB 1114: Introduced 1/22/19; assigned to Senate Committees on Education, and Rules.

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

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

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

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

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

*Status:* Filed.

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

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

*Status:* Filed.

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

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

- Expands the definition of *tobacco product* to include:
  - any product made or derived from tobacco or containing nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means;
  - shisha, snuff, snus or an electronic smoking device; and
  - any component, accessory, instrument or paraphernalia that is used in the consumption of a tobacco product, whether or not it includes nicotine, or that is solely designed for smoking or ingesting tobacco or shisha.
- Exempts, from the definition of *tobacco product*, any product that is authorized for sale by the U.S. Food and Drug Administration (FDA).
- Defines *electronic smoking device* as:
  - a device that delivers aerosolized or vaporized nicotine by inhalation and any component, part or accessory of the device whether or not they are sold separately; and

- any substance intended to be aerosolized or vaporized during the use of the device.
- Exempts electronic smoking devices from the definition of *tobacco product* as it relates to the prohibition on delivery sales.
- Requires retailers that engage in delivery sales of electronic smoking devices to implement age verification through an independent, third-party verification service to verify that purchasers are at least 21 years of age.
- Removes the definition of *vapor product*.

*Status:* Passed the Senate 2/12/19; transmitted to the House.

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

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

ASBA is neutral.

*Status:* Passed the Senate 2/4 and transmitted to the House.

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

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

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

**SB 1205 – school meals; water**

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

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

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

Requires the Arizona Department of Education (ADE) to develop a dyslexia plan for the screening of students for dyslexia risk factors and develop a list of training opportunities related to dyslexia.

*Status:* Assigned to Senate Committees on Education (passed 2/12), and Rules.

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

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

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

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

Requires schools to provide vision screen services.

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

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

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

- Requires AHCCCS to make available and post to the AHCCCS website suicide awareness and prevention training that meets outlined requirements for districts/charters and teacher training programs.
- Requires, beginning in the 2020-2021 school year, districts/charters to provide the following at least once every three years to school guidance counselors, teachers, principals and other school personnel who work with pupils in grades 6 through 12:

- training in suicide prevention;
- training to identify warning signs of suicidal behavior in adolescents and teens; and
- intervention and referral techniques.
- Requires AHCCCS, by July 1, 2020, to identify or develop, and post on the AHCCCS website, a list of approved materials that schools may use to provide suicide awareness and prevention training and annually update the materials.
- Requires Arizona teacher training programs to include suicide awareness and prevention training that meets the same requirements as training provided by districts/charters.
- Requires suicide prevention training to use evidence-based training materials.
- Allows districts/charters to provide suicide awareness and prevention training within the framework of existing in-service training programs or as part of professional development activities.
- Indemnifies, from civil or criminal liability, school personnel and any other persons for good faith actions relating to suicide prevention training.
- Classifies as classroom spending school district implementation costs for the purposes of the Auditor General's annual report.

*Status:* Assigned to Senate Committees on Education (passed 2/12), and Rules.

### **SCHOOLS - Miscellaneous**

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

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

*Status:* Filed.

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

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

*Status:* Filed.

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

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

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

*Status:* Filed.



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

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

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

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

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

#### **SB 1066 - kindergarten; survey; report**

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

ASBA is neutral.

*Status:* HB 2083 assigned to House Committees on Education (passed 1/28), and Rules.

*Status:* SB 1066 passed the Senate 2/6; transmitted to the House.

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

- Requires district/charters to:
  - Prescribe/enforce policies/procedures for reporting any suspected crime that is a “serious offense”, as defined in the criminal code, or that involves a deadly weapon, a dangerous instrument, serious physical injury or conduct that poses a threat of death or serious injury to anyone on school property.
  - Notify parents of any student suspected of a crime.
  - Consider dismissal if violator is an employee.
  - Maintain a record that is available upon request to any school intending to hire that person.
- Permits information obtained through a background investigation, including any records that an employee or applicant for employment violated the policy of a district, be retained and provided to any other district/school that is performing a background investigation.

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

### **HB 2186 – school meals; unpaid fees**

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

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

*Status:* Assigned to House Committees on Education (passed 2/11); Ways & Means (withdrawn 2/12), and Rules.

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

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

*Status:* Filed.

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

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

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

*Status of HB 2204:* Filed.

*Status of HB 2205:* Filed.

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

**SB 1424 – youth entrepreneurship; appropriation; pilot program**

- Establishes the Youth Entrepreneurship Pilot Program through the Arizona commerce authority with the intent to support "Disconnected youths" at least 16 but under 24 who are not employed or enrolled in school as:
  - A community-based entrepreneurial education.
  - Increased economic knowledge and entrepreneurial skills.
  - Mentoring from local small business owners and professionals.
  - Increased opportunities for disconnected youths to meaningfully participate in community economic activities.
  - Opportunities for collaboration and innovation.
  - An appreciation for the benefits and challenges of owning a successful business enterprise, including a successful microenterprise.
- The Arizona commerce authority:
  - May coordinate with local small business leaders to organize and conduct educational workshops, seminars and discussions on alternative career pathways for youths.
  - Shall include in the pilot program a component to serve youths in counties with a population of less than seven hundred fifty thousand persons.
  - *Microenterprise* defined as any business that is located or principally based in this state and that employs ten or fewer employees. Microenterprise includes a start-up business, a home-based business and a self-employed business.
- Appropriates \$5,000,000 in fiscal year 2019-2020:
  - \$50,000 to award seed capital on a competitive basis to youths who are residents of counties with a population of less than seven hundred fifty thousand persons, who have successfully completed one year in the pilot program and who present a meritorious new business enterprise proposal to the authority. Seed capital awarded pursuant to this paragraph shall be used by the recipients for start-up costs for the new business enterprise.
  - \$50,000 to award seed capital on a competitive basis to youths who are residents of counties with a population of seven hundred fifty thousand persons or more, who have successfully completed one year in the pilot program and who present a meritorious new business enterprise proposal to the authority. Seed capital awarded shall be used by the recipients for start-up costs for the new business enterprise.

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

*Status of SB 1424:* Assigned to Senate Committees on Commerce (passed 2/14); Appropriations and Rules.

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

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

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

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

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

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

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

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

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

*Status:* Filed.

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

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

*Status:* Filed.

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

- Prohibits a district/charter from suspending or expelling students in Preschool or grades K-2, unless:
  - Expulsion is required by federal law.
  - If there is “imminent threat or serious harm to other students or staff that cannot be reduced or eliminated through intervention and support as determined after consultation with school psychologist or other mental health professional
    - May suspend for “not more than 5 school days”
    - Parent/guardian must be notified
- School must provide “intervention and support” to address the student’s behavior if:
  - Student is suspended
  - Is disruptive to the school environment
  - Commits an act that would be considered an “offense” if done by a student in a higher grade.
- Intervention and Support may include:

- A behavior intervention plan
- A referral to a support team
- A referral to an individualized education program team
- A referral for appropriate community-based services
- District/charter must remedy the impact of the student’s behavior through *appropriate restorative practices*, defined as practices that both:
  - Are conducted in a whole-school setting that supports peacemaking and solves conflicts by building a community and addressing harm in the school setting; and
  - Meet all of following requirements:
    - Are conducted by trained staff;
    - Focus on repairing the harm to the community through dialogue that emphasizes individual accountability
    - Help build a sense of belonging, safety and social responsibility in the school community.

*Status:* Filed.

**HCR 2010 – Arizona school choice week**

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

*Status:* Filed.

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

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

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

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

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

- Requires the Director of DPS (Director) to establish a Center for School Safety in the ACTIC for the purpose of operating an anonymous Safe Schools Hotline Program (Hotline).
- Specifies that the Hotline will allow a person to report dangerous, violent or unlawful activity that is being conducted or threatened on a school campus, school transportation, school sponsored event or school-related activity.
- Requires DPS to coordinate training on school safety and best practices for school security between the Arizona Department of Education, school districts and law enforcement agencies.
- Requires the Director to establish policies and procedures to address the following:
  - protection of the identity of any person submitting information and reports based on a good faith belief that the information is true; and
  - dissemination of information between school districts and law enforcement agencies.
- States that any information reported via the Hotline is confidential and does not constitute a public record.
- Stipulates that confidential information and related materials may only be disclosed before a court pursuant to a court order and must be limited to the specific case before the court.
- States that the Attorney General, when acting on behalf of DPS, has standing in any action to oppose the disclosure of confidential information or materials that is in the custody of the Center for School Safety.

*Status:* Assigned to Senate Committees on Transportation and Public Safety (discussed/held 1/30), and Rules.

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

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

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

**SB 1388 – hearing evaluations; preschools**

Requires schools to perform hearing evaluations on enrolled preschool students

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

**SB 1400 – teachers workforce database**

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

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

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

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

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

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

Sets procedures for addressing unpaid school meal fees.

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

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

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

- Beginning September 1, 2020 Arizona Department of Education (ADE) required to report to the Governor statistical information regarding district/charters’ imposition of student discipline. Provisions include reporting on:
  - Total number of students enrolled in each district/charter
  - Total number of students enrolled in each district/charter’s subgroup
  - Percentage each subgroup represents of the district/charter’s total enrollment
  - Number of students in each subgroup
  - Disciplinary rate for each discipline measure for a district/charter’s total student enrollment
  - Number of students who appear in more than 1 subgroup
  - The rate of disciplinary disparity for each discipline measure, for each subgroup, compared with the subgroup with the lowest disciplinary rate
  - Discipline-related strategies, alternatives and resources available to districts/charters
- Directs Arizona Department of Education (ADE) to:
  - Track district/charter’s progress in reducing the disciplinary rate and rate of disciplinary disparity
  - Identify district/charters that make progress in reducing the disciplinary rate and rate of disciplinary disparity; assess their successful strategies
  - Assess the gains in student academic achievement that correspond to the reduction of disciplinary rates and rates of disciplinary disparity

- *Disciplinary Rate* defined as a 3-year average for each discipline measure of the number of district/charter students, or in a subgroup of the district/charter, who have at least 1 discipline measure, divided by the corresponding total enrollment in the district/charter of the total enrollment in the subgroup.
- *Discipline measure* defined as in-school suspension; out-of-school suspension; expulsion, or referral to law enforcement.
- *Rate of Disciplinary Disparity* defined as a subgroup’s disciplinary rate subtracted from another subgroup’s disciplinary rate.
- Subgroup defined as enrolled students defined demographically as students who are:
  - White
  - Asian
  - American Indian or Alaskan Native
  - African-American
  - Latino
  - Native Hawaiian or other Pacific Islander
  - Low-Income students, including students who are economically disadvantaged for standardized testing purposes

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

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

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

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

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

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

- Requires Arizona Department of Education (ADE) to submit to State Board of Education (SBE) a recommendation for a public hearing to determine whether a district/charter should be subject to a “school turnaround plan”, if:
  - At least 50% of a district’s school are assigned a D or F letter grade;
  - Any school in a district is assigned a D or F letter grade for 2 of the last 3 years;
- If Arizona Department of Education (ADE) does not recommend a public hearing within 3 months, State Board of Education (SBE) may initiate a ‘school turnaround plan’ for the school/district
- District must compile and submit to Arizona Department of Education (ADE) or State Board of Education (SBE) information on the schools that received a D or F letter grade:
  - Whether district is/has participated in a school improvement program, and the results
  - List of school improvement strategies currently/previously used
  - The extent to which district Board and administrators impacted the letter grade assignment
  - Information provided by the school’s principal on letter grade’s contributing factors
  - List of curricula, formative assessment and other instructional tools used by teachers
  - List of teachers’ professional development opportunities provided by the district
  - Whether schools have demonstrated reasonable academic growth
  - Whether school is/has been subject to receivership
  - Sets criteria for School Turnaround Plan

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

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

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

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

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

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

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

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

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

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

Increases the annual appropriation for the classroom site fund from \$64,100,000 to \$364,100,000.

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

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

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

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

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

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

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

**STATE APPROPRIATIONS**

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

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

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

*Status:* Passed the House 2/11; transmitted to the Senate.

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

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

*Status:* Filed.

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

- Appropriates \$500,000 to Arizona Department of Education (ADE) in FY 2020 to conduct an online early learning program for children who are four years of age.
- Requires Arizona Department of Education (ADE) to contract for the administration of the online learning program to a service provider that is a 501(c)(3) organization and that can demonstrate past success in conducting such a program.
- Mandates that Arizona Department of Education (ADE) require the service provider to submit quarterly reports that include information such as the number of families volunteering to participate in the program, parental feedback on the program, and student performance on prekindergarten and kindergarten readiness assessments.
- Defines *online early learning program*:
  - Is designed to improve a child's transition into elementary education and contains content in reading, math and science.
  - Is aligned with nationally recognized early learning standards.
  - Is provided in the student's home and consists of at least forty-five instructional hours.
  - Provides for installing a computer or home internet service, or both, for low-income families participating in the project that do not have a computer or home internet service.
  - Includes a parental engagement and involvement component, with support models provided in English, Spanish and other languages as needed.
  - Includes an evaluation component with measures for student growth over the course of the program.

*Status:* Assigned to House Committees on Appropriations; Education (discussed/held 2/12), and Rules.

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

Appropriates to State Board of Education (SBE) funding for the state block grant for early childhood education program:

- In FY 2019-2020, \$7,000,000.
- In FY 2020-2021, \$14,000,000.



- In FY 2021-2022, \$21,000,000.

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

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

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

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

**SB 1106 – appropriation; STEM internship**

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

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

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

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

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

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

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

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

**TAXES**

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

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

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

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

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

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

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

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

Permits tax credit donations to be used for acquiring capital items between June 30, 2019 and June 30, 2020.

- *Community school meal programs*, which are defined as a school meal program that takes place before or after the regular school day on school property
- *Student consumable health care supplies*, which are defined as including tissues, hand wipes, bandages and other health care consumables that are generally used by children
- A school site council may transfer undesignated contributions to any other school within the same

*Status:* Introduced 2/7/19; assigned to House Committees on Education (withdrawn 2/12); Ways & Means, and Rules.

## **MISCELLANEOUS**

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

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

ASBA is monitoring.

*Status:* Passed the House 2/14; transmitted to the Senate.

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

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

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

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

*Status* of HB 2224 – Filed.

*Status* of SB 1058 – Introduced 1/15/19; assigned to Senate Committees on Government; Commerce, and Rules

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

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

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

*Status:* Filed.

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

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

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

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

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

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

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

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

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

Sets the formula for the calculation of an online student

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

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

**SB 1069 – postsecondary institutions; free expression policies**

Formerly: schools; letter grades; absenteeism; illness

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

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

- Allows a public school principal, within the first quarter of an academic school year, to authorize representatives of any youth group to address students for up to 10 minutes during regular school hours, about how the youth group supports educational interests and civic involvement.
- Requires a youth group representative to submit a verbal or written request to the principal during the first two weeks of the academic school year.
- Allows the principal, after receiving the request, to:
  - provide the youth group with a verbal or written approval, including the date and time the representative may address the students; and
  - request prior approval of materials provided by a youth group and determine how they are distributed directly to students.
- Requires the principal to ensure that material provided by a youth group be distributed to students on school property through the academic school year, to encourage participation in the youth group.
- Prohibits a public school from denying equal access, a fair opportunity or discriminating against any youth group that wishes to conduct a meeting, on the basis of membership, leadership criteria or oath of allegiance to God and country.
- Defines that a *youth group listed in 36 U.S. Code, Subtitle II, Part B as a patriotic society* means any group or organization that intends to serve youth and that is listed in 36 U.S.C., Subtitle II, Part B or its affiliated organizations.

ASBA is neutral.

*Status:* Passed the Senate 2/14; transmitted to the House.

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

Expands on requirements for responses to public records requests.

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

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

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

Establishes eligibility requirements for Extraordinary Special Education Needs Grants (Grants). Appropriates \$5,000,000 from the state General Fund to the Extraordinary Special Education Needs Fund (Extraordinary Needs Fund).

*Status:* Assigned to Senate Committees on Education (passed 2/5), and Rules.

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

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

- Directs the Arizona Department of Education (ADE) to select three schools with at least 400 students, to participate in the Pilot Program, including at least one elementary school.

- Elementary/middle school may apply for a grant if the school demonstrates a commitment to:
  - establishing a school-community partnership team to act as the campus-level planning and decision-making committee made up of school officials and current representatives;
  - establishing a partnership with a community-based organization, a social service provider or an education or youth services organization with experience in community school plans; and
  - developing and implementing a plan for sustaining the community school plan beyond the end of the Pilot Program.
- Requires schools selected to participate in the Pilot Program to hire and use grant monies to support a full-time community school coordinator and outlines the coordinator's duties
- Prohibits grants from being used for direct programs for students, families or other activities not related to the community school plan.
- Allows a participating school to seek assistance in developing the community school plan from other community schools, regional education service centers or technical assistance providers.
- Allows participating schools to seek and accept additional funding from public-private partnerships, gifts, grants and donations from federal, state and private sources.

*Status:* Assigned to Senate Committees on Education (passed 2/5), and Rules.

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

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

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