



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

DATE OF MEETING: February 8, 2011

TITLE: Periodic Legislative Review

BACKGROUND: This Item is presented to permit the Governing Board to review and discuss the status of education-related legislation which has been proposed in the first session of the 50th Arizona legislature this year.

On October 5, 2010, the Governing Board approved the following District Legislative Priorities for the 2011 Legislative Session(s):

1. Increase Funding for K-12 Education
2. Provide Adequate Support for Special Education
3. Eliminate All Student Tuition Organization Tax Credits
4. Eliminate the Extracurricular Tax Credit Program
5. Expand Career Ladder Funding
6. Maintain Desegregation Funding
7. Provide Adequate Funding to Serve English Language Learners
8. Establish a Reliable and Adequate Source of Funding for the School Facilities Board
9. Provide User-friendly and Practical Reporting Requirements and Provide Funding Support for the Same
10. Protect and Support Education Due Process Rights.

Governor Brewer has announced the development of a new education plan with the following goals to be achieved by 2020:

- Increasing our high school graduation rate from 75% to 93%
- Increasing the percentage of 3rd graders meeting state reading standards from 69% to 94%
- Increasing the percentage of 8th graders achieving at or above basic on the National Assessment of Educational Progress (NAEP) from 67% to 85%
- Doubling the number of college students who receive a four-year degree

In early legislative developments, on January 18, 2011, a Joint Senate and House Committee on Appropriations met to hear the Governor's Fiscal Year 2011 and Fiscal Year 2012 budget. Included for K-12 Education:

- Fiscal Year 2011
- \$245 million formulaic rollover (this will bring us to ~25% of the yearly education formula funding being rolled over)
- \$101 million state general fund cut, with the intention of \$101 million of federal EduJobs funding would backfill this
- Fiscal Year 2012
- \$49.1 million for an estimated 1% growth
- \$3.8 million for the 2% inflation factor applied on to the transportation formula – not to the entire formula as required by Prop. 301
- \$8.6 million additional with the restoration of the small school adjustment
- \$66.5 million cut to CORL and charter additional assistance (~\$62 per student)
- \$11.6 million cut to Arizona Online Instruction
- \$5.6 million cut in year one of the Career Ladder 5-year phase-down

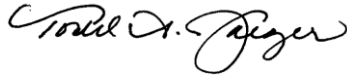
- \$70.5 million decrease in Additional State Aid savings (property tax shift)
- Institute per-pupil SAIS fee, unspecified, no more than 0.4% of state support. (Proposed mechanism to fund the implementation of the SAIS redesign commissioned by last year's bill.)
- Institute one additional K-12 Rollover of \$245.3M, brings total to \$1.2B.
- Continue no new school construction and the suspension of the building renewal formula -- \$10 million building renewal grant fund continues
- First Things First Rollover Loan – the state will borrow the FTF balance of \$330 million on June 30 and pay it back the next day, July 1. Once implemented, this will continue each fiscal year until budget revenues allow it to pay it back.

A summary of most of the proposed education-related legislation is attached.

RECOMMENDATION:

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

INITIATED BY:



Todd A. Jaeger, Associate to the Superintendent

Date: February 2, 2011



Vicki Balentine, Ph.D., Superintendent

HOUSE BILLS

HB 2002: School District Monies; Associations; Elections

Disallows a school district from spending monies for membership in an association that attempts to influence the outcome of an election or that advocates support for or opposition to pending or proposed legislation.

Referred to: Committees on Education; Rules

Status: House Second Read 1/12/11

HB 2016: JLBC; JCCR; Reports

Changes in reporting requirements of the Joint Legislative Budget Committee and Joint Committee on Capital Review.

Status: Passed the Committee of the Whole on 1/27/11

HB 2098: School Tuition Organizations; Administrative Expenses

Increases the percentage of annual revenue that school tuition organizations must allocate to educational scholarships or tuition grants to 97% from 90%.

Status: Recently introduced

HB 2151: State Employees; Wage Payments

Authorizes the state, at its discretion, to pay employee wages by direct deposit or to a payroll debit card.

Referred to: Committees on Appropriations; Rules

Status: Passed Government Committee on 1/25/11

HB 2163: Investing Public Monies; Notes

Expands list of eligible investment instruments in which the state treasurer is permitted to invest public monies to include notes of this state, its counties, municipalities or school districts.

Referred to: Committees on Government; Rules

Status: House Second Read 1/24/11

HB 2177: Schools; 180 days; Conforming Changes

Changes sections in Title 15 (Education) to conform to the requirement that schools must have 180 days of instruction per year. Deletes remaining references to "average daily attendance", leaving the more up-to-date language "average daily membership" unchanged.

Referred to: Committees on Education; Rules

Status: House Second Read 1/19/11

HB 2178: School Year; 180 days

Deletes language defining "180 days" as actual days of instruction or an equivalent number of minutes from statute that requires 180-day minimum school instruction.

Referred to: Committees on Education; Rules

Status: House Second Read 1/19/11

HB 2179: Schools; Student Data Collection

Schools must compile and forward to the Department of Education information from students who cannot prove lawful presence in this country. The DOE must submit an annual report to the governor, state treasurer, secretary of state and legislature summarizing the following: numbers of students who cannot prove lawful presence; numbers of teachers required to provide instruction; the amount spent on salaries for those teachers; the amount of maintenance, operating and administrative costs necessary to support those students; and a good faith estimate of the total cost to provide educational services to noncitizens. Penalties provided for districts and employees that do not comply.

Referred to: Committees on Education; Rules

Status: House Second Read 1/19/11

2/2/11; 1:00 p.m. (mh)

HB 2180: Schools; SAIS Data; Penalty

Authorizes Superintendent of Public Instruction to withhold up to 10% of district's state monies if more than 15% of the student level data required for the Student Accountability Information System (SAIS) that is provided to the DOE by a district is determined to be incorrect, incomplete or inaccurate.

Referred to: Committees on Education; Rules

Status: House Second Read 1/19/11

HB 2182: School Employees; Contract Offers; Date

Requires a school governing board or district superintendent to notify a certificated teacher (either tenured or not) by July 1 if the district does not intend to offer a teaching contract for the ensuing school year.

Referred to: Committees on Education; Rules

Status: House Second Read 1/19/11

HB 2183: Proposition 301 Monies; Supplanting; Restoration

If the Auditor General determines a school district has improperly supplanted instead of supplemented monies in the classroom site fund from Prop 301 revenue, the Auditor General is authorized to require that the school restore the supplanted monies (Note: Prop 301, passed in 2000, provided for a 0.6% increase in the state sales tax rate with proceeds earmarked for education.).

Referred to: Committees on Education; Appropriations; Rules

Status: House Second Read 1/19/11

HB 2216: State Agency Standards; Federal Requirements

Prohibits state agencies or departments from adopting rules, standards or requirements that are more stringent than corresponding federal law.

Referred to: Committees on Government; Rules

Status: House Second Read 1/25/11

HB 2217: School Superintendents; Contracts

Certain qualifications and terms of employment for school superintendents that were formerly identical with those for principals are changed. Superintendents must have been previously employed as a teacher or administrator in a district in the state for a minimum of 24 consecutive months. Further, the term of employment for superintendents shall be for a period of two to five years. A contract extension cannot be offered before May of the year in which the current contract expires. If a superintendent fails to serve the full contract terms, s/he must refund to the district the value of benefits or compensation received that were not part of the superintendent's base salary.

Referred to: Committees on Education; Rules

Status: House Second Read 1/20/11

HB 2219: School Districts; Consolidation; Textbooks

Repeals statute governing the voluntary consolidation of school districts; requires each county school superintendent to call an election to consolidate all school district in the county to no more than six districts. All K-12 schools in each county shall use the same textbooks.

Referred to: Committees on Education; Rules

Status: House Second Read 1/20/11

HB 2221: Bank of Arizona; Establishment

The state shall engage in retail banking by establishing a Bank of Arizona. All state monies including those in the State Compensation, shall be deposited in the bank. The bank shall retain any income earned from investments made for its own account on state monies. Deposits are guaranteed by the state. Self repeals on July 1, 2021.

Referred to: Committees on Banking and Insurance; Appropriations; Rules
Status: House Second Read 1/25/11

HB 2222: STOS; Unlimited Tax Credits

The limits on cash contributions to student tuition organizations are lifted. Taxpayers receive a dollar-for-dollar credit on their income tax liability for contributions to student tuition organizations.

Referred to: Committees on Ways and Means; Appropriations; Rules
Status: House Second Read 1/25/11

HB 2226: School; Performance Pay; Distribution

Performance pay intended to be distributed to teachers as part of the Classroom Site Fund established by Prop 301 must be sent to the principal of the school who shall provide performance pay only to the top 20% of teachers based on performance standards adopted by the school district governing board. (Note: Prop 301, passed by voters in 2000, dedicated a 0.6% increase in the sales tax rate to education.)

Referred to: Committees on Education; Rules
Status: House Second Read 1/20/11

HB 2234: Persistently Lowest Achieving Schools

In 2010, two different bills amended the statute (A.R.S.§15-241) that establishes the system used to classify schools as performing, underperforming, etc. Some of the changes conflicted, and this law is a vehicle to blend the multiple enactments.

Status: Placed on Minority/Majority Caucuses Calendars 2/1/11

HB 2237: JTEDS; ADM; Student Count

Makes various changes to calculations of student count for JTEDs, including that beginning in fiscal year 2011-12 student county is the JTED's average daily membership instead of daily attendance. Establishes new calculations for the full-time equivalency of pupils enrolled in JTED courses based on the number of hours the course meets.

Referred to: Committees on Education; Rules
Status: House Second Read 1/20/11

HB 2249: School Board Agendas; Posting; Time

Requires school board agendas to be available to the public seven days, instead of 24 hours, before the meeting, except in the case of an "actual emergency", defined as an event that seriously threatens the functioning of the school district or the preservation or protection of the property, public health, welfare, or safety. School boards may hold meetings on such notice as is appropriate to the circumstances when there is an actual emergency.

Referred to: Committees on Education; Rules
Status: House Second Read 1/25/11

HB 2251: 8th Grade Promotion Certificates

County school superintendents are no longer required to furnish certificates of promotion from the 8th grade to school boards upon request. School districts may conduct a ceremony to honor pupils who have been promoted from the eighth grade.

Referred to: Committees on Education; Rules
Status: House Second Read 1/20/11

HB 2301: Schools; Instructional Salaries; Soft Capital

Requires school districts to spend at least 50% of the monies in the maintenance and operation section of the budget to pay for salaries of person providing classroom instruction to pupils. Permits district to use soft capital allocation monies for any lawful purpose.

Referred to: Committees on Education; Appropriations; Rules
Status: House Second Read 1/24/11

HB 2337: School Finance; Kindergarten Funding

Requires district that choose to offer more than a half-day of kindergarten instruction to collect tuition on behalf of each kindergarten pupil who receives more than a half day of instruction. The tuition must be equivalent to the total formula funding that the district receives for a kindergarten pupil who receives half-day instruction.

Referred to: Committees on Education; Rules

Status: House Second Read 1/24/11

HB 2343: Student Count; Growth; Current Year

If a school district increases its revenue control limit and district support level for the current year due to growth in the student population, the district must adjust its revenue control limit and district support level in each subsequent year to the actual student count in the current year.

Referred to: Committees on Education; Rules

Status: House Second Read 1/20/11

HB 2344: Schools; JTEDS; Group B Weight

Changes various school funding formulas, including repealing the separate base support level for JTEDs and adding a support level weight for programs for students in an approved career and technical education (CTE) program. The total state cost for CTE support level weight is capped at \$74 million.

Referred to: Committees on Education; Appropriations; Rules

Status: House Second Read 1/24/11

HB 2367: Public Employees; Prohibited Negotiations

Prohibits state and political subdivisions from negotiating with a labor organization or employee association representing public employees concerning employee wages and benefits, hours of work, or other financial issues.

Referred to: Committees on Employment and Regulatory Affairs; Rules

Status: House Second Read 1/24/11

HB 2385: Schools; Athletics; Head Injury Policies

Requires coaches, students and parents be educated of the dangers of head injuries and the risks of continued participation in athletic activity after a head injury; requires school boards to adopt policies that require students suspected of having a head injury to be immediately removed from an athletic activity until the student is evaluated by a health care provider.

Referred to: Committees on Health and Human Services; Education; Rules

Status: House Second Read 1/25/11

HB 2386: School District Fund Balances; Reporting

Requires school districts to submit a budget balance carry-forward report to the Joint Budget Committee by August 15 of each year.

Referred to: Committees on Education; Appropriations; Rules

Status: House Second Read 1/25/11

HB 2387: School Districts; Ending Cash Balances

Reduces state aid to school district in FY 2010-11 by \$350 million; money is transferred to the state General Fund; requires DOE to apportion state aid to each qualifying school district in an amount calculated using the ending fund balance of the district.

Referred to: Committees on Education; Appropriations; Rules

Status: House Second Read 1/25/11

HB 2390: Schools; Current Year Funding

Beginning SY 2011, school district funding is based on the actual average daily membership as reported to the DOE on the 100th or 200th days of session, as applicable. Requires school districts to revise their student count and base level support by May 15 each year; authorized charters to revise their student counts at any time before the 100th or 200th day in session, as applicable.

Referred to: Committees on Education; Appropriations; Rules

Status: House Second Read 1/25/11

HB 2391: School Districts; Cash Balances

Requires school districts, on or before June 30, 2011, to spend all the monies that were collected through local property tax levies, that were deposited in maintenance and operations funds, capital outlay funds, debt service funds for bonds and any other funds that are budgeted for budget balances for fiscal year 2011-2012; Permits state aid allocations apportioned to school districts from state general fund monies in fiscal year 2011-2012 to be reduced by same amount.

Referred to: Committees on Education; Appropriations; Rules

Status: House Second Read 1/25/11

HB 2392: Firearms; Federal Law; School Perimeters

By June 30, 2011, school districts are required to spend all monies in specified funds that exceed the allowable budget balance carry-forward. Reduces state aid allocations to school districts from general fund monies in FY 2011-12 by the amount of monies unspent on that date.

Status: Recently Introduced

HB 2415: Schools; Bullying Policies

Expands list of required duties of school board to include adopting formal processes and procedures regarding bullying.

Referred to: Committees on Education; Rules

Status: House Second Read 1/25/11

HB 2417: School Boards; Vocational Education Meeting

Expands the list of required duties of school board to include holding at least one holding at last one of its regular meetings each year with members of the local business community to discuss the current and anticipated vocational needs of the community

Referred to: Committees on Education; Commerce; Rules

Status: House Second Read 1/25/11

HB 2418: Schools; Textbook Study; Academic Standards

Expands list of DOE duties to include conducting an annual study to ensure that textbooks used in districts are aligned to the standard adopted by the board. If not aligned, the publisher and the district must be notified.

Referred to: Committees on Education; Commerce; Rules

Status: House Second Read 1/25/11

HB 2419: Schools; Reading Coaches

Beginning the SY 2011-12, each district that offers instruction in grades K-8 must provide at least one "highly qualified research-based systematic phonics instruction coach" at each school. The SBE is in charge with developing standards for this designation.

Referred to: Committees on Education; Appropriations; Rules

Status: House Second Read 1/25/11

HB 2420: Teachers; Literacy Instruction Endorsement

Beginning July 1, 2012, and subject to available appropriated, donated or federal funds, teachers of grades K-3 must obtain a literacy instruction endorsement by July 1, 2015. The SBE is charged with selecting one or more online courses to provide the training to obtain the endorsement. Each teacher who receives the endorsement shall be paid \$250 by the SBE.

Referred to: Committees on Education; Rules
Status: House Second Read 1/25/11

HB 2421: School Districts; Budgets; Financial Reports

Requires school boards to prominently display the annual proposed budget, final adopted budget, and annual financial report for the previous fiscal year on the district's website, and must maintain these items on the website for at least 3 years. The annual financial report must contain information on how the monies approved at the most recent override election have been spent.

Referred to: Committee on Rules
Status: Passed Education Committee (8-2) 1/31/11

HB 2437: Schools; Teachers; Principals; Employment History

Requires school boards to permanently keep the resumes and personnel files of all current and former principals and teachers. School districts are required to share with other districts, upon request, the reason or reasons a principal or teachers is no longer employed with the district or was transferred to another school in the same district.

Referred to: Committees on Education; Rules
Status: House Second Read 1/25/11

HB 2438: Sexual Conduct; Minor

The increased classification for sexual conduct with a minor applies if the person was previously the minor's parent, guardian, teacher or clergyman. The definition of teacher is expanded to include anyone who "provides instruction" to students at a school (previously a person who "directly provides academic instruction").

Referred to: Committees on Education; Rules
Status: House Second Read 1/25/11

HB 2479: Educational Institution; Concealed Weapons

Prohibits a governing board from adopting or enforcing any policy or rule that prohibits the possession of a concealed weapon by a person who possesses a valid permit, or the transportation or storage of a firearm

Status: Recently introduced

HB 2502: Public Programs; ADS; Funding Source

Defines "public agency" as (1) any agency that receives public monies; and (2) any organization that receives 50%+ of its revenues in public monies; requires a public agency that advertises a program they administer or offer to the public using any print media announcement, visual media announcement, broadcast media announcement, website campaign or similar type of official communication to identify the source of monies for the program in the communication or announcement. An amendment passed in the Committee on Technology and Infrastructure requires the public agency to include a disclosure statement in the advertisement stating that it is either partially or fully paid for with public monies rather than simply stating the source of the monies; defines "public monies" as federal or state monies.

Referred to: Technology and Infrastructure; Rules
Status: Passed, as amended, by Technology and Infrastructure Committee on 1/27/11

HB 2505: School Pupils; Lawful Status; State Aid

Defines "Average daily membership" as the total enrollment of fractional students and full-time students, minus withdrawals, who are enrolled on September 15, November 15, January 15 and March 15, divided by four; Redefines "part-time" and "full-time" student; requires districts to report student absence data to the DOE at least once every sixty days in session; in determining average daily membership determination, requires exclusion of children whose parents are unable to prove the child's lawful presence in the United States.

Referred to: Education, Appropriations; Rules

Status: House Second Read 1/24/11

HB 2518: Education Authority Districts

Establishes an “education authority” to promote education achievement by approving grants to provide assistance to school districts and nonprofit corporations for the development and operations of educational activities; grants to be based on the per student population of each district; grant monies must be used to support science, technology, engineering, arts and mathematics programs. Remaining monies may be used to support science, technology, math and engineering programs in each school district. School districts may not use more than five per cent of grant monies for administrative costs.

Referred to: Ways and Means; Education; rules

Status: House Second Read 1/24/11

HB 2526: School Tuition Organizations; Qualifying Enrollment

A student who is promoted from the highest grade of a qualified school and immediately enrolls in another qualified school offering instruction in the next grade is considered to be continuously enrolled.

Referred to: Education Rules

Status: House Second Read 1/25/11

HB 2528: Schools; ELL Models; Exemption

Sets criteria to allow exclusion of school from adoption/implementation of English language learner models.

Referred to: Education; Rules

Status: House Second Read 1/25/11

HB 2533: Biennial Budgeting; State Agencies

Sets the budget for State Agencies for two years at a time.

Referred to: Appropriations; Rules

Status: House Second Read 1/25/11

HB 2540: Teachers; Continuing Education; Discounted Tuition

Permits 75% reduction of in-state tuition for teachers who have already earned a baccalaureate degree, who have provided classroom instruction in an Arizona public or private school for five or more consecutive years and who are enrolled in additional education courses at a university under the jurisdiction of the board.

Status: First read 1/26/11

HCR 2030: Private School Tuition Programs

Resolution to amend Arizona’s Constitution permitting vouchers for private school education for (1) pupils with disabilities; (2) foster care pupils; and (3) pupils in public schools with an average classroom size of 35 or more students.

Status: Recently introduced

SENATE BILLS

SB 1053: License Plates; Special; Character Education

Revises existing statute that pertains to the fund into which the contribution portion of license plate fees generated by the sale of character education license plates; limits the amount of money, not to exceed 10%, in the fund that may be used by the DOE to administer it

Status: Placed on Minority/Majority Caucuses Calendar 2/1/11

SB 1055: Character Education Grants; Administrative Costs

Permits the DOE to retain up to 10% of funds used for state matching grants for character education that are distributed to qualified public or charter schools; retained amount is intended to defray the cost of administering the program

Referred to: Rules Committee

Status: Passed Education Committee 1/24/11

SB 1062: Profession Teaching Standards Board

Various duties of the SBE regarding teacher supervision, certification and discipline are moved to this newly created Board; specifies Board membership

Referred to: Committees on Education; Appropriations; Rules

SB 1063: Compulsory School Attendance; Increase

Increases compulsory school attendance age from 16 to 18; exception made for student who has obtained a high school diploma, a G.E.D., or has graduated from a home school program.

Referred to: Committees on Education; Rules

SB 1064: Schools; American Competitiveness Project Fund

Expands list of programs that are eligible to receive monies from the American Competitiveness Project Funds administered by the DOE; programs may emphasize international philosophy, defined as a course comprising “the study of epistemology, logic and critical thinking”.

Status: Placed on Minority/Majority Caucuses Calendar 2/1/11

SB 1065: Noncertificated School Employees; Policies

Requires school district governing boards to adopt employment policies for noncertificated employees.

Referred to: Committees on Education; Rules; Government Reform

SB 1067: STO's; Designating Scholarship Recipients; Prohibition

Disallows the tax credit for contributions to student tuition organization if contribution is made for the benefit of any “specific student”; prohibits student tuition organizations from considering the recommendations of any donor for the purpose of awarding scholarships or tuition grants.

Referred to: Committees on Education; Rules; Finance

SB 1068: STO's; Scholarships; Financial Need

The requirement that student tuition organizations must use at least 90% of its revenue for scholarships or grants is changed to further require that the scholarships or grants are made only to children whose family income does not exceed 185% of the income limit used to determine eligibility for a child to qualify for reduced price lunches under the National School Lunch and Child Nutrition Acts.

Referred to: Committees on Education; Rules; Finance

SB 1069: Schools; Technology; Personnel Training

Expands the list of permitted uses for school bonds to include personnel training costs for equipment and technology; expands list of permitted uses for a school's soft capital allocation to include training associated with technology acquired with soft capital monies, except that no more than 10% of the soft capital allocation may be used for training.

Referred to: Committees on Finance; Rules

SB 1072: School Boards; Election Cancellation; Certificate

The statute describing a situation whereby a county board of supervisors may cancel a school board election if only one qualified person is running for single vacancy and appoint the person to office is changed to require the county school superintendent to also issue a certificate of election to the person.

Referred to: Committees on Judiciary; Rules

Status: Passed Education Committee 1/24/11

SB 1073: School Board Members; Oath

Beginning in 2012, if a school board members has not subscribed to the oath of office by January 1 of the year following the person's election, the county school superintendent shall declare the office vacant and shall appoint a replacement who shall serve until the next regularly scheduled election of school board members.

Referred to: Committees on Education; Rules

SB 1098: School Safety Clearinghouse; Extension

Extends clearinghouse, established within the DOE to handle information concerning school safety, for an additional five years to July 1, 2015.

Status: Placed on Minority/Majority Caucuses Calendar 2/1/11

SB 1099: Legal Opinions; School Matters; Deadline

Shortens to 30 days (from 60 days) the time period within which a legal opinion by a county attorney is deemed to have been affirmed by the attorney general absent notice from the attorney general regarding concurrence.

Referred to: Rules Committee

Status: Held in the Judiciary Committee

SB 1100: Bonds; Recreational Facilities; School Use

The program whereby school districts may use bond proceeds and enter into agreements with other governmental entities or jurisdictions to construct and cooperatively maintain recreational facilities is changed. The population threshold for cities and towns authorized to enter into these agreements is removed. The population threshold for counties to enter into these agreements is decreased to 200,000 from 500,000. It is no longer necessary to use the most recent decennial census to determine whether a county qualifies under this population restriction.

Status: Passed the Senate; Transmitted to the House on 1/27/11

SB 1115: JLBC; JCCR; Reports

Eliminates requirements for various state agencies, commissions and districts to submit various reports to the Joint Legislative Budget Committee or to obtain JLBC approval for certain expenditures. Modifies deadlines for various agencies and commissions to submit information to JLBC; makes various reports to JLBC due annually instead of quarterly or semiannually. The Joint Committee on Capital Review no longer approves rental rates for agencies occupying state-owned buildings.

Referred to: Committees on Rules; Appropriations

SB 1116: Displaced Pupils Choice Grants; Continuation

Repeals July 1, 2011 sunset date; makes the program permanent.

Referred to: Rules Committee

Status: Passed Education Committee 1/24/11

SB 1152: Homeschools; Designation

Defines "homeschools" as a form of non-public education; changes the term *home school* to *homeschool* throughout statute.

Status: Passed Education Committee on 1/24/11; Found Proper for Consideration by the Rules Committee on 1/31/11; placed on the Minority/Majority Caucus Calendars for 2/1/11

SB 1209: School district Employees; Salaries; Posting

Requires districts to forward a list of employees and their salaries to the DOE before 9/15 of each year; requires the DOE to post the information on its website before 10/15 of each year.

Referred to: Committees on Education and Rules

SB 1215: Public meetings; call to public

Requires a public body to make an open call to the public at an open meeting (current law makes the open call optional).

Referred to: Committees on Government Reform; Rules

SB1255: Arizona online instruction; graduation requirements

Requires districts to notify enrolled students, who are also participating in online instruction, that online courses may not apply towards the district's graduation requirements of individual school districts.

Referred to: Education; Rules

SB 1256: Education; Omnibus

Miscellaneous education-related revisions to statute, including:

- to qualify for either a basic or standard teaching certificate, A person having passed a proficiency examination adopted by another state's SBE-equivalent is not required to take AZ's proficiency examination.
- In evaluating a "Speech/language impairment" in a preschool child, if there is a discrepancy between assessment measures, the EVALUATION team shall determine eligibility based on a preponderance of the information presented.

Referred to: Education; Rules

SB 1257: School District Overexpenditures; State Board

Permits the SBE to authorize a payment extension of up to five years to any district that its calculation of state aid or budget limit by at least twenty-five per cent for the current fiscal year.

Referred to: Appropriations; Rules

SB 1258: School Finance; Per Pupil Funding

Calculates "absences" and "average daily membership" for Arizona online instruction students.

Referred to: Education; Appropriations; Rules

SB 1263: Schools; Administrative Tasks; Reduction

Addresses issues in public education concerning school district governing boards, charter schools, school district and charter school budgets, bonding, public school tax credits, reporting requirements, personnel policies and other miscellaneous issues, including:

- Permits a school district governing board to adopt a written resolution for a school year of less than 180 days and requires:
 - the school year to consist of a minimum of 170 days of instruction and the number of minutes of instruction currently required, and
 - ADE to adjust the hourly requirements for full-time and fractional students accordingly.
- Reduces the time frame from 30 days to 10 days for a governing board to:
 - provide notice of a public meeting to discuss the closure of a school, and
 - schedule a meeting to discuss a school closure prior to a public meeting to vote on the closure.
- Permits a school district to charge pupils for transportation expenses for field trips, athletic events and extracurricular activities unless state or federal law requires that transportation be provided.
- Allows schools districts to reduce the per pupil square footage for a period of two years if the reduction is due to the demolition of a school building and the square footage is restored after the two year period.
- Allows school district governing boards to sell outdated learning materials, education equipment or furnishings at a price that is commensurate with the value of the item to currently enrolled students before they are offered for public sale.

- Expands the list of entities that school district governing boards can sell or lease any school property that is used for a public purpose.
- Adds outdated educational equipment and furnishings to the items a school district governing board may donate to nonprofit organizations.
- Prohibits the State Board of Education (SBE) rules authorizing school districts to procure construction services by construction-manager-at-risk to include requiring districts to obtain bid security.
- Allows school districts to enter into contracts for materials, services and job-order contracting construction services if the provisions pertaining to renewal or extension are included in the request for proposal:
 - monies must also be available for the first fiscal period of the contract. Payment and performance obligations for future fiscal periods are subject to the availability of monies.
 - the duration of contracts for job-order contracting construction services shall be limited to no more than five years.
- Repeals statute requiring school district governing boards to adopt and vote on school recess policies at a public hearing.

School District and Charter School Budgets

- Sets the Classroom Site Fund per pupil amount at \$120 FY 2012.
- Exempts those school districts and charter schools which used non-CSF for teacher compensation in FY 2012, due to adjustments for prior year CSF shortfalls, from maintaining the higher level of spending with other funds in FY 2013.
- Allows school districts to calculate their Revenue Control Limit (RCL) for purposes of determining their authorized budget override capacity for FY 2012 and FY 2013 using:
 - the greater of the actual base level funding plus the statutory inflation factor or the FY 2011 base level of \$3,267.72, and
 - the greater of the weighted student count for kindergarten students using a group B kindergarten weight of 1.352 or the actual weighted student count for kindergarten students.
- Allows unrestricted capital outlay funds to be used for any capital or operation purpose in FY 2012 and FY 2013, excluding voter authorized override funds and funds received from the School Facilities Board (SFB).
- Permits school districts to carry forward maintenance and operation fund balances in excess of four percent in FY 2012 and FY 2013.

Bonding

- Permits a school governing board to call an election by a majority vote of the board and requires a board call an election on petition of their electors to:
 - change the list of capital projects or purposes authorized by prior voter approval to issue bonds, and
 - extend from six years to ten years the time period to issue Class B bonds authorized in 2009 or earlier. Elections held for this reason may not be held later than the sixth November after the election approving the issuance of the bonds.
- Outlines procedures, requirements and prescribes the form of the ballot for elections called to change the purpose or list of capital projects previously authorized by voters. The election must be held on the first Tuesday after the first Monday in November (fall general date).
- Outlines procedures, requirements and prescribes the form of the ballot for elections called to extend from six years to ten years the time period to issue Class B bonds authorized in 2009 or earlier. The election must be held on the first Tuesday after the first Monday in November (fall general date).
- Increases the Class B bonding capacity for a school district from five to ten percent and for unified school districts from ten to seventeen percent for FY 2012 through FY 2015.

Public School Tax Credit

- Expands the allowable uses of public school tax credit contributions made prior to December 31, 2014 to include expenditures for:
 - technology,
 - professional development,
 - supplies,
 - student assessment expenses and fees,
 - literacy development including classroom and library materials, and
 - literacy assessments and coaches.
- Establishes guidelines for the use of school tax credits for extracurricular activities as follows:
 - no more than \$200 may be used on behalf of any single student in the same fiscal year for extracurricular activities conducted in another state,
 - no more than \$800 per student may be used on behalf of any single student in the same fiscal year for extracurricular activities conducted outside the United States, and
 - unencumbered contributions received in any previous fiscal year may be used for extracurricular activities in any subsequent fiscal year.

Reporting Requirements

- Requires a school district to report biennially instead of annually to the SFB on the number and type of buildings owned, the square footage of each building, the age of the buildings and the nature and cost of any renovations.
- Exempts school districts and charter schools from filing English language learner reports and school building reports for FY 2012 through 2014.
- Changes the annual English language learner report required by all districts and charter schools to a biennial report.

Personnel Policies

Specifies that employment contracts for school superintendents shall be structured so that up to 20% of the superintendent's annual salary is classified as performance pay. Currently, at least 20% of the annual salary and benefits must be for performance pay.

Miscellaneous

- Exempts academic competitions conducted by school districts and charter schools that award cash, prizes and scholarships from gambling regulations.
- Allows warrants drawn by the county school superintendent to be processed electronically.

Referred to: Education (HELD 1/31); Appropriations; Rules

SR 1006: Christina Taylor Green; death resolution

Senate Resolution recognizing the death of Mesa Verde student Christina Taylor Green which was unanimously Adopted and forwarded to the Secretary of State on 1/14/11:

“Christina Taylor Green was killed on January 8, 2011 at the age of nine during a horrendous assassination attempt on Congresswoman Gabrielle Giffords' life.

Born on September 11, 2001, Christina was a third-grade student at Mesa Verde Elementary School in Tucson. She was a bright, athletic little girl who loved swimming, animals, singing and dancing, and gymnastics. Following in the footsteps of her father, a scout for the Los Angeles Dodgers, and her grandfather, former major-league pitcher Dallas Green, she was the only girl on her Canyon del Oro Little League baseball team.

Recently elected to the student council at her school, Christina jumped at the opportunity to chat with Congresswoman Gabrielle Giffords at her Congress on Your Corner event in Tucson on the morning of January 8, 2011. Six innocent people,

including Christina, were tragically killed, when a lone gunman began shooting those who had gathered at this informal event.

This senseless attack has shocked and saddened all Americans, and the citizens of Arizona are in mourning. Yet for many, their grief goes deeper than can be imagined as they face the terrible reality of the loss of innocent loved ones. Christina Taylor Green will be greatly missed by her mother, Roxanna, her father, John, her brother, Dallas, and her many friends and classmates in the Tucson community.
Therefore

Be it resolved by the Senate of the State of Arizona:

That the Members of the Senate sincerely regret the passing of Christina Taylor Green and extend their deepest sympathies to her family and many friends.”