

HOUSE BILLS

HB2025:

SCHOOLS; PARENTAL CLASSROOM VISITATION POLICIES

Requires school district governing boards and charter school governing bodies to adopt public policies allowing visits, tours, and observations for parents of enrolled students and parents who wish to enroll their student unless the visit, tour, or observation threatens the health and safety of students and staff.

Requires these policies be posted on the homepage of each school's website for easy access.

First sponsor: Rep. Udall (R - Dist 25)

Status: 2/1 House Committee, do pass on reconsideration; 1/18 House Educ. Committee, failed to pass

HB2027:

CTEDs; REVISIONS

Adds that a student in a CTE program on a satellite, centralized, or leased centralized campus may generate up to 1.75 ADM for instruction received at any time during the year. Clarifies that a student who attends a satellite campus or program run by a community college generates 0.25 ADM for every three community college credits. Specifies that a CTED may calculate its ADM by dividing the instructional hours of enrollment by 600, except:

- o Between 150 and 300 hours is 0.25 ADM
- o Between 300 and 400 hours is 0.5 ADM
- o Between 400 and 600 hours is 0.75 ADM
- o 600 hours or more is 1.0 ADM

Prohibits a CTED's ADM from being calculated on the 100th day of instruction.

Prohibits the Arizona Department of Education (ADE) from restricting the instructional time to particular days of the week or year.

Allows a CTED to operate for less than 180 days of instruction if it meets the equivalent number of hours of instruction.

Retroactive to September 29, 2021

First sponsor: Rep. Udall (R - Dist 25)

Status: 1/27 transmit to Senate; 1/25 House minority and majority caucus, do pass; 1/18 House Educ. Committee, do pass amended

HB2034:

CTEDs; ASSOCIATE DEGREES

Allows a CTED to offer associate degrees that are accredited by a regional accreditation agency approved by the U.S. Department of Education. Requires that a CTED offering an associate degree program meet all regional accreditation and state licensure requirements. Specifies that a CTED may only offer associate degrees that are on the in-demand regional education list, which is compiled annually by the Office of Economic Opportunity.

First sponsor: Rep. Udall (R - Dist 25)

Status: 1/18 House Educ. Committee, held

HB2040:

ESAs; SPECIAL EDUCATION SERVICES; NOTIFICATION

Requires a private school to provide written notification to the guardian of a prospective disabled student of the special education services and therapies the school will provide to the student before the guardian pays tuition or fees from an Empowerment Scholarship Account (ESA).

Clarifies that the notification is not required in subsequent years of enrollment at the same school.

First sponsor: Rep. Udall (R - Dist 25)

Status: 1/18 House Educ. Committee, do pass

HB2070:

OPEN MEETINGS; CAPACITY; POSTING; VIOLATION

Requires public bodies, when feasible, to provide a reasonable amount of seating for people wanting to attend deliberations and meetings.

Requires agendas to include the time the public will have physical access to the meeting space.

States that heads of public bodies may be held liable to a civil penalty in case of a violation.

First sponsor: Rep. Kavanagh (R - Dist 23)

Status: 1/31 House Rules Committee (C&P), passed; 1/26 House GE Committee, do pass amended

HB2112:

CLASSROOM INSTRUCTION; RACE; ETHNICITY; SEX

Teachers, administrators, or other employees of a school district, charter school, or state agency involved with students and teachers in K-12 are prohibited from using public monies for instruction that presents any sort of blame or judgment on the basis of race, ethnicity, or sex.

Establishes a list of concepts that these persons are prohibited from allowing instruction in or making part of any course, including that one race, ethnic group, or sex is inherently superior to another and that meritocracy or traits such as hard work ethic are racist or sexist. A teacher who violates this section is subject to disciplinary action, including suspension or revocation of the teacher's certificate. The Attorney General or the county attorney for the county in which an alleged violation occurred may initiate a suit in superior court to enforce compliance. The court is authorized to impose a civil penalty of up to \$5,000 per school district, charter school, or state agency where the violation occurs. [Capitol Reports Note: These provisions were originally signed into law as Laws 2021, chapter 404 (part of the FY2021-22 budget), but were deemed unconstitutional by the Arizona Supreme Court in Arizona School Boards Association et al v. State of Arizona.]

First sponsor: Rep. Udall (R - Dist 25)

Status: 2/3 House COW approved with floor amend #4077. Passed House 31-28; ready for Senate; 1/25 House minority and majority caucus, do pass; 1/18 House, second read

HB2114:

SCHOOL DISTRICTS; GROSS MISMANAGEMENT; INTERVENTION

At the request of the Department of Education, the State Board of Education is required to call a public meeting to consider "gross mismanagement" (defined) by any school district. After testimony from interested parties, the Board may appoint a fiscal crisis team or receiver.

First sponsor: Rep. Udall (R - Dist 25)

Status: 1/25 House Educ. held

HB2124:

COMMON SCHOOL DISTRICTS; TUITION; ELIMINATION

Removes language that:

- o Prescribes how tuition is to be charged to a common school district that is not within a high school district for high school students
- o Allows a school district governing board to budget for the bond issues portion of the cost of tuition charged to the district for students attending school in another school district.

States that the revenue control limit (RCL) and district support level (DSL) for a common school district not within a high school district is calculated using the equalization base, rather than the tuition payable, for high school students who attend school in another school district.

Determines the equalization base for high school students who attend school in another school district by multiplying the countywide average per-pupil equalization base for high school students by the number of resident high school students in the common school district not within a high school district during the prior school year.

Requires monies collected for the equalization base for high school students who reside in a common school district not within a high school district and who attend another school district to be added to the county aid for equalization assistance.

Deletes language that:

- o Requires a school district governing board to admit 350 or fewer students from another school district or area without certificates of educational convenience to a high school if the student is a resident of a common school district that is not within a high school district and that does not offer instruction in the student's grade
- o Excludes pupils who are admitted under the 350 or fewer pupil limitation from the district additional assistance calculation of a common school district not within a high school district
- o States that, for the purposes of determining eligibility to increase the RCL or DSL, the student count for a common school district not within a high school district is the student count for pupils in kindergarten programs and the 1st-12th grades

First sponsor: Rep. Udall (R - Dist 25)

Status: 2/1 House minority and majority caucus, do pass; 1/25 House Educ. Committee, held

HB2161:

PARENTAL RIGHTS; SCHOOLS; EDUCATIONAL RECORDS

This state, political subdivisions, any other governmental entity, and any official of any governmental entity are prohibited from interfering with or usurping the fundamental right of parents to direct the upbringing, education, health care, and mental health of their children. A parent is authorized to bring suit against a governmental entity or official based on any violation of the statutory rights of parents, and to raise a violation as a claim or a defense. In any such action brought by a parent, the governmental entity or official has the burden of proof to demonstrate both that the interference or usurpation is essential to accomplish a compelling government interest and that the method of interference or usurpation used by the government is narrowly tailored and is not otherwise served by a less restrictive means. Parents are required to have access to all written and electronic records of a school district or school district employee concerning the parent's child. School district and charter physical, emotional, or mental health, or the student's purported gender identity if incongruous with the student's biological sex. Parents are authorized to file suit against a school district or charter school for violations, and may recover declaratory relief, injunctive relief, attorney fees and costs, and any other appropriate relief.

First sponsor: Rep. Kaiser (R - Dist 15)

Status: 2/1 House minority and majority caucus, do pass; 1/25 House Educ. Committee, do pass

HB2177:

CHARTER SCHOOLS; FINGERPRINTING; RENEWAL; REVOCATION

Adds all charter representatives, charter school governing body members and officers, directors, members and partners of a charter holder to those who must have a valid fingerprint clearance card.

Stipulates that before a sponsor of a charter school adopts a determination of intent to revoke a charter, the charter holder must have at least 30 days to address the problems associated with the reasons for the determination of intent to revoke.

States that the sponsor is not required to provide the charter holder with 30 days to correct the problems associated with the reasons for adopting a determination of intent to revoke if the reasons cannot be remedied.

Instructs a sponsor, before adopting a determination of intent to revoke a charter, to provide the charter holder written notice that includes the reasons for the charter sponsor's consideration to revoke the charter.

Specifies that notice may be provided by electronic means or by United States mail and the effective date of the notice.

Mandates the determination of whether to proceed to revocation be made at a public meeting. Adds all charter representatives, charter school governing body members and officers, directors, members and partners of a charter holder to those who must have a valid fingerprint clearance card.

Eliminates the ability for a charter operator to apply for early renewal.

First sponsor: Rep. Udall (R - Dist 25)

Status: 2/3 House third reading PASSED voting 59-0-1-0; 2/1 House minority and majority caucus, do pass; 1/25 House Educ. Committee, do pass

HB2178:

SCHOOL PSYCHOLOGISTS; EXEMPTION

Excludes a school psychologist, who is certified by ADE and contracted to provide services in an educational institution setting that services pupils in prekindergarten or kindergarten programs or the 1st-12th grades, from licensure requirements prescribed by the Board of Psychologist Examiners if the services are a part of that person's contract with the educational institution setting.

First sponsor: Rep. Udall (R - Dist 25)

Status: 2/3 House third reading PASSED voting 58-1-1-0; 2/1 House minority and majority caucus, do pass; 1/25 House Educ. Committee, do pass

HB2233:

DROPOUT RECOVERY PROGRAMS; SPECIAL AUDIT

Written learning plans and participation calculations for students enrolled in a dropout recovery program are done on a quarterly basis, instead of monthly. By June 30 of each year, each dropout recovery program is required to report a list of specified information on the program to the Department of Education. Repeals statute authorizing dropout recovery programs effective January 1, 2025. The Auditor General is required to conduct a special audit of the dropout recovery programs operated in Arizona, and to submit copies of the special audit to the Legislature by June 30, 2023. Appropriates \$75,000 from the general fund in FY2022-23 to the Auditor General to perform the special audit.

First sponsor: Rep. Udall (R - Dist 25)

Status: 2/2 House appro held; 2/1 House Educ. Committee, do pass

HB2277:

SCHOOL DISTRICTS; BOUNDARY CHANGES

The process for the governing boards of two adjacent school districts to authorize boundary adjustments is modified to allow the adjustment to result in the transfer of up to 10 percent, increased from 1.5 percent of the student count of the district from which the students will transfer, and to remove the requirement for a majority of the electors within the geographic boundaries of a specified portion of a school district to present a petition to the governing boards.

First sponsor: Rep. Fillmore (R - Dist 16)

Status: 2/1 House Educ. Committee, held

HB2278:**ALTERNATIVE MATHEMATICS GRADUATION PATHWAY**

Requires the State Board of Education to develop and adopt academic competency requirements for an alternative mathematics graduation pathway including algebra, geometry, and an advanced math course which may include personal finance, computer science, statistics, or business mathematics

First sponsor: Rep. Fillmore (R - Dist 16)

Status: 2/1 House Educ. Committee, do pass

HB2279:**SCHOOL DISTRICTS; LAPSING**

If a school district has had a student count of less than 150 students, increased from 8 students, between the ages of 6 and 21 years for one school year, the county board of supervisors is authorized to declare the school district lapsed and attach the territory of the lapsed school district to one or more adjoining school districts.

First sponsor: Rep. Fillmore (R - Dist 16)

Status: 2/1 House Educ., held

HB2284:**SCHOOLS; STUDENT PROMOTIONS**

Teachers are required, instead of allowed, to retain a student in a kindergarten program or grades 1 through 4 if the student does not meet the criteria prescribed by the State Board of Education, subject to review by the school board. Some exceptions, including for English learners and special education students.

First sponsor: Rep. Fillmore (R - Dist 16)

Status: 2/3 House COW approved. Passed House 31-28; ready for Senate. 2/1 House minority and majority caucus, do pass; 1/25 House Educ. Committee, do pass

HB2290:**APPRENTICESHIP PROGRAM; INCOME TAX SUBTRACTION**

This bill establishes the Arizona Student Apprenticeship Program (Program) and an income tax subtraction for participating employers. Appropriates \$400K from the General Fund in FY23 to ADE to administer the program.

Provisions:

Arizona Student Apprenticeship Program

Establishes the Program within the Arizona Department of Education (ADE) to provide job training and economic opportunity to high school students in Arizona.

Requires ADE to develop application procedures, selection criteria and completion requirements.

States that the program is separate and apart from the U.S Department of Labor-approved apprenticeship program.

Allows any employer in Arizona to apply to participate in the Program by submitting an application to ADE.

Requires an employer who participates in the Program to:

- o Provide each participant employee with job training
- o Provide flexible scheduling to each participant employee with job training
- o Open a separate interest-bearing account on behalf of each participant employee
- o Deposit the portion of each participant employee's wages selected and opened by the participant employee
- o Deposit an equivalent amount of monies in the participant employee's account each

time the employer deposits a portion of a participant employee's wages

- o Disburse to the participant employee the entire amount of monies in the account if a participant employee successfully completes the Program requirements prescribed by ADE

- o Disburse to the participant employee from the participant employee's account an amount of monies that is equivalent to the sum of the wages deposited in the account if a participant employee does not successfully complete the program requirements prescribed by ADE.

Specifies that the employer may retain deposited monies and must transmit any interest on those monies to the State Treasurer for deposit in the state General Fund.

Requires ADE to prepare a list that includes all employers that have been accepted to participate in the Program and post the list on ADE's website.

Specifies that a student may participate in the Program provide that the student meets the following requirements:

- o Is enrolled in high school at a public school in Arizona

- o Applies for the Program by submitting an application in a form prescribed by ADE to the public school at which the student is enrolled

- o Submits proof with the student's application that the student is projected to complete high school graduation requirements.

- o Specifies that if participation in the Program will interfere with a student's ability to complete high school graduation requirements, the public school must deny the student's application

- o Submits proof that the student has received an offer of employment from an employer on the list prepared by ADE.

- o Requires a participant employee to designate at least 10% of the participant employee's wages to be deposited in the account opened by the participant employer on behalf of the participant employee.

- o States that an employer that participates in the Program is allowed a tax credit for each participant employee who successfully completes the Program requirements prescribed by ADE.

Income Tax Subtraction

Requires ADE to issue a certificate to the employer to provide to the Arizona Department of Revenue (DOR) to verify the employer's participation in the Program and the participant employee's completion of the Program.

Allows, for the first taxable year in which a participating Program employer employs a participant employee who successfully completes the Program, an income tax subtraction for each participant employee who successfully completes the Program.

Establishes an individual and corporate subtraction from Arizona gross income that is equivalent to the amount of monies an employer deposits in interest-bearing accounts and disburses to participant employees who successfully complete the Program.

First sponsor: Rep. Fillmore (R - Dist 16)

Status: 2/1 House Educ. Committee, do pass.

HB2314:

PUBLIC SCHOOLS; RESTROOMS; REASONABLE ACCOMMODATIONS

A public school is required to provide a reasonable accommodation to any person who is unwilling or unable to use either a multi-occupancy restroom or changing facility designated for

the person's sex and located in a public school building or multi-occupancy sleeping quarters while attending a public school-sponsored activity, and who requests in writing a reasonable accommodation from the public school. Any person whose written request for a reasonable accommodation is denied by the public school has a private cause of action against the public school unless the public school can demonstrate that the accommodation would cause an undue hardship.

First sponsor: Rep. Kavanagh (R - Dist 23)

Status: 1/20 referred to House Educ.

HB2352:

SCHOOL FACILITIES OVERSIGHT BOARD; CONTINUATION

Continues the School Facilities Oversight Board, retroactive from July 1, 2022, until July 1, 2025.

First sponsor: Rep. Udall (R - Dist 25)

Status: 2/1 House Educ. Committee, do pass.

HB2370:

SCHOOLS; MATERIALS; ACTIVITIES; POSTING; REVIEW

Beginning in the 2022-23 school year, each school district and charter school governing board is required to ensure that each school under its authority prominently on a publicly accessible portion of its website a list of specified information, including the procedures for a parent to access the current learning materials used for student instruction, the procedures for the school principal to approve lesson plans, a listing of the learning materials and activities used for instruction at the school, a listing of available resources in the school library, and a copy of each survey administered at the school that solicits personal information about a student. This information must be displayed online at least seven days before the start of each school year. Establishes a complaint process that a party must follow prior to initiating legal action to enforce this requirement.

First sponsor: Rep. Bolick (R - Dist 20)

Status: 1/24 referred to House Educ.

HB2403:

APPROPRIATION; ADE; ELECTRIC SCHOOL BUSES

Appropriates \$1.5 million from the general fund in FY2022-23 to the Department of Education to award grants to school districts to purchase electric school buses.

First sponsor: Rep. Solorio (D - Dist 30)

Status: 1/24 referred to House Educ., appro.

HB2439:

SCHOOL LIBRARY BOOKS; PARENTAL REVIEW

School district governing boards are required to adopt procedures by which parents have access to the school's library catalog of available books or materials and by which parents may receive a list of books or materials borrowed from the library by their children. School boards are required to approve all books in school libraries. Before approval, a list of all books must be available for public review for at least 60 days.

First sponsor: Rep. Pingerelli (R - Dist 21)

Status: 2/3 retained on House COW calendar; 2/1 House minority and majority caucus, do pass; 1/25 House Educ. Committee, do pass amended.

HB2487:**ARIZONA COMMUNITY SCHOOLS PILOT PROGRAM**

Establishes a five-year Arizona Community Schools Pilot Program in the Arizona Department of Administration (ADOA) to assist public schools in developing "community school" (defined) plans. Eligibility for a grant under the Program is established. ADOA is authorized to award various types of grants, with a maximum annual total of \$5 million. Public schools that receive grants are required to contract with a "community-based organization" to support the academic success of students by providing holistic support. Other requirements for grant recipients are established. Appropriates \$5 million from the general fund in each of FY2022-23 through FY2026- 27 to ADOA for the Program.

First sponsor: Rep. Wilmeth (R - Dist 15)

Status: 1/25 House Educ.

HB2495:**SCHOOLS; SEXUALLY EXPLICIT MATERIALS; PROHIBITION**

A public school in Arizona is prohibited from referring students to or using any "sexually explicit material" (defined) in any manner.

First sponsor: Rep. Hoffman (R - Dist 12)

Status: 2/3 House COW approved with amend #4012 and floor amend #4078. Passed House 31-28; ready for Senate; 2/1 House minority and majority caucus, do pass; 1/25 House Educ. Committee, do pass amended.

HB2561:**SCHOOLS; INSTRUCTION; NATIVE AMERICAN EXPERIENCE**

Beginning in the 2024-2025 school year, the State Board of Education is required to include in the academic standards for students in kindergarten through grade 12 instruction relating to the Native American experience in Arizona that includes instruction on tribal history, sovereignty issues, culture, treaty rights, government, socioeconomic experiences and current events, and that is historically accurate, culturally relevant, community based, contemporary and developmentally appropriate. The Board is required to provide professional development to teachers and administrators relating to the instruction, and to ensure that the federally recognized Indian tribes in Arizona have the opportunity to collaborate in developing the instruction. The Board is required to submit a report on implementing the instruction to the Governor and the Legislature by

October 15 of 2023, 2024 and 2025. Emergency clause.

First sponsor: Rep. Blackwater-Nygren (R - Dist 7)

Status: 1/24 referred to House Educ.

HB2632:**CIVICS TEST; PASSING SCORE**

Increases to 70, from 60, the number of questions a student must correctly answer on a test identical to the civics portion of the naturalization test used by the United States Citizenship and Immigration Services in order to graduate from high school. A student in grade 7 or 8 is permitted to take the test, and if the student correctly answers at least 70 of the 100 questions, the school district or charter school is required to document that the student has passed the test on the student's transcript, and the student is not required to take the test again in high school.

First sponsor: Rep. Nguyen (R - Dist 1)

Status: 1/31 referred to House Educ.

HB2638:**CURRICULUM; ASIAN AMERICAN PACIFIC ISLANDERS**

Appropriates \$100,000 from the general fund in FY2022-23 to the Department of Education to

issue a grant to a nonprofit organization located in Arizona to develop a curriculum on the history and contributions of Asian American Pacific Islanders in the United States.

First sponsor: Rep. Pawlik (D - Dist 17)

Status: 1/31 referred to House Educ., appro.

HCM2003:

INDIAN BOARDING SCHOOLS; URGING INVESTIGATION

Declares that the Legislature prays that the United States Department of the Interior:

- o Investigate all 51 of the former and current Indian boarding schools in Arizona
- o Use ground penetrating radar to look for unmarked graves and return any discovered remains to their families or tribes, as requested, for appropriate repatriation and burial.

Directs the Arizona Secretary of State to transmit copies of this memorial to the DOI Secretary

First sponsor: Rep. Jermaine (D - Dist 18)

Status: 2/1 House Educ. Committee, do pass.

SENATE BILLS

SB1010:

SCHOOL DISTRICTS; PROTESTING; PARTISAN ELECTIONS

Prohibits school districts from ejecting or retaliating against peaceful protesters from protesting after school hours on a school property or any other location where a governing board meeting or any other school-related meeting is occurring.

Prohibits school districts from requiring protesters to apply, request a permit, or any other kind of authorization in order to engage in peaceful protesting.

Defines “peaceful protesting” as all of the following:

- o Does not pose an obvious threat to persons
- o Does not damage property
- o Does not interfere with or disrupt activities occurring on school property or in the vicinity where the school meeting is taking place

Requires elections for school district governing board members to be conducted using a partisan primary election ballot for elections occurring after January 1, 2023.

First sponsor: Sen. Ugenti (R - Dist. 23)

Status: 1/25 Senate Educ. Committee, failed to pass 4-4.

SB1011:

SCHOOL BOARD ASSOCIATIONS; MEMBERSHIP; PAYMENT

Prohibits school districts from using tax monies to pay for their membership in a state school board association or a national school board association.

First sponsor: Sen. Townsend (R - Dist. 16)

Status: 1/25 from Senate rules okay; 1/18 Senate Educ. Committee, do pass.

SB1036:

SCHOOLS; FLAGS; DISPLAY; CIVIL PENALTY

Section 1. Section 15-506, Arizona Revised Statutes, is amended to read:

15-506. Flag, Constitution and Bill of Rights display; recitation of pledge of allegiance; exemption; civil penalty

A. School districts and charter schools shall:

1. Acquire United States flags that are manufactured in the United States and that are at least two feet by three feet and hardware to appropriately display the United States flags.
2. For grades seven through twelve, acquire a legible copy of the Constitution of the United States and the Bill of Rights that is manufactured in the United States.
3. Display the flags in accordance with title 4 of the United States Code in each classroom and on or near the outside of the school building during school hours and at such other times as the school authorities direct.
4. For grades seven through twelve, place a legible copy of the Constitution of the United States and the Bill of Rights adjacent to each classroom flag.
5. Set aside a specific time each day for ~~those~~ students who wish to recite the pledge of allegiance to the United States flag.

B. Private schools, parochial schools and homeschools are exempt from this section.

C. A school district or charter school that violates this section is subject to a civil penalty of not more than \$1,000 for each violation. The attorney general shall impose and collect the civil penalties under this subsection.

First sponsor: Sen. Rogers (R - Dist. 6)

Status: 2/2 from Senate Educ. with amend #4050.

SB1046:**BIOLOGICAL SEX; INTERSCHOLASTIC ATHLETICS**

An interscholastic, intercollegiate, intramural, or club athletic team or sport that is sponsored by an "educational institution" (defined) of the state of Arizona and each educational institution whose students or teams compete against an educational institution sponsored by the state of Arizona is required to be expressly designated as one of the following based on biological sex: males, men or boys; females, women or girls; and coed or mixed sex. Athletic teams or sports designated for females, women or girls cannot be open to students of the male sex. If disputed, a student may establish the student's sex by presenting a signed physician's statement that indicates the student's sex based only on the student's internal and external reproductive anatomy, the student's normal endogenously produced levels of testosterone, and an analysis of the student's genetic makeup. Does not apply to a student born with a medically verifiable genetic disorder of sex development. Any student who is deprived of an athletic opportunity or suffers any direct or indirect harm as a result of a violation of these requirements has a private cause of action for injunctive relief, damages and any other relief available under law against the educational institution. Any student who is subject to retaliation or other adverse action by an educational institution or athletic association or organization as a result of reporting a violation of this section has a private cause of action for injunctive relief, damages and any other relief available under law against the educational institution or athletic association or organization. A civil action must be initiated within two years after the harm occurs. Emergency clause.

First sponsor: Sen. Rogers (R - Dist. 6)

SB1062:**DROPOUT RECOVERY PROGRAMS; REPORT; POSTING**

The Arizona Department of Education (ADE) is required to post the annual report on the Dropout Recovery Program on the ADE website.

First sponsor: Sen. Leach (R - Dist. 11)

Status: 1/20 further referred to Senate Educ.

SB1068:**CHARTER SCHOOLS; TEACHERS; FUNDING**

Allows a charter school to compute and receive funding for the Teacher Experience Index (TEI).

- o Allows schools to include all full time equivalent teachers, regardless of certification status, to be eligible for TEI funding.

Allows a charter school to calculate and receive additional teacher compensation funding, if approved by the State Board of Education (SBE).

Requires a charter school applying to SBE for additional teacher compensation funding to document:

- o That the school's teacher performance evaluation system meets the same standards recommended by SBE for school districts
- o The employees evaluating teachers for retention meet the minimum qualifications for an evaluator recommended by SBE for school districts

Defines "teacher compensation" as salaries, employee fringe benefits, and other non salary benefits for all teachers regardless of certification status.

First sponsor: Sen. Leach (R - Dist. 11)

Status: 1/25 from Senate rules okay; 1/24 referred to Senate rules; 1/18 Senate Educ. Committee, do pass.

SB1082:**ASRS; EMPLOYER CONTRIBUTIONS; PREPAYMENT**

An Arizona State Retirement System (ASRS) employer may prepay the employer's "401(a) pension contributions" (defined) directly to ASRS according to a written agreement between the employer and ASRS. Establishes a process for ASRS to manage prepaid pension contributions. Emergency clause.

First sponsor: Sen. Livingston (R - Dist. 22)

Status: 2/3 Senate COW approved with floor amend #4091.

SB1083:**ASRS; MODIFICATIONS**

Various changes to statutes relating to the Arizona State Retirement System (ASRS). Provisions include: Expands the definition of "eligible retirement plan" to include, for distributions made after December 18, 2015, a simple retirement account that satisfies the requirements of section 408(p) of the federal Internal Revenue Code. In determining the past service funding period, the ASRS Board is required to seek to improve the funded status whenever the trust fund is less than 100 percent funded. Eligibility to elect to in a supplemental employee deferral plan is limited to employees who are not eligible to participate in a public retirement system established in statute. AS PASSED SENATE

First sponsor: Sen. Livingston (R - Dist. 22)

Status: 1/27 passed Senate 27-0; ready for House.

SB1131:**EMPOWERMENT SCHOLARSHIP ACCOUNTS; QUALIFIED STUDENTS**

For the purpose of Arizona empowerment scholarship accounts, the definition of "qualified student" is expanded to include a child whose parent is a veteran of the U.S. Armed Forces, a child whose parent is a "first responder," and a child of a "health professional" (defined elsewhere in statute) who is employed full-time and who provides direct patient care.

First sponsor: Sen. Rogers (R - Dist. 6)

Status: 1/11 referred to Senate Educ.

SB1159:**TEACHER CERTIFICATION; LEADERSHIP PREPARATION PROGRAMS**

Expands the list of pathways for the issuance of a teaching certificate to include traditional teacher preparation programs, and any training or preparation pathway adopted by the State

Board of Education (SBE). Deletes the requirement for a teacher certification renewal applicant to have at least 10 years of verified full-time experience in Arizona in the area in which the person is seeking renewed certification. School districts and charter schools are authorized to apply to SBE for authority to approve the certification of principals, assistant principals, supervisors and other school-level leadership positions as a locally based school leadership preparation program provider. SBE is required to adopt rules for this program, and provisions that must be included in the rules are listed. A school district or charter school is permitted to employ and enroll any interim principal, interim assistant principal or interim supervisor certification holders with a bachelor's degree into its locally based school leadership preparation program.

First sponsor: Sen. Gray (R - Dist. 21)

Status: 2/1 from Senate rules okay.

SB1165:**INTERSCHOLASTIC; INTRAMURAL ATHLETICS; BIOLOGICAL SEX**

An interscholastic or intramural athletic team or sport that is sponsored by a public or private school whose students or teams compete against a public school is to be expressly designated as

one of the following based on biological sex: males, men or boys; females, women or girls; and coed or mixed sex. Athletic teams or sports designated for females, women or girls cannot be open to students of the male sex. Any student who is deprived of an athletic opportunity or suffers any direct or indirect harm as a result of a school knowingly violating these requirements has a private cause of action for injunctive relief, damages and any other relief available under law against the school. Any student who is subject to retaliation or other adverse action by a school or association or organization as a result of reporting a violation of this section has a private cause of for injunctive relief, damages and any other relief available under law against the school or athletic association or organization. Any school that suffers any direct or harm as a result of a violation has a private cause of action for injunctive relief, damages and any other relief available under law against the government entity, the licensing or accrediting organization or the athletic association or organization. A civil action must be initiated within two years after the alleged violation occurs. Contains legislative findings.

Severability clause.

First sponsor: Sen. Barto (R - Dist. 15)

Status: 2/2 Senate COW approved. Passed Senate 16-13; ready for House.

SB1189:

SCHOOL COUNSELORS; GRANTS

Beginning in the 2027-2028 school year, if sufficient monies are appropriated, each school district and charter school is required to hire at least one "school counselor" (defined) for every 550 students who are enrolled in the school district or charter school. The State Board of Education is required to issue a certificate to school counselors who satisfy the certification requirements adopted by the Board by rule. A person cannot be employed as a school counselor in a school district or charter school in Arizona after June 30, 2023 unless that person obtains a school counselor certificate from the Board. Establishes the School Counseling Plan Grant Fund to be administered by the Department of Education to provide grants to schools, school districts and charter schools to assist with the costs of a "school counseling plan" (defined). Application requirements for grants from the Fund are specified. Appropriates the following amounts from the general fund in the following fiscal years to the Fund: \$19 million in FY2022-23, \$38 million in FY2023-24, \$57 million in FY2024-25, \$76 million in FY2025-26, and \$95 million in FY2026-27.

First sponsor: Sen. Bowie (D - Dist. 18)

Status: 1/13 referred to Senate Educ., appro.

SB1198:

LOCAL GOVERNMENTS; LOBBYING; PROHIBITION

Counties, municipalities, school districts, and other political subdivisions and any person acting on behalf of a political subdivision are prohibited from entering into a contract with a person or entity for lobbying services and from spending monies for any person or entity to lobby on behalf of that political subdivision unless that person is directly employed by the political subdivision. If a county, municipality, school district or other political subdivision is a member of an organization of which the majority of the members are composed of political subdivisions or other public bodies, no portion of membership dues may be authorized for lobbying activities.

First sponsor: Sen. Petersen (R - Dist. 12)

Status: 1/18 referred to Senate gov.

SB1211:

SCHOOLS; MATERIALS; ACTIVITIES; POSTING; REVIEW

Beginning in the 2022-23 school year, each school district and charter school governing board is required to ensure that each school under its authority prominently displays on a publicly accessible portion of its website a list of specified information, including the procedures for a parent to access the current learning materials used for student instruction, the procedures for the school principal to approve lesson plans, a listing of the learning materials and activities used for

instruction at the school, a listing of available resources in the school library, and a copy of each survey administered at the school that solicits personal information about a student. This information must be displayed online at least seven days before the start of each school year. Establishes a complaint process that a party must follow prior to initiating legal action to enforce this requirement.

First sponsor: Sen. Barto (R - Dist. 15)

Status: 2/2 from Senate Educ. with amend #4054.

SB1213:

SCHOOL FUNDING; INFLATION ADJUSTMENT

Beginning in FY2022-23, the Legislature is required to increase the amount of district additional assistance and charter additional assistance by at least two percent. For FY2023-24 and each fiscal year after, the Legislature is required to increase the amount of district additional assistance and charter additional assistance by a minimum growth rate of either two percent or the change in the GDP price deflator from the second preceding calendar year to the calendar year immediately preceding the budget year, whichever is less. The amount of district additional assistance and charter additional assistance cannot be reduced below the base level established for FY2022-23.

First sponsor: Sen. Bowie (D - Dist. 18)

Status: 1/19 referred to Senate appro.

SB1221:

EXPENDITURE LIMITATION; SCHOOL DISTRICTS; REPEAL

Repeals statutes relating to the aggregate expenditure limitation for all school districts. Conditionally enacted on the state Constitution being amended by a vote of the people at the 2022 general election to repeal the expenditure limitation for school districts. If enacted, applies to FY2023-24 and after. Due to voter protection, this legislation requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.

First sponsor: Sen. Bowie (D - Dist. 18)