

Education Accountability & Reform Committee

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EDUCATION ACCOUNTABILITY & REFORM COMMITTEE

LEGISLATION ENACTED

restructuring, school report cards (NOW: AOI; charter schools; processing fee) (S.B. 1039) – Chapter 160 E

An emergency measure, effective April 26, 2010, directing the State Board for Charter Schools to charge a processing fee to any charter school amending their contract to participate in the Arizona Online Instruction (AOI) program. Establishes the Charter Arizona Instruction Processing Fund to receive these fees and allows the monies to be used to process contract amendments.

schools; achievement profiles; MAP (NOW: teacher and principal evaluations (S.B. 1040) – Chapter 297

Requires the State Board of Education (SBE) to adopt and maintain a model framework for a teacher and principal performance evaluation instrument by December 15, 2011. Specifies what criteria the adopted instrument must include. School districts and charter schools must adopt an evaluation instrument meeting the SBE standards beginning in School Year 2012. Effective November 24, 2009, makes technical and conforming changes to Laws 2010, Chapter 98 (H.B. 2227).

task force; K-3 accountability; assessments (S.B. 1119) – Chapter 142

Repeals the Task Force for Measuring Academic Gains of K-3 Pupils and establishes the Task Force on K-3 Accountability and Assessments (Task Force) within the Arizona Department of Education (ADE) and specifies its membership. The Task Force must examine and evaluate best practices in accountability and assessment measures and develop measures of academic gain for grades K-3 and conduct trial examinations. Any testing process must be approved by the State Board of Education (SBE). School districts and charter schools may participate in the measures of academic gain to improve their academic achievement profiles using a process developed by ADE and approved by the SBE. The Task Force may solicit and accept public and private funding. Requires the Task Force to annually submit a report by December 1 detailing its findings to the Governor, the Speaker of the House of Representatives, the President of the Senate and the Secretary of State. Repeals the Task Force on July 1, 2016.

common school districts; grade nine (S.B. 1185) – Chapter 220

Establishes a process for elementary school district governing boards to add ninth grade including: 1) voting at a public meeting to consider the issue; 2) sending a letter indicating the district's interest in offering ninth grade to the unified or union high school district where students would normally attend ninth grade; 3) a public hearing to discuss the issue, at least ninety days after the letter is sent; and 4) a public hearing and vote, at least thirty days after the first public hearing and no later than the January 15th prior to the school year when ninth grade will be added. Elementary districts may not add ninth grade to the same facility containing kindergarten through sixth grade. Elementary districts who add ninth grade may not receive additional funds from the School Facilities Board or current year growth funding for increased enrollment resulting from the addition of ninth grade. Allows elementary districts who add ninth grade to use the weighted count of those pupils for

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the purpose of calculating their override budget capacity and equalization assistance and for Career Ladder and Optional Performance Incentive programs.

postsecondary institutions; common course numbering (NOW: course numbering; postsecondary institutions) (S.B. 1186) – Chapter 242

Requires community college districts and public universities to develop and implement a shared course numbering system identifying general education courses and courses satisfying common major requirements which transfer from the community colleges to the universities. Requires the community college districts and the Arizona Board of Regents to include an analysis of options on developing a statewide shared numbering system in the annual report on articulation and statewide postsecondary needs by December 15, 2010.

school facilities board; vacant land (S.B. 1187) – Chapter 301

Allows the School Facilities Board (SFB) to require a school district to sell land previously purchased entirely with SFB provided funds if the land is no longer needed for a new school or additional school space within ten years. Prohibits a school district from using land purchased or partially purchased with SFB provided funds for purposes other than a school or from leasing, selling or taking any action lowering the value of the land, without prior written approval.

school district monies; annual estimate (S.B. 1188) – Chapter 273 E

An emergency measure, effective May 7, 2010, adding the Property Tax Oversight Commission (PTOC) to those entities a county school superintendent reports the estimated: a) amount each school district requires for the upcoming year, b) additional amounts needed from both the primary and secondary property tax, c) amount of equalization assistance and amount needed from the primary property tax, and d) additional levy amounts for districts not eligible for equalization assistance. School district governing boards must certify and provide the prior year's projected ending cash balance, adjusted for encumbrances and payables. Requires the county school superintendent to subtract the district's total estimated revenues from the district's budgeted expenditures when estimating additional amounts needed from both the primary and secondary property tax. Extends the statutory budget adjustment deadline for all public schools from May 15 to July 15 for FY 2010.

STOs; contribution date (S.B. 1274) – Chapter 188

Extends the tax credit eligibility deadline for individuals who contribute to a School Tuition Organization from December 31 to the federal income tax return filing deadline.

home schooled pupils; scholarships (S.B. 1280) – Chapter 167

Requires public universities to annually publish specific information related to merit-based scholarships and tuition waivers awarded to students from public, private, charter and home schools.

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affiliated charter schools (S.B. 1282) – Chapter 305

Authorizes charter schools to grant enrollment preference to students of another charter school under certain circumstances and specifies factors the State Board for Charter Schools (SBCS) may consider in approving separate charter holders. Requires charter schools granting enrollment preference to charter school students with the same charter holder board and governing board be considered one school for the purposes of establishing their support level weight funding.

school finance revisions (S.B. 1284) – Chapter 306

Makes numerous technical and conforming changes pertaining to school finance. Requires the Arizona Department of Education (ADE) to apply state law changes modifying or impacting the school finance formulas for the entire fiscal year, unless otherwise specified by law, regardless of the law's effective date. Clarifies calculations for adjusting the Base Level relating to Optional 200-day, Career Ladder, Optional Performance Incentive Program and Additional Teacher Compensation. Establishes the Teacher Certification Fund (TCF) at ADE and appropriates \$429,700 in FY 2011 for expenses related to teacher certification. Requires ADE to transfer \$429,700 from the TCF to the state General Fund by June 30, 2011. Sets the budget capacity for Classroom Site Fund monies at \$120 per pupil for FY 2011.

schools; achievement profiles; letter grades (S.B. 1286) – Chapter 247

Effective July 1, 2011, replaces the current classifications for achievement profiles with a letter-grade system and requires achievement profiles be calculated for school districts using the same methodology used for schools. Adds the Arizona Measure of Academic Progress to high school achievement profiles. Modifies the criteria used to calculate achievement profiles, requiring fifty percent to consist of academic performance measurements and specifies the measurements to be used. Phases out the current classification system and requires the Arizona Department of Education to provide achievement profiles under the existing classifications and the letter-grade classifications for school years 2011-2012 and 2012-2013. Includes county educational service agencies in the school improvement plan process for underperforming and failing schools.

~~high school instruction; dating violence~~ (NOW: schools; instruction; dating abuse) (S.B. 1308) – Chapter 335

Requires school district governing boards without an existing adopted dating abuse policy to hold a public meeting to review and consider the adoption of dating abuse policies and curriculum by July 1, 2011. School districts may prescribe and enforce dating abuse policies and procedures and incorporate instruction into the health curriculum for students in seventh through twelfth grade. Adopted dating abuse curriculum must include a definition of dating abuse, recognition of its warning signs and characteristics of healthy relationships.

~~colleges; transfer articulation; direct equivalency~~ (NOW: community colleges; reports; budgets) (H.B. 2040) – Chapter 43

Modifies the community college annual reporting requirements related to dual enrollment by removing summary data on student performance, including completion rates, grade distribution and itemized actual program costs. Moves the annual report submission deadline from November 1 to December 1 of each year.

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pupils with chronic health problems (H.B. 2080) – Chapter 223

SEE HEALTHCARE & MEDICAL LIABILITY REFORM COMMITTEE.

provisional community colleges; property transfer (H.B. 2113) – Chapter 314

Authorizes a county who received real property from the former State Board of Directors for Community Colleges to transfer such property to a provisional community college district until January 1, 2013. Allows a provisional community college district to issue bonds for capital outlay.

exchange teachers; technical correction (NOW: JTED; centralized campus; funding) (H.B. 2127) – Chapter 285

Limits the Average Daily Membership (ADM) generated for students concurrently enrolled in a member district and a Joint Technological Education District (JTED) to 1.75 if the JTED course is provided at a community college or a facility owned and operated by the JTED, and directs how to apportion the ADM. Authorizes a school district governing board to sell property to a JTED with an existing central campus in FY 2011.

technical correction; private schools (NOW: omnibus; JTEDs) (H.B. 2128/S.B. 1310) – Chapter 17 E

An emergency measure, effective April 5, 2010, which changes the name of a *joint technological education district* to a *joint technical education district* (JTED) and redefines both a JTED course and a JTED program. Modifies the required data submissions for JTED annual reports. Adds individualized education programs to the items a JTED and another school district may include in intergovernmental agreements or other contracts. States JTEDs have the primary responsibility for providing Career and Technical Education (CTE) programs to prepare students for advanced CTE programs or workforce entry. Allows pupils in a centralized campus JTED program to generate an Average Daily Attendance (ADA) of 1.0 for attendance hours at any time during each fiscal year. Limits the Average Daily Membership (ADM) generated for students concurrently enrolled in a member district and JTED to 1.75 if the course is at a community college or a JTED owned and operated facility. Specifies how ADM is apportioned for concurrently enrolled students and limits the apportionment to no more than 1.0 ADM for each entity.

education; meetings; technical correction (NOW: Arizona online instruction; reform) (H.B. 2129) – Chapter 174

Clarifies requirements and redefines full-time and part-time student enrollment in an Arizona Online Instruction program. Prohibits a full-time student from being counted more than once for computation of Average Daily Membership.

schools; teacher contracts; acceptance (H.B. 2227) – Chapter 98

Retroactive to November 24, 2009, removes dates relating to school district notification requirements for employment contract renewals and general salary reductions. Changes time periods related to teacher contract acceptance and defines the receipt of a written contract. Modifies time periods relating to teacher disciplinary actions, notifications and hearing requests. Prohibits school district governing boards from adopting employment policies giving retention priority to teachers

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based on seniority. School district employment contracts may not include compensated days for professional association activities, but compensated leave may be used for any personal, professional or other lawful purpose. Allows a governing board to hire a business manager with expertise in finance. Limits the maximum increase in the base level amount participating school districts may budget for Career Ladder to five percent in FY 2010 and prohibits new teachers from participating.

community college boards; expansion (H.B. 2261) – Chapter 48

Adds two at-large members to a community college district governing board in a county with a minimum population of three million people and reduces the terms of all governing board members from six to four years. Reduces the signature requirement for nomination petitions from one-half of one percent to one-quarter of one percent or a maximum of 1,000 signatures. Allows governing boards to name buildings or groups of buildings on behalf of donors making significant contributions to the district. Permits community college districts or governing boards to enter into agreements concerning research, development, production, storing or marketing new products developed or to be developed by community college research.

~~schools; prohibited courses; discipline~~ (NOW: prohibited courses; discipline; schools) (H.B. 2281) – Chapter 311

Beginning January 1, 2011, prohibits public schools from including courses or classes which promote overthrowing the U.S. government or resentment towards a race or class of people. Specifies rules pertaining to pupil disciplinary proceedings may not be based on race, color, religion, sex, national origin or ancestry. Authorizes the Superintendent of Public Instruction to withhold a portion of a school district's state aid if the district fails to remain in compliance, as determined by the State Board of Education. Actions taken under this section are subject to appeal pursuant to the uniform administrative hearing procedures and require the Arizona Department of Education to pay for all expenses of a hearing.

~~teacher certification; preparation providers~~ (NOW: preparation programs; teacher certification) (H.B.2298) – Chapter 49

Directs the State Board of Education (SBE) to allow a variety of alternative teacher and administrator preparation programs with variations in program sequencing and design to apply for program approval using less restrictive application procedures than those required for traditional preparation programs. The SBE must permit public schools, public and private postsecondary institutions and professional organizations to apply. The provider evaluations must be based on the program's ability to prepare and recruit teachers and administrators with a variety of experiences and talents.

schools; ADM calculation (H.B. 2385) – Chapter 318

Effective July 1, 2011, Average Daily Membership (ADM) is redefined as the average of the total enrollment of fractional and full-time students who are enrolled on September 15th, November 15th, January 15th, and March 15th. The definition of Average Daily Attendance (ADA) and related statutory references are eliminated. Requires school districts and charter schools to report absence data to the Arizona Department of Education (ADE) at least once every 60 days during the school year. Designates the effective date of withdrawal as retroactive to the last day of a student's actual attendance or excused absence, for computation purposes. Expands the requirement to adopt a policy

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governing excused absences for religious purposes to charter school governing boards and directs school district and charter school governing boards to adopt a policy governing excused absences. Adopted school attendance policies must require the district or charter to apply to ADE for authorization for a school closure. Specifies how ADE must calculate and aggregate the Group A and Group B weighted student counts and when districts and charters must be informed of their current year weighted student count. Future student count adjustments, if discovered by the district or charter after April 15th, must be made according to statutory requirements for correcting errors in state aid or budget limit calculations. Allows school districts to continue to use the adjustment for growth in student counts and to continue to use the statutory formula to correct state aid or budget limit errors. Reduces the time period corrections may be made from three years to one year. Requires ADE and the Auditor General to include a minimum of a 10 percent sample of daily attendance records as part of any ADM audit, beginning FY 2012. Modifies the definition of part-time (fractional) students for elementary schools to include the 180-day school year or the equivalent. Includes specified ADM amounts in defining part-time (fractional) high school students and redefines full-time high school students. Redefines full-time elementary school students and removes the definition for full-time instructional programs. Authorizes a school district or charter holder providing 200 days of instruction to increase its base level by 5 percent if they meet specific requirements.

school district override elections (H.B. 2386) – Chapter 179 E

An emergency measure, effective April 27, 2010, extending the time a governing board may cancel an override election from 10 to 80 days. Removes separate budget and reporting requirements for Special Programs overrides. Allows Special Programs override proceeds to be used for preschool programs for disabled students and eliminates the ability to carry forward up to 50 percent of any unspent proceeds each fiscal year. Special Programs overrides, authorized prior to November 24, 2009, are limited to 5 percent of the Revenue Control Limit (RCL) based on the specified weighted student count and continues until the expiration of the previously authorized override; or the first year of an M&O override, if the existing and new overrides combined exceed 15 percent of the RCL. Any subsequent overrides of up to 15 percent of the RCL must replace any previously authorized overrides to prevent the overrides from exceeding a combined 15 percent of the RCL. Allows school districts that conducted a capital outlay override election in the same fiscal year to also conduct an M&O override election on the second Tuesday in March 2010. Holds school districts harmless from budget limit reductions for the purposes of calculating their authorized override capacity in FY 2011, if Proposition 100 fails at the May 18, 2010 special election and if districts reduced budget limits resulting from the elimination of the Group B Weight for kindergarten students. (See the summary for S.C.R. 1001, Forty-Ninth Legislature, Sixth Special Session for more information on Proposition 100).

Teacher loan program; geographic shortages (H.B. 2401) – Chapter 257

Expands eligibility for the Math, Science and Special Education Loan Forgiveness Program to include students teaching elementary education in geographic areas experiencing teacher shortages, as determined by the State Board of Education. Allows the Arizona Board of Regents to allocate no more than 25 percent of the annual appropriation for loans to applicants who agree to provide instruction in elementary education in a geographic area experiencing a teacher shortage. Applies the same rules and regulations regarding loan forgiveness for recipients teaching elementary education in a geographic area experiencing a shortage of teachers.

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technical correction; night schools (NOW: schools; superintendent contracts; performance pay) (H.B. 2521) – Chapter 261

Requires a school district superintendent's annual salary to consist of 20 percent performance pay. Includes a performance pay model of student academic gain, parent and teacher satisfaction and other factors. School districts may use an alternative performance pay model if adopted at a public meeting of the governing board.

STOs; corporate tax credit requirements (H.B. 2663) – Chapter 292

Effective July 1, 2010, requires all Student Tuition Organizations (STO) receiving individual income tax credit donations and granting scholarships to apply for certification from the Arizona Department of Revenue, and establishes the criteria for an organization to be eligible for and retain certification. Directs DOR to maintain and publish on its website, a listing of all certified STOs and to make the listing available upon public request.

DOR must notify any STO who violates certification criteria by certified mail as well as any STO who encourages, facilitates or knowingly permits taxpayers to engage in statutorily prohibited practices. STOs have 90 days to correct a violation and allows DOR to terminate certification if no correction or compliance is made. An STO may request a hearing with the Office of Administrative Hearings to appeal termination.

Requires STOs to submit a signed copy of any required financial review or audit conducted by an independent certified public accountant by September 30 of the current fiscal year. Changes the time-period the STO must report data to DOR for the annual report from the prior calendar year to the prior fiscal year. Adds items for inclusion in the annual report and moves the deadline for from June 30 to September 30. Requires an additional report on June 30, 2011 to cover the transition from calendar year to fiscal year reporting.

STOs; tax credit requirements (H.B. 2664) – Chapter 293

Effective January 1, 2010, restricts qualified schools from accepting a scholarship or grant in excess of the school's total cost to educate the student awarded the scholarship or grant.

Department of Revenue (DOR) – Requires all Student Tuition Organizations (STO) receiving individual income tax credit donations and granting scholarships to apply for certification from DOR, and establishes the criteria for an organization to be eligible for and retain certification. Directs DOR to maintain and publish on its website, a listing of all certified STOs and to make the listing available upon public request.

DOR must notify any STO who violates certification criteria by certified mail as well as any STO who encourages, facilitates or knowingly permits taxpayers to engage in statutorily prohibited practices. STOs have 90 days to correct a violation and allows DOR to terminate certification if no correction or compliance is made. An STO may request a hearing with the Office of Administrative Hearings to appeal termination.

Student Tuition Organizations (STOs) – A STO must publish on all printed materials soliciting donations, scholarship applications and on its website a statement indicating the STO may not award, restrict, or reserve scholarships or grants based solely on donor recommendations; and a

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taxpayer may not claim a tax credit if the taxpayer agrees to designate their donation for the benefit of another taxpayer's dependent in return for a similar designation. Requires each applicant's financial need be considered by an STO in awarding, designating and reserving scholarships and grants.

Reporting – Requires STOs to submit a signed copy of any required financial review or audit conducted by an independent certified public accountant by September 30 of the current fiscal year, relating to prior fiscal year's contributions received by STOs, and specifies the standards for such audits and reviews. Changes the time-period the STO must report data to DOR for the annual report from the prior calendar year to the prior fiscal year. Adds items for inclusion in the annual report and moves the deadline for submission from February 28 to September 30. Requires an additional report on February 28, 2011 to cover the transition from calendar year to fiscal year reporting.

Individual Income Tax Credit – Establishes an annual adjustment factor for the maximum allowable income tax credit amounts based on the average annual change in the Metropolitan Phoenix Consumer Price Index but prohibits the amounts from being adjusted to an amount below the prior taxable year. Restricts taxpayers from claiming a tax credit if the taxpayer agrees to designate their donation for the benefit of another taxpayer's dependent in return for a similar designation. Prohibits taxpayers from designating specific students as beneficiaries as a condition of their STO contribution.

voting information; postsecondary students (H.B. 2668) – Chapter 330

Requires the Arizona Board of Regents and community college district governing boards to work with their respective student government organizations to adopt a plan to increase student voter registration and election turnout and specifies what the adopted plan must include. Students may be excused from class for the purpose of voting, consistent with requirements for excusal from work.

school district boundaries; change (H.B. 2719) – Chapter 157

Allows an eligible school district's qualified electors or resident property owners to petition an adjacent school district's governing board to modify district boundaries to include the property designated in the petition.

~~charter schools; funding; nonresidents~~ (NOW: schools; funding; nonresidents) (H.B. 2722) – Chapter 331

Prohibits school districts or charter schools from including nonresident pupils in their student counts or to obtain state funding for those pupils, unless otherwise permitted by law.

education; omnibus (H.B. 2725) – Chapter 332

An omnibus bill which packages together several measures into one bill as it relates to a single subject. H.B. 2725 is an omnibus bill addressing issues related to public education.

Charter Schools – Expands the authority to sponsor charter schools to public universities, community college districts, and to groups of community college districts with a combined, minimum enrollment of 15,000, but limits the number charters they may approve to two in FY 2011, three in FY 2012 and four in FY 2013. Public universities and community colleges that sponsor a

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charter school may not include the charter school students in their student counts for funding purposes. Specifies how a charter school governing board must make a summary or copy of its proposed budget and public hearing notice available to the public. Authorizes the State Board for Charter Schools to use the services of the Auditor General.

Teacher Certification – Makes several exemptions from teacher certification proficiency exams and other certification requirements for applicants with prior teaching experience, training and specific education levels. Additionally, applicants are no longer required to pass the proficiency exam more than once under certain circumstances, but applicants who have not taught in the 10 years preceding their application must take and pass the exam again.

School Districts and School District Governing Boards – Expands authority for school districts to sell advertising. Exempts districts from State Board of Education (SBE) procurement and reporting rules related to private placement of special education students and certain reporting requirements. District open enrollment policies must be publicly available and published on the district website rather than filed with ADE. Districts may exceed the aggregate dollar limits, but must still use the limits, for procurements subject to invitations for bids, requests for proposals and requests for clarifications. A school district governing board may sell school property to a Joint Technical Education District (JTED) with an existing central campus in FY 2011.

Bonding – Allows, upon district request, the deposit of interest or investment earnings on bond proceeds in the Bond Building Fund if federal law requires it to be used for capital expenditures, retroactive to June 1, 2009. Any political subdivision may make agreements, rebates, filing of tax returns, reporting and limitation on investment earnings from bond proceeds or taxes for federal tax benefits, payments or credits relating to issued bonds. Authorizes Cave Creek Unified, with governing board approval, to use bond proceeds authorized in November 2000 for any capital purpose until June 30, 2013.

Impact Aid – A school district who receives Impact Aid must establish an Impact Aid Fund (Fund) to deposit and separately account for Impact Aid monies. Prohibits comingling Impact Aid monies with other revenue sources. Specifies how districts and the Superintendent of Public Instruction (SPI) must account for Fund monies and stipulates the expenditures must be in accordance with federal law. Designates Fund monies as federal monies and not subject to legislative appropriation. Allows school districts with primary and secondary property tax rates of zero for tax years 2009 and 2010 and who receive federal Impact Aid to use Impact Aid monies in excess of their budget limits to offset their soft capital reductions in FY 2010 and FY 2011.

Recess Policy – Directs school district and charter school governing boards offering instruction in grades K-5 to consider, discuss and vote on the adoption of a recess policy at a public meeting by January 1, 2011. Parents or guardians of all enrolled students must be given notice of the meeting and be given an opportunity to speak. The considered policy must provide a minimum of 30 minutes of daily structured physical activity, either inside or outside the classroom, for students in grades K-5 and specifies which activities meet the minimum requirement.

Math, Science and Special Education Loan Forgiveness Program (Program) – Effective July 1, 2011, expands the Program to include students pursuing a teaching degree at an Arizona private postsecondary educational institution. Moves the Program from the Arizona Board of Regents (ABOR) to the Arizona Commission for Postsecondary Education (Commission) and grants the Commission specific authority to administer the Program. Loans may not exceed \$7,000 annually

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excluding all grants, scholarships and tuition benefits. The Commission may retain up to 10 percent of the amount deposited annually and may use interest income for Program administration.

Arizona Gun Safety Program – Expands the list of qualified Arizona Gun Safety Program instructors to include those holding current firearms safety instructor certification from a listed organization.

E-Rate Program – Establishes a statewide E-Rate program and E-Rate Program Fund (Fund) at the Governmental Information Technology Agency (GITA) consisting of monies received from the federal E-rate program from intergovernmental agreements, grants and donations. School districts and charter schools who are eligible for Priority One funding may apply for E-Rate with GITA's assistance. Directs GITA to administer the Fund to assist school districts, charter schools and public libraries to submit E-Rate applications to improve broadband internet and telecommunications access. GITA must develop policies and procedures for the E-Rate application and may enter into intergovernmental agreements with other state agencies and political subdivisions to administer E-Rate. School districts and charter schools who receive funding must establish a local fund to reimburse costs associated with broadband internet and telecommunications.

Miscellaneous – Reduces the amount of hours required for full-time instruction of seventh and eighth grade from 1,068 hours to 1,000 hours. Requires the School Facilities Board (SFB) to increase the cost per square foot for projects approved between January 5, 2005 and November 4, 2009, but not awarded due to the moratorium on new construction, to conform with the per square foot amounts in place when a project goes out to bid. ABOR, in consultation with the SBE and the community college districts must develop a common equivalency numbering system for specific achievement levels on Advance Placement and International Baccalaureate examinations for articulation purposes. Repeals the College and Career Readiness Task Force. Includes JTEDs among the entities eligible to receive donations under the public school tax credit. Provides extensions for qualifying school districts to repay over expenditures and to tuition students to another district.

high schools; graduation; board examinations (H.B. 2731) – Chapter 333

Grand Canyon Diploma (GCD) – Defines a GCD as a high school diploma offered to any student demonstrating readiness for college level mathematics and English under standards adopted by an interstate compact on Board Examination Systems (BES) and who has passing grades in required, board exams in core academic courses as determined by the State Board of Education (SBE). Core academic courses include the arts, history and science, and the successful completion of an economics course. Public schools may offer GCDs beginning school year 2012-2013, and districts and charters offering GCDs must provide multiple pathways to participating students. A GCD may be awarded to a student at the end of the tenth, eleventh, or twelfth grade. Requires students pursuing a GCD to participate in a BES consisting of internationally benchmarked instructional programs approved by an interstate compact.

Establishes the following options for students who receive a GCD: a) enroll the following semester in an Arizona community college in courses offered on a community college campus, high school campus or both; b) remain in high school and enroll in additional advanced preparation board examination programs, approved by an interstate compact, designed to prepare for admission to high quality postsecondary institutions offering baccalaureate degree programs; c) enroll in a full-time career and technical education (CTE) program offered on a community college campus, a high

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school campus, a joint technological education district (JTED) campus or any combination; or d) return to a traditional academic program without completing the next level of BES curriculum. The bill further specifies the requirements for each option for participating school districts, JTEDs, charter schools and community college districts relating to admission, funding and student counts. Participating students may continue to engage in extracurricular activities, including interscholastic sports, until the student would have otherwise graduated. GCD graduates are not eligible for the Early Graduation Scholarship Program.

Requires those students pursuing a GCD but who do not receive a GCD by the end of 10th or 11th grade be given customized assistance in the next school year to address the student's demonstrated board exam deficiencies. Allows students who fail the board exams to take the exams at the next available administration or choose to return to a traditional academic program. Instructs the State Board for Charter Schools to modify curriculum requirements for participating charter schools. Authorizes public schools to contract with the SBE-approved private organization to provide the BES. Students may earn a GCD by receiving a passing score on the board exam even if the public school the student attends does not offer the BES. Directs the SBE to modify the criteria used to calculate school achievement profiles to account for participating schools. Allows an SBE determined score on a board exam to substitute for a passing score on the AIMS test for graduation, if the student is in 12th grade and has not achieved a board exam score to receive a GCD. Exempts students who earn a GCD from the traditional graduation requirements. Entitles students who earn a GCD to all the rights and privileges of students who earned a traditional high school diploma.

Board Examination System (BES) – Requires the SBE to enter into a five-year contract with a private organization to operate and administer the BES and to select a national organization devoted to issues concerning education and the economy to provide technical services to develop and maintain the approved BES. Details the requirements the private organization must meet and establishes the criteria for the approved BES and what must be included in the interstate compact. The private organization must establish the requirements students must meet to earn a GCD and specifies what must be included. Requires the SBE to adopt rules to contract for the BES and requires the SBE to select college and career ready examinations available to pupils in 8th grade in order to provide data to students, their families and schools regarding students' preparation level for entry into a college and career ready pathway in high school. Requires ADE, under the SBE adopted rules, to develop a system to track participating students' academic progress.

Miscellaneous – Repeals the Task Force on Assessments to Measure College and Career Readiness established by Laws 2009, Third Special Session, Chapter 12.

schools; third grade retention (H.B. 2732) – Chapter 296

Third Grade Promotion – Subject to voter approval of Proposition 100 at the May 18, 2010 special election, specifies what must be included in the State Board of Education's (SBE) adopted competency requirements for third grade promotion, beginning school year 2013-1014 (See SCR 1001, Forty-Ninth Legislature, Sixth Special Session). Establishes good cause exemptions from the competency requirements and specifies the process for a request for a good cause exemption. The SBE must adopt intervention and remedial strategies for students who are not promoted that include specified criteria. School districts and charter schools must provide at least one of the adopted strategies and the parent or guardian, teacher and principal of a retained student may choose the appropriate strategy for the student. Requires the SBE to provide for universal screenings in preschool, kindergarten and grades one through three designed to identify students with reading

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deficiencies. School districts and charter schools must provide annual written notification of the promotion policy to parents of students in kindergarten through third grade. Requires a separate written notification to the parents of students with substantial reading deficiencies identified prior to the end of third grade and specifies what must be included.

Task Force on Reading Assessment – Establishes the 9-member Task Force on Reading Assessment (Task Force) to be appointed by the SBE and specifies its membership and duties. Repeals the Task Force on September 15, 2011.

department of education; data collection (H.B. 2733) – Chapter 334

ADE Evaluation Contracts – Requires the Superintendent of Public Instruction (SPI) to enter into contracts with public or private entities to carry out the requirements of this act, subject to appropriation of state funds, or receipt of federal funds or private donations or grants [from any lawful public or private source](#). Requires the Arizona Department of Education (ADE) to issue a Request for Proposal (RFP) to evaluate the existing data collection, compilation and reporting systems administered by ADE by August 1, 2010, and award a contract by October 1, 2010. Specifies the items an RFP must include for the required evaluation and options for the replacement or upgrade of both the Student Accountability Information System (SAIS) and the Data Warehouse. Directs ADE to provide copies of the written report containing the evaluation findings to the Governor, the Speaker of the House, the President of the Senate and the Joint Legislative Budget Committee within 30 days of receiving the report. ADE must issue an additional RFP to replace or update SAIS and to bring it into compliance with ARRA by March 31, 2011, and award a contract by August 1, 2011, subject to available funds. Specifies the performance requirements for any contract issued to replace or update SAIS and details required contract terms related to contract renewal, cancellation, price or cost adjustments and immunity. Prohibits the SPI from awarding a contract unless certain conditions are met. JLBC must review all contract terms prior to soliciting responses to an RFP as well as any contract modifications or amendments. Contracting entities must submit monthly reports to ADE in the first contract year and quarterly in subsequent years. Requires an independent evaluator, selected by the SPI, to conduct and complete a performance review after the second contract year, to determine if goals have been met and to submit a report of its findings to the Governor, the President of the Senate and the Speaker of the House of Representatives by May 1, and provide a copy to the Secretary of State. Any appropriated monies remaining unexpended and unencumbered upon the expiration of any contract revert to the state General Fund.

Data Governance Commission – Establishes the Data Governance Commission (Commission) and specifies its membership and their terms and directs ADE to provide adequate staff support. The Commission must identify, examine and evaluate the needs of Arizona public institutions who serve pupils in preschool, kindergarten, grades one through twelve and postsecondary programs and to establish guidelines related to: a) managed data access, b) technology, c) privacy and security, d) adequacy of training, e) adequacy of data model implementation, f) prioritization of funding opportunities, and g) resolution of data conflicts. Directs the Commission to provide recommendations on technology spending and analysis, security, access, data audit management and other specified issues. The Commission must annually report on its activities and findings by December 1st to the Governor, the President of the Senate and the Speaker of the House of Representatives and provide copies to the Secretary of State.

Task Force on Data Systems – Establishes the Task Force on Data Systems (Task Force) and specifies its membership and allows the Task Force to use the services and expertise of legislative

EDUCATION ACCOUNTABILITY & REFORM COMMITTEE (Cont'd.)

staff and ADE. Requires the Task Force to design an RFP form for use by ADE to solicit proposals from private entities to carry out this act and to submit the RFP form to ADE by December 31, 2010. Repeals the Task Force on May 1, 2011.

SFB; preventative maintenance guidelines (H.B. 2760) – Chapter 39

Requires school districts to develop a roof inspection protocol for use prior to the repair or replacement of any roof or roof mounted equipment. Provides minimum preventative maintenance guidelines to address, at a minimum: plumbing, electrical, heating, ventilation, air conditioning, special equipment and other systems.

EDUCATION ACCOUNTABILITY & REFORM COMMITTEE (Cont'd.)