

COMMITTEE ON EDUCATION

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* Strike-Everything Amendment
 [E] Emergency Clause
 [P 105] Proposition 105 Clause
 [P 108] Proposition 108 Clause
 [LIV] Line Item Veto

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HB 2161 – Chapter 26 – teachers; specialized certification

Creates a specialized teaching certificate, to be administered by SBE, for 7th through 12th grade classroom teachers with expertise in science, technology, engineering, or mathematics. Exempts a teacher who receives the specialized certificate from the requirement to demonstrate proficiency in professional and subject knowledge and the US and Arizona Constitutions.

HB 2171 – Chapter 27 – school; hot line; clearinghouse; repeal

Repeals the Public School Information Hot Line Program, the School Safety Clearinghouse Program, the AIMS Intervention and Dropout Prevention Program, and the Instructional Technology Systems Pilot Program, all of which are expired.

HB 2270 – Chapter 51 – school districts; fiscal crisis teams

Allows SBE to appoint a fiscal crisis team for a school district that SBE determines is insolvent or financially mismanaged.

HB 2500 – Chapter 211 – poorly performing schools; intervention strategy

Requires schools that received a letter grade of “D” or “F” for two consecutive years to implement a science, technology, engineering, and mathematics intervention strategy under the supervision of SBE.

HB 2501 – Chapter 212 – charter schools; previously certificated teachers

Prohibits charter schools from employing a teacher whose certificate has been surrendered or revoked, unless SBE has reinstated the certificate.

HB 2563 – Chapter 270 – *biblical influence; schools; electives

Requires SBE to include concepts of the history and literature of the Old and New Testament in History or English Arts standards, or both, and allows school districts and charter schools to offer a high school elective course pertaining to how the Bible has influenced Western culture.

HB 2578 – Chapter 306 – school facilities board; revisions

Makes various changes to the statutes related to SFB and requires proceeds from the sale of buildings funded by SFB to be returned to the state. Expands the scope and use of energy and water savings accounts and guaranteed cost energy savings contracts.

HB 2598 – Chapter 286 – *school improvement plan; parental involvement

Adds a parent involvement strategy to the list of corrective procedures a school district that has been assigned a grade of “D” or “F” for two consecutive years must implement and requires the strategy to be included in the improvement plan of each applicable school in the district.

HB 2599 – Chapter 335 – *regulatory exemptions; “A” school district

Exempts school districts that received a letter grade of “A” for three consecutive years and do not have any schools within the district that received a letter grade of “F” during the same three-year period from certain statutes and rules. Allows a qualifying school district to identify and submit exemptions to statutes and rules relating to schools, governing boards, and school districts to SBE for approval and stipulates that exemptions issued by SBE will be immediately discontinued if a school district falls below a letter grade of “A” for three consecutive years or becomes a “C”, “D”, or “F” school district at any time.

HB 2622 – Chapter 360 – school rankings; display; time period

Prohibits a school from displaying a classification or ranking that is no longer current unless the date the classification or ranking was received is prominently shown. Expands eligibility for the

Arizona Empowerment Scholarship Accounts (ESA) program by broadening the definition of *qualified students*.

- Adds educational therapy or services provided by licensed or accredited paraprofessionals and educational aides and services provided by public schools, including individual classes and extracurricular activities, to the list of qualifying expenses for ESA expenditures and prohibits the expenditure of ESA monies on computers, transportation expenses, and consumable educational supplies.
- Specifies that a signed ESA agreement does not relieve the previously attended school district or charter school from the obligation to evaluate children for placement in special education programs.
- Establishes the ADE Fund consisting and the AST Empowerment Scholarship Account Fund (AST Fund).
- Allows ADE to retain up to 5% of the base level support for each student for the purpose of covering administrative costs while 1% of the retained monies must be transferred to the AST Fund and the remainder deposited into the ADE Fund. ADE and AST may annually request commensurate increases in appropriated Fund monies if the number of ESAs significantly increases after FY 2012-13.
- Requires ADE to provide a copy of the ESA contract to the county school superintendent.
- Removes the deposit of Special Education Fund monies to ESAs after June 30, 2013. Monies that would otherwise have been allocated to a recipient's previous school district may be transferred.
- Subjects ESA participants to existing school instruction and enrollment requirements that govern the minimum subjects to be taught, as well as the misdemeanor penalty associated with failing to provide instruction or enroll the student.
- Stipulates that previously qualified students are eligible to apply for ESA renewal for the duration of high school, regardless of any changes to their multidisciplinary evaluation team plan.
- Requires ADE to provide JLBC with annual ESA funding estimates.

HB 2663 – Chapter 76 – underperforming school districts; reclassification

Enables a school that is assigned a letter grade of “D” for less than three consecutive years to also be assigned a letter grade of “F” if SBE determines that it is not reasonably likely that the school will achieve an average level of performance within the next two years.

HB 2697 – Chapter 165 – teachers; certification; subject knowledge

Allows SBE to exempt applicants for a secondary education certificate who have work experience in science, technology, engineering, or mathematics and can demonstrate adequate subject knowledge through a postsecondary degree or 24-credit hours of relevant coursework from the subject knowledge portion of the proficiency examination.

HB 2707 – Chapter 340 [E] – schools; ADM overstatement; repayment

Modifies statute as follows:

- Instructs the Ajo Unified School District (Ajo), which overstated its ADM between FYs 2006-07 and 2008-09, to repay the balance in equal installments each FY between FYs 2013-14 and 2015-16. Requires Ajo to pay any accrued interest at a rate determined by the SPI.

Directs the governing board of Ajo to adopt a formal resolution to comply with the requirements and, if requested by ADE, submit to annual ADM audits.

- Instructs Clifton Unified School District (Clifton), which overexpended its budget during FYs 2009-10 and 2010-11, to correct the overexpenditure by repaying the amount in equal installments each FY between FYs 2011-12 and 2015-16. Requires Clifton to pay any accrued interest at a rate determined by the SPI.
- Instructs Cedar Unified School District (Cedar), which overexpended its budget during FY 2003-04, to correct the overexpenditure plus any overexpenditures in FYs 2004-05 through 2011-12 by reducing its budget capacity between FYs 2011-12 and 2019-20. Requires the annual installments to be \$100,000 for FY 2011-12 and 12.5% of the remaining total required reduction for FYs 2012-13 through 2019-20. Directs ADE to reduce the state aid for Cedar by \$100,000 for FY 2011-12 and 25% of the remaining total each FY between FYs 2012-13 and 2015-16. Requires Cedar to pay any accrued interest at a rate determined by the SPI.

HB 2732 – Chapter 106 – charter school enrollment; siblings

Allows a charter school to give enrollment preference to the siblings of a student that previously attended a charter school that has the identical charter holder, board, and governing board membership as the enrolling school.

HB 2810 – Chapter 78 – school districts; charter school funding

Establishes the Joint Legislative Study Committee on Charter School Funding Options for School Districts (Committee). Directs the Committee to evaluate methods to give school districts the option to transfer to a funding model that is similar to the funding currently provided to charter schools and to recommend statutory changes that will be necessary to allow school districts to transfer to that funding model. Requires the Committee to submit a report of its activities and recommendations for legislative action to the Governor, the President of the Senate, and the Speaker of the House of Representatives, and to provide a copy to the SOS, by December 31, 2013. Repeals the Committee on September 30, 2014.

HB 2823 – Chapter 259 – schools; teachers; principals; evaluation systems

Makes the following changes to principal and teacher evaluations:

SBE/ADE

- Requires SBE to adopt four state performance classifications, designated as *highly effective*, *effective*, *developing* and *ineffective*, and guidelines for school districts and charter schools for the teacher and principal evaluation instrument by December 1, 2012.
- Requires school districts and charter schools to adopt definitions for the performance classifications in a public meeting and apply the performance classifications to their evaluation instruments by the 2013-14 school year. Full implementation of the required teacher and principal evaluation may be postponed until the 2013-14 school year if certain requirements are met.
- Applies the principal evaluation instrument to each charter school's instructional leader whose primary responsibility is to oversee the academic performance of the charter school.
- Directs school boards to annually discuss their aggregate performance classifications at a public meeting.
- Requires ADE to post best practices that include specific information for the implementation and assessment of principal and teacher evaluation systems on its website by September 15, 2012.

- Allows ADE to develop an evaluation instrument to be pilot tested in school districts and charter schools that choose to participate in the 2012-13 school year.

Principals/Teachers

- Directs school boards to provide opportunities for public discussion on specific proposed policies regarding principals and teachers before the policies are adopted. Policies in school year 2015-16 must also include aspects relating to the support, intervention and dismissal of teachers in the lowest performance classification.
- Specifies that the term of employment of principals may be for a period of up to three years, except that if the principal's contract with the school district is for multiple years, the school district cannot offer to extend or negotiate the contract until May of the year preceding the final year of the contract.
- Directs the school boards to make each principal's evaluation and performance classification available to school districts and charter schools that are inquiring about the principal for hiring purposes. A teacher's performance classification is confidential unless a school district or charter school inquires about performance for employment purposes.
- Instructs every teacher to make student learning the primary focus of their professional time.
- Requires a contract to be offered to a teacher who is beginning their fourth year of teaching and has been designated in one of the two lowest performance classifications.
- Requires a contract renewal for the next school year to be offered to a teacher who is not designated in the lowest performance classification and was offered a contract in the prior year, unless the teacher receives notice of the school board's intent not to offer a contract and to be dismissed.
- Specifies that a teacher who has not been employed for more than the major portion of four consecutive years, is under contract, and has been designated in one of the two lowest performance classifications, is not provided with the right to a hearing.
- Requires the teacher performance evaluation system to include at least two actual classroom observations with at least 60 calendar days between the first and last observation. Written feedback must be provided by the observer to the teacher within 10 business days after the evaluation.
- Requires school district policies pertaining to the transfer of teachers from one school to another to take into consideration the current distribution of teachers across all performance classifications and the needs of the students in the school district. Teachers are limited to one transfer.
- States that teachers who have been employed for the major portion of three or more consecutive years and are designated in the lowest performance classification for two consecutive years may only be transferred in limited circumstances.
- Instructs school boards to develop a definition of *inadequacy of classroom performance* that aligns with the performance classifications.

Classroom Site Fund

- Requires individual teacher performance, as measured by the teacher's performance classification, to be a component of the school district's portion of the 40% allocation for teacher compensation based on performance and employment related expenses beginning in school year 2014-15.
- Adds that a school board must vote on a performance based compensation system that includes individual teacher performance as measured by the teacher's performance

classification. Beginning in school year 2014-15, the individual teacher performance component must account for 33% of the 40% allocation for teacher compensation.

SB 1009 – Chapter 260 – *schools; preference; childbirth; adoption

Prohibits school districts and charter schools from endorsing, funding, or supporting programs that promote elective abortion over childbirth and adoption. Restricts schools from giving presentations or instructional materials to students during school hours that promote elective abortion over childbirth and adoption.

SB 1059 – Chapter 14 – school property; community use; liability

Gives schools immunity from liability for injuries sustained by recreational users of outdoor school grounds, excluding swimming pools and other aquatic features, after school hours.

SB 1060 – Chapter 279 – school districts; procurement practices

Makes the following changes to the construction procurement rules for school districts:

- Allows multi-term contracts for materials or services and for job-order-contracting construction services under certain conditions.
- Requires the duration of contracts for materials or services and contracts for job-order-contracting construction services to be less than five years unless certain requirements are met.
- Limits the maximum dollar amount of an individual job order for job-order-contracting construction services to \$1 million, unless the governing board prescribes a different amount that is adopted in a public meeting. Job orders must not be artificially divided in order to satisfy the maximum dollar amount requirements.

SB 1168 – Chapter 42 – *dropout recovery program; changes

Retroactive to June 30, 2011, makes the following changes to statutes related to dropout recovery programs (program):

- Removes the authority of an AOI provider to offer a program.
- Requires monthly participation in a program to be reported to ADE along with other required student data.
- Clarifies that the sum of the ADM and ADA for a student enrolled in a school district or charter school other than the school district or charter school that participates in the program cannot exceed 1.0.
- Specifies that the ADM generated by a student enrolled in both a program and a JTED cannot exceed 1.25.
- Removes the exemption for inclusion of attendance, graduation and test score data for program students in annual achievement profiles and school report cards.
- Classifies programs as *alternative schools* that are subject to the accountability provisions for alternative schools.
- Allows program providers to conduct outreach to encourage students to return to school.
- Prohibits program providers from directing advertising or marketing campaigns at currently enrolled students to encourage them to stop attending school in order to qualify for a program.

SB 1185 – Chapter 140 – *school safety program; requirement

Requires the School Safety Program Oversight Committee to add a requirement to the School Safety Program guidance manual that a dispute resolution process be included in the service agreement between a school district or charter school that received a School Safety Program grant and the law enforcement agency that provides services to the school district or charter school.

SB 1199 – Chapter 146 – charter schools; audit frequency

Removes the requirement that a charter school contract with a different auditor at least every six years.

SB 1252 – Chapter 45 – *high school graduation requirement; alternate

Removes the requirement for a 12th grade student to have taken AIMS at each administration in order to substitute a minimum score, determined by SBE, on a national college entrance exam for a passing score on AIMS for the purpose of high school graduation.

SB 1253 – Chapter 85 [E] – elementary school districts; JTEDs; withdrawal

Authorizes an elementary school district that is not within the boundaries of a union high school district to withdraw from a JTED with a majority vote of its school board. If the school board approves the withdrawal, the question for withdrawal must be sent to the ballot at the next general election for the voters of the elementary school district. The school board must notify the JTED within 10 days of approving the withdrawal.

SB 1254 – Chapter 47 – schools; board examination system; universities

Allows Grand Canyon Diploma recipients who have been accepted into an Arizona public university to enroll in the university after completing additional high school coursework designed to prepare the student for admission to a selective postsecondary institution that offers baccalaureate degrees. The school district or charter school that granted the diploma will continue to receive per-pupil funding until that student would otherwise have graduated at the end of 12th grade as long as the student is enrolled full-time in the university. Outlines the distribution of the ADM amount for the student.

SB 1255 – Chapter 149 – school courses; mastery of competency

Requires SBE to adopt rules to define competency-based educational pathways for college and career readiness that will be available to eligible students. Allows eligible students to enroll the following fall semester in a community college, remain in high school and participate in the programs of study available through the school district or charter school, enroll in a full-time career and technical education program or, if accepted for admission to a public Arizona university, enroll in the university after completion of additional high school coursework designed to prepare students for admission to selective postsecondary institutions that offer baccalaureate degrees.

SB 1258 – Chapter 150 – third grade promotions; requirements; exceptions

Revises Move on When Reading to allow the promotion of a 3rd grade student whose reading score on AIMS falls far below the 3rd grade reading level only if the student is: 1) an English learner or a limited English proficient student or 2) a child with a disability and their individualized education program team and parent/guardian agree that promotion is appropriate. Requires SBE to develop intervention and remedial strategies for students in Kindergarten through 3rd grade with reading deficiencies.

SB 1424 – Chapter 155 – charter schools; charters; renewals; revocations

- Requires a charter school sponsor to adopt a performance framework containing specific elements and use the framework when reviewing a charter every five years.
- Authorizes the charter school sponsor to deny the request for renewal if the sponsor believes that the charter holder has failed to complete the obligations of the contract or make sufficient progress toward the expectations set forth in the performance framework.
- States that the data used in renewal decision making must be available to the charter school and the public and a public report that summarizes the basis for each decision must be provided.
- Establishes the New Charter Application Processing Fund under the administration of SBCS.
- Requires a charter holder seeking to transfer sponsors to comply with the current charter terms regarding assignment of the charter. The charter holder transferring sponsors must notify the student's parents or guardians of the intent to transfer the charter.
- Requires the new sponsor to enforce the improvement plan, but allows modification of the plan based on performance.

SB 1456 – Chapter 357 – school finance revisions

Retroactive to June 30, 2012, makes the following changes to statutes related to school finance:

- Limits the window during which ADE can conduct audits to three years from the time the monitoring or audit activity begins.
- Allows ADE to adjust funding for a school district or charter school that was overpaid or underpaid during the audit window if ADE issues those findings within two years of the beginning of monitoring or audit activity.
- Replaces the method for calculating ADM that relies on counting the total enrollment of students on four dates each year and dividing that number by four with the total enrollment of each school day through the first 100 or 200 days in session, as applicable.
- Specifies that high school students are classified as either full-time or fractional students based on the number of classes they take, each of which, if taught each school day for the minimum number of days required in a school year, would meet for a minimum of 123 hours per year, or the equivalent.
- Requires the correction of errors in the calculation of state aid or budget limits for a school district or charter school that are discovered within the previous three years, rather than the previous year.
- Allows the generation of 1.75 ADM by students who attend JTED programs at leased facilities if they are not enrolled in the district in which the leased facility is located for FY 2012-13.
- Adjusts the transportation support level to provide additional support to school districts that elect to offer 200 days of instruction, rather than 180.

SB 1458 – Chapter 67 – schools; achievement profiles

Requires ADE to make a complete transition to the letter grade system for school achievement profiles in the 2012-13 school year. Requires a school, school district, or charter school that is assigned a letter grade of "D" for two prior consecutive years and is required to participate in a mandatory school improvement process to be assigned a letter grade of "F".