

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
 [W/O] Without Emergency Clause
 [W/S] Without Signature

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HB 2071 – Chapter 11 – ADE; operations

Authorizes ADE to charge a convenience fee for transactions conducted using a credit or debit card or other means of electronic payment so long as another payment method is available that is not subject to the fee.

HB 2202 – Chapter 91 – school districts; leases

Extends the time period school district governing boards are allowed to enter into lease agreements from 5 to 10 years and allows certain school districts to call for an override election to exceed capital outlay revenue limits during periods of expending lease proceeds on capital outlay.

HB 2403 – Chapter 189 – teacher employment contracts; electronic signatures

Allows school district governing boards to accept electronic signatures on electronic teacher employment contracts for certificated employees. Requires an electronic contract to be submitted to both the employee's school district email as well as a personal email prior to the start of the next school year if a contract has not been transmitted to the employee by the end of the current school year.

HB 2425 – Chapter 20 – ELL task force replacement

Retroactive to December 31, 2012, eliminates the Arizona English Language Learners Task Force and directs SBE to take over its authority, powers, duties and responsibilities.

HB 2427 – Chapter 10 – schools; unification; consolidation; initial meetings

Retroactive to June 30, 2012, allows a unified school district governing board to be constituted on formation of a unified district for the purpose of conducting operations for the following year. Permits unified school boards to preliminarily file boundary information for new or existing taxing jurisdictions.

HB 2441 – Chapter 174 [E] – schools; electronic fingerprinting services

Allows the Fingerprinting Division within DPS to contract with an entity to provide electronic or internet-based fingerprinting services, including identity-verified fingerprints. Requires the contracted entity to comply with information privacy, security measures and submission standards set forth by DPS.

HB 2458 – Chapter 175 – empowerment scholarship accounts; fraud prevention

Outlines specific policies that ADE may adopt in order to administer an Empowerment Scholarship Account (ESA) and monitor fraudulent activity. Requires ADE to conduct quarterly and annual audits of ESAs, in addition to current random audits required by statute. Allows ADE to remove any parent or qualified student from ESA eligibility under certain conditions.

HB 2476 – Chapter 29 [E] – schools; isolation rooms; restrictions

Directs school district governing boards, beginning in school year 2013-14, to develop disciplinary policies for isolation rooms and outlines what these policies must include. Provides for an exemption from these policies if a student poses imminent physical harm to themselves or others.

HB 2494 – Chapter 147 – charter schools; enrollment preference

Gives charter school enrollment preference to the grandchildren or legal wards of employees of the school or charter holder, school board members or directors, officers, partners and board members of the charter holder. Removes the stipulation that charter schools that elect to give enrollment preference to a student or 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 from being treated as a single charter school for the purpose of establishing support level weights.

HB 2496 – Chapter 148 – schools; petition; regulatory exemptions

Allows charter schools, in addition to school districts, to be exempt from certain rules and statutes if a letter grade of A is maintained for two of the last three consecutive years. Specifies that the school district or charter school must never have received a C, D or F in the same three year period in order to qualify for exemptions.

HB 2499 – Chapter 229 – *per pupil funding calculation; JTEDs

Requires the ADM for 10th, 11th and 12th grade students enrolled at a centralized campus that is leased by a JTED to be calculated at 0.75 and no more than 1.75, if they meet certain requirements. Allows a student who attends a course or program at a satellite campus and who is not enrolled in the school district where the satellite campus is located to generate up to 1.25 ADM so long as the student is enrolled in a school district that is a member district in the same JTED. Allows a student enrolled at an accommodation school to be considered a student of the school district in which the student physically resides for the purposes of JTED enrollment and requires that student's ADM to count for either the JTED, the accommodation school or both.

HB 2500 – Chapter 149 – schools; teacher evaluations; dismissals

Makes the following changes to statute relating to the dismissal or nonrenewal of a certificated teacher:

- Replaces references to “certificated teacher who has not been employed by the school district for more than the major portion of three, or four, consecutive school years and who has been designated in one of the two lowest performance classifications” with *probationary teacher*.
- Regarding notice of a school board’s decision to not reemploy a teacher, removes the 90 day timeframe the board has to give the teacher written preliminary notice of inadequacy.
- Stipulates that a certificated teacher who is currently a continuing teacher but has been designated in the lowest performance classification after an evaluation for the current school year, must become a probationary teacher for the subsequent school year and remain so until their performance classification is designated in one of the two highest classifications.
- Requires teacher evaluation policies to contain the requisite descriptions by school year 2015-16 rather than beginning in school year 2015-16.
- Revises requisite teacher evaluation policy descriptions.
- Requires teacher evaluation policies to require that the school district issue the preliminary notice of inadequacy of classroom performance no later than the second consecutive year that the teacher is designated in one of the two lowest performance classifications, unless the teacher is in the first or second year of employment with the school district or has been reassigned to teach a new subject or grade level for the preceding or current school year.
- Permits the last of the two classroom observations to follow the issuance of a preliminary notice of inadequacy of classroom performance and be used to determine whether the teacher has corrected inadequacies and demonstrated adequate classroom performance.
- Prohibits an observation from being conducted within two instructional days of any scheduled period that school is not in session for one week or more.

- Requires teacher performance evaluation procedures to include training requirements for qualified evaluators and a plan for the appropriate use of quantitative data of student academic progress in all certificated teacher evaluations.
- Recommends that the plan make distinctions between certificated teachers who provide direct instruction to students and those that do not, as well as data for multiple school years. Limited use of data for certificated teachers who have taught for less than two complete school years can be used.
- Authorizes the school board to waive the requirement of a second classroom observation for a continuing teacher whose teaching performance, based on the first classroom observation, places the teacher in one of the two highest performance classification for the current school year, unless the teacher requests a second observation.
- Permits the qualified evaluator, in addition to a board designee, to confer with the teacher about their performance and provide professional development opportunities.
- Requires results of an annual evaluation to be in writing or provided in electronic format to the certificated teacher.
- Stipulates that a school district or charter school that receives information about a certificated teacher from the evaluation report and performance classification can solely use the information for employment purposes and cannot release to or allow access to the information by any other person, entity, school district or charter school.
- Requires written preliminary notice of inadequacy of classroom performance to be given at least 45 instructional days before notice of intention to dismiss or not reemploy, rather than 90 days.
- Prohibits a school board from issuing a notice of intent to dismiss or not reemploy until the district has completed an observation at the conclusion of a performance improvement plan.
- Increases from five to ten school days, the timeframe that a designated school board employee must report issuance of a preliminary notice of inadequate classroom performance to the school board.
- Requires the preliminary notice of inadequacy of classroom performance to be accompanied by a performance improvement plan designed to help the teacher correct inadequacies and demonstrate adequate classroom performance.
- Directs the school board to adopt a definition of inadequacy of classroom performance that aligns with the performance classifications in consultation with its certificated teachers, either in a public hearing, by forming an advisory committee or providing teachers the opportunity to respond to a proposed definition.
- Renames a certificated teacher who has been employed by the school district for more than the major portion of three consecutive school years and who is under contract of employment with the school district for the current year or who is not designated in the lowest performance classification and was offered a contract in the prior year as a *continuing teacher*.
- Applies retroactively to July 1, 2013.

HB 2611 – Chapter 191 – school district superintendent contracts; renegotiation

Revises the timeframe a school district governing board may extend or renegotiate a superintendent’s contract from the May of the year preceding their final year to no earlier than 15 months before their contract expires.

SB 1100 – Chapter 195 – ASDB; continuation

Continues ASDB for 10 years until July 1, 2023.

SB 1103 – Chapter 178 – charter schools; zoning procedures

Allows a charter school to authorize a third party to apply to a municipality or county as its representative for any zoning application or action. Requires charter schools to be classified the same as public schools that are operated by a school district for zoning purposes and assessment of zoning, site plan and development fees, with certain stipulations.

SB 1204 – Chapter 68 [E] – charter schools; applications; renewals; revocations

Makes the following changes to statute relating to charter school establishment, renewal and revocation:

- Replaces the current requirements for charter school establishment applications and specifies that the application adopted by the sponsor must include a detailed education plan, business plan, operational plan and any other material required by the sponsor.
- Requires charter school establishment applications, application processes and application timeframes to be posted on a charter school sponsor's website.
- Directs the sponsor to make the renewal application available to the charter school upon notification of the charter's expiration.
- Allows a sponsor to deny a charter school's request for early renewal if, in the sponsor's judgment, the charter holder has failed to meet or make sufficient progress toward the academic performance expectations set forth in the performance framework, meet the operational performance expectations, complete the obligations of the contract or comply with any statutory requirements.
- Adds that a sponsor may revoke a charter at any time if the sponsor determines that the charter holder has failed to meet or make sufficient progress toward the academic performance expectations set forth in the performance framework, meet the operational performance expectations or comply with any statutory requirements.
- Reduces the timeframe, from 90 to 60 days, for a sponsor to give the operator of a charter school written notice of its intent to revoke the charter.
- Reduces the timeframe for a charter school to correct the problems associated with the reasons for the proposed revocation from 90 to 60 days.
- Requires the performance framework adopted by a charter school sponsor to be publicly available and placed on the sponsoring entity's website.
- Exempts SBCS from rule making requirements for two years to comply with these changes.

SB 1293 – Chapter 105 – schools; pilot; outcome-based funding

Establishes a four-year simulated outcome-based funding pilot program and allows school districts and charter schools to submit applications to SBE to participate in the simulated pilot program. Outlines specific requirements for ASU, UA and NAU to assist in the implementation of the simulated pilot program.

SB 1337 – Chapter 240 – schools; CPR training

Allows school districts and charter schools to provide public school students in grades 7-12 with one or more CPR training sessions through the use of psychomotor skills and outlines stipulations for these trainings. Contains a delayed effective date of June 30, 2015.

SB 1363 – Chapter 250 – empowerment scholarship accounts; expansion; funding

Expands ESA eligibility and funding as follows:

- Expands ESA eligibility to kindergarteners.
- Requires monies that would be allocated to a recipient's expected school district of attendance to be deposited into an ESA if the child is currently eligible to attend kindergarten.
- Increases ESA funding to 90% of the sum of the BSL and Additional Assistance (AA), if the student were attending a charter school.
- Includes AA in the current amount that ADE can retain and the subsequent amount transferred to the AST for costs of administering ESAs.
- Caps new ESAs through 2019 at 0.5% of the total number of students enrolled in school districts and charters schools during the previous school year. This growth cap is repealed on January 1, 2020.

SB 1447 – Chapter 251 – ADE; school finance revisions

Makes the following changes to statute:

School District Funding Adjustments

- Reallocates monies in the Assistance for Education Fund to ADE to fund solutions teams assigned to D and F schools.
- Allows ADE to adjust school district funding if actions that took place within the audit window resulted in the miscalculation of the budget limit for the school district.
- Allows adjustments to ADM for failure to provide sufficient instructional time to meet the requirements for a full-time student to be made proportionately according to the percentage by which the instructional time provided does not meet the required number of instructional hours prescribed for that grade level.
- Increases the number of days per year that a charter school and a JTED may operate from at least 175 to at least 180.
- Increases the total instruction time in order to be counted as 0.5 ADM for kindergarten students from between 346 and 692 hours per year to between 356 and 712 hours per year.
- Increases the minimum number of hours per year for high school students from 120 to 123.
- Decreases the age, from 22 to 21, for a student to be included in the student count of a JTED for budgetary purposes.

School District Accountability

- Directs ADE to publish criteria for a school or school district's exit status from a previous assignment of a letter grade of F and requires this criteria to:
 - Prescribe the necessary actions and results in order to comply with school improvement requirements, including the implementation of a school improvement plan.
 - Be provided to any school or school district that is assigned a letter grade of F.

JTEDs; Charter Schools

- Increases the ADM, from 1.25 to 1.75, for students enrolled at both a charter school and a JTED in order for the ADM to be calculated in the same manner statutorily prescribed for students enrolled in both a member school district and a JTED.

Preschool Programs; Charter Schools

- Allows charters schools to offer an educational program for preschool children with disabilities.
- Specifies that the amount of the Additional Assistance in the equalization assistance formula for charter schools is \$1,654.41 per student count in preschool programs for children with disabilities, as it currently is in kindergarten programs and grades 1-8.
- Requires SBE to include charter schools in its required annual distribution of at least 10% of the federal funding it receives for preschool programs for children with disabilities.
- Enables the appropriate approving body of a charter school to submit a proposal to SBE to receive federal funding.
- Prohibits charter schools from admitting a child to a preschool program for children with disabilities unless the child is appropriately evaluated and recommended for placement.
- Permits the appropriate approving body of a charter school to admit children who are within 90 days of their third birthday if it is determined to be in the best interest of the child.

School Bus Reporting Requirements

- Removes certain reporting requirements for school districts regarding school buses and adds language to the Transportation Support Level statute that requires school districts to provide the odometer reading for each bus as of the end of the current year and the total bus mileage during the current year.

Data Governance Commission (DGC)

- Adds the Director of ADOA, or the Director's designee, to the DGC.
- Broadens the DGC's guidelines to include the form and format of data elements that are required for state and federal reporting and interagency data sharing.

Student Accountability Information System

- Adds JTEDs to the Student Accountability Information System (SAIS).
- Includes statutory or regulatory references for each data element in the specific student level data elements that districts, charters and JTEDs are required to submit.
- Prohibits ADE from making any changes to the student level data elements unless the element has been reviewed and adopted by the DGC.
- Removes language relating to student attendance at a JTED or community college from the exceptions for ADE when making changes to student level data.
- Deletes the requirement that each student level data element must include a statutory reference to the law that necessitates its collection.
- Removes the requirement that ADE adopt guidelines to remove outdated student level data from SAIS.
- Allows student level data to additionally be used for providing access of the data to districts, charters, JTEDs, community colleges and universities.
- Requires ADE to adopt policies and procedures to allow access of student level data for current enrollment to districts, charters and JTEDs.

Red Mesa School District; ADM Overstatement Corrections

- Requires a school district that overstated its ADM during FYs 2008-09, 2009-10 and 2010-11 to correct the overstatement over a period of five years, beginning in FY 2012-13.

- Asserts that the repayment must be in equal installments in each of the four remaining FYs after FY 2012-13 and directs the SPI to determine the rate of accrued interest to be paid.
- Requires the school district to meet the following requirements:
 - The school district must be a unified school district that is located on an Indian Reservation and borders Utah and New Mexico.
 - The school district's ADM for school year 2011-12 must have been between 700 and 1000 students.
 - The ADM overstatement was the result of the school district enrolling and counting students who were residents of another state that were not eligible to be included pursuant to an audit finding published by ADE in August 2012.
 - The overstatement amount is more than \$2,000,000 and less than \$2,500,000.

Miscellaneous

- Stipulates that a student must be enrolled in the school or school district, or the county school superintendent is required to record the student's name, using the name on their birth certificate, other reliable proof of identity or a letter from an agency having custody of the student.
 - Indicates that this requirement does not prohibit a student from being called by the name designated by their parent or guardian.
- Adds *officiating services* to what school districts are authorized to prepay for.
- Modifies the definition of *full-time student*.

SB 1449 – Chapter 252 – schools; graduation; personal finance; entrepreneurship

- Requires the academic standards in social studies prescribed by SBE to include personal finance but clarifies that SBE cannot establish a separate personal finance course as a graduation requirement.
- Allows a school board or charter school to prescribe a separate personal finance course or incorporate personal finance instruction into an existing course or existing curricula for the graduation of high school students that is in addition to or higher than the course of study and competency requirements that SBE prescribes for graduation.
- Requires personal finance courses or incorporated instruction to include:
 - Explanations on how education, career choices and family obligations affect future income.
 - Analyses on the influence of advertising on consumer choices.
 - The determination of short-term and long-term financial goals and plans, including income, spending, saving and investing.
 - Comparisons of the advantages and disadvantages of using various forms of credit and the determining factors of credit history.
 - Explanations of the risk, return, and liquidity of short-term and long-term saving and investment choices.
 - Identification of investment options available to individuals and households.

SB 1450 – Chapter 253 – school districts; FERPA violations; penalty

Outlines a penalty process for school districts and charter schools determined to have knowingly violated the Family Educational Rights and Privacy Act (FERPA). Allows the SPI to inform the Family Policy Compliance Office of the US Department of Education if a possible FERPA violation is not corrected in the 60 day timeframe.