

Education Committee

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EDUCATION COMMITTEE

LEGISLATION ENACTED

technical correction; evidence; medical malpractice (NOW: digital teaching; learning study committee) (S.B. 1037) – Chapter 32

Establishes the Study Committee on Digital Teaching and Learning (Committee) and charges the Committee with: 1) examining digital teaching and learning programs in other states; 2) studying the potential benefits of implementing similar programs; and 3) analyzing potential methods to implement new or modify existing digital teaching and learning programs. Contains reporting requirements and repeals the Committee on July 1, 2020.

unused school facilities; sale; lease (S.B. 1074) – Chapter 141

Prohibits school districts from preventing a charter school from negotiating to buy or lease vacant and unused buildings or portions of buildings in the same manner as other potential buyers. School districts must attempt to obtain the highest possible value under current market conditions for the sale or lease of a vacant and unused building or portion of a building.

online instruction; concurrent enrollment; testing (S.B. 1093) – Chapter 145

Prohibits a school district or charter school from charging a fee to a pupil who takes an exam to obtain core academic credit from a school district or a charter school for course credit that was previously earned in Arizona Online Instruction. Specifies that any exam taken to obtain core academic credit be aligned to the relevant state academic standards.

online instruction; state-approved charter authorizers (S.B. 1117) – Chapter 147

Defines and allows *state-approved charter authorizers* to sponsor online charter schools. Eliminates the requirement that the State Board of Education (SBE) and the State Board for Charter Schools review the effectiveness of each participating Arizona Online Instruction (AOI) school contained in the Arizona Department of Education's annual report. Requires the SBE and state-approved charter authorizers to develop annual reporting mechanisms for schools participating in AOI.

graduation; passing test score; moratorium (S.B. 1191/H.B. 2191) – Chapter 5 E

An emergency measure, effective February 20, 2015, that removes the requirement that a pupil obtain a passing score on a standardized test to graduate from high school in the four school years as specified: 1) 2014-2015; 2) 2015-2016; 3) 2016-2017; and 4) 2017-2018. Specifies that the moratorium does not apply to the civics exam established by Laws 2015, Ch. 1.

EDUCATION COMMITTEE (Cont'd.)

~~zoning; charter schools; land; facilities~~ (NOW: charter schools; performance; annual report) (S.B. 1193) – Chapter 299

Requires every charter school sponsor to submit an annual report to the Auditor General (OAG) by October 1 that includes the following: 1) the current number of charters authorized and schools operated by the charter holder; 2) the academic and operational performance of the sponsor's charter portfolio; 3) the number of new charters approved and charter schools closed, along with reason for closure, in the prior year; and 4) the sponsor's application, amendment, renewal and revocation processes, contract template and current performance framework. Contains additional reporting requirements. If the OAG finds significant noncompliance or the sponsor fails to submit an annual report, the Legislature must consider revoking the sponsor's authority to sponsor charter schools. Requires sufficient progress toward the academic performance expectations in the sponsor's framework to be one of the most important factors when determining whether to renew or revoke a charter holder.

Changes the small school weight prohibition to a charter holder that holds more than one charter rather than to a charter holder that holds one or more charters.

~~technical correction; liquor license (PREV NOW: board of regents; report; posting)~~ (NOW: schools; teacher experience index; understatement) (S.B. 1259) – Chapter 272

SEE THE APPROPRIATIONS COMMITTEE.

schools; exempt fundraisers (S.B. 1267) – Chapter 157

SEE THE HEALTH & HUMAN SERVICES COMMITTEE.

schools; letter classification; transition process (S.B. 1289) – Chapter 76

Retroactive to July 1, 2014, prohibits the Arizona Department of Education (ADE) from assigning schools and school districts letter-grade classifications during the 2014-2015 and 2015-2016 school years and establishes a transition process for ADE and the State Board of Education (SBE) to develop a revised accountability system.

Requires ADE to continue to collect and publish data related to school academic performance indicators during the transition process. Requires ADE to develop criteria to identify public schools and school districts that demonstrate a below-average level of performance to be approved by the SBE. School districts or charter schools that met the requirement for K-3 reading support level weight in school year 2013-2014 are still eligible to receive those funds during the transition process. In school years 2014-2015 and 2015-2016 a pupil's score on an assessment selected by the SBE is prohibited from being used as a factor in determining the pupil's letter grade in any particular course.

By December 15, 2015, SBE is required to submit a report to the Governor, the Speaker of the House of Representatives and the President of the Senate which includes proposed legislation to implement the revised accountability system for schools and school districts.

EDUCATION COMMITTEE (Cont'd.)

empowerment scholarship accounts; reservation residences (S.B. 1332) – Chapter 225

Expands Empowerment Scholarship Account (ESA) eligibility to include a child who resides on an Indian reservation. Establishes the ESA Special Education Study Committee (Committee) to research and evaluate aspects of the ESA program, including special education services and whether a child with special needs who receives ESA monies should continue to receive monies until age 22 if the child is likely to graduate from high school by age 22. Contains reporting requirements and repeals the Committee on November 1, 2016.

pupils; restraint; seclusion; requirements (S.B. 1459) – Chapter 300

Permits schools to use restraint or seclusion techniques on a pupil if both the pupil's behavior presents an imminent danger of bodily harm to the pupil or others and less restrictive interventions appear insufficient to mitigate the danger. The use of restraint or seclusion techniques requires the following: 1) only trained personnel may use these techniques unless an emergency situation does not allow trained personnel to be summoned; 2) restraint techniques may not impede a pupil's ability to breathe and may not be disproportionate to the pupil's age or physical condition; 3) school personnel must maintain continuous visual observation and monitoring of the pupil for the duration that a technique is used; and 4) the use of these techniques must cease when the pupil's behavior no longer presents imminent danger to the pupil or others. Requires schools to establish reporting and documentation procedures when a restraint or seclusion technique has been used that include the following: 1) written or oral notification to the parent or guardian of the pupil on the same day or within 24 hours; and 2) written documentation, within a reasonable time following the incident, including specified details.

Specifies that if law enforcement is summoned instead of using restraint and seclusion techniques, the same reporting and documentation procedures are required. In situations where imminent danger is present, school resource officers are authorized to respond according to protocols established by their law enforcement agency.

~~schools; reading assistance; dyslexic pupils~~ (NOW: dyslexic pupils; schools; reading assistance) (S.B. 1461) – Chapter 68

Expands exemptions preventing the retention of a third-grade pupil who falls far below the reading portion of the statewide assessment to include: 1) a pupil in the process of a special education referral or evaluation for placement in special education; and 2) a pupil diagnosed as having a significant reading impairment, including dyslexia. Requires the State Board of Education to adopt rules to allow training regarding screening, intervention, accommodation, use of technology and advocacy for students with reading impairments, including dyslexia, to count as continuing education credits.

K-12 education; budget reconciliation; 2015-2016. (S.B. 1476/H.B. 2683) – Chapter 15

SEE THE APPROPRIATIONS COMMITTEE.

EDUCATION COMMITTEE (Cont'd.)

higher education; budget reconciliation; 2015-2016. (S.B. 1477/H.B. 2679) – Chapter 16

SEE THE APPROPRIATIONS COMMITTEE.

technical correction; home health agencies (NOW: tuition waiver scholarship; university; revisions) (H.B. 2022) – Chapter 69

Increases the foster care tuition waiver scholarship age requirement from under 21 years of age to under 23 years of age.

graduation requirement; civics test (H.B. 2064/S.B. 1029) – Chapter 1

Beginning in school year 2016-2017, requires pupils to obtain at least a 60 percent on a test identical to the civics portion of the naturalization test issued by the U.S. Citizenship and Immigration Services to graduate from high school. Allows school district governing boards and charter school governing bodies to determine the method and manner in which to administer the test. Allows students to take the test until a passing score is achieved. Provides exemptions for students who receive special education services.

public school tax credit; testing (H.B. 2066) – Chapter 47

Retroactive to January 1, 2015, allows the public school extracurricular tax credit to be utilized for: 1) fees for college credit or readiness standardized tests offered by a widely recognized and accepted educational testing organization; 2) the career and technical education industry certification assessment; and 3) preparation courses and materials for standardized testing.

alternative teacher development program; appropriation (NOW: alternative teacher development program) (H.B. 2185) – Chapter 226

Continues the alternative teacher development program until July 1, 2020 and eliminates the requirement that the Arizona Department of Education submit the annual report on the program to the Director of the Arizona State Library, Archives and Public Records.

county school superintendents; schools; libraries (H.B. 2186) – Chapter 103

Allows a county school superintendent to provide programs and services to county free library districts and municipal libraries and allows school district governing boards to enter into intergovernmental agreements with county free library districts and municipal libraries.

national guard members; tuition waivers (H.B. 2240) – Chapter 304

SEE THE PUBLIC SAFETY, MILITARY & TECHNOLOGY COMMITTEE.

EDUCATION COMMITTEE (Cont'd.)

ADE; state and federal monies (H.B. 2302) – Chapter 108

Prohibits the Arizona Department of Education (ADE) from comingling federal monies with state and local funds and requires ADE to account for state and local monies separately from federal monies.

community college tuition financing districts (H.B. 2414) – Chapter 306

Renames Provisional Community College Districts, established after December 31, 2014, to Community College Tuition Financing Districts. Specifies the county board of supervisors will serve as the governing board to any community college tuition financing district and allows both provisional community college districts that began operations before January 1, 2015 and community college tuition financing districts to continue to operate under current statutory practice.

Establishes the Study Committee on Community College Finance and Expenditure Limits (Committee) to do the following: 1) examine community college district constitutional expenditure limits and review the impact of expenditure limits on community college districts; 2) establish methods to move closer to actual full-time equivalent student calculations for funding purposes; 3) study any other relevant topics or issues pertinent to community college finances; and 4) recommend proposed statutory changes. Contains reporting requirements and terminates the Committee on January 1, 2016.

JTEDs; satellite courses; charter schools (H.B. 2478) – Chapter 309

Allows a Joint Technical Education District (JTED) to contract with a charter school within the JTED for the purpose of offering career and technical education courses or programs as a satellite campus.

schools; financial revisions (H.B. 2479) – Chapter 310

Allows county school superintendents to make electronic transfers in lieu of drawing a warrant for authorized school district expenditures. Permits student activities monies and auxiliary operations fund monies to be deposited in an account with the county treasurer for other uses. Allows student activities monies and auxiliary operations fund monies to be both: 1) deposited in an account with the county treasurer designated as other monies; and 2) disbursed by county warrant for school districts that do not assume accounting responsibilities. Allows school districts to utilize the proceeds of insurance recoveries on school property rather than school buildings.

Eliminates the \$100,000 budget limit threshold to determine if a school district holds a public hearing to revise the budget. Eliminates the requirement that the school district use the valuation of taxable property for secondary property taxes in order to determine class B bond indebtedness limits and requires school districts to use the same valuation of taxable property as all other political subdivisions.

EDUCATION COMMITTEE (Cont'd.)

Permits the Arizona Department of Education (ADE) to utilize up to \$500,000 from the K-3 reading program appropriation for technical assistance and administration. ADE must submit an expenditure plan to the Joint Legislative Budget Committee for the use of monies from the K-3 reading program prior to using any monies.

Retroactive to July 1, 2014, permits a school district to admit children who are residents of the United States but not residents of Arizona without charging tuition if all of the following apply: 1) the child is enrolled in a year-round boarding academy in Arizona that specializes in sports, music or acting instruction; and 2) the child's parents have executed a current notarized guardianship agreement while the child is enrolled at the academy.

student loan bonds (H.B. 2482) – Chapter 311

SEE THE FINANCE COMMITTEE.

teachers; abuse prevention; continuing education (H.B. 2516) – Chapter 316

Requires the State Board of Education to adopt rules allowing awareness and prevention training for child abuse and sexual abuse of children to count as continuing education credits for certified teachers and administrators.

schools; ~~Arizona online instruction~~ (NOW: Arizona online instruction; credit; schools) (H.B. 2530) – Chapter 127

Prohibits school districts and charter schools from requiring proof of payment as a condition of accepting Arizona Online Instruction (AOI) credits from pupils who participate in AOI between May 1 and July 31. Requires school districts and charter schools to release a copy of a concurrently enrolled pupil's transcript to an AOI provider within 10 days of a valid request. If a school district or charter school violates the 10-day release requirement, the Superintendent of Public Instruction is required to withhold \$50 of state aid each day the school district or charter school remains in violation, not to exceed the total amount of state aid that would otherwise be received for that pupil. Specifies that the penalty does not apply to requests that violate the Family Educational Rights and Privacy Act. Repeals the timeline and penalty associated with releasing a pupil's transcript on July 1, 2018.

school district budget errors; repayment (H.B. 2567) – Chapter 288

Reduces the annual repayment installments from 10 percent to 5 percent of overexpenditure, including principal and interest, for a school district affected by Laws 2010, Chapter 332.

schools; ~~teacher experience index; understatement~~ (NOW: teacher experience index; schools) (H.B. 2569) – Chapter 289

Permits a school district to submit corrections to its teacher experience index (TEI) data by August 15, 2015, if certain conditions are met in full and allows the resulting TEI to be used

EDUCATION COMMITTEE (Cont'd.)

in the determination of the district's base support level for FY 2015 or FY 2016. As passed, only the Mohawk Valley Elementary School District and the Cottonwood-Oak Creek School District, respectively, qualified for this revision.

schools; teacher certification (H.B. 2577) – Chapter 290 E

An emergency measure, effective April 13, 2015, that removes the statutory minimum requirements for teacher certification reciprocity and instead requires the applicant to possess a comparable valid certification from another state. Increases the maximum time a basic or standard reciprocal teaching certificate may be issued to teachers who have not met the proficiency examination at the time of application from one to three years. The grade levels that a teacher with a STEM teaching certificate may instruct are expanded to include sixth grade.