

# **Education Committee**

Senator Sylvia Allen, Chairman



**Catcher Baden, Research Analyst**

**Brianne Fisher, Intern**

# EDUCATION COMMITTEE

## LEGISLATION ENACTED

teachers; professional development; pilot program (S.B. 1038) – Chapter 284

Appropriates \$300,000 from the state General Fund in FY 2018 to establish a high-quality teacher development pilot program under the Arizona Department of Education. The program provides certified public school teachers grants and scholarships of up to \$2,000 each to obtain professional development from a postsecondary institution in order to gain additional credentials or certifications in math, science, technology, engineering or career and technical education. Establishes applicant requirements and terminates the pilot program on July 1, 2020.

Arizona teachers; student loan program (S.B. 1040) – Chapter 244 E

An emergency measure, effective May 2, 2017, that continues the Arizona Teacher Student Loan Program (Program) until July 1, 2025, and modifies eligibility for the Program and the disbursement of Program monies. Specifically, the legislation removes from Program eligibility individuals who teach elementary education in a geographic area that is experiencing a teacher shortage and instead makes individuals eligible who provide instruction at a public school that is low-income, rural or located on an Indian reservation. Allocates at least 40 percent of Program monies to teachers at public schools that are low-income, rural or located on an Indian reservation and allocates the remaining 60 percent to teachers who provide instruction in math, science or special education.

teacher certification; reciprocity (S.B. 1042) – Chapter 245

***Certification*** – Issues educator certifications for at least 12 years and directs the State Board of Education (SBE) to revise its rules to eliminate provisional certificates.

***Subject Matter Expert Standard Teaching Certificate (SME Certificate)*** – Creates the SME Certificate and allows an individual to obtain this certificate if he or she has relevant postsecondary teaching experience, a directly related baccalaureate or higher degree, or five years of work experience in a relevant content area. Individuals who qualify for an SME Certificate are exempt from the subject knowledge proficiency requirements and the U.S. and Arizona Constitution competency requirements. With the exception of individuals who qualify under the postsecondary teaching experience criteria, these individuals are required to demonstrate professional knowledge proficiency within two years. After two years the certificate is temporarily suspended; however, the individual may correct the deficiency until the certificate expires.

***Proficiency Examination*** – Exempts a person from the subject knowledge portion of the proficiency examination if the person: 1) has taught relevant courses for the last two years and for a total of three years at a postsecondary institution; 2) has either a baccalaureate, master's or doctoral degree in a subject that is relevant to the content area; or 3) demonstrates expertise through five years of work experience in a relevant content area. Exempts a person from proficiency

examination requirements if the person passed corresponding portions of the proficiency examination in another state or has been a full-time teacher for at least three years in the same area.

***Alternative Preparation Programs*** – Requires the rules for alternative preparation programs to be substantially different and less restrictive than those for traditional preparation programs. Directs SBE to approve alternative preparation programs that meet certain criteria for at least five years.

***Classroom-Based Preparation Program*** – Allows a school district or charter school to apply to SBE for the authority to approve the certification of teachers as a Classroom-Based Preparation Program Provider. Outlines the requirements for the programs and applicants. Allows emergency certificate holders and intern certificate holders to participate in Classroom-Based Preparation Programs until the 2020-2021 school year. After the 2020-2021 school year, the legislation allows any teaching candidate that holds a bachelor's degree and a valid fingerprint clearance card to participate.

***Miscellaneous*** – Makes various changes to teacher certification reciprocity and clarifies charter school teachers are not required to meet additional requirements than those currently outlined in statute and as prescribed by federal law. Requires SBE to submit draft rules concerning alternative preparation programs and certification to the chairpersons of the Senate and House Education Committees and the Governor by November 15, 2017.

experienced teachers; certification renewal (S.B. 1057) – Chapter 20

Allows a teaching certificate to be renewed at least 2 years but not more than 10 years after that certificate expires without any other requirements adopted by the State Board of Education or the Arizona Department of Education. In order to qualify for this certificate, a person must: 1) be in good standing; 2) have at least 10 years of full-time experience in this state in the area the person is seeking renewal; and 3) possess a valid fingerprint clearance card.

schools; statewide assessment (S.B. 1098) – Chapter 137 E

An emergency measure, effective April 4, 2017, that delays implementation of the Menu of Assessments (Menu) as follows: 1) for high schools, from the 2017-2018 school year to the 2018-2019 school year; and 2) for grades three through eight, from the 2018-2019 school year to the 2019-2020 school year. Additionally, the legislation automatically adds certain assessments to the Menu if they are in use by local education agencies (LEAs) and are not on the Menu by March 1, 2018. Requires the State Board of Education (SBE) to notify LEAs of the approved Menu options by May 1 of each year. Prohibits SBE from adopting rules other than those required by statute and removes the limitation on *D* and *F* schools prohibiting them from selecting an assessment from the Menu. If LEAs select an assessment from the Menu, the legislation requires the LEAs to provide the necessary accommodations for English language learners and as required by a student's Individualized Education Plan. Finally, the legislation requires assessment providers to demonstrate scores can be scaled, rather than equated, for state accountability purposes.

school safety program (S.B. 1099) – Chapter 158 E

An emergency measure, effective April 17, 2017, that repeals the School Safety Program Oversight Committee and shifts its responsibilities to the State Board of Education (SBE) and the Arizona Department of Education (ADE). Additionally, the legislation requires school districts and charter schools to indicate if the school district or charter school has already participated in the School Safety Program (Program) and to include certain information on its most recent grant. Directs ADE to evaluate the effectiveness of the Program and annually report on the participants and activities of the Program to the Legislature and the Governor. Requires the Office of the Auditor General to include the Program in its sunset review process and terminates the Program on July 1, 2025.

schools; K-3 reading program (S.B. 1131) – Chapter 67

Allows the State Board of Education (SBE) to set a cut score for pupils who do not demonstrate sufficient reading skills on the statewide assessment. Adds to the list of retention exemptions pupils who have demonstrated or subsequently demonstrate proficiency of sufficient progress towards proficiency in reading through a collection of assessments approved by SBE. Requires schools to offer more than one, rather than at least one, of the intervention and remedial strategies and modifies two of the intervention strategies. The legislation requires schools to provide specific written notification to parents of pupils that are reading below grade level in grades K-3 and requires schools to submit reading plans by July 1, rather than October 1.

Directs the Arizona Department of Education (ADE) to develop implementation guidance for schools to assist in administering K-3 reading program plans and to prioritize supports and interventions for schools that have the highest percentage of pupils who do not demonstrate sufficient reading skills. Requires ADE to submit an annual report that includes data on the K-3 Reading Program and also requires ADE to deposit any monies received for offering reading trainings or professional development into the Department of Education Professional Development Revolving Fund.

Concerning the statewide assessment, the legislation requires the testing vendor to deliver test scores and assessment data by May 15 for the reading portions of the statewide assessment and by May 25 for all other portions of the statewide assessment. Similarly, the legislation requires ADE and SBE to set testing windows to ensure the scores are received by the dates described above.

high school students; course time (NOW: average daily membership; high schools) (S.B. 1156) – Chapter 333

Includes the total number of hours a high school student is scheduled to attend a high school during the *regular school day* when calculating a high school student's average daily membership. Defines *regular school day* and contains an applicability clause that states the legislation applies to new or not yet completed audits and shall not be used for budget corrections.

high school textbooks; review period (S.B. 1204) – Chapter 204

Prior to the final approval of high school textbooks, requires school district governing boards to do the following: 1) provide information on the district's website on the proposed textbooks for each course; 2) provide an opportunity for public comment for at least 60 days; and 3) make proposed textbooks available for review at the district office for at least 60 days.

teachers; short-term certificates; dismissals (S.B. 1206) – Chapter 69

Allows school districts to dismiss teachers holding a teaching intern certificate, an emergency teaching certificate or another type of nonstandard teaching certificate that is valid for up to one year without following statutory dismissal procedures. Requires school districts to include its authority to dismiss teachers pursuant to this legislation in each teacher's contract.

schools; admissions; desegregation (S.B. 1254) – Chapter 146

Removes procedures prohibiting a school district or charter school from including transfer students in its student count if the receiving school district or charter school received notice from the sending school that the student's transfer would violate a court order of desegregation or an Office for Civil Rights agreement.

private vocational program license; exemption (S.B. 1293) – Chapter 206

SEE THE COMMERCE & PUBLIC SAFETY COMMITTEE.

schools; student data privacy (S.B. 1314) – Chapter 180

Establishes prohibitions and requirements for third parties concerning the use, protection and disclosure of student data. Operators are prohibited from the following: 1) engaging in targeted advertising if it is based on information acquired through the operators' service with schools; 2) using information gathered through the operators' service with schools to amass a profile except in the furtherance of school purposes; 3) selling or renting a student's information with exceptions; and 4) knowingly disclosing or using covered information, which includes personally identifiable information, unless the disclosure is for specified purposes.

Requires operators to: 1) have reasonable security procedures; 2) delete information when requested; and 3) provide prominent notice before making changes to their privacy policies. Directs local education agencies to adopt policies regarding the use of technology and the use of internet at school.

Outlines exceptions to the requirements and prohibitions of the legislation. Deems violations of these prohibitions and requirements as an unlawful practice under consumer fraud statutes and allows the Attorney General to investigate and take appropriate action.

schools; specially designed instruction (S.B. 1317) – Chapter 337

Allows specially designed instruction to be delivered in a variety of educational settings by certified general education teachers if the instruction is in accordance with the student's individualized education program and if certified special education personnel are involved in the planning, progress monitoring and, when appropriate, the delivery of specially designed instruction. Directs the State Board of Education (SBE) to immediately begin the process of drafting new rules in accordance with the outlined requirements and to adopt the new rules by November 15, 2017. Prior to the final adoption of the rules, requires SBE to submit proposed draft rules to the Governor and chairpersons of the Senate and House Education Committees.

schools; elections; ballot arguments; exclusion (S.B. 1405) – Chapter 246

Requires the ballot arguments for proposed budget overrides and bond elections provided by a governing board to be signed as the board without listing any member's individual name.

empowerment scholarships; expansion; phase-in (S.B. 1431/H.B. 2394) – Chapter 139

***Expansion and Enrollment Cap*** – Phases-in expansion of the Empowerment Scholarship Account (ESA) Program from a limited group of students to all students in the following grades: 1) in the 2017-2018 school year, students in kindergarten and grades 1, 6 and 9; 2) in the 2018-2019 school year, students in kindergarten and in grades 2, 7 and 10; 3) in the 2019-2020 school year, students in kindergarten and grades 3, 8 and 11; and 4) in the 2020-2021 school year, students in kindergarten and grades 4, 5 and 12. Extends the temporary 0.5 percent enrollment cap through 2022 and beginning in FY 2023, caps enrollment at the 2021-2022 school year level.

***Testing and Public Data*** – Requires ESA students in grades 3 through 12 who attend a private school to take a qualifying examination and requires the private school to report the test results to the parent. Private schools that enroll at least 50 ESA students and that administer any of the qualifying exams are required annually to make available aggregate test scores of all students to the public on request or on the school's website. Exempts students with a disability from the examination requirement. Requires the Arizona Department of Education (ADE) to post, and update monthly, information and data on its website that includes ESA expenditures, the number of enrolled students and any other information pertinent to promoting transparency and accountability.

***Low-Income Students*** – Funds students determined to be *low-income* at 100 percent of the base support level and additional assistance based on whether the student previously attended a school district or charter school. Defines *low-income* as a child who is or was a ward of the juvenile court or a child who is a dependent of a family whose federal adjusted gross income does not exceed 250 percent of the federal poverty guidelines. Transfers one percent of the five percent of ESA funding retained by ADE to the Department of Revenue (DOR) for administration. Establishes processes, procedures and requirements for ADE and DOR concerning low-income ESA students.

***Miscellaneous*** – Bases the additional assistance portion of ESA funding on whether the student previously attended a charter school or school district. Modifies the additional eligibility criteria to require students to attend a public school for 100 days in the prior fiscal year, rather than

the *first* 100 days in the prior fiscal year. Deems a child as eligible to enroll in a kindergarten program if the child is at least four but under seven years of age. Modifies the application process and establishes additional requirements for ADE concerning applications and the distribution of ESA monies. Replaces procedures implemented by Laws 2016, Chapter 112 that permit students with a disability to remain on the ESA Program until 22 years of age under certain circumstances with procedures that permit all ESA students to remain on the ESA Program until the students graduate, obtain a general equivalency diploma or reach 22 years of age under certain circumstances. Establishes an ESA Review Council. Requires ADE to develop and publish a policy handbook by July 1 of each year. Removes the Coverdell Education Savings Accounts as a qualifying ESA expense.

higher education; budget reconciliation; 2017-2018 (S.B. 1528/H.B. 2543) – Chapter 310

SEE THE APPROPRIATIONS COMMITTEE.

schools; concurrent enrollment (H.B. 2078) – Chapter 155

Retroactive to July 1, 2010, modifies requirements concerning the calculation of Average Daily Membership (ADM) for concurrent coursework. Specifically, the legislation removes the requirement for the course to meet for at least 40 hours a semester and instead requires a student to earn at least three hours of credit per semester. In order to be considered concurrent coursework, requires schools to pay the community college or university for the tuition cost of the concurrent coursework or reimburse the student for the tuition cost. The legislation also specifies that the instructional hours provided by the community college or university is included in the student's ADM and that the concurrent courses are not required to meet 123 hours a year in order to be considered a subject.

garnishment; continuing lien; school employee (H.B. 2106) – Chapter 90

SEE THE JUDICIARY COMMITTEE.

schools; nonresident pupils; military duty (H.B. 2107) – Chapter 56

Requires local education agencies to accept electronic enrollment and course registration for students whose parents are transferring or pending transfer to a military installation. Requires these parents to provide the school proof of residency within 10 days after arrival if the student enrolled electronically.

education; conforming changes (H.B. 2108) – Chapter 210

Retroactive to July 1, 2013, requires the Arizona Department of Education to reimburse Casa Grande Union High School District (CGUHSD) for students subsequently determined to be eligible for state aid and directs CGUHSD to remit the state aid reimbursement to individuals who paid tuition for a student who was subsequently determined to be eligible for state aid.

Makes technical and conforming changes as a result of Laws 2016, Chapter 331.

schools; children's camps; sunscreen use (H.B. 2134) – Chapter 193

Allows children who attend a public school, child care facility, child care group home or children's camp to use sunscreen without a note or prescription from a physician.

schools; certification; discipline; reciprocity (H.B. 2163) – Chapter 57

Establishes reciprocal discipline for persons holding or seeking an educator certificate in this state. Specifically, the legislation honors final adjudications or judgements in other jurisdictions that determine a certified person engaged in immoral or unprofessional conduct and requires an applicant who has been disciplined in another jurisdiction for immoral or unprofessional conduct to successfully complete the disciplinary process in that jurisdiction before applying for certification in this state. Allows the State Board of Education to prohibit a person from applying for certification for up to five years if he or she was denied certification on the grounds of immoral or unprofessional conduct, rather than automatically barring these persons from applying for certification for five years.

schools; dyslexia; handbook; definition (H.B. 2202) – Chapter 194

Allows the Arizona Department of Education, subject to review and approval by the State Board of Education, to develop and maintain a handbook that provides guidance for students, parents and teachers regarding dyslexia. Redefines the statutory definition of *dyslexia*.

~~inhalers; administration; schools; authorized entities~~ (NOW: inhaler administration; schools) (H.B. 2208) – Chapter 58

SEE THE HEALTH & HUMAN SERVICES COMMITTEE.

school capital finance revisions (H.B. 2219) – Chapter 320

Allows a school district to use any legally available monies to pay for the land or new construction for school districts that are approved for funding from the New School Facilities Fund. The legislation then allows a school district to reimburse themselves with legislative appropriations when they are made available. Requires the School Facilities Board (SFB) to approve or deny an adjacent ways project that costs greater than \$50,000 within 60 days of receiving the project proposal.

Concerning legal disputes, the legislation allows school districts to use the proceeds from a legal dispute to reimburse SFB under certain circumstances. Removes specific school district reports to SFB and utilizes average daily membership through the first 100 days in session rather than the most recent 100th day when determining minimum square footage requirements.

JTEDs; courses and programs; approval (H.B. 2229) – Chapter 279

Modifies Joint Technical Education District (JTED) course and program requirements established in Laws 2016, Chapter 4. Allows JTED credits to be awarded for any career and



technical education (CTE) course. Exempts community college courses from the requirement for a majority of instructional time to be conducted in a laboratory, field-based or work-based learning environment. Requires specialized materials, in addition to specialized equipment, to satisfy the requirement for instruction that exceeds the cost of a standard educational course. Allows JTED programs to lead to entry-level employment and career readiness where relevant certification or licensure does not exist in the appropriate industry.

Specifies the CTE Division of the Arizona Department of Education (ADE) determines whether a satellite JTED course or program meets statutory requirements. States school districts are not prohibited from offering any CTE courses that do not qualify for funding as a JTED course or program. Includes postsecondary enrollment rates and military service rates in JTEDs' performance indicators. Requires an applicable school district to submit a report concerning its maintenance of effort and halts funding for JTED courses and programs in the current year, rather than in the preceding year, if the courses and programs do not meet statutory requirements as determined by ADE during its five year reviews beginning in 2020.

school bus drivers; fingerprint cards (H.B. 2247) – Chapter 196

SEE THE JUDICIARY COMMITTEE.

JTEDs; adults (H.B. 2248) – Chapter 37

Allows Joint Technical Education Districts (JTEDs) to offer vocational education programs to adult students in order to participate in federal student financial aid programs. Allows any person to file a complaint with the State Board of Vocational Education regarding an alleged violation by a JTED of federal or state law.

postsecondary education; veterans; transfer credits (H.B. 2270) – Chapter 293

Requires community colleges and the Arizona Board of Regents to develop policies to award current or former U.S. military members vocational credit and to notify military members of the opportunity to utilize their military education and training for academic and vocational credits.

ASU; consolidation of budget units (H.B. 2311) – Chapter 199

Eliminates separate line item budget units for Arizona State University's (ASU) West and East campuses in the General Appropriations Act. Requires ASU to annually report specified information for each of its campuses.

school district leases; duration (H.B. 2353) – Chapter 176

Increases, from less than 10 years to less than 15 years, the maximum number of years a school district may enter into leases or lease-purchase agreements without voter approval.

withholding of wages; school employees (NOW: school employees; payment of wages) (H.B. 2370) – Chapter 200

SEE THE COMMERCE & PUBLIC SAFETY COMMITTEE.

schools; accounting budgeting; reporting (H.B. 2385) – Chapter 211

Beginning in FY 2021, requires school report cards and annual financial reports to include school level budget information and specifies the contents of the budget information. Directs the Office of the Auditor General to facilitate a process with schools to identify the most efficient and transparent methods and formats for reporting this information by FY 2021.

private postsecondary education grants (H.B. 2388) – Chapter 243

Establishes the Private Postsecondary Education Grant (PPEG) Program and PPEG Fund to provide grants to students at private postsecondary institutions and outlines eligibility requirements. The PPEG Program and Fund are administered by the Commission for Postsecondary Education and the PPEG Program is terminated on July 1, 2027.

governmental entities; diplomas; transcripts; recognition. (H.B. 2389) – Chapter 169

Requires governmental entities to treat diplomas and transcripts obtained at a school district, charter school, private school or homeschool equally while allowing school districts to evaluate transcripts of transfer students pursuant to existing statute in order to assign credit.

schools; illegal substances; notification (H.B. 2395) – Chapter 324

Requires school districts and charter schools to report to the Arizona Department of Education (ADE) the number of suspensions and expulsions that involve the possession, use and sale of an illegal substance. Directs ADE to compile and post this material annually on its website and to ensure that it does not include personally identifiable information.

Allows school districts and charter schools that provide high school instruction to establish a college and career readiness program (Program) for at-risk students. Requires participating schools to provide at least nine months of academic support and instruction on workplace skills, leadership and civic duty. Students in the Program are required to perform volunteer activities or community service and must continue to participate in the Program 12 months after graduating high school. Allows ADE to select a private entity to administer the Program and includes reporting requirements. Terminates the Program on July 1, 2027.

ASDB revisions (H.B. 2396) – Chapter 63

Removes certain statutory qualifications for the Arizona Schools for the Deaf and Blind (ASDB) Superintendent and instead allows the ASDB Board (Board) to determine the

qualifications for Superintendent while considering if the candidate has experience in the education or administration of students who are deaf or blind and if the candidate has a clear understanding of, and expertise in, education issues facing deaf and blind students and related issues.

Removes the requirement for the Superintendent to file a written report to the Board concerning the actions and reasons for discharging a probationary teacher. Decreases, from three years to one year, the preferred right of reappointment for permanent employees dismissed for reasons of economy or to improve the efficiency of the school. Removes the second set of background check fingerprints required for certified personnel employed by the school.

in-state tuition; veterans (H.B. 2415) – Chapter 157 E

An emergency measure, effective April 17, 2017, that modifies eligibility requirements for veterans to receive in-state tuition at community colleges and universities in order to comply with federal law. Specifically, the legislation adds new categories of eligibility for in-state tuition including individuals using transferred Post-9/11 G.I. Bill benefits while on active duty and individuals using the Marine Gunnery Sergeant John David Fry scholarship. States that additional persons may become eligible for in-state tuition if federal law expands eligibility requirements.

school district governing boards; qualifications (H.B. 2416) – Chapter 202

Establishes additional prohibitions for relatives eligible to serve on school district governing boards (boards). Prohibits any third-party contractor and their spouse from serving or running for a seat on a board for the school district they provide classified or certified services to. For five-member boards located in Pima or Maricopa County with a student count of at least 250 students, the legislation prohibits three or more individuals related to the third degree from simultaneously running or serving on the board. Directs all board candidates to disclose on the county school superintendent's website any relationships that exist between the candidates and current board members or other candidates for the board.

university infrastructure capital financing; appropriations. (H.B. 2547/S.B. 1532) – Chapter 328

SEE THE APPROPRIATIONS COMMITTEE.

K-12 education; budget reconciliation; 2017-2018. (H.B. 2545/S.B. 1530) – Chapter 304

SEE THE APPROPRIATIONS COMMITTEE.

rural STEM program; tax credits (H.B. 2457) – Chapter 302

Establishes the Rural STEM Program Fund (Program) to support science, technology, engineering and math programs in rural public schools. Directs the Arizona Department of Education (ADE) to administer the Program and to establish a process, subject to review and

approval by the State Board of Education, for rural schools to apply for grants. Requires participating schools to annually report to ADE by June 30 on student outcomes and how Program monies were spent. Requires ADE to aggregate and annually report this information to the Legislature and the Governor by November 15.

private postsecondary institutions; peace officers (H.B. 2472) – Chapter 203

Allows private postsecondary institution peace officers to use county courts and jails. Additionally, allows private postsecondary institution peace officers to exercise law enforcement powers beyond the property of the private postsecondary institution if working in the furtherance of a bona fide criminal investigation and in conjunction and concurrent with any and all law enforcement-related processes, action or activities, including transporting and booking arrested persons.

### **LEGISLATION VETOED**

charter schools; rulemaking exemption (S.B. 1036) – VETOED

Provides a rulemaking exemption for the State Board for Charter Schools (Board) that exempts the Board from rulemaking requirements relating to the publication of agency rules, rulemaking procedures, Attorney General review and review by the Governor's Regulatory Review Council (GRRC). Requires the Board to adopt policies or rules that include notice requirements and at least two opportunities for public comment on proposed rules.

Establishes a process allowing an individual to petition the State Board of Education or the Board to object to a rule or policy adopted within the last year that is not in compliance with state law, outside the intent of state law or has unintended consequences. Allows GRRC to invalidate or make recommendations to rules or policies after following the outlined process.

The Governor indicates in his veto message that while he supports providing the Board exemption from rulemaking, the additional requirements of the bill are onerous.

technical correction; health services; fees (NOW: teacher; principal; evaluation instrument) (S.B. 1209) – VETOED

Reduces, from between 33 percent and 50 percent to between 20 percent and 40 percent, the degree to which quantitative data on student academic progress accounts for the outcomes of teacher and principal evaluations. Requires the quantitative data to be valid and reliable and directly attributable to the teacher being evaluated. The legislation requires teacher observations to account for the remaining 60 to 80 percent of teacher evaluations. Students who are not enrolled for a full academic year may be excluded from the academic progress data.

The legislation prohibits quantitative data from the statewide assessment from being included in the evaluation for teachers who do not instruct in content areas tested by the statewide assessment. For teachers who do instruct in areas tested by the statewide assessment, the legislation states quantitative data is not required to be included. School districts and charter schools are

permitted to determine the portion of quantitative data that is associated with the statewide assessment and requires it to include multiple measures of student academic progress.

Concerning the Classroom Site Fund, the legislation defines *employment-related expenses* and requires these expenses to be directly attributable to increased compensation based on performance. Finally, the legislation allows school districts to choose at least 4 of 10 additional statutory elements to include in performance based compensation systems, rather than requiring all 10.

The Governor indicates in his veto message that the bill diminishes the impact and focus of improving student academic outcomes as a measurement of quality teaching and learning.

school-sponsored media; student journalists (S.B. 1384) – VETOED

Allows a student journalist at a high school, community college or university to exercise freedom of speech and freedom of the press in school-sponsored media with exceptions. Exempts public schools, community colleges and universities from liability for any expression made or published by a student in school-sponsored media.

Concerning public schools, the legislation allows a public school to restrain the distribution of content in school-sponsored media for any of the outlined reasons but places the burden of proof on the public school. Additionally, requires public schools to adopt a written policy that includes written content standards and a student journalist code of ethics and prohibits lewd and obscene content.

The Governor indicates in his veto message that the bill could create unintended consequences, especially on high school campuses where adult supervision and mentoring is most important.