

REFERENCE TITLE: schools; ADE; reduction; reform

State of Arizona  
House of Representatives  
Forty-ninth Legislature  
Second Regular Session  
2010

# HB 2556

Introduced by  
Representative Mason

AN ACT

AMENDING SECTIONS 15-301 AND 15-341, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 3, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-341.02; AMENDING SECTIONS 15-353, 15-502 AND 15-521, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 9, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-901.05; RELATING TO EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-301, Arizona Revised Statutes, is amended to  
3 read:

4 15-301. Office of county school superintendent; qualifications;  
5 travel expenses

6 A. A COUNTY WITH A POPULATION OF MORE THAN \_\_\_\_\_ PERSONS MAY  
7 NOT ELECT A COUNTY SCHOOL SUPERINTENDENT OR MAINTAIN AN OFFICE OF THE COUNTY  
8 SCHOOL SUPERINTENDENT.

9 ~~A.~~ B. A person is eligible for election as county school  
10 superintendent if the person RESIDES IN A COUNTY WITH A POPULATION OF  
11 \_\_\_\_\_ PERSONS OR LESS AND holds a basic or standard certificate to teach  
12 in the schools of this state.

13 ~~B.~~ C. In addition to the salary allowed by law, the county school  
14 superintendent is eligible for reimbursement of travel expenses.

15 ~~C.~~ D. The office of county school superintendent is designated as a  
16 local education service agency for the purpose of serving as an education  
17 service agency that is eligible to receive and spend local, state and federal  
18 monies to provide programs and services to school districts and charter  
19 schools ~~within~~ IN that county.

20 ~~D.~~ E. The office of county school superintendent shall be under the  
21 jurisdiction of the elected county school superintendent.

22 F. IF THE BOUNDARIES OF A UNIFIED SCHOOL DISTRICT INCLUDE MORE THAN  
23 ONE COUNTY WITH A POPULATION OF \_\_\_\_\_ PERSONS OR LESS, THE COUNTY SCHOOL  
24 SUPERINTENDENT OF THE COUNTY WHERE THE MAJORITY OF THE SCHOOL DISTRICT IS  
25 LOCATED SHALL SERVE AS THE COUNTY SCHOOL SUPERINTENDENT FOR THAT SCHOOL  
26 DISTRICT.

27 Sec. 2. Section 15-341, Arizona Revised Statutes, is amended to read:

28 15-341. General powers and duties; immunity; delegation

29 A. The governing board shall:

30 1. Prescribe and enforce policies and procedures for the governance of  
31 the schools, not inconsistent with law or rules prescribed by the state board  
32 of education.

33 2. Exclude from schools all books, publications, papers or audiovisual  
34 materials of a sectarian, partisan or denominational character.

35 3. Manage and control the school property within its district.

36 4. Acquire school furniture, apparatus, equipment, library books and  
37 supplies for the use of the schools.

38 5. Prescribe the curricula and criteria for the promotion and  
39 graduation of pupils as provided in sections 15-701 and 15-701.01.

40 6. Furnish, repair and insure, at full insurable value, the school  
41 property of the district.

42 7. Construct school buildings on approval by a vote of the district  
43 electors.

44 8. Make in the name of the district conveyances of property belonging  
45 to the district and sold by the board.

1           9. Purchase school sites when authorized by a vote of the district at  
2 an election conducted as nearly as practicable in the same manner as the  
3 election provided in section 15-481 and held on a date prescribed in section  
4 15-491, subsection E, but such authorization shall not necessarily specify  
5 the site to be purchased and such authorization shall not be necessary to  
6 exchange unimproved property as provided in section 15-342, paragraph 23.

7           10. Construct, improve and furnish buildings used for school purposes  
8 when such buildings or premises are leased from the national park service.

9           11. Purchase school sites or construct, improve and furnish school  
10 buildings from the proceeds of the sale of school property only on approval  
11 by a vote of the district electors.

12           12. Hold pupils to strict account for disorderly conduct on school  
13 property.

14           13. Discipline students for disorderly conduct on the way to and from  
15 school.

16           14. Except as provided in section 15-1224, deposit all monies received  
17 by the district as gifts, grants and devises with the county treasurer who  
18 shall credit the deposits as designated in the uniform system of financial  
19 records. If not inconsistent with the terms of the gifts, grants and devises  
20 given, any balance remaining after expenditures for the intended purpose of  
21 the monies have been made shall be used for reduction of school district  
22 taxes for the budget year, except that in the case of accommodation schools  
23 the county treasurer shall carry the balance forward for use by the county  
24 school superintendent **IN A COUNTY WITH A POPULATION OF \_\_\_\_\_ PERSONS OR**  
25 **LESS** for accommodation schools for the budget year.

26           15. Provide that, if a parent or legal guardian chooses not to accept a  
27 decision of the teacher as provided in section 15-521, paragraph 2, the  
28 parent or legal guardian may request in writing that the governing board  
29 review the teacher's decision. Nothing in this paragraph shall be construed  
30 to release school districts from any liability relating to a child's  
31 promotion or retention.

32           16. Provide for adequate supervision over pupils in instructional and  
33 noninstructional activities by certificated or noncertificated personnel.

34           17. Use school monies received from the state and county school  
35 apportionment exclusively for payment of salaries of teachers and other  
36 employees and contingent expenses of the district.

37           18. Make an annual report to the county school superintendent **IF THE**  
38 **SCHOOL DISTRICT IS LOCATED IN A COUNTY WITH A POPULATION OF \_\_\_\_\_ PERSONS**  
39 **OR LESS** on or before October 1 in the manner and form and on the blanks  
40 prescribed by the superintendent of public instruction or county school  
41 superintendent. The board shall also make reports directly to the county  
42 school superintendent or the superintendent of public instruction whenever  
43 required.

44           19. Deposit all monies received by school districts other than student  
45 activities monies or monies from auxiliary operations as provided in sections

1 15-1125 and 15-1126 with the county treasurer to the credit of the school  
2 district except as provided in paragraph 20 of this subsection and sections  
3 15-1223 and 15-1224, and the board shall expend the monies as provided by law  
4 for other school funds.

5 20. Establish a bank account in which the board during a month may  
6 deposit miscellaneous monies received directly by the district. The board  
7 shall remit monies deposited in the bank account at least monthly to the  
8 county treasurer for deposit as provided in paragraph 19 of this subsection  
9 and in accordance with the uniform system of financial records.

10 21. Prescribe and enforce policies and procedures for disciplinary  
11 action against a teacher who engages in conduct that is a violation of the  
12 policies of the governing board but that is not cause for dismissal of the  
13 teacher or for revocation of the certificate of the teacher. Disciplinary  
14 action may include suspension without pay for a period of time not to exceed  
15 ten school days. Disciplinary action shall not include suspension with pay  
16 or suspension without pay for a period of time longer than ten school days.  
17 The procedures shall include notice, hearing and appeal provisions for  
18 violations that are cause for disciplinary action. The governing board may  
19 designate a person or persons to act on behalf of the board on these matters.

20 22. Prescribe and enforce policies and procedures for disciplinary  
21 action against an administrator who engages in conduct that is a violation of  
22 the policies of the governing board regarding duties of administrators but  
23 that is not cause for dismissal of the administrator or for revocation of the  
24 certificate of the administrator. Disciplinary action may include suspension  
25 without pay for a period of time not to exceed ten school days. Disciplinary  
26 action shall not include suspension with pay or suspension without pay for a  
27 period of time longer than ten school days. The procedures shall include  
28 notice, hearing and appeal provisions for violations that are cause for  
29 disciplinary action. The governing board may designate a person or persons  
30 to act on behalf of the board on these matters. For violations that are  
31 cause for dismissal, the provisions of notice, hearing and appeal in chapter  
32 5, article 3 of this title shall apply. The filing of a timely request for a  
33 hearing suspends the imposition of a suspension without pay or a dismissal  
34 pending completion of the hearing.

35 23. Notwithstanding section 13-3108, prescribe and enforce policies and  
36 procedures that prohibit a person from carrying or possessing a weapon on  
37 school grounds unless the person is a peace officer or has obtained specific  
38 authorization from the school administrator.

39 24. Prescribe and enforce policies and procedures relating to the  
40 health and safety of all pupils participating in district sponsored practice  
41 sessions, games or other interscholastic athletic activities, including the  
42 provision of water.

43 25. Prescribe and enforce policies and procedures regarding the smoking  
44 of tobacco within school buildings. The policies and procedures shall be  
45 adopted in consultation with school district personnel and members of the

1 community and shall state whether smoking is prohibited in school buildings.  
2 If smoking in school buildings is not prohibited, the policies and procedures  
3 shall clearly state the conditions and circumstances under which smoking is  
4 permitted, those areas in a school building that may be designated as smoking  
5 areas and those areas in a school building that may not be designated as  
6 smoking areas.

7 26. Establish an assessment, data gathering and reporting system as  
8 prescribed in chapter 7, article 3 of this title.

9 27. Provide special education programs and related services pursuant to  
10 section 15-764, subsection A to all children with disabilities as defined in  
11 section 15-761.

12 28. Administer competency tests prescribed by the state board of  
13 education for the graduation of pupils from high school.

14 29. Ensure that insurance coverage is secured for all construction  
15 projects for purposes of general liability, property damage and workers'  
16 compensation and secure performance and payment bonds for all construction  
17 projects.

18 30. Keep on file the resumes of all current and former employees who  
19 provide instruction to pupils at a school. Resumes shall include an  
20 individual's educational and teaching background and experience in a  
21 particular academic content subject area. A school district shall inform  
22 parents and guardians of the availability of the resume information and shall  
23 make the resume information available for inspection on request of parents  
24 and guardians of pupils enrolled at a school. Nothing in this paragraph  
25 shall be construed to require any school to release personally identifiable  
26 information in relation to any teacher or employee, including the teacher's  
27 or employee's address, salary, social security number or telephone number.

28 31. Report to local law enforcement agencies any suspected crime  
29 against a person or property that is a serious offense as defined in section  
30 13-706 or that involves a deadly weapon or dangerous instrument or serious  
31 physical injury and any conduct that poses a threat of death or serious  
32 physical injury to employees, students or anyone on the property of the  
33 school. This paragraph does not limit or preclude the reporting by a school  
34 district or an employee of a school district of suspected crimes other than  
35 those required to be reported by this paragraph. For the purposes of this  
36 paragraph, "dangerous instrument", "deadly weapon" and "serious physical  
37 injury" have the same meanings prescribed in section 13-105.

38 32. In conjunction with local law enforcement agencies and local  
39 medical facilities, develop an emergency response plan for each school in the  
40 school district in accordance with minimum standards developed jointly by the  
41 ~~department of education and~~ the division of emergency management within the  
42 department of emergency and military affairs.

43 33. Provide written notice to the parents or guardians of all students  
44 affected in the school district at least thirty days prior to a public  
45 meeting to discuss closing a school within the school district. The notice

1 shall include the reasons for the proposed closure and the time and place of  
2 the meeting. The governing board shall fix a time for a public meeting on  
3 the proposed closure no less than thirty days before voting in a public  
4 meeting to close the school. The school district governing board shall give  
5 notice of the time and place of the meeting. At the time and place  
6 designated in the notice, the school district governing board shall hear  
7 reasons for or against closing the school. The school district governing  
8 board is exempt from this paragraph if it is determined by the governing  
9 board that the school shall be closed because it poses a danger to the health  
10 or safety of the pupils or employees of the school.

11 34. Incorporate instruction on Native American history into appropriate  
12 existing curricula.

13 35. Prescribe and enforce policies and procedures allowing pupils who  
14 have been diagnosed with anaphylaxis by a health care provider licensed  
15 pursuant to title 32, chapter 13, 14, 17 or 25 or by a registered nurse  
16 practitioner licensed and certified pursuant to title 32, chapter 15 to carry  
17 and self-administer emergency medications, including auto-injectable  
18 epinephrine, while at school and at school sponsored activities. The pupil's  
19 name on the prescription label on the medication container or on the  
20 medication device and annual written documentation from the pupil's parent or  
21 guardian to the school that authorizes possession and self-administration is  
22 sufficient proof that the pupil is entitled to the possession and  
23 self-administration of the medication. The policies shall require a pupil  
24 who uses auto-injectable epinephrine while at school and at school sponsored  
25 activities to notify the nurse or the designated school staff person of the  
26 use of the medication as soon as practicable. A school district and its  
27 employees are immune from civil liability with respect to all decisions made  
28 and actions taken that are based on good faith implementation of the  
29 requirements of this paragraph, except in cases of wanton or wilful neglect.

30 36. Allow the possession and self-administration of prescription  
31 medication for breathing disorders in handheld inhaler devices by pupils who  
32 have been prescribed that medication by a health care professional licensed  
33 pursuant to title 32. The pupil's name on the prescription label on the  
34 medication container or on the handheld inhaler device and annual written  
35 documentation from the pupil's parent or guardian to the school that  
36 authorizes possession and self-administration shall be sufficient proof that  
37 the pupil is entitled to the possession and self-administration of the  
38 medication. A school district and its employees are immune from civil  
39 liability with respect to all decisions made and actions taken that are based  
40 on a good faith implementation of the requirements of this paragraph.

41 37. Prescribe and enforce policies and procedures to prohibit pupils  
42 from harassing, intimidating and bullying other pupils on school grounds, on  
43 school property, on school buses, at school bus stops and at school sponsored  
44 events and activities that include the following components:

- 1 (a) A procedure for pupils to confidentially report to school  
2 officials incidents of harassment, intimidation or bullying.
- 3 (b) A procedure for parents and guardians of pupils to submit written  
4 reports to school officials of suspected incidents of harassment,  
5 intimidation or bullying.
- 6 (c) A requirement that school district employees report suspected  
7 incidents of harassment, intimidation or bullying to the appropriate school  
8 official.
- 9 (d) A formal process for the documentation of reported incidents of  
10 harassment, intimidation or bullying and for the confidentiality, maintenance  
11 and disposition of this documentation. If a school maintains documentation  
12 of reported incidents of harassment, intimidation or bullying, the school  
13 shall not use that documentation to impose disciplinary action unless the  
14 appropriate school official has investigated and determined that the reported  
15 incidents of harassment, intimidation or bullying occurred.
- 16 (e) A formal process for the investigation by the appropriate school  
17 officials of suspected incidents of harassment, intimidation or bullying.
- 18 (f) Disciplinary procedures for pupils who have admitted or been found  
19 to have committed incidents of harassment, intimidation or bullying.
- 20 (g) A procedure that sets forth consequences for submitting false  
21 reports of incidents of harassment, intimidation or bullying.
- 22 38. Prescribe and enforce policies and procedures regarding changing or  
23 adopting attendance boundaries that include the following components:
- 24 (a) A procedure for holding public meetings to discuss attendance  
25 boundary changes or adoptions that allows public comments.
- 26 (b) A procedure to notify the parents or guardians of the students  
27 affected.
- 28 (c) A procedure to notify the residents of the households affected by  
29 the attendance boundary changes.
- 30 (d) A process for placing public meeting notices and proposed maps on  
31 the school district's website for public review, if the school district  
32 maintains a website.
- 33 (e) A formal process for presenting the attendance boundaries of the  
34 affected area in public meetings that allows public comments.
- 35 (f) A formal process for notifying the residents and parents or  
36 guardians of the affected area as to the decision of the governing board on  
37 the school district's website, if the school district maintains a website.
- 38 (g) A formal process for updating attendance boundaries on the school  
39 district's website within ninety days of an adopted boundary change. The  
40 school district shall send a direct link to the school district's attendance  
41 boundaries website to the department of real estate.
- 42 (h) If the land that a school was built on was donated within the past  
43 five years, a formal process to notify the entity that donated the land  
44 affected by the decision of the governing board.

1           39. If the state board of education determines that the school district  
2 has committed an overexpenditure as defined in section 15-107, provide a copy  
3 of the fiscal management report submitted pursuant to section 15-107,  
4 subsection H on its website and make copies available to the public on  
5 request. The school district shall comply with a request within five  
6 business days after receipt.

7           40. DEVELOP A WRITTEN AGREEMENT FORM NOT TO EXCEED ONE PAGE IN LENGTH  
8 THAT CLEARLY SETS FORTH THE DUTIES OF THE PRINCIPAL, THE CHILD'S PARENT OR  
9 GUARDIAN AND THE CHILD'S TEACHER AS PRESCRIBED IN SECTION 15-353.

10           B. Notwithstanding subsection A, paragraphs 7, 9 and 11 of this  
11 section, the county school superintendent IN A COUNTY WITH A POPULATION OF  
12 \_\_\_\_\_ PERSONS OR LESS may construct, improve and furnish school buildings  
13 or purchase or sell school sites in the conduct of an accommodation school.

14           C. If any school district acquires real or personal property, whether  
15 by purchase, exchange, condemnation, gift or otherwise, the governing board  
16 shall pay to the county treasurer any taxes on the property that were unpaid  
17 as of the date of acquisition, including penalties and interest. The lien  
18 for unpaid delinquent taxes, penalties and interest on property acquired by a  
19 school district:

20           1. Is not abated, extinguished, discharged or merged in the title to  
21 the property.

22           2. Is enforceable in the same manner as other delinquent tax liens.

23           D. The governing board may not locate a school on property that is  
24 less than one-fourth mile from agricultural land regulated pursuant to  
25 section 3-365, except that the owner of the agricultural land may agree to  
26 comply with the buffer zone requirements of section 3-365. If the owner  
27 agrees in writing to comply with the buffer zone requirements and records the  
28 agreement in the office of the county recorder as a restrictive covenant  
29 running with the title to the land, the school district may locate a school  
30 within the affected buffer zone. The agreement may include any stipulations  
31 regarding the school, including conditions for future expansion of the school  
32 and changes in the operational status of the school that will result in a  
33 breach of the agreement.

34           E. A school district, its governing board members, its school council  
35 members and its employees are immune from civil liability for the  
36 consequences of adoption and implementation of policies and procedures  
37 pursuant to subsection A of this section and section 15-342. This waiver  
38 does not apply if the school district, its governing board members, its  
39 school council members or its employees are guilty of gross negligence or  
40 intentional misconduct.

41           F. A governing board may delegate in writing to a superintendent,  
42 principal or head teacher the authority to prescribe procedures that are  
43 consistent with the governing board's policies.

44           G. Notwithstanding any other provision of this title, a school  
45 district governing board shall not take any action that would result in a

1 reduction of pupil square footage unless the governing board notifies the  
2 school facilities board established by section 15-2001 of the proposed action  
3 and receives written approval from the school facilities board to take the  
4 action. A reduction includes an increase in administrative space that  
5 results in a reduction of pupil square footage or sale of school sites or  
6 buildings, or both. A reduction includes a reconfiguration of grades that  
7 results in a reduction of pupil square footage of any grade level. This  
8 subsection does not apply to temporary reconfiguration of grades to  
9 accommodate new school construction if the temporary reconfiguration does not  
10 exceed one year. The sale of equipment that results in a reduction that  
11 falls below the equipment requirements prescribed in section 15-2011,  
12 subsection B is subject to commensurate withholding of school district  
13 capital outlay revenue limit monies pursuant to the direction of the school  
14 facilities board. Except as provided in section 15-342, paragraph 10,  
15 proceeds from the sale of school sites, buildings or other equipment shall be  
16 deposited in the school plant fund as provided in section 15-1102.

17 H. Subsections C through G of this section apply to a county board of  
18 supervisors and a county school superintendent **IN A COUNTY WITH A POPULATION**  
19 **OF \_\_\_\_\_ PERSONS OR LESS** when operating and administering an  
20 accommodation school.

21 Sec. 3. Title 15, chapter 3, article 3, Arizona Revised Statutes, is  
22 amended by adding section 15-341.02, to read:

23 **15-341.02. Busing between school districts; prohibition**  
24 **NOTWITHSTANDING ANY OTHER LAW, A SCHOOL DISTRICT GOVERNING BOARD SHALL**  
25 **NOT ALLOW PUPIL TRANSPORTATION VEHICLES THAT ARE OWNED OR OPERATED BY THE**  
26 **SCHOOL DISTRICT TO TRANSPORT PUPILS FROM ONE SCHOOL DISTRICT TO ANOTHER**  
27 **SCHOOL DISTRICT UNLESS THE TRANSPORTATION IS FOR THE PURPOSES OF AN**  
28 **AUTHORIZED FIELD TRIP, AN AUTHORIZED ATHLETIC EVENT OR ANOTHER TYPE OF**  
29 **AUTHORIZED EXTRACURRICULAR ACTIVITY.**

30 Sec. 4. Section 15-353, Arizona Revised Statutes, is amended to read:  
31 **15-353. Responsibilities of principals**

32 The principal of every school offering instruction in preschool  
33 programs, kindergarten programs or any combination of grades one through  
34 twelve is responsible for:

- 35 1. Providing leadership for the school.
- 36 2. Implementing the goals and the strategic plan of the school.
- 37 3. Serving as the administrator of the school.
- 38 4. Distributing a parental satisfaction survey to the parent of every  
39 child enrolled at the school. The parental satisfaction survey shall be  
40 distributed at least once each year and shall be distributed as part of the  
41 regular parent communication correspondence.

42 **5. DECISIONS REGARDING PERSONNEL WHO WORK AT THE SCHOOL, INCLUDING**  
43 **HIRING, DETERMINATION OF COMPENSATION AND BENEFITS, DISCIPLINARY MATTERS AND**  
44 **TERMINATION. PERSONS WHO ARE HIRED BY SCHOOL PRINCIPALS ARE EMPLOYEES OF THE**  
45 **SCHOOL DISTRICT.**



1 means employed for at least forty per cent of the school day required of  
2 full-time teachers of the same grade level or for at least forty per cent of  
3 the class load assigned to full-time teachers of the same grade level, as  
4 determined by the governing board.

5 E. The governing board may employ a business manager who has expertise  
6 in finance. For the purposes of this subsection, "expertise in finance"  
7 means one or more of the following:

8 1. A baccalaureate degree in accounting, finance, school finance or  
9 public finance.

10 2. A graduate degree in accounting, finance, school finance or public  
11 finance.

12 3. Other finance training or finance experience that the governing  
13 board determines is sufficient to qualify the person to administer the  
14 business operations of the school district.

15 F. Notwithstanding sections 23-351 and 23-353, if an employee is  
16 discharged from the service of a school district, the school district shall  
17 pay the wages due to the employee within ten calendar days from the date of  
18 discharge.

19 G. Each school district shall establish policies and procedures to  
20 provide teachers with personal liability insurance.

21 H. Notwithstanding any other law, a school district shall not adopt  
22 policies that provide employment retention priority for teachers based on  
23 tenure or seniority.

24 Sec. 6. Section 15-521, Arizona Revised Statutes, is amended to read:

25 15-521. Duties of teachers

26 Every teacher shall:

27 1. Hold pupils to strict account for disorderly conduct.

28 2. Take and maintain daily classroom attendance.

29 3. Make the decision to promote or retain a pupil in grade in a common  
30 school or to pass or fail a pupil in a course in high school. Such decisions  
31 may be overturned only as provided in section 15-342, paragraph 11.

32 4. Comply with all rules and policies of the governing board that  
33 relate to the duties prescribed in this section.

34 5. SIGN A WRITTEN AGREEMENT BETWEEN THE TEACHER, THE PRINCIPAL AND THE  
35 PARENT OR GUARDIAN OF EVERY CHILD THE TEACHER INSTRUCTS THAT CLEARLY SETS  
36 FORTH THE DUTIES OF THE PRINCIPAL, THE TEACHER AND THE PARENT OR GUARDIAN  
37 WITH RESPECT TO THE EDUCATION OF THAT CHILD.

38 Sec. 7. Title 15, chapter 9, article 1, Arizona Revised Statutes, is  
39 amended by adding section 15-901.05, to read:

40 15-901.05. School attendance; funding

41 A. NOTWITHSTANDING ANY OTHER LAW, AFTER \_\_\_\_\_, A SCHOOL DISTRICT  
42 MAY DECLINE TO ENROLL PUPILS WHO WERE ENROLLED IN A DIFFERENT SCHOOL DISTRICT  
43 DURING THE SAME SCHOOL YEAR. A SCHOOL DISTRICT THAT DECLINES TO ENROLL A  
44 PUPIL PURSUANT TO THIS SUBSECTION MAY ENROLL THAT PUPIL IN AN ALTERNATIVE

1 EDUCATION PROGRAM OR MAY RECOMMEND THAT THE PARENT OR GUARDIAN OF THE PUPIL  
2 ENROLL THE PUPIL IN A CHARTER SCHOOL.

3 B. EACH SCHOOL DISTRICT SHALL REPORT TO THE DEPARTMENT OF EDUCATION  
4 THE NUMBER OF PUPILS ENROLLED IN THAT SCHOOL DISTRICT ON THE DATE SPECIFIED  
5 IN SUBSECTION A, AND THE DEPARTMENT SHALL DETERMINE THE TOTAL STATEWIDE  
6 NUMBER OF PUPILS ENROLLED IN SCHOOL DISTRICTS AS OF THAT DATE.

7 C. NOTWITHSTANDING ANY OTHER LAW, THE DEPARTMENT OF EDUCATION SHALL  
8 DISTRIBUTE MONIES APPROPRIATED FOR PER PUPIL FUNDING TO THE SCHOOL DISTRICTS  
9 IN THIS STATE, WHICH SHALL DISTRIBUTE THE MONIES TO THE SCHOOLS IN THOSE  
10 SCHOOL DISTRICTS. IF A PUPIL ENROLLS IN A DIFFERENT SCHOOL IN THE SCHOOL  
11 DISTRICT OR IN A DIFFERENT SCHOOL DISTRICT AFTER \_\_\_\_\_, THESE MONIES  
12 SHALL REMAIN WITH THE SCHOOL WHERE THE PUPIL WAS ENROLLED ON \_\_\_\_\_.

13 Sec. 8. County school superintendents; abolishment; retention  
14 of existing county school superintendents

15 A. Except as provided in section 15-301, Arizona Revised Statutes, as  
16 amended by this act, and subsection B of this section, the office of county  
17 school superintendent is abolished.

18 B. Notwithstanding section 15-301, Arizona Revised Statutes, as  
19 amended by this act, all persons in counties with populations of more than  
20 \_\_\_\_\_ persons who are serving as county school superintendents on the  
21 effective date of this act may continue to serve until the expiration of  
22 their normal terms.

23 Sec. 9. Department of education; FTE reductions; location of  
24 employees

25 A. Except as provided in subsection B, in addition to any other  
26 reductions made to the department of education's fiscal year 2010-2011  
27 appropriation, the number of full-time equivalent employees of the department  
28 of education shall be reduced to a total of no more than seventy full-time  
29 employees.

30 B. In addition to the seventy full-time equivalent employees  
31 authorized pursuant to subsection A, the department of education may employ  
32 up to an additional one hundred fifty full-time employees whose primary  
33 function is to receive, manage and distribute federal monies. The offices of  
34 these employees shall be located in buildings owned or operated by this  
35 state.

36 Sec. 10. Conforming legislation

37 The legislative council staff shall prepare proposed legislation  
38 conforming the Arizona Revised Statutes to the provisions of this act for  
39 consideration in the fiftieth legislature, first regular session.

40 Sec. 11. Effective date

41 Section 15-301, Arizona Revised Statutes, as amended by this act,  
42 section 15-341.02, Arizona Revised Statutes, as added by this act, and  
43 section 15-901.05, as added by this act, are effective from and after  
44 June 30, 2011.