

ARIZONA HOUSE OF REPRESENTATIVES  
Fiftieth Legislature – First Regular Session

**COMMITTEE ON EDUCATION**

Minutes of Meeting  
Monday, February 7, 2011  
House Hearing Room 3 -- 2:00 p.m. or upon adj. or recess of Floor

Chairman Goodale called the meeting to order at 2:04 p.m. and attendance was noted by the secretary.

**Members Present**

Mrs. Carter  
Mr. Court  
Mr. Crandell  
Mr. Fillmore

Mr. Meyer  
Mrs. Pancrazi  
Ms. Proud

Mrs. Tovar  
Mrs. Yee, Vice-Chairman  
Mrs. Goodale, Chairman

**Members Absent**

None

**Committee Action**

HB2237 - DPA (10-0-0-0)  
HB2419 - HELD

HB2420 - HELD  
HB2587 - DP (10-0-0-0)

**CONSIDERATION OF BILLS**

**HB2419 - schools; reading coaches - HELD**

**HB2420 - teachers; literacy instruction endorsement - HELD**

Chairman Goodale announced that HB2419 and HB2420 will be held.

**PRESENTATION**

**State of Education Address**

John Huppenthal, Superintendent of Public Instruction, Arizona Department of Education (ADE), related that there are three areas in which the Constitution gives the Superintendent the power to participate in leading the education system:

- Membership on many boards, such as the Board of Regents, State Board of Education, State Board for Charter Schools, First Things First and many other entities such as the

Career and Technical Education Task Force, which possibly can be brought together in a coherent fashion to improve outcomes in education.

- Chief Executive Officer for ADE, an agency of 582 employees all of whom have the ability to help improve educational outcomes; only about 40 are General Fund employees and the remainder are federal employees.
  - Federal programs are being reviewed to determine the impact on school districts and how to reduce administrative burdens.
  - ADE has adopted a motto to provide “knock your socks off” service, and to that end, staff functions are being reviewed to determine how each correlates to that overall mission and set up accountability in a positive way to obtain excellence from staff that students deserve.
  - A plan is being developed to improve the Student Accountability Information System (SAIS) by seeking partnerships with county superintendents, community colleges and universities.
- One of the primary leaders for the entire education system in the state. The mission is to create an environment in which an excellent education is available to every child.
  - According to the National Assessment of Educational Progress, over 40 percent of Arizona students lack basic reading skills at the end of fourth grade.
    - ADE is studying successful programs in Florida and research relating to student engagement.
    - One of the indicators that will be used as a strategy for improvement is to move accountability from the school level to the school district level.
  - Arizona is also ranked 41<sup>st</sup> in reading achievement.
    - A key item is to select a school with very low reading rates in one of the highest crime zip codes and, using Florida technology, show or not show that positive results can be produced.
    - Arizona has more school choice than any state in the nation and ADE plans to use that as a strategy. Incentive funds are available for school choice, which will be used to target zip codes with astronomical rates of criminal conduct.
    - Another item that ADE will be looking at is technological breakthrough. An organization called the Institute for Education Sciences conducted examinations of what creates breakthroughs in education. ADE intends to move those initiatives at light speed.

Superintendent Huppenthal responded to questions concerning federal employees, funding to implement Florida’s educational program in Arizona, reading coaches, Florida’s educational system versus Arizona’s educational system, career and technical education, SAIS, consideration of specific populations in creating models, parental involvement and student engagement.

Vice-Chairman Yee introduced Superintendent Jennifer Johnson and Michael Fowler from Glendale Union High School District, who were in the audience.

## CONSIDERATION OF BILLS (CONTINUED)

### HB2587 - high schools; military recruiting; form - DO PASS

**Vice-Chairman Yee moved that HB2587 do pass.**

Stephanie Jaffa, Majority Research Staff Intern, explained that HB2587 modifies state regulations granting access to school district property and student directory information by military and other educational or occupational recruiters and applies these regulations to charter schools (Attachment 1). In response to questions, she indicated that schools will be required to distribute a form each year with an opt-out box that parents can check. The bill includes charter schools and requires the forms to be released by October 31 each year; there is no defined date in current statute.

Mrs. Proud, sponsor, stated that October 31 was chosen because some schools were sending the information to recruiters just before summertime after many seniors had already left school, which created a tremendous burden on recruiters to try to find the individuals.

Mr. Meyer noted that the Scottsdale Unified School District (SUSD) enrolls students and provides the opt-out option electronically. Ms. Jaffa responded that the bill does not specify a paper form; therefore, it is possible that the form could be made available separately online.

Zach Tretton, Assistant Director, Policy Development and Government Relations, Arizona Department of Education (ADE), spoke in favor of HB2587. He stated that there are already model forms that ADE reviewed from federal law and other states with similar policies, so creation of the form will not be a burden for ADE. School districts should be able to offer the form online or by distribution, according to individual school district policy.

Mr. Meyer stated that SUSD includes a list in online registration for parents to check and questioned if a separate form will be needed. Mrs. Proud responded that she is willing to draft an amendment stating that a school district currently using an electronic form can continue to do so.

Jennifer Anderson, Majority Research Analyst, related that Arizona statute does not include a definition for *educational recruiters* and *occupational recruiters*, but federal law describes them as persons who are offering post-secondary opportunities. It is optional for a school district to release information to post-secondary recruiters, but according to federal law, if a school does not release information to college recruiters, for example, the school district has to release certain information to military recruiters, who must go to the school and request the information. Regarding a separate form, she indicated that this bill was introduced by Senator Jonathan Paton last year. Discussion in the Senate Education Committee revolved around the fact that because parents receive so many forms, and this is actually a release of student information, it should be separate so it will be noticeable and parents can opt out for the student if they want.

Mrs. Proud stated that minor changes in the bill include adding charter schools and the date when the information is sent because the current practice created a burden. October 31 as the deadline allows recruiters to be able to contact the individuals.

Beth Sauer, Government Relations Analyst, Arizona School Boards Association (ASBA), spoke in favor of HB2587. She stated that this legislation was worked on with Senator Paton. She thanked Mrs. Proud for sponsoring the bill this session to make sure there is consistency in how these issues are dealt with across school districts and now in charter schools.

Vice-Chairman Yee announced the names of those who signed up in support of HB2587 but did not speak:

Jay Kaprosy, Senior Government Relations Advisor, Arizona Charter Schools Association  
Stacey Morley, Director, Policy Development & Government Relations, ADE  
Tim Carter, Yavapai County School Superintendent

Vice-Chairman Yee announced the names of those who signed up in opposition to HB2587 but did not speak:

Bryan Ginter, representing self

**Question was called on the motion that HB2587 do pass. The motion carried by a roll call vote of 10-0-0-0 (Attachment 2).**

### **HB2237 - JTEDs; ADM; student count - DO PASS AMENDED**

**Vice-Chairman Yee moved that HB2237 do pass.**

Jennifer Anderson, Majority Research Analyst, explained that HB2237 requires Joint Technological Education Districts (JTEDs) to operate under open enrollment policies, specifies JTEDs receive state funding based on average daily membership (ADM), removes all references to average daily attendance (ADA) and stipulates full-time equivalency (FTE) for JTED pupils for ADM purposes (Attachment 3).

**Vice-Chairman Yee moved that the Goodale 19-line amendment to HB2237 dated 2/4/11 (Attachment 4) be adopted.**

Ms. Anderson explained that the 19-line amendment contains the following provisions (Attachment 4):

- Removes the provision relating to open enrollment for JTEDs.
- Clarifies language allowing a student who attends a member school district of a JTED to also take JTED courses.
- Removes language delineating the instructional hour requirements for FTE and replaces it with language specifying that a pupil enrolled in an approved JTED course will generate a 0.25 ADM for each course; however, that is limited to the other caps specified by statute, so 1.25 for satellite courses and 1.75 for a centralized campus.
- Fills in the blanks in the conditional enactment clause with the updated bill number for the reviser's technical corrections bill.

In response to a question, Ms. Anderson stated that because of the changes made to ADA/ADM last year, the ADE changed policies on how ADM for students is calculated. Currently, some JTEDs offer courses in a block schedule, which means one course is offered per semester that typically meets 90 minutes a day for 90 days. That does not add up to the required 180

instructional hours based on the new policy at ADE, so it is not counted as ADM; therefore, ADE granted a waiver to JTEDs this year to work on this bill in order to go back to counting ADM.

Marv Lamer, Superintendent, Valley Academy for Career and Technical Education, spoke in favor of HB2237. He stated that he worked with ADE under the previous and current administrations to conform the statute to current practice. In response to questions, he indicated that he is not aware of any school districts with satellite courses in arrangements with JTEDs that will realize a decrease in reimbursement based on this change. The calculation of the ADM will not be changed; what has changed is that the concept of FTE is being moved in a direction to eventually measure outcome as opposed to seat time.

Vice-Chairman Yee announced the names of those who signed up in support of HB2237 but did not speak:

Gretchen Jacobs, Attorney, Consortium of Arizona JTEDs  
Jen Sweeney, Government Affairs Director, Arizona Association of Counties  
Beth Sauer, Government Relations Analyst, Arizona School Boards Association  
Ron Lee, representing self; Northeast Arizona Technological Institute of Vocational Education  
Sam Polito, JTED Consortium

Vice-Chairman Yee announced the names of those who signed up in opposition to HB2237 but did not speak:

Bryan Ginter, representing self

Vice-Chairman Yee announced the names of those who signed up as neutral on HB2237 but did not speak:

Stacey Morley, Director, Policy Development & Government Relations, Arizona Department of Education (ADE)  
Zach Tretton, Assistant Director of Policy Development & Government Relations, ADE

**Question was called on the motion that the Goodale 19-line amendment to HB2237 dated 2/4/11 (Attachment 4) be adopted. The motion carried.**

**Vice-Chairman Yee moved that HB2237 as amended do pass. The motion carried by a roll call vote of 10-0-0-0 (Attachment 5).**

Without objection, the meeting adjourned at 3:19 p.m.

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Linda Taylor, Committee Secretary  
February 14, 2011

(Original minutes, attachments and audio on file in the Chief Clerk's Office; video archives available at <http://www.azleg.gov>)