

2-4-16

COMMITTEE ON EDUCATION

Report of Regular Meeting
Wednesday, February 3, 2016
House Hearing Room 4 -- 2:00 p.m.

Convened 2:36 p.m.

Recessed

Reconvened

Adjourned 4:47 p.m.

Members Present

Mr. Coleman
Mrs. Norgaard
Ms. Otondo
Mr. Thorpe
Mr. Lawrence, Vice-Chairman
Mr. Boyer, Chairman

Members Absent

Mr. Bolding
*Mr. Montenegro

*removed from committee
prior to meeting date

Agenda

Original Agenda – Attachment 1

Request to Speak

Report – Attachment 2

Presentations

Name

Christine Marsh

Organization

AEF Teach of the Year 2016

Attachments (Handouts)

Committee Action

Bill

Action

Vote

**Attachments (Summaries,
Amendments, Roll Call,
Attendance)**

HB2356 DPA

6-0-0-1

3, 4, 5, 6

HB2544 DPA

5-1-0-1

7, 8, 9, 10, 11

HB2190 DPA

6-0-0-1

12, 13, 14, 15, 16

Attendance


Jackie O'Donnell, Chairman Assistant
Monday, February 9, 2016

(Original attachments on file in the Office of the Chief Clerk; video archives available at <http://www.azleg.gov>)

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

CONVENED: 2:30pm
adjourned: 4:47pm

REGULAR MEETING AGENDA
COMMITTEE ON EDUCATION

DATE Wednesday, February 3, 2016

ROOM HHR 4

TIME 2:00 P.M.

Members:

Mr. Bolding
Mr. Coleman
Mr. Montenegro

Mrs. Norgaard
Ms. Otondo
Mr. Thorpe

Mr. Lawrence, Vice-Chairman
Mr. Boyer, Chairman

Teacher Introduction - Christine Marsh, AEF Teacher of the Year 2016

Bills	Short Title	Strike Everything Title
*HB2190	<u>DPA</u> education omnibus (Boyer, Allen S)	
	<u>600-01</u> ED held 0-0-0-0-0, RULES	
HB2356	<u>DPA</u> gifted pupils; group B weight (Carter)	
	<u>600-01</u> ED, APPROP, RULES	
HB2544	<u>DPA</u> schools; statewide achievement assessments; menu. (Boyer, Allen S)	
	<u>5-1-0-1</u> ED, RULES	

* On previous agenda

ORDER OF BILLS TO BE SET BY THE CHAIRMAN

JOD
1/28/16

People with disabilities may request reasonable accommodations such as interpreters, alternative formats, or assistance with physical accessibility. If you require accommodations, please contact the Chief Clerk's Office at (602) 926-3032, TDD (602) 926-3241.

Information Registered on the Request to Speak System

House Education (2/3/2016)

HB2190, education omnibus

Testified in support:

Tim Carter, Yavapai County School Superintendent, representing self; Aiden Fleming, Arizona Department Of Education; Kevin Hegarty, representing self; Jody Johnson, representing self

Testified as neutral:

Tory Anderson, SECULAR COALITION FOR ARIZONA

Testified as opposed:

Sandy Bahr, Sierra Club - Grand Canyon Chapter

Support:

Jeremy Plumb, representing self; Quinn Kellis, Ed.D., representing self; Charles Essigs, Director of Government Relations, Arizona Association Of School Business Officials; Barry Aarons, ARIZONA ASSOCIATION OF COUNTY SCHOOL SUPERINTENDENTS; Trey Williams, AZ ASSOCIATION OF COUNTIES; Janice Palmer, AZ School Boards Assn; Jeremy Calles, representing self; Robbie Koerperich, representing self; Mark Barnes, AZ SCHOOL ADMINISTRATORS ASSOC; Mark Joraanstad, representing self; Kathy Davis, representing self; Jeff Sprout, representing self

Neutral:

doreen zannis, representing self; Stacey Morley, AZ EDUCATION ASSN

Oppose:

Peter Bengtson, representing self; Julie Smith, representing self; Susan Hicks, representing self; Isaac Hung, representing self; Drake Mitchell, representing self

All Comments:

Peter Bengtson, Self: This bill repeals environmental education provisions and weakens pesticide application notification. This bill should not pass.; Julie Smith, Self: Omnibus bills are designed to ram through undesirable with the desirable. Do each section separately.; Susan Hicks, Self: Eliminates transparency.; Jeremy Plumb, Self: Mountain Institute JTED supports the removal of ARS 15.393 (M) in its current form and purpose. We support the collection of more meaningful and accurate data on a "as requested" basis. We are open to working with Legislators to define these needs.; Quinn Kellis, Ed.D., Self: Please show what it means to reduce government and pass this bill.; Tim Carter, Self: Thanks.; doreen zannis, Self: Neutral is out of respect for the education associations in favor of this omnibus but as a parent and member of #AZParentNetwork valuing education above politics, the two unfunded requirements included with all the repeals is all about politics.; Jeremy Calles, Self: We should look to eliminate unnecessary statutes. If a section gives heartburn then amend out that section but move the bill forward. Also if something is truly important then why isn't it required for ALL public schools instead of just Districts?; Drake Mitchell, Self: If you do these omnibus bills you can not cut out the waste. Do smaller bills that you can actually control in stead of passing garbage so you each get your pork. Get the money to the SCHOOLS

and cut your pork.; Sandy Bahr, Sierra Club - Grand Canyon Chapter: We are very concerned about the changes to the notification language for pesticide spraying. DOE has indicated it would work with us to address it.; Robbie Koerperich, Self: Fewer restrictions and mandates will be good for education.; Tory Anderson, SECULAR COALITION FOR ARIZONA: Concerned about aspects of the Boyer amendment but not in opposition or support at this time.; Jody Johnson, Self: I am a member of the Title 15 Working Group and support the group's recommendations as a good first step to reducing bureaucracy for our public schools. I can also answer questions about the process and our rationale for the proposed changes.

HB2356, gifted pupils; group B weight

Testified in support:

Julie Gunnigle, representing self; Laura Liuzzo, representing self; Dina Brulles, representing self; Donna Campbell, representing self; Thomas Nolasco, representing self

Support:

Charles Essigs, Director of Government Relations, Arizona Association Of School Business Officials; Becky Smith Gross, representing self; Janice Palmer, AZ School Boards Assn; Michelle Lewis, representing self; Stacey Morley, AZ EDUCATION ASSN; Stephanie Newitt, representing self; Aiden Fleming, Arizona Department Of Education; C Davis, representing self; Diann Christensen, representing self; Anndrea Kawamura, representing self; Mark Joraanstad, representing self; Kevin Hegarty, representing self; Kathy Davis, representing self; John Kelly, Principal, TUCSON UNIFIED SCHOOL DISTRICT; Jeff Sprout, representing self

Neutral:

Staci Burk, Gilbert Unified Governing Board Member, representing self; doreen zannis, representing self

All Comments:

Staci Burk, Self: I believe there should be group B funding for gifted but the multiplier is too high. You have OHI, SLI, SLD and ED kids "weighted" at one-tenth of this proposal. These kids require much higher cost support than gifted kids. Amend to be the same as ED; doreen zannis, Self: Neutral is out of respect for the sponsor, but as a parent & member of #AZParentNetwork, we need less individual bills trying to Band-Aid & more focus on establishing equitable, stable & sufficient funding for AZ's public education system as a whole; Stacey Morley, AZ EDUCATION ASSN: We support increased funding so schools and teacher can address these students needs; Stephanie Newitt, Self: As a member of Gilbert Supporters of the Gifted I am in favor of this bill to provide much needed funding for our gifted students. However, I am OPPOSED to any amendment that restricts funding based on percentile groupings as it limits local control; Aiden Fleming, Arizona Department Of Education: ADE requested additional funds in our agency budget request to restore gifted education. We support additional funding for students in this area.; Dina Brulles, Self: Representing the National Association for Gifted Children and AZ educators and parents seeking support for gifted students in Arizona.; Diann Christensen, Self: I am for the allotment of funds to gifted students, who have been neglected in recent state budgets, but I oppose the amendment that would, in effect, limit the recognition of gifted students with challenges (low SES, test anxiety, ELLs, LD).; Anndrea Kawamura, Self: Please vote "yes" on this important bill. It will have a positive impact on children in need of additional resources and curriculum.; Donna Campbell, Self: Arizona Association for Gifted & Talented

HB2544, schools; statewide achievement assessments; menu.

Testified in support:

Scott Smith, ACT, Inc.; Donna Matovinovic, representing self; Lisa Graham Keegan, representing self

Support:

Julie Smith, representing self; Susan Hicks, representing self; martha hayes, representing self; Joyce Hill, representing self; Jim Dutton, representing self; Terry Hill, representing self; Janelle Solomon, representing self; Robbie Koerperich, representing self; Karol Schmidt, AZ STATE BOARD OF EDUCATION; Tom Holding, representing self; Richard Hofelich, representing self; Eileen Sigmund, Arizona Charter Schools Association; Anita Christy, representing self; Lyle Tuttle, representing self; Kevin DeNomie, representing self; Jennifer Reynolds, representing self; Christine Maceri Genge, representing self; Dennis Genge, representing self; Jay Kaprosy, Arizona Charter Schools Association; Garrick Taylor, Arizona Chamber Of Commerce And Industry; Daniel Cassidy, representing self; J.R. Morris, representing self; Olga Tarro, representing self; Beth Hallgren, 40 Days For Life campaign administrator, representing self; Ana Henderson, representing self; Tracy Langston, Mrs., representing self; Paul Parisi, representing self; Jaime Molera, ATI Assessment Technology Inc.; April Pinger, representing self; Amanda Burke, representing self; Sybil Francis, representing self; Aiden Fleming, Arizona Department Of Education; John Kelly, Principal, TUCSON UNIFIED SCHOOL DISTRICT; Frank Olivieri, representing self; Jonathan Butcher, representing self; Martin Lynch, representing self; John Baunoch, representing self; Onita Davis, representing self

Neutral:

Janice Palmer, AZ School Boards Assn; Stacey Morley, AZ EDUCATION ASSN; Erin Hart, representing self; Mark Barnes, AZ SCHOOL ADMINISTRATORS ASSOC

Oppose:

doreen zannis, representing self

All Comments:

Julie Smith, Self: Allow decision making at the local level.; Robbie Koerperich, Self: Choice is good!; Anita Christy, Self: No one cares more about a student success than that student's local TEACHERS and districts. I trust them to be far more capable than a bureaucrat or "testing company" of selecting an appropriate test.; Jennifer Reynolds, Self: Let local school districts and charter schools decide which assessment best matches their curriculum. Let us get away from "one size fits all."; J.R. Morris, Self: Strongly encourage passage of this bill.; Beth Hallgren, Self: This bill will help provide quality, student assessment, flexibility to our schools, and financial accountability to our citizens.; Ana Henderson, Self: HB 2544 addresses the complaint "teaching to the test" and the financial priority over the effectiveness of testing by allowing parents and teachers to have more choice, control and flexibility. We must protect the goal of educating students.; doreen zannis, Self: As a public district school parent & member of #AzParentNetwork, valuing an equitable, stable & sustainable public education system and education above politics, these types of "choice" statutes are undermining our values.; Janice Palmer, AZ School Boards Assn: Continue to have implementation concerns, but interested in working through them.; Paul Parisi, Self: I urge your support for this bill and thank you for your continued desire to improve education; Stacey Morley, AZ EDUCATION ASSN: Still have some concerns; Erin Hart, Self: (Expect More Arizona) We have some concerns with the bill language and are willing to collaborate and provide feedback to address those with the bill sponsor.; Donna Matovinovic, Self: Representing ACT, Inc.; Martin Lynch, Self: I support this bill; Onita Davis, Self: Return control of testing to the local level.

PLEASE COMPLETE THIS FORM FOR THE PUBLIC RECORD



HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Education Bill Number 2544
Date 2/3/16 Support Oppose Neutral
Name Christine Marsh Need to Speak? Yes No
Representing _____ Are you a registered lobbyist? No
Complete Address 4117 E Charter Oak Phx 85032
E-mail Address Chrmarsh@AOL.COM Phone Number 602 622 9078
Comments: _____

FIVE-MINUTE SPEAKING LIMIT



HOUSE OF REPRESENTATIVES

HB 2356

gifted pupils; group B weight

Prime Sponsor: Representative Carter, LD 15

-
- X Committee on Education
Committee on Appropriations
Caucus and COW
House Engrossed
-

OVERVIEW

HB 2356 establishes a Group B weight for gifted students.

PROVISIONS

1. Removes gifted students from Group A weights and establishes a separate Group B weight for gifted students labelled *G*.
 - a. Sets the weight at 0.115.
2. Requires a withholding of the full Group B weight for gifted students, rather than 7% of the Group A weight, if a district fails to submit the scope and sequence for gifted students or if it is not fully approved.
3. Contains duplicative definitions sections and a conditional enactment relating to a ballot proposition.
4. Makes technical and conforming changes.

CURRENT LAW

A.R.S. Title 15, Chapter 9 outlines procedures for school district budgeting. School districts annually determine their budget through a statutory funding formula which multiplies the district's weighted student count by the Base Level, a dollar amount annually determined by the Legislature. Statute establishes different weights for preschool programs for children with disabilities, K-8 schools and 9-12 schools. These weights are labeled *Group A* weights and are for items such as educational programs for career exploration, specific learning or emotional disabilities, mild intellectual disabilities, developmental delays and gifted students. Statute additionally establishes *Group B* weights for moderate to severe disabilities and prescribes different weights for specified disabilities, English Language Learner Programs and K-3 Reading Programs. The district multiplies its Average Daily Membership by the applicable student count for each Group A and Group B weight to determine its weighted student count.

Each school district is required to develop a scope and sequence for the identification process and curriculum modification for gifted students to ensure the provision of education commensurate with their academic abilities (A.R.S. § 15-779.02). If a governing board fails to submit the scope and sequence to the Arizona Department of Education or it is not approved than the district is determined to be ineligible for 7% of the Group A weight.

ARIZONA HOUSE OF REPRESENTATIVES

Committee Report

February 3, 2016

MR. SPEAKER:

Your COMMITTEE ON EDUCATION has had under consideration

HOUSE BILL 2356 and respectfully recommends:

it be amended as follows:

(SEE ATTACHED)

and, as so amended it do pass

JOD



PAUL BOYER, Chairman
JAY LAWRENCE, Vice-Chairman

Attachment 4

Fifty-second Legislature
Second Regular Session

COMMITTEE ON EDUCATION
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2356
(Reference to printed bill)

1 Page 2, between lines 15 and 16, insert:

2 "E. NOTWITHSTANDING ANY OTHER LAW, A PUPIL WHO IS IDENTIFIED BY A
3 SCHOOL DISTRICT AS GIFTED IS NOT ELIGIBLE FOR THE GROUP B WEIGHT FOR GIFTED
4 PUPILS PRESCRIBED IN SECTION 15-943 UNLESS THE PUPIL SCORES AT OR ABOVE THE
5 NINETY-SEVENTH PERCENTILE, BASED ON NATIONAL NORMS, ON A TEST ADOPTED BY THE
6 STATE BOARD OF EDUCATION PURSUANT TO SECTION 15-203, SUBSECTION A,
7 PARAGRAPH 15."

8 Amend title to conform

and, as so amended, it do pass

PAUL BOYER
Chairman

2356EDUCATION
02/03/2016
03:43 PM
H: tdb/AW/rca

PROPOSED
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2356
(Reference to printed bill)

1 Page 2, between lines 15 and 16, insert:

2 "E. NOTWITHSTANDING ANY OTHER LAW, A PUPIL WHO IS IDENTIFIED BY A
3 SCHOOL DISTRICT AS GIFTED IS NOT ELIGIBLE FOR THE GROUP B WEIGHT FOR GIFTED
4 PUPILS PRESCRIBED IN SECTION 15-943 UNLESS THE PUPIL SCORES AT OR ABOVE THE
5 NINETY-SEVENTH PERCENTILE, BASED ON NATIONAL NORMS, ON A TEST ADOPTED BY THE
6 STATE BOARD OF EDUCATION PURSUANT TO SECTION 15-203, SUBSECTION A,
7 PARAGRAPH 15."

8 Amend title to conform

PAUL BOYER

2356BOYER
02/02/2016
12:03 PM
H: AW/rca

2356pb.doc*
02/01/2016
4:33 PM
C: tdb

Adopted <input checked="" type="checkbox"/>	# of Verbals _____
Failed _____	Withdrawn _____
Not Offered _____	Analysts Initials _____

Attachment 5

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON EDUCATION BILL NO. HB 2356

DATE February 3, 2016 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Bolding					✓
Mr. Coleman		✓			
Mrs. Norgaard		✓			
Ms. Otondo		✓			
Mr. Thorpe		✓			
Mr. Lawrence, Vice-Chairman		✓			
Mr. Boyer, Chairman		✓			
		6	0	0	1

Jackie O'Donnell
 COMMITTEE SECRETARY

APPROVED:
[Signature]
 PAUL BOYER, Chairman
 JAY LAWRENCE, Vice-Chairman

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2544

schools; statewide achievement assessments; menu.

Prime Sponsor: Representative Boyer, LD 20

X Committee on Education

Caucus and COW

House Engrossed

OVERVIEW

HB 2544 requires the Arizona State Board of Education (SBE) to adopt a menu of statewide achievement assessments from which Local Education Agencies (LEA) select an assessment to administer.

PROVISIONS

1. Directs SBE to adopt a menu of statewide achievement assessments.
2. Instructs LEAs to select an assessment to administer from the menu, beginning in School Year 2018.
3. Requires the Arizona Instrument to Measure Standards assessment adopted by SBE to be included on the menu.
4. Requires all other assessments on the menu to be high quality assessments.
5. Determines LEAs that select an assessment from the menu to be in compliance with statewide assessment requirements.
6. Directs SBE to adopt rules and procedures regarding the menu of assessments.
 - a. Prohibits adopted rules or procedures from requiring LEAs to receive additional SBE or Arizona Department of Education (ADE) approval to select an assessment from the menu of assessments.
7. Requires the provider of a proposed assessment on the menu to do the following prior to the assessment's adoption.
 - a. Provide evidence that the assessment is high quality.
 - b. Demonstrate that the assessment meets or exceeds SBE's adopted academic standards.
 - c. Demonstrate that the per-pupil administration cost is no more than the SBE's adopted assessment.
 - d. Submit an evaluation from a third party approved by SBE that shows that the assessment meets the previous requirements.
 - e. Agree to share testing items with ADE.

CURRENT LAW

A.R.S. § 15-741 directs SBE to adopt and implement an annual Arizona Instrument to Measure Standards assessment to assess student achievement of the state's academic standards in reading, writing and math and charges school district governing boards with administering the test. Any high school assessment adopted by SBE after November 24, 2009, is required to be designed to measure college and career readiness.

ADDITIONAL INFORMATION

In 2010, SBE adopted new statewide academic standards and in 2014, adopted a new statewide assessment (AzMERIT) which was administered for the first time in Spring 2015. Additional information regarding the assessment may be found at (<http://www.azed.gov/assessment/>).

ARIZONA HOUSE OF REPRESENTATIVES

Committee Report

February 3, 2016

MR. SPEAKER:

Your COMMITTEE ON EDUCATION has had under consideration

HOUSE BILL 2544 and respectfully recommends:

it be amended as follows:

(SEE ATTACHED)

and, as so amended it do pass

JOD



PAUL BOYER, Chairman
JAY LAWRENCE, Vice-Chairman

Attachment 8

COMMITTEE ON EDUCATION
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2544
(Reference to printed bill)

- 1 Page 1, line 9, strike "MAY" insert "THAT OFFERS INSTRUCTION IN GRADES NINE THROUGH
2 TWELVE SHALL"; after "MENU" insert a period and strike remainder of line
3 Strike line 10, insert "THE STATE BOARD OF EDUCATION SHALL ESTABLISH A PILOT
4 PROGRAM TO DEVELOP A MENU OF ASSESSMENTS FOR GRADES THREE THROUGH EIGHT BY
5 THE BEGINNING OF THE 2018-2019 SCHOOL YEAR."
6 Line 24, after "SECTION" insert "EXCEPT THAT A LOCAL EDUCATION AGENCY ASSIGNED A
7 LETTER GRADE OF D OR F PURSUANT TO SECTION 15-241 MAY NOT CHOOSE AN
8 ASSESSMENT OTHER THAN THE ASSESSMENT ADOPTED BY THE STATE BOARD OF EDUCATION
9 PURSUANT TO SECTION 15-741 UNLESS THE SCHOOL OR SCHOOL DISTRICT RECEIVES
10 APPROVAL FROM THE STATE BOARD OF EDUCATION OR THE CHARTER SCHOOL RECEIVES
11 APPROVAL FROM ITS CHARTER SPONSOR."
12 Between lines 33 and 34, insert:
13 "4. DEMONSTRATE THAT THE ASSESSMENT SCORES CAN BE EQUATED FOR THE
14 PURPOSES OF ESTABLISHING AN ACHIEVEMENT PROFILE AND LETTER GRADE PURSUANT TO
15 SECTION 15-241."
16 Renumber to conform
17 Line 36, after the period insert "THE COSTS FOR THE EVALUATION SHALL BE PAID BY
18 THE PROVIDER."
19 Amend title to conform
and, as so amended, it do pass

PAUL BOYER
Chairman

2544EDUCATION
02/03/2016
04:19 PM
H: aw/rca

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2544

(Reference to printed bill)

- 1 Page 1, line 9, strike "MAY" insert "THAT OFFERS INSTRUCTION IN GRADES NINE THROUGH
- 2 TWELVE SHALL"; after "MENU" insert a period and strike remainder of line
- 3 Strike line 10, insert "THE STATE BOARD OF EDUCATION SHALL ESTABLISH A PILOT
- 4 PROGRAM TO DEVELOP A MENU OF ASSESSMENTS FOR GRADES THREE THROUGH EIGHT BY
- 5 THE BEGINNING OF THE 2018-2019 SCHOOL YEAR."
- 6 Line 24, after "SECTION" insert "EXCEPT THAT A LOCAL EDUCATION AGENCY ASSIGNED A
- 7 LETTER GRADE OF D OR F PURSUANT TO SECTION 15-241 MAY NOT CHOOSE AN
- 8 ASSESSMENT OTHER THAN THE ASSESSMENT ADOPTED BY THE STATE BOARD OF EDUCATION
- 9 PURSUANT TO SECTION 15-741 UNLESS THE SCHOOL OR SCHOOL DISTRICT RECEIVES
- 10 APPROVAL FROM THE STATE BOARD OF EDUCATION OR THE CHARTER SCHOOL RECEIVES
- 11 APPROVAL FROM ITS CHARTER SPONSOR."
- 12 Between lines 33 and 34, insert:
- 13 "4. DEMONSTRATE THAT THE ASSESSMENT SCORES CAN BE EQUATED FOR THE
- 14 PURPOSES OF ESTABLISHING AN ACHIEVEMENT PROFILE AND LETTER GRADE PURSUANT TO
- 15 SECTION 15-241."
- 16 Renumber to conform
- 17 Line 36, after the period insert "THE COSTS FOR THE EVALUATION SHALL BE PAID BY
- 18 THE PROVIDER."
- 19 Amend title to conform

PAUL BOYER

2544BOYER
02/02/2016
08:45 AM
H: aw/ajh

Adopted _____ # of Verbals _____
Failed _____ Withdrawn _____
Not Offered Analysts Initials _____

Attachment 10

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON EDUCATION BILL NO. HB 2544

DATE February 3, 2016 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Bolding					✓
Mr. Coleman		✓			
Mrs. Norgaard		✓			
Ms. Otondo			✓		
Mr. Thorpe		✓			
Mr. Lawrence, Vice-Chairman		✓			
Mr. Boyer, Chairman		✓			
		5	1	0	1

Jackie Donnell
 COMMITTEE SECRETARY

APPROVED:
Paul Boyer
 PAUL BOYER, Chairman
 JAY LAWRENCE, Vice-Chairman

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2190

education omnibus

Prime Sponsor: Representative Boyer, LD 20

X Committee on Education

Caucus and COW

House Engrossed

OVERVIEW

HB 2190 repeals and modifies numerous education statutes.

PROVISIONS

Pest Management (A.R.S. § 15-152)

1. Removes the requirement for school district governing boards to consult with teachers, parents, administrators, the public, health professionals or certified applicators to develop a pest management policy.
2. Permits school districts to immediately apply pesticides to identified infestations if the application is necessary to stop further infestation and reasonable precautions are taken to avoid exposure.
3. Removes the content requirements for school district pest management policies.

Charter and District Employee Resumes (A.R.S. §§ 15-183, 15-341)

4. Replaces the requirement for charter schools and school districts to keep the resumes of all current and former employees who provide instruction with a requirement to keep current employee's education and teaching background information in the employee's personnel file.

Register of Warrants (A.R.S. § 15-306)

5. Repeals the requirement for county school superintendents to keep a register of warrants that includes specified information.

District Policies (A.R.S. § 15-341)

6. Removes the requirement for school districts to prescribe and enforce policies and procedures regarding the smoking of tobacco within school buildings.
7. Requires district emergency response plans to be developed in conjunction with emergency response agencies rather than local medical facilities.
8. Removes the requirement for school districts to notify an entity that donated the land on which a school was built of changes to attendance boundaries.
9. Requires school districts to prescribe and enforce policies and procedures that define the duties of principals and teachers.
 - a. Requires adopted policies to authorize teachers to take and maintain daily classroom attendance, make the decision to promote or retain a student, or pass or fail a high school course, subject to governing board review.

Options to Conventional Fuels (A.R.S. § 15-349)

10. Repeals the requirement for large school districts to develop and implement a vehicle fleet plan for large vehicles for the purpose of encouraging alternatives to conventional fuels.

Responsibilities of Principals (A.R.S. § 15-353)

11. Repeals the statute outlining the responsibilities of principals.
12. Requires school district governing board parental involvement plans to include the administration of a parent-teacher satisfaction survey.

Joint Technical Education District (JTED) Report (A.R.S. § 15-393)

13. Removes the requirements for JTEDs to submit a detailed report to the Arizona Department of Education that includes information regarding attendance, programs offered, graduation rates and completion rates.

Pulmonary Disease Examinations (A.R.S. § 15-505)

14. Repeals statute regarding reporting on tuberculosis examinations for employees displaying symptoms of pulmonary disease.

Budget Formats (A.R.S. § 15-903)

15. Replaces the requirement for districts to include programs for each disability classification in the district's budget with a requirement to include the subtotal of all disability classifications.

Excess Utilities (A.R.S. § 15-910)

16. Repeals language regarding excess utilities.
17. Contains a Prop 105 clause.

Insurance and Litigation Proceeds (A.R.S. §§ 15-1103, 15-1107)

18. Removes the requirement for school districts to post notice and hold a hearing prior to applying the proceeds of insurance recoveries on school property.
19. Removes the requirement for a school district to post notice and hold a hearing prior to applying the proceeds from the settlement of litigation to construct, acquire, improve, repair or furnish school buildings.

Miscellaneous

20. Directs Legislative Council staff to prepare proposed conforming legislation for consideration in the Fifty-Third Legislature, First Regular Session.
21. Makes technical and conforming changes.

ARIZONA HOUSE OF REPRESENTATIVES

Committee Report

February 3, 2016

MR. SPEAKER:

Your COMMITTEE ON EDUCATION has had under consideration

HOUSE BILL 2190 and respectfully recommends:

it be amended as follows:

(SEE ATTACHED)

and, as so amended it do pass

JOD



PAUL BOYER, Chairman
JAY LAWRENCE, Vice-Chairman

Attachment 13

PROPOSED
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2190
(Reference to printed bill)

- 1 Page 26, line 35, after "Sections" insert "15-348,"
2 Strike lines 36 through 45
3 Strike pages 27 through 34
4 Page 35, strike lines 1 through 15
5 Renumber to conform
6 Line 17, strike "Section" insert "Sections"; after "15-505" insert ", 15-706,
7 15-707, 15-708, 15-709, 15-711.01, 15-712.01 and 15-718"; strike "is" insert
8 "are"
9 Between lines 19 and 20, insert:
10 "Sec. 8. Section 15-824, Arizona Revised Statutes, is amended to read:
11 15-824. Admission of pupils of other school districts; homeless
12 children; tuition charges; definitions
13 A. The governing board of a school district shall admit pupils from
14 another school district or area as follows:
15 1. ~~Upon~~ ON the presentation of a certificate of educational
16 convenience issued by the county school superintendent pursuant to section
17 15-825.
18 2. For three hundred fifty or fewer pupils, to a high school without
19 the presentation of such certificate, if the pupil is a resident of a common
20 school district within this state that is not within a high school district
21 and that does not offer instruction in the pupil's grade. The three hundred
22 fifty or fewer pupil limitation prescribed in this paragraph does not apply
23 to a small isolated school district as defined in section 15-901. Tuition
24 shall be charged as prescribed in subsection E of this section for each pupil
25 admitted pursuant to this paragraph, each pupil from a school district that
26 provides only financing for pupils who are instructed by another school
27 district and each pupil from a unified district

Attachment H

Adopted # of Verbals _____
Failed _____ Withdrawn _____
Not Offered _____ Analysts Initials _____

1 instruction in the pupil's grade. The school membership of such pupils is
2 deemed, for the purpose of determining student count and for apportionment of
3 state aid, to be enrollment in the school district of the pupil's residence.

4 B. The residence of the person having legal custody of the pupil is
5 considered the residence of the pupil, except as provided in subsection C of
6 this section and in section 15-825, subsection B.

7 C. The current residence of a homeless pupil who does not reside with
8 the person having legal custody of the pupil is considered to be the
9 residence of the homeless pupil if the person having legal custody of the
10 pupil is a resident of the United States. For the purposes of this
11 subsection, "homeless pupil" means a pupil who has a primary residence that
12 is:

13 1. A supervised publicly or privately operated shelter designed to
14 provide temporary living accommodations.

15 2. An institution that provides a temporary residence for individuals
16 intended to be institutionalized.

17 3. A public or private place not designed for, or ordinarily used as,
18 a regular sleeping accommodation for human beings.

19 D. The school enrollment of a pupil who is a resident of this state or
20 who is admitted to a school district under section 15-823, subsection B, C,
21 ~~or E or G~~ is deemed, for the purpose of determining student count and for
22 apportionment of state aid, to be enrollment in the school district of actual
23 attendance, except as provided in section 15-825, subsection A, paragraph 1
24 and subsection A, paragraph 2 of this section and except for pupils for whom
25 the superintendent of public instruction is charged tuition pursuant to
26 section 15-825, subsections B and D and section 15-976 or for whom another
27 school district is charged tuition as provided in subsections E and G of this
28 section.

29 E. If tuition is required to be charged for pupils attending school in
30 a school district other than that of their residence, the tuition shall be
31 determined and paid in the following manner:

1 1. The number of high school pupils for which tuition may be charged
2 to a common school district that is not within a high school district is
3 equal to the average daily membership in the district of attendance from the
4 common school district for the prior fiscal year, except that for the first
5 year in which a common school district not within a high school district
6 stops teaching high school subjects, the district of attendance may charge
7 tuition for the number of pupils which THAT is equal to the average daily
8 membership for high school pupils in the common school district for the prior
9 fiscal year. This number may be adjusted if the common school district
10 increases its revenue control limit and district support level or recomputes
11 its revenue control limit as provided in section 15-948.

12 2. The tuition for pupils attending school in a school district other
13 than that of their residence, except pupils provided for by section 15-825,
14 subsections B and D and any pupils included in the definition of child with a
15 disability in section 15-761, shall not exceed the cost per student count of
16 the school district attended, as determined for the current school year.
17 Tuition for pupils included in the definition of child with a disability in
18 section 15-761 shall not exceed the actual cost of the school attended for
19 each pupil as determined for the current year. The school district of
20 attendance shall not include in the cost per student count a charge for
21 transportation if no transportation is provided, and the charge for
22 transportation shall not exceed the actual costs of providing transportation
23 for the pupils served, as prescribed in the uniform system of financial
24 records. The school district of attendance shall provide the school district
25 of residence with the final tuition charge for the current year and with an
26 estimate of the budget year's tuition charge by May 1 of the current year.
27 The school district of residence shall pay at least one-fourth of the total
28 amount of the estimated tuition by September 30, December 31 and March 31,
29 and it shall pay the remaining amount it owes after adjustments are made by
30 June 30.

31 3. Notwithstanding paragraph 2 of this subsection and subsection G of
32 this section, if two school districts enter into a voluntary agreement for

1 the payment of tuition, the agreement shall specify the method for computing
2 the tuition amount and the timing of the payments. The agreement shall not
3 be longer than five consecutive years. If two school districts enter into an
4 agreement and choose to renew the agreement, each renewal shall not be longer
5 than five consecutive years. The agreement shall specify that a parent or
6 legal guardian of a pupil affected by a tuition agreement entered pursuant to
7 this section or section 15-816.01 may choose not to send the pupil or pupils
8 to a school district or school that is a party to the agreement.

9 4. Tuition of pupils as provided in section 15-825, subsection D shall
10 not exceed the excess costs for group B children with disabilities minus the
11 amount generated by the equalization base as determined in section 15-971,
12 subsection A for these pupils. A school district may submit to the
13 superintendent of public instruction a record of actual excess costs to
14 educate a group B child with a disability if the costs are higher than the
15 calculated excess costs or if a pupil has been placed in a private school for
16 special education services. The superintendent shall determine if the
17 additional costs will be paid, and if the costs are paid, whether the
18 additional costs will be paid by the state or the resident district.

19 5. The amount received representing contributions to capital outlay as
20 provided in subsection G, paragraph 1, subdivision (b) of this section shall
21 be applied to the capital outlay fund or the debt service fund of the school
22 district.

23 6. The amount received representing contributions to debt service as
24 provided in subsection G, paragraph 1, subdivisions (c) and (d) of this
25 section shall be applied to the debt service fund of the school district if
26 there is one. Otherwise such amount shall be credited to the capital outlay
27 fund of the school district.

28 F. A school district may submit to the superintendent of public
29 instruction a record of actual costs paid by the school district to educate a
30 pupil who qualifies for a certificate of educational convenience under
31 section 15-825, subsection B. If the actual costs for that pupil exceed the
32 costs per student count computed pursuant to subsection G of this section,

1 the superintendent of public instruction shall reimburse the school district
2 for these additional costs subject to legislative appropriation.

3 G. For the purposes of this section:

4 1. "Costs per student count" means the sum of the following for the
5 common or high school portion of the school district attended, whichever is
6 applicable to the pupil involved, as prescribed in the uniform system of
7 financial records:

8 (a) The actual school district expenditures for the regular education
9 program subsection of the maintenance and operation section of the budget
10 divided by the school district's student count for the common or high school
11 portion of the school district, whichever is applicable.

12 (b) The actual school district expenditures for the capital outlay
13 section of the budget as provided in sections 15-903 and 15-905 excluding
14 expenditures for transportation equipment and buildings if no transportation
15 is provided and expenditures for the acquisition of building sites, divided
16 by the school district's student count for the common or high school portion
17 of the school district, whichever is applicable.

18 (c) The actual school district expenditures for debt service divided
19 by the school district's student count for the common or high school portion
20 of the school district, whichever is applicable.

21 (d) The result obtained in subdivision (c) of this paragraph shall not
22 exceed:

23 (i) Seven hundred fifty dollars if the pupil's school district of
24 residence pays tuition for seven hundred fifty or fewer pupils to other
25 school districts or one hundred fifty dollars if the state pays tuition for
26 seven hundred fifty or fewer pupils to a school district pursuant to section
27 15-825, subsection D or section 15-976.

28 (ii) Eight hundred dollars if the pupil's school district of residence
29 pays tuition for one thousand or fewer, but more than seven hundred fifty,
30 pupils to other school districts or two hundred dollars if the state pays
31 tuition for one thousand or fewer, but more than seven hundred fifty, pupils

1 to a school district pursuant to section 15-825, subsection D or section
2 15-976.

3 (iii) The actual cost per student count if either the pupil's school
4 district of residence or the state pays tuition for more than one thousand
5 pupils to other school districts.

6 2. "Legal custody" means:

7 (a) Custody exercised by the natural or adoptive parents with whom a
8 pupil resides.

9 (b) Custody granted by order of a court of competent jurisdiction to a
10 person or persons with whom a pupil resides unless the primary purpose for
11 which custody was requested was to circumvent the payment of tuition as
12 provided in this section."

13 Renumber to conform

14 Page 37, strike lines 11 through 44

15 Strike pages 38 through 41

16 Page 42, strike lines 1 through 35

17 Renumber to conform

18 Page 43, strike lines 32 through 36

19 Renumber to conform

20 Amend title to conform

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PROPOSED
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2190
(Reference to printed bill)

- 1 Page 26, line 35, after "Sections" insert "15-348,"
- 2 Strike lines 36 through 45
- 3 Strike pages 27 through 34
- 4 Page 35, strike lines 1 through 15
- 5 Renumber to conform
- 6 Line 17, strike "Section" insert "Sections"; after "15-505" insert ", 15-706,
- 7 15-707, 15-708, 15-709, 15-711.01, 15-712.01 and 15-718"; strike "is" insert
- 8 "are"
- 9 Page 37, strike lines 11 through 44
- 10 Strike pages 38 through 41
- 11 Page 42, strike lines 1 through 35
- 12 Renumber to conform
- 13 Page 43, strike lines 32 through 36
- 14 Renumber to conform
- 15 Amend title to conform

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Adopted _____	# of Verbals _____
Failed _____	Withdrawn _____
Not Offered <input checked="" type="checkbox"/>	Analysts Initials _____

Attachment 15

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON EDUCATION BILL NO. HB 2190

DATE February 3, 2016 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Bolding					✓
Mr. Coleman		✓			
Mrs. Norgaard		✓			
Ms. Otondo		✓			
Mr. Thorpe		✓			
Mr. Lawrence, Vice-Chairman		✓			
Mr. Boyer, Chairman		✓			
		6	0	0	1

Jackie O'Donnell
 COMMITTEE SECRETARY

APPROVED:

Paul Boyer
 PAUL BOYER, Chairman
 JAY LAWRENCE, Vice-Chairman

ATTACHMENT _____

