

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 78
HOUSE BILL 2085

AN ACT

AMENDING SECTIONS 15-157 AND 15-203, ARIZONA REVISED STATUTES; RELATING TO
SCHOOL SAFETY REQUIREMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-157, Arizona Revised Statutes, is amended to
3 read:

4 15-157. Emergency administration of epinephrine
5 auto-injectors by trained personnel; immunity

6 Pursuant to a standing order issued by the chief medical officer of
7 the department of health services, the chief medical officer of a county
8 health department, a doctor of medicine licensed pursuant to title 32,
9 chapter 13, ~~or~~ a doctor of ~~osteopathy~~ OSTEOPATHIC MEDICINE licensed
10 pursuant to title 32, chapter 17, A NURSE PRACTITIONER LICENSED PURSUANT
11 TO TITLE 32, CHAPTER 15 OR A PHYSICIAN ASSISTANT LICENSED PURSUANT TO
12 TITLE 32, CHAPTER 25, an employee of a school district or charter school
13 who is trained in the administration of epinephrine auto-injectors may
14 administer or assist in the administration of epinephrine auto-injectors
15 to a pupil or an adult whom the employee believes in good faith to be
16 exhibiting symptoms of anaphylactic shock while at school or at
17 school-sponsored activities. ~~If sufficient monies are appropriated by the~~
18 ~~legislature each year to provide for the purchase of two juvenile doses~~
19 ~~and two adult doses of epinephrine auto-injectors at each public school in~~
20 ~~this state,~~ Each school district and charter school ~~shall~~ MAY stock two OR
21 MORE juvenile doses and two OR MORE adult doses of epinephrine
22 auto-injectors at each school pursuant to a standing order issued by the
23 chief medical officer of the department of health services, the chief
24 medical officer of a county health department, a doctor of medicine
25 licensed pursuant to title 32, chapter 13, ~~or~~ a doctor of ~~osteopathy~~
26 OSTEOPATHIC MEDICINE licensed pursuant to title 32, chapter 17, A NURSE
27 PRACTITIONER LICENSED PURSUANT TO TITLE 32, CHAPTER 15 OR A PHYSICIAN
28 ASSISTANT LICENSED PURSUANT TO TITLE 32, CHAPTER 25. ~~Each fiscal year the~~
29 ~~department of education shall include in its budget request for assistance~~
30 ~~to schools a separate line item for a continuous, nonlapsing appropriation~~
31 ~~to fund the requirements of this section. If sufficient monies are not~~
32 ~~appropriated by the legislature during any fiscal year to provide for the~~
33 ~~purchase of two juvenile doses and two adult doses of epinephrine~~
34 ~~auto-injectors at each public school in this state, a school district or~~
35 ~~charter school may stock two juvenile doses and two adult doses of~~
36 ~~epinephrine auto-injectors at each school pursuant to a standing order~~
37 ~~issued by the chief medical officer of the department of health services,~~
38 ~~the chief medical officer of a county health department, a doctor of~~
39 ~~medicine licensed pursuant to title 32, chapter 13 or a doctor of~~
40 ~~osteopathy licensed pursuant to title 32, chapter 17. A SCHOOL DISTRICT~~
41 OR CHARTER SCHOOL MAY ACCEPT MONETARY DONATIONS FOR OR APPLY FOR GRANTS
42 FOR THE PURCHASE OF EPINEPHRINE AUTO-INJECTORS OR MAY PARTICIPATE IN
43 THIRD-PARTY PROGRAMS TO OBTAIN EPINEPHRINE AUTO-INJECTORS AT FAIR MARKET,
44 FREE OR REDUCED PRICES. The chief medical officer of the department of
45 health services, the chief medical officer of a county health department,

1 a doctor of medicine licensed pursuant to title 32, chapter 13, ~~or~~ a
2 doctor of ~~osteopathy~~ OSTEOPATHIC MEDICINE licensed pursuant to title 32,
3 chapter 17, A NURSE PRACTITIONER LICENSED PURSUANT TO TITLE 32, CHAPTER 15
4 OR A PHYSICIAN ASSISTANT LICENSED PURSUANT TO TITLE 32, CHAPTER 25, a
5 school district, a charter school and employees of a school district or
6 charter school are immune from civil liability with respect to all
7 decisions made and actions taken that are based on good faith
8 implementation of the requirements of this section, except in cases of
9 gross negligence, wilful misconduct or intentional wrongdoing.

10 Sec. 2. Section 15-203, Arizona Revised Statutes, is amended to
11 read:

12 15-203. Powers and duties

13 A. The state board of education shall:

14 1. Exercise general supervision over and regulate the conduct of
15 the public school system and adopt any rules and policies it deems
16 necessary to accomplish this purpose.

17 2. Keep a record of its proceedings.

18 3. Make rules for its own government.

19 4. Determine the policy and work undertaken by it.

20 5. Subject to title 41, chapter 4, article 4, employ staff.

21 6. Prescribe and supervise the duties of its employees pursuant to
22 title 41, chapter 4, article 4, if not otherwise prescribed by statute.

23 7. Delegate to the superintendent of public instruction the
24 execution of board policies and rules.

25 8. Recommend to the legislature changes or additions to the
26 statutes pertaining to schools.

27 9. Prepare, publish and distribute reports concerning the
28 educational welfare of this state.

29 10. Prepare a budget for expenditures necessary for proper
30 maintenance of the board and accomplishment of its purposes and present
31 the budget to the legislature.

32 11. Aid in the enforcement of laws relating to schools.

33 12. Prescribe a minimum course of study in the common schools,
34 minimum competency requirements for the promotion of pupils from the third
35 grade and minimum course of study and competency requirements for the
36 promotion of pupils from the eighth grade. The state board of education
37 shall prepare a fiscal impact statement of any proposed changes to the
38 minimum course of study or competency requirements and, on completion,
39 shall send a copy to the director of the joint legislative budget
40 committee and the executive director of the school facilities board. The
41 state board of education shall not adopt any changes in the minimum course
42 of study or competency requirements in effect on July 1, 1998 that will
43 have a fiscal impact on school capital costs.

1 13. Prescribe minimum course of study and competency requirements
2 for the graduation of pupils from high school. The state board of
3 education shall prepare a fiscal impact statement of any proposed changes
4 to the minimum course of study or competency requirements and, on
5 completion, shall send a copy to the director of the joint legislative
6 budget committee and the executive director of the school facilities
7 board. The state board of education shall not adopt any changes in the
8 minimum course of study or competency requirements in effect on July 1,
9 1998 that will have a fiscal impact on school capital costs.

10 14. Supervise and control the certification of persons engaged in
11 instructional work directly as any classroom, laboratory or other teacher
12 or indirectly as a supervisory teacher, speech therapist, principal or
13 superintendent in a school district, including school district preschool
14 programs, or any other educational institution below the community
15 college, college or university level, and prescribe rules for
16 certification. The rules:

17 (a) Shall provide for a variety of alternative teacher and
18 administrator preparation programs that allow for variations in program
19 sequence and design to apply for program approval. The state board shall
20 adopt rules pursuant to this subdivision designed to allow for a variety
21 of formats and shall not require a prescribed answer or design from the
22 program provider in order to obtain approval from the state board. Any
23 rules adopted by the state board pursuant to this subdivision shall be
24 substantially different from the rules adopted for the approval of
25 traditional preparation programs and may not unnecessarily restrict a
26 variety of alternative preparation programs from operating and providing
27 instruction in this state. The state board shall evaluate each program
28 provider based on the program's ability to prepare teachers and
29 administrators and to recruit teachers and administrators with a variety
30 of experiences and talents. The state board shall permit universities
31 under the jurisdiction of the Arizona board of regents, community colleges
32 in this state, private postsecondary institutions licensed by this state,
33 school districts, charter schools, professional organizations, nonprofit
34 organizations and private entities to apply for program approval and shall
35 create application procedures and certification criteria that are
36 substantially less restrictive than those for traditional preparation
37 programs. At the completion of an alternative preparation program,
38 graduates shall:

39 (i) Hold a bachelor's degree from an accredited postsecondary
40 education institution.

41 (ii) If applicable, demonstrate professional knowledge and subject
42 knowledge proficiency pursuant to section 15-533.

43 (iii) Obtain a fingerprint clearance card pursuant to section
44 15-534.

1 (iv) If applicable, complete training in structured English
2 immersion as prescribed by the state board pursuant to section 15-756.09.
3 (v) If applicable, complete training in research-based systematic
4 phonics instruction as prescribed in subdivision (b) of this paragraph.
5 (vi) Demonstrate the required proficiency in the Constitutions of
6 the United States and Arizona as prescribed in section 15-532.
7 (b) Shall require applicants for all certificates for common school
8 instruction to complete a minimum of forty-five classroom hours or three
9 ~~college-level~~ COLLEGE-LEVEL credit hours, or the equivalent, of training
10 in research-based systematic phonics instruction from a public or private
11 provider.
12 (c) Shall not require a teacher to obtain a master's degree or to
13 take any additional graduate courses as a condition of certification or
14 recertification.
15 (d) Shall allow a general equivalency diploma to be substituted for
16 a high school diploma in the certification of emergency substitute
17 teachers.
18 (e) Shall allow but shall not require the superintendent of a
19 school district to obtain certification from the state board of education.
20 (f) Shall provide for the issuance of a subject matter expert
21 standard teaching certificate to persons who have expertise in a content
22 area or subject matter. Persons who are certified pursuant to this
23 subdivision shall complete training, if applicable, in structured English
24 immersion as prescribed by the state board pursuant to section 15-756.09.
25 Persons who are certified pursuant to this subdivision are exempt from the
26 subject knowledge proficiency requirements prescribed in section 15-533
27 and from the proficiency requirements prescribed in section 15-532 on the
28 Constitutions of the United States and Arizona. Persons ~~pursuant~~ WHO ARE
29 SUBJECT to item (i) of this subdivision are also exempt from the
30 professional knowledge proficiency requirements pursuant to section
31 15-533. A person who obtains a subject matter expert standard teaching
32 certificate pursuant to this subdivision may provide instruction in the
33 person's field of expertise in grades six through twelve at any public
34 school in this state. Issuance of the subject matter expert standard
35 teaching certificate may not be conditioned on the person's employment
36 with a local education agency. A person who meets the requirements of
37 this subdivision shall be issued a subject matter expert standard teaching
38 certificate without having to demonstrate professional knowledge
39 proficiency pursuant to section 15-533, except that the person shall have
40 at least two years to demonstrate professional knowledge proficiency
41 pursuant to section 15-533. School districts shall evaluate and provide
42 support pursuant to section 15-537 to teachers WHO ARE certified pursuant
43 to this subdivision. If a person fails to meet the professional knowledge
44 requirements of this section within two years, the department of education
45 or state board of education may temporarily suspend the subject matter

1 expert standard teaching certificate. A certificate that is temporarily
2 suspended pursuant to this subdivision is not considered a disciplinary
3 action, and a person shall be allowed to correct the deficiency within the
4 remaining time of the subject matter expert standard teaching
5 certification. This subdivision does not require a person who has
6 obtained another type of teaching certificate from the state board to
7 obtain a subject matter expert standard teaching certificate pursuant to
8 this subdivision in order to provide instruction in grades six through
9 twelve. A person is eligible for a subject matter expert standard
10 teaching certificate pursuant to this subdivision if the person obtains a
11 valid fingerprint clearance card that is issued pursuant to title 41,
12 chapter 12, article 3.1 and meets any of the following requirements:

13 (i) Has taught courses relevant to a content area or subject matter
14 for the last two consecutive years and for a total of at least three years
15 at one or more regionally or nationally accredited public or private
16 postsecondary institutions. ~~★~~ THE person shall demonstrate compliance
17 with this requirement by providing the state board with written proof of
18 employment for specific durations from one or more qualifying
19 postsecondary institutions.

20 (ii) Has either a baccalaureate degree, a master's degree or a
21 doctoral degree in a specific subject area that is directly relevant to a
22 content area or subject matter taught in public schools.

23 (iii) Demonstrates expertise through relevant work experience of at
24 least five years in a field that is relevant to a content area or subject
25 matter taught in public schools. ~~★~~ THE person shall demonstrate
26 compliance with this requirement by providing the state board with written
27 proof of employment.

28 (g) Notwithstanding section 15-533, shall exempt persons applying
29 for a secondary education certificate from the subject knowledge portion
30 of the proficiency examination if the state board determines that the
31 person has work experience in science, technology, engineering or
32 mathematics and can demonstrate adequate knowledge of a particular subject
33 through a postsecondary education degree or twenty-four credit hours of
34 relevant coursework.

35 (h) Shall allow for all standard certificates issued to a person
36 pursuant to this section to be both issued and renewed for at least twelve
37 years and may not require more than fifteen hours of continuing education
38 credits each year in order to renew any certificate issued pursuant to
39 this section.

40 (i) Shall allow a certificate, and any endorsement or approved area
41 related to that certificate, to be renewed at least two years but not more
42 than ten years after that certificate expires without any other
43 requirements adopted by the state board of education or the department of
44 education if the person is in good standing, has at least ten years of
45 verified full-time experience in this state in the area IN WHICH the

1 person is seeking renewed certification and possesses a valid fingerprint
2 clearance card issued pursuant to section 15-534. A certificate renewed
3 pursuant to this subdivision shall be identical to the expired
4 certificate.

5 15. Adopt a list of approved tests for determining special
6 education assistance to gifted pupils as defined in and as provided in
7 chapter 7, article 4.1 of this title. The adopted tests shall provide
8 separate scores for quantitative reasoning, verbal reasoning and nonverbal
9 reasoning and shall be capable of providing reliable and valid scores at
10 the highest ranges of the score distribution.

11 16. Adopt rules governing the methods for the administration of all
12 proficiency examinations.

13 17. Adopt proficiency examinations for its use. The state board of
14 education shall determine the passing score for the proficiency
15 examinations.

16 18. Include within its budget the cost of contracting for the
17 purchase, distribution and scoring of the examinations as provided in
18 paragraphs 16 and 17 of this subsection.

19 19. Supervise and control the qualifications of professional
20 nonteaching school personnel and prescribe standards relating to
21 qualifications. The standards shall not require the business manager of a
22 school district to obtain certification from the state board of education.

23 20. Impose such disciplinary action, including the issuance of a
24 letter of censure, suspension, suspension with conditions or revocation of
25 a certificate, on a finding of immoral or unprofessional conduct.

26 21. Establish an assessment, data gathering and reporting system
27 for pupil performance as prescribed in chapter 7, article 3 of this title.

28 22. Adopt a rule to promote braille literacy pursuant to section
29 15-214.

30 23. Adopt rules prescribing procedures for the investigation by the
31 department of education of every written complaint alleging that a
32 certificated person has engaged in immoral conduct.

33 24. For purposes of federal law, serve as the state board for
34 vocational and technological education and meet at least four times each
35 year solely to execute the powers and duties of the state board for
36 vocational and technological education.

37 25. Develop and maintain a handbook for use in the schools of this
38 state that provides guidance for the teaching of moral, civic and ethical
39 education. The handbook shall promote existing curriculum frameworks and
40 shall encourage school districts to recognize moral, civic and ethical
41 values within instructional and programmatic educational development
42 programs for the general purpose of instilling character and ethical
43 principles in pupils in kindergarten programs and grades one through
44 twelve.

1 26. Require pupils to recite the following passage from the
2 declaration of independence for pupils in grades four through six at the
3 commencement of the first class of the day in the schools, except that a
4 pupil shall not be required to participate if the pupil or the pupil's
5 parent or guardian objects:

6 We hold these truths to be self-evident, that all men
7 are created equal, that they are endowed by their creator with
8 certain unalienable rights, that among these are life, liberty
9 and the pursuit of happiness. That to secure these rights,
10 governments are instituted among men, deriving their just
11 powers from the consent of the governed. . . .

12 27. Adopt rules that provide for certification reciprocity for
13 certificates issued pursuant to this section. The rules for certification
14 reciprocity shall include a requirement that the applicant possess a
15 comparable valid certification from another state and be in good standing
16 with that other state. An applicant who possesses a valid certification
17 from another state and a fingerprint clearance card pursuant to section
18 15-534 and who is in good standing with that other state shall be issued a
19 comparable standard certificate without any other requirements from the
20 state board of education or the department of education. A person who is
21 issued a certificate pursuant to this paragraph is not required to meet
22 any requirement prescribed in section 15-533.

23 28. Adopt rules that provide for the presentation of an honorary
24 high school diploma to a person who has never obtained a high school
25 diploma and who meets both of the following requirements:

26 (a) Currently resides in this state.

27 (b) Provides documented evidence from the department of veterans'
28 services that the person enlisted in the armed forces of the United States
29 and served in World War I, World War II, the Korean conflict or the
30 Vietnam conflict.

31 29. Cooperate with the Arizona-Mexico commission in the governor's
32 office and with researchers at universities in this state to collect data
33 and conduct projects in the United States and Mexico on issues that are
34 within the scope of the duties of the department of education and that
35 relate to quality of life, trade and economic development in this state in
36 a manner that will help the Arizona-Mexico commission to assess and
37 enhance the economic competitiveness of this state and of the
38 Arizona-Mexico region.

39 30. Adopt rules to define and provide guidance to schools as to the
40 activities that would constitute immoral or unprofessional conduct of
41 certificated persons.

42 31. Adopt guidelines to encourage pupils in grades nine, ten,
43 eleven and twelve to volunteer for twenty hours of community service
44 before graduation from high school. A school district that complies with
45 the guidelines adopted pursuant to this paragraph is not liable for

1 damages resulting from a pupil's participation in community service unless
2 the school district is found to have demonstrated wanton or reckless
3 disregard for the safety of the pupil and other participants in community
4 service. For the purposes of this paragraph, "community service" may
5 include service learning. The guidelines shall include the following:

6 (a) A list of the general categories in which community service may
7 be performed.

8 (b) A description of the methods by which community service will be
9 monitored.

10 (c) A consideration of risk assessment for community service
11 projects.

12 (d) Orientation and notification procedures of community service
13 opportunities for pupils entering grade nine, including the development of
14 a notification form. The notification form shall be signed by the pupil
15 and the pupil's parent or guardian, except that a pupil shall not be
16 required to participate in community service if the parent or guardian
17 notifies the principal of the pupil's school in writing that the parent or
18 guardian does not wish the pupil to participate in community service.

19 (e) Procedures for a pupil in grade nine to prepare a written
20 proposal that outlines the type of community service that the pupil would
21 like to perform and the goals that the pupil hopes to achieve as a result
22 of community service. The pupil's written proposal shall be reviewed by a
23 faculty advisor, a guidance counselor or any other school employee who is
24 designated as the community service program coordinator for that school.
25 The pupil may alter the written proposal at any time before performing
26 community service.

27 (f) Procedures for a faculty advisor, a guidance counselor or any
28 other school employee who is designated as the community service program
29 coordinator to evaluate and certify the completion of community service
30 performed by pupils.

31 32. To facilitate the transfer of military personnel and their
32 dependents to and from the public schools of this state, pursue, in
33 cooperation with the Arizona board of regents, reciprocity agreements with
34 other states concerning the transfer credits for military personnel and
35 their dependents. A reciprocity agreement entered into pursuant to this
36 paragraph shall:

37 (a) Address procedures for each of the following:

38 (i) The transfer of student records.

39 (ii) Awarding credit for completed coursework.

40 (iii) Permitting a student to satisfy the graduation requirements
41 prescribed in section 15-701.01 through the successful performance on
42 comparable exit-level assessment instruments administered in another
43 state.

1 (b) Include appropriate criteria developed by the state board of
2 education and the Arizona board of regents.

3 33. Adopt guidelines that school district governing boards shall
4 use in identifying pupils who are eligible for gifted programs and in
5 providing gifted education programs and services. The state board of
6 education shall adopt any other guidelines and rules that it deems
7 necessary in order to carry out the purposes of chapter 7, article 4.1 of
8 this title.

9 34. For each of the alternative textbook formats of human-voiced
10 audio, large-print and braille, designate alternative media producers to
11 adapt existing standard print textbooks or to provide specialized
12 textbooks, or both, for pupils with disabilities in this state. Each
13 alternative media producer shall be capable of producing alternative
14 textbooks in all relevant subjects in at least one of the alternative
15 textbook formats. The board shall post the designated list of alternative
16 media producers on its website.

17 35. Adopt a list of approved professional development training
18 providers for use by school districts as provided in section 15-107,
19 subsection J. The professional development training providers shall meet
20 the training curriculum requirements determined by the state board of
21 education in at least the areas of school finance, governance, employment,
22 staffing, inventory and human resources, internal controls and
23 procurement.

24 36. Adopt rules to prohibit a person who violates the notification
25 requirements prescribed in section 15-183, subsection C, paragraph 8 or
26 section 15-550, subsection C from certification pursuant to this title
27 until the person is no longer charged or is acquitted of any offenses
28 listed in section 41-1758.03, subsection B. The STATE board shall also
29 adopt rules to prohibit a person who violates the notification
30 requirements, certification surrender requirements or fingerprint
31 clearance card surrender requirements prescribed in section 15-183,
32 subsection C, paragraph 9 or section 15-550, subsection D from
33 certification pursuant to this title for at least ten years after the date
34 of the violation.

35 37. Adopt rules for the alternative certification of teachers of
36 nontraditional foreign languages that allow for the passing of a
37 nationally accredited test to substitute for the education coursework
38 required for certification.

39 38. Adopt and maintain a model framework for a teacher and
40 principal evaluation instrument that includes quantitative data on student
41 academic progress that accounts for between thirty-three percent and fifty
42 percent of the evaluation outcomes. The framework shall include four
43 performance classifications, designated as highly effective, effective,
44 developing and ineffective, and guidelines for school districts and
45 charter schools to use in their evaluation instruments. The state board

1 of education shall adopt best practices for professional development and
2 evaluator training. The state board of education may periodically make
3 adjustments to align the model framework for teacher and principal
4 evaluations with assessment or data changes at the state level. School
5 districts and charter schools shall use an instrument that meets the data
6 requirements established by the state board of education to annually
7 evaluate individual teachers and principals. School districts and charter
8 schools shall adopt definitions for the performance classifications
9 adopted by the state board of education in a public meeting and apply the
10 performance classifications to their evaluation instruments in a manner
11 designed to improve principal and teacher performance. For charter
12 holders, the principal evaluation instrument applies to each charter
13 school's instructional leader whose primary responsibility is to oversee
14 the academic performance of the charter school. This paragraph does not
15 apply to an officer, director, member or partner of the charter holder.
16 The school district governing board shall discuss at a public meeting at
17 least annually its aggregate performance classifications of principals and
18 teachers.

19 39. Adopt rules to define competency-based educational pathways for
20 college and career readiness that may be used by schools. The rules shall
21 include the following components:

22 (a) The establishment of learning outcomes that will be expected
23 for students in a particular subject.

24 (b) A process and criteria by which assessments may be identified
25 or established to determine if students have reached the desired
26 competencies in a particular subject.

27 (c) A mechanism to allow pupils in grades seven through twelve who
28 have demonstrated competency in a subject to immediately obtain credit for
29 the mastery of that subject. The rules shall include a list of applicable
30 subjects, including the level of competency required for each subject.

31 40. In consultation with the department of health services, the
32 department of education, medical professionals, school health
33 professionals, school administrators and an organization that represents
34 school nurses in this state, adopt rules that prescribe the following for
35 school districts and charter schools:

36 (a) Annual training in the administration of auto-injectable
37 epinephrine, ~~as directed on the prescription protocol,~~ for designated
38 medical and nonmedical school personnel. The annual training prescribed
39 in this subdivision is optional during any fiscal year in which ~~sufficient~~
40 ~~monies are not appropriated by the legislature during that fiscal year to~~
41 ~~provide for the purchase of two juvenile doses and two adult doses of~~
42 ~~epinephrine auto-injectors at each public school in this state and if the~~
43 A school does not stock ~~two juvenile doses and two adult doses of~~
44 epinephrine auto-injectors at the school during that fiscal year.

1 (b) Annual training for all school site personnel on the
2 recognition of anaphylactic shock symptoms and the procedures to follow
3 when anaphylactic shock occurs, following the national guidelines of the
4 American academy of pediatrics. The annual training prescribed in this
5 subdivision is optional during any fiscal year in which ~~sufficient monies~~
6 ~~are not appropriated by the legislature during that fiscal year to provide~~
7 ~~for the purchase of two juvenile doses and two adult doses of epinephrine~~
8 ~~auto-injectors at each public school in this state and if the A school~~
9 does not stock ~~two juvenile doses and two adult doses of~~ epinephrine
10 auto-injectors at the school during that fiscal year.

11 (c) Procedures for the administration of epinephrine auto-injectors
12 in emergency situations, ~~as directed on the prescription protocol.~~

13 (d) Procedures for annually requesting a standing order for
14 epinephrine auto-injectors pursuant to section 15-157 from the chief
15 medical officer of the department of health services, the chief medical
16 officer of a county health department, a doctor of medicine licensed
17 pursuant to title 32, chapter 13 or a doctor of osteopathic medicine
18 licensed pursuant to title 32, chapter 17.

19 (e) Procedures for reporting the use of epinephrine auto-injectors
20 to the department of health services.

21 41. In consultation with the department of education, medical
22 professionals, school health professionals, school administrators and an
23 organization that represents school nurses in this state, adopt rules that
24 prescribe the following for school districts and charter schools that
25 elect to administer inhalers:

26 (a) Annual training in the recognition of respiratory distress
27 symptoms and the procedures to follow when respiratory distress occurs, in
28 accordance with good clinical practice, and the administration of
29 inhalers, as directed on the prescription protocol, by designated medical
30 and nonmedical school personnel.

31 (b) Requirements for school districts and charter schools that
32 elect to administer inhalers to designate at least two employees at each
33 school to be trained in the recognition of respiratory distress symptoms
34 and the procedures to follow when respiratory distress occurs, in
35 accordance with good clinical practice, and at least two employees at each
36 school to be trained in the administration of inhalers, as directed on the
37 prescription protocol.

38 (c) Procedures for the administration of inhalers in emergency
39 situations, as directed on the prescription protocol.

40 (d) Procedures for annually requesting a standing order for
41 inhalers and spacers or holding chambers pursuant to section 15-158 from
42 the chief medical officer of a county health department, a physician
43 licensed pursuant to title 32, chapter 13 or 17 or a nurse practitioner
44 licensed pursuant to title 32, chapter 15.

1 (e) Procedures for notifying a parent once an inhaler has been
2 administered.
3 B. The state board of education may:
4 1. Contract.
5 2. Sue and be sued.
6 3. Distribute and score the tests prescribed in chapter 7, article
7 3 of this title.
8 4. Provide for an advisory committee to conduct hearings and
9 screenings to determine whether grounds exist to impose disciplinary
10 action against a certificated person, whether grounds exist to reinstate a
11 revoked or surrendered certificate and whether grounds exist to approve or
12 deny an initial application for certification or a request for renewal of
13 a certificate. The board may delegate its responsibility to conduct
14 hearings and screenings to its advisory committee. Hearings shall be
15 conducted pursuant to title 41, chapter 6, article 6.
16 5. Proceed with the disposal of any complaint requesting
17 disciplinary action or with any disciplinary action against a person
18 holding a certificate as prescribed in subsection A, paragraph 14 of this
19 section after the suspension or expiration of the certificate or surrender
20 of the certificate by the holder.
21 6. Assess costs and reasonable attorney fees against a person who
22 files a frivolous complaint or who files a complaint in bad faith. Costs
23 assessed pursuant to this paragraph shall not exceed the expenses incurred
24 by the department of education in the investigation of the complaint.
25 C. Placement decisions of teaching intern certificate holders
26 issued pursuant to subsection A, paragraph 14, subdivision (a) of this
27 section and section 15-552 shall be based on agreements between the
28 teacher preparation provider, the provider's partner organizations and the
29 local education agency. The practices of the department of education and
30 the rules and policies of the state board of education may not restrict
31 placement of teaching intern certification holders based on local
32 education agency instructional models and may only consider the academic
33 quality of the school, the effectiveness of the teaching intern
34 certification holder's on-site mentor and the opportunity for a wide
35 variety of schools and school models to access teaching intern
36 certification holders.

APPROVED BY THE GOVERNOR MARCH 27, 2018.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 27, 2018.