

State of Arizona
House of Representatives
Fifty-fourth Legislature
First Regular Session
2019

CHAPTER 98
HOUSE BILL 2176

AN ACT

AMENDING SECTION 15-249.06, ARIZONA REVISED STATUTES; RELATING TO THE
DEPARTMENT OF EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-249.06, Arizona Revised Statutes, is amended
3 to read:

4 15-249.06. College credit by examination incentive program;
5 incentive bonuses; report; college credit by
6 examination development fund; program
7 termination

8 A. The college credit by examination incentive program is
9 established within the department of education to provide an incentive
10 bonus to teachers, school districts and charter schools for students who
11 obtain a passing score on a qualifying examination for college credit
12 while in high school.

13 B. The Arizona board of regents shall maintain a list of qualifying
14 examinations that a high school student may take in order to receive
15 college credit in mathematics, English language arts, social studies or
16 science from any university under the jurisdiction of the Arizona board of
17 regents and the passing scores required on those examinations in order to
18 receive college credit. On or before September 1 of each year, the
19 Arizona board of regents shall provide the list of qualifying examinations
20 and passing scores to the department of education and shall submit this
21 list to the joint legislative budget committee for review.

22 C. Beginning in fiscal year 2017-2018, the department of education
23 shall pay an incentive bonus to school districts and charter schools for
24 each student in grades nine through twelve who receives a passing score
25 during the previous fiscal year on a qualifying examination identified by
26 the Arizona board of regents pursuant to subsection B of this section. A
27 student who receives a passing score on a qualifying examination and who
28 is enrolled in a school where fifty percent or more of the students are
29 eligible for free or ~~reduced-price~~ REDUCED-PRICE lunches shall generate
30 for the school ~~district~~ or charter school a bonus of ~~four hundred fifty~~
31 ~~dollars~~ \$450 per passing score on a qualifying examination. A student who
32 receives a passing score on a qualifying examination and who is enrolled
33 in a school where less than fifty percent of the students are eligible for
34 free or ~~reduced-price~~ REDUCED-PRICE lunches shall generate for the school
35 ~~district~~ or charter school a bonus of ~~three hundred dollars~~ \$300 per
36 passing score on a qualifying examination. If the statewide sum of per
37 student bonuses awarded pursuant to this subsection exceeds the amount of
38 available monies appropriated for incentive bonuses, the bonus monies
39 shall be reduced proportionally to cover all eligible bonus awards.

40 D. A school district or charter school that receives an incentive
41 bonus pursuant to this section shall distribute at least fifty percent of
42 the bonus monies to the associated classroom teacher for each student who
43 passes a qualifying examination AND TO OTHER TEACHERS OF RELEVANT SUBJECTS
44 WHO INSTRUCTED THAT STUDENT, INCLUDING BUT NOT LIMITED TO TEACHERS IN THE

1 SAME DEPARTMENT OR SUBJECT MATTER THAT CONTRIBUTED TO THE STUDENT PASSING
 2 THE EXAMINATION, AS IDENTIFIED BY THE SCHOOL DISTRICT GOVERNING BOARD, THE
 3 CHARTER SCHOOL GOVERNING BODY OR THE SCHOOL PRINCIPAL. Bonus monies
 4 awarded to a teacher pursuant to this subsection ~~shall be~~ ARE in addition
 5 to any regular wage, compensation or other bonus the teacher receives or
 6 is scheduled to receive AND SHALL BE PROVIDED TO THE TEACHER BY THE END OF
 7 THE SCHOOL YEAR OR NOT LATER THAN THIRTY DAYS AFTER THE END OF THE SCHOOL
 8 YEAR. The remainder of any bonus monies received by a school district or
 9 charter school shall be ALLOCATED BY THE SCHOOL PRINCIPAL ON BEHALF OF
 10 STUDENTS WHO RECEIVE A PASSING SCORE AND MAY BE used for teacher
 11 professional development or student instructional support, REIMBURSEMENT
 12 OF EXAMINATION FEES or INSTRUCTIONAL materials. Any bonus monies received
 13 by a school district or charter school pursuant to this subsection shall
 14 be separately accounted for in the school district's or charter school's
 15 annual financial report.

16 E. Incentive bonuses distributed to and any bonus monies received
 17 by a school district or charter school pursuant to this section are not
 18 subject to collective bargaining.

19 F. PAYMENTS MADE BY THE DEPARTMENT OF EDUCATION PURSUANT TO THIS
 20 SECTION SHALL BE DISTRIBUTED TO SCHOOLS NOT LATER THAN MARCH 1 OF EACH
 21 YEAR.

22 ~~F.~~ G. On or before December 15, 2018 and on or before December 15
 23 of each year thereafter, the department of education shall submit to the
 24 president of the senate, the speaker of the house of representatives, the
 25 governor and the secretary of state, and to the joint legislative budget
 26 committee for review, a report on all of the following:

27 1. The number of students who took a qualifying examination at each
 28 school.

29 2. The number of students who received a passing score on a
 30 qualifying examination and the number of incentive bonus awards
 31 distributed.

32 3. The number and types of qualifying examinations taken by
 33 students.

34 4. The amount of bonus monies received by each school.

35 ~~G.~~ H. Incentive bonuses distributed to and any bonus monies
 36 received by a teacher are not compensation as defined in section 38-711.

37 I. THE COLLEGE CREDIT BY EXAMINATION DEVELOPMENT FUND IS
 38 ESTABLISHED CONSISTING OF MONIES THAT ARE APPROPRIATED TO THE DEPARTMENT
 39 OF EDUCATION FOR THE PURPOSES OF THIS SECTION BUT THAT ARE NOT DISTRIBUTED
 40 BY THE END OF THE FISCAL YEAR IN WHICH THE MONIES ARE APPROPRIATED. THE
 41 DEPARTMENT SHALL ADMINISTER THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY
 42 APPROPRIATED AND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING
 43 TO LAPSING OF APPROPRIATIONS. THE DEPARTMENT SHALL DISTRIBUTE MONIES IN
 44 THE FUND TO SCHOOLS IN WHICH FIFTY PERCENT OR MORE OF THE STUDENTS ARE

1 ELIGIBLE FOR FREE OR REDUCED-PRICE LUNCHES TO ASSIST THOSE SCHOOLS IN
2 DEVELOPING AND OPERATING CLASSES THAT OFFER QUALIFYING EXAMINATIONS
3 PURSUANT TO THIS SECTION. THE DEPARTMENT SHALL PRIORITIZE DISTRIBUTIONS
4 FROM THE FUND BASED ON NEED.
5 ~~H.~~ J. The program established by this section ends on July 1, 2026
6 pursuant to section 41-3102.

APPROVED BY THE GOVERNOR APRIL 17, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 17, 2019.