State of Arizona
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2019

SB 1014

Introduced by
Senators Boyer: Allen S, Alston, Brophy McGee, Carter, Gray, Kerr,
Navarrete, Rios; Representatives Barto, Bolding, Cobb, Dunn

AN ACT

AMENDING SECTIONS 15-241, 15-756.01, 15-756.02, 15-756.03 AND 15-756.04,
ARIZONA REVISED STATUTES; REPEALING SECTION 15-756.06, ARIZONA REVISED
STATUTES; AMENDING SECTIONS 15-756.07, 15-756.08, 15-756.10, 15-756.12 AND
41-1279.03, ARIZONA REVISED STATUTES; RELATING TO ENGLISH LANGUAGE
LEARNERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 15-241, Arizona Revised Statutes, is amended to read:

15-241. School, charter school and school district accountability; annual achievement profiles; classification; letter grade system; profiles; appeals process; failing schools tutoring fund; definition

A. On or before November 1 of each year, the department of education shall compile for each public school and local education agency, and shall recommend to the state board of education, an annual achievement profile that consists of an educational dashboard that reflects the achievement for each public school and local education agency on the academic and educational performance indicators prescribed in subsection D of this section. The department shall provide any technical assistance needed by the state board of education to make final adoption of the annual achievement profile.

B. Each school, charter holder and school district shall submit to the department of education any data that is required and requested and that is necessary to compile the achievement profile. A school or local education agency that fails to submit the information that is necessary is not eligible to receive monies from the classroom site fund established by section 15-977.

C. The annual achievement profile compiled by the department of education and recommended to the state board of education shall be used to determine a standard measurement of acceptable academic progress for each school and local education agency and a school and local education agency classification pursuant to subsection G of this section. Any disclosure of educational records compiled by the department of education pursuant to this section shall comply with the Family Educational Rights and Privacy Act of 1974 (20 United States Code section 1232g).

D. The annual achievement profile for schools and local education agencies shall include, at a minimum, the following academic and educational performance indicators:

1. Multiple measures of academic performance or other academically relevant indicators of school quality that are appropriate to assess the educational impact of a school during the academic year as determined by the state board of education.

2. Academic progress on assessments adopted pursuant to sections 15-741 and 15-741.02 in English language arts and mathematics.

3. Academic progress on the English language learner assessments administered pursuant to section 15-756, subsection B and sections 15-756.05 and 15-756.06.
4. Progress toward college and career readiness for all schools and local education agencies that offer instruction in any of grades nine through twelve.

5. Academic progress on assessments administered pursuant to section 15-741.02.

6. Multiple measures of educational performance or other relevant indicators of school quality that assess a school's educational impact, such as graduation rates and attendance rates.

E. If neither the school nor the school district meets the minimum student count as recommended by the department OF EDUCATION and approved by the state board of education for any of the performance indicators prescribed in subsection D of this section, then the performance indicator shall not be factored into the letter grade assigned pursuant to this section.

F. Subject to final adoption by the state board of education, the department OF EDUCATION shall determine the criteria for each school and local education agency classification on each performance indicator of the annual achievement profile prescribed in subsection D of this section using a researched-based methodology and shall recommend to the state board of education for final adoption the criteria for each school and local education agency classification. The department of education shall develop the methodology developed in collaboration with a coalition of qualified technical and policy stakeholders appointed by the STATE board. The department shall provide technical assistance and, on request, student or statewide performance indicator data needed to determine and calculate the methodology and final letter grades. At a minimum, the methodology shall include the performance of pupils at all achievement levels, account for pupil mobility, account for the distribution of pupil achievement at each school and local education agency and include longitudinal indicators of academic performance. For the purposes of this subsection, "researched-based methodology" means the systematic and objective application of statistical and quantitative research principles to calculate the indicators used to determine A through F letter grades.

G. The annual achievement profile shall use classifications based on an A through F letter grade system adopted by the state board of education in which a letter grade of A reflects an excellent level of performance and a letter grade of F reflects a failing level of performance. The A through F letter grade system shall be applied to each performance indicator of the annual achievement profile prescribed in subsection D of this section and THE STATE BOARD shall assign an overall letter grade for the public school or local education agency. The A through F letter grade system shall indicate expected standards of performance for all schools on each performance indicator of the annual achievement profile prescribed in subsection D of this section and the manner in which schools may rise above or fall below those expected
standards of performance. The state board of education may also assign a school a letter grade of F on each performance indicator of the annual achievement profile prescribed in subsection D of this section if the state board determines that the school is among the persistently lowest-achieving schools in the state on the majority of the performance indicators of the annual achievement profile under the federal school accountability requirements pursuant to section 1003(g) of the elementary and secondary education act (20 United States Code section 6303).

H. The classification on each performance indicator of the annual achievement profile for each school and the criteria used to determine classification pursuant to subsections F and G of this section shall be included on the school report card prescribed in section 15-746.

I. Subject to final adoption by the state board of education, the department of education shall use achievement profiles appropriately to assess the educational impact of accommodation schools, alternative schools and extremely small schools, may develop profiles for schools that participate in the board examination system prescribed in chapter 7, article 6 of this title and schools that participate in Arizona online instruction pursuant to section 15-808 and may develop other exceptions as prescribed by the state board of education for the purposes of this section.

J. The department of education shall establish a process, including a deadline for when requests must be submitted, for a school or local education agency to correct student data used to determine the school's or local education agency's annual achievement profile. If a correction to student data is required, the department shall notify the school or local education agency of the data correction process and shall annually process student data correction requests. The state board of education shall establish an appeals process to allow a school or local education agency to appeal the school's or local education agency's final letter grade, or a letter grade applied to a performance indicator prescribed in subsection D of this section, based on mitigating factors, including achievement profile designations based on incorrect data, identified by the department.

K. The failing schools tutoring fund is established consisting of monies collected pursuant to section 42-5029, subsection E and section 42-5029.02, subsection A, paragraph 8 as designated for this purpose. The department of education shall administer the fund. The department of education may use monies from the fund to purchase materials designed to assist students to meet the Arizona academic standards and to achieve a passing score on assessments adopted by the state board of education.

L. For the purposes of this section, "academic progress" means measures of both proficiency and academic gain.
Sec. 2. Section 15-756.01, Arizona Revised Statutes, is amended to read:

15-756.01. State board of education; research-based models of structured English immersion; alternative English instruction models; English language learners; budget requests; definitions

A. The state board of education shall either use research-based models of structured English immersion programs that were previously developed and adopted by the English language learners task force or develop and adopt new research-based models of structured English immersion programs for use by school districts and charter schools to use. The department of education shall provide adequate staff support for the state board of education to comply with this article. The models shall take into consideration at least the size of the school, the location of the school, the grade levels at the school, the number of English language learners and the percentage of English language learners. The models shall be limited to programs for English language learners to participate in a structured English immersion program not normally intended to exceed one year. The state board of education shall identify the minimum amount of English language development per day for all models. The state board of education shall develop separate models for the first year in which a pupil is classified as an English language learner that include a minimum of four hours per day of English language development. Adopt and approve models that include a minimum amount of English language development as follows:

1. One hundred twenty minutes per day, six hundred minutes per week or three hundred sixty hours per school year for pupils in kindergarten programs and grades one through six.

2. One hundred minutes per day, five hundred minutes per week or three hundred hours per school year for pupils in grades seven through twelve.

B. The state board of education shall adopt alternative English instruction models pursuant to section 15-753 that are based on evidence and research.

C. Pursuant to section 15-756.02, school districts and charter schools may submit models of structured English immersion and alternative English instruction to the state board of education for approval.

D. The research-based research-based models of structured English immersion adopted and approved by the state board of education shall be the most cost-efficient models that meet all state and federal laws.

E. The research-based research-based models of structured English immersion and the alternative English instruction models shall be limited to a regular school year and school day. Instruction outside the regular school year or school day shall be provided with compensatory instruction.
instruction and may be eligible for funding from the statewide compensatory instruction fund established by section 15-756.11.

F. The research-based STATE BOARD OF EDUCATION SHALL SUBMIT THE RESEARCH-BASED models of structured English immersion shall be submitted by the state board of education AND THE ALTERNATIVE ENGLISH INSTRUCTION MODELS to the president of the senate, the speaker of the house of representatives AND the governor and the state board of education. At least thirty days before adoption OR APPROVAL, the state board of education shall submit the research-based RESEARCH-BASED models of structured English immersion AND THE ALTERNATIVE ENGLISH INSTRUCTION MODELS to the joint legislative budget committee for review.

G. The state board of education shall review research-based THE RESEARCH-BASED models of structured English immersion AND THE ALTERNATIVE ENGLISH INSTRUCTION MODELS annually and delete from, add to or modify the existing models. When adopting, APPROVING or modifying English language learner programs, the state board of education shall review and consider the information and data obtained as a result of the department of education's monitoring of English language learner programs pursuant to section 15-756.08.

H. The state board of education shall establish procedures for school districts and charter schools to determine the incremental costs for implementation of TO IMPLEMENT the research-based RESEARCH-BASED models of structured English immersion developed by AND THE ALTERNATIVE ENGLISH INSTRUCTION MODELS THAT the state board of education ADOPTS OR APPROVES.

I. THE STATE BOARD OF EDUCATION SHALL ESTABLISH A FRAMEWORK TO EVALUATE THE MODELS PRESCRIBED IN THIS SECTION THAT ARE SUBMITTED FOR APPROVAL. THE STATE BOARD SHALL SOLICIT INPUT FROM EXPERIENCED EDUCATORS. THE FRAMEWORK SHALL ENSURE THAT THE ADOPTED OR APPROVED MODELS MEET ALL OF THE FOLLOWING CRITERIA:

1. PROVIDE COHERENT INSTRUCTION ALIGNED WITH THIS STATE'S ENGLISH LANGUAGE PROFICIENCY STANDARDS.

2. INCLUDE ORAL AND WRITTEN LANGUAGE INSTRUCTION, INCLUDING STRUCTURED OPPORTUNITIES TO DEVELOP VERBAL AND WRITTEN SKILLS AND COMPREHENSION STRATEGIES.

3. INCLUDE ACCESS TO COMPLEX LANGUAGE CONTENT THROUGH GRADE-LEVEL TEXTBOOKS WITH APPROPRIATE SUPPORTS.

4. INCLUDE PARENTAL ENGAGEMENT STRATEGIES.

J. The state board of education shall establish a form for school districts and charter schools to determine the structured English immersion AND ALTERNATIVE ENGLISH INSTRUCTION budget request amount. Notwithstanding any other law, the maximum amount of the budget request shall be the incremental costs of the model selected offset by the following amounts.
1. All federal title III monies and any other federal monies designated solely for the educational needs of English language learners.

2. The portion of title I and title IIA monies determined by the English language learner population as a percentage of the qualified population.

3. The portion of impact aid monies determined by the English language learner population as a percentage of the qualified population. A school district or charter school shall only apply unexpended impact aid monies to English language learner programs after it has applied its impact aid monies for other allowable uses as permitted by state law.

4. The portion of desegregation monies levied pursuant to section 15-910 determined by the English language learner population as a percentage of the qualified population.

5. AND the ELL support level weight prescribed in section 15-943.

H. K. The difference calculated pursuant to subsection G J of this section shall be the maximum amount of the structured English immersion AND ALTERNATIVE ENGLISH INSTRUCTION budget request pursuant to section 15-756.03 for monies from the Arizona structured English immersion LANGUAGE LEARNER fund established by section 15-756.04. School districts and charter schools shall not include the incremental costs of any pupil who is classified as an English language learner after July 1, 2007 and who has been classified as an English language learner for more than two years in the calculation of the school district’s or charter school’s structured English immersion budget request.

I. L. In consultation with the auditor general, the department of education shall develop and adopt forms to be used by school districts and charter schools to submit budget requests for the Arizona structured English immersion LANGUAGE LEARNER fund, including the form prescribed in subsection G J of this section.

M. THIS SECTION DOES NOT PROHIBIT A PUPIL WHO IS DESIGNATED AS AN ENGLISH LANGUAGE LEARNER FROM BEING CONCURRENTLY ENROLLED IN A STRUCTURED ENGLISH IMMERSION MODEL AND AN ALTERNATIVE ENGLISH INSTRUCTION MODEL.

N. For the purposes of this section:

1. "Compensatory instruction" has the same meaning prescribed in section 15-756.11.

2. "Incremental costs" means costs that are associated with a structured English immersion program pursuant to section 15-752 or AN ALTERNATIVE ENGLISH INSTRUCTION program pursuant to section 15-753 and that are in addition to the normal costs of conducting programs for English proficient students. Incremental costs do not include costs that replace the same types of services provided to English proficient students or compensatory instruction.
Sec. 3. Section 15-756.02, Arizona Revised Statutes, is amended to read:

15-756.02. School districts and charter schools; English language learner models; adoption, approval and implementation

A. Each school district governing board and each governing body of a charter school GOVERNING BODY shall select AND IMPLEMENT ON A SCHOOL-BY-SCHOOL BASIS one or more of the state board of education approved models for structured English immersion for implementation on a school by school basis AND ALTERNATIVE ENGLISH INSTRUCTION THAT THE STATE BOARD OF EDUCATION ADOPTS OR APPROVES PURSUANT TO SECTION 15-756.01.

B. If a school district or charter school wants to adopt IMPLEMENT an English language learner program that is not based on a model adopted OR APPROVED by the state board of education, the school district or charter school shall first submit the proposed program along with supporting documentation regarding the expected outcomes of the program on the district's or charter school's English language learner students to the state board of education for approval.

C. On receipt of a proposed program from a school district or charter school, the state board of education may do one of the following:

1. Approve the proposed program.
2. Provide limited approval subject to specific stipulations prescribed by the state board.
3. Reject the proposed program and identify a model approved by THAT the state board of education APPROVES for the school district or charter school to adopt.

D. School districts and charter schools shall include a copy of the adopted English language learner program in the annual report required in section 15-756.10.

Sec. 4. Section 15-756.03, Arizona Revised Statutes, is amended to read:

15-756.03. English language learner budget requests; requirements

A. If a school district or charter school qualifies to submit a budget request based on the form prescribed in section 15-756.01, subsection G–J, the school district or charter school shall submit a structured AN English immersion LANGUAGE LEARNER budget request on a school by school SCHOOL-BY-SCHOOL basis. The budget request shall be for a specific amount of supplemental monies from the Arizona structured English immersion LANGUAGE LEARNER fund established by section 15-756.04.

B. Each school district or charter school structured English immersion LANGUAGE LEARNER budget request shall include the signature of the superintendent of the school district and the chief financial officer of the school district or the principal of the charter school and the chief financial officer of the charter school. that THE SIGNATURE
certifies that the information in the budget request is true to the best
of that person's knowledge and has been calculated in accordance with the
form prescribed in section 15-756.01, subsection 6- J and that monies from
the Arizona structured English immersion LANGUAGE LEARNER fund established
by section 15-756.04 will not be used to supplant any federal, state or
local monies, including desegregation monies levied pursuant to section
15-910, used for English language learners that were budgeted for English
language learners as of February 23, 2006.

C. Each school district and charter school that submits a structured AN English immersion LANGUAGE LEARNER budget request shall
submit the budget request to the department of education annually on or
before September 15. The department of education shall verify the budget
request of each school district and charter school for accuracy and
compliance with the form prescribed in section 15-756.01, subsection 6- J.
The department shall collect all school district and charter school budget
requests and submit them to the legislature for funding from the Arizona
structured English immersion LANGUAGE LEARNER fund established by section
15-756.04 at the same time as the department's budget request.

Sec. 5. Section 15-756.04, Arizona Revised Statutes, is amended to
read:

15-756.04. Arizona English language learner fund; local-level
funds
A. The Arizona structured English immersion LANGUAGE LEARNER fund
is established. The department of education shall administer the fund.
B. The department of education shall submit an annual request for
an appropriation for the purposes of this section.
C. In addition to the ELL support level weight prescribed in
section 15-943, the department of education shall distribute monies from
the fund to school districts and charter schools in an amount specified in
the budget request prescribed in section 15-756.03, subsection C. Monies
from the fund established by this section and monies for the ELL support
level weight prescribed in section 15-943 shall not be distributed for
more than two fiscal years for the same pupil. This subsection does not
prohibit a school district or charter school from receiving monies from
the statewide compensatory instruction fund established by section
15-756.11 for more than two fiscal years for the same pupil.

D. The superintendent of public instruction shall attempt to obtain
the maximum amount of federal funding that is available for English
language learner programs.

E. Each school district and charter school shall establish a local level structured LOCAL-LEVEL English immersion LANGUAGE LEARNER fund to
receive monies distributed from the Arizona structured English immersion
LANGUAGE LEARNER fund. Monies in local level structured LOCAL-LEVEL
English immersion LANGUAGE LEARNER funds shall be spent only to provide
instruction to English language learners. The auditor general shall
modify the budget format, financial record requirements, accounting forms and financial report forms in accordance with this subsection. In consultation with the department of education, the auditor general shall provide support and guidance to assist school districts and charter schools in complying with this subsection. Documents developed pursuant to this subsection shall be reviewed by the state board of education and the joint legislative budget committee.

F. EACH school districts DISTRICT and charter schools SCHOOL shall use monies from the ITS LOCAL-LEVEL ENGLISH LANGUAGE LEARNER fund to supplement existing programs for English language learners. Monies from the fund shall not be used to supplant available monies used to pay for the normal costs of conducting programs for English proficient students.

Sec. 6. Repeal
Section 15-756.06, Arizona Revised Statutes, is repealed.
Sec. 7. Section 15-756.07, Arizona Revised Statutes, is amended to read:

15-756.07. Office of English language acquisition services;
duties; annual report

The office of English language acquisition services is established in the department of education. The department of education, office of English language acquisition services, shall:

1. Develop guidelines for monitoring school districts and charter schools to ensure compliance with all federal and state laws regarding English language learners.

2. In consultation with county school superintendents, develop regional programs to enhance all aspects of training for teachers and administrators.

3. Publish English language learner policy guidelines for school districts and charter schools that include a list of relevant rules, regulations and statutes relating to English language learner programs to notify school districts and charter schools of their responsibilities.

4. Provide technical assistance to school districts and charter schools to implement structured English immersion programs.


(a) DETAILED DESCRIPTIONS OF THE ADOPTED AND APPROVED MODELS OF ENGLISH LANGUAGE LEARNER INSTRUCTION, THE NUMBER OF PUBLIC SCHOOLS IMPLEMENTING EACH MODEL AND THE NUMBER OF STUDENTS ENROLLED IN EACH MODEL.
(b) THE LENGTH OF TIME STUDENTS ARE CLASSIFIED AS ENGLISH LANGUAGE LEARNERS.

(c) THE ACADEMIC PERFORMANCE ON THE STATEWIDE ASSESSMENT PURSUANT TO SECTION 15-741 FOR THE TWO YEARS AFTER ENGLISH LANGUAGE LEARNERS ACHIEVE ENGLISH PROFICIENCY.

(d) A SUMMARY OF INFORMATION RELATING TO THE DEMONSTRATED SUCCESS OF PUBLIC SCHOOLS AT ACHIEVING ENGLISH PROFICIENCY FOR ENGLISH LANGUAGE LEARNERS.

Sec. 8. Section 15-756.08, Arizona Revised Statutes, is amended to read:

15-756.08. Monitoring; report; corrective action plan

A. The superintendent of public instruction shall direct the office of English language acquisition services in the department of education to:

1. Monitor each year at least twelve school districts or charter schools from the fifty school districts or charter schools in this state with the highest number of English language learners. The department of education shall monitor all fifty school districts or charter schools with the highest number of English language learners in this state at least once every four years.

2. Monitor each year at least ten school districts or charter schools that are not included in the fifty school districts or charter schools described in paragraph 1 OF THIS SUBSECTION.

3. Monitor each year at least ten school districts or charter schools that are not required to provide instruction for English language learners for a majority of their grade levels.

4. Choose, based on the department's review of reports submitted by school districts and charter schools, the school districts and charter schools described in paragraphs 1, 2 and 3 OF THIS SUBSECTION.

5. Select a random sample of three hundred English language learners each month to determine:

(a) How many of the sample can read the randomly ordered alphabet in thirty seconds or less.

(b) How many of the sample can read a randomly sorted list of thirty single-syllable words in one minute or less.

B. The monitoring required by this section shall be on-site monitoring and shall include classroom observations, curriculum reviews, faculty interviews, student records, a review of English language learner programs and an analysis of programmatic effectiveness, at a minimum, to include prior year data that analyze the progress of English language learners.

C. Based on the results of the monitoring, the department of EDUCATION shall determine whether or not the school district or charter school is complying with state and federal laws applicable to English language learners.
D. The department OF EDUCATION shall issue a report of the results of the monitoring within forty-five days after completing the monitoring.

E. Within sixty days following the issuance of the department's DEPARTMENT OF EDUCATION'S report, the school district or charter school receiving the report shall prepare and submit to the department a corrective action plan, in a manner prescribed by the state board of education, that sets forth steps that will be taken to correct the deficiencies, if any, noted in the department's report.

F. Within thirty days after receiving a school district's or charter school's corrective action plan, the department OF EDUCATION shall review the corrective action plan and may require changes to the corrective action plan.

G. After the department OF EDUCATION has reviewed a school district's or charter school's corrective action plan and made any changes the department deems necessary, the department shall return the corrective action plan to the school district or charter school.

H. Within thirty days after receiving a corrective action plan back from the department OF EDUCATION, the school district or charter school shall begin implementing the measures set forth in the corrective action plan.

I. The department OF EDUCATION shall conduct a follow-up evaluation of the school district or charter school within one year after the department returned the corrective action plan to the school district or charter school.

J. In conducting the follow-up evaluation, if the department OF EDUCATION finds that the school district or charter school is not in compliance with state and federal laws applicable to English language learners, the department shall refer the school district or charter school to the state board of education for a finding of noncompliance. A school district or charter school THAT IS found by the STATE board to be noncompliant shall not continue to receive any monies from the Arizona structured English Immersion LANGUAGE LEARNER fund established by section 15-756.04 for English language learners and shall not reduce the amount of monies spent on the school district's or charter school's English language learner programs despite the loss of monies caused by the noncompliance.

K. The department OF EDUCATION shall monitor each school district or charter school that the state board of education has found to be noncompliant and that is not receiving Arizona structured English Immersion LANGUAGE LEARNER fund monies pursuant to subsection J of this section to ensure that the school district or charter school does not reduce the amount of monies spent on the school district's or charter school's English language learner programs despite the loss of Arizona structured English Immersion LANGUAGE LEARNER fund monies caused by the noncompliance.
Sec. 9. Section 15-756.10, Arizona Revised Statutes, is amended to read:

15-756.10. Reporting requirements

The office of English language acquisition services in the department of education shall:

1. Require each school district and charter school to annually submit a report to the department of education that includes the following information identified by grade level and by school:

   (a) The total number of pupils who are classified as English language learners as verified by the student accountability information system established by section 15-1041.

   (b) The number of pupils who are classified as English language learners for the first time as verified by the student accountability information system established by section 15-1041.

   (c) The number of English language learners who achieved English proficiency in the past academic year and who have been reclassified as English proficient as verified by the student accountability information system established by section 15-1041.

   (d) The number of pupils who are enrolled in each type of language acquisition program offered by the school district or charter school as verified by the student accountability information system established by section 15-1041.

   (e) If requested by the department of education, the test data used to determine English proficiency.

2. Determine the mobility of English language learners within the same school district and the mobility of English language learners to other school districts and charter schools through the student accountability information system established by section 15-1041.

3. Submit an annual report to the joint legislative budget committee that includes an itemized list of all federal monies received by the department for English language learners, a list of how much of these monies were distributed to school districts on a district-by-district basis and the purposes for which these federal monies are designated. The department shall submit a copy of this report to the secretary of state and the director of the Arizona state library, archives and public records.

4. Submit an annual report to the governor, the president of the senate, the speaker of the house of representatives and the state board of education that includes a detailed analysis of whether and to what extent pupils are benefiting academically from compensatory instruction as defined in section 15-756.11 and a comparison of the academic achievement of pupils before and after receiving compensatory instruction as defined in section 15-756.11. The department shall submit a copy of this report to the secretary of state and the director of the Arizona state library, archives and public records.
5. Present a detailed annual summary of all English language learner programs and funding at a public meeting of the state board of education.

6. Present a summary of information relating to the demonstrated success of schools and school districts at achieving English proficiency for English language learners.

Sec. 10. Section 15-756.12, Arizona Revised Statutes, is amended to read:

15-756.12. Auditor general; duties

The auditor general shall:

1. Modify the annual financial report prescribed in section 15-904 in order to carry out this article.

2. Biennially audit the overall effectiveness of the English language learner program based on outcome measurements and increased English proficiency and review the mobility of English proficient students and English language learners.

3. Analyze the effectiveness of all models adopted or approved by the state board of education and identify the most effective models.

3. Conduct financial audits on school districts that are monitored pursuant to section 15-756.08. The financial audits shall include a review of the structured English immersion budget requests submitted pursuant to sections 15-756.01 and 15-756.03 and of the statewide compensatory instruction budget requests submitted pursuant to section 15-756.11. The auditor general may conduct financial audits on randomly selected school districts that are not currently monitored pursuant to section 15-756.08.

Sec. 11. Section 41-1279.03, Arizona Revised Statutes, is amended to read:

41-1279.03. Powers and duties

A. The auditor general shall:

1. Prepare an audit plan for approval by the committee and report to the committee the results of each audit and investigation and other reviews conducted by the auditor general.

2. Conduct or cause to be conducted at least biennial financial and compliance audits of financial transactions and accounts kept by or for all state agencies subject to the single audit act of 1984 (P.L. 98-502). The audits shall be conducted in accordance with generally accepted governmental auditing standards and accordingly shall include tests of the accounting records and other auditing procedures as may be considered necessary in the circumstances. The audits shall include the issuance of suitable reports as required by the single audit act of 1984 (P.L. 98-502) so that the legislature, the federal government and others will be informed as to the adequacy of financial statements of the state in compliance with generally accepted governmental accounting principles and to determine whether the state has complied with laws and regulations.
that may have a material effect on the financial statements and on major
federal assistance programs.

3. Perform procedural reviews for all state agencies at times
determined by the auditor general. These reviews may include evaluation
of administrative and accounting internal controls and reports on these
reviews.

4. Perform special research requests, special audits and related
assignments as designated by the committee and conduct performance audits,
special audits, special research requests and investigations of any state
agency, whether created by the constitution or otherwise, as may be
requested by the committee.

5. Annually on or before the fourth Monday of December, prepare a
written report to the governor and to the committee that contains a
summary of activities for the previous fiscal year.

6. In the tenth year and in each fifth year thereafter in which a
transportation excise tax is in effect in a county as provided in section
42-6106 or 42-6107, conduct a performance audit that:
(a) Reviews past expenditures and future planned expenditures of
the transportation excise revenues and determines the impact of the
expenditures in solving transportation problems within the county and, for
a transportation excise tax in effect in a county as provided in section
42-6107, determines whether the expenditures of the transportation excise
revenues comply with section 28-6392, subsection B.
(b) Reviews projects completed to date and projects to be completed
during the remaining years in which a transportation excise tax is in
effect. Within six months after each review period, the auditor general
shall present a report to the speaker of the house of representatives and
the president of the senate detailing findings and making recommendations.
(c) Reviews, determines, reports and makes recommendations to the
speaker of the house of representatives and the president of the senate
whether the distribution of highway user revenues complies with title 28,
chapter 18, article 2.

7. If requested by the committee, conduct performance audits of
counties and incorporated cities and towns receiving highway user revenue
fund monies pursuant to title 28, chapter 18, article 2 to determine WHETHER
the monies are being spent as provided in section 28-6533, subsection B.

8. Perform special audits designated pursuant to law if the auditor
general determines that there are adequate monies appropriated for the
auditor general to complete the audit. If the auditor general determines
the appropriated monies are inadequate, the auditor general shall notify
the committee.

9. Establish a schoolwide audit team in the office of the auditor
general to conduct performance audits and monitor school districts to
determine the percentage of every dollar spent in the classroom by the
school district. Each school district shall prominently post on its website home page a copy of its profile pages that displays the percentage of every dollar spent in the classroom by that school district from the most recent status report issued by the auditor general pursuant to this paragraph. The performance audits shall determine whether school districts that receive monies from the Arizona structured English immersion LANGUAGE LEARNER fund established by section 15-756.04 and the statewide compensatory instruction fund established by section 15-756.11 are in compliance with title 15, chapter 7, article 3.1. The auditor general shall determine, through random selection, the school districts to be audited each year, subject to review by the joint legislative audit committee. A school district that is subject to an audit pursuant to this paragraph shall notify the auditor general in writing as to whether the school district agrees or disagrees with the findings and recommendations of the audit and whether the school district will implement the findings and recommendations, implement modifications to the findings and recommendations or refuse to implement the findings and recommendations. The school district shall submit to the auditor general a written status report on the implementation of the audit findings and recommendations every six months for two years after an audit conducted pursuant to this paragraph. The auditor general shall review the school district's progress toward implementing the findings and recommendations of the audit every six months after receipt of the district's status report for two years. The auditor general may review a school district's progress beyond this two-year period for recommendations that have not yet been implemented by the school district. The auditor general shall provide a status report of these reviews to the joint legislative audit committee. The school district shall participate in any hearing scheduled during this review period by the joint legislative audit committee or by any other legislative committee designated by the joint legislative audit committee.

10. Annually review per diem compensation and reimbursement of expenses for employees of the THIS state and members of a state board, commission, council or advisory committee by judgmentally selecting samples and evaluating the propriety of per diem compensation and expense reimbursements.

B. The auditor general may:

1. Subject to approval by the committee, adopt rules necessary to administer the duties of the office.

2. Hire consultants to conduct the studies required by subsection A, paragraphs 6 and 7 of this section.

C. If approved by the committee, the auditor general may charge a reasonable fee for the cost of performing audits or providing accounting services for auditing federal funds, special audits or special services requested by political subdivisions of the THIS state. Monies collected
pursuant to this subsection shall be deposited in the audit services revolving fund.

D. The department of transportation, the board of supervisors of a county that has approved a county transportation excise tax as provided in section 42-6106 or 42-6107 and the governing bodies of counties, cities and towns receiving highway user revenue fund monies shall cooperate with and provide necessary information to the auditor general or the auditor general's consultant.

E. The department of transportation shall reimburse the auditor general as follows, and the auditor general shall deposit the reimbursed monies in the audit services revolving fund:

1. For the cost of conducting the studies or hiring a consultant to conduct the studies required by subsection A, paragraph 6, subdivisions (a) and (b) of this section, from monies collected pursuant to a county transportation excise tax levied pursuant to section 42-6106 or 42-6107.

2. For the cost of conducting the studies or hiring a consultant pursuant to subsection A, paragraph 6, subdivision (c) and paragraph 7 of this section, from the Arizona highway user revenue fund.