

REFERENCE TITLE: office of Indian education; assistance

State of Arizona  
Senate  
Fifty-fourth Legislature  
First Regular Session  
2019

## **SB 1270**

Introduced by  
Senators Peshlakai: Alston, Bradley, Contreras, Dalessandro, Gonzales,  
Mendez, Navarrete, Otondo, Quezada, Rios, Steele; Representatives  
Jermaine, Teller, Tsosie

AN ACT

AMENDING SECTIONS 5-572 AND 15-244, 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 5-572, Arizona Revised Statutes, is amended to  
3 read:

4 5-572. Use of monies in state lottery fund; report

5 A. If there are any bonds or bond related obligations payable from  
6 the state lottery revenue bond debt service fund, the state lottery  
7 revenue bond debt service fund shall be secured by a first lien on the  
8 monies in the state lottery fund after the payment of operating costs of  
9 the lottery, as prescribed in section 5-555, subsection A, paragraph 1,  
10 until the state lottery bond debt service fund contains sufficient monies  
11 to meet all the requirements for the current period as required by the  
12 bond documents. Debt service for revenue bonds issued pursuant to this  
13 chapter shall be paid first from monies that would have otherwise been  
14 deposited pursuant to this section in the state general fund. After the  
15 requirements for the current period have been satisfied as required by the  
16 bond documents, the monies in the state lottery fund shall be expended for  
17 the expenses of the commission incurred in carrying out its powers and  
18 duties and in the operation of the lottery.

19 B. Of the monies remaining in the state lottery fund each fiscal  
20 year after appropriations and deposits authorized in subsection A of this  
21 section, ~~ten million dollars~~ \$10,000,000 shall be deposited in the Arizona  
22 game and fish commission heritage fund established by section 17-297.

23 C. Of the monies remaining in the state lottery fund each fiscal  
24 year after appropriations and deposits authorized in subsections A and B  
25 of this section, ~~five million dollars~~ \$5,000,000 shall be allocated to the  
26 department of child safety for the healthy families program established by  
27 section 8-481, ~~four million dollars~~ \$4,000,000 shall be allocated to the  
28 Arizona board of regents for the Arizona area health education system  
29 established by section 15-1643, ~~three million dollars~~ \$3,000,000 shall be  
30 allocated to the department of health services to fund the teenage  
31 pregnancy prevention programs established in BY Laws 1995, chapter 190,  
32 sections 2 and 3, ~~two million dollars~~ \$2,000,000 shall be allocated to the  
33 department of health services for the health start program established by  
34 section 36-697, ~~two million dollars~~ \$2,000,000 shall be deposited in the  
35 disease control research fund established by section 36-274 and ~~one~~  
36 ~~million dollars~~ \$1,000,000 shall be allocated to the department of health  
37 services for the federal women, infants and children food program. The  
38 allocations in this subsection shall be adjusted annually according to  
39 changes in the GDP price deflator as defined in section 41-563, and the  
40 allocations are exempt from the provisions of section 35-190 relating to  
41 lapsing of appropriations. If there are not sufficient monies available  
42 pursuant to this subsection, the allocation of monies for each program  
43 shall be reduced on a pro rata basis.

1 D. If the state lottery director determines that monies available  
2 to the state general fund may not equal ~~eighty-four million one hundred~~  
3 ~~fifty thousand dollars~~ \$84,150,000 in a fiscal year, the director shall  
4 not authorize deposits to the Arizona game and fish commission heritage  
5 fund pursuant to subsection B of this section until the deposits to the  
6 state general fund equal ~~eighty-four million one hundred fifty thousand~~  
7 ~~dollars~~ \$84,150,000 in a fiscal year.

8 E. Of the monies remaining in the state lottery fund each fiscal  
9 year after appropriations and deposits authorized in subsections A through  
10 D of this section, ~~one million dollars~~ 1,000,000 or the remaining balance  
11 in the fund, whichever is less, is appropriated to the department of  
12 economic security for grants to nonprofit organizations, including ~~faith~~  
13 ~~based~~ FAITH-BASED organizations, for homeless emergency and transitional  
14 shelters and related support services. The department of economic security  
15 shall submit a report on the amounts, recipients, purposes and results of  
16 each grant to the governor, the speaker of the house of representatives  
17 and the president of the senate on or before December 31 of each year for  
18 the prior fiscal year and shall provide a copy of this report to the  
19 secretary of state.

20 F. Of the monies remaining in the state lottery fund each fiscal  
21 year after appropriations and deposits authorized in subsections A through  
22 E of this section, and after a total of at least ~~ninety-nine million six~~  
23 ~~hundred forty thousand dollars~~ \$99,640,000 has been deposited in the state  
24 general fund, ~~three million five hundred thousand dollars~~ \$3,500,000 shall  
25 be deposited in the Arizona competes fund established by section  
26 41-1545.01. The balance in the state lottery fund remaining after  
27 deposits into the Arizona competes fund shall be deposited in the  
28 university capital improvement lease-to-own and bond fund established by  
29 section 15-1682.03, up to a maximum of eighty percent of the total annual  
30 payments of lease-to-own and bond agreements entered into by the Arizona  
31 board of regents.

32 G. OF THE MONIES REMAINING IN THE STATE LOTTERY FUND EACH FISCAL  
33 YEAR AFTER APPROPRIATIONS AND DEPOSITS AUTHORIZED IN SUBSECTIONS A THROUGH  
34 F OF THIS SECTION, \$1,000,000 OR THE REMAINING BALANCE IN THE FUND,  
35 WHICHEVER IS LESS, IS APPROPRIATED TO THE DEPARTMENT OF EDUCATION TO FUND  
36 THE OFFICE OF INDIAN EDUCATION. THE DEPARTMENT SHALL USE A PORTION OF  
37 THESE MONIES TO HIRE AND PROVIDE SALARIES TO AT LEAST FIVE FULL-TIME  
38 EQUIVALENT EMPLOYEES WHO ARE ASSIGNED TO THE OFFICE OF INDIAN EDUCATION.

39 ~~H.~~ H. All monies remaining in the state lottery fund after the  
40 appropriations and deposits authorized in this section shall be deposited  
41 in the state general fund.

42 ~~H.~~ I. Except for monies expended for debt service of revenue bonds  
43 as provided in subsection A of this section, monies expended under  
44 subsection A of this section are subject to legislative appropriation.

1           ~~J.~~ J. The commission shall transfer monies prescribed in this  
2 section on a quarterly basis.

3           Sec. 2. Section 15-244, Arizona Revised Statutes, is amended to  
4 read:

5           15-244. Office of Indian education; reporting requirements;  
6   definition

7           A. The office of Indian education is established in the department  
8 of education. The superintendent of public instruction shall hire  
9 appropriate personnel for the office.

10          B. The office of Indian education shall:

11           1. In collaboration with Indian nations, provide technical  
12 assistance to schools and Indian nations to meet the educational needs of  
13 native American pupils, ~~INCLUDING THE FOLLOWING:~~ ~~—~~

14           (a) PROFESSIONAL DEVELOPMENT.

15           (b) DATA LITERACY.

16           (c) TEACHER RECRUITMENT AND RETENTION.

17           (d) NATIVE LANGUAGE DEVELOPMENT.

18           (e) FISCAL MANAGEMENT, INCLUDING THE MOST EFFICIENT USE OF  
19 AVAILABLE MONIES.

20           (f) FAMILY ENGAGEMENT.

21           (g) THE INCORPORATION OF NATIVE AMERICAN CULTURE INTO THE  
22 CURRICULA.

23           2. Provide technical assistance to schools and Indian nations in  
24 the planning, development, implementation and evaluation of curricula that  
25 are culturally relevant and aligned to state standards.

26           3. Provide technical assistance to schools and Indian nations to  
27 develop culturally appropriate curricula and instructional materials.

28           4. Establish an Indian education advisory council in the department  
29 of education that ~~shall include~~ INCLUDES at least parents who are not  
30 certificated teachers.

31           5. Encourage and foster parental involvement in ~~the education of~~  
32 EDUCATING native American pupils.

33           C. At least once each year, representatives from all Indian  
34 nations, members of the state board OF EDUCATION, the governor's office,  
35 the governor's office on tribal relations, the ~~intertribal~~ INTER TRIBAL  
36 council of Arizona, the legislature, the superintendent of public  
37 instruction and the Indian education advisory council shall meet to assist  
38 in evaluating, consolidating and coordinating all activities relating to  
39 ~~the education of~~ EDUCATING native American pupils.

40           D. Based on data submitted pursuant to subsection E of this  
41 section, the office of Indian education, in collaboration with entities  
42 that serve native American pupils, shall submit an annual statewide native  
43 American education status report to all Indian nations in this state. The  
44 division shall provide a copy of this report to the secretary of state.

1           E. A school district with tribal lands located within its  
2 boundaries shall provide a district-wide native American education status  
3 report to all Indian nations represented within the school district  
4 boundaries and to the department of education.

5           F. The status reports prescribed in subsections D and E of this  
6 section shall be written in a brief format and shall include the following  
7 information, through which public school performance is measured and  
8 reported to the Indian nations:

9           1. Student achievement as measured by a statewide test approved by  
10 the state board OF EDUCATION, with results disaggregated by ethnicity.

11           2. School safety.

12           3. The dropout rate.

13           4. Attendance.

14           5. Parent and community involvement.

15           6. Educational programs that target native American pupils.

16           7. Financial reports.

17           8. The current status of federal Indian education policies and  
18 procedures.

19           9. School district initiatives to decrease the number of student  
20 dropouts and increase attendance.

21           10. Public school use of variable school calendars.

22           11. School district consultations with parent advisory committees.

23           G. The state board of education, in consultation with the Indian  
24 nations in this state, may adopt rules to implement this section.

25           H. For the purposes of this section, "Indian nations" means an  
26 Indian nation, tribe or pueblo THAT IS located in this state.