CHAPTER 155

HOUSE BILL 2565

AN ACT

AMENDING SECTIONS 15-1306 AND 15-1342, ARIZONA REVISED STATUTES; RELATING TO THE ARIZONA STATE SCHOOLS FOR THE DEAF AND THE BLIND.

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

Section 1. Section 15-1306, Arizona Revised Statutes, is amended to read:

15-1306. Arizona state schools for the deaf and the blind; local education agency

Notwithstanding any other provision of this chapter or chapter 10, article 7 of this title, the Arizona state schools for the deaf and the blind campuses are considered local education agencies for the following purposes:

1. Federal education funding received by this state.
2. State and federal accountability, including reporting requirements.
3. Providing a free and appropriate public education to enrolled pupils pursuant to the individuals with disabilities education act (20 United States Code chapter 33), including procedural safeguards, complaint procedures, implementation of individualized education programs and reevaluations pursuant to chapter 7, article 4 of this title.
4. Graduation criteria and procedures, including diplomas and transcripts.

Sec. 2. Section 15-1342, Arizona Revised Statutes, is amended to read:

15-1342. Admissions

A. Chapter 7, article 4 of this title governs admissions to the school except as provided in this section. The evaluation and consideration of placement in the school shall be made under the direction of the chief administrative official of the HOME school district or accommodation school within the boundaries of which the child resides or a person designated by the official as responsible for special education after consultation with the parent, as defined in section 15-761, of the child. If a parent or legal guardian of a child directly refers a child to the ARIZONA state schools for the deaf and the blind, the school shall immediately, after notification of the referral, contact the chief administrative official or accommodation school within the boundaries of which the child resides. The chief administrative official or accommodation school shall arrange for the establishment of a placement and evaluation team for that child.

B. A placement and evaluation team shall determine the appropriate educational placement for the child based on the development of an individualized education program. PLACEMENT AND REVIEW OF THE INDIVIDUALIZED EDUCATION PROGRAM MAY BE CONDUCTED AT THE SAME MEETING. Each placement and evaluation team shall document that it has advised the child's parent or legal guardian of all placement options. The placement and evaluation team shall consist of at least the following persons:
1. The parent or legal guardian of the child.

2. An administrator A REPRESENTATIVE from the HOME school district in which the child resides—WHO MEETS ALL OF THE FOLLOWING REQUIREMENTS:
   a) IS QUALIFIED TO PROVIDE OR SUPERVISE THE PROVISION OF SPECIALLY DESIGNED INSTRUCTION TO MEET THE UNIQUE NEEDS OF CHILDREN WITH DISABILITIES.
   b) IS KNOWLEDGEABLE ABOUT THE GENERAL EDUCATION CURRICULUM.
   c) IS KNOWLEDGEABLE ABOUT THE AVAILABILITY OF RESOURCES OF THE PUBLIC AGENCY.

3. A certified teacher of the CHILDREN WITH A sensory impaired IMPAIRMENT who provides or may provide in the future educational services to the child.

4. An evaluator, with preference given to an evaluator who is trained and experienced in evaluating the educational needs of CHILDREN WITH A sensory impaired children IMPAIRMENT. THE EVALUATOR MAY ALSO BE A MEMBER OF THE TEAM PURSUANT TO PARAGRAPH 2 OR 6 OF THIS SUBSECTION.

5. A EDUCATIONAL representative of the school ARIZONA STATE SCHOOLS FOR THE DEAF AND THE BLIND. THE EDUCATIONAL REPRESENTATIVE MAY ALSO BE A MEMBER OF THE TEAM PURSUANT TO PARAGRAPH 3 OF THIS SUBSECTION.

6. IF THE CHILD IS OR WILL BE PARTICIPATING IN THE REGULAR EDUCATIONAL ENVIRONMENT, AT LEAST ONE REGULAR EDUCATION TEACHER.

7. IF APPROPRIATE, THE CHILD WITH A DISABILITY.

C. The individualized education program plan of a child continuing in special education placement from the prior school year shall be reviewed annually and revised if necessary. The individualized planning conference shall include a representative of the HOME school district of residence and a representative of the school SCHOOLS, the child's teacher, the parent, as defined in section 15-761, of the child and, if appropriate, the child.

D. THE ARIZONA STATE SCHOOLS FOR THE DEAF AND THE BLIND SHALL HOLD A PLACEMENT MEETING FOR A CHILD WHO IS ENROLLED IN A CAMPUS-BASED MODEL AT LEAST ANNUALLY TO REVIEW THE CHILD'S PLACEMENT STATUS AND SHALL INVITE A REPRESENTATIVE OF THE CHILD'S HOME SCHOOL DISTRICT. IF A DETERMINATION IS MADE THAT THE ARIZONA STATE SCHOOLS FOR THE DEAF AND THE BLIND IS NO LONGER THE LEAST RESTRICTIVE ENVIRONMENT, THE HOME SCHOOL DISTRICT SHALL ENROLL THE CHILD.

E. Except as provided in subsection F of this section, the chief administrative official A REPRESENTATIVE FOR SPECIAL EDUCATION of the HOME school district or accommodation school within the boundaries of which the child resides or a person designated by the official as responsible for special education shall place the child according to the recommendations of the individualized education program team.

F. A child who is placed in the school but moves from one school district or county to another may remain placed in the school until the next annual review. A representative of the child's new district of
residence shall be included on the team conducting the review. The superintendent of the ARIZONA STATE SCHOOLS FOR THE DEAF AND THE BLIND shall at least quarterly give the chief administrator of the school district notice of any changes in a child's residence AND THE NEW DISTRICT OF RESIDENCE SHALL BECOME THE NEW HOME SCHOOL DISTRICT.

G. If the chief administrator of the HOME school district or accommodation school or his designee and the superintendent of the SCHOOLS determine that the SCHOOLS cannot provide the appropriate educational programs and services needed by the child, they shall locate or establish a program to meet the child's needs in consultation with the department of education and any other appropriate state agency.

H. A complete record of every person admitted shall be kept from the date of admission to the date of discharge, RELEASE, REMOVAL, GRADUATION or death. The records shall be accessible to the board or a legislative committee or upon order of a judge of a court of record.

H. If there is any question regarding the propriety of the placement or admission of any person received in the school, the governing board of the school district or accommodation school within the boundaries of which the child resides or the board of the school shall make an investigation and take such action as it deems proper.

I. A political or religious belief shall NOT be required as a qualification of any student of the SCHOOLS.

APPROVED BY THE GOVERNOR APRIL 18, 2022.