

House Engrossed

schools; total compensation statements

State of Arizona
House of Representatives
Fifty-fifth Legislature
First Regular Session
2021

CHAPTER 260

HOUSE BILL 2268

AN ACT

AMENDING TITLE 15, CHAPTER 1, ARTICLE 8, ARIZONA REVISED STATUTES, BY
ADDING SECTION 15-189; AMENDING SECTION 15-341, ARIZONA REVISED STATUTES;
RELATING TO SCHOOL EMPLOYEE COMPENSATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 15, chapter 1, article 8, Arizona Revised
3 Statutes, is amended by adding section 15-189, to read:

4 15-189. Charter schools; total compensation statement

5 EACH FISCAL YEAR, THE GOVERNING BODY OF A CHARTER SCHOOL SHALL
6 PROVIDE TO EACH CHARTER SCHOOL EMPLOYEE A TOTAL COMPENSATION STATEMENT
7 THAT IS BROKEN DOWN BY CATEGORY OF BENEFIT OR PAYMENT AND THAT INCLUDES,
8 FOR THAT EMPLOYEE, AT LEAST ALL OF THE FOLLOWING:

9 1. BASE SALARY AND ANY ADDITIONAL PAY.

10 2. MEDICAL BENEFITS AND THE VALUE OF ANY EMPLOYER-PAID PORTIONS OF
11 INSURANCE PLAN PREMIUMS.

12 3. RETIREMENT BENEFIT PLANS, INCLUDING SOCIAL SECURITY.

13 4. LEGALLY REQUIRED BENEFITS.

14 5. ANY PAID LEAVE.

15 6. ANY OTHER PAYMENT MADE TO OR ON BEHALF OF THE EMPLOYEE.

16 7. ANY OTHER BENEFIT PROVIDED TO THE EMPLOYEE.

17 Sec. 2. Section 15-341, Arizona Revised Statutes, is amended to
18 read:

19 15-341. General powers and duties; immunity; delegation

20 A. The governing board shall:

21 1. Prescribe and enforce policies and procedures ~~for the governance~~
22 ~~of~~ TO GOVERN the schools that are not inconsistent with law or rules
23 prescribed by the state board of education.

24 2. Exclude from schools all books, publications, papers or
25 audiovisual materials of a sectarian, partisan or denominational
26 character. This paragraph does not prohibit the elective course permitted
27 by section 15-717.01.

28 3. Manage and control the school property within its district,
29 except that a district may enter into a partnership with an entity,
30 including a charter school, another school district or a military base, to
31 operate a school or offer educational services in a district building,
32 including at a vacant or partially used building, or in any building on
33 the entity's property pursuant to a written agreement between the parties.

34 4. Acquire school furniture, apparatus, equipment, library books
35 and supplies for ~~the use of~~ the schools TO USE.

36 5. Prescribe the curricula and criteria for the promotion and
37 graduation of pupils as provided in sections 15-701 and 15-701.01.

38 6. Furnish, repair and insure, at full insurable value, the school
39 property of the district.

40 7. Construct school buildings on approval by a vote of the district
41 electors.

42 8. ~~Make~~ In the name of the district, ~~conveyances of~~ CONVEY property
43 belonging to the district and sold by the board.

1 9. Purchase school sites when authorized by a vote of the district
2 at an election conducted as nearly as practicable in the same manner as
3 the election provided in section 15-481 and held on a date prescribed in
4 section 15-491, subsection E, but such authorization shall not necessarily
5 specify the site to be purchased and such authorization shall not be
6 necessary to exchange unimproved property as provided in section 15-342,
7 paragraph 23.

8 10. Construct, improve and furnish buildings used for school
9 purposes when such buildings or premises are leased from the national park
10 service.

11 11. Purchase school sites or construct, improve and furnish school
12 buildings from the proceeds of the sale of school property only on
13 approval by a vote of the district electors.

14 12. Hold pupils to strict account for disorderly conduct on school
15 property.

16 13. Discipline students for disorderly conduct on the way to and
17 from school.

18 14. Except as provided in section 15-1224, deposit all monies
19 received by the district as gifts, grants and devises with the county
20 treasurer who shall credit the deposits as designated in the uniform
21 system of financial records. If not inconsistent with the terms of the
22 gifts, grants and devises given, any balance remaining after expenditures
23 for the intended purpose of the monies have been made shall be used for
24 reduction of school district taxes for the budget year, except that in the
25 case of accommodation schools the county treasurer shall carry the balance
26 forward for use by the county school superintendent for accommodation
27 schools for the budget year.

28 15. Provide that, if a parent or legal guardian chooses not to
29 accept a decision of the teacher as provided in paragraph 42 of this
30 subsection, the parent or legal guardian may request in writing that the
31 governing board review the teacher's decision. This paragraph does not
32 release school districts from any liability relating to a child's
33 promotion or retention.

34 16. Provide for adequate supervision over pupils in instructional
35 and noninstructional activities by certificated or noncertificated
36 personnel.

37 17. Use school monies received from the state and county school
38 apportionment exclusively ~~for payment of~~ TO PAY salaries of teachers and
39 other employees and contingent expenses of the district.

40 18. ~~Make an annual~~ ANNUALLY report to the county school
41 superintendent on or before October 1 in the manner and form and on the
42 blanks prescribed by the superintendent of public instruction or county
43 school superintendent. The board shall also ~~make reports~~ REPORT directly
44 to the county school superintendent or the superintendent of public
45 instruction whenever required.

1 19. Deposit all monies received by school districts other than
2 student activities monies or monies from auxiliary operations as provided
3 in sections 15-1125 and 15-1126 with the county treasurer to the credit of
4 the school district except as provided in paragraph 20 of this subsection
5 and sections 15-1223 and 15-1224, and the board shall expend the monies as
6 provided by law for other school funds.

7 20. Establish bank accounts in which the board during a month may
8 deposit miscellaneous monies received directly by the district. The board
9 shall remit monies deposited in the bank accounts at least monthly to the
10 county treasurer for deposit as provided in paragraph 19 of this
11 subsection and in accordance with the uniform system of financial records.

12 21. Prescribe and enforce policies and procedures for disciplinary
13 action against a teacher who engages in conduct that is a violation of the
14 policies of the governing board but that is not cause for dismissal of the
15 teacher or for revocation of the certificate of the teacher. Disciplinary
16 action may include suspension without pay for a period of time not to
17 exceed ten school days. Disciplinary action shall not include suspension
18 with pay or suspension without pay for a period of time longer than ten
19 school days. The procedures shall include notice, hearing and appeal
20 provisions for violations that are cause for disciplinary action. The
21 governing board may designate a person or persons to act on behalf of the
22 board on these matters.

23 22. Prescribe and enforce policies and procedures for disciplinary
24 action against an administrator who engages in conduct that is a violation
25 of the policies of the governing board regarding duties of administrators
26 but that is not cause for dismissal of the administrator or for revocation
27 of the certificate of the administrator. Disciplinary action may include
28 suspension without pay for a period of time not to exceed ten school days.
29 Disciplinary action shall not include suspension with pay or suspension
30 without pay for a period of time longer than ten school days. The
31 procedures shall include notice, hearing and appeal provisions for
32 violations that are cause for disciplinary action. The governing board
33 may designate a person or persons to act on behalf of the board on these
34 matters. For violations that are cause for dismissal, the provisions of
35 notice, hearing and appeal in chapter 5, article 3 of this title shall
36 apply. The filing of a timely request for a hearing suspends the
37 imposition of a suspension without pay or a dismissal pending completion
38 of the hearing.

39 23. Notwithstanding sections 13-3108 and 13-3120, prescribe and
40 enforce policies and procedures that prohibit a person from carrying or
41 possessing a weapon on school grounds unless the person is a peace officer
42 or has obtained specific authorization from the school administrator.

43 24. Prescribe and enforce policies and procedures relating to the
44 health and safety of all pupils participating in district-sponsored

1 practice sessions or games or other interscholastic athletic activities,
2 including:

3 (a) The provision of water.

4 (b) Guidelines, information and forms, developed in consultation
5 with a statewide private entity that supervises interscholastic
6 activities, to inform and educate coaches, pupils and parents of the
7 dangers of concussions and head injuries and the risks of continued
8 participation in athletic activity after a concussion. The policies and
9 procedures shall require that, before a pupil participates in an athletic
10 activity, the pupil and the pupil's parent must sign an information form
11 at least once each school year that states that the parent is aware of the
12 nature and risk of concussion. The policies and procedures shall require
13 that a pupil who is suspected of sustaining a concussion in a practice
14 session, game or other interscholastic athletic activity be immediately
15 removed from the athletic activity and that the pupil's parent or guardian
16 be notified. A coach from the pupil's team or an official or a licensed
17 health care provider may remove a pupil from play. A team parent may also
18 remove the parent's own child from play. A pupil may return to play on
19 the same day if a health care provider rules out a suspected concussion at
20 the time the pupil is removed from play. On a subsequent day, the pupil
21 may return to play if the pupil has been evaluated by and received written
22 clearance to resume participation in athletic activity from a health care
23 provider who has been trained in the evaluation and management of
24 concussions and head injuries. A health care provider who is a volunteer
25 and who provides clearance to participate in athletic activity on the day
26 of the suspected injury or on a subsequent day is immune from civil
27 liability with respect to all decisions made and actions taken that are
28 based on good faith implementation of the requirements of this
29 subdivision, except in cases of gross negligence or wanton or wilful
30 neglect. A school district, school district employee, team coach,
31 official or team volunteer or a parent or guardian of a team member is not
32 subject to civil liability for any act, omission or policy undertaken in
33 good faith to comply with the requirements of this subdivision or for a
34 decision made or an action taken by a health care provider. A group or
35 organization that uses property or facilities owned or operated by a
36 school district for athletic activities shall comply with the requirements
37 of this subdivision. A school district and its employees and volunteers
38 are not subject to civil liability for any other person or organization's
39 failure or alleged failure to comply with the requirements of this
40 subdivision. This subdivision does not apply to teams that are based in
41 another state and that participate in an athletic activity in this state.
42 For the purposes of this subdivision, athletic activity does not include
43 dance, rhythmic gymnastics, competitions or exhibitions of academic skills
44 or knowledge or other similar forms of physical noncontact activities,
45 civic activities or academic activities, whether engaged in for the

1 purposes of competition or recreation. For the purposes of this
2 subdivision, "health care provider" means a physician who is licensed
3 pursuant to title 32, chapter 13 or 17, an athletic trainer who is
4 licensed pursuant to title 32, chapter 41, a nurse practitioner who is
5 licensed pursuant to title 32, chapter 15, and a physician assistant who
6 is licensed pursuant to title 32, chapter 25.

7 (c) Guidelines, information and forms that are developed in
8 consultation with a statewide private entity that supervises
9 interscholastic activities to inform and educate coaches, pupils and
10 parents of the dangers of heat-related illnesses, sudden cardiac death and
11 prescription opioid use. Before a pupil participates in any
12 district-sponsored practice session or game or other interscholastic
13 athletic activity, the pupil and the pupil's parent must be provided with
14 information at least once each school year on the risks of heat-related
15 illnesses, sudden cardiac death and prescription opioid addiction.

16 25. Establish an assessment, data gathering and reporting system as
17 prescribed in chapter 7, article 3 of this title.

18 26. Provide special education programs and related services
19 pursuant to section 15-764, subsection A to all children with disabilities
20 as defined in section 15-761.

21 27. Administer competency tests prescribed by the state board of
22 education for the graduation of pupils from high school.

23 28. Ensure that insurance coverage is secured for all construction
24 projects for purposes of general liability, property damage and workers'
25 compensation and secure performance and payment bonds for all construction
26 projects.

27 29. Keep in the personnel file of all current and former employees
28 who provide instruction to pupils at a school information about the
29 employee's educational and teaching background and experience in a
30 particular academic content subject area. A school district shall inform
31 parents and guardians of the availability of the information and shall
32 make the information available for inspection on request of parents and
33 guardians of pupils enrolled at a school. This paragraph does not require
34 any school to release personally identifiable information in relation to
35 any teacher or employee, including the teacher's or employee's address,
36 salary, social security number or telephone number.

37 30. Report to local law enforcement agencies any suspected crime
38 against a person or property that is a serious offense as defined in
39 section 13-706 or that involves a deadly weapon or dangerous instrument or
40 serious physical injury and any conduct that poses a threat of death or
41 serious physical injury to employees, students or anyone on the property
42 of the school. This paragraph does not limit or preclude the reporting by
43 a school district or an employee of a school district of suspected crimes
44 other than those required to be reported by this paragraph. For the
45 purposes of this paragraph, "dangerous instrument", "deadly weapon" and

1 "serious physical injury" have the same meanings prescribed in section
2 13-105.

3 31. In conjunction with local law enforcement agencies and
4 emergency response agencies, develop an emergency response plan for each
5 school in the school district in accordance with minimum standards
6 developed jointly by the department of education and the division of
7 emergency management within the department of emergency and military
8 affairs.

9 32. Provide written notice to the parents or guardians of all
10 students enrolled in the school district at least ten days before a public
11 meeting to discuss closing a school within the school district. The
12 notice shall include the reasons for the proposed closure and the time and
13 place of the meeting. The governing board shall fix a time for a public
14 meeting on the proposed closure not less than ten days before voting in a
15 public meeting to close the school. The school district governing board
16 shall give notice of the time and place of the meeting. At the time and
17 place designated in the notice, the school district governing board shall
18 hear reasons for or against closing the school. The school district
19 governing board is exempt from this paragraph if the governing board
20 determines that the school shall be closed because it poses a danger to
21 the health or safety of the pupils or employees of the school. A
22 governing board may consult with the school facilities board for technical
23 assistance and for information on the impact of closing a school. The
24 information provided from the school facilities board shall not require
25 the governing board to take or not take any action.

26 33. Incorporate instruction on Native American history into
27 appropriate existing curricula.

28 34. Prescribe and enforce policies and procedures:

29 (a) Allowing pupils who have been diagnosed with anaphylaxis by a
30 health care provider licensed pursuant to title 32, chapter 13, 14, 17 or
31 25 or by a registered nurse practitioner licensed and certified pursuant
32 to title 32, chapter 15 to carry and self-administer emergency
33 medications, including epinephrine auto-injectors, while at school and at
34 school-sponsored activities. The pupil's name on the prescription label
35 on the medication container or on the medication device and annual written
36 documentation from the pupil's parent or guardian to the school that
37 authorizes possession and self-administration is sufficient proof that the
38 pupil is entitled to the possession and self-administration of the
39 medication. The policies shall require a pupil who uses an epinephrine
40 auto-injector while at school and at school-sponsored activities to notify
41 the nurse or the designated school staff person of the use of the
42 medication as soon as practicable. A school district and its employees
43 are immune from civil liability with respect to all decisions made and
44 actions taken that are based on good faith implementation of the

1 requirements of this subdivision, except in cases of wanton or wilful
2 neglect.

3 (b) For the emergency administration of epinephrine auto-injectors
4 by a trained employee of a school district pursuant to section 15-157.

5 35. Allow the possession and self-administration of prescription
6 medication for breathing disorders in handheld inhaler devices by pupils
7 who have been prescribed that medication by a health care professional
8 licensed pursuant to title 32. The pupil's name on the prescription label
9 on the medication container or on the handheld inhaler device and annual
10 written documentation from the pupil's parent or guardian to the school
11 that authorizes possession and self-administration shall be sufficient
12 proof that the pupil is entitled to the possession and self-administration
13 of the medication. A school district and its employees are immune from
14 civil liability with respect to all decisions made and actions taken that
15 are based on a good faith implementation of the requirements of this
16 paragraph.

17 36. Prescribe and enforce policies and procedures to prohibit
18 pupils from harassing, intimidating and bullying other pupils on school
19 grounds, on school property, on school buses, at school bus stops, at
20 school-sponsored events and activities and through the use of electronic
21 technology or electronic communication on school computers, networks,
22 forums and mailing lists that include the following components:

23 (a) A procedure for pupils, parents and school district employees
24 to confidentially report to school officials incidents of harassment,
25 intimidation or bullying. The school shall make available written forms
26 designed to provide a full and detailed description of the incident and
27 any other relevant information about the incident.

28 (b) A requirement that school district employees report in writing
29 suspected incidents of harassment, intimidation or bullying to the
30 appropriate school official and a description of appropriate disciplinary
31 procedures for employees who fail to report suspected incidents that are
32 known to the employee.

33 (c) A requirement that, at the beginning of each school year,
34 school officials provide all pupils with a written copy of the rights,
35 protections and support services available to a pupil who is an alleged
36 victim of an incident reported pursuant to this paragraph.

37 (d) If an incident is reported pursuant to this paragraph, a
38 requirement that school officials provide a pupil who is an alleged victim
39 of the incident with a written copy of the rights, protections and support
40 services available to that pupil.

41 (e) A formal process for ~~the documentation of~~ DOCUMENTING reported
42 incidents of harassment, intimidation or bullying and PROVIDING for the
43 confidentiality, maintenance and disposition of this documentation.
44 School districts shall maintain documentation of all incidents reported
45 pursuant to this paragraph for at least six years. The school shall not

1 use that documentation to impose disciplinary action unless the
2 appropriate school official has investigated and determined that the
3 reported incidents of harassment, intimidation or bullying occurred. If a
4 school provides documentation of reported incidents to persons other than
5 school officials or law enforcement, all individually identifiable
6 information shall be redacted.

7 (f) A formal process for ~~the investigation by~~ the appropriate
8 school officials ~~of~~ TO INVESTIGATE suspected incidents of harassment,
9 intimidation or bullying, including procedures for notifying the alleged
10 victim and the alleged victim's parent or guardian when a school official
11 or employee becomes aware of the suspected incident of harassment,
12 intimidation or bullying.

13 (g) Disciplinary procedures for pupils who have admitted or been
14 found to have committed incidents of harassment, intimidation or bullying.

15 (h) A procedure that sets forth consequences for submitting false
16 reports of incidents of harassment, intimidation or bullying.

17 (i) Procedures designed to protect the health and safety of pupils
18 who are physically harmed as the result of incidents of harassment,
19 intimidation and bullying, including, if appropriate, procedures to
20 contact emergency medical services or law enforcement agencies, or both.

21 (j) Definitions of harassment, intimidation and bullying.

22 37. Prescribe and enforce policies and procedures regarding
23 changing or adopting attendance boundaries that include the following
24 components:

25 (a) A procedure for holding public meetings to discuss attendance
26 boundary changes or adoptions that allows public comments.

27 (b) A procedure to notify the parents or guardians of the students
28 affected.

29 (c) A procedure to notify the residents of the households affected
30 by the attendance boundary changes.

31 (d) A process for placing public meeting notices and proposed maps
32 on the school district's website for public review, if the school district
33 maintains a website.

34 (e) A formal process for presenting the attendance boundaries of
35 the affected area in public meetings that allows public comments.

36 (f) A formal process for notifying the residents and parents or
37 guardians of the affected area as to the decision of the governing board
38 on the school district's website, if the school district maintains a
39 website.

40 (g) A formal process for updating attendance boundaries on the
41 school district's website within ninety days ~~of~~ AFTER an adopted boundary
42 change. The school district shall send a direct link to the school
43 district's attendance boundaries website to the department of real estate.

1 38. If the state board of education determines that the school
2 district has committed an overexpenditure as defined in section 15-107,
3 provide a copy of the fiscal management report submitted pursuant to
4 section 15-107, subsection H on its website and make copies available to
5 the public on request. The school district shall comply with a request
6 within five business days after receipt.

7 39. Ensure that the contract for the superintendent is structured
8 in a manner in which up to twenty percent of the total annual salary
9 included for the superintendent in the contract is classified as
10 performance pay. This paragraph does not require school districts to
11 increase total compensation for superintendents. Unless the school
12 district governing board votes to implement an alternative procedure at a
13 public meeting called for this purpose, the performance pay portion of the
14 superintendent's total annual compensation shall be determined as follows:

15 (a) Twenty-five percent of the performance pay shall be determined
16 based on the percentage of academic gain determined by the department of
17 education of pupils who are enrolled in the school district compared to
18 the academic gain achieved by the highest ranking of the fifty largest
19 school districts in this state. For the purposes of this subdivision, the
20 department of education shall determine academic gain by the academic
21 growth achieved by each pupil who has been enrolled at the same school in
22 a school district for at least five consecutive months measured against
23 that pupil's academic results in the 2008-2009 school year. For the
24 purposes of this subdivision, of the fifty largest school districts in
25 this state, the school district with pupils who demonstrate the highest
26 statewide percentage of overall academic gain measured against academic
27 results for the 2008-2009 school year shall be assigned a score of 100 and
28 the school district with pupils who demonstrate the lowest statewide
29 percentage of overall academic gain measured against academic results for
30 the 2008-2009 school year shall be assigned a score of 0.

31 (b) Twenty-five percent of the performance pay shall be determined
32 by the percentage of parents of pupils who are enrolled at the school
33 district who assign a letter grade of "A" to the school on a survey of
34 parental satisfaction with the school district. The parental satisfaction
35 survey shall be administered and scored by an independent entity that is
36 selected by the governing board and that demonstrates sufficient expertise
37 and experience to accurately measure the results of the survey. The
38 parental satisfaction survey shall use standard random sampling procedures
39 and provide anonymity and confidentiality to each parent who participates
40 in the survey. The letter grade scale used on the parental satisfaction
41 survey shall direct parents to assign one of the following letter grades:

42 (i) A letter grade of "A" if the school district is excellent.

43 (ii) A letter grade of "B" if the school district is above average.

44 (iii) A letter grade of "C" if the school district is average.

(iv) A letter grade of "D" if the school district is below average.

(v) A letter grade of "F" if the school district is a failure.

(c) Twenty-five percent of the performance pay shall be determined by the percentage of teachers who are employed at the school district and who assign a letter grade of "A" to the school on a survey of teacher satisfaction with the school. The teacher satisfaction survey shall be administered and scored by an independent entity that is selected by the governing board and that demonstrates sufficient expertise and experience to accurately measure the results of the survey. The teacher satisfaction survey shall use standard random sampling procedures and provide anonymity and confidentiality to each teacher who participates in the survey. The letter grade scale used on the teacher satisfaction survey shall direct teachers to assign one of the following letter grades:

(i) A letter grade of "A" if the school district is excellent.

(ii) A letter grade of "B" if the school district is above average.

(iii) A letter grade of "C" if the school district is average.

(iv) A letter grade of "D" if the school district is below average.

(v) A letter grade of "F" if the school district is a failure.

(d) Twenty-five percent of the performance pay shall be determined by other criteria selected by the governing board.

40. Maintain and store permanent public records of the school district as required by law. Notwithstanding section 39-101, the standards adopted by the Arizona state library, archives and public records for the maintenance and storage of school district public records shall allow school districts to elect to satisfy the requirements of this paragraph by maintaining and storing these records either on paper or in an electronic format, or a combination of a paper and electronic format.

41. Adopt in a public meeting and implement policies for principal evaluations. Before adopting principal evaluation policies, the school district governing board shall provide opportunities for public discussion on the proposed policies. The governing board shall adopt policies that:

(a) Are designed to improve principal performance and improve student achievement.

(b) Include the use of quantitative data on the academic progress for all students, which shall account for between twenty percent and thirty-three percent of the evaluation outcomes.

(c) Include four performance classifications, designated as highly effective, effective, developing and ineffective.

(d) Describe both of the following:

(i) The methods used to evaluate the performance of principals, including the data used to measure student performance and job effectiveness.

(ii) The formula used to determine evaluation outcomes.

42. Prescribe and enforce policies and procedures that define the duties of principals and teachers. These policies and procedures shall

1 authorize teachers to take and maintain daily classroom attendance, make
2 the decision to promote or retain a pupil in a grade in common school or
3 to pass or fail a pupil in a course in high school, subject to review by
4 the governing board in the manner provided in section 15-342,
5 paragraph 11.

6 43. Prescribe and enforce policies and procedures for the emergency
7 administration by an employee of a school district pursuant to section
8 36-2267 of naloxone hydrochloride or any other opioid antagonist approved
9 by the United States food and drug administration.

10 44. In addition to the notification requirements prescribed in
11 paragraph 36 of this subsection, prescribe and enforce reasonable and
12 appropriate policies to notify a pupil's parent or guardian if any person
13 engages in harassing, threatening or intimidating conduct against that
14 pupil. A school district and its officials and employees are immune from
15 civil liability with respect to all decisions made and actions taken that
16 are based on good faith implementation of the requirements of this
17 paragraph, except in cases of gross negligence or wanton or wilful
18 neglect. A person engages in threatening or intimidating if the person
19 threatens or intimidates by word or conduct to cause physical injury to
20 another person or serious damage to the property of another on school
21 grounds. A person engages in harassment if, with intent to harass or with
22 knowledge that the person is harassing another person, the person
23 anonymously or otherwise contacts, communicates or causes a communication
24 with another person by verbal, electronic, mechanical, telephonic or
25 written means in a manner that harasses on school grounds or substantially
26 disrupts the school environment.

27 45. EACH FISCAL YEAR, PROVIDE TO EACH SCHOOL DISTRICT EMPLOYEE A
28 TOTAL COMPENSATION STATEMENT THAT IS BROKEN DOWN BY CATEGORY OF BENEFIT OR
29 PAYMENT AND THAT INCLUDES, FOR THAT EMPLOYEE, AT LEAST ALL OF THE
30 FOLLOWING:

- 31 (a) BASE SALARY AND ANY ADDITIONAL PAY.
- 32 (b) MEDICAL BENEFITS AND THE VALUE OF ANY EMPLOYER-PAID PORTIONS OF
33 INSURANCE PLAN PREMIUMS.
- 34 (c) RETIREMENT BENEFIT PLANS, INCLUDING SOCIAL SECURITY.
- 35 (d) LEGALLY REQUIRED BENEFITS.
- 36 (e) ANY PAID LEAVE.
- 37 (f) ANY OTHER PAYMENT MADE TO OR ON BEHALF OF THE EMPLOYEE.
- 38 (g) ANY OTHER BENEFIT PROVIDED TO THE EMPLOYEE.

39 B. Notwithstanding subsection A, paragraphs 7, 9 and 11 of this
40 section, the county school superintendent may construct, improve and
41 furnish school buildings or purchase or sell school sites in the conduct
42 of an accommodation school.

43 C. If any school district acquires real or personal property,
44 whether by purchase, exchange, condemnation, gift or otherwise, the
45 governing board shall pay to the county treasurer any taxes on the

1 property that were unpaid as of the date of acquisition, including
2 penalties and interest. The lien for unpaid delinquent taxes, penalties
3 and interest on property acquired by a school district:

4 1. Is not abated, extinguished, discharged or merged in the title
5 to the property.

6 2. Is enforceable in the same manner as other delinquent tax liens.

7 D. The governing board may not locate a school on property that is
8 less than one-fourth mile from agricultural land regulated pursuant to
9 section 3-365, except that the owner of the agricultural land may agree to
10 comply with the buffer zone requirements of section 3-365. If the owner
11 agrees in writing to comply with the buffer zone requirements and records
12 the agreement in the office of the county recorder as a restrictive
13 covenant running with the title to the land, the school district may
14 locate a school within the affected buffer zone. The agreement may
15 include any stipulations regarding the school, including conditions for
16 future expansion of the school and changes in the operational status of
17 the school that will result in a breach of the agreement.

18 E. A school district, its governing board members, its school
19 council members and its employees are immune from civil liability for the
20 consequences of adoption and implementation of policies and procedures
21 pursuant to subsection A of this section and section 15-342. This waiver
22 does not apply if the school district, its governing board members, its
23 school council members or its employees are guilty of gross negligence or
24 intentional misconduct.

25 F. A governing board may delegate in writing to a superintendent,
26 principal or head teacher the authority to prescribe procedures that are
27 consistent with the governing board's policies.

28 G. Notwithstanding any other provision of this title, a school
29 district governing board shall not take any action that would result in a
30 reduction of pupil square footage unless the governing board notifies the
31 school facilities board established by section 15-2001 of the proposed
32 action and receives written approval from the school facilities board to
33 take the action. A reduction includes an increase in administrative space
34 that results in a reduction of pupil square footage or sale of school
35 sites or buildings, or both. A reduction includes a reconfiguration of
36 grades that results in a reduction of pupil square footage of any grade
37 level. This subsection does not apply to temporary reconfiguration of
38 grades to accommodate new school construction if the temporary
39 reconfiguration does not exceed one year. The sale of equipment that
40 results in a reduction that falls below the equipment requirements
41 prescribed in section 15-2011, subsection B is subject to commensurate
42 withholding of school district district additional assistance monies
43 pursuant to the direction of the school facilities board. Except as
44 provided in section 15-342, paragraph 10, proceeds from the sale of school

1 sites, buildings or other equipment shall be deposited in the school plant
2 fund as provided in section 15-1102.

3 H. Subsections C through G of this section apply to a county board
4 of supervisors and a county school superintendent when operating and
5 administering an accommodation school.

6 I. A school district governing board may delegate authority in
7 writing to the superintendent of the school district to submit plans for
8 new school facilities to the school facilities board for the purpose of
9 certifying that the plans meet the minimum school facility adequacy
10 guidelines prescribed in section 15-2011.

APPROVED BY THE GOVERNOR APRIL 20, 2021.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 20, 2021.