

COMMITTEE ON EDUCATION
SENATE AMENDMENTS TO S.B. 1402
(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 15-1301, Arizona Revised Statutes, is amended to
3 read:

4 15-1301. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "CHILD WITH A DISABILITY" HAS THE SAME MEANING PRESCRIBED IN
7 SECTION 15-761.

8 ~~1.~~ 2. "Employee classifications" means one of the following:

9 (a) Management and supervisory staff WHO ARE on a ~~twelve-month~~
10 TWELVE-MONTH schedule.

11 (b) Teachers, ~~AND~~ AND credentialed and noncredentialed
12 specialists, ~~WHO ARE~~ WHO ARE on an academic schedule.

13 (c) Clerical, accounting, ~~AND~~ AND maintenance workers and others WHO
14 ARE on a ~~twelve-month~~ TWELVE-MONTH schedule.

15 (d) Food service WORKERS and bus drivers on an academic schedule.

16 ~~2.~~ 3. "Hearing impairment" means A hearing impairment as defined in
17 section 15-761.

18 ~~3.~~ 4. "Schools" means the Arizona state schools for the deaf and
19 the blind and includes programs and services offered for ~~the~~ deaf and ~~the~~
20 blind STUDENTS by the schools in conjunction with other educational
21 institutions.

22 ~~4.~~ 5. "Sensory impairment" means the following conditions, as
23 defined in section 15-761:

24 (a) Visual impairment.

25 (b) Hearing impairment.

1 (c) Both a visual IMPAIRMENT and A hearing impairment.

2 (d) Multiple disabilities, if at least one of the disabilities is a
3 visual IMPAIRMENT or a hearing impairment.

4 ~~5-~~ 6. "Visual impairment" means A visual impairment as defined in
5 section 15-761.

6 Sec. 2. Section 15-1302, Arizona Revised Statutes, is amended to
7 read:

8 15-1302. Arizona state schools for the deaf and the blind;
9 provision of services

10 A. There shall be Arizona state schools for the deaf and the blind
11 ~~which~~ THAT provide schools and regional programs in appropriate locations
12 in this state.

13 B. The schools shall ~~be for the education of sensory impaired~~
14 ~~persons;~~ EDUCATE CHILDREN WITH DISABILITIES so that the persons educated
15 there may become self-sustaining and useful citizens.

16 C. The schools shall be fully recognized as institutions for
17 educational purposes.

18 D. The schools shall be optional resources to school districts,
19 state institutions and other approved educational programs. Resource
20 services shall include, ~~but are not limited to,~~ the following:

- 21 1. Assessments.
- 22 2. Special curriculum.
- 23 3. Equipment and materials.
- 24 4. Supplemental related services.
- 25 5. Special short-term programs.
- 26 6. Program planning and staff development.
- 27 7. Information services for parents, families and the public.
- 28 8. Research and development to promote improved educational programs
29 and services.
- 30 9. PHYSICAL THERAPY.
- 31 10. OCCUPATIONAL THERAPY.
- 32 11. SPEECH THERAPY.

1 12. MOBILITY THERAPY.

2 E. The services prescribed in subsection D OF THIS SECTION shall not
3 duplicate existing services and shall include a variety of methodology as
4 may be requested by the school districts, state institutions and other
5 approved educational programs, including ~~but not limited to~~ oral, auditory,
6 total communication and cued speech.

7 Sec. 3. Section 15-1341, Arizona Revised Statutes, is amended to
8 read:

9 15-1341. Instruction of pupils

10 A. The board of directors shall ~~see~~ ENSURE that all persons admitted
11 to the school are taught and trained by methods ~~which~~ THAT are ~~to~~ IN their
12 best interests.

13 B. The board shall ensure the careful supervision of the care,
14 education and development of pupils to ~~insure~~ ENSURE that the best care and
15 education known to modern science ~~is~~ ARE given, as nearly as is
16 practicable, and that the best methods of teaching ~~the sensory impaired~~
17 CHILDREN WITH DISABILITIES are used in the school.

18 C. The board shall give special attention to the methods of care,
19 education and development of the persons admitted, with particular
20 consideration of the humanitarian aspects of their education.

21 D. The board, if advisable in particular cases, may allow pupils to
22 remain at the school during the entire year.

23 Sec. 4. Section 15-1342, Arizona Revised Statutes, is amended to
24 read:

25 15-1342. Admissions

26 A. Chapter 7, article 4 of this title governs admissions to the
27 school except as provided in this section. The evaluation and
28 consideration of placement in the school shall be made under the direction
29 of the chief administrative official of the home school district within the
30 boundaries of which the child resides or a person designated by the
31 official as responsible for special education after consultation with the
32 parent, as defined in section 15-761, of the child. If a parent or legal

1 guardian of a child directly refers a child to the Arizona state schools
2 for the deaf and the blind, the schools shall immediately, after
3 notification of the referral, contact the representative of the home school
4 district within the boundaries of which the child resides. A
5 representative of the home school district shall arrange for the
6 establishment of a placement and evaluation team for that child.

7 B. A placement and evaluation team shall determine the appropriate
8 educational placement for the child based on the development of an
9 individualized education program. Placement and review of the
10 individualized education program may be conducted at the same meeting.
11 Each placement and evaluation team shall document that it has advised the
12 child's parent or legal guardian of all placement options. The placement
13 and evaluation team shall consist of at least the following persons:

14 1. The parent or legal guardian of the child.

15 2. A representative from the home school district in which the child
16 resides who meets all of the following requirements:

17 (a) Is qualified to provide or supervise the provision of specially
18 designed instruction to meet the unique needs of children with
19 disabilities.

20 (b) Is knowledgeable about the general education curriculum.

21 (c) Is knowledgeable about the availability of resources of the
22 public agency.

23 3. A certified teacher of children with ~~a sensory impairment~~
24 **DISABILITIES** who provides or may provide in the future educational services
25 to the child.

26 4. An evaluator, with preference given to an evaluator who is
27 trained and experienced in evaluating the educational needs of children
28 with ~~a sensory impairment~~ **DISABILITIES**. The evaluator may also be a member
29 of the team pursuant to paragraph 2 or 6 of this subsection.

30 5. An educational representative of the Arizona state schools for
31 the deaf and the blind. The educational representative may also be a
32 member of the team pursuant to paragraph 3 of this subsection.

1 6. If the child is or will be participating in the regular
2 educational environment, at least one regular education teacher.

3 7. If appropriate, the child with a disability.

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

10 D. The Arizona state schools for the deaf and the blind shall hold a
11 placement meeting for a child who is enrolled in a campus-based model at
12 least annually to review the child's placement status and shall invite a
13 representative of the child's home school district. If a determination is
14 made that the Arizona state schools for the deaf and the blind is no longer
15 the least restrictive environment, the home school district shall enroll
16 the child.

17 E. Except as provided in subsection G of this section, a
18 representative for special education of the home school district shall
19 place the child according to the recommendations of the individualized
20 education program team.

21 F. A child who is placed in the school but moves from one school
22 district or county to another may remain placed in the school until the
23 next annual review. A representative of the child's new district of
24 residence shall be included on the team conducting the review. The
25 superintendent of the Arizona state schools for the deaf and the blind
26 shall at least quarterly give the chief ~~administrator~~ ADMINISTRATIVE
27 OFFICIAL of the school district notice of any changes in a child's
28 residence and the new district of residence shall become the new home
29 school district.

30 G. If the chief ~~administrator~~ ADMINISTRATIVE OFFICIAL of the home
31 school district and the superintendent of the schools determine that the
32 schools cannot provide the appropriate educational programs and services

1 needed by the child, they shall locate or establish a program to meet the
2 child's needs in consultation with the department of education and any
3 other appropriate state agency. THIS SUBSECTION DOES NOT ALLOW THE SCHOOLS
4 TO REFUSE TO ENROLL A PERSON WHO IS ENTITLED TO AN EDUCATION IN THE SCHOOLS
5 PURSUANT TO SECTION 15-1343.

6 H. A complete record of every person admitted shall be kept from the
7 date of the person's ~~admission~~ APPLICATION to the date of the person's
8 discharge, release, removal, graduation or death. The records shall be
9 accessible to the board or a legislative committee or on order of a judge
10 of a court of record.

11 I. A political or religious belief shall not be required as a
12 qualification of any student of the schools.

13 Sec. 5. Section 15-1343, Arizona Revised Statutes, is amended to
14 read:

15 15-1343. Persons entitled to education

16 A. A person is entitled to an education in the schools for the deaf
17 and the blind without charge if the person is a resident of this state, ~~age~~
18 IS three through twenty-one years OF AGE and ~~sensory-impaired~~ HAS AT LEAST
19 ONE OF THE DISABILITIES PRESCRIBED IN SECTION 15-761, PARAGRAPH 2 to an
20 extent that ~~he~~ THE PERSON cannot acquire an appropriate education in the
21 PERSON'S school district of residence.

22 B. The school district of residence that refers a pupil for
23 admission to the schools shall determine that the pupil is a resident of
24 this state or is otherwise eligible for an education without charge
25 pursuant to sections 15-823 and 15-824.

26 Sec. 6. Section 15-1344, Arizona Revised Statutes, is amended to
27 read:

28 15-1344. Authority for enrollment of children under three
29 years of age; definition

30 A. The board of directors may enroll a child WHO IS under ~~the age of~~
31 three years OF AGE in the schools for the deaf and the blind without charge
32 if the person having legal custody of the child is a resident of this state

1 and the child ~~is sensory impaired~~ HAS AT LEAST ONE OF THE DISABILITIES
2 PRESCRIBED IN SECTION 15-761, PARAGRAPH 2 to an extent that the ~~person~~
3 CHILD would benefit from a specialized program.

4 B. For the purposes of this section, the residence of the person
5 having legal custody of the ~~pupit~~ CHILD is considered the residence of the
6 ~~pupit~~ CHILD.

7 C. For the purposes of this section, "legal custody" means legal
8 custody pursuant to section 15-824."

9 Amend title to conform

1402ED.docx

02/16/2023

8:35 AM

S: jd