

PROPOSED  
SENATE AMENDMENTS TO H.B. 2060  
(Reference to House engrossed bill)

1 Page 1, line 14, strike "IS NOT REQUIRED"

2 Line 15, strike "TO POST THIS INFORMATION ON ITS" insert "POST A LINK TO THE  
3 WEBPAGE ON THE SCHOOL DISTRICT'S, THE SCHOOL'S OR THE CHARTER SCHOOL'S"

4 Between lines 15 and 16, insert:

5 "Sec. 2. Section 15-183, Arizona Revised Statutes, is amended to  
6 read:

7 15-183. Charter schools; application; requirements; immunity;  
8 exemptions; renewal of application; reprisal; fee;  
9 funds; annual reports

10 A. An applicant seeking to establish a charter school shall apply in  
11 writing to a proposed sponsor as prescribed in subsection C of this  
12 section. The application, application process and application time frames  
13 shall be posted on the sponsor's website and shall include the following,  
14 as specified in the application adopted by the sponsor:

- 15 1. A detailed educational plan.
- 16 2. A detailed business plan.
- 17 3. A detailed operational plan.
- 18 4. Any other materials required by the sponsor.

19 B. The sponsor of a charter school may contract with a public body,  
20 private person or private organization for the purpose of establishing a  
21 charter school pursuant to this article.

22 C. The sponsor of a charter school may be either the state board of  
23 education, the state board for charter schools, a university under the  
24 jurisdiction of the Arizona board of regents, a community college district

1 or a group of community college districts, subject to the following  
2 requirements:

3 1. An applicant may not apply for sponsorship to any person or  
4 entity other than those prescribed in this subsection.

5 2. The applicant may apply to the state board of education or the  
6 state board for charter schools. Notwithstanding any other law, neither  
7 the state board for charter schools nor the state board of education shall  
8 grant a charter to a school district governing board for a new charter  
9 school or for the conversion of an existing district public school to a  
10 charter school. The state board of education or the state board for  
11 charter schools may approve the application if the application meets the  
12 requirements of this article and may approve the charter if the proposed  
13 sponsor determines, within its sole discretion, that the applicant is  
14 sufficiently qualified to operate a charter school and that the applicant  
15 is applying to operate as a separate charter holder by considering factors  
16 such as whether:

17 (a) The schools have separate governing bodies, governing body  
18 membership, staff, facilities and student population.

19 (b) Daily operations are carried out by different administrators.

20 (c) The applicant intends to have an affiliation agreement for the  
21 purpose of providing enrollment preferences.

22 (d) The applicant's charter management organization has multiple  
23 charter holders serving varied grade configurations on one physical site or  
24 nearby sites serving one community.

25 (e) The applicant is reconstituting an existing school site  
26 population at the same or new site.

27 (f) The applicant is reconstituting an existing grade configuration  
28 from a prior charter holder with at least one grade remaining on the  
29 original site with the other grade or grades moving to a new site. The  
30 state board of education or the state board for charter schools may approve  
31 any charter schools transferring charters. If the state board of education  
32 or the state board for charter schools rejects the preliminary application,

1 the state board of education or the state board for charter schools shall  
2 notify the applicant in writing of the reasons for the rejection and of  
3 suggestions for improving the application. An applicant may submit a  
4 revised application for reconsideration by the state board of education or  
5 the state board for charter schools. The applicant may request, and the  
6 state board of education or the state board for charter schools may  
7 provide, technical assistance to improve the application.

8 3. The applicant may submit the application to a university under  
9 the jurisdiction of the Arizona board of regents, a community college  
10 district or a group of community college districts. A university, a  
11 community college district or a group of community college districts shall  
12 not grant a charter to a school district governing board for a new charter  
13 school or for the conversion of an existing district public school to a  
14 charter school. A university, a community college district or a group of  
15 community college districts may approve the application if it meets the  
16 requirements of this article and if the proposed sponsor determines, in its  
17 sole discretion, that the applicant is sufficiently qualified to operate a  
18 charter school.

19 4. Each applicant seeking to establish a charter school shall submit  
20 a full set of fingerprints to the approving agency for the purpose of  
21 obtaining a state and federal criminal records check pursuant to section  
22 41-1750 and Public Law 92-544. If an applicant will have direct contact  
23 with students, the applicant shall possess a valid fingerprint clearance  
24 card that is issued pursuant to title 41, chapter 12, article 3.1. The  
25 department of public safety may exchange this fingerprint data with the  
26 federal bureau of investigation. The criminal records check shall be  
27 completed before the issuance of a charter.

28 5. All persons engaged in instructional work directly as a  
29 classroom, laboratory or other teacher or indirectly as a supervisory  
30 teacher, speech therapist or principal and all charter representatives,  
31 charter school governing body members and officers, directors, members and  
32 partners of the charter holder shall have a valid fingerprint clearance

1 card that is issued pursuant to title 41, chapter 12, article 3.1, unless  
2 the person is a volunteer or guest speaker who is accompanied in the  
3 classroom by a person with a valid fingerprint clearance card. A charter  
4 school shall not employ in any position that requires a valid fingerprint  
5 clearance card a person against whom the state board of education has taken  
6 disciplinary action as prescribed in section 15-505 or whose certificate  
7 has been suspended, surrendered or revoked, unless the person's certificate  
8 has been subsequently reinstated by the state board of education. All  
9 other personnel shall be fingerprint checked pursuant to section 15-512, or  
10 the charter school may require those personnel to obtain a fingerprint  
11 clearance card issued pursuant to title 41, chapter 12, article  
12 3.1. Before employment, the charter school shall make documented, good  
13 faith efforts to contact previous employers of a person to obtain  
14 information and recommendations that may be relevant to the person's  
15 fitness for employment as prescribed in section 15-512, subsection F,  
16 including checking the educator information system that is maintained by  
17 the department of education pursuant to section 15-505. The charter school  
18 shall notify the department of public safety if the charter school or  
19 sponsor receives credible evidence that a person who possesses a valid  
20 fingerprint clearance card is arrested for or is charged with an offense  
21 listed in section 41-1758.03, subsection B. A person who is employed at a  
22 charter school that has met the requirements of this paragraph is not  
23 required to meet any additional requirements that are established by the  
24 department of education or that may be established by rule by the state  
25 board of education. The state board of education may not adopt rules that  
26 exceed the requirements for persons who are qualified to teach in charter  
27 schools prescribed in title I of the every student succeeds act  
28 (P.L. 114-95) or the individuals with disabilities education improvement  
29 act of 2004 (P.L. 108-446). Charter schools may hire personnel who have  
30 not yet received a fingerprint clearance card if proof is provided of the  
31 submission of an application to the department of public safety for a

1 fingerprint clearance card and if the charter school that is seeking to  
2 hire the applicant does all of the following:

3 (a) Documents in the applicant's file the necessity for hiring and  
4 placing the applicant before the applicant receives a fingerprint clearance  
5 card.

6 (b) Ensures that the department of public safety completes a  
7 statewide criminal records check on the applicant. A statewide criminal  
8 records check shall be completed by the department of public safety every  
9 one hundred twenty days until the date that the fingerprint check is  
10 completed or the fingerprint clearance card is issued or denied.

11 (c) Obtains references from the applicant's current employer and the  
12 two most recent previous employers except for applicants who have been  
13 employed for at least five years by the applicant's most recent employer.

14 (d) Provides general supervision of the applicant until the date  
15 that the fingerprint card is obtained.

16 (e) Completes a search of criminal records in all local  
17 jurisdictions outside of this state in which the applicant has lived in the  
18 previous five years.

19 (f) Verifies the fingerprint status of the applicant with the  
20 department of public safety.

21 6. A charter school that complies with the fingerprinting  
22 requirements of this section shall be deemed to have complied with section  
23 15-512 and is entitled to the same rights and protections provided to  
24 school districts by section 15-512.

25 7. If a charter school operator is not already subject to a public  
26 meeting or hearing by the municipality in which the charter school is  
27 located, the operator of a charter school shall conduct a public meeting at  
28 least thirty days before the charter school operator opens a site or sites  
29 for the charter school. The charter school operator shall post notices of  
30 the public meeting in at least three different locations that are within  
31 three hundred feet of the proposed charter school site.

1           8. A person who is employed by a charter school or who is an  
2 applicant for employment with a charter school, who is arrested for or  
3 charged with a nonappealable offense listed in section 41-1758.03,  
4 subsection B and who does not immediately report the arrest or charge to  
5 the person's supervisor or potential employer is guilty of unprofessional  
6 conduct and the person shall be immediately dismissed from employment with  
7 the charter school or immediately excluded from potential employment with  
8 the charter school.

9           9. A person who is employed by a charter school and who is convicted  
10 of any nonappealable offense listed in section 41-1758.03, subsection B or  
11 is convicted of any nonappealable offense that amounts to unprofessional  
12 conduct under section 15-550 shall immediately do all of the following:

13           (a) Surrender any certificates issued by the department of  
14 education.

15           (b) Notify the person's employer or potential employer of the  
16 conviction.

17           (c) Notify the department of public safety of the conviction.

18           (d) Surrender the person's fingerprint clearance card.

19           D. An entity that is authorized to sponsor charter schools pursuant  
20 to this article has no legal authority over or responsibility for a charter  
21 school sponsored by a different entity. This subsection does not apply to  
22 the state board of education's duty to exercise general supervision over  
23 the public school system pursuant to section 15-203, subsection A,  
24 paragraph 1.

25           E. The charter of a charter school shall do all of the following:

26           1. Ensure compliance with federal, state and local rules,  
27 regulations and statutes relating to health, safety, civil rights and  
28 insurance. The department of education shall publish a list of relevant  
29 rules, regulations and statutes to notify charter schools of their  
30 responsibilities under this paragraph.

31           2. Ensure that it is nonsectarian in its programs, admission  
32 policies and employment practices and all other operations.

1           3. Ensure that it provides a comprehensive program of instruction  
2 for at least a kindergarten program or any grade between grades one and  
3 twelve, except that a school may offer this curriculum with an emphasis on  
4 a specific learning philosophy or style or certain subject areas such as  
5 mathematics, science, fine arts, performance arts or foreign language.

6           4. Ensure that it designs a method to measure pupil progress toward  
7 the pupil outcomes adopted by the state board of education pursuant to  
8 section 15-741.01, including participation in the statewide assessment and  
9 the nationally standardized norm-referenced achievement test as designated  
10 by the state board and the completion and distribution of an annual report  
11 card as prescribed in chapter 7, article 3 of this title.

12           5. Ensure that, except as provided in this article and in its  
13 charter, it is exempt from all statutes and rules relating to schools,  
14 governing boards and school districts.

15           6. Ensure that, except as provided in this article, it is subject to  
16 the same financial and electronic data submission requirements as a school  
17 district, including the uniform system of financial records as prescribed  
18 in chapter 2, article 4 of this title, procurement rules as prescribed in  
19 section 15-213 and audit requirements. The auditor general shall conduct a  
20 comprehensive review and revision of the uniform system of financial  
21 records to ensure that the provisions of the uniform system of financial  
22 records that relate to charter schools are in accordance with commonly  
23 accepted accounting principles used by private business. A school's  
24 charter may include exceptions to the requirements of this paragraph that  
25 are necessary as determined by the university, the community college  
26 district, the group of community college districts, the state board of  
27 education or the state board for charter schools. The department of  
28 education or the office of the auditor general may conduct financial,  
29 program or compliance audits.

30           7. Ensure compliance with all federal and state laws relating to the  
31 education of children with disabilities in the same manner as a school  
32 district.

1           8. Ensure that it provides for a governing body for the charter  
2 school that is responsible for the policy decisions of the charter school.  
3 Notwithstanding section 1-216, if there is a vacancy or vacancies on the  
4 governing body, a majority of the remaining members of the governing body  
5 constitute a quorum for the transaction of business, unless that quorum is  
6 prohibited by the charter school's operating agreement.

7           9. Ensure that it provides a minimum of one hundred eighty  
8 instructional days before June 30 of each fiscal year unless it is  
9 operating on an alternative calendar approved by its sponsor. The  
10 superintendent of public instruction shall adjust the apportionment  
11 schedule accordingly to accommodate a charter school utilizing an  
12 alternative calendar.

13           F. A charter school shall ~~keep in the personnel file of each current~~  
14 ~~employee who provides instruction to pupils at the charter school~~ COLLECT  
15 AND MAINTAIN information about ~~the employee's~~ EACH TEACHER'S educational  
16 and teaching background and experience in a particular academic content  
17 subject area. A charter school shall ~~inform parents and guardians of the~~  
18 ~~availability of the information and shall~~ EITHER POST THE INFORMATION ON  
19 THE CHARTER SCHOOL'S WEBSITE OR make the information available for  
20 inspection on request of parents and guardians of pupils enrolled at the  
21 charter school. This subsection does not require any charter school to  
22 release personally identifiable information in relation to any teacher ~~or~~  
23 ~~employee~~, including the teacher's ~~or employee's~~ address, salary, social  
24 security number or telephone number.

25           G. The charter of a charter school may be amended at the request of  
26 the governing body of the charter school and on the approval of the  
27 sponsor.

28           H. Charter schools may contract, sue and be sued.

29           I. The charter is effective for fifteen years from the first day of  
30 the fiscal year as specified in the charter, subject to the following:

31           1. At least eighteen months before the charter expires, the sponsor  
32 shall notify the charter school that the charter school may apply for



1 renewal and shall make the renewal application available to the charter  
2 school. A charter school that elects to apply for renewal shall file a  
3 complete renewal application at least fifteen months before the charter  
4 expires. A sponsor shall give written notice of its intent not to renew  
5 the charter school's request for renewal to the charter school at least  
6 twelve months before the expiration of the charter. The sponsor shall make  
7 data used in making renewal decisions available to the school and the  
8 public and shall provide a public report summarizing the evidence basis for  
9 each decision. The sponsor may deny the request for renewal if, in its  
10 judgment, the charter holder has failed to do any of the following:

11 (a) Meet or make sufficient progress toward the academic performance  
12 expectations set forth in the performance framework.

13 (b) Meet the operational performance expectations set forth in the  
14 performance framework or any improvement plans.

15 (c) Meet the financial performance expectations set forth in the  
16 performance framework or any improvement plans.

17 (d) Complete the obligations of the contract.

18 (e) Comply with this article or any provision of law from which the  
19 charter school is not exempt.

20 2. A charter operator may apply for early renewal. At least nine  
21 months before the charter school's intended renewal consideration, the  
22 operator of the charter school shall submit a letter of intent to the  
23 sponsor to apply for early renewal. The sponsor shall review fiscal audits  
24 and academic performance data for the charter school that are annually  
25 collected by the sponsor, review the current contract between the sponsor  
26 and the charter school and provide the qualifying charter school with a  
27 renewal application. On submission of a complete application, the sponsor  
28 shall give written notice of its consideration of the renewal application.  
29 The sponsor may deny the request for early renewal if, in the sponsor's  
30 judgment, the charter holder has failed to do any of the following:

31 (a) Meet or make sufficient progress toward the academic performance  
32 expectations set forth in the performance framework.

1           (b) Meet the operational performance expectations set forth in the  
2 performance framework or any improvement plans.

3           (c) Meet the financial performance expectations set forth in the  
4 performance framework or any improvement plans.

5           (d) Complete the obligations of the contract.

6           (e) Comply with this article or any provision of law from which the  
7 charter school is not exempt.

8           3. A sponsor shall review a charter at five-year intervals using a  
9 performance framework adopted by the sponsor and may revoke a charter at  
10 any time if the charter school breaches one or more provisions of its  
11 charter or if the sponsor determines that the charter holder has failed to  
12 do any of the following:

13           (a) Meet or make sufficient progress toward the academic performance  
14 expectations set forth in the performance framework.

15           (b) Meet the operational performance expectations set forth in the  
16 performance framework or any improvement plans.

17           (c) Meet the financial performance expectations set forth in the  
18 performance framework or any improvement plans.

19           (d) Comply with this article or any provision of law from which the  
20 charter school is not exempt.

21           4. In determining whether to renew or revoke a charter holder, the  
22 sponsor must consider making sufficient progress toward the academic  
23 performance expectations set forth in the sponsor's performance framework  
24 as one of the most important factors.

25           5. Before the sponsor adopts a determination of intent to revoke a  
26 charter, the charter holder shall have at least thirty days to address the  
27 problems, as necessary or applicable, associated with the reason or reasons  
28 for the determination of intent to revoke. The sponsor is not required to  
29 provide the charter holder with thirty days to correct the problems  
30 associated with the reason or reasons for adopting a determination of  
31 intent to revoke if the reason or reasons cannot be remedied, including a  
32 failure to submit required financial audits pursuant to subsection E,

1 paragraph 6 of this section and section 15-914, or for a matter of health  
2 or safety, or both. Before the sponsor adopts a determination of intent to  
3 revoke a charter, the sponsor shall give written notice to the charter  
4 holder that includes the reason or reasons for the sponsor's consideration  
5 to revoke the charter. Notice may be provided by electronic means or by  
6 United States mail and is effective on the date of email or, if sent by  
7 United States mail, the earlier of the date of receipt by the charter  
8 holder or within five days after the notice is mailed. The determination  
9 of whether to proceed to revocation shall be made at a public meeting  
10 called for that purpose.

11 J. The charter may be renewed for successive periods of twenty  
12 years.

13 K. A charter school that is sponsored by the state board of  
14 education, the state board for charter schools, a university, a community  
15 college district or a group of community college districts may not be  
16 located on the property of a school district unless the district governing  
17 board grants this authority.

18 L. A governing board or a school district employee who has control  
19 over personnel actions shall not take unlawful reprisal against another  
20 employee of the school district because the employee is directly or  
21 indirectly involved in an application to establish a charter school. A  
22 governing board or a school district employee shall not take unlawful  
23 reprisal against an educational program of the school or the school  
24 district because an application to establish a charter school proposes to  
25 convert all or a portion of the educational program to a charter school.  
26 For the purposes of this subsection, "unlawful reprisal" means an action  
27 that is taken by a governing board or a school district employee as a  
28 direct result of a lawful application to establish a charter school and  
29 that is adverse to another employee or an education program and:

30 1. With respect to a school district employee, results in one or  
31 more of the following:

32 (a) Disciplinary or corrective action.

- 1 (b) Detail, transfer or reassignment.
- 2 (c) Suspension, demotion or dismissal.
- 3 (d) An unfavorable performance evaluation.
- 4 (e) A reduction in pay, benefits or awards.
- 5 (f) Elimination of the employee's position without a reduction in
- 6 force by reason of lack of monies or work.
- 7 (g) Other significant changes in duties or responsibilities that are
- 8 inconsistent with the employee's salary or employment classification.
- 9 2. With respect to an educational program, results in one or more of
- 10 the following:
- 11 (a) Suspension or termination of the program.
- 12 (b) Transfer or reassignment of the program to a less favorable
- 13 department.
- 14 (c) Relocation of the program to a less favorable site within the
- 15 school or school district.
- 16 (d) Significant reduction or termination of funding for the program.
- 17 M. Charter schools shall secure insurance for liability and property
- 18 loss. The governing body of a charter school that is sponsored by the
- 19 state board of education or the state board for charter schools may enter
- 20 into an intergovernmental agreement or otherwise contract to participate in
- 21 an insurance program offered by a risk retention pool established pursuant
- 22 to section 11-952.01 or 41-621.01 or the charter school may secure its own
- 23 insurance coverage. The pool may charge the requesting charter school
- 24 reasonable fees for any services it performs in connection with the
- 25 insurance program.
- 26 N. Charter schools do not have the authority to acquire property by
- 27 eminent domain.
- 28 O. A sponsor, including members, officers and employees of the
- 29 sponsor, is immune from personal liability for all acts done and actions
- 30 taken in good faith within the scope of its authority.

1 P. Charter school sponsors and this state are not liable for the  
2 debts or financial obligations of a charter school or persons who operate  
3 charter schools.

4 Q. The sponsor of a charter school shall establish procedures to  
5 conduct administrative hearings on determination by the sponsor that  
6 grounds exist to revoke a charter. Procedures for administrative hearings  
7 shall be similar to procedures prescribed for adjudicative proceedings in  
8 title 41, chapter 6, article 10. Except as provided in section 41-1092.08,  
9 subsection H, final decisions of the state board of education and the state  
10 board for charter schools from hearings conducted pursuant to this  
11 subsection are subject to judicial review pursuant to title 12, chapter 7,  
12 article 6.

13 R. The sponsoring entity of a charter school shall have oversight  
14 and administrative responsibility for the charter schools that it  
15 sponsors. In implementing its oversight and administrative  
16 responsibilities, the sponsor shall ground its actions in evidence of the  
17 charter holder's performance in accordance with the performance framework  
18 adopted by the sponsor. The performance framework shall be publicly  
19 available, shall be placed on the sponsoring entity's website and shall  
20 include:

21 1. The academic performance expectations of the charter school and  
22 the measurement of sufficient progress toward the academic performance  
23 expectations.

24 2. The operational expectations of the charter school, including  
25 adherence to all applicable laws and obligations of the charter contract.

26 3. The financial expectations of the charter school.

27 4. Intervention and improvement policies.

28 S. Charter schools may pledge, assign or encumber their assets to be  
29 used as collateral for loans or extensions of credit.

30 T. All property accumulated by a charter school shall remain the  
31 property of the charter school.

1           U. Charter schools may not locate a school on property that is less  
2 than one-fourth mile from agricultural land regulated pursuant to section  
3 3-365, except that the owner of the agricultural land may agree to comply  
4 with the buffer zone requirements of section 3-365. If the owner agrees in  
5 writing to comply with the buffer zone requirements and records the  
6 agreement in the office of the county recorder as a restrictive covenant  
7 running with the title to the land, the charter school may locate a school  
8 within the affected buffer zone. The agreement may include any  
9 stipulations regarding the charter school, including conditions for future  
10 expansion of the school and changes in the operational status of the school  
11 that will result in a breach of the agreement.

12           V. A transfer of a charter to another sponsor, a transfer of a  
13 charter school site to another sponsor or a transfer of a charter school  
14 site to a different charter shall be completed before the beginning of the  
15 fiscal year that the transfer is scheduled to become effective. An entity  
16 that sponsors charter schools may accept a transferring school after the  
17 beginning of the fiscal year if the transfer is approved by the  
18 superintendent of public instruction. The superintendent of public  
19 instruction shall have the discretion to consider each transfer during the  
20 fiscal year on a case-by-case basis. A charter holder seeking to transfer  
21 sponsors shall comply with the current charter terms regarding assignment  
22 of the charter. A charter holder transferring sponsors shall notify the  
23 current sponsor that the transfer has been approved by the new sponsor.

24           W. Notwithstanding subsection V of this section, a charter holder on  
25 an improvement plan must notify parents or guardians of registered students  
26 of the intent to transfer the charter and the timing of the proposed  
27 transfer. On the approved transfer, the new sponsor shall enforce the  
28 improvement plan but may modify the plan based on performance.

29           X. Notwithstanding subsection Y of this section, the state board for  
30 charter schools shall charge a processing fee to any charter school that  
31 amends its contract to participate in Arizona online instruction pursuant  
32 to section 15-808. The charter Arizona online instruction processing fund

1 is established consisting of fees collected and administered by the state  
2 board for charter schools. The state board for charter schools shall use  
3 monies in the fund only for processing contract amendments for charter  
4 schools participating in Arizona online instruction. Monies in the fund  
5 are continuously appropriated.

6 Y. The sponsoring entity may not charge any fees to a charter school  
7 that it sponsors unless the sponsor has provided services to the charter  
8 school and the fees represent the full value of those services provided by  
9 the sponsor. On request, the value of the services provided by the sponsor  
10 to the charter school shall be demonstrated to the department of education.

11 Z. Charter schools may enter into an intergovernmental agreement  
12 with a presiding judge of the juvenile court to implement a law-related  
13 education program as defined in section 15-154. The presiding judge of the  
14 juvenile court may assign juvenile probation officers to participate in a  
15 law-related education program in any charter school in the county. The cost  
16 of juvenile probation officers who participate in the program implemented  
17 pursuant to this subsection shall be funded by the charter school.

18 AA. The sponsor of a charter school shall modify previously approved  
19 curriculum requirements for a charter school that wishes to participate in  
20 the board examination system prescribed in chapter 7, article 6 of this  
21 title.

22 BB. If a charter school decides not to participate in the board  
23 examination system prescribed in chapter 7, article 6 of this title, pupils  
24 enrolled at that charter school may earn a Grand Canyon diploma by  
25 obtaining a passing score on the same board examinations.

26 CC. Notwithstanding subsection Y of this section, a sponsor of  
27 charter schools may charge a new charter application processing fee to any  
28 applicant. The application fee shall fully cover the cost of application  
29 review and any needed technical assistance. Authorizers may approve  
30 policies that allow a portion of the fee to be returned to the applicant  
31 whose charter is approved.

1 DD. A charter school may choose to provide a preschool program for  
2 children with disabilities pursuant to section 15-771.

3 EE. Pursuant to the prescribed graduation requirements adopted by  
4 the state board of education, the governing body of a charter school  
5 operating a high school may approve a rigorous computer science course that  
6 would fulfill a mathematics course required for graduation from high  
7 school. The governing body may approve a rigorous computer science course  
8 only if the rigorous computer science course includes significant  
9 mathematics content and the governing body determines the high school where  
10 the rigorous computer science course is offered has sufficient capacity,  
11 infrastructure and qualified staff, including competent teachers of  
12 computer science.

13 FF. A charter school may allow the use of school property, including  
14 school buildings, grounds, buses and equipment, by any person, group or  
15 organization for any lawful purpose, including a recreational, educational,  
16 political, economic, artistic, moral, scientific, social, religious or  
17 other civic or governmental purpose. The charter school may charge a  
18 reasonable fee for the use of the school property.

19 GG. A charter school and its employees, including the governing  
20 body, or chief administrative officer, are immune from civil liability with  
21 respect to all decisions made and actions taken to allow the use of school  
22 property, unless the charter school or its employees are guilty of gross  
23 negligence or intentional misconduct. This subsection does not limit any  
24 other immunity provisions that are prescribed by law.

25 HH. Sponsors authorized pursuant to this section shall submit an  
26 annual report to the auditor general on or before October 1. The report  
27 shall include:

28 1. The current number of charters authorized and the number of  
29 schools operated by authorized charter holders.

30 2. The academic, operational and financial performance of the  
31 sponsor's charter portfolio as measured by the sponsor's adopted  
32 performance framework.



1           3. For the prior year, the number of new charters approved, the  
2 number of charter schools closed and the reason for the closure.

3           4. The sponsor's application, amendment, renewal and revocation  
4 processes, charter contract template and current performance framework as  
5 required by this section.

6           II. The auditor general shall prescribe the format for the annual  
7 report required by subsection HH of this section and may require that the  
8 annual report be submitted electronically. The auditor general shall  
9 review the submitted annual reports to ensure that the reports include the  
10 required items in subsection HH of this section and shall make the annual  
11 reports available on request. If the auditor general finds significant  
12 noncompliance or if a sponsor fails to submit the annual report required by  
13 subsection HH of this section, on or before December 31 of each year the  
14 auditor general shall report to the governor, the president of the senate,  
15 the speaker of the house of representatives and the chairs of the senate  
16 and house education committees or their successor committees, and the  
17 legislature shall consider revoking the sponsor's authority to sponsor  
18 charter schools."

19 Renumber to conform

20 Page 4, line 18, after "department" insert "OF EDUCATION"

21 Strike line 39

22 Renumber to conform

23 Page 5, between lines 2 and 3, insert:

24           "Sec. 6. Section 15-341, Arizona Revised Statutes, is amended to  
25 read:

26           15-341. General powers and duties; immunity; delegation

27           A. The governing board shall:

28           1. Prescribe and enforce policies and procedures to govern the  
29 schools that are not inconsistent with the laws or rules prescribed by the  
30 state board of education.

31           2. Exclude from schools all books, publications, papers or  
32 audiovisual materials of a sectarian, partisan or denominational

1 character. This paragraph does not prohibit the elective course allowed by  
2 section 15-717.01.

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

9 4. Acquire school furniture, apparatus, equipment, library books and  
10 supplies for the schools to use.

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

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

15 7. Construct school buildings on approval by a vote of the district  
16 electors.

17 8. In the name of the district, convey property belonging to the  
18 district and sold by the board.

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

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

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

1           12. Hold pupils to strict account for disorderly conduct on school  
2 property.

3           13. Discipline students for disorderly conduct on the way to and  
4 from school.

5           14. Except as provided in section 15-1224, deposit all monies  
6 received by the district as gifts, grants and devises with the county  
7 treasurer who shall credit the deposits as designated in the uniform system  
8 of financial records. If not inconsistent with the terms of the gifts,  
9 grants and devises given, any balance remaining after expenditures for the  
10 intended purpose of the monies have been made shall be used to reduce  
11 school district taxes for the budget year, except that in the case of  
12 accommodation schools the county treasurer shall carry the balance forward  
13 for use by the county school superintendent for accommodation schools for  
14 the budget year.

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

21           16. Provide for adequate supervision over pupils in instructional  
22 and noninstructional activities by certificated or noncertificated  
23 personnel.

24           17. Use school monies received from the state and county school  
25 apportionment exclusively to pay salaries of teachers and other employees  
26 and contingent expenses of the district.

27           18. Annually report to the county school superintendent on or before  
28 October 1 in the manner and form and on the blanks prescribed by the  
29 superintendent of public instruction or county school superintendent. The  
30 board shall also report directly to the county school superintendent or the  
31 superintendent of public 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 spend 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 subsection  
11 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 may

1 designate a person or persons to act on behalf of the board on these  
2 matters. For violations that are cause for dismissal, the provisions of  
3 notice, hearing and appeal in chapter 5, article 3 of this title  
4 apply. The filing of a timely request for a hearing suspends the  
5 imposition of a suspension without pay or a dismissal pending completion of  
6 the hearing.

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

11 24. Prescribe and enforce policies and procedures relating to the  
12 health and safety of all pupils participating in district-sponsored  
13 practice sessions or games or other interscholastic athletic activities,  
14 including:

15 (a) The provision of water.

16 (b) Guidelines, information and forms, developed in consultation  
17 with a statewide private entity that supervises interscholastic activities,  
18 to inform and educate coaches, pupils and parents of the dangers of  
19 concussions and head injuries and the risks of continued participation in  
20 athletic activity after a concussion. The policies and procedures shall  
21 require that, before a pupil participates in an athletic activity, the  
22 pupil and the pupil's parent sign an information form at least once each  
23 school year that states that the parent is aware of the nature and risk of  
24 concussion. The policies and procedures shall require that a pupil who is  
25 suspected of sustaining a concussion in a practice session, game or other  
26 interscholastic athletic activity be immediately removed from the athletic  
27 activity and that the pupil's parent or guardian be notified. A coach from  
28 the pupil's team or an official or a licensed health care provider may  
29 remove a pupil from play. A team parent may also remove the parent's own  
30 child from play. A pupil may return to play on the same day if a health  
31 care provider rules out a suspected concussion at the time the pupil is  
32 removed from play. On a subsequent day, the pupil may return to play if

1 the pupil has been evaluated by and received written clearance to resume  
2 participation in athletic activity from a health care provider who has been  
3 trained in evaluating and managing concussions and head injuries. A health  
4 care provider who is a volunteer and who provides clearance to participate  
5 in athletic activity on the day of the suspected injury or on a subsequent  
6 day is immune from civil liability with respect to all decisions made and  
7 actions taken that are based on good faith implementation of the  
8 requirements of this subdivision, except in cases of gross negligence or  
9 wanton or wilful neglect. A school district, school district employee,  
10 team coach, official or team volunteer or a parent or guardian of a team  
11 member is not subject to civil liability for any act, omission or policy  
12 undertaken in good faith to comply with the requirements of this  
13 subdivision or for a decision made or an action taken by a health care  
14 provider. A group or organization that uses property or facilities owned  
15 or operated by a school district for athletic activities shall comply with  
16 the requirements of this subdivision. A school district and its employees  
17 and volunteers are not subject to civil liability for any other person or  
18 organization's failure or alleged failure to comply with the requirements  
19 of this subdivision. This subdivision does not apply to teams that are  
20 based in another state and that participate in an athletic activity in this  
21 state. For the purposes of this subdivision, athletic activity does not  
22 include dance, rhythmic gymnastics, competitions or exhibitions of academic  
23 skills or knowledge or other similar forms of physical noncontact  
24 activities, civic activities or academic activities, whether engaged in for  
25 the purposes of competition or recreation. For the purposes of this  
26 subdivision, "health care provider" means a physician who is licensed  
27 pursuant to title 32, chapter 13, 14 or 17, an athletic trainer who is  
28 licensed pursuant to title 32, chapter 41, a nurse practitioner who is  
29 licensed pursuant to title 32, chapter 15, and a physician assistant who is  
30 licensed pursuant to title 32, chapter 25.

31 (c) Guidelines, information and forms that are developed in  
32 consultation with a statewide private entity that supervises

1 interscholastic activities to inform and educate coaches, pupils and  
2 parents of the dangers of heat-related illnesses, sudden cardiac death and  
3 prescription opioid use. Before a pupil participates in any  
4 district-sponsored practice session or game or other interscholastic  
5 athletic activity, the pupil and the pupil's parent must be provided with  
6 information at least once each school year on the risks of heat-related  
7 illnesses, sudden cardiac death and prescription opioid addiction.

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

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

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

15 28. Ensure that insurance coverage is secured for all construction  
16 projects for purposes of general liability, property damage and workers'  
17 compensation and secure performance and payment bonds for all construction  
18 projects.

19 29. ~~Keep in the personnel file of all current and former employees~~  
20 ~~who provide instruction to pupils at a school~~ COLLECT AND MAINTAIN  
21 information about ~~the employee's~~ EACH CURRENT AND FORMER TEACHER'S  
22 educational and teaching background and experience in a particular academic  
23 content subject area. A school district shall ~~inform parents and guardians~~  
24 ~~of the availability of the information and shall~~ EITHER POST THE  
25 INFORMATION ON THE SCHOOL DISTRICT'S WEBSITE OR make the information  
26 available for inspection on request of parents and guardians of pupils  
27 enrolled at a school. This paragraph does not require any school to  
28 release personally identifiable information in relation to any teacher ~~or~~  
29 ~~employee~~, including the teacher's ~~or employee's~~ address, salary, social  
30 security number or telephone number.

31 30. Report to local law enforcement agencies any suspected crime  
32 against a person or property that is a serious offense as defined in

1 section 13-706 or that involves a deadly weapon or dangerous instrument or  
2 serious physical injury and any conduct that poses a threat of death or  
3 serious physical injury to employees, students or anyone on the property of  
4 the school. This paragraph does not limit or preclude the reporting by a  
5 school district or an employee of a school district of suspected crimes  
6 other than those required to be reported by this paragraph. For the  
7 purposes of this paragraph, "dangerous instrument", "deadly weapon" and  
8 "serious physical injury" have the same meanings prescribed in section  
9 13-105.

10 31. In conjunction with local law enforcement agencies and emergency  
11 response agencies, develop an emergency response plan for each school in  
12 the school district in accordance with minimum standards developed jointly  
13 by the department of education and the division of emergency management  
14 within the department of emergency and military affairs.

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



1           33. Incorporate instruction on Native American history into  
2 appropriate existing curricula.

3           34. Prescribe and enforce policies and procedures:

4           (a) Allowing pupils who have been diagnosed with anaphylaxis by a  
5 health care provider licensed pursuant to title 32, chapter 13, 14, 17 or  
6 25 or by a registered nurse practitioner licensed and certified pursuant to  
7 title 32, chapter 15 to carry and self-administer emergency medications,  
8 including epinephrine auto-injectors, while at school and at  
9 school-sponsored activities. The pupil's name on the prescription label on  
10 the medication container or on the medication device and annual written  
11 documentation from the pupil's parent or guardian to the school that  
12 authorizes possession and self-administration is sufficient proof that the  
13 pupil is entitled to possess and self-administer the medication. The  
14 policies shall require a pupil who uses an epinephrine auto-injector while  
15 at school and at school-sponsored activities to notify the nurse or the  
16 designated school staff person of the use of the medication as soon as  
17 practicable. A school district and its employees are immune from civil  
18 liability with respect to all decisions made and actions taken that are  
19 based on good faith implementation of the requirements of this subdivision,  
20 except in cases of wanton or wilful neglect.

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

23           35. Allow the possession and self-administration of prescription  
24 medication for breathing disorders in handheld inhaler devices by pupils  
25 who have been prescribed that medication by a health care professional  
26 licensed pursuant to title 32. The pupil's name on the prescription label  
27 on the medication container or on the handheld inhaler device and annual  
28 written documentation from the pupil's parent or guardian to the school  
29 that authorizes possession and self-administration is sufficient proof that  
30 the pupil is entitled to possess and self-administer the medication. A  
31 school district and its employees are immune from civil liability with

1 respect to all decisions made and actions taken that are based on a good  
2 faith implementation of the requirements of this paragraph.

3 36. Prescribe and enforce policies and procedures to prohibit pupils  
4 from harassing, intimidating and bullying other pupils on school grounds,  
5 on school property, on school buses, at school bus stops, at  
6 school-sponsored events and activities and through the use of electronic  
7 technology or electronic communication on school computers, networks,  
8 forums and mailing lists that include the following components:

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

14 (b) A requirement that school district employees report in writing  
15 suspected incidents of harassment, intimidation or bullying to the  
16 appropriate school official and a description of appropriate disciplinary  
17 procedures for employees who fail to report suspected incidents that are  
18 known to the employee.

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

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

27 (e) A formal process for documenting reported incidents of  
28 harassment, intimidation or bullying and providing for the confidentiality,  
29 maintenance and disposition of this documentation. School districts shall  
30 maintain documentation of all incidents reported pursuant to this paragraph  
31 for at least six years. The school shall not use that documentation to  
32 impose disciplinary action unless the appropriate school official has

1 investigated and determined that the reported incidents of harassment,  
2 intimidation or bullying occurred. If a school provides documentation of  
3 reported incidents to persons other than school officials or law  
4 enforcement, all individually identifiable information shall be redacted.

5 (f) A formal process for the appropriate school officials to  
6 investigate suspected incidents of harassment, intimidation or bullying,  
7 including procedures for notifying the alleged victim and the alleged  
8 victim's parent or guardian when a school official or employee becomes  
9 aware of the suspected incident of harassment, intimidation or bullying.

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

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

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

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

19 37. Prescribe and enforce policies and procedures regarding changing  
20 or adopting attendance boundaries that include the following components:

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

23 (b) A procedure to notify the parents or guardians of the students  
24 affected, including assurance that, if that school remains open as part of  
25 the boundary change and capacity is available, students assigned to a new  
26 attendance area may stay enrolled in their current school.

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

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

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

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

6 (g) A formal process for updating attendance boundaries on the  
7 school district's website within ninety days after an adopted boundary  
8 change. The school district shall send a direct link to the school  
9 district's attendance boundaries website to the department of real estate.

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

16 39. Ensure that the contract for the superintendent is structured in  
17 a manner in which up to twenty percent of the total annual salary included  
18 for the superintendent in the contract is classified as performance pay.  
19 This paragraph does not require school districts to increase total  
20 compensation for superintendents. Unless the school district governing  
21 board votes to implement an alternative procedure at a public meeting  
22 called for this purpose, the performance pay portion of the  
23 superintendent's total annual compensation shall be determined as follows:

24 (a) Twenty-five percent of the performance pay shall be determined  
25 based on the percentage of academic gain determined by the department of  
26 education of pupils who are enrolled in the school district compared to the  
27 academic gain achieved by the highest ranking of the fifty largest school  
28 districts in this state. For the purposes of this subdivision, the  
29 department of education shall determine academic gain by the academic  
30 growth achieved by each pupil who has been enrolled at the same school in a  
31 school district for at least five consecutive months measured against that  
32 pupil's academic results in the 2008-2009 school year. For the purposes of

1 this subdivision, of the fifty largest school districts in this state, the  
2 school district with pupils who demonstrate the highest statewide  
3 percentage of overall academic gain measured against academic results for  
4 the 2008-2009 school year shall be assigned a score of 100 and the school  
5 district with pupils who demonstrate the lowest statewide percentage of  
6 overall academic gain measured against academic results for the 2008-2009  
7 school year shall be assigned a score of 0.

8 (b) Twenty-five percent of the performance pay shall be determined  
9 by the percentage of parents of pupils who are enrolled at the school  
10 district who assign a letter grade of "A" to the school on a survey of  
11 parental satisfaction with the school district. The parental satisfaction  
12 survey shall be administered and scored by an independent entity that is  
13 selected by the governing board and that demonstrates sufficient expertise  
14 and experience to accurately measure the results of the survey. The  
15 parental satisfaction survey shall use standard random sampling procedures  
16 and provide anonymity and confidentiality to each parent who participates  
17 in the survey. The letter grade scale used on the parental satisfaction  
18 survey shall direct parents to assign one of the following letter grades:

- 19 (i) A letter grade of "A" if the school district is excellent.
- 20 (ii) A letter grade of "B" if the school district is above average.
- 21 (iii) A letter grade of "C" if the school district is average.
- 22 (iv) A letter grade of "D" if the school district is below average.
- 23 (v) A letter grade of "F" if the school district is a failure.

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

1 letter grade scale used on the teacher satisfaction survey shall direct  
2 teachers to assign one of the following letter grades:

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

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

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

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

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

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

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

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

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

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

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

28 (d) Describe both of the following:

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

32 (ii) The formula used to determine evaluation outcomes.

1           42. Prescribe and enforce policies and procedures that define the  
2 duties of principals and teachers. These policies and procedures shall  
3 authorize teachers to take and maintain daily classroom attendance, make  
4 the decision to promote or retain a pupil in a grade in common school or to  
5 pass or fail a pupil in a course in high school, subject to review by the  
6 governing board in the manner provided in section 15-342, paragraph 11.

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

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

28           45. Each fiscal year, provide to each school district employee a  
29 total compensation statement that is broken down by category of benefit or  
30 payment and that includes, for that employee, at least all of the  
31 following:

- 32           (a) Base salary and any additional pay.

1 (b) Medical benefits and the value of any employer-paid portions of  
2 insurance plan premiums.

3 (c) Retirement benefit plans, including social security.

4 (d) Legally required benefits.

5 (e) Any paid leave.

6 (f) Any other payment made to or on behalf of the employee.

7 (g) Any other benefit provided to the employee.

8 46. Develop and adopt in a public meeting policies to allow for  
9 visits, tours and observations of all classrooms by parents of enrolled  
10 pupils and parents who wish to enroll their children in the school district  
11 unless a visit, tour or observation threatens the health and safety of  
12 pupils and staff. These policies and procedures must be easily accessible  
13 from the home page on each school's website.

14 B. Notwithstanding subsection A, paragraphs 7, 9 and 11 of this  
15 section, the county school superintendent may construct, improve and  
16 furnish school buildings or purchase or sell school sites in the conduct of  
17 an accommodation school.

18 C. If any school district acquires real or personal property,  
19 whether by purchase, exchange, condemnation, gift or otherwise, the  
20 governing board shall pay to the county treasurer any taxes on the property  
21 that were unpaid as of the date of acquisition, including penalties and  
22 interest. The lien for unpaid delinquent taxes, penalties and interest on  
23 property acquired by a school district:

24 1. Is not abated, extinguished, discharged or merged in the title to  
25 the property.

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

27 D. The governing board may not locate a school on property that is  
28 less than one-fourth mile from agricultural land regulated pursuant to  
29 section 3-365, except that the owner of the agricultural land may agree to  
30 comply with the buffer zone requirements of section 3-365. If the owner  
31 agrees in writing to comply with the buffer zone requirements and records  
32 the agreement in the office of the county recorder as a restrictive



1 covenant running with the title to the land, the school district may locate  
2 a school within the affected buffer zone. The agreement may include any  
3 stipulations regarding the school, including conditions for future  
4 expansion of the school and changes in the operational status of the school  
5 that will result in a breach of the agreement.

6 E. A school district, its governing board members, its school  
7 council members and its employees are immune from civil liability for the  
8 consequences of adopting and implementing policies and procedures pursuant  
9 to subsection A of this section and section 15-342. This waiver does not  
10 apply if the school district, its governing board members, its school  
11 council members or its employees are guilty of gross negligence or  
12 intentional misconduct.

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

16 G. Notwithstanding any other provision of this title, a school  
17 district governing board shall not take any action that would result in a  
18 reduction of pupil square footage unless the governing board notifies the  
19 school facilities oversight board established by section 41-5701.02 of the  
20 proposed action and receives written approval from the school facilities  
21 oversight board to take the action. A reduction includes an increase in  
22 administrative space that results in a reduction of pupil square footage or  
23 sale of school sites or buildings, or both. A reduction includes a  
24 reconfiguration of grades that results in a reduction of pupil square  
25 footage of any grade level. This subsection does not apply to temporary  
26 reconfiguration of grades to accommodate new school construction if the  
27 temporary reconfiguration does not exceed one year. The sale of equipment  
28 that results in a reduction that falls below the equipment requirements  
29 prescribed in section 41-5711, subsection B is subject to commensurate  
30 withholding of school district district additional assistance monies  
31 pursuant to the direction of the school facilities oversight board. Except  
32 as provided in section 15-342, paragraph 10, proceeds from the sale of

1 school sites, buildings or other equipment shall be deposited in the school  
2 plant 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 oversight board for the  
9 purpose of certifying that the plans meet the minimum school facility  
10 adequacy guidelines prescribed in section 41-5711.

11 J. For the purposes of subsection A, paragraph 37 of this section,  
12 attendance boundaries may not be used to require students to attend certain  
13 schools based on the student's place of residence.

14 Sec. 7. Section 15-701, Arizona Revised Statutes, is amended to  
15 read:

16 15-701. Common schools; promotions; requirements; certificate;  
17 supervision of eighth grades by superintendent of  
18 high school district; high school admissions;  
19 academic credit; definition

20 A. The state board of education shall:

21 1. Prescribe a minimum course of study incorporating the academic  
22 standards adopted by the state board of education to be taught in the  
23 common schools.

24 2. Prescribe competency requirements for the promotion of pupils  
25 from the eighth grade and competency requirements for the promotion of  
26 pupils from the third grade ~~incorporating~~ THAT INCORPORATE the academic  
27 standards in at least the areas of reading, writing, mathematics, science  
28 and social studies. The competency requirements for the promotion of  
29 pupils from the third grade shall include the following:

30 (a) A requirement that a pupil not be promoted from the third grade  
31 if the pupil obtains a score on the reading portion of the statewide  
32 assessment that does not demonstrate sufficient reading skills as

1 established by the state board. A pupil may not be retained pursuant to  
2 this subdivision if data regarding the pupil's performance on the statewide  
3 assessment is not available before the end of the current academic year and  
4 may not be retained more than once. A pupil who is not retained due to the  
5 unavailability of test data must receive evidence-based intervention and  
6 remedial strategies pursuant to subdivision (c) of this paragraph if the  
7 third grade assessment data subsequently does not demonstrate sufficient  
8 reading skills.

9 (b) A mechanism to allow a school district governing board or ~~the~~  
10 ~~governing body of a~~ charter school **GOVERNING BODY** to promote from the third  
11 grade a pupil who does not demonstrate sufficient reading skills pursuant  
12 to subdivision (a) of this paragraph if the pupil:

13 (i) Is an English learner or a limited English proficient student as  
14 defined in section 15-751 and has had fewer than three years of English  
15 language instruction.

16 (ii) Is in the process of a special education referral or evaluation  
17 for placement in special education, has been diagnosed as having a  
18 significant reading impairment, including dyslexia, or is a child with a  
19 disability as defined in section 15-761 if the pupil's individualized  
20 education program team and the pupil's parent or guardian agree that  
21 promotion is appropriate based on the pupil's individualized education  
22 program.

23 (iii) Has demonstrated or subsequently demonstrates sufficient  
24 reading skills or adequate progress toward sufficient reading skills of the  
25 third grade reading standards as evidenced through a collection of reading  
26 assessments approved by the state board of education, which includes an  
27 alternative standardized reading assessment approved by the state board.

28 (iv) Receives intervention and remedial services during the summer  
29 or a subsequent school year pursuant to subdivision (c) of this paragraph  
30 and demonstrates sufficient progress based on guidelines issued pursuant to  
31 subsection B, paragraph 7 of this section.

1 (c) Evidence-based intervention and remedial strategies developed by  
2 the state board of education for pupils who are not promoted from the third  
3 grade. A school district governing board or ~~the governing body of a~~  
4 charter school **GOVERNING BODY** shall offer more than one of the intervention  
5 and remedial strategies developed by the state board of education. The  
6 parent or guardian of a pupil who is not promoted from the third grade and  
7 the pupil's teacher and principal may choose the most appropriate  
8 intervention and remedial strategies that will be provided to that  
9 pupil. The intervention and remedial strategies developed by the state  
10 board of education shall include:

11 (i) A requirement that the pupil be assigned for evidence-based  
12 reading instruction by a different teacher who was designated in that  
13 teacher's most recent performance evaluation in one of the top two  
14 performance classifications.

15 (ii) Summer school reading instruction.

16 (iii) In the next academic year, intensive reading instruction that  
17 occurs before, during or after the regular school day, or any combination  
18 of before, during and after the regular school day.

19 (iv) Small group and teacher-led evidence-based reading instruction,  
20 which may include computer-based or online reading instruction.

21 (d) A requirement that a school district governing board or charter  
22 school governing body that promotes a pupil pursuant to subdivision (b) of  
23 this paragraph provide annual reporting to the department of education on  
24 or before October 1 that includes information on the total number of pupils  
25 subject to the retention provisions of subdivision (a) of this paragraph,  
26 the total number of students promoted pursuant to subdivision (b) of this  
27 paragraph, the total number of pupils retained in grade three and the  
28 interventions administered pursuant to subdivision (c) of this paragraph.

29 3. Provide for universal screening of pupils in preschool programs,  
30 kindergarten programs and grades one through three that is designed to  
31 identify pupils who have reading deficiencies pursuant to section 15-704.  
32 If sufficient monies are appropriated, beginning in the 2022-2023 school

1 year, the state board of education shall adopt a ~~statewide~~ kindergarten  
2 entry evaluation tool ~~to~~ THAT SCHOOL DISTRICTS AND CHARTER SCHOOLS MAY  
3 administer to pupils in kindergarten programs ~~within forty-five calendar~~  
4 ~~days after the beginning of each school year or within forty-five calendar~~  
5 ~~days after a pupil enrolls~~. EACH SCHOOL DISTRICT GOVERNING BOARD AND  
6 CHARTER SCHOOL GOVERNING BODY SHALL SELECT APPROPRIATE EVALUATION METHODS  
7 OR ASSESSMENTS, OR BOTH, TO ADMINISTER TO PUPILS IN KINDERGARTEN PROGRAMS  
8 FOR THE PURPOSES OF THIS PARAGRAPH. A SCHOOL DISTRICT OR CHARTER SCHOOL  
9 SHALL ADMINISTER THE EVALUATION TOOL SELECTED BY THE SCHOOL DISTRICT  
10 GOVERNING BOARD OR CHARTER SCHOOL GOVERNING BODY PURSUANT TO THIS PARAGRAPH  
11 WITHIN FORTY-FIVE CALENDAR DAYS AFTER THE BEGINNING OF EACH SCHOOL YEAR OR  
12 WITHIN FORTY-FIVE CALENDAR DAYS AFTER A PUPIL ENROLLS. SCHOOL DISTRICTS  
13 AND CHARTER SCHOOLS ARE NOT REQUIRED TO ADMINISTER THE KINDERGARTEN ENTRY  
14 EVALUATION TOOL ADOPTED BY THE STATE BOARD OF EDUCATION PURSUANT TO THIS  
15 PARAGRAPH.

16 4. Develop evidence-based intervention and remedial strategies  
17 pursuant to paragraph 2, subdivision (c) of this subsection for pupils in  
18 kindergarten programs and grades one through three who are identified as  
19 having reading deficiencies pursuant to section 15-704.

20 5. Distribute guidelines for the school districts to follow in  
21 prescribing criteria for the promotion of pupils from grade to grade in the  
22 common schools. These guidelines shall include recommended procedures for  
23 ensuring that the cultural background of a pupil is taken into  
24 consideration when criteria for promotion are being applied.

25 B. School districts and charter schools shall provide annual written  
26 notification to parents of pupils in kindergarten programs and first,  
27 second and third grades that a pupil who does not demonstrate sufficient  
28 reading skills pursuant to subsection A of this section will not be  
29 promoted from the third grade. School districts and charter schools shall  
30 identify each pupil who is at risk of reading below grade level in  
31 kindergarten and grades one, two and three, ~~based on local or statewide~~  
32 ~~assessments~~, and shall provide to the parent of that pupil a specific

1 written notification of the reading deficiency within three weeks after  
2 identifying the reading deficiency. The notification shall include the  
3 following information:

4 1. A description of the pupil's specific individual needs.

5 2. A description of the current reading services provided to the  
6 pupil.

7 3. A description of the available supplemental instructional  
8 services and supporting programs that are designed to remediate reading  
9 deficiencies. Each school district or charter school shall offer more than  
10 one evidence-based intervention strategy and more than one remedial  
11 strategy developed by the state board of education for pupils with reading  
12 deficiencies. The notification shall list the intervention and remedial  
13 strategies offered and shall instruct the parent to choose, in consultation  
14 with the pupil's teacher, the most appropriate strategies to be provided  
15 and implemented for that child.

16 4. Parental strategies to assist the pupil to attain reading  
17 proficiency.

18 5. The frequency with which the school district or charter school  
19 will provide timely updates and information to the parent on the pupil's  
20 progress toward reading proficiency.

21 6. A statement that the pupil will not be promoted from the third  
22 grade if the pupil does not demonstrate sufficient reading skills pursuant  
23 to subsection A, paragraph 2, subdivision (a) of this section, unless the  
24 pupil is exempt from mandatory retention in grade three or the pupil  
25 qualifies for an exemption pursuant to subsection A, paragraph 2,  
26 subdivision (b) of this section.

27 7. A description of the school district or charter school policies  
28 on midyear promotion to a higher grade.

29 C. Pursuant to the guidelines that the state board of education  
30 distributes, the governing board of a school district shall:

1           1. Prescribe curricula that include the academic standards in the  
2 required subject areas pursuant to subsection A, paragraph 1 of this  
3 section.

4           2. Prescribe criteria for the promotion of pupils from grade to  
5 grade in the common schools in the school district. These criteria shall  
6 include accomplishment of the academic standards in at least reading,  
7 writing, mathematics, science and social studies, as determined by district  
8 assessment. Other criteria may include additional measures of academic  
9 achievement and attendance.

10           D. The governing board may prescribe the course of study and  
11 competency requirements for promotion that are in addition to or higher  
12 than the course of study and competency requirements the state board  
13 prescribes.

14           E. A teacher shall determine whether to promote or retain a pupil in  
15 a grade in a common school on the basis of the prescribed criteria. The  
16 governing board, if it reviews the decision of a teacher to promote or  
17 retain a pupil in a grade in a common school as provided in section 15-342,  
18 paragraph 11, shall base its decision on the prescribed criteria.

19           F. A governing board may provide and issue certificates of promotion  
20 to pupils whom it promotes from the eighth grade of a common school. Such  
21 certificates shall be signed by the principal or superintendent of  
22 schools. If there is no principal or superintendent of schools, the  
23 certificates shall be signed by ~~the teacher of~~ an eighth grade  
24 **TEACHER**. The certificates shall admit the holders to any high school in  
25 ~~the~~ **THIS** state.

26           G. Within any high school district or union high school district,  
27 the superintendent of the high school district shall supervise the work of  
28 the eighth grade of all schools ~~employing no~~ **THAT DO NOT EMPLOY A**  
29 superintendent or principal.

30           H. A school district shall not deny a pupil who is between the ages  
31 of sixteen and twenty-one years admission to a high school because the  
32 pupil does not hold an eighth grade certificate. Governing boards shall

1 establish procedures for determining the admissibility of pupils who are  
2 under sixteen years of age and who do not hold eighth grade certificates.

3 I. The state board of education shall adopt rules to allow common  
4 school pupils who can demonstrate competency in a particular academic  
5 course or subject to obtain academic credit for the course or subject  
6 without enrolling in the course or subject.

7 J. A school district may conduct a ceremony to honor pupils who have  
8 been promoted from the eighth grade.

9 K. For the purposes of this section, "dyslexia" means a condition  
10 that:

11 1. Is neurological in origin.

12 2. Is characterized by difficulties with accurate or fluent word  
13 recognition and by poor spelling and decoding abilities, including  
14 difficulties that typically result from a deficit in the phonological  
15 component of language that is often unexpected in relation to other  
16 cognitive abilities and to the provision of effective classroom  
17 instruction.

18 3. May include secondary consequences such as problems with reading  
19 comprehension and reduced reading experience that may impede the growth of  
20 vocabulary and background knowledge.

21 Sec. 8. Section 15-704, Arizona Revised Statutes, is amended to  
22 read:

23 15-704. Reading proficiency; dyslexia screening plan; parental  
24 notification; definitions

25 A. Each school district or charter school that provides instruction  
26 in kindergarten programs and grades one through three shall select and  
27 administer screening, ongoing diagnostic and classroom-based instructional  
28 reading assessments, including a motivational assessment, ~~as defined by the~~  
29 ~~state board of education,~~ and the kindergarten entry evaluation tool  
30 ~~adopted~~ **SELECTED BY THE SCHOOL DISTRICT GOVERNING BOARD OR CHARTER SCHOOL**  
31 **GOVERNING BODY** pursuant to section 15-701, subsection A, paragraph 3, to  
32 monitor student progress. Each school shall use the diagnostic information



1 to plan evidence-based appropriate and effective instruction and  
2 intervention.

3 B. On or before July 1, 2022, the department of education shall  
4 develop a dyslexia screening plan that meets all of the following  
5 requirements:

6 1. Ensures that within forty-five calendar days after the beginning  
7 of each school year or within forty-five calendar days after a student  
8 enrollment occurs after the first day of school, every student who is  
9 enrolled in a kindergarten program or grade one in a public school in this  
10 state is screened for indicators of dyslexia.

11 2. Provides guidance for notifications sent by public schools to  
12 parents of students who are identified as having indicators of dyslexia  
13 based on a screening for indicators.

14 3. Is developed collaboratively with the dyslexia specialist for the  
15 department designated pursuant to section 15-211, and other experts on  
16 dyslexia, including representatives in this state of an international  
17 organization on dyslexia.

18 4. Ensures that screening for indicators of dyslexia includes the  
19 following:

- 20 (a) Phonological and phonemic awareness.
- 21 (b) Rapid naming skills.
- 22 (c) Correspondence between sounds and letters.
- 23 (d) Nonsense word fluency.
- 24 (e) Sound symbol recognition.

25 C. The screening for indicators of dyslexia may be integrated with  
26 reading proficiency screenings as prescribed in this section.

27 D. Each school district or charter school that provides instruction  
28 for pupils in kindergarten programs and grades one through three shall  
29 conduct a curriculum evaluation and adopt an evidence-based reading  
30 curriculum that includes the essential components of reading instruction.  
31 All school districts and charter schools that offer instruction in

1 kindergarten programs and grades one through three shall provide ongoing  
2 teacher training based on evidence-based reading research.

3 E. Each school district or charter school that provides instruction  
4 in kindergarten programs and grades one through three shall devote  
5 reasonable amounts of time to explicit evidence-based instruction and  
6 independent reading in grades one through three.

7 F. A pupil in grade three who does not demonstrate proficiency on  
8 the reading standards measured by the statewide assessment administered  
9 pursuant to section 15-741 shall be provided core reading instruction and  
10 intensive, evidence-based reading instruction as defined by the state board  
11 of education until the pupil meets these standards.

12 G. The governing board of each school district and the governing  
13 body of each charter school shall determine the percentage of pupils at  
14 each school in grade three who do not demonstrate proficiency on the  
15 reading standards prescribed by the state board of education and measured  
16 by the statewide assessment administered pursuant to section 15-741. If  
17 more than twenty percent of students in grade three at either the  
18 individual school level or at the school district level do not demonstrate  
19 proficiency on the standards, the governing board or governing body shall  
20 conduct a review of its reading program that includes curriculum and  
21 professional development in light of current, evidence-based reading  
22 research.

23 H. Based on the review required in subsection G of this section, the  
24 governing board or governing body and the school principal of each school  
25 that does not demonstrate proficiency on the reading standards, in  
26 conjunction with school council members, if applicable, shall develop  
27 methods of best practices for teaching reading based on essential  
28 components of reading instruction and supported by evidence-based reading  
29 research. These methods shall be adopted at a public meeting and shall be  
30 implemented the following academic year.

1 I. Subsections G and H of this section shall be coordinated with  
2 efforts to develop and implement an improvement plan if required pursuant  
3 to section 15-241.02.

4 J. For the purposes of this section:

5 1. "Essential components of reading instruction" means explicit and  
6 systematic instruction in the following:

7 (a) Phonological awareness, including phonemic awareness.

8 (b) Phonics encoding and decoding.

9 (c) Vocabulary development.

10 (d) Reading fluency as demonstrated by automatic reading of text.

11 (e) Reading comprehension of written text.

12 (f) Written and oral expression, including spelling and handwriting.

13 2. "Evidence-based reading research" means research that  
14 demonstrates either:

15 (a) A statistically significant effect on improving student outcomes  
16 or other relevant outcomes based on either:

17 (i) Strong evidence from at least one well-designed and  
18 well-implemented experimental study.

19 (ii) Moderate evidence from at least one well-designed and  
20 well-implemented quasi-experimental study.

21 (iii) Promising evidence from at least one well-designed and  
22 well-implemented correlational study with statistical controls for  
23 selection bias.

24 (b) A rationale based on high-quality research findings or positive  
25 evaluation that an activity, strategy or intervention is likely to improve  
26 student outcomes or other relevant outcomes and that includes ongoing  
27 efforts to examine the effects of these activities, strategies or  
28 interventions.

29 3. "Reading" means a complex system of deriving meaning from written  
30 text that requires all of the following:

31 (a) The skills and knowledge to understand how phonemes or speech  
32 sounds are connected to written text.

1 (b) The ability to decode unfamiliar words.

2 (c) The ability to read fluently.

3 (d) Sufficient background information and vocabulary to foster  
4 reading comprehension.

5 (e) The development of appropriate active strategies to construct  
6 meaning from written text.

7 (f) The development and maintenance of a motivation to read."

8 Renumber to conform

9 Page 6, after line 26, insert:

10 "Sec. 10. Section 15-903, Arizona Revised Statutes, is amended to  
11 read:

12 15-903. Budget format; prohibited expenditures; annual report

13 A. The superintendent of public instruction in conjunction with the  
14 auditor general shall prepare and prescribe a budget format to be ~~utilized~~  
15 **USED** by all school districts.

16 B. The budget format shall be designed to allow all school districts  
17 to plan and provide in detail for ~~the use of~~ **USING** available ~~funds~~  
18 **MONIES**. The budget format shall contain distinct sections for, but need  
19 not be limited to, maintenance and operation, debt service, special  
20 projects, capital outlay, adjacent ways and classroom site fund. The  
21 maintenance and operation section shall include, but need not be limited  
22 to, separate subsections for regular education programs, special education  
23 programs and operational expenditures for pupil transportation. Each  
24 subsection shall clearly distinguish classroom instruction expenditures.  
25 The special education program subsection shall include a subtotal for the  
26 disability classifications as defined in section 15-761 and programs for  
27 gifted, vocational and technical education, remedial education and  
28 bilingual students. The total expenditures for each of these programs  
29 shall be included on the budget form. The pupil transportation subsection  
30 shall include all operational expenditures relating to ~~the transportation~~  
31 ~~of~~ **TRANSPORTING** pupils, including all operational expenditures within a  
32 contract if the school district contracts for pupil transportation.

1           C. The capital outlay section of the budget shall include a  
2 subsection for unrestricted capital outlay. The unrestricted capital  
3 outlay subsection shall include budgeted expenditures for acquisitions by  
4 purchase, lease-purchase or lease of capital items as defined in the  
5 uniform system of financial records and shall include:

6           1. Land, buildings and improvements to land and buildings, including  
7 labor and related employee benefits costs and material costs if work is  
8 performed by school district employees.

9           2. Furniture, furnishings, athletic equipment and other equipment,  
10 including computer software.

11           3. Pupil and nonpupil transportation vehicles and equipment,  
12 including all capital expenditures within a contract if the school district  
13 contracts for pupil transportation.

14           4. Textbooks and related printed subject matter materials adopted by  
15 the governing board.

16           5. Instructional aids.

17           6. Library books.

18           7. Payment of principal and interest on bonds.

19           8. School district administration emergency needs that are directly  
20 related to pupils.

21           D. The budget format shall contain distinct subsections for the  
22 following:

23           1. Special programs to improve academic achievement of pupils in  
24 kindergarten programs and grades one through three as provided in section  
25 15-482.

26           2. School plant funds.

27           3. Capital outlay budget increases as provided in section 15-481.

28           4. Property taxation, including the following:

29           (a) The primary tax rates for the school district for the current  
30 year and the budget year.

1 (b) The secondary tax rates for maintenance and operation, K-3 and  
2 capital overrides for the school district for the current year and the  
3 budget year.

4 (c) The secondary tax rates for class A bonds for the school  
5 district for the current year and the budget year.

6 (d) The secondary tax rates for class B bonds for the school  
7 district for the current year and the budget year.

8 5. A description of any corrections or adjustments made to the  
9 budget pursuant to section 15-915.

10 E. The budget format shall also contain:

11 1. A statement identifying proposed pupil-teacher ratios and  
12 pupil-staff ratios relating to the provision of special education services  
13 for the budget year.

14 ~~2. A statement identifying the number of full-time equivalent~~  
15 ~~certified employees.~~

16 ~~3.~~ 2. The prominent display of the average salary of all teachers  
17 employed by the school district for the current year. The school district  
18 shall also prominently post this information on its website home page  
19 separately from its budget.

20 ~~4.~~ 3. The prominent display of the average salary of all teachers  
21 employed by the school district for the previous year. The school district  
22 shall also prominently post this information on its website home page  
23 separately from its budget.

24 ~~5.~~ 4. The prominent display of the dollar increase in the average  
25 salary of all teachers employed by the school district for the current  
26 year. The school district shall also prominently post this information on  
27 its website home page separately from its budget.

28 ~~6.~~ 5. The prominent display of the percentage increase in the  
29 average salary of all teachers employed by the school district for the  
30 current year. The school district shall also prominently post this  
31 information on its website home page separately from its budget.

1 F. The special projects section shall include budgeted expenditures  
2 for state special projects, including special adult projects, career  
3 education, deficiencies correction fund projects and new school facilities  
4 fund projects, such federal special projects as ESEA title programs,  
5 vocational education and title IV Indian education, and other special  
6 projects.

7 G. A school district shall not make expenditures for campaign  
8 literature associated with school district or charter school officials. If  
9 the superintendent of public instruction determines that a school district  
10 has violated this subsection, the superintendent of public instruction may  
11 withhold any portion of the school district's apportionment of state aid.

12 H. The budget format shall include an electronic format that shall  
13 be submitted for each proposed, adopted and revised budget.

14 I. On or before November 30 of each year, the department of  
15 education shall electronically submit to the joint legislative budget  
16 committee and the governor's office of strategic planning and budgeting a  
17 report that compiles the information required by subsection E, paragraphs  
18 ~~3~~ 2 through ~~6~~ 5 of this section for all school districts statewide."

19 Amend title to conform

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