

REFERENCE TITLE: schools; teacher salary increases; reporting

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SCR 1034

Introduced by
Senators Hoffman: Petersen

A CONCURRENT RESOLUTION

ENACTING AND ORDERING THE SUBMISSION TO THE PEOPLE OF A MEASURE RELATING
TO SCHOOL EMPLOYEES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the Senate of the State of Arizona, the House of
2 Representatives concurring:

3 1. Under the power of the referendum, as vested in the legislature,
4 the following measure, relating to school employees, is enacted to become
5 valid as a law if approved by the voters and on proclamation of the
6 Governor:

7 AN ACT

8 AMENDING SECTION 15-189.05, ARIZONA REVISED STATUTES; AMENDING
9 TITLE 15, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY
10 ADDING SECTION 15-248.01; AMENDING SECTION 15-903, ARIZONA
11 REVISED STATUTES; RELATING TO SCHOOL EMPLOYEES.

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

13 Section 1. Section 15-189.05, Arizona Revised Statutes,
14 is amended to read:

15 15-189.05. Charter school budgets; posting of teacher
16 salary information; annual report

17 A. The budget for each charter school shall contain the
18 following information:

19 1. The average salary of all teachers employed by the
20 charter school for the current year.

21 2. The average salary of all teachers employed by the
22 charter school for the previous year.

23 3. The dollar increase in the average salary of all
24 teachers employed by the charter school for the current year.

25 4. The percentage increase in the average salary of all
26 teachers employed by the charter school for the current year.

27 5. THE SALARY SCHEDULE FOR ELIGIBLE TEACHERS AS DEFINED
28 IN SECTION 15-248.01 WHO ARE EMPLOYED BY THE CHARTER SCHOOL
29 FOR THE CURRENT YEAR.

30 6. A STATEMENT IDENTIFYING THE NUMBER OF ELIGIBLE
31 TEACHERS AS DEFINED IN SECTION 15-248.01 WHO ARE EMPLOYED BY
32 THE CHARTER SCHOOL FOR THE CURRENT YEAR.

33 B. Each charter school shall prominently post the
34 information required by subsection A of this section on its
35 website home page separately from its budget.

36 C. On or before November 30 of each year, the
37 department of education shall electronically submit to the
38 joint legislative budget committee and the governor's office
39 of strategic planning and budgeting a report that compiles the
40 information required by subsection A of this section for all
41 charter schools statewide.

1 Sec. 2. Title 15, chapter 2, article 2, Arizona Revised
2 Statutes, is amended by adding section 15-248.01, to read:

3 15-248.01. Teachers; base salary increases; teacher pay
4 fund; eligibility; annual estimate;
5 definition

6 A. IF THE VOTERS APPROVE AN INCREASED DISTRIBUTION RATE
7 FROM THE STATE LAND TRUST PERMANENT FUNDS PURSUANT TO ARTICLE
8 X, SECTION 7, SUBSECTION N, CONSTITUTION OF ARIZONA, EACH
9 SCHOOL DISTRICT AND CHARTER SCHOOL IN THIS STATE SHALL REVISE
10 ITS SALARY SCHEDULE OR SCHEDULES TO INCREASE THE BASE SALARY
11 OF ALL ELIGIBLE TEACHERS WHO ARE OR WILL BE EMPLOYED BY A
12 SCHOOL OPERATED BY THE SCHOOL DISTRICT OR CHARTER SCHOOL. IF
13 SALARY INCREASES ARE REQUIRED UNDER THIS SUBSECTION, THE
14 INCREASE SHALL BE ALL OF THE FOLLOWING:

15 1. THE AMOUNT ESTIMATED PURSUANT TO SUBSECTION E OF
16 THIS SECTION.

17 2. THE SAME AMOUNT FOR EACH ELIGIBLE TEACHER WITHOUT
18 REGARD TO TEACHER EXPERIENCE LEVELS.

19 B. NOTWITHSTANDING SECTIONS 15-502 AND 15-544, IF
20 SALARY INCREASES ARE REQUIRED BY SUBSECTION A OF THIS SECTION,
21 A SCHOOL DISTRICT OR CHARTER SCHOOL MAY NOT REDUCE THE BASE
22 SALARY OF ELIGIBLE TEACHERS WHO ARE OR WILL BE EMPLOYED BY THE
23 SCHOOL DISTRICT OR CHARTER SCHOOL BELOW THE BASE SALARY
24 SCHEDULE REPORTED TO THE DEPARTMENT OF EDUCATION IN FISCAL
25 YEAR 2024-2025. THIS SUBSECTION DOES NOT RESTRICT A SCHOOL
26 DISTRICT'S OR CHARTER SCHOOL'S AUTHORITY TO ADJUST AN
27 INDIVIDUAL TEACHER'S SALARY IN A MANNER THAT IS CONSISTENT
28 WITH THE APPLICABLE BASE SALARY SCHEDULE, INCLUDING AN
29 ADJUSTMENT FOR ANY CHANGE IN EMPLOYMENT STATUS.

30 C. THE TEACHER PAY FUND IS ESTABLISHED CONSISTING OF
31 LEGISLATIVE APPROPRIATIONS AND DISTRIBUTIONS FROM THE
32 PERMANENT STATE SCHOOL FUND PURSUANT TO ARTICLE X, SECTION 7,
33 SUBSECTION N, CONSTITUTION OF ARIZONA. MONIES IN THE FUND ARE
34 CONTINUOUSLY APPROPRIATED AND ARE EXEMPT FROM THE PROVISIONS
35 OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS. THE
36 DEPARTMENT OF EDUCATION SHALL ADMINISTER THE FUND AND
37 ESTABLISH PROCEDURES FOR DETERMINING WHETHER SCHOOL DISTRICTS
38 AND CHARTER SCHOOLS ARE ELIGIBLE TO RECEIVE MONIES FROM THE
39 FUND. IF INCREASES ARE REQUIRED UNDER SUBSECTION A OF THIS
40 SECTION, THE DEPARTMENT SHALL ALLOCATE MONIES FROM THE FUND TO
41 EACH ELIGIBLE SCHOOL DISTRICT OR CHARTER SCHOOL IN AN AMOUNT
42 EQUAL TO THE AMOUNT DETERMINED PURSUANT TO SUBSECTION F OF
43 THIS SECTION MULTIPLIED BY THE NUMBER OF ELIGIBLE TEACHERS
44 EMPLOYED BY THE SCHOOL DISTRICT OR CHARTER SCHOOL AS REPORTED
45 PURSUANT TO SECTION 15-189.05 OR 15-903 TO FUND THE INCREASES

1 MADE UNDER SUBSECTION A OF THIS SECTION. THE MONIES
2 DISTRIBUTED PURSUANT TO THIS SUBSECTION ARE IN ADDITION TO ANY
3 OTHER MONIES, PUBLIC OR PRIVATE, THAT THE SCHOOL DISTRICT OR
4 CHARTER SCHOOL RECEIVES FROM ANY LAWFUL SOURCE AND MAY NOT
5 SUPPLANT, REPLACE OR OTHERWISE CAUSE A REDUCTION IN OTHER
6 FUNDING SOURCES FOR THE SCHOOL DISTRICT OR CHARTER SCHOOL.
7 THE MONIES DISTRIBUTED PURSUANT TO THIS SUBSECTION ARE EXEMPT
8 FROM THE REVENUE CONTROL LIMIT PRESCRIBED BY SECTION 15-947.

9 D. NOTWITHSTANDING SUBSECTION C OF THIS SECTION, IF THE
10 LEGISLATURE APPROPRIATES MONIES TO THE TEACHER PAY FUND FOR
11 SALARY INCREASES NOT REQUIRED BY SUBSECTION A OF THIS SECTION,
12 THE DEPARTMENT OF EDUCATION SHALL ALLOCATE THE APPROPRIATED
13 MONIES TO EACH ELIGIBLE SCHOOL DISTRICT AND CHARTER SCHOOL
14 ACCORDING TO THE TERMS OF THE APPROPRIATION.

15 E. ON OR BEFORE MARCH 30 OF EACH YEAR, THE TREASURER
16 SHALL PROVIDE TO THE STAFF OF THE JOINT LEGISLATIVE BUDGET
17 COMMITTEE AN ESTIMATE OF THE AMOUNT OF DISTRIBUTIONS PURSUANT
18 TO ARTICLE X, SECTION 7, SUBSECTION N, CONSTITUTION OF
19 ARIZONA, THAT WILL BE DEPOSITED IN THE TEACHER PAY FUND FOR
20 THE BUDGET YEAR.

21 F. ON OR BEFORE MARCH 30 OF EACH YEAR, THE STAFF OF THE
22 JOINT LEGISLATIVE BUDGET COMMITTEE SHALL DETERMINE A PER
23 TEACHER AMOUNT FROM THE TEACHER PAY FUND FOR THE BUDGET YEAR
24 USING THE STATEWIDE NUMBER OF ELIGIBLE TEACHERS REPORTED
25 PURSUANT TO SECTION 15-189.05 OR 15-903 AND BASED ON THE
26 ESTIMATE PURSUANT TO SUBSECTION E OF THIS SECTION.

27 G. EACH SCHOOL DISTRICT AND CHARTER SCHOOL THAT
28 RECEIVES MONIES FROM THE TEACHER PAY FUND SHALL SUBMIT A
29 REPORT ON OR BEFORE NOVEMBER 15 OF EACH YEAR TO THE
30 SUPERINTENDENT OF PUBLIC INSTRUCTION THAT PROVIDES AN
31 ACCOUNTING OF THE EXPENDITURES OF MONIES DISTRIBUTED FROM THE
32 FUND DURING THE PREVIOUS FISCAL YEAR. THE DEPARTMENT OF
33 EDUCATION IN CONJUNCTION WITH THE AUDITOR GENERAL SHALL
34 PRESCRIBE THE FORMAT OF THE REPORT UNDER THIS SUBSECTION.

35 H. THE DEPARTMENT OF EDUCATION, ON REPORT FROM THE
36 AUDITOR GENERAL, SHALL DETERMINE WHETHER SCHOOL DISTRICTS AND
37 CHARTER SCHOOLS ARE COMPLYING WITH THE REQUIREMENTS PRESCRIBED
38 IN THIS SECTION. IF THE DEPARTMENT DETERMINES THAT A SCHOOL
39 DISTRICT OR CHARTER SCHOOL IS NOT IN COMPLIANCE OR HAS FAILED
40 TO CORRECT A DEFICIENCY WITHIN NINETY DAYS AFTER RECEIVING
41 NOTICE FROM THE AUDITOR GENERAL, THE SCHOOL DISTRICT OR
42 CHARTER SCHOOL IS INELIGIBLE TO RECEIVE MONIES FROM THE
43 TEACHER PAY FUND PURSUANT TO SUBSECTION C OR D OF THIS SECTION
44 FROM THE DATE OF THE DETERMINATION UNTIL THE AUDITOR GENERAL

REPORTS THAT THE SCHOOL DISTRICT OR CHARTER SCHOOL IS COMPLYING WITH THE REQUIREMENTS PRESCRIBED IN THIS SECTION.

I. FOR THE PURPOSES OF THIS SECTION, "ELIGIBLE TEACHER":

1. MEANS A PERSON WHO IS EMPLOYED BY A CHARTER SCHOOL OR A SCHOOL OPERATED BY A SCHOOL DISTRICT IN THIS STATE AND WHO EITHER:

(a) MEETS BOTH OF THE FOLLOWING:

(i) IS EMPLOYED FOR A FULL SCHOOL DAY, OR ITS EQUIVALENT, OR FOR A FULL CLASS LOAD, OR ITS EQUIVALENT, AS DETERMINED BY THE DEPARTMENT OF EDUCATION.

(ii) DEVOTES MORE THAN SEVENTY-FIVE PERCENT OF THE PERSON'S TIME AT WORK TO NONADMINISTRATIVE ACTIVITIES THAT PROVIDE INSTRUCTION TO STUDENTS.

(b) MEETS BOTH OF THE FOLLOWING:

(i) IS EMPLOYED AS A SPECIAL EDUCATION TEACHER FOR A FULL SCHOOL DAY, OR ITS EQUIVALENT, OR FOR A FULL CLASS LOAD, OR ITS EQUIVALENT, AS DETERMINED BY THE DEPARTMENT OF EDUCATION.

(ii) DEVOTES MORE THAN FIFTY PERCENT OF THE PERSON'S TIME AT WORK TO SUPPORT STUDENT ACADEMIC ACHIEVEMENT AS PRESCRIBED BY THE SCHOOL DISTRICT GOVERNING BOARD OR THE CHARTER SCHOOL GOVERNING BODY.

2. INCLUDES CURRENT TEACHERS AND TEACHERS WHO BEGIN WORK FOR THE SCHOOL DISTRICT OR CHARTER SCHOOL AFTER THE EFFECTIVE DATE OF THIS SECTION.

3. DOES NOT INCLUDE AN ADMINISTRATOR OR A PERSON WHO HAS BEEN DESIGNATED IN EITHER OF THE TWO LOWEST PERFORMANCE CLASSIFICATIONS AFTER AN EVALUATION CONDUCTED PURSUANT TO SECTION 15-189.06 OR 15-537.

Sec. 3. Section 15-903, Arizona Revised Statutes, is amended to read:

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

A. The superintendent of public instruction in conjunction with the auditor general shall prepare and prescribe a budget format to be used by all school districts.

B. The budget format shall be designed to allow all school districts to plan and provide in detail for using available monies. The budget format shall contain distinct sections for, but need not be limited to, maintenance and operation, debt service, special projects, capital outlay, adjacent ways and classroom site fund. The maintenance and operation section shall include, but need not be limited to, separate subsections for regular education programs, special

1 education programs and operational expenditures for pupil
2 transportation. Each subsection shall clearly distinguish
3 classroom instruction expenditures. The special education
4 program subsection shall include a subtotal for the disability
5 classifications as defined in section 15-761 and programs for
6 gifted, vocational and technical education, remedial education
7 and bilingual students. The total expenditures for each of
8 these programs shall be included on the budget form. The
9 pupil transportation subsection shall include all operational
10 expenditures relating to transporting pupils, including all
11 operational expenditures within a contract if the school
12 district contracts for pupil transportation.

13 C. The capital outlay section of the budget shall
14 include a subsection for unrestricted capital outlay. The
15 unrestricted capital outlay subsection shall include budgeted
16 expenditures for acquisitions by purchase, lease-purchase or
17 lease of capital items as defined in the uniform system of
18 financial records and shall include:

19 1. Land, buildings and improvements to land and
20 buildings, including labor and related employee benefits costs
21 and material costs if work is performed by school district
22 employees.

23 2. Furniture, furnishings, athletic equipment and other
24 equipment, including computer software.

25 3. Pupil and nonpupil transportation vehicles and
26 equipment, including all capital expenditures within a
27 contract if the school district contracts for pupil
28 transportation.

29 4. Textbooks and related printed subject matter
30 materials adopted by the governing board.

31 5. Instructional aids.

32 6. Library books.

33 7. Payment of principal and interest on bonds.

34 8. School district administration emergency needs that
35 are directly related to pupils.

36 D. The budget format shall contain distinct subsections
37 for the following:

38 1. Special programs to improve academic achievement of
39 pupils in kindergarten programs and grades one through three
40 as provided in section 15-482.

41 2. School plant funds.

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

1 4. Property taxation, including the following:

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

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

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

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

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

13 E. The budget format shall also contain:

14 1. A statement identifying proposed pupil-teacher
15 ratios and pupil-staff ratios relating to the provision of
16 special education services for the budget year.

17 2. A STATEMENT IDENTIFYING THE NUMBER OF ELIGIBLE
18 TEACHERS AS DEFINED IN SECTION 15-248.01 WHO ARE EMPLOYED BY
19 THE SCHOOL DISTRICT FOR THE CURRENT YEAR.

20 ~~2.~~ 3. The prominent display of the average salary of
21 all teachers employed by the school district for the current
22 year. The school district shall also prominently post this
23 information on its website home page separately from its
24 budget.

25 ~~3.~~ 4. The prominent display of the average salary of
26 all teachers employed by the school district for the previous
27 year. The school district shall also prominently post this
28 information on its website home page separately from its
29 budget.

30 ~~4.~~ 5. The prominent display of the dollar increase in
31 the average salary of all teachers employed by the school
32 district for the current year. The school district shall also
33 prominently post this information on its website home page
34 separately from its budget.

35 ~~5.~~ 6. The prominent display of the percentage increase
36 in the average salary of all teachers employed by the school
37 district for the current year. The school district shall also
38 prominently post this information on its website home page
39 separately from its budget.

40 F. The special projects section shall include budgeted
41 expenditures for state special projects, including special
42 adult projects, career education, deficiencies correction fund
43 projects and new school facilities fund projects, such federal
44 special projects as ESEA title programs, vocational education
45 and title IV Indian education, and other special projects.

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

8 H. The budget format shall include an electronic format
9 that shall be submitted for each proposed, adopted and revised
10 budget.

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

17 2. The Secretary of State shall submit this proposition to the
18 voters at the next general election as provided by article IV, part 1,
19 section 1, Constitution of Arizona.