

House Engrossed

schools; weapons detection systems; administration

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HOUSE BILL 2370

AN ACT

AMENDING SECTIONS 15-183 AND 15-341, ARIZONA REVISED STATUTES; RELATING TO
PUBLIC SCHOOLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-183, Arizona Revised Statutes, is amended to
3 read:

4 15-183. Charter schools; application; requirements; immunity;
5 exemptions; renewal of application; reprisal; fee;
6 funds; annual reports; definitions

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

- 12 1. A detailed educational plan.
- 13 2. A detailed business plan.
- 14 3. A detailed operational plan.
- 15 4. Any other materials required by the sponsor.

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

19 C. The sponsor of a charter school may be either the state board of
20 education, the state board for charter schools, a university under the
21 jurisdiction of the Arizona board of regents, a community college district
22 or a group of community college districts, subject to the following
23 requirements:

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

26 2. The applicant may apply to the state board of education or the
27 state board for charter schools. Notwithstanding any other law, neither
28 the state board for charter schools nor the state board of education shall
29 grant a charter to a school district governing board for a new charter
30 school or for the conversion of an existing district public school to a
31 charter school. The state board of education or the state board for
32 charter schools may approve the application if the application meets the
33 requirements of this article and may approve the charter if the proposed
34 sponsor determines, within its sole discretion, that the applicant is
35 sufficiently qualified to operate a charter school and that the applicant
36 is applying to operate as a separate charter holder by considering factors
37 such as whether:

38 (a) The schools have separate governing bodies, governing body
39 membership, staff, facilities and student ~~population~~ POPULATIONS.

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

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

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

1 (e) The applicant is reconstituting an existing school site
2 population at the same or A new site.

3 (f) The applicant is reconstituting an existing grade configuration
4 from a prior charter holder with at least one grade remaining on the
5 original site with the other grade or grades moving to a new site. The
6 state board of education or the state board for charter schools may
7 approve any charter schools transferring charters. If the state board of
8 education or the state board for charter schools rejects the preliminary
9 application, the state board of education or the state board for charter
10 schools shall notify the applicant in writing of the reasons for the
11 rejection and of suggestions for improving the application. An applicant
12 may submit a revised application for reconsideration by the state board of
13 education or the state board for charter schools. The applicant may
14 request, and the state board of education or the state board for charter
15 schools may provide, technical assistance to improve the application.

16 3. The applicant may submit the application to a university under
17 the jurisdiction of the Arizona board of regents, a community college
18 district or a group of community college districts. A university, a
19 community college district or a group of community college districts shall
20 not grant a charter to a school district governing board for a new charter
21 school or for the conversion of an existing district public school to a
22 charter school. A university, a community college district or a group of
23 community college districts may approve the application if it meets the
24 requirements of this article and if the proposed sponsor determines, in
25 its sole discretion, that the applicant is sufficiently qualified to
26 operate a charter school.

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

36 5. All persons engaged in instructional work directly as a
37 classroom, laboratory or other teacher or indirectly as a supervisory
38 teacher, speech therapist or principal and all charter representatives,
39 charter school governing body members and officers, directors, members and
40 partners of the charter holder shall have a valid fingerprint clearance
41 card that is issued pursuant to title 41, chapter 12, article 3.1, unless
42 the person is a volunteer or guest speaker who is accompanied in the
43 classroom by a person with a valid fingerprint clearance card. A charter
44 school shall not employ in any position that requires a valid fingerprint
45 clearance card a person against whom the state board of education has

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

29 (a) Documents in the applicant's file the necessity for hiring and
30 placing the applicant before the applicant receives a fingerprint
31 clearance card.

32 (b) Ensures that the department of public safety completes a
33 statewide criminal records check on the applicant. A statewide criminal
34 records check shall be completed by the department of public safety every
35 one hundred twenty days until the date that the fingerprint check is
36 completed or the fingerprint clearance card is issued or denied.

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

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

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

1 (f) Verifies the fingerprint status of the applicant with the
2 department of public safety.

3 6. A charter school that complies with the fingerprinting
4 requirements of this section shall be deemed to have complied with section
5 15-512 and is entitled to the same rights and protections provided to
6 school districts by section 15-512.

7 7. If a charter school operator is not already subject to a public
8 meeting or hearing by the municipality in which the charter school is
9 located, the ~~operator of a~~ charter school OPERATOR shall conduct a public
10 meeting at least thirty days before the charter school operator opens a
11 site or sites for the charter school. The charter school operator shall
12 post notices of the public meeting in at least three different locations
13 that are within three hundred feet of the proposed charter school site.

14 8. A person who is employed by a charter school or who is an
15 applicant for employment with a charter school, who is arrested for or
16 charged with a nonappealable offense listed in section 41-1758.03,
17 subsection B and who does not immediately report the arrest or charge to
18 the person's supervisor or potential employer is guilty of unprofessional
19 conduct and the person shall be immediately dismissed from employment with
20 the charter school or immediately excluded from potential employment with
21 the charter school.

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

27 (a) Surrender any certificates issued by the department of
28 education.

29 (b) Notify the person's employer or potential employer of the
30 conviction.

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

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

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

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

40 1. Ensure compliance with federal, state and local rules,
41 regulations and statutes relating to health, safety, civil rights and
42 insurance. The department of education shall publish a list of relevant
43 rules, regulations and statutes to notify charter schools of their
44 responsibilities under this paragraph.

- 1 2. Ensure that it is nonsectarian in its programs, admission
2 policies and employment practices and all other operations.
- 3 3. Ensure that it provides a comprehensive program of instruction
4 for at least a kindergarten program or any grade between grades one and
5 twelve, except that a CHARTER school may offer this curriculum with an
6 emphasis on a specific learning philosophy or style or certain subject
7 areas such as mathematics, science, fine arts, performance arts or foreign
8 language.
- 9 4. Ensure that it designs a method to measure pupil progress toward
10 the pupil outcomes adopted by the state board of education pursuant to
11 section 15-741.01, including participation in the statewide assessment and
12 the nationally standardized norm-referenced achievement test as designated
13 by the state board and the completion and distribution of an annual report
14 card as prescribed in chapter 7, article 3 of this title.
- 15 5. Ensure that, except as provided in this article and in its
16 charter, it is exempt from all statutes and rules relating to schools,
17 governing boards and school districts.
- 18 6. Ensure that, except as provided in this article, it is subject
19 to the same financial and electronic data submission requirements as a
20 school district, including the uniform system of financial records as
21 prescribed in chapter 2, article 4 of this title, procurement rules as
22 prescribed in section 15-213 and audit requirements. The auditor general
23 shall conduct a comprehensive review and revision of the uniform system of
24 financial records to ensure that the provisions of the uniform system of
25 financial records that relate to charter schools are in accordance with
26 commonly accepted accounting principles used by private business. A
27 school's charter may include exceptions to the requirements of this
28 paragraph that are necessary as determined by the university, the
29 community college district, the group of community college districts, the
30 state board of education or the state board for charter schools. The
31 department of education or the office of the auditor general may conduct
32 financial, program or compliance audits.
- 33 7. Ensure compliance with all federal and state laws relating to
34 the education of children with disabilities in the same manner as a school
35 district.
- 36 8. Ensure that it provides for a governing body for the charter
37 school that is responsible for the policy decisions of the charter school.
38 Notwithstanding section 1-216, if there is a vacancy or vacancies on the
39 governing body, a majority of the remaining members of the governing body
40 ~~constitute~~ CONSTITUTES a quorum for the transaction of business, unless
41 that quorum is prohibited by the charter school's operating agreement.
- 42 9. Ensure that it provides a minimum of one hundred eighty
43 instructional days before June 30 of each fiscal year unless it is
44 operating on an alternative calendar approved by its sponsor. The
45 superintendent of public instruction shall adjust the apportionment

1 schedule accordingly to accommodate a charter school ~~utilizing~~ USING an
2 alternative calendar.

3 10. Ensure that the charter school, in conjunction with local law
4 enforcement agencies and emergency response agencies, ~~develop~~ DEVELOPS an
5 emergency response plan for each school in accordance with minimum
6 standards developed jointly by the department of education and the
7 division of emergency management within the department of emergency and
8 military affairs. Any emergency response plan developed pursuant to this
9 paragraph must address how the CHARTER school and emergency responders
10 will communicate with and provide assistance to students with
11 disabilities.

12 F. A charter school shall collect and maintain information about
13 each teacher's educational and teaching background and experience in a
14 particular academic content subject area. A charter school shall either
15 post the information on the charter school's website or make the
16 information available for inspection on request of parents and guardians
17 of pupils enrolled at the charter school. This subsection does not
18 require any charter school to release personally identifiable information
19 in relation to any teacher, including the teacher's address, salary,
20 social security number or telephone number.

21 G. The charter of a charter school may be amended at the request of
22 the governing body of the charter school and on the approval of the
23 sponsor.

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

25 I. The charter is effective for fifteen years ~~from~~ AFTER the first
26 day of the fiscal year as specified in the charter, subject to the
27 following:

28 1. At least eighteen months before the charter expires, the sponsor
29 shall notify the charter school that the charter school may apply for
30 renewal and shall make the renewal application available to the charter
31 school. A charter school that elects to apply for renewal shall file a
32 complete renewal application at least fifteen months before the charter
33 expires. A sponsor shall give written notice of its intent not to renew
34 the charter school's request for renewal to the charter school at least
35 twelve months before the expiration of the charter. The sponsor shall
36 make data used in making renewal decisions available to the CHARTER school
37 and the public and shall provide a public report summarizing the evidence
38 basis for each decision. The sponsor may deny the request for renewal if,
39 in its judgment, the charter holder has failed to do any of the following:

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

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

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

1 (d) Complete the obligations of the contract.

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

4 2. A charter operator may apply for early renewal. At least nine
5 months before the charter school's intended renewal consideration, the
6 operator of the charter school shall submit a letter of intent to the
7 sponsor to apply for early renewal. The sponsor shall review fiscal
8 audits and academic performance data for the charter school that are
9 annually collected by the sponsor, review the current contract between the
10 sponsor and the charter school and provide the qualifying charter school
11 with a renewal application. On submission of a complete application, the
12 sponsor shall give written notice of its consideration of the renewal
13 application. The sponsor may deny the request for early renewal if, in the
14 sponsor's judgment, the charter holder has failed to do any of the
15 following:

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

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

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

22 (d) Complete the obligations of the contract.

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

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

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

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

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

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

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

42 5. Before the sponsor adopts a determination of intent to revoke a
43 charter, the charter holder shall have at least thirty days to address the
44 problems, as necessary or applicable, associated with the reason or
45 reasons for the determination of intent to revoke. The sponsor is not

1 required to provide the charter holder with thirty days to correct the
2 problems associated with the reason or reasons for adopting a
3 determination of intent to revoke if the reason or reasons cannot be
4 remedied, including a failure to submit required financial audits pursuant
5 to subsection E, paragraph 6 of this section and section 15-914, or for a
6 matter of health or safety, or both. Before the sponsor adopts a
7 determination of intent to revoke a charter, the sponsor shall give
8 written notice to the charter holder that includes the reason or reasons
9 for the sponsor's consideration to revoke the charter. Notice may be
10 provided by electronic means or by United States mail and is effective on
11 the date of email or, if sent by United States mail, the earlier of the
12 date of receipt by the charter holder or within five days after the notice
13 is mailed. The determination of whether to proceed to revocation shall be
14 made at a public meeting called for that purpose.

15 J. The charter may be renewed for successive periods of twenty
16 years.

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

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

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

- 37 (a) Disciplinary or corrective action.
- 38 (b) Detail, ~~transfer~~ transfer or reassignment.
- 39 (c) Suspension, demotion or dismissal.
- 40 (d) An unfavorable performance evaluation.
- 41 (e) A reduction in pay, benefits or awards.
- 42 (f) Elimination of the employee's position without a reduction in
43 force by reason of lack of monies or work.
- 44 (g) Other significant changes in duties or responsibilities that
45 are inconsistent with the employee's salary or employment classification.

1 2. With respect to an educational program, results in one or more
2 of the following:

3 (a) Suspension or termination of the program.

4 (b) Transfer or reassignment of the program to a less favorable
5 department.

6 (c) Relocation of the program to a less favorable site within the
7 school or school district.

8 (d) Significant reduction or termination of funding for the
9 program.

10 M. Charter schools shall secure insurance for liability and
11 property loss. The governing body of a charter school that is sponsored
12 by the state board of education or the state board for charter schools may
13 enter into an intergovernmental agreement or otherwise contract to
14 participate in an insurance program offered by a risk retention pool
15 established pursuant to section 11-952.01 or 41-621.01, or the charter
16 school may secure its own insurance coverage. The pool may charge the
17 requesting charter school reasonable fees for any services it performs in
18 connection with the insurance program.

19 N. Charter schools do not have the authority to acquire property by
20 eminent domain.

21 O. A sponsor, including members, officers and employees of the
22 sponsor, is immune from personal liability for all acts done and actions
23 taken in good faith within the scope of its authority.

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

27 Q. The sponsor of a charter school shall establish procedures to
28 conduct administrative hearings on determination by the sponsor that
29 grounds exist to revoke a charter. Procedures for administrative hearings
30 shall be similar to procedures prescribed for adjudicative proceedings in
31 title 41, chapter 6, article 10. Except as provided in section
32 41-1092.08, subsection H, final decisions of the state board of education
33 and the state board for charter schools from hearings conducted pursuant
34 to this subsection are subject to judicial review pursuant to title 12,
35 chapter 7, article 6.

36 R. The ~~sponsoring entity~~ SPONSOR of a charter school shall have
37 oversight and administrative responsibility for the charter schools that
38 it sponsors. In implementing its oversight and administrative
39 responsibilities, the sponsor shall ground its actions in evidence of the
40 charter holder's performance in accordance with the performance framework
41 adopted by the sponsor. The performance framework shall be publicly
42 available, shall be placed on the ~~sponsoring entity's~~ SPONSOR'S website
43 and shall include:

- 1 1. The academic performance expectations of the charter school and
2 the measurement of sufficient progress toward the academic performance
3 expectations.
- 4 2. The operational expectations of the charter school, including
5 adherence to all applicable laws and obligations of the charter contract.
- 6 3. The financial expectations of the charter school.
- 7 4. Intervention and improvement policies.
- 8 S. Charter schools may pledge, assign or encumber their assets to
9 be used as collateral for loans or extensions of credit.
- 10 T. All property accumulated by a charter school shall remain the
11 property of the charter school.
- 12 U. Charter schools may not locate a school on property that is less
13 than one-fourth mile from agricultural land regulated pursuant to section
14 3-365, except that the owner of the agricultural land may agree to comply
15 with the buffer zone requirements of section 3-365. If the owner agrees
16 in writing to comply with the buffer zone requirements and records the
17 agreement in the office of the county recorder as a restrictive covenant
18 running with the title to the land, the charter school may locate a school
19 within the affected buffer zone. The agreement may include any
20 stipulations regarding the charter school, including conditions for future
21 expansion of the school and changes in the operational status of the
22 school that will result in a breach of the agreement.
- 23 V. A transfer of a charter to another sponsor, a transfer of a
24 charter school site to another sponsor or a transfer of a charter school
25 site to a different charter shall be completed before the beginning of the
26 fiscal year that the transfer is scheduled to become effective. An entity
27 that sponsors charter schools may accept a transferring school after the
28 beginning of the fiscal year if the transfer is approved by the
29 superintendent of public instruction. The superintendent of public
30 instruction shall have the discretion to consider each transfer during the
31 fiscal year on a case-by-case basis. A charter holder seeking to transfer
32 sponsors shall comply with the current charter terms regarding assignment
33 of the charter. A charter holder transferring sponsors shall notify the
34 current sponsor that the transfer has been approved by the new sponsor.
- 35 W. Notwithstanding subsection V of this section, a charter holder
36 on an improvement plan must notify parents or guardians of registered
37 students of the intent to transfer the charter and the timing of the
38 proposed transfer. On the approved transfer, the new sponsor shall
39 enforce the improvement plan but may modify the plan based on performance.
- 40 X. Notwithstanding subsection Y of this section, the state board
41 for charter schools shall charge a processing fee to any charter school
42 that amends its contract to participate in Arizona online instruction
43 pursuant to section 15-808. The charter Arizona online instruction
44 processing fund is established consisting of fees collected and
45 administered by the state board for charter schools. The state board for

1 charter schools shall use monies in the fund only for processing contract
2 amendments for charter schools participating in Arizona online
3 instruction. Monies in the fund are continuously appropriated.

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

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

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

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

34 EE. Pursuant to the prescribed graduation requirements adopted by
35 the state board of education, the governing body of a charter school
36 operating a high school may approve a rigorous computer science course
37 that would fulfill a mathematics course required for graduation from high
38 school. The governing body may approve a rigorous computer science course
39 only if the rigorous computer science course includes significant
40 mathematics content and the governing body determines the high school
41 where the rigorous computer science course is offered has sufficient
42 capacity, infrastructure and qualified staff, including competent teachers
43 of computer science.

44 FF. A charter school may allow the use of school property,
45 including school buildings, grounds, buses and equipment, by any person,

1 group or organization for any lawful purpose, including a recreational,
2 educational, political, economic, artistic, moral, scientific, social,
3 religious or other civic or governmental purpose. The charter school may
4 charge a reasonable fee for the use of the school property.

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

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

14 1. The current number of charters authorized and the number of
15 CHARTER schools operated by authorized charter holders.

16 2. The academic, operational and financial performance of the
17 sponsor's charter portfolio as measured by the sponsor's adopted
18 performance framework.

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

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

24 II. The auditor general shall prescribe the format for the annual
25 report required by subsection HH of this section and may require that the
26 annual report be submitted electronically. The auditor general shall
27 review the submitted annual reports to ensure that the reports include the
28 required items in subsection HH of this section and shall make the annual
29 reports available on request. If the auditor general finds significant
30 noncompliance or if a sponsor fails to submit the annual report required
31 by subsection HH of this section, on or before December 31 of each year
32 the auditor general shall report to the governor, the president of the
33 senate, the speaker of the house of representatives and the chairs of the
34 senate and house education committees or their successor committees, and
35 the legislature shall consider revoking the sponsor's authority to sponsor
36 charter schools.

37 JJ. Each charter representative, charter school governing body
38 member and officer, director, member and partner of a charter holder, as
39 allowed by the charter holder, may have:

40 1. Access to the charter school's students and student records.

41 2. Unrestricted access to the charter school's campuses.

42 3. Authority to make final decisions regarding student learning in
43 the charter school.

44 4. Authority to make final decisions regarding the safety of the
45 charter school's students and school campuses.

1 KK. IF A CHARTER SCHOOL HAS A WEAPONS DETECTION SYSTEM, THE CHARTER
2 SCHOOL GOVERNING BODY MAY AUTHORIZE THE HIGHEST-RANKING OFFICER WHO HAS
3 AUTHORITY TO MAKE FINAL DECISIONS DESCRIBED IN SUBSECTION JJ, PARAGRAPH 4
4 OF THIS SECTION TO MODIFY THE SYSTEM WITHOUT PRIOR APPROVAL BY THE
5 GOVERNING BODY. AN OFFICER WHO IS AUTHORIZED TO MODIFY A WEAPONS
6 DETECTION SYSTEM PURSUANT TO THIS SUBSECTION SHALL REPORT EACH
7 MODIFICATION TO THE GOVERNING BODY NOT LATER THAN TWENTY-FOUR HOURS AFTER
8 THE OFFICER MAKES THE MODIFICATION. THE GOVERNING BODY MAY NOT AUTHORIZE
9 ANY OTHER INDIVIDUAL TO MODIFY THE WEAPONS DETECTION SYSTEM WITHOUT PRIOR
10 APPROVAL BY THE GOVERNING BODY.

11 ~~KK.~~ LL. For the purposes of this section:

12 1. "Charter representative" means an individual who both:

13 (a) Has the authority to execute contracts on behalf of the charter
14 holder in accordance with the charter holder's articles of incorporation,
15 operating agreement or bylaws.

16 (b) Represents the charter holder before the state board for
17 charter schools in matters relating to accountability and compliance with
18 federal, state and local laws and with the terms and conditions of the
19 charter.

20 2. "Charter school governing body member" means an individual who
21 is a member of a body organized to govern and manage a charter school.

22 3. "Officer, director, member ~~or~~ AND partner of a charter holder":

23 (a) Means an individual who has the authority to manage the
24 operations and functions of a charter school or to make decisions on
25 behalf of a charter holder.

26 (b) Includes:

27 (i) An individual who possesses an ownership interest or voting
28 rights, or both, in the charter school.

29 (ii) An individual who is identified in any of sections 10-140,
30 10-801, 10-840, 10-3140, 10-3840, 29-301, 29-1001, 29-3102 and 29-4101.

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

33 15-341. General powers and duties; immunity; delegation

34 A. Each school district governing board shall:

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

38 2. Exclude from schools all books, publications, papers or
39 audiovisual materials of a sectarian, partisan or denominational
40 character. This paragraph does not prohibit the elective course allowed
41 by section 15-717.01.

42 3. Manage and control the school property within its district,
43 except that a district may enter into a partnership with an entity,
44 including a charter school, another school district or a military base, to
45 operate a school or offer educational services in a district building,

- 1 including at a vacant or partially used building, or in any building on
2 the entity's property pursuant to a written agreement between the parties.
- 3 4. Acquire school furniture, apparatus, equipment, library books
4 and supplies for the schools to use.
- 5 5. Prescribe the curricula and criteria for the promotion and
6 graduation of pupils as provided in sections 15-701 and 15-701.01.
- 7 6. Furnish, repair and insure, at full insurable value, the school
8 property of the district.
- 9 7. Construct school buildings on approval by a vote of the district
10 electors.
- 11 8. In the name of the district, convey property belonging to the
12 district and sold by the board.
- 13 9. Purchase school sites when authorized by a vote of the district
14 at an election conducted as nearly as practicable in the same manner as
15 the election provided in section 15-481 and held on a date prescribed in
16 section 15-491, subsection E, but such authorization shall not necessarily
17 specify the site to be purchased and such authorization shall not be
18 necessary to exchange unimproved property as provided in section 15-342,
19 paragraph 23.
- 20 10. Construct, improve and furnish buildings used for school
21 purposes when such buildings or premises are leased from the national park
22 service.
- 23 11. Purchase school sites or construct, improve and furnish school
24 buildings from the proceeds of the sale of school property only on
25 approval by a vote of the district electors.
- 26 12. Hold pupils to strict account for disorderly conduct on school
27 property.
- 28 13. Discipline students for disorderly conduct on the way to and
29 from school.
- 30 14. Except as provided in section 15-1224, deposit all monies
31 received by the district as gifts, grants and devises with the county
32 treasurer who shall credit the deposits as designated in the uniform
33 system of financial records. If not inconsistent with the terms of the
34 gifts, grants and devises given, any balance remaining after expenditures
35 for the intended purpose of the monies have been made shall be used to
36 reduce school district taxes for the budget year, except that in the case
37 of accommodation schools the county treasurer shall carry the balance
38 forward for use by the county school superintendent for accommodation
39 schools for the budget year.
- 40 15. Provide that, if a parent or legal guardian chooses not to
41 accept a decision of the teacher as provided in paragraph 42 of this
42 subsection, the parent or legal guardian may request in writing that the
43 governing board review the teacher's decision. This paragraph does not
44 release school districts from any liability relating to a child's
45 promotion or retention.

1 16. Provide for adequate supervision over pupils in instructional
2 and noninstructional activities by certificated or noncertificated
3 personnel.

4 17. Use school monies received from the state and county school
5 apportionment exclusively to pay salaries of teachers and other employees
6 and contingent expenses of the district.

7 18. Annually report to the county school superintendent on or
8 before October 1 in the manner and form and on the blanks prescribed by
9 the superintendent of public instruction or county school superintendent.
10 The board shall also report directly to the county school superintendent
11 or the superintendent of public instruction whenever required.

12 19. Deposit all monies received by school districts other than
13 student activities monies or monies from auxiliary operations as provided
14 in sections 15-1125 and 15-1126 with the county treasurer to the credit of
15 the school district except as provided in paragraph 20 of this subsection
16 and sections 15-1223 and 15-1224, and the board shall spend the monies as
17 provided by law for other school funds.

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

23 21. Prescribe and enforce policies and procedures for disciplinary
24 action against a teacher who engages in conduct that is a violation of the
25 policies of the governing board but that is not cause for dismissal of the
26 teacher or for revocation of the certificate of the teacher. Disciplinary
27 action may include suspension without pay for a period of time not to
28 exceed ten school days. Disciplinary action shall not include suspension
29 with pay or suspension without pay for a period of time longer than ten
30 school days. The procedures shall include notice, hearing and appeal
31 provisions for violations that are cause for disciplinary action. The
32 governing board may designate a person or persons to act on behalf of the
33 board on these matters.

34 22. Prescribe and enforce policies and procedures for disciplinary
35 action against an administrator who engages in conduct that is a violation
36 of the policies of the governing board regarding duties of administrators
37 but that is not cause for dismissal of the administrator or for revocation
38 of the certificate of the administrator. Disciplinary action may include
39 suspension without pay for a period of time not to exceed ten school days.
40 Disciplinary action shall not include suspension with pay or suspension
41 without pay for a period of time longer than ten school days. The
42 procedures shall include notice, hearing and appeal provisions for
43 violations that are cause for disciplinary action. The governing board
44 may designate a person or persons to act on behalf of the board on these
45 matters. For violations that are cause for dismissal, the provisions of

1 notice, hearing and appeal in chapter 5, article 3 of this title apply.
2 The filing of a timely request for a hearing suspends the imposition of a
3 suspension without pay or a dismissal pending completion of the hearing.

4 23. Notwithstanding sections 13-3108 and 13-3120, prescribe and
5 enforce policies and procedures that prohibit a person from carrying or
6 possessing a weapon on school grounds unless the person is a peace officer
7 or has obtained specific authorization from the school administrator. IF
8 THE SCHOOL DISTRICT HAS A WEAPONS DETECTION SYSTEM AT A SCHOOL THAT IS
9 OPERATED BY THE DISTRICT, THE POLICIES AND PROCEDURES MAY AUTHORIZE THE
10 SCHOOL DISTRICT SUPERINTENDENT TO MODIFY THE SYSTEM WITHOUT PRIOR APPROVAL
11 BY THE GOVERNING BOARD. A SUPERINTENDENT WHO IS AUTHORIZED TO MODIFY A
12 WEAPONS DETECTION SYSTEM PURSUANT TO THIS PARAGRAPH SHALL REPORT EACH
13 MODIFICATION TO THE GOVERNING BOARD NOT LATER THAN TWENTY-FOUR HOURS AFTER
14 THE SUPERINTENDENT MAKES THE MODIFICATION. THE SCHOOL DISTRICT GOVERNING
15 BOARD MAY NOT PRESCRIBE POLICIES AND PROCEDURES THAT AUTHORIZE ANY PERSON
16 OTHER THAN THE SUPERINTENDENT TO MODIFY THE WEAPONS DETECTION SYSTEM
17 WITHOUT PRIOR APPROVAL BY THE GOVERNING BOARD.

18 24. Prescribe and enforce policies and procedures relating to the
19 health and safety of all pupils participating in district-sponsored
20 practice sessions or games or other interscholastic athletic activities,
21 including:

22 (a) The provision of water.

23 (b) Guidelines, information and forms, developed in consultation
24 with a statewide private entity that supervises interscholastic
25 activities, to inform and educate coaches, pupils and parents of the
26 dangers of concussions and head injuries and the risks of continued
27 participation in athletic activity after a concussion. The policies and
28 procedures shall require that, before a pupil participates in an athletic
29 activity, the pupil and the pupil's parent sign an information form at
30 least once each school year that states that the parent is aware of the
31 nature and risk of concussion. The policies and procedures shall require
32 that a pupil who is suspected of sustaining a concussion in a practice
33 session, game or other interscholastic athletic activity be immediately
34 removed from the athletic activity and that the pupil's parent or guardian
35 be notified. A coach from the pupil's team or an official or a licensed
36 health care provider may remove a pupil from play. A team parent may also
37 remove the parent's own child from play. A pupil may return to play on
38 the same day if a health care provider rules out a suspected concussion at
39 the time the pupil is removed from play. On a subsequent day, the pupil
40 may return to play if the pupil has been evaluated by and received written
41 clearance to resume participation in athletic activity from a health care
42 provider who has been trained in evaluating and managing concussions and
43 head injuries. A health care provider who is a volunteer and who provides
44 clearance to participate in athletic activity on the day of the suspected
45 injury or on a subsequent day is immune from civil liability with respect

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

25 (c) Guidelines, information and forms that are developed in
26 consultation with a statewide private entity that supervises
27 interscholastic activities to inform and educate coaches, pupils and
28 parents of the dangers of heat-related illnesses, sudden cardiac death and
29 prescription opioid use. Before a pupil participates in any
30 district-sponsored practice session or game or other interscholastic
31 athletic activity, the pupil and the pupil's parent must be provided with
32 information at least once each school year on the risks of heat-related
33 illnesses, sudden cardiac death and prescription opioid addiction.

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

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

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

41 28. Ensure that insurance coverage is secured for all construction
42 projects for purposes of general liability, property damage and workers'
43 compensation and secure performance and payment bonds for all construction
44 projects.

1 29. Collect and maintain information about each current and former
2 teacher's educational and teaching background and experience in a
3 particular academic content subject area. A school district shall either
4 post the information on the school district's website or make the
5 information available for inspection on request of parents and guardians
6 of pupils enrolled at a school. This paragraph does not require any
7 school to release personally identifiable information in relation to any
8 teacher, including the teacher's address, salary, social security number
9 or telephone number.

10 30. Report to local law enforcement agencies any suspected crime
11 against a person or property that is a serious offense as defined in
12 section 13-706 or that involves a deadly weapon or dangerous instrument or
13 serious physical injury and any conduct that poses a threat of death or
14 serious physical injury to employees, students or anyone on the property
15 of the school. This paragraph does not limit or preclude the reporting by
16 a school district or an employee of a school district of suspected crimes
17 other than those required to be reported by this paragraph. For the
18 purposes of this paragraph, "dangerous instrument", "deadly weapon" and
19 "serious physical injury" have the same meanings prescribed in section
20 13-105.

21 31. In conjunction with local law enforcement agencies and
22 emergency response agencies, develop an emergency response plan for each
23 school in the school district in accordance with minimum standards
24 developed jointly by the department of education and the division of
25 emergency management within the department of emergency and military
26 affairs. Any emergency response plan developed pursuant to this paragraph
27 must address how the school and emergency responders will communicate with
28 and provide assistance to students with disabilities.

29 32. Provide written notice to the parents or guardians of all
30 students enrolled in the school district at least ten days before a public
31 meeting to discuss closing a school within the school district. The
32 notice shall include the reasons for the proposed closure and the time and
33 place of the meeting. The governing board shall fix a time for a public
34 meeting on the proposed closure not less than ten days before voting in a
35 public meeting to close the school. The school district governing board
36 shall give notice of the time and place of the meeting. At the time and
37 place designated in the notice, the school district governing board shall
38 hear reasons for or against closing the school. The school district
39 governing board is exempt from this paragraph if the governing board
40 determines that the school shall be closed because it poses a danger to
41 the health or safety of the pupils or employees of the school. A
42 governing board may consult with the division of school facilities within
43 the department of administration for technical assistance and for
44 information on the impact of closing a school. The information provided
45 from the division of school facilities within the department of

1 administration shall not require the governing board to take or not take
2 any action.

3 33. Incorporate instruction on Native American history into
4 appropriate existing curricula.

5 34. Prescribe and enforce policies and procedures:

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

24 (b) For the emergency administration of epinephrine delivery
25 systems by a trained employee of a school district pursuant to section
26 15-157.

27 35. Allow the possession and self-administration of prescription
28 medication for breathing disorders in handheld inhaler devices by pupils
29 who have been prescribed that medication by a health care professional
30 licensed pursuant to title 32. The pupil's name on the prescription label
31 on the medication container or on the handheld inhaler device and annual
32 written documentation from the pupil's parent or guardian to the school
33 that authorizes possession and self-administration is sufficient proof
34 that the pupil is entitled to possess and self-administer the medication.
35 A school district and its employees are immune from civil liability with
36 respect to all decisions made and actions taken that are based on a good
37 faith implementation of the requirements of this paragraph.

38 36. Prescribe and enforce policies and procedures to prohibit
39 pupils from harassing, intimidating and bullying other pupils on school
40 grounds, on school property, on school buses, at school bus stops, at
41 school-sponsored events and activities and through the use of electronic
42 technology or electronic communication on school computers, networks,
43 forums and mailing lists that include the following components:

44 (a) A procedure for pupils, parents and school district employees
45 to confidentially report to school officials incidents of harassment,

1 intimidation or bullying. The school shall make available written forms
2 designed to provide a full and detailed description of the incident and
3 any other relevant information about the incident.

4 (b) A requirement that school district employees report in writing
5 suspected incidents of harassment, intimidation or bullying to the
6 appropriate school official and a description of appropriate disciplinary
7 procedures for employees who fail to report suspected incidents that are
8 known to the employee.

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

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

17 (e) A formal process for documenting reported incidents of
18 harassment, intimidation or bullying and providing for the
19 confidentiality, maintenance and disposition of this documentation.
20 School districts shall maintain documentation of all incidents reported
21 pursuant to this paragraph for at least six years. The school shall not
22 use that documentation to impose disciplinary action unless the
23 appropriate school official has investigated and determined that the
24 reported incidents of harassment, intimidation or bullying occurred. If a
25 school provides documentation of reported incidents to persons other than
26 school officials or law enforcement, all individually identifiable
27 information shall be redacted.

28 (f) A formal process for the appropriate school officials to
29 investigate suspected incidents of harassment, intimidation or bullying,
30 including procedures for notifying the alleged victim and the alleged
31 victim's parent or guardian when a school official or employee becomes
32 aware of the suspected incident of harassment, intimidation or bullying.

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

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

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

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

42 37. Prescribe and enforce policies and procedures regarding
43 changing or adopting attendance boundaries that include the following
44 components:

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

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

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

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

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

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

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

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

28 39. Ensure that the contract for the superintendent is structured
29 in a manner in which up to twenty percent of the total annual salary
30 included for the superintendent in the contract is classified as
31 performance pay. This paragraph does not require school districts to
32 increase total compensation for superintendents. Unless the school
33 district governing board votes to implement an alternative procedure at a
34 public meeting called for this purpose, the performance pay portion of the
35 superintendent's total annual compensation shall be determined as follows:

36 (a) Twenty-five percent of the performance pay shall be determined
37 based on the percentage of academic gain determined by the department of
38 education of pupils who are enrolled in the school district compared to
39 the academic gain achieved by the highest ranking of the fifty largest
40 school districts in this state. For the purposes of this subdivision, the
41 department of education shall determine academic gain by the academic
42 growth achieved by each pupil who has been enrolled at the same school in
43 a school district for at least five consecutive months measured against
44 that pupil's academic results in the 2008-2009 school year. For the
45 purposes of this subdivision, of the fifty largest school districts in

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

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

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

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

- 34 (i) A letter grade of "A" if the school district is excellent.
- 35 (ii) A letter grade of "B" if the school district is above average.
- 36 (iii) A letter grade of "C" if the school district is average.
- 37 (iv) A letter grade of "D" if the school district is below average.
- 38 (v) A letter grade of "F" if the school district is a failure.

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

41 40. Maintain and store permanent public records of the school
42 district as required by law. Notwithstanding section 39-101, the
43 standards adopted by the Arizona state library, archives and public
44 records for the maintenance and storage of school district public records
45 shall allow school districts to elect to satisfy the requirements of this

1 paragraph by maintaining and storing these records either on paper or in
2 an electronic format, or a combination of a paper and electronic format.

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

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

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

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

14 (d) Describe both of the following:

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

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

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

26 43. Prescribe and enforce policies and procedures for the emergency
27 administration by an employee of a school district pursuant to section
28 36-2267 of naloxone hydrochloride or any other opioid antagonist approved
29 by the United States food and drug administration.

30 44. In addition to the notification requirements prescribed in
31 paragraph 36 of this subsection, prescribe and enforce reasonable and
32 appropriate policies to notify a pupil's parent or guardian if any person
33 engages in harassing, threatening or intimidating conduct against that
34 pupil. A school district and its officials and employees are immune from
35 civil liability with respect to all decisions made and actions taken that
36 are based on good faith implementation of the requirements of this
37 paragraph, except in cases of gross negligence or wanton or wilful
38 neglect. A person engages in threatening or intimidating if the person
39 threatens or intimidates by word or conduct to cause physical injury to
40 another person or serious damage to the property of another on school
41 grounds. A person engages in harassment if, with intent to harass or with
42 knowledge that the person is harassing another person, the person
43 anonymously or otherwise contacts, communicates or causes a communication
44 with another person by verbal, electronic, mechanical, telephonic or

1 written means in a manner that harasses on school grounds or substantially
2 disrupts the school environment.

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

7 (a) Base salary and any additional pay.

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

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

11 (d) Legally required benefits.

12 (e) Any paid leave.

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

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

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

21 B. Notwithstanding subsection A, paragraphs 7, 9 and 11 of this
22 section, the county school superintendent may construct, improve and
23 furnish school buildings or purchase or sell school sites in the conduct
24 of an accommodation school.

25 C. If any school district acquires real or personal property,
26 whether by purchase, exchange, condemnation, gift or otherwise, the
27 governing board shall pay to the county treasurer any taxes on the
28 property that were unpaid as of the date of acquisition, including
29 penalties and interest. The lien for unpaid delinquent taxes, penalties
30 and interest on property acquired by a school district:

31 1. Is not abated, extinguished, discharged or merged in the title
32 to the property.

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

34 D. The governing board may not locate a school on property that is
35 less than one-fourth mile from agricultural land regulated pursuant to
36 section 3-365, except that the owner of the agricultural land may agree to
37 comply with the buffer zone requirements of section 3-365. If the owner
38 agrees in writing to comply with the buffer zone requirements and records
39 the agreement in the office of the county recorder as a restrictive
40 covenant running with the title to the land, the school district may
41 locate a school within the affected buffer zone. The agreement may
42 include any stipulations regarding the school, including conditions for
43 future expansion of the school and changes in the operational status of
44 the school that will result in a breach of the agreement.

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

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

11 G. Notwithstanding any other provision of this title, a school
12 district governing board shall not take any action that would result in a
13 reduction of pupil square footage unless the governing board notifies the
14 school facilities oversight board established by section 41-5701.02 of the
15 proposed action and receives written approval from the school facilities
16 oversight board to take the action. A reduction includes an increase in
17 administrative space that results in a reduction of pupil square footage
18 or sale of school sites or buildings, or both. A reduction includes a
19 reconfiguration of grades that results in a reduction of pupil square
20 footage of any grade level. This subsection does not apply to temporary
21 reconfiguration of grades to accommodate new school construction if the
22 temporary reconfiguration does not exceed one year. The sale of equipment
23 that results in a reduction that falls below the equipment requirements
24 prescribed in section 41-5711, subsection B is subject to commensurate
25 withholding of school district district additional assistance monies
26 pursuant to the direction of the school facilities oversight board.
27 Except as provided in section 15-342, paragraph 10, proceeds from the sale
28 of school sites, buildings or other equipment shall be deposited in the
29 school plant fund as provided in section 15-1102.

30 H. Subsections C through G of this section apply to a county board
31 of supervisors and a county school superintendent when operating and
32 administering an accommodation school.

33 I. A school district governing board may delegate authority in
34 writing to the superintendent of the school district to submit plans for
35 new school facilities to the school facilities oversight board for the
36 purpose of certifying that the plans meet the minimum school facility
37 adequacy guidelines prescribed in section 41-5711.

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