

STATE OF ARIZONA HOUSE OF REPRESENTATIVES

SUMMARY OF LEGISLATION
2011



Forty-Ninth Legislature
Ninth Special Session
Fiftieth Legislature
First Regular Session
First and Second Special Sessions

Prepared by
Majority Research Staff

COMMITTEE ON EDUCATION

Representative Doris Goodale, Chairman
 Representative Kimberly Yee, Vice-Chairman
 Jennifer Anderson, Legislative Research Analyst
 Paul Benny, Assistant Research Analyst



* Strike-Everything Amendment
 [E] Emergency Clause
 [P 105] Proposition 105 Clause
 [P 108] Proposition 108 Clause
 [LIV] Line Item Veto

Bill	Chapter	Short Title	Page
HB 2002	169	school district monies; associations; elections..	33
HB 2197	15 [E]	charter schools; age restricted communities	33
HB 2219	215	*study committee; unification; consolidation..	33
HB 2234	49	persistently lowest achieving schools..	33
HB 2237	258	JTEDs; ADM; student count.....	33
HB 2301	195	*soft capital; uses.....	33
HB 2415	196	schools; bullying policies.....	33
HB 2421	197	school districts; budgets; financial reports.....	33
HB 2587	302	high schools; military recruiting; form..	33
HB 2646	203	JTEDs; adult students... ..	34
HB 2706	221	*supplementary reading instruction; teachers.....	34
HB 2710	80 [E]	study committee; outcome-based funding.....	34
SB 1053	320	character education special plate fund.. (See Committee on Transportation)	94
SB 1055	223	character education grants; administrative costs..	34
SB 1141	205	*schools; residency requirements.....	34
SB 1152	19	homeschools; designation..	34
SB 1205	21	small transportation school districts; dissolution.....	34

Bill	Chapter	Short Title	Page
SB 1256	306	education; omnibus.....	34
SB 1263	344	schools; administrative tasks; reduction..	35
SB 1303	270	schools; dropout recovery programs..	36
SB 1451	310	high schools; board examination systems..	36
SB 1453	134	*parents' rights; schools.....	36
SB 1521	167	schools; head injury policies; athletics.....	36
SB 1553	75	education; Arizona empowerment accounts.....	101
		<i>(See Committee on Ways and Means)</i>	

HB 2002 – Chapter 169 – school district monies; associations; elections

Prohibits school districts from paying for membership in an association that attempts to influence the outcome of an election.

HB 2197 – Chapter 15 [E] – charter schools; age restricted communities

An emergency measure that prohibits the establishment or operation of a charter school on commercial or residential property in an age-restricted community in unorganized territory.

HB 2219 – Chapter 215 – *study committee; unification; consolidation

Creates the 16-member Joint Legislative Study Committee on School District Unification and Consolidation, and requires the Committee to:

- Study issues regarding the unification and consolidation of school districts and consider proposals that include a process for a district governing board to develop its own unification or consolidation plan and a process for a county school superintendent to develop a unification or consolidation plan if a district governing board is unable to develop its own.
- Prepare legislation for consideration during the 2012 Regular Legislative Session that encourages the unification and consolidation of school districts.

HB 2234 – Chapter 49 – persistently lowest achieving schools

Permits SBE to assign a school a letter grade of F under AZ LEARNS if the school is among the state's persistently lowest-achieving schools.

HB 2237 – Chapter 258 – JTEDs; ADM; student count

Makes clarifying and conforming changes related to JTEDs, including the following provisions:

- Confirms state funding for JTEDs by replacing references to ADA with references to ADM.
- Specifies that a student enrolled in an approved JTED course generates 0.25 ADM for each course, capped at the limits currently prescribed by statute.
- Allows JTEDs to use property tax revenues to provide JTED courses to ninth grade pupils.

HB 2301 – Chapter 195 – *soft capital; uses

Allows school districts to spend 50% of unencumbered extracurricular activity tax credit monies received prior to tax year 2011 on short-term capital items in FYs 2011-12 and 2012-13 and lifts the restrictions on use of the Soft Capital Allocation.

HB 2415 – Chapter 196 – schools; bullying policies

Directs school districts to adopt additional reporting, disciplinary, and student-protection procedures regarding incidents of bullying, harassment, or intimidation, including incidents carried out through the use of electronic technology or electronic communication owned by a school.

HB 2421 – Chapter 197 – school districts; budgets; financial reports

Requires school districts to make their annual financial reports, proposed budgets, and finalized budgets available for viewing on ADE's website.

HB 2587 – Chapter 302 – high schools; military recruiting; form

Requires a school district or charter school that chooses to release student directory information to military, educational, or occupational recruiters to do so by October 31 each year and directs ADE to develop a form for students to opt out of the release of their directory information.

HB 2646 – Chapter 203 – JTEDs; adult students

Permits adult students (21 and over) with valid fingerprint clearance cards to attend vocational programs on a central campus of a JTED during regular school hours, but prohibits them from enrolling in a message therapy program, and requires the JTED to send written notification to the parents of each student under the age of 18 who is enrolled in a vocational program during regular school hours when an adult student enrolls in that same program.

HB 2706 – Chapter 221 – *supplementary reading instruction; teachers

Requires SBE to adopt guidelines to include supplementary training in reading instruction as part of a school's improvement plan for K-3 teachers who teach in a school that receives a label of underperforming or D under AZ LEARNS.

HB 2710 – Chapter 80 [E] – study committee; outcome-based funding

An emergency measure that establishes the 13-member Joint Legislative Study Committee on Outcome-Based Education Funding and requires the Committee to develop legislation to transition public school funding from a system based on instructional hours to a system based on student achievement.

SB 1055 – Chapter 223 – character education grants; administrative costs

Retroactive to July 1, 2010, allows ADE to retain up to 7% of monies in the Character Education Matching Grant Program Fund for administration and continues the Program permanently.

SB 1141 – Chapter 205 – *schools; residency requirements

Instructs school districts and charter schools to require and maintain verifiable documentation of Arizona residency for enrolled pupils in accordance with guidelines established by ADE.

SB 1152 – Chapter 19 – homeschools; designation

Replaces all statutory references to the term *home school* with *homeschool* and designates *homeschool* as a nonpublic form of schooling.

SB 1205 – Chapter 21 – small transportation school districts; dissolution

Authorizes the governing board of a transporting school district with less than 10 pupils to adopt a resolution proposing the dissolution of the district and call for an election on the resolution.

SB 1256 – Chapter 306 – education; omnibus

Makes clarifying, technical, and conforming changes to K-12 education statutes, including the following provisions:

- Specifies a person is not required to take the teaching certificate proficiency examination if the person has passed an equivalent examination in another state.
- Clarifies that if there is a discrepancy between the measures used to determine whether a preschool child should be classified as *speech/language impaired*, the evaluation team shall determine eligibility based on a preponderance of the information presented.
- Allows a school district or charter school to receive a portion of basic state aid if a kindergarten pupil was admitted early, but did not remain enrolled, and was then readmitted in the subsequent year.
- Allows school districts to continue using prior year ADM counts as the basis for bond capacity calculations.

- Permits ADE to delay the implementation of statutory changes related to ADM one fiscal year if the Superintendent of Public Instruction determines ADE is unable to comply and requires ADE to notify school districts and charter schools of a delayed implementation.

SB 1263 – Chapter 344 – schools; administrative tasks; reduction

Makes various changes to statutes governing school districts and charter schools, including measures related to bonding, annual reporting and audit requirements, school closures, procurement procedures, and budget overrides, including the following provisions:

Charter Schools

- Permits SBCS to accept gifts or grants of monies or real or personal property if the purpose of the gift is approved by SBCS and within the scope of SBCS’s powers and duties.
- Mandates the use of a different auditor at least once every six years to conduct annual audits required for charter schools.

Electronic Record Keeping

- Authorizes school districts to maintain and store all public records in either electronic or paper format, or a combination of the two, pursuant to the standards adopted by ASLAPR.
- Allows warrants drawn on the county treasurer for school district expenditures to be processed through an electronic payment system.

Procurement Rules

- Specifies school districts are not required to obtain bid security for the construction-manager-at-risk method of project delivery.
- Permits contracts for materials or services and contracts for job-order-contracting construction services if the duration of the contract and conditions for the renewal or extension of the contract are included in the bid or request for proposals. The duration of the contract is limited to five years unless the school district governing board determines a longer duration would be advantageous to the district.

School Closures

- Shortens the timeframe to provide written notice of a public meeting to discuss closing a school from 30 days to 10 days prior to the public meeting.
- Shortens the minimum timeframe required between conducting a public meeting and voting on a school closure from 30 days after the public meeting to 10 days after the meeting.

Class B Bonds and Elections

- Authorizes a school district governing board to call an election to change the list of capital projects or purposes authorized by prior voter approval to issue bonds and outlines the notification, election, and ballot requirements.
- Authorizes a school district governing board to call an election to extend the time period to issue Class B bonds authorized prior to 2010 from 6 to 10 years.
- Temporarily doubles the school district class B bonding capacity limits for bonds approved by the voters prior April 15, 2011.
- Prohibits a school district from issuing any new class B bonds approved after April 15, 2011 until the district’s total class B bond indebtedness will fall under the current statutory limits.

Classroom Site Fund

- Consolidates annual expenditure reports for the Classroom Site Fund (CSF) by district rather than school by school.

- Limits the budget capacity derived from the CSF to \$120 for FY 2011-12.
- Stipulates that school districts that used sources other than CSF monies for teacher compensation in FY 2011-12 as a result of the adjustment for prior year shortfalls are not required to maintain the higher level of spending in FY 2012-13.

Revenue Control Limit (RCL)

- Stipulates that, for the purposes of budget override elections, a school district's RCL for FYs 2011-12 and 2012-13 will be calculated using an adjusted BSL as follows:
 - For the base level, the greater of the actual base level plus the percentage increases allowed under current statute or \$3,267.72.
 - If kindergarten pupils are counted as fractional students, include a Group B support level weight of 1.352 for kindergarten pupils when determining the weighted student count.

Miscellaneous

- Exempts academic competitions conducted by school districts or charter schools that award cash, prizes, or scholarships to participants from the state's gambling laws and reporting requirements related to intellectual contests and events.
- Allows automatic certification reciprocity with other states that have similar programs for teachers who provide AOI.
- Requires up to 20% of a school district superintendent's salary to be classified as performance pay.

SB 1303 – Chapter 270 – schools; dropout recovery programs

Beginning FY 2012-13, allows school districts and charter schools that provide instruction to high school students to establish a Dropout Recovery Program (Program). Specifically, the bill:

- Directs SBE to prescribe the standards and achievement testing requirements for Programs.
- Outlines eligibility and funding for Program participants.
- Allows schools to contract with educational management organizations to provide Programs.

SB 1451 – Chapter 310 – high schools; board examination systems

Makes various technical, clarifying, and conforming changes related to the implementation of the Grand Canyon diploma.

SB 1453 – Chapter 134 – *parents' rights; schools

- Grants parents the right to review learning materials and activities in advance, object to materials and activities, and request alternate assignments or classes for their child in the case of an objection.
- Authorizes charter schools to require parents to waive their rights to object to learning materials as a condition of enrollment if the charter school provides a complete list of books and materials to be used prior to the beginning of each school year.
- Requires a *public educational institution* to obtain signed, written consent from parents prior showing a video that may be inappropriate for the age of the student.

SB 1521 – Chapter 167 – schools; head injury policies; athletics

Requires school district governing boards to consult with a statewide private entity that supervises interscholastic activities to develop policies and procedures regarding concussions and head injuries of students participating in school-sponsored athletic activities.