



**GOVERNING BOARD AGENDA ITEM
AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10**

DATE OF MEETING: **March 10, 2015**

TITLE: **Periodic Legislative Update**

BACKGROUND:

This Item is presented to permit the Governing Board to review and discuss the status of education-related legislation which has been proposed in the first regular session of the 52nd Arizona legislature this year.

A summary of bills introduced in the Arizona House of Representatives and the Senate (to date) follows and includes current status of those bills where available. In subsequent legislative updates, status updates on each bill will be provided.

The currently proposed legislation is grouped together by the general topic. Bills that were introduced after the February 10th Board review are noted in blue.

RECOMMENDATION:

This item is presented for the Board's information only at this time. No action is required.

INITIATED BY:

Todd A. Jaeger, Associate to the Superintendent

Date: March 9, 2015

Patrick Nelson, Superintendent

**BILLS INTRODUCED
IN THE FIFTY-SECOND LEGISLATURE, FIRST REGULAR SESSION**

Professional Development

HB 2185 - alternative teacher development program; appropriation

Appropriates \$5 million from the General Fund to the ADE for the Alternative Teacher Development Program and continues the Program through 2020. Amendment passed in the Education Committee requires 50% of the appropriated monies to be used by the service provider in counties with a population under 1 million persons.

Status: Passed the House on 2/12. Submitted to the Senate 2/15 and assigned to Senate Committees on Education (HELD 2/4), and Rules.

HB 2516 - teachers; abuse prevention; continuing education

Allows awareness and prevention training for child abuse and the sexual abuse of children to count as continuing education credits for certificated teachers and administrators.

Status: Ready for the Senate COMMITTEE OF THE WHOLE 3/4.

HB 2518 - temporary kindergarten teachers; certification

Permits teacher of grades 1-8 to provide instruction in a kindergarten program for 1 year (only) while working to obtain an early childhood endorsement.

Status: Assigned to House Committees on Education (HELD 2/4), and Rules.

HB 2569 – teacher experience index; schools

Permits school districts that meet specified requirements to submit corrections to their Teacher Experience Index (TEI) and receive adjusted state aid in Fiscal Year (FY) 2015.

Status: Introduced 2/3 and assigned to House Committees on Education, and Rules. Passed the House 2/23. Submitted to the Senate and assigned to Senate Committees on Education, and Rules.

HB 2577 – schools; teacher certification

Expands the grade levels that a teacher holding a science, technology, engineering or mathematics (STEM) certificate may teach and increases the number of years for which a reciprocal teaching certificate may be issued.

Status: Introduced 2/3 and assigned to House Committees on Education, and Rules. Passed the House 2/19. Submitted to the Senate 2/20 and assigned to Senate Committees on Education (amended and passed 3/5), and Rules.

SB 1076 - teacher student loan program; appropriation

Appropriates \$200,000 from the state General Fund in FY 2016 to the Arizona Commission for Postsecondary Education (ACPE) for the Mathematics, Science and Special Education Teacher Student Loan Forgiveness Program (MSSE Program). Modifies a MSSE Program loan from \$7,000 to \$10,000. Requires a 1 year service commitment to receive a loan.

Status: Passed the Senate 2/23. Transmitted to the House 2/25 and assigned to House Committees on Education, Appropriations and Rules.

Charter/Private Schools/JTEDs

HB 2208 – notice of claim; public schools

FORMERLY charter schools; agricultural buffer zones

Includes claims against a public school in the requirement to provide a notice of claim. Specifically, this bill would revised A.R.S. 12-821.01 (Authorization of claim against public entity, public school or public employee): “Persons who have claims against a public entity, **public school** or a public employee shall file claims....”

Status: A strike everything motion was passed in the House Education Committee on 2/18 after which this newly revised bill was passed by the House on a 43-12 vote on 3/3. The bill was transmitted to the Senate on 3/5 where it was assigned to the Senate Committees on the Judiciary, and Rules.

HB 2249 - JTEDs; funding; ninth graders

Student count/ADM calculations to include 9th graders enrolled in JTED courses.

Status: Introduced 1/22/15; Assigned to House Committees on Education, Appropriations and Rules.

HB 2262 - school district transportation; JTED students

Requires a school district to provide transportation to and from a Joint Technical Education District (JTED) campus for children who reside within the district’s boundaries, do not attend a district-operated school and are enrolled in a program or course at the JTED campus.

Provisions include:

- Requires, if a school district provides pupil transportation services to and from a JTED campus, a district to provide transportation to and from the JTED campus for children who:
 - Reside within the district’s boundaries;
 - Do not attend a district-operated school; and
 - Are enrolled in a program or course at the JTED campus.
- Requires the JTED to provide any needed identification or indemnification information to the district for the transportation of the pupils.

Amendments passed in the House Appropriations Committee include:

- Specifies that a school district is not obligated to change the bus routes or add stops to accommodate pupils who are not enrolled in the district.
- Requires pupils to comply with the district’s bus conduct rules and stipulates that they may be excluded from transportation for misconduct.
- Requires the district to be reimbursed for agreed-upon fuel costs and expenses related to adding equipment, staff or routes to accommodate the pupil transportation, but prohibits the district from charging for costs that the district is already incurring for staff and equipment to transport the district’s enrolled pupils.

Status: Passed the House 3/4.

HB 2478 - JTEDs; satellite courses; charter schools

Permits a JTED to contract with any charter school located within the JTED to offer CTE courses as a satellite campus.

Status: Ready for the Senate Committee of the Whole 3/4.

HB 2537 - charter schools; teachers; funding

Allows charter schools to receive Teacher Experience Index (TEI) and additional teacher compensation funding.

Status: Passed the House 2/19.

HB 2620 - charter schools; zoning; public airports

Allows a municipality to prohibit the operation of public schools within a Federal Aviation Association (FAA) traffic pattern airspace boundary.

Status: Introduced 2/9 and assigned to House Committees on Education (Held 2/19), and Rules.

SB 1117 - online instruction; state-approved charter authorizers

Allows any state-approved charter authorizers to sponsor charter schools to be Arizona Online Instruction (AOI) course providers or online schools.

Status: Passed the Senate 2/16. Transmitted to the House and assigned to House Committees on Education (passed 3/4), and Rules.

SB 1286 - charter schools; private postsecondary institutions

Adds a private university or college to those entities permitted to sponsor a charter school.

Status: Passed the Senate on a 17-12-1 vote on 2/16. Transmitted to the House and assigned to House Committees on Education (passed 3/4 on a 5-1-1 vote), and Rules.

Finance/Budget

HB 2207 – schools; parking fees

Allows school district to use monies collected from parking fees for any maintenance and operation (M&O) or unrestricted capital outlay expense.

Status: Passed the House 2/19. Transmitted to the Senate and assigned to Senate Committees on Education (passed 5-1-1 on 3/5), and Rules.

HB 2260 - schools; audit frequency; review

Schools, district, JTED or charters are exempt from procurement audit if last 3 consecutive audits contained no significant negative findings; would still be subject to “procedural review”.

Status: Introduced 1/22/15; Assigned to House Committees on Education, and Rules.

HB 2520 - appropriation; grants; reading-intensive programs

Appropriates \$500,000 for ADE to provide grants to school districts/charters to fund reading-intensive programs.

Status: Introduced 1/22; Assigned to House Committees on Education, Appropriations and Rules.

HB 2567 - school district budget errors; repayment

Lowers the annual installment repayment amount for a school district that overexpended its budget in specified years.

Status: Introduced 2/3; Assigned to House Committees on Education (passed 2/11), Appropriations (withdrawn 3/2) and Rules.

HB 2600 - public school tax credit reallocation

Establishes the public school needs fund.

Requires the ADE to:

- Receive, hold, pay and manage the monies in the fund in trust for the support of extracurricular activities or character education programs of public schools;
- Provide money to schools based on:
 - financial need of the district/charter
 - the total amount of tax credit donations the district/charter received from taxpayers in the immediately preceding year; and
 - the quality of the request.

Increases tax credits:

- From \$200 to \$500 for singles/heads of household;
- To \$400 for a married couple filing a joint return through taxable year 2015; and to \$1,000 in taxable year 2016 and subsequent years.

Schools receiving tax credits:

- Retain first \$250K received annually;
- Must surrender/transfer 25% of the remaining to the public school needs fund; and
- May retain remaining 75%.

Permits contributions made on or before April 15th:

- To be applied to either the current or preceding taxable year and
- To be considered to have been made on the last day of that taxable year.

Status: Introduced 2/10; Assigned to House Committees on Ways & Means, and Rules.

HB 2616 - public school credit; equalization assistance

Makes various changes to the Public School Tax Credit, including:

- Removes the requirement for Public School Tax Credit contributions to be spent on character education programs and extracurricular activities.
 - Removes language regarding utilization of undesignated funds.
- Modifies Public School Tax Credit contribution reporting requirements to require: schools that receive contributions to report the dollar amount received to the State Board of Education and DOR by September 1, of each year.
- Includes in the equalization assistance formula for school districts/charters an item for extracurricular activities and classroom learning priorities assistance.
- Determines the extracurricular activities and classroom learning priorities assistance to be \$47.38 multiplied by the student count of the school district or charter school.
 - Specifies the assistance must be used for extracurricular activities and classroom learning priorities.
- Requires monies received through the Public School Tax Credit to be deducted from equalization assistance.

Status: Introduced 2/9 and assigned to House Committees on Ways & Means (passed 2/16), and Rules (passed 2/23). Retained on the House Committee of the Whole Calendar 2/26 and 3/2.

HB 2622 - student count; growth; current year

Requires a school district that increases its budget based on current year growth to use the current year student ADM to determine the district's budget in subsequent years.

Status: Passed the House 2/26.

HB 2683 - K-12 education; budget reconciliation; 2015-2016

Makes statutory and session law changes related to K-12 education and the implementation of the Fiscal Year (FY) 2016 state budget.

School Funding

- Increases the school district Transportation Support Level per route mile formula by 1.6%.
- Increases the Base Level amount for FY 2016 by 1.6% from \$3,373.11 to \$3,426.74 per-student.
- Defines *student count* to mean current year Average Daily Membership (ADM) rather than prior year, beginning July 1, 2016.

District Additional Assistance (DAA)

- Directs ADE:
 - to reduce the amount of Basic State Aid (BSA) by \$352,442,700 that otherwise would be apportioned to school districts for FY 2016 as DAA and requires school district budget limits to be reduced accordingly.
 - to reduce DAA for school districts that are not eligible to receive BSA funding by the amount that would be reduced if the district was eligible for BSA funding and reduce the school district's budget limits accordingly.
- Declares that it is the intent of the Legislature that at least \$113,457,200 of the DAA reduction be through reductions in non-classroom spending.
 - Directs district's superintendent/chief executive officer and the school finance officer to certify that the district's prorated share of the DAA reduction has come from reductions in non-classroom spending.

- Caps the sum of DAA reductions in FY 2016 for school districts with a student count of less than 1,100 at \$5 million.

Charter Additional Assistance (CAA)

- Increases CAA by 1.6% to the following amounts:
 - For students in preschool programs for children with disabilities and grades K-8 from \$1,707.77 to \$1,734.92.
 - For students in grades 9-12 from \$1,990.38 to \$2,022.02.
- Requires ADE to reduce the amount of CAA by \$18,656,000 that otherwise would be apportioned to charter schools for FY 2016 and requires budget limits to be reduced accordingly.
 - Directs the reduction to be made on a proportional basis based on the CAA funding that each charter school would have received without the prescribed reduction.
 - Reduces CAA funding for a school district that is not eligible to receive BSA funding by the amount that it would have been reduced by if the district was eligible for BSA and requires the school district's budget limits to be reduced accordingly.
 - Declares that it is the intent of the Legislature that at least \$3 million of the CAA reduction be through reductions in non-classroom spending.
 - Directs the charter's superintendent/chief executive officer and the school finance officer to certify that the charter's prorated share of the CAA reduction has come from reductions in non-classroom spending.

Joint Technical Education Districts (JTEDs)

- Funds JTEDs with a student count of more than 2,000 at 95.5% of what would otherwise be provided by law for FY 2016 and requires ADE to reduce budget limits accordingly.
- Determines that the Base Support Level funding that a charter/district school and a JTED receive for concurrently enrolled students is 92.5% of the amount that otherwise would be received, beginning in FY 2017.

School Emergency Pilot Program (Program)

- Indicates that the \$3,646,400 appropriation to ADE for the School Safety Program for FY 2016 includes \$100,000 for the Program.
- Requires school districts to submit applications to ADE to participate in the Program by September 30, 2015, and directs ADE to select three school districts to participate by November 30, 2015.
- Prohibits participating school districts from collectively consisting of more than 31 individual school sites.
- Stipulates that the school districts must consist of One school district located in a county with:
 - less than 100,000 people.
 - between 100,000 and 800,000 people.
 - 800,000 people or more.
- Requires participating school districts to be provided a readiness and emergency management program that incorporates the following:
 - Emergency Information Management System. All plans and critical emergency readiness information must be accessible both online and off-line through mobile device apps.
 - Training of teachers and administrators in the readiness and emergency management program.
 - The development, implementation and maintenance of a comprehensive crisis for the school districts and their teachers and administrators.

Education Learning and Accountability Fund

Requires each community college district and university under the jurisdiction of the AZ Board of Regents to transmit \$6 per full-time student equivalent to ADE for deposit in the Education Learning and Accountability Fund by December 31, 2015.

Access Our Best Public Schools Fund

Establishes the Access Our Best Public Schools Fund consisting of appropriated monies, grants, gifts, devises and donations from public or private sources.

- Directs the School Facilities Board (SFB) to administer the fund.

- Determines monies in the fund to be subject to legislative appropriation and available to public schools that are members of the Arizona Public School Achievement District to construct new school facilities or expand existing facilities.
- Requires at least 50% of the monies to be used in low socioeconomic areas.

Charter Schools

- Removes the authority for a school district to sponsor a charter school and deletes statutory references to school district sponsored charter schools.
- Specifies that an applicant for a charter school may not submit an application to any person or entity other than those authorized by statute.
- Prohibits a charter school affiliated with a charter holder operating more than one charter school, as determined by ADE, from receiving small school weights.
 - Permits a charter school affiliated with a charter holder that operates multiple charter schools to receive 50% of the small school weights in FY 2016.
- Permits a school district sponsored charter school to continue to operate through June 30, 2015.

SFB

- Requires SFB, rather than ADE, to annually publish and make available a list of vacant and unused state or school district buildings to charter schools and charter school applicants.
 - Requires the list to contain any pertinent information related to the vacancy of the building.
- Requires SFB to annually report to the Joint Legislative Budget Committee by January 1 on all school district Class B bond approvals by in the year.
 - Directs each school district to annually report Class B bond approvals to SFB by December 1.
- Permits SFB to enter into a refinancing or refunding agreement in FY 2016 that reduces SFB's lease purchase payments by a combined total of at least \$14 million in FYs 2016 through 2024.
 - Prohibits SFB's lease purchase payment reductions from varying by more than \$1 million in a single FY during this period.
 - Requires any refinancing or refunding agreement to be submitted to the Joint Committee on Capital Review prior to being entered into.

Additional State Aid for Education

- Determines the maximum amount of Additional State Aid for Education to be \$1 million per county, beginning in FY 2016.
 - Requires the Property Tax Oversight Commission (Commission) to determine the proportion of the violation of the Constitution attributable to each taxing jurisdiction within the affected school districts in counties that would otherwise receive more than the cap.
 - Directs the Commission to determine an amount that each taxing jurisdiction within the affected school district is required to transfer to the affected school district to compensate the district for the pro rata share of the reduction in Additional State Aid funding.
 - Requires the Commission to assume a proportion of zero for any taxing jurisdiction that has a tax rate that is equal to or less than the tax rate of peer jurisdictions, when determining the proportion of the constitutional violation that is attributable to each taxing jurisdiction.

Status: Introduced 3/4/15; Assigned to House Committees on Appropriations (passed on an 8-4 vote 3/5/15), and Rules.

SB 1303 - special education; cost study

Requires ADE to complete a cost study of special education programs by 12/1/15 and every 2 years thereafter.

Status: Introduced 2/2 and assigned to Senate Committees on Education, Appropriations and Rules.

SB 1476 – K-12 education; budget reconciliation; 2015-2016

Makes necessary statutory and session law changes relating to K-12 education to implement the FY 2016 budget. Provisions include:

Basic State Aid

- Increases the Base Level Amount (BLA) by 1.6 percent for FY 2016 by increasing the per pupil amount from \$3,373.11 to \$3,426.74.

Charter Schools

- Increases the Charter Additional Assistance (CAA) amounts for FY 2016 by 1.6 percent providing the following per pupil amounts:
 - \$1,734.92 for students in preschool programs for children with disabilities and in grades K-8; and
 - \$2,022.02 for students in grades 9-12.
- Makes the following adjustments to the FY 2016 CAA allocation:
 - directs ADE to proportionally reduce the CAA allocation by \$18,656,000; and
 - includes a legislative intent statement which describes the expectation for charter holders to apply a minimum of \$3,000,000 of the CAA reduction to reductions in non-classroom spending and stipulates the superintendent or chief executive officer and the school finance officer of each charter school certify to those reductions.
- Prohibits charter schools from receiving small school weights associated with the base support level beginning in FY 2017, if the charter holder operates more than one charter school, as determined by ADE and requires ADE to reduce the funding generated by the small school weight for the impacted charter schools by 50 percent in FY 2016.

School Districts

- Specifies the following adjustments to the FY 2016 District Additional Assistance (DAA) allocation:
 - directs ADE to reduce the DAA allocations by \$352,442,700 and requires school districts to reduce their budgets accordingly;
 - requires non-state aid school districts to reduce their DAA budgets by the amount it would be reduced if the districts were eligible for state aid;
 - limits the amount of the DAA reduction for school districts with less than 1,100 Average Daily Membership (ADM) to \$5,000,000;
 - includes a legislative intent statement which describes the expectation for districts to apply a minimum of \$113,457,200 of the DAA reduction to reductions in non-classroom spending and stipulates the superintendent or chief executive officer and the school finance officer of each school district certify to those reductions; and
 - requires school districts sponsoring charter schools to reduce their budget limits in accordance with the FY 2016 CAA reduction and non-state aid school districts to reduce their CAA budgets by the amount it would be reduced if the districts were eligible for state aid.
- Limits, beginning in FY 2016, the amount of additional state aid required to offset primary property taxes of the 1 percent cap provided to school districts from the state General Fund to \$1,000,000 per county.
- Authorizes the Property Tax Oversight Commission to evaluate each county with a school district or districts who require more than the state-funded amount and to determine the proportion attributable to each taxing jurisdictions located within the affected school district or districts.
- Requires the identified taxing jurisdictions to transfer the necessary amounts to the impacted school district or districts during the fiscal year.
- Increases the transportation funding per route mile formula amount by 1.6 percent for FY 2016.

Joint Technical Education Districts (JTEDs)

- Establishes in statute, beginning in FY 2017, that pupils enrolled in either a school district or charter school and a JTED will be funded at 92.5 percent of BSL.
- Requires ADE to fund state aid for JTEDs with more than 2,000 students in FY 2016 at 95.5 percent of the amount that would otherwise be provided by law.
- Requires all JTEDs to adjust their respective budget limits in accordance with the appropriate funding percentage.

District Sponsored Charter Schools

- Eliminates language allowing school district governing boards to sponsor charter schools and eliminates references and enabling language for district sponsored charter schools throughout statute.

- Specifies that a charter school applicant may not submit an application for sponsorship to any person or entity other than those prescribed in statute.
- Permits a district sponsored charter school on the effective date of this act to continue to operate through June 30, 2015.

School Facilities Board (SFB)

- Requires the SFB, instead of ADE:
 - to annually publish a list of vacant and unused buildings and portions of buildings.
 - to make the list available to applicants for charter schools and existing charter schools.
 - Must include any other pertinent information related to the vacancy of the building.
 - Report, by January 1, all Class B bond approvals by school districts in that year to the Joint Legislative Budget Committee and requires each school district, by December 1, to report information necessary for the SFB report.
- Permits the SFB to enter in a refinancing or refunding agreement in FY 2016 to reduce the SFB's lease purchase payments by a total of at least \$13,000,000 in FY 2017 through FY 2024 and stipulates that the SFB's savings may not vary by more than \$100,000 in any single fiscal year.
- Requires the SFB to submit the terms of the agreement to the joint committee on capital review before entering into a refinancing or refunding agreement.

School Emergency Readiness Pilot Program (Pilot Program)

- Requires \$100,000 of the \$3,646,400 appropriation to ADE in the General Appropriations Act for the School Safety Program to be used for the Pilot Program.
- Directs school districts to submit applications to ADE by September 30, 2015 for participation in the Pilot Program.
- Requires ADE to select three school districts to participate in the Pilot Program by November 30, 2015 and caps the districts at collectively consisting of no more than 31 individual school sites, including one district located in a county with a population:
 - of 800,000 persons or more;
 - between 100,000 and 800,000 persons; and
 - less than 100,000 persons.
- Directs school districts selected to participate in the Pilot Program to be provided and use a readiness and emergency management program incorporating the following:
 - education-specific emergency management software;
 - training of teachers and administrators in the readiness and emergency management program; and
 - the development, implementation and maintenance of a comprehensive crisis plan for participating districts and their teachers and administrators.
- Stipulates the education-specific management software must:
 - be accessible online and off-line via mobile device applications; and
 - comply with the National Emergency Information Management System adopted by the Federal Emergency Management Agency.

ADE Education Learning and Accountability Fund (ELAF)

- Continues, for FY 2016, to require each community college district and each state university to transmit \$6 per full-time student equivalent to the ELAF on or before December 31, 2015.

Access Our Best Public Schools Fund

- Establishes the Access Our Best Public Schools Fund consisting of appropriated monies from the Legislature, grants, gifts, devises and donations from any public or private source.
- Specifies that the SFB administers the Access Our Best Public Schools Fund and that fund monies are legislatively appropriated.
- Stipulates monies in the fund are available to public schools that are members of the Arizona Public School Achievement District to construct new school facilities or expand existing school facilities.
- Stipulates at least 50 percent of the projects funded be in low socioeconomic areas.

Miscellaneous

- Redefines *student count*, beginning July 1, 2016, as ADM as prescribed for the current year.
Status: Introduced 3/4; assigned to House Committees on Appropriations (passed on 5-3 vote 3/5), and Rules

Student Privacy

HB 2602 - school service providers; information privacy

Establishes guidelines for the manner in which student information must be handled by the provider of online or mobile services to a school.

Status: Introduced 2/5 and assigned to House Committees on Education (passed 2/11), and Rules (passed 2/16). Retained on House Committee of the Whole Calendar 2/19 and 3/2.

SB 1172 - schools; information; political activity; prohibition

Prohibits school districts/charters from releasing pupil information to a person or group for the purpose of engaging in political activity

Status: Passed the Senate on an 18-11-1 vote on 2/23. Transmitted to the House and assigned to the House Committees on Education, and Rules

SB 1247 - student data; privacy

Directs SBE to create website for student data. Sets forth privacy safeguards like those in Family Educational Rights and Privacy Act of 1974 (20 United States Code section 1232g) aka FERPA.

Status: Introduced 1/28/15; Assigned to Senate House Committees on Public Safety, Military and Technology; Education, and Rules.

SB 1306 - schools; data privacy [See also SB 1247]

Establishes the Education Data System (EDS) defined as the SAIS, or its successor system, and the AELAS, or its successor system, and the respective components of the SAIS and AELAS.

- Specifies that personally identifiable information and student level data contained in the EDS is confidential and is not a public record.
- Directs ADE to create a unique pupil identifier for each pupil in the EDS.
- Requires ADE to develop, publish and make publicly available policies and procedures to comply with all relevant state and federal privacy laws, including FERPA.
- Mandates EDS policies to
 - restrict access to student level data
 - require:
 - ADE use only aggregated data that does not contain personally identifiable information in public reports and in response to public records requests, unless authorized by a statutory exemption; and
 - Students and parents be notified of privacy rights concerning educational records under federal and state law.
- Prohibits ADE from transferring student level data deemed confidential by statute to any federal agency or any state or local agency, unless otherwise permitted by law.
- Requires ADE to develop and implement a detailed security plan that includes:
 - procedures for authorizing access to the EDS and to student level data;
 - standards for compliance with federal and state privacy laws and regulations;
 - privacy and security audits;
 - planning for a possible breach of data security, including notification procedures to entities that own data that may be affected;
 - data retention and destruction policies consistent with guidelines adopted by the Arizona Library, Archives and Public Records; and
 - at a minimum, compliance with statewide technology security standards adopted by the Department of Administration.

- Mandates ADE ensure any contracts with private vendors governing databases, assessments or instructional supports that include student level data include express provisions that safeguard privacy and security and include penalties for noncompliance.
- Prohibits school districts/charters from reporting to ADE the following student level data:
 - juvenile delinquency records;
 - criminal records, except incident data required to be reported for school safety purposes; and
 - medical and health records.
- Forbids school districts/charters from collecting any of the following pupil data:
 - political affiliation;
 - religious affiliation;
 - biometric information, unless permitted through written permission from the pupil's parent or guardian; and
 - firearm ownership.

Other Provisions

- Requires ADE to develop criteria for the approval of data requests from state and local agencies, the Legislature and researchers if ADE determines the request qualifies for an exception under FERPA.
- Requires student level data to remain redacted at all times unless the sharing of student level data is specifically permitted by law.
- Authorizes ADE to assess fees for complying with requests for the following:
 - production of data for qualifying data requests from state and local agencies, the Legislature and researchers; or
 - assembly of data that is otherwise confidential and is not a public record into aggregated reports not already available from ADE.
- Allows a student's parent/guardian to request to review a copy of the student's education record, including data submitted to the EDS, in accordance with a statutory request process.
- Requires the school immunization record to be maintained according to standards set by the Arizona State Library, Archives and Public Records.
- Eliminates the ability for ADE to grant an extension to the deadline for the submission of student level data or provide for an alternative method for the submission of student level data if a good cause exists for the extension to:
 - school districts;
 - JTEDs; or
 - charter schools.
- Includes definitions of *student level data*; *aggregated data*; *local education agency*; *personally identifiable information*; *public records*; *third-party provider*; and *unique pupil identifier*.

Status: Ready for the Senate Committee of the Whole 2/24.

SB 1464 - student, teacher data collection; prohibitions

- Affirms the parent as the final authority in all matters of the parent's student's education
- Prohibits:
 - access, release or sharing of personally identifiable information, student level data or any information about students without a written explanation of why the information is being requested and for what purposes it will be used. Before any data collection, written affirmative consent of the parent or guardian is required.
 - the adoption or administration of any state or national student assessment that collects any type of psychological data, including assessment of noncognitive skills or attributes, psychological attributes, feelings, emotions, values, appreciations, enthusiasms, motivations, mindsets, learning strategies, attitudes, beliefs, dispositions, conceptions of self, social skills, interpersonal skills, intrapersonal resources or other aspects of the affective domain.
 - the SBE, ADE, etc. from spending any monies, whether from state, federal or private sources, on further construction, enhancement or expansion of any statewide longitudinal data system designed to track students beyond grade 12 or compile personal, nonacademic information beyond what is necessary either for administrative functions directly related to students' schooling or for evaluation of academic programs and student progress.

- The ADE or any political subdivision from sharing any personally identifiable information of students and teachers with the USDOE unless it agrees in writing that:
 - The data will be used only to evaluate the specific program or programs funded by a specific grant and will not be transferred to or shared with any other federal agency;
 - The data will not be used for any research beyond that related to evaluation of the specific program or programs funded by the grant, unless the parent of any student and any teacher whose data will be used for such research are informed in writing of the purpose of the research and the use of the data to be collected and affirmatively consent in writing to that use;
 - To destroy the data on completion of the evaluation of the program or programs for which the data was compiled; **and**
 - The grant or program requiring the data is one authorized by federal law.

- ADE shall require every recipient of a federal grant to:
 - Provide written notification to the parents or guardians of every student whose data will be shared and to every teacher whose data will be shared of the following:
 - That the recipient of the federal grant is required to turn over the student's or teacher's data to the United States department of education.
 - That neither the recipient of the federal grant nor any other entity within this state will have control over the use or further sharing of that data.
 - The contact information, including the telephone number and e-mail address, of the United States department of education official who demands the data.
 - The way in which the data will be used.
 - Obtain written consent from the teacher or the student's parent.

- ADE must:
 - Develop and make publicly available to the people of this state a data inventory and index of data elements with definitions of each data field in the system that includes all of the following:
 - Any personally identifiable student level data required to be reported by state and federal law.
 - Any other personally identifiable student level data that has been proposed for inclusion in the student data system and a statement of purpose or reason for the proposed collection.
 - Any individual student level data that the department collects or maintains with no stated current purpose or reason.
 - Develop, publish and make available to the people of this state policies and procedures that comply with the family educational rights and privacy act of 1974 and other relevant privacy laws and policies, including policies and procedures that specify that Access to personally identifiable student level data in any current statewide data system shall be restricted to:
 - The authorized staff of the department of education and any of the department's contractors that require such access.
 - District administrators, teachers and school personnel who require such access to perform assigned duties.
 - Students and their parents for their own data.
 - The authorized staff of other state agencies in this state as required by law and defined by interagency data sharing agreements.
 - Maintain the confidentiality of personally identifiable student level data and use only aggregate data in public reports or in response to public record requests.
 - Develop criteria for the approval of research and data requests from state and local agencies, the legislature, researchers and the public that provide student level records with all personally identifiable student level data removed. In all cases, individual student identities shall remain confidential.
 - Develop and make publicly available to the people of this state a detailed data security plan that includes all of the following:
 - Guidelines for authorizing access to the data system and to individual student level data including guidelines for authentication of authorized access.
 - Privacy compliance standards.
 - Privacy and security audits.
 - Breach planning, notification and procedures.

- Data retention and disposition policies.
- Data security policies, including electronic, physical and administrative safeguards, such as data encryption and training of employees.
- Not share or transfer any personally identifiable information about any student or teacher with any entity in this state unless that entity is an education agency or institution that will not:
 - Use the data to develop commercial products or services.
 - Share or transfer any personally identifiable information about any student or teacher to any economic or workforce development research or initiatives.
 - Share any personally identifiable information compiled on students or teachers with any entity outside this state, except as provided in this section.
- Ensure that all contracts that govern databases, assessments or instructional supports that include student or redacted data and that are outsourced to private vendors include written provisions that specifically safeguard student privacy and data security, including provisions that prohibit private vendors from selling student level data or from using student level data in furtherance of advertising, with penalties for noncompliance.
- Not share any personally identifiable information about any student or teacher with any entity that will use that information for development of commercial products or services or that will transfer that data to any other entity for use in the development of commercial products or services. A contractor working with student records shall agree in writing that it will not disclose such information, including for online behavioral advertising, for the sale of data for any commercial purpose or for any other commercial or noncommercial activity or product.
- Not collect, and school districts/charters may not report, any of the following individual student level data:
 - Juvenile court delinquency records.
 - Criminal records.
 - Student biometric information.
 - Information about political affiliation and voting history of students, siblings of students or parents of students.
 - Information about the religion of students, siblings of students or parents of students.
 - Information about gun and ammunition ownership or other hobbies of students, siblings of students or parents of students.
 - Information about drug or alcohol use of students, siblings of students or parents of students.
 - The Quality of home interpersonal relationships.
 - mental health screenings and mental health survey data of students, siblings of students or parents of students.
- ADE/schools may not collect any personally identifiable information on any student or teacher without receiving prior affirmative written consent, and only after providing the parent, guardian or teacher with a written explanation of why the information is being requested and for what purpose. Procedures shall be established to notify teachers, students and parents regarding the rights of teachers, students and parents under federal and state law.

Definitions:

- curricula, standards, instructional methods, assessments, professional development, data collection, proposals, agreements, grants or documents include both paper and electronic media, whether stored locally, on the Internet or on servers connected to the internet or streamed or projected by, through or from any electronic devices or software.
- *personally identifiable information* and *personally identifiable student level data* include a student's:
 - unique identification number
 - name, address, zip code
 - birthdate
 - mother's maiden name
 - sibling information
 - social security number, and
 - biometric data.

Status: Introduced 2/3 and assigned to House Committees on Education; Government, and Rules.

Curriculum

HB 2064 - graduation requirement; civics test

Directs the SBE to include the requirement for students to pass a civics test in the high school competency requirements for graduation, beginning in the 2016-17 school year.

Status: Introduced 1/15/15; SIGNED by the Governor on 1/15/15.

HB 2190 – replacement; common core; schools

FORMERLY schools; common core; replacement

A strike-everything amendment was passed in the House Committee on Education (2/18/15) to establish a process for SBE to redevelop the statewide academic standards and assessments, and to establish a steering committee to collaborate with SBE on the creation of new standards and places restrictions on the use of student data. Provisions include:

Statewide Academic Standards and Assessments

- Prohibits SBE from adopting and the Arizona Department of Education (ADE) from implementing the following:
 - Common Core Standards.
 - Arizona College and Career Ready Standards.
 - Any standards from a third-party provider that are aligned with standards or assessments proposed by the Partnership for Assessment of Readiness for College and Careers.
 - Any standards or assessments that are the same or substantially similar to standards or assessments used by 20 or more other states.
- Declares any previous action taken to adopt or implement any of the previous standards or assessments to be void.
- Establishes the Arizona Education Standards Steering Committee (Steering Committee) within ADE.
- Requires the Steering Committee to adopt and SBE to administer the Arizona Education Standards for the state's public schools.
- Prohibits appointed and elected officials from joining any consortium, association or other entity on behalf of the state or a state agency if membership would require the state to cede any measure of control over education, including academic content standards and assessments.
- Requires SBE, in collaboration with the Steering Committee, to:
 - Provide public notice of any proposed adoption or revision of academic content standards on ADE's website.
 - Request comments on proposed changes from the general public, including parents, teachers, experts and representatives of political, educational, faith-based and nonpartisan policy organizations.
 - Accept all public comments submitted within 60 days of the public notice.
- Prohibits SBE, in collaboration with the Steering Committee, from adopting or revising any academic content standards until public meetings are held in each Congressional District in the state.
 - Requires SBE to post a notice of each public meeting on ADE's website and in a newspaper of general circulation in the respective Congressional District.
- Directs SBE, in collaboration with the Steering Committee, to adopt areas of subject matter standards that are subject to legislative review and approval beginning in School Year (SY) 2016.
- Requires the subject matter standards to be implemented in every public school in the state.
- Determines any SBE revisions to the standards to be subject to legislative review and approval.
- Requires SBE, in collaboration with the Arizona Board of Regents (ABOR) and the Steering Committee, to adopt subject matter standards by August 1, 2017, in English Language Arts, American History, Science and Math to replace the previous standards.
 - Directs ADE and ABOR to evaluate the standards.
 - Requires the standards to address the goals of reducing the need for remedial postsecondary coursework and increase the completion of a postsecondary education.

- Determines that the adopted subject matter standards and corresponding assessments are to be approved and controlled solely by the state through SBE.
- Directs SBE, in collaboration with the Steering Committee, to begin the process of adopting new standards in the required areas on the effective date of this act.
- Requires reasonable opportunity, consistent with best practices, for public comment on the revisions of the standards, including specified persons.
- Instructs SBE to implement the standards that were in place on May 31, 2010, in English Language Arts, American History, Science and Math until the statewide student assessments for those areas are implemented.
- Requires SBE to seek certification from ABOR on the effective date of this act that the subject matter standards in English Language Arts, American History, Science and Math that were in place on May 31, 2010, are college and career ready as defined in the Elementary and Secondary Education Act flexibility document issued by the United States Department of Education (ED).
 - Instructs ABOR to provide to SBE a detailed description of the certification process and results, including a list of deficiencies if ABOR deems the standards are not college and career ready.
- Directs SBE to post on ADE's website all documents, materials, reports, descriptions and correspondence produced or used by ABOR in the certification process.
- Requires SBE, in collaboration with the Steering Committee and consultation with ABOR, to direct the process of developing annual high-quality statewide student assessments that align with the adopted college and career ready subject matter standards by SY 2019.
- Requires statewide student assessments to continue to assess standards and objectives in the standards that were in place on May 31, 2010, and continue to align to those standards and objectives until the replacement assessments are implemented.
- Prohibits SBE from entering into any agreement, memorandum of understanding or contract with a federal agency or private entity that cedes or limits state discretion and control over the process of developing, adopting or revising subject matter standards and the corresponding assessments in the public school system, including agreements in exchange for funding.
 - Requires SBE to initiate efforts to amend any agreement existing that is in conflict with this section on the effective date of this act.
 - Stipulates that this requirement does not prohibit SBE from seeking and being granted a federal waiver if the conditions for the waiver do not cede or limit control over the process of developing, adopting or revising standards and assessments.
- Permits ADE to participate in a multistate or multi-governmental cooperative.
 - Prohibits ADE from binding the state contractually or otherwise to the authority of any other state, organization or entity that supersedes SBE's authority.
- Instructs the content of all subject matter standards and corresponding assessments to be approved and controlled solely by the state through SBE in collaboration with the Steering Committee.
- Requires SBE, in collaboration with the Steering Committee, to maintain independence of all subject matter standards and corresponding assessments and prohibits the relinquishment of authority over standards and assessments.
 - Exempts the benchmarking of standards and assessments with those of other states or nations to allow for comparisons of Arizona's standards and assessments.
- Directs school districts and charter schools to determine the instruction, curricula, reading lists, instructional materials and textbooks to be used in meeting the Arizona Education Standards.
- Allows school districts and charter schools to adopt supplementary assessments that are in addition to the state assessments.
- Instructs SBE, in collaboration with the Steering Committee, to compare the adopted standards with the previous standards in the specified areas.
- Requires SBE to consider public comments, the use of best practices, evidence and research in the evaluation of both sets of standards when comparing the standards.
- Directs SBE and the Steering Committee, on completion of the standards comparison, to submit a report outlining the results of the comparison to the Speaker of the House of Representatives, the President of the Senate, the House Minority Leader, the Senate Minority Leader and the Governor.

- Requires all subject matter standards and corresponding assessments to be carefully circumscribed to reflect direct application to subject matter proficiency.
- Prohibits subject matter standards and corresponding assessments from collecting or measuring non-cognitive, emotional or psychological characteristics, attributes or skills.
- Directs SBE to amend or repeal any rule in conflict with the requirements of this act.
- Defines *English Language Arts*.

Arizona Education Standards Steering Committee

- Prohibits SBE from adopting or revising any standards until the proposed standards or revisions are approved by the Legislature and the appropriate Steering Committee subcommittee.
- Requires SBE to propose any new or revised standards to the Steering Committee prior to seeking legislative review and approval.
- Mandates Steering Committee meetings be open to the public, including subcommittee meetings.
- Establishes membership of Steering Committee and necessary subcommittees.

Legislative Review of the Standards

- Determines all subject matter standards and revisions adopted by SBE, in collaboration with the Steering Committee, to be subject to legislative review.
 - Prohibits the implementation of standards until the legislative review process is complete.
- Directs SBE, on adoption of any subject matter standards, to submit the standards to the Speaker of the House of Representatives and the President of the Senate at least 30 days before the opening day of the next Regular Session or, if needed to give SBE additional time to adopt the standards, a Special Session called for this purpose.
- Instructs the Legislature to adopt legislation that takes one of the following actions relating to the standards:
 - Approve.
 - Disapprove, in part or in whole.
 - Amend, in part or in whole.
 - Disapprove, in part or in whole, with corresponding instructions to SBE.
- Deems the standards approved if the corresponding legislation is vetoed and the Legislature does not override the veto or if the Legislature fails to adopt legislation within 30 days of the opening of the respective legislative session.
- Permits SBE, in collaboration with the Steering Committee, to adopt and submit new standards for legislative review if the proposed standards are disapproved in whole or in part or with instructions.
- Instructs SBE to continue to implement the current standards until new standards have been reviewed and approved by the Legislature.
 - Permits SBE, in collaboration with the Steering Committee, to revise standards that were amended or disapproved by the Legislature in accordance with the legislative changes and implement the revised standards.
- Requires introduced legislation to be limited to the provisions necessary for approving, disapproving, amending or disapproving with instructions and any other direction regarding the standards deemed necessary, unless otherwise provided for by a specific vote of the Legislature.
 - Prohibits the legislation from containing other provisions.

Student Data

- Prohibits data that measures the academic performance of a student from being collected unless the data is specifically used to evaluate whether the student has met the conditions for promotion to the next grade level or high school graduation.
- Prohibits personally identifiable data that is collected from being transmitted to any public or private person or entity other than the school district governing board or charter school governing body where the student is enrolled.
 - Exempts data that is not personally identifiable.
- Prohibits collected academic performance data from being manipulated or altered.
- Prohibits the Superintendent of Public Instruction, SBE, ADE and any other state entity that deals with education from:

- Spending monies on the construction, enhancement or expansion of a statewide longitudinal data system designed to track students or compile personally identifiable student information, unless it is necessary for basic administrative purposes, academic evaluation of programs and student progress or for compliance with this act.
- Sharing any personally identifiable student or teacher information with:
 - an entity outside of the state, excluding virtual, online or hard drive file storage hosted by a third party.
 - an entity that intends to use the information to develop commercial products or services or transfer the information to another entity to develop products or services.
 - any entity within the state unless it is an educational agency or an institution that expressly prohibits:
 - Using the information to develop commercial products or services or transferring the information to an entity to develop products or services; and
 - Using the information for economic or workforce development planning.
- Sharing any personally identifiable student or teacher information with ED unless the following apply:
 - The sharing of information is required to receive a federal education grant.
 - The grant or program is authorized by federal law.
 - ED agrees in writing to all of the following:
 - To use the information only to evaluate the program or programs funded through the grant.
 - To not use the information for any research unrelated to the grant, unless the teacher or parent or guardian of the student consents to that use in writing.
 - To not share the information with any other governmental or private entity without the consent of the teacher or parent or guardian of the student.
 - To destroy the information on completion of the evaluation of the program or programs funded by the grant.
- Requires a grant recipient to notify the teacher or parent or guardian of a student of all of the following if ED requires that the grant recipient provide personally identifiable teacher or student information in a manner that is not authorized by this act.
 - That the grant recipient has been required to turn over the teacher's or student's information to ED;
 - That neither the grant recipient or any other entity or official will have control of the use or further sharing of the information; and
 - The contact information, including telephone numbers and e-mail addresses, of the ED official seeking the information.

Status: Ready for House Committee of the Whole 2/24

HB 2199 - schools; class size reduction grants

Directs the SBE to reduce class sizes to 15 in K-3.

Status: Introduced 1/29/15; Assigned to House Committees on Education, Appropriations and Rules.

HB 2228 - school pupils; academic intervention

Requires school districts to create a list of students with a 2.0 grade point average or lower; to provide academic interventions to these students until exceeds 2.0 grade point average. Interventions to be determined by district Governing Board.

Status: Introduced 1/29/15; Assigned to House Committees on Education, and Rules.

HB 2246 - statewide assessments; parental opt out

Parent may opt-out of statement assessment; Alternatives other than statewide assessment to be used for 3rd grade promotion and high school graduation.

Status: Passed the House 2/26.

HB 2261 - university admissions; CTE; fine arts

Requires the AZ Board of Regents to permit CTE/JTED fine arts credits for university admission.

Status: Passed the House 3/3. Transmitted to the Senate where it was assigned to the Senate Committees on Education, and Rules.

HB 2476 - sex education programs; requirements

Requires all school districts to provide medically accurate, developmentally accurate and age-appropriate sex education in K-12; permits parents to opt out of program

Status: Introduced.

HB 2668 - results-based school-readiness contracts

- Establishes the Arizona High Quality School Readiness Program.
- Sets forth membership and duties of *School Readiness Board*
- Establishes the *Readiness Fund* consisting of appropriations, federal grants, private donations and interest earned on monies deposited into the Fund.

High Quality School Readiness Program (Program)

- Permits the Program, to be operated by an eligible local education agency (LEA) or private provider.
- Requires the Program to include the following components:
 - An evidence-based curriculum, aligned with applicable state standards, that incorporates intentional and differentiated instruction in whole-group, small-group and child-directed learning, including the following academic content areas:
 - Oral language and listening comprehension.
 - Phonological awareness and pre-reading.
 - Alphabet and word knowledge.
 - Pre-writing
 - Book knowledge and print awareness.
 - Numeracy
 - Creative arts.
 - Science and technology.
 - Social studies.
 - Health and safety.
 - Ongoing, focused and intensive professional development for staff who participate in the Program.
 - Ongoing assessment of a student's educational growth and developmental progress to inform instruction.
 - A pre-assessment and post-assessment of each student, to be selected by the Board.
 - Ongoing program evaluation and data collection to monitor program goal achievement and implementation of required program components.
 - Family engagement, including:
 - Ongoing communication between home and school; and
 - Parent education opportunities based on each family's circumstances.
- Limits the class size for a high quality preschool program run by an LEA, to 20 students, with at least 1 adult for every 10 students.
- Requires each teacher working with an LEA preschool program to obtain at least a child development associate certification or an Associate or Bachelor's Degree in an early childhood education related field.
- Requires each teacher working with a preschool program operated by a private provider to obtain at least a child development associate certification or an Associate or Bachelor's Degree in an early childhood education related field by the teacher's second year.
- Stipulates that a Program operated by a HBET provider must:
 - Be an evidence-based and age appropriate individualized interactive instruction assessment and feedback technology program that teaches eligible students early learning skills needed to be successful to enroll in a kindergarten program.
 - Require regular parental engagement with the student in the program.
 - Be aligned with applicable state standards.
 - Require the administration of the pre-assessment and post-assessment of each student.

- Require technology providers to ensure successful implementation and utilization of the technology program.

School Readiness Grant Program

- Establishes school readiness grants to upgrade an existing preschool or HBET program to a Program for an eligible private provider, LEA or HBET provider.
- Requires SBE to solicit proposals from eligible LEA's and make recommendations to the Board to award grants to respondents.
- Requires the Board to select a community organization to solicit proposals from eligible private providers and HBET providers and make recommendations to the Board to award grants to respondents.
- Directs the Board to award grants based on the recommendations of SBE and the community organization selected by the Board, if sufficient monies are appropriated.
- Requires SBE, community organizations and the Board to consider all of the following when awarding grants:
 - A respondent's capacity to effectively implement the Program required components.
 - The percentage of a respondent's students who are economically disadvantaged.
 - The level of administrative support and leadership at a respondent's program to effectively implement, monitor and evaluate the Program.
- Prohibits the Board from awarding a grant to an eligible LEA without obtaining approval from SBE.
- Requires an LEA respondent to submit a proposal to SBE that details all of the following:
 - The respondent's strategy to implement the components required of the Program.
 - The number of students the respondent plans to serve, categorized by age and economically disadvantaged status.
 - The number of high quality preschool classrooms the respondent plans to operate.
 - The estimated cost per student.
- Requires a respondent that is a private provider or HBET provider to submit a proposal to the community organization selected by the Board that details each of the following:
 - The respondent's strategy to implement the components required of the Program.
 - The number of students the respondent plans to serve, categorized by age and economically disadvantaged status.
 - The number of high quality preschool classrooms the respondent plans to operate (only required for private providers.)
 - The estimated cost per student.
- Requires all grant recipients to establish a preschool or HBET program with all required components.
- Directs a grant recipient to allow classroom or other visits by an independent evaluator chosen by the Board.
 - Requires the independent evaluator to determine whether the grant recipient has effectively implemented the required components and report findings to the Board.
- Requires an LEA, private provider or HBET that receives a grant to assign a statewide unique student identifier to each student funded by a school readiness grant.
- Directs an LEA grant recipient to annually report all of the following to the Board and SBE:
 - The number of students served by the preschool, reported by economically disadvantaged status.
 - Attendance data.
 - The cost per student.
 - Assessment results.
- Directs a private provider or HBET provider grant recipient to annually report all of the following to the Board and community organization selected by the Board:
 - The number of students served by the preschool or HBET program, reported by economically disadvantaged status.
 - Attendance data.
 - The cost per student.
 - Assessment results.
- Requires SBE to adopt rules to effectively administer and monitor the School Readiness Grant Program, including the following:

- A requirement that grant recipients use the pre-assessment and post-assessment selected by the Board.
- The establishment of reporting requirements for grant recipients.
- Requires the Board to annually share the information received from grant recipients with SBE, upon request of the Board, SBE and community organization selected by the Board.

Program Eligibility Requirements

- Requires an LEA to establish or currently operate a high quality preschool to receive funding under the Program.
- Directs an LEA, private provider or HBET to assign a statewide unique student identifier to each eligible student funded by a results-based readiness contract.
- Prohibits an LEA or private provider from using funding awarded through a results-based contract to supplant monies for an existing high quality program.
 - Allows these funds to be used to supplement an existing high quality program.
- Allows an LEA or private provider to charge a sliding scale fee based on household income of a student participating in a high quality preschool program, if federal law permits.
- Allows an eligible LEA to contract with an eligible private provider to provide a high quality preschool program to a portion of the LEA's eligible students funded by a results-based school-readiness contract.
 - Directs the Board to determine the portion of an LEA's eligible students funded by a private provider.
 - Requires the contract to comply with the requirements of the Arizona Constitution.
- Requires an eligible private provider to do all of the following to receive funding from a results-based readiness contract:
 - Establish or currently operate a preschool program that contains the Program required components.
 - Allow classroom visits by an independent evaluator to ensure that the required components are implemented.
 - Allow the evaluator to administer the pre-assessment and post-assessments to students in the Program.
 - Report the required information to the Board and any contracted LEA.
- Allows an LEA to provide the eligible private provider with Professional development; Staffing or staff support; Materials; and Assessments.
- Authorizes a private provider to use grants, scholarships or other funds to fund a high quality preschool program.
- Requires the independent evaluator to annually evaluate all of the following:
 - The quality and outcomes of the Program.
 - Adherence to the Program required components.
 - Pre-assessment and post-assessment results.
 - Whether the performance outcome measures set in the results-based school-readiness contract have been met.
- Directs SBE to annually share with the Board, aggregated longitudinal data on eligible students that currently receive or previously received Program funding, including:
 - Academic achievement outcomes;
 - Special education use; and
 - English Language Learner services.
- HBET providers:
 - Are required, in order to receive funding, to administer a HBET program designed to prepare children for kindergarten.
 - Are required to establish or currently operate a high quality school readiness program with the Program required components.
 - That receives funding from a results-based school-readiness contract, are directed to provide de-identified information for students funded in whole or in part by the contract, including:
 - The number of students served by the HBET program, reported by economically disadvantaged status and English Language Learner status;
 - The average time usage that an eligible student spent using the Program each week;

- The cost per student;
- The pre-assessment and post-assessment results; and
- The number of students served by the HBET program who participated in any other public or private preschool school program, including the type of preschool attended.

Results-based School-readiness Contracts

The Board is:

- Allowed:
 - to negotiate and enter into a results-based school-readiness contract with a private entity, selected by a competitive process, to fund a high quality preschool program, high quality HBET program or a combination of both.
 - to include in the repayment to a private entity, a return of investment and an additional return on investment, dependent on the achievement of specific performance outcome measures outlined in the contract.
- Prohibited:
 - from issuing a contract if the total outstanding obligations of all issued contracts would exceed \$15 million at any one time.
- Required:
 - to ensure that the parent or guardian of a student participating in a contract funded program has given permission and signed an acknowledgement that the student's data may be shared with the independent evaluator; and to maintain documentation of this permission.
 - to include a results-based school-readiness contract with:
 - A requirement that the repayment to the private entity be conditioned on specified performance outcome measures.
 - A requirement for an independent evaluator to determine whether all performance outcome measures have been achieved.
 - A provision stating that repayment to the private entity is based on available monies in the Fund and is subject to Legislative appropriation.
 - A provision stating that the private entity is not eligible to receive or view any personally identifiable student data.
 - to select an independent, nationally recognized early childhood education evaluator, through a request for proposals process, to annually evaluate performance outcome measures of a contract and of a recipient of a high quality school readiness grant.
 - Contract evaluations must be completed at the end of each year of a contract, after a contract funded student completes kindergarten.
- Directed to select a uniform assessment of age-appropriate cognitive or language skills that:
 - Is nationally norm-referenced;
 - Has established reliability;
 - Has established validity with other similar measures and with later school outcomes; and
 - Has strong psychometric characteristics.

Eligible LEAs, private providers or HBET providers that receives funding from a results-based school-readiness contract are required to annually report the following de-identified information for students that are funded in whole or in part by a contract:

- The number of eligible students served by the preschool or HBET program, reported by economically disadvantaged status and English Language Learner status.
- Attendance data.
- The cost per student.
- The results of the pre-assessments and post-assessments.
- Aggregated longitudinal data on eligible students that currently receive or previously received Program funding, including:
 - Academic achievement outcomes;
 - special education use; and
 - English Language Learner services.

Status: Introduced 2/10 and assigned to House Committees on Education (passed 2/18); Appropriations, and Rules.

HB 2669 - high schools; academic growth awards

Establishes a SBE award to the public high school that demonstrates the highest levels of student academic growth within each classification. Award is:

- To be named for each classification and known as the *academic growth award* for that classification;
 - *classification* means a grouping of schools that corresponds to the classification system for schools established by a statewide interscholastic association in this state.
- To resemble the trophies presented for athletic accomplishments.

Status: Introduced 2/10 and assigned to House Committees on Education (passed 2/18); Appropriations, and Rules.

SB 1018 - character education study committee

Establishes a study committee to develop a list of curricula for character education programs for K-12 students that teachers may use as an alternative to character education programs offered by third-party vendors.

Status: Introduced 1/12/15; Assigned to Senate House Committees on Education, and Rules.

SB 1019 - sex education; parental opt-out

Permits a school district to provide sex education instruction to a student unless the parent opts-out in writing.

Status: Introduced 1/12/15; Assigned to Senate House Committees on Education, Government and Rules.

SB 1021 - bullying; sexual orientation; gender identity

Expands A.R.S. §15-341(A)(37) to require a school district's governing board to prescribe and enforce anti-bullying policies to include "harassing, intimidating and bullying other pupils based on actual or perceived sexual orientation or gender identity"....

Status: Introduced 1/15/15; Assigned to Senate House Committees on Education, Government and Rules.

SB 1126 - schools; daily organized physical activity

Requires school districts/charters to adopt policies that require students to engage in daily organized physical activity. Amendment passed in the Education Committee exempts online students.

Status: Ready for the House Committee of the Whole 2/24

SB 1191 – graduation; passing test score; moratorium

An emergency measure prohibiting the requirement that a student obtain a passing score on a standardized test during school years 2014-2015, 2015-2016, 2016-2017 or 2017-2018 in order to graduate from high school.

Status: SIGNED by the Governor 2/20/15

SB 1244 - competency-based innovation pilot programs

Permits the SBE to approve competency-based innovation pilot programs.

- Defines *Competency-based education* as a system that:
 - has sufficient flexibility to provide personalized instruction and flexible pacing for students and
 - in which Students progress and credit is awarded when competency is demonstrated.
- Defines *Innovation pilot program* as a voluntary pilot program to improve student achievement through competency-based education, and
 - is conducted by an SBE-approved school district/charter school.
- Permits pilot programs to be "provided flexibility from selected state and local laws, rules, policies and ordinances".
- Directs SBE to adopt rules for conditions/procedures for districts/charters and provide oversight including:
 - District/charter application, plan review, approval and amendment processes;
 - rules that may be disregarded or modified for SBE-approved innovation pilot programs;
 - Timelines, including initial 3-year program w/ 5-year renewal
 - revocation process for failed program;

- SBE may select and enter into 5-year agreement for private operation/administration of program;

Status: Assigned to Senate House Committees on Education (passed on a 5-2 vote on 2/12), Appropriations and Rules.

SB 1289 - schools; letter classification; transition process

Sets forth a transition process to revised school/district accountability system.

- For School Years 14-15, and 15-16 or 16-17 [deleted per passed amendment]:
 - Prohibits ADE from assigning schools/district letter grade classifications so that SBE can develop and implement a revised accountability system.
 - ADE will continue to collect and publish academic performance data
 - ADE will develop criteria to identify school/districts that demonstrate a below average level of performance, a failing level of performance, or that are persistently low achieving [deleted per passed amendment].
- During SY 14-15, and 15-16 or 16-17 [deleted per passed amendment], governing boards may adopt:
 - alternative policies regarding performance based funding, or
 - policies regarding dismissal or nonrenewal procedures for teachers who continue to be designated in the lowest performance classification
- In FY 2015-2016, and 2016-2017 and 2017-2018 [deleted per passed amendment], each district/charter that:...
 - was assigned a letter grade of C, D or F in SY 13-14, or
 - that has more than 10% of its pupils in grade 3 reading far below the 3rd grade level according to the reading portion of AIMS (or successor test)
 ... shall receive monies generated by the K-3 reading support level weight, after receiving SBE approval its K-3 reading program plan.
- By 12/15/15, SBE must submit proposed legislation to implement the revised accountability system for schools and school districts.

Status: Passed the Senate 2/24. Transmitted to the House and assigned to the House Committees on Education (passed 3/4), and Rules.

SB 1305 - continuous improvement academic standards committee

Establishes the ADE's continuous improvement academic standards committee which will annually:

- Seek public input on the AZ education standards;
- conduct public meetings;
- Review academic standards and related education issues;
- Analyze public input;
- Make recommendations to the SBE for changes to the academic standards

Status: Failed on a 12-18 vote of the Senate Third Read 2/24

On-line courses

HB 2229 - approved online courses; master list

No later than 12/15/15, SBE to adopt/maintain master rubric of online courses; ADE will limit online course categories in SY 16-17/17-18 to those that award college credits and core academic courses. Each course to be semester-long; no daily time requirement; no specified completion time.

Status: Introduced 1/29/15; Assigned to House Committees on Education, and Rules.

HB 2530 – Arizona online instruction; credit; schools

FORMERLY schools; Arizona online instruction

A strike-everything amendment was passed in the House Education Committee 2/11. The new bill establishes a process for the release of pupil transcripts from a school district or charter school to an Arizona Online

Instruction (AOI) provider and prohibits a school district or charter school from requiring proof of payment for the acceptance of certain AOI credits. Provisions include:

- Prohibits school districts/charters from requiring proof of payment as a condition of accepting AOI credits from pupils who participate in AOI between May 1 and July 31.
- Requires school districts/schools to release a copy of a pupil's transcript to an AOI provider within ten days of a valid request for concurrently enrolled pupils.
- Requires the AOI provider to notify the school district or charter school sponsor after ten days if the provider has not received the pupil's transcript.
- Requires the Superintendent of Public Instruction to withhold \$50 of state aid each day from the school district or charter school in violation of the transcript release requirement. Specifies that the penalty:
 - may not exceed the total amount of state aid the school district or charter school would otherwise receive for that pupil.
 - does not apply to requests that violate the Family Educational Rights and Privacy Act (FERPA).

Status: After twice being retained on the House Committee of the Whole Calendar, the revised bill was passed by the House by a 53-7 vote on 2/24. It was transmitted to the Senate and assigned to the Senate Committees on Education (passed 3/5) and Rules.

SB 1093 - online instruction; concurrent enrollment; testing

Requires district schools to concurrently enroll eligible students who are also enrolled in Arizona online instruction (AOI) and prohibits district schools from charging fees for examination.

Status: Passed the Senate 2/9. Transmitted to the House and assigned to House Committees on Education (passed 3/4), and Rules.

School Operation

SB 1281 - schools; compulsory attendance age; increase

Raises mandatory education age to 18 years old.

Status: Introduced 1/15/15; Assigned to Senate Committees on Education; Appropriations, and Rules.

Buildings/Property

HB 2562 - school property; proceeds; limitations; removal

Removes limitations on a school district's use of proceeds from the sale or lease of school property. Provisions include:

- Removes limitations on the ability of a school district to expend the proceeds from the sale or lease of school property to permit a school district to use the proceeds for any M&O or capital outlay expense.
- Reduces the number of school plant funds a district is required to utilize from three to one.
- Removes the requirement for the use of proceeds from the sale of school property for voter-approved school facilities construction, improvement or furnishing projects to be placed in a separate fund.

Status: Passed the Senate 2/25. Transmitted to the House and assigned to House Committees on Education, and Rules.

SB 1323 - school districts; partnerships; school facilities

Removes the provision prohibiting a school district from entering into an agreement "with any party other than a master planned community party". Defines a "master planned community as a land area consisting of at least 320 acres, which may be noncontiguous, that is the subject of a zoning ordinance. Prohibits a school district that receives monies from the new school facilities fund for a school facility from receiving monies from the SFB for the donation of real property.

Status: Introduced.

Child Welfare

HB 2594 –schools; CPR instruction

Requires school districts/charters to provide cardiopulmonary resuscitation (CPR) training to students in seventh or eighth grade.

Status: Introduced 2/5; assigned to House Committees on Education (passed 2/11), and Rules.

HB 2648 - vapor products; marketing; labeling; minors

Classifies the advertising, marketing or packaging of vapor products to minors as a petty offense.

Status: Introduced 2/11; assigned to House Committees on Government & Higher Education, and Rules.

SB 1127 - foster children; educational requirements

Establishes A.R.S. §8-848 to encourage school stability for students in foster care. Sets forth:

- If child’s foster placement changes, directs Dept. of Child Safety to “make arrangements for the child to remain in the same school if this is in the best interests of the child.”
- Sets forth notice requirements for planned placement changes
- If court report is required, DCS will report:
 - The child's recent academic performance.
 - The child's educational goals and objectives and the child's progress in meeting these goals and objectives.
 - The suitability of the person or entity that is legally entitled to make educational decisions on behalf of the child.
- Establishes ARS §15-105 regarding children in foster care; school liaison; graduation requirements.
 - Requires school districts/charter schools to assign an employee to act as a liaison for children in foster care; specific duties set forth.
 - Allows a child in foster care to continue enrollment in that child's current school and to enroll in schools that provide instruction in higher-level grades in the same attendance area for the remainder of the time in which the child is in foster care.
 - Prohibits denial of school enrollment for
 - outstanding monies due to previous school;
 - lack of school uniform
 - lack of academic records, medical records, immunization history or proof of residency.
 - Requires district to allow student’s high school graduation if he/she meets SBE graduation requirements, even if school’s requirements are in addition to or higher than the SBE’s.
 - Permits student to stay in high school until age 22 to meet graduation requirements of that school if those are in addition to or higher than the SBE’s.

Status: Introduced.

SB 1267 - schools; exempt fundraisers

Requires the ADE to provide nutrition standard exemptions to school districts/schools, allowing the sale of foods of minimal nutritional value at fund-raisers during the normal school day.

Status: Passed the Senate 2/19. Transmitted to the House and assigned to House Committees on Education (passed 3/4), and Rules.

SB 1321 - foster child education liaison program [see also SB 1127]

Establishes the Department of Child Safety’s foster child education liaison program to improve the educational outcomes of foster children by coordinating foster child education services among the department, the courts and the schools.

Status: Assigned to Senate Committees on Education; Appropriations, and Rules (2/2).

Empowerment Scholarships

HB 2174 - empowerment scholarship accounts; grandchildren

Expands the definition of *qualifying student* under the Empowerment Scholarship Account (ESA) Program, to include a child who resides with his/her biological or adoptive grandparents more than 50% of the time. Specifies that the grandparents must be designated as primarily responsible for the child in a notarized statement, signed by one or both of the child's biological or adoptive parents.

Status: Passed the House 2/12

HB 2250 - empowerment scholarship accounts; applications

Expands the definition of *qualifying student* under the Empowerment Scholarship Account (ESA) Program to include a student who is the sibling of a first-time ESA recipient and submitted an application during the same application period. Requires the Arizona Department of Education (ADE) to issue ESA's within 45 days of application. Amendment passed on the House Floor includes provisions that:

- Specifies that being a previous scholarship recipient does not qualify a student for an ESA if the student's parents previously failed to comply with Program requirements.
- Qualifies a child for an ESA if the child has attended a program for preschool children with disabilities for fewer than 100 days.
- Defines *vocational and life skills education*.
- Allows a student to use scholarship monies for each of the following:
 - Specified fees.
 - Tuition for vocational and life skills education and associated services that include education.
 - Psychological evaluations, assistive technology rentals and Braille translation services.
- Increases the amount of base support level funding and additional assistance that ADE must transfer to the state Treasurer, from 1% to 2.5% of the 5% retained in the ESA fund for administration.

Status: On third try, the amended bill passed the House Committee of the Whole 3/4

HB 2448 – average daily membership; homeschool pupils

Formerly: technical correction; air pollution; orders

A strike-everything amendment to HB 2448 now requires schools to enroll homeschool students who wish to take elective or core courses at the school if:

- the student lives within the school's attendance area, or
- the student lives outside of the school's attendance area and the school has capacity.

Status: Passed the House 3/3. Transmitted to the Senate and assigned to Senate Committees on Education, and Rules.

SB 1281 – schools; compulsory attendance age; increase

- Raises the mandatory school age to 17 (from 16).
- Requires student custodians to:
 - choose a public, private or charter school or a homeschool as defined in this section to provide instruction, or
 - shall sign a contract to participate in an Arizona empowerment scholarship account pursuant to section 15-2402.
- *Educated pursuant to an empowerment scholarship account* defined as a child whose parent has signed an EPA contract to educate the child outside of any school district/charter and
 - in which the parent may, but is not required to, enroll the child in a private school; or
 - to educate the child through any of the specified methods

Status: Introduced 1/29

SB 1332 – empowerment scholarship accounts; reservation residences

Expands ESA eligibility to include a child who resides within an Indian Reservation.

Status: passed Senate 2/17/15 on a 17-12-1 vote. Transmitted to the House and assigned to the House Committees on Education (passed 3/4 on a 4-2 vote), and Rules.

SB 1434 - empowerment scholarship accounts; open enrollment

Expands eligible students for Empowerment Scholarship Accounts (ESA) to include a child who was previously denied admission to a district school or charter school that is operated within 25 miles of the child's residence within the previous 12 months.

Status: Ready for the Senate Committee of the Whole 2/17

SB 1463 - schools; course providers; accounts; funding

Establishes the Arizona Course Success Accounts Program with provisions including:

Arizona Course Success Accounts

- Requires the ADE to authorize the operation and eligibility of course providers to participate in the program.
- Permits ADE to select up to 1,000 eligible applicants to receive Course Success Accounts (CSA) each fiscal year.
- Requires a parent of an eligible student to sign a written agreement in order for their child to receive a CSA. The parent must agree to:
 - ensure the student receives instruction in at least one of the following: reading, math, social studies and science; and
 - use deposited CSA monies only for certain school related expenses.
- Requires ADE to transfer monies to each Course Success Account equal to 15 percent of base support levels which would otherwise be allocated to recipient's prior school district.

Course Success Account Administration and Rules

Requires ADE

- to determine whether:
 - each proposed course provider is complying with applicable law and rules;
 - a proposal is valid, complete, financially well-structured and educationally sound; and
 - a proposal offers potential for increased learning opportunities.
- to develop a selection process emphasizing:
 - core academic subject offerings;
 - career and technical education course offerings;
 - college credit course offerings; and
 - assurances that each course provider will collaborate with the school district or charter school that a participating student is enrolled in.
- to implement a comprehensive application for course providers that includes:
 - a plan for the administration of state assessments as required by law;
 - the school district or charter school in which the course provider will operate;
 - the proposed course that will be offered and the alignment to the courses by the course provider; and
 - the alignment of the courses offered by the course provider with any type of diploma allowed by state law.
- to maintain a course catalog for all courses offered by a school district or charter school and prescribes specific course numbering requirements.
- to establish a reciprocal instructor certification process for course instructors employed by authorized course providers residing in other states.
- to develop course provider performance expectations and monitor and evaluate course providers based on those performance expectations.

Requires course providers to:

- comply with all state and federal laws, rules and regulations regarding proposed curriculum.
- serve all students including, students with disabilities, English language learners, gifted students and students that are academically behind.
- reflect an understanding of state standards and special education components in the course provider's application and materials.
- maintain financial strength to offer properly staffed and designed courses.

- establish clear standards for measuring and reporting on course performance.
- provide letter grades to students.
- establish a curriculum ensuring all students enrolled are provided that necessary course materials and meet the applicable expectations for high school or college credit.

School districts/charters:

- Are granted flexibility in scheduling course choice options.
- Are required, in administering online courses, to:
 - provide students technical access and instructional and communication hardware;
 - Provide timely and appropriate technical support; and
 - Award credits and grades for the online course assigned by the course provider and instructor without deviations.

Other Provisions:

- Requires ADE to monitor and evaluate the course provider with student achievement as the predominant consideration.
- Requires initial authorization of a course provider to be for three years and SBE to conduct a thorough review of the course provider after the second year.
- Stipulates course providers not meeting performance standards after the thorough review will be put on probation.
- Allows course providers to be renewed for three to five years after a review that includes:
 - demonstrated track record of student success on assessments.
 - demonstrated support of students to achieve rigorous academic results or job placement in targeted occupations.
 - development of a series of thematically linked course offerings that progressively help students achieve personal academic or career goals.

Defines:

- *course provider* as an entity that offers individual courses in person or online, postsecondary education institutions, teachers or groups of teachers with proven track records of successful instruction and businesses and industries that offer vocational or technical coursework.
- *eligible funded student* as any high school student who resides in Arizona and meets one of the following:
 - is attending a school that has been assigned a letter grade of C, D or F;
 - is attending a public school that does not offer the course the student desires to enroll, as determined by SBE; and
 - is an ESA recipient and attends a participating school.

Status: Introduced 2/3 and assigned to Senate Committees on Education (passed on a 4-3 vote 2/12); Appropriations (passed on a 4-2-2 vote 2/24), and Rules.

Miscellaneous Bills

HB 2633 – disclosure; lobbyists; gifts; public officers

Defines *gift* to public employees; clarifies what is not included in definition. Clarifies required public officer/lobbyist disclosure requirements. Revises prohibited lobbyist expenditures for a state officer from “entertainment” to “gift”.

Status: Introduced 2/12 and assigned to House Committees on Elections, and Rules.

HB 2639 - theft; bicycle from school grounds

Adds “a bicycle taken from school grounds” to the list of stolen items valued at less than \$1000 that will be considered a class 6 felony.

Status: Introduced 2/11 and assigned to House Committees on the Judiciary, and Rules.

HB 2574 - ADE; appropriation; geographic literacy

Appropriates \$100,000 in FY 2016 to ADE to issue a grant to a statewide geographic alliance to strengthen geographic literacy.

Status: Introduced 2/3 and assigned to House Committees on the Education (passed 2/18); Appropriations, and Rules.