

Education Bills Defeated - 2015 Legislative Session

Listed numerically by House bills and then by Senate bills.

HOUSE BILLS

HB2079 local bonding; property tax measure (sponsor: Rep. Petersen)

Makes bonds more difficult to pass by requiring the ballot language for bond authorization to describe the bond measure by using the words “property tax measure.” (Current law already requires the phrase “the issuance of these bonds will result in a property tax increase sufficient to pay the annual debt service on bonds,” with this bill applying the additional requirement).

AEA position: OPPOSE

Status: Passed the House 32 ayes – 27 nays (Dems opposed as did Republicans Ackerley, Brophy McGee, Carter and Robson). FAILED in the Senate by a vote of 15 ayes – 13 nays (Dems opposed as did Republicans Dial and Pierce).

HB2152 STOS; luxury tax credits (sponsor: Rep. Olson)

Expands the corporate tax credit to allow new contributions from any entity that has luxury tax liability (winery, microbrewer, craft distiller).

AEA position: OPPOSE - With the STO tax aggregate being \$43 million for the 2015 tax year and growing an astounding 20% each year, the AEA is opposed to expanding this poor fiscal policy idea even further.

Status: AEA had the votes to defeat this bill in the House, and the sponsor (Rep. Olson) did not bring it to a floor vote.

HB2174 empowerment scholarship accounts; grandchildren (sponsor: Rep. Finchem)

Expands eligibility of ESAs to grandchildren being raised by their grandparents.

AEA position: OPPOSE - The AEA has long opposed this private school voucher program—it is unaccountable to the taxpayer and the state (as private schools can exclude students from admittance, private schools don’t have to test students with AZMerit, etc.). It is a direct drain on the state’s General Fund because all dollars for an ESA voucher come directly from the General Fund. Thus, a student transferring from a district school to a charter school is now entirely on the General Fund and the Department of Education is also giving these students 90% of basic state aid + the full charter additional assistance funds (nearly \$2,000 for a high school student) + the small school weight. This leads to even more money going to a private school than the public school would have received. There is general concern that there is continued fraud and abuse occurring with this program because parents are given direct dollars on a state-issued debit card. HB2174 is unnecessary and a continued burden on the General Fund.

Status: FAILED in the House on by a vote of 28 ayes – 32 nays (no’s: the 24 Democrats opposed the bill as did Republicans Ackerley, Brophy McGee, Carter, Cobb, Coleman, Pratt and Robson). The bill’s sponsor, Rep. Finchem, also voted “no” but he did that to be able to bring the bill back for a reconsideration vote. The bill was never brought back for a reconsideration vote, so it is dead for the session.

HB2180 schools; menu of assessments (sponsor: Rep. Boyer)

Directs the State Board of Education to adopt a menu of statewide achievement assessments that include norm-referenced and criterion-referenced tests to measure student achievement of the state academic standards. Permits each school district and charter school to select which assessment to administer from the menu of assessments beginning in school year 2015-2016.

AEA position: Monitor

Status: Passed the House by a vote of 35 ayes – 22 nays (Democrats opposed). Passed the Senate Education Committee by a vote of 4 ayes – 3 nays (Begay, Bradley and Dial). Bill was retained on Senate COW on March 24 and will not move forward this session.

HB2303 school; start and end dates (sponsor: Rep. E. Farnsworth)

Mandates that all district and charter schools start instruction no earlier than the first Monday of September and that the last day of instruction can be no later than June 30. Allows exemptions to accommodate year-round school operation, an educational program offered on the basis of a four-day school week or an alternative kindergarten program offered on the basis of a three-day school week.

AEA position: OPPOSE

Status: Retained on the House COW Calendar on March 2 and not moved forward.

HB2390 schools; expenses; classroom funding (sponsor: Rep. Lawrence)

Requires for fiscal year 2016 – fiscal year 2020 each school district to decrease the amount of monies that the district spent during the previous fiscal year on non-classroom expenses by 2% and use those monies to increase classroom spending by a corresponding amount. (Note, this bill does NOT apply to charter schools.)

AEA position: OPPOSE

Status: Put on the House Appropriations Committee agenda, but never heard.

HB2442 community college expenditure limits; recalculations (sponsor: Rep. Olson)

Reduces the expenditure limit for community colleges based on their October enrolment number.

AEA position: OPPOSE

Status: Retained on the House COW calendar on 3/2 and 3/9 and not moved forward.

HB2446 universities; independent benefits; report (sponsor: Rep. Olson)

The proposed strike-everything amendment to this bill was to give the Arizona Board of Regents the authority to study the benefits of developing and administering independent retirement, health care and risk management programs. The Arizona Board of Regents was then to submit a report on its findings by November 15 and develop proposed legislation on the issue for the 2016 legislative session.

AEA position: Monitor - The AEA monitored this bill because the Arizona Board of Regents wants to move new employees from a defined benefit retirement plan to an optional retirement plan (like a 401k). This move would have an impact on the Arizona State Retirement System (ASRS), so AEA has a vested interest in monitoring all retirement related legislation. The AEA is fine with studying the issue as long as it is a balanced study that looks at both sides as well as the cost to the universities and the ASRS if new employees are not members of ASRS.

Status: The strike-everything amendment was not heard in the House Appropriations Committee because the bill ended up not being assigned to the committee (if the bill is not assigned to

committee, it cannot be heard and voted on in the committee). AEA expects to see this issue again during the 2016 legislative session.

HB2449 per pupil transportation support level (sponsor: Rep. Olson)

Reduces school transportation dollars by repealing the Transportation Revenue Control Limit (TRCL) and eliminating the current Transportation Support Level (TSL) calculation. The new TSL would be calculated by multiplying the school district's student count by the average per-pupil transportation funding for peer school districts prescribed in the most recent school district performance audits by the Auditor General.

AEA position: OPPOSE

Status: Retained on the House COW Calendar on 3/2 and 3/9 and not moved forward.

HB2537 charter schools; teachers; funding (sponsor: Rep. Boyer) Permits charter schools to be eligible for the teacher experience index (TEI) funding and teacher compensation funding.

AEA position: OPPOSE - This bill gives charter schools even more of an unfair advantage in recruiting and retaining teachers. The JLBC Fiscal Note on this bill is a direct hit of \$14.4 million cost to General Fund in the first year. Charter schools already receive these dollars through their charter additional assistance funds (for which they have annually received inflation dollars). We should not pit one public school program over another, and that is exactly what HB2537 does.

Status: AEA had the votes to defeat this bill in the House, and the sponsor (Rep. Boyer) did not bring it to a floor vote even though it was on the House Third Read Vote calendar numerous times.

HB2616 public school credit; equalization assistance(sponsor: Rep. Olson) Changes the public school tax credit program by removing the ability for a taxpayer to get a tax credit for any fees paid for extracurricular programs. Instead, a tax credit will still be granted in the amount of \$200/single and \$400 for married couples paid towards contributions to a public school, but this will be now be put through a formula of \$47.38 multiplied by the district's student count. These monies will then be deducted from a district's equalization assistance.

AEA position: OPPOSE

Status: Retained on the House COW Calendar on 2/26, 3/2 and 3/9 and not moved forward.

SENATE BILLS

SB1120 S/E desegregation costs; forensic audit (sponsor: Sen. Lesko) Prohibits both Tucson Unified and Phoenix Union from spending any monies for desegregation expenses in FY17 until the Auditor General conducts a forensic audit and until the House Appropriations Committee reviews those audit findings. The costs of conducting this audit is to be deducted from the monies these school districts receive for desegregation expenses. The audit findings are to be submitted to the House Appropriations Committee and the committee is to take either or both of these actions: refer any misappropriation of funds to the Attorney General and/or recommend proposed legislation to adjust the desegregation funding for these school districts.

AEA position: OPPOSE

Status: The proposed strike-everything amendment was held after two hours of testimony in the House Appropriation Committee on Wednesday, March 25. This bill is “dead” for the session since it was not moved out of the committee.

SB1125 county school superintendent; qualifications; administrators (sponsor: Sen. Bradley)

Allows a county school superintendent to hold an administrative certificate or a teaching certificate in order to hold office (right now a county school superintendent must hold a teaching certificate).

AEA position: SUPPORT - This bill gives flexibility to those seeking county school superintendent positions so they do not have to maintain an active teaching certificate in addition to their administrative certificate in order to hold office.

Status: Passed the Senate by a vote of 24 ayes – 5 nays (Burgess, D. Farnsworth, Griffin, Smith and Ward). This bill was on the House Education agenda for Wed., March 18, but it was removed and not heard before the deadline to hear bills in House Committee.

SB1131 online charter schools interscholastic activities (sponsor: Sen. Kavanagh)

Requires school districts and charter schools to allow online charter school students to try out for interscholastic activities.

AEA position: OPPOSE

Status: Passed the Senate by a vote of 26 ayes – 3 nays (Cajero-Bedford, Dalessandro and Quezada). FAILED in the House on March 25 by a vote of 19 ayes – 40 nays (“no” votes: House Democrats + Republicans Ackerley, Bowers, Boyer, Campbell, Coleman, Fann, Farnsworth, Kern, Lovas, Mesnard, Mitchell, Norgaard, Pratt, Rivero, Robson, Shope and Weninger).

SB1223 schools; classroom spending; penalty (sponsor: Sen. Smith) Requires that if a school district’s percentage of dollars in the classroom is lower than their peer districts’ average, and if the district declined in percentage spending from the prior year, then the district would be cut in basic state aid \$50 times the district weighted student count.

AEA position: OPPOSE

Status: Passed the Senate Education Committee by a vote of 6 ayes – 3 nays (Allen, Begay and Bradley). The bill was retained in Senate COW on 2/26 and did not move forward.

SB1305 continuous improvement academic standards committee (sponsor: Sen. Ward) This is Superintendent Diane Douglas’ bill that established a committee to annually seek public input on Arizona’s education standards.

AEA position: Monitor

Status: Failed in the Senate by a vote of 12 ayes – 18 nays (the 13 Democrats opposed as did Republicans Dial, Driggs, Pierce, Shooter and Worsley).

SB1340 voted early ballots; delivery (sponsor: Sen. Shooter)

Makes it a Class 5 felony for any individual to return another person’s early ballot unless the individual is an immediate family member or a candidate or candidate’s spouse.

AEA position: Oppose – This bill criminalizes educators who assist voters with getting their early ballot in on time in order to be counted by elections officials. This would infringe on AEA election efforts to get school district bonds and overrides passed.

Status: Failed in the House Elections Committee by a vote of 3 ayes – 3 nays (Carter, Clark and Larkin). [Re-introduced as strike-everything amendment to SB1339.]

SB1371 schools; desegregation expenses; phase-out (sponsor: Sen. Lesko) Phases out desegregation funding over 5 years for schools with existing or previous agreements with the US Department of Office of Civil Rights (OCR) and 10 years for schools with existing or previous court orders of desegregation.

AEA position: OPPOSE

Status: Passed the Senate Finance Committee by a vote of 3 ayes – 2 nays (Farley and Pancrazi). The bill was never moved to Senate COW.

SB1405 schools; financial education; course requirements (sponsor: Sen. Yee)

An unfunded mandate for schools that requires the State Board of Education to prescribe a separate personal finance course as a high school graduation requirement. This course is an addition to any other social studies course requirements (i.e. high school government and economics courses).

AEA position: OPPOSE

Status: Passed the Senate by a vote of 25 ayes – 5 nays (Ableser, Dalessandro, Hobbs, McGuire and Quezada). Failed in the House Education Committee by a vote of 3 ayes – 3 nays (Coleman, Norgaard, and Otondo).

SB1434 empowerment scholarship accounts; open enrollment (sponsor: Sen. Lesko)

Expands ESAs to students who were denied admission to any public school within a 25 mile radius of their home. (Thus, easy loophole to expand the ESA program to all students.)

AEA position: OPPOSE

Status: Passed Senate Education Committee by a vote of 5 ayes – 2 nays (Begay and Bradley). The bill was never moved to Senate COW.

SB1458 schools; academic standards; tests (sponsor: Sen. Ward)

Eliminates the State Board's authority to adopt and prescribe certain K-12 educational functions by requiring each district board and each charter school governing body to adopt, prescribe and implement academic standards, assessments, competency requirements and other K-12 functions.

AEA position: OPPOSE

Status: Failed in the Senate by a vote of 10 ayes – 19 nays (Democrats + Republicans Dial, Driggs, Kavanagh, Lesko, Pierce, Worsley & Yee).

SB1463 schools; course providers; accounts; funding (sponsor: Sen. Ward)

This is the Goldwater Institute's newest voucher proposal. It creates a program called "Arizona Course Success Accounts" and permits 1,000 eligible students each year. The bill requires the ADE to transfer monies into each account equal to 15% of the base support level that the student would have otherwise received.

AEA position: OPPOSE

Status: Passed the Senate Education Committee by a vote of 4 ayes – 3 nays (Allen, Begay & Bradley). Passed the Senate Appropriations Committee on a 4 ayes – 2 nays (Cajero Bedford & Hobbs). The bill was held awaiting the Senate Rules Committee.