

## Education Bills of Interest to AEA Members

### Signed into law by Governor Brewer

- **Pages 2-5: Teacher evaluation and dismissal**
  - HB2500 schools; teacher evaluations; dismissals (Goodale) AEA: Neutral
- **Pages 6 & 7: ELL Task Force to State Board of Education + Common Core transition language**
  - HB2425 ELL task force replacement (Goodale) AEA: Support
- **Page 8: “Extraordinary educators” special license plate**
  - HB2217 extraordinary educators special plates (Dial) AEA: Support
- **Pages 8 & 9: Fingerprint clearance cards**
  - HB2317 fingerprint clearance card; expired use (Farnsworth) AEA: Support
  - HB2441 schools; electronic fingerprinting services (Olson) AEA: Support
- **Page 9: Private school voucher fraud prevention**
  - HB2458 empowerment scholarship accounts; fraud prevention (Boyer) AEA: Support
- **Pages 9 & 10: Isolation rooms**
  - HB2476 schools; isolation rooms; restrictions (Townsend) AEA: Support
- **Page 10: Arizona Department of Education- debit & credit card transactions**
  - HB2071 ADE; operations (Coleman) AEA: Support
- **Pages 10 & 11: Outcome-based school funding**
  - SB1293 schools; pilot; outcome-based funding (Chester Crandell) AEA: Monitor
- **Pages 11 & 12: School health related bill**
  - HB2042 schools; pupils with diabetes (Carter) AEA: Monitor

### On Governor Brewer’s desk awaiting action (already passed the House and Senate)

- **Page 12: Accepting teacher contracts electronically**
  - HB2403 teacher employment contracts; electronic signatures (Carter) AEA: Support

### Still moving through the legislative process

- **Pages 12 & 13: Private school voucher expansion**
  - SB1363 empowerment scholarship accounts; expansion; funding (Murphy) AEA: Oppose
- **Page 13: Exemptions for schools without federal funding**
  - HB2318 schools without federal funding; exemptions (Farnsworth) AEA: Oppose
- **Pages 13 & 14: High school personal finance course**
  - SB1449 schools; graduation; personal finance (Yee) AEA: Neutral
- **Pages 14 & 15: School employees—carrying guns in schools**
  - SB1325 concealed firearms; schools; authorization requirements (Rich Crandall) AEA: Oppose
- **Page 15: School health related bills**
  - SB1337 schools; CPR training (McGuire) AEA: Monitor
  - SB1421 school personnel; emergency epinephrine administration (Lopez) AEA: Monitor

### Bill is dead, but the issue may be part of budget negotiations

- **Pages 15 - 17: Governor Brewer’s performance based funding proposal**
  - SB1444 schools; performance funding (Yee) AEA: Oppose
- **Pages 17 & 18: Kindergarten funding and school district overrides**
  - HB2237 overrides; RCL; kindergarten pupils (Stevens) AEA: Support

## TEACHER EVALUATION & DISMISSAL

### HB2500 schools; teacher evaluations; dismissals

**Sponsor:** Representative Doris Goodale

**Background:**

HB2500 was brought forward by the Arizona School Board Association (ASBA) from their school district attorney group. It was introduced and said to be a “clean up” bill related to the comprehensive teacher and principal evaluation bill that was passed during the 2012 legislative session (HB2823). The AEA believes this is a much more substantive bill with major policy changes on teacher evaluations, improvement time periods, and teacher dismissal processes. Accordingly, the AEA intervened on this bill on behalf of our members’ interests.

**Bill summary as signed by Governor Brewer on April 29, 2013:**

*Probationary Teachers*

- Defines a “probationary teacher” as a certificated teacher who is not a continuing teacher.
  - Though common to hear references to a “probationary” or “continuing” teacher at a school district level, these terms were never referenced in Arizona statute. HB2500 places the term “probationary” (those who have taught under three years) and “continuing” (those who have taught over three years) into state law.
- Removes the new “fourth” year probationary status allowance that was passed last legislative session in HB2823. This permitted a school district to extend probationary status to a fourth year for teachers if they were ranked in one of the two lowest performance classifications.
  - The AEA is okay with removing this language because it confuses the issue of when a teacher gains “continuing” status.
- Requires that a notice of inadequacy must be given to the teacher so he/she can correct the inadequacies and “maintain adequate classroom performance as defined by the governing board.” The current requirement is for a teacher in this situation to correct the inadequacies and “overcome the grounds for such charge.”
  - The AEA attempted to keep the current statutory language that requires the teacher in these situations to correct the inadequacies and “overcome the grounds for such charge.” The argument made by the Arizona School Board Association is that teachers should be maintaining adequate classroom performance across the board and not be able to fall below in other areas even if he/she “fixed” the original deficiency. In the end, it will be dependent on local governing board policy to set the definition of “maintaining adequate classroom performance.”
- Removes the current January 15 deadline in which probationary teachers must be notified of nonrenewal if related to inadequate classroom performance.
  - With the removal of this January 15 date, the AEA obtained language in another part of this bill to make sure that a probationary teacher is notified and afforded a full 45 instructional days of improvement time before they can be non-renewed for inadequate classroom performance.

*Continuing Teachers*

- Requires a teacher who is currently a continuing teacher but who has been designated after an evaluation in the lowest performance classification (“ineffective”) for the current school year to become a probationary teacher for the subsequent school year. This teacher shall remain a probationary teacher until his/her performance classification is designated in either of the two highest performance classifications (“highly effective” or “effective”).
  - The AEA was successful in amending language out of HB2500 that would have immediately removed due process for any continuing teacher who was given a “developing” or “ineffective” classification after a full evaluation (which includes a minimum of two observations). The prior language would have permitted a district to immediately classify for the current year a continuing teacher labeled “ineffective” as probationary and nonrenewed that teacher without a hearing. The language in HB2500 as signed by Governor Brewer, retains due process for a continuing teacher rated “ineffective” for the current school year. A district may offer a contract to a teacher in this situation,

but the next school year this teacher will be “probationary” until his/her evaluation designates them as effective or highly effective.

- Defines “continuing teacher” as a certificated teacher who has been and is currently employed by the school district for the major portion of three consecutive school years and who has not been designated in the lowest performance classification for the previous school year.

#### Performance Improvement Time

- Reduces the performance improvement time to 45 instructional days for both a probationary and a continuing teacher.
  - Current law allows 90 calendar days for a probationary teacher and 60 instructional days for a continuing teacher. The original form of HB2500 severely reduced the improvement time for both classifications of teachers to only 60 calendar days. The AEA was able to get the improvement time set to 45 instructional days for all teachers so that teachers in these situations have a full 9 weeks of classroom time to address any deficiencies. The importance of maintaining “instructional days” in state law is so that a teacher cannot lose improvement time if put on a performance plan immediately prior to a holiday/school break.

#### Dismissal for Inadequacy of Classroom Performance

- Clarifies that a school district cannot issue a notice of a governing board’s intention to dismiss or not to reemploy for inadequacy of classroom performance until the district has completed an observation at the conclusion of a performance improvement plan.
  - This was language AEA inserted into the bill to ensure that a teacher receives the full 45 instructional day allowance for improvement time before a notice is issued.
- Increases from 5 to 10 school days the amount of time that a report must go to the school board when an employee has been issued a preliminary notice of inadequate classroom performance.
- Requires the preliminary notice of inadequacy of classroom performance to be accompanied by a performance improvement plan designed to help the teacher correct inadequacies and demonstrate adequate classroom performance.
- Requires the governing board to adopt a definition of inadequacy of classroom performance that aligns with the performance classifications. The board’s definition may set standards that exceed the standards of the performance classifications adopted at the state level. This creation of the definition of “inadequacy of classroom performance” is to be done in consultation with the district’s certificated teachers. This consultation may be accomplished by holding a public hearing, forming an advisory committee or providing teachers the opportunity to respond to a proposed definition.
  - This language involving teachers in this discussion at the local level is critical. Much of the real work on how evaluations are to be conducted will be largely decided by the governing board. The inclusion of this language permits teachers, led by their local association, with a voice in these standards and processes.

#### Observations

- Permits a preliminary notice of inadequacy of classroom performance to be issued after one observation. The last observation may be used to determine whether the teacher has corrected inadequacies and has demonstrated adequate classroom performance.
- Prohibits an observation from being conducted within two instructional days of any scheduled period in which school is not in session for one week or more.
- Allows the governing board to waive the second observation for a continuing teacher if the first observation ranked the teacher in one of the two highest performance classifications. Teachers maintain the right to request the second observation if they so choose.
  - The AEA supports this language because it allows a choice by teachers if they want the currently required second observation if the teacher is given a classification of “highly effective” or “effective” after their first observation. Much time is used by the teacher to prepare for the observation process through the pre-conference with the evaluator, the actual observation, and the post-conference. AEA

supports the right of teachers to choose to only have one observation annually if they are in the two highest performance classifications.

#### Evaluations

- Clarifies that a governing board is required to establish an evaluation system that results in at least one evaluation of each certificated teacher by a qualified evaluator each school year.
- Permits the results of the evaluation to be provided to the teacher in an electronic format.
- Stipulates that a school district or charter school that receives information about a certificated teacher from the evaluation report and performance classification can solely use the information for employment purposes and cannot release to or allow access to the information by any other person, entity, school district or charter school.
  - The AEA supports this language because it protects against further dissemination of evaluation data.

#### Governing Board Policies

- Requires the governing board to adopt procedures specifying that preliminary notice of inadequacy of classroom performance be issued no later than the second consecutive year that the teacher is designated in one of the two lowest performance classifications. The exception to this is if the teacher is in the first or second year of employment with the district or has been reassigned to teach a new subject or grade level for the preceding or current school year.
  - The original version of HB2500 regarded teachers in the two lowest performance classifications (“developing” or “ineffective”) as inadequate. The AEA believes that a “developing” classification is not by definition negative and succeeded in amending the bill to include the exceptions described above.
- Requires a governing board to prescribe training requirements for qualified evaluators.
- Requires the governing board to identify the appropriate use of quantitative data of student academic progress in evaluations of all certified teachers.
  - The plan may make distinctions between certificated teachers who provide direct instruction to students and those who do not.
  - The plan may include data for multiple school years and may limit the use of data for certificated teacher who have taught for less than two complete school years.

#### Definitions

- Defines “inadequacy of classroom performance” as that which is adopted by the governing board pursuant to state law in A.R.S. 15-538.
- Defines “performance classifications” as the four performance classifications adopted by the State Board of Education. (The classifications are highly effective, effective, developing and ineffective.)
- Defines “qualified evaluator” as a school principal or other person who is trained to evaluate teachers and who is designated by the governing board to evaluate the district’s certificated teachers.

#### Effective Date

- The provisions of this legislation apply from and after June 30, 2013.

#### **AEA position: NEUTRAL**

HB2500 was introduced by Representative Goodale at the request of a school attorney group from the Arizona School Board Association (ASBA). The AEA worked with Representative Goodale, her legislative staff, and the ASBA and Arizona School Administrators (ASA) to make changes to the bill as introduced.

Three of the most significant changes that AEA was successful in making are:

- Removing teachers classified as “developing” from the dismissal components of the bill. As introduced, a teacher classified as “ineffective” or “developing” were both considered inadequate. The AEA and ASA (administrators) worked hard to remove “developing” teachers from the potential punitive implications of HB2500.
- Ensuring that a continuing status teacher retains due process in the school year in which they are deemed “ineffective” through an evaluation process. A previous version of this bill put a continuing teacher labeled “ineffective” immediately on a probationary contract which means they could be dismissed

without due process. AEA's concern was that a teacher could be "railroaded" in a single year by an evaluator simply because there was a personality conflict. The AEA worked hard to ensure a continuing teacher could be changed to probationary status in the next school year only after an evaluation ranked them "ineffective," thus ensuring a continuing teacher could not be dismissed without due process.

- Providing 45 instructional days for improvement time. As introduced the bill changed the improvement time to 60 calendar days which could have allowed a district to put a teacher on an improvement plan and start the 60 day time period over a long school break (like an extended winter break). AEA was successful in changing the 60 calendar days of improvement time to 45 instructional days so that a teacher has a full 9 weeks of class time when put on an improvement plan.

The fact that the AEA was able to successfully negotiate these three major changes to a bill that was originally so detrimental to teachers' rights and professionalism is a significant victory in light of the current political climate. During the negotiations various individuals with considerable political influence sought to add additional provisions that would have significantly harmed teachers' due process rights, lessened improvement time periods and reduced continuing teachers' rights to a hearing. AEA weighed the potential harm of these changes to our members, and accordingly agreed to remain neutral if all attempts to add other harmful provisions stopped. The AEA also negotiated in good faith with the bill's sponsor Representative Goodale to make the significant improvements outlined above.

The AEA remains concerned that those furthest from the classroom continue to push for changes to teacher evaluation policies before school districts have had a chance to complete or test a new evaluation system. The AEA is vested in teaching as an esteemed profession and recognizes that our teachers work each and every day to do the best job they can in their classrooms. In the future the AEA hopes that legislators focus on real issues like adequately funding our schools and giving teachers the support they need to provide a quality public education for every child.

The AEA firmly believes every student deserves a caring and quality teacher in the classroom. AEA also believes that teachers need to be given the tools and resources to be effective in the classroom. All public school employees must be evaluated fairly and accurately. This means school districts and administrators should work with their teachers to help them improve on a timely basis. The AEA stands ready to work with our local associations and members to bring evaluation policies in line with the changes in HB2500.

**Bill status:**

Passed the House on February 28 by a vote of 50 ayes – 7 nays – 3 absent (voting no: Alston, Dalessandro, Gabaldon, Larkin, McCune Davis, Mendez & Seel; absent: Gonzales, Pratt & Quezada). The bill FAILED in the Senate on April 4 by a vote of 14 ayes – 15 nays – 1 absent (voting no: Ableser, Bradley, Burges, Cajero Bedford, Farley, Gallardo, Hobbs, Jackson, Landrum Taylor, Lopez, McComish, McGuire, Meza, Pancrazi & Tovar; absent: Rich Crandall). Senator McComish made a motion on April 8 to reconsider the bill in the Senate. The Senate voted for a second time on HB2500 on April 16 and passed it on reconsideration by a vote of 19 ayes – 11 nays (voting no: Ableser, Bradley, Cajero Bedford, Farley, Gallardo, Hobbs, Jackson, Landrum Taylor, Lopez, Pancrazi & Tovar). The bill was transmitted to Governor Brewer on April 25. Governor Brewer signed HB2500 on April 29, 2013.

**ELL TASK FORCE TO STATE BOARD OF EDUCATION + COMMON CORE TRANSITION LANGUAGE****HB2425 ELL task force replacement**

Sponsor: Representative Goodale

Background on ELL Task Force:

Legislation passed in 2006 established the 9-member English Language Learner Task Force in order to develop, adopt and review research-based structured English immersion (SEI) models for use by school districts and charter schools. Statute specifies that the Task Force must consist of three members appointed by the Superintendent of Public Instruction, two members appointed by the Governor, two members appointed by the Senate President and two members appointed by the House Speaker.

Background on Common Core:

- Arizona law requires the State Board of Education (SBE) to implement the Arizona Instrument to Measure Standards test (AIMS) as well as a statewide, nationally standardized norm-referenced achievement test (NRT). AIMS measures student proficiency of the Arizona Academic Content Standards in reading, writing, math and science and includes test items for NRT, which compares a student's knowledge against students nationwide. In 1996, the SBE began implementation of AIMS and designated grades three through eight and grade ten to be assessed through AIMS. Students in grade 10 or higher may retake AIMS once every fall and spring semester, as needed, until graduation. In order to graduate from high school, a student must pass all sections of AIMS.
- The Common Core State Standards were developed to provide a framework for core academic subjects that will prepare students for college and job opportunities after graduation from high school. Currently, 46 states have adopted some version of the standards. The SBE adopted Arizona's Common Core Standards (ACCS) on June 28, 2010 and will begin implementing ACCS in the end-of-course PARCC assessment that will be used to assess students' knowledge of the new standards in English language arts and math. PARCC, specifically, is an acronym for the Partnership for Assessment of Readiness for College and Career and is also used when referring to the PARCC assessment of ACCS that will be replacing AIMS.
- On December 14, 2012 the SBE voted for and approved a plan to transition from AIMS to PARCC. This bill contains the necessary statutory changes to allow the SBE to begin the transition.

Bill summary:

- Eliminates the Arizona English Language Learners Task Force and directs the State Board of Education to take over its statutory authority, powers, duties and responsibilities.
- The Common Core transition language was also added to this bill. It does two main things:
  - Removes the requirement that the State Board of Education adopt competency tests for high school graduation.
  - Repeals the requirement that the State Board of Education adopt and implement a nationally standardized norm-referenced achievement test.

These changes will allow the State Board of Education to incorporate PARCC (Partnership for Assessment of Readiness for College and Career) test results in the minimum course of study and competency requirements for high school graduation. Please see the chart on the next page to see the AIMS to PARCC transition schedule.

AEA position: SUPPORT

Since the adoption of 4-hour ELL model, this ELL Task Force has not met much. The AEA believes that transferring authority and responsibility to the State Board of Education may open up additional possibilities for alternative ELL models to be adopted. This bill was amended in the Senate to include the necessary language the State Board of Education needs to continue the Common Core implementation. The AEA is also supportive of this language.

Bill status: Passed the Senate on March 21 by a vote of 29 ayes – 0 nays – 1 absent (absent: Pancrazi). Passed the House on March 26 by a vote of 41 ayes – 17 nays – 2 absent (voted no: Barton, Fann, Farnsworth, Gowan, Kavanagh, Kwasman, Lesko, Livingston, Lovas, Montenegro, Olson, Petersen, Seel, Smith, Townsend, Stevens & Ugenti; absent: Mitchell & J. Pierce). HB2425 was signed by Governor Brewer on March 28.

Additional details on the AIMS to new assessment (most likely PARCC) transition can be found on the next page.

**AIMS to New Assessments (likely PARCC) Transition Schedule**

	2013	2014	2015	2016	2017
<b>3-8th</b>	Stanford 10 & AIMS	Stanford 10 & AIMS	new assessments	new assessments	new assessments
<b>9th</b>	Stanford 10	Stanford 10	new assessments	new assessments	new assessments
<b>10th</b>	AIMS	AIMS	new assessments	new assessments	new assessments
<b>11th</b>	Retesting only for those who have failed to pass AIMS	Retesting only for those who have failed to pass AIMS	Retesting only for those who have failed to pass AIMS and/or new assessments	new assessments	new assessments
<b>12th</b>	Retesting only for those who have failed to pass AIMS	Retesting only for those who have failed to pass AIMS	Retesting only for those who have failed to pass AIMS	Retesting only for those who have failed to pass AIMS and/or new assessments	new assessments

The State Board of Education adopted the transition plan during their December 2012 meeting. Students currently in 9<sup>th</sup> grade—the class of 2016—will be the last class required to pass the current high-stakes AIMS test in order to graduate from high school. This means this year’s high school freshmen will take AIMS next year in its last regular administration to 10<sup>th</sup> graders, and only retakes will be available to students through 2016. In other grades, the Stanford 10 and/or AIMS will continue to be administered through spring 2014.

The State Board of Education’s transition plan calls for new assessments to be administered in grades 3 through 10 starting spring 2015 (expanding additionally to 11<sup>th</sup> grade in spring 2016). This means this year’s 8<sup>th</sup> graders (class of 2017) will be the first class not required to meet or exceed on AIMS in order to graduate, but they will take the new assessments—intended to be included in their end of course grades.

- **2013:** 3<sup>rd</sup>-8<sup>th</sup> grades AIMS and Stanford 10 are integrated in a single administration. Current 10th graders take AIMS.
- **2014:** 3<sup>rd</sup>-8<sup>th</sup> grades AIMS and Stanford 10 are integrated in a single administration. Final class of 10th graders take AIMS.
- **2015:** New assessment implementation in grades 3-10. Scores will be unavailable for use in high school course grades. AIMS or equivalent score on the new assessment required for graduation.
- **2016:** New assessment implementation in grades 3-11. Scores may be available for use in high school course grades in 2016 and after (if available, new assessment is xx% of high school course grades). AIMS or equivalent score on the new assessment required for graduation.
- **2017:** New assessment fully implemented. New assessment is xx% of high school course grades.

**“EXTRAORDINARY EDUCATORS” SPECIAL LICENSE PLATE****HB2217 extraordinary educators special plates**

Sponsor: Representative Dial

Summary:

- Establishes an “extraordinary educators” special license plate. This plate can be purchased for \$25 (\$17 of which is designated to this new “Extraordinary Educators Special Plates Fund,” and \$8 of which is used by the Arizona Department of Transportation for administrative purposes).
- A private entity must raise \$32,000 by December 31, 2016 in order to establish this plate. Once that money is raised, that entity is charged with establishing a process, including working with county school superintendents, to distribute the monies to public educators who propose extraordinary activities, projects or lessons for K-8 students.

AEA position: SUPPORT

Bill status: Passed the House on March 4 by a vote of 50 ayes - 6 nays – 4 absent (voted no: Mach, McCune Davis, Mendez, Meyer, Quezada & Seel; absent: Campbell, Hale, Livingston & Peshlakai). Passed the Senate on April 17 by a vote of 27 ayes – 1 nay – 2 absent (voted no: Cajero Bedford; absent: R. Crandall & S. Pierce). HB2217 was signed by Governor Brewer on April 29, 2013.

**FINGERPRINT CLEARANCE CARDS****HB2317 fingerprint clearance card; expired use**

Sponsor: Representative Farnsworth

Summary:

- Authorizes the use of expired fingerprint clearance cards with a signed affidavit from the holder of the card stating that:
  - The individual submitted a completed application for a new fingerprint clearance card within 90 days before the expiration date on the individual’s current fingerprint clearance card; and
  - The individual is not awaiting trial on and has not been convicted of a criminal offense that would make the individual ineligible for a fingerprint clearance card.
- Excludes individuals who own fingerprint clearance cards that have been denied, suspended or revoked or a person who has requested a good cause exception hearing.
- Contains an emergency clause (which means the bill takes effect upon the Governor’s signature which occurred on March 21).

AEA position: SUPPORT

This bill will help school employees because there is a “backlog” issue when an individual applies for their fingerprint clearance card (or renewal) and the Department of Public Safety and Board of Fingerprinting get behind in processing the paperwork. Representative Farnsworth’s bill will allow those whose card has expired to continue to be deemed to have a valid card as long as the person has applied for a new card within 90 days prior to the expiration of the card. The person must also not have been convicted of a criminal offense that would make them ineligible for the card.

Bill status: Passed the House on February 18 by a vote of 50 ayes - 8 nays – 2 absent (voted no: Campbell, Dalessandro, Gabaldon, Gonzales, Hernandez, Larkin, McCune Davis and Peshlakai; absent: Carter & Stevens). Passed the Senate on March 11 by a vote of 28 ayes – 0 nays – 2 absent (absent: R. Crandall & Reagan). HB2317 was signed by Governor Brewer on March 21.

**HB2441 schools; electronic fingerprinting services**

Sponsor: Representative Olson

Summary:

- Allows the Fingerprinting Division of the Department of Public Safety (DPS) to contract with an entity to provide electronic or internet-based fingerprinting services, including identity-verified fingerprints.

AEA position: SUPPORT

This will allow for additional new fingerprint centers across the state for teachers and school employees to have greater convenience when attaining their identity-verified fingerprints.

Bill status: Passed the Senate on April 10 by a vote of 27 ayes – 0 nays – 3 absent (absent: Barto, Gallardo & Jackson). Passed the House on April 30 by a vote of 59 ayes - 0 nays – 1 absent (absent: Montenegro). HB2441 was signed by Governor Brewer on May 2.

## PRIVATE SCHOOL VOUCHER FRAUD PREVENTION

### HB2458 empowerment scholarship accounts; fraud prevention

Sponsor: Representative Boyer

Background:

Legislation passed in 2011 prescribed rules and requirements for Arizona’s private school voucher program—called the Empowerment Scholarship Accounts (ESA)—pertaining to certain special education students. The Arizona Department of Education is required to deposit monies into each ESA equal to 90% of the base support level funding that would otherwise be allocated to the student’s prior school district.

Summary:

Outlines fraud prevention policies for the Arizona Department of Education (ADE) regarding Empowerment Scholarship Accounts (ESAs).

- Requires the Arizona Department of Education (ADE) to conduct or contract for annual audits of all ESAs, rather than only a random sample of ESAs.
- Requires ADE to conduct or contract for random, quarterly and annual audits of ESAs as needed to ensure compliance with ESA requirements.
- Specifies that ADE can remove any parent or qualified student from ESA eligibility for knowingly misusing funds or knowingly failing to comply with an ESA contract with intent to defraud. A parent or qualified student can also be removed if they fail to comply with the terms of the contract, applicably laws, rules or orders.
- Allows ADE to adopt rules and policies regarding ESAs for:
  - conducting or contracting for examinations of the use of ESA monies;
  - conducting or contracting for random, quarterly and annual reviews of ESAs;
  - establishing or contracting for the establishment of an online anonymous fraud reporting service;
  - establishing an anonymous telephone hotline for fraud reporting; and
  - requiring surety bonds or insurance for ESA holders.
- Allows ESA monies to be contributed to a Coverdell Education Savings Account rather than a 529 Plan, provided that monies used for elementary or secondary education expenses are used for ESA eligible expenses.
- Allows ESA monies to be used for ADE required insurance or surety bond payments.

AEA position: SUPPORT

The AEA remains opposed to these private school vouchers (Empowerment Scholarship Accounts), but we see this bill as a step in the right direction to crack down on fraudulent activity.

Bill status: Passed the Senate on April 23 by a vote of 28 ayes - 0 nays – 2 absent (absent: Jackson & S. Pierce). Passed the House on April 30 by a vote of 59 ayes - 0 nays – 1 absent (absent: Montenegro). HB2458 was signed by Governor Brewer on May 2.

## ISOLATION ROOMS

### HB2476 schools; isolation rooms; restrictions

Sponsor: Representative Townsend

Background:

Representative Townsend introduced this bill as a result a lawsuit in the Deer Valley Unified School District that concerns the use of these rooms.

Summary:

- Requires, beginning in the 2013-2014 school year, school boards to prescribe policies within their required disciplinary rules for the confinement of pupils left alone in an enclosed space, including the following:
  - a process for prior written parental notification that confinement may be used for disciplinary purposes that is included in the pupil's enrollment or admission information; and
  - a process for prior written parental consent before confinement is allowed for any pupil in the school district.
- Requires that the policies regarding prior written parental consent before the allowing of confinement to provide for an exemption to the prior written parental consent if a school principal or teacher determines that the pupil poses imminent physical harm to self or others and requires the school principal or teacher to make reasonable attempts to notify the pupil's parent or guardian in writing by the end of the same day that confinement was used.
- Contains an emergency clause (which means it goes into effect immediately upon the Governor's signature). Governor Brewer signed the bill on April 3, so the provisions are now currently law.

AEA position: SUPPORT

Bill status: Passed the Senate on March 21 by a vote of 29 ayes – 0 nays – 1 absent (absent: Pancrazi). Passed the House on March 28 by a vote of 58 ayes - 0 nays – 2 absent (absent: Goodale & Quezada). HB2476 was signed by Governor Brewer on April 3.

## ARIZONA DEPARTMENT OF EDUCATION—DEBIT & CREDIT CARD TRANSACTIONS

### HB2071 ADE; operations

Sponsor: Representative Coleman

Summary:

- Allows the Arizona Department of Education (ADE) to impose a convenience fee for certain electronic transactions.

AEA position: SUPPORT

This allows the ADE to allow payment options of debit/credit cards when handling matters at the certification counter. Currently, the ADE does not allow payment by debit or credit cards because they cannot afford to absorb the fees associated with those payment options. Thus, certificated employees are left to pay certification matters by money order or check. The ADE will soon implement a new policy of not allowing payment by check because they had over \$11,000 in bad checks written last year alone. This bill provides a convenience option for our certificated employees as many do not bring checks or money orders with them to the ADE and expect to be able to pay by debit or credit card.

Bill status: Passed the House on February 14 by a vote of 58 ayes - 0 nays – 2 absent (absent: Campbell & Hale). Passed the Senate on March 20 by a vote of 28 ayes – 0 nays – 2 absent (absent: Landrum Taylor & Pancrazi). HB2071 was signed by Governor Brewer on March 26.

## OUTCOME-BASED SCHOOL FUNDING

### SB1293 schools; pilot; outcome-based funding

Sponsor: Senator Chester Crandell

Summary:

- Requires the State Board of Education (SBE) to establish a competitive application process for a 4-year simulated pilot program for outcome-based funding of schools.
  - By October 31, 2013 the SBE shall solicit a request for information regarding the appropriate assessment instruments that may be used to implement the simulated pilot program, which shall include cost estimates and proposed timetables for implementation. The results shall be reported to the Senate President and House Speaker by January 1, 2014.
- School districts and charter schools must submit applications to the SBE in order to participate in the simulated pilot program by January 1 of each year. Applicants shall indicate which schools and grade levels will participate in the pilot program.

- Requires by March 1 of each year for the SBE to select the school districts and charter schools that will participate in the simulated pilot program during that school year. Simulated pilot program participants shall consist of up to: 5 school districts each year, at least one of which provides online instruction and 5 charter schools each year, at least one of which offers full-time Arizona online instruction.
- Requires the Arizona Department of Education (ADE) to conduct an estimated analysis of the simulated funding that school districts and charter schools that are selected to participate in the simulated pilot program would have received if the school funding formula were to be modified in the following manner:
  - \$6,500 for each K-8 student and \$7,500 for each high school student.
  - The school districts and charter schools would receive 50% of the per pupil simulated funding according to monthly apportionment schedules prescribed by the SBE and would receive the remaining 50% on the successful demonstration of outcomes.
  - The SBE would distribute an additional \$250 to school districts and charter schools that participate in the simulated pilot program for each participating pupil who obtains a grade of 3.0 on a four point grading scale in a dual enrollment or concurrent enrollment mathematics or science course.
- Requires each pupil in the simulated pilot program to be administered an examination to determine the pupil's baseline academic level that would be used for outcome-based funding.
- Requires Arizona's public universities to assist in a number of tasks one of which is to provide instruction on outcome-based instructional strategies and competency-based instructional strategies for prospective teachers enrolled in colleges of education.
- Requires, beginning November 15, 2015, the SBE to submit to the governor, the Senate President and the House Speaker an annual report that summarizes the results of the simulated pilot program.
- States that the 4-year simulated pilot program is intended to begin in school year 2014-2015, but the SBE may delay the implementation of the pilot program until required assessments are developed to sufficiently measure outcomes.
- Repeals the pilot program on September 15, 2020.

AEA position: MONITOR

With this legislation the bill's sponsor, Senator Chester Crandell, is implementing a pilot program to study the practice of moving school funding from "seat time" to "outcomes-based." The AEA did not take a position on this bill because it is a financial "simulation" only.

Bill status: Passed the Senate on March 6 by a vote of 16 ayes - 12 nays – 2 absent (the Senate Republicans supported the bill, and the Senate Democrats voted no; absent: Pancrazi & Reagan). Passed the House on April 3 by a vote of 36 ayes – 24 nays (the House Republicans supported the bill, and the House Democrats voted no). SB1293 was signed by Governor Brewer on April 11, 2013.

## **SCHOOL HEALTH RELATED BILL**

### **HB042 schools; pupils with diabetes**

Sponsor: Representative Carter

Summary:

HB 2042 allows "voluntary diabetes care assistants" to administer insulin in addition to glucagon, assist the student with self-administration of insulin in an emergency situation or perform any combination of these actions under certain conditions.

- Requires, if a school district or charter school governing board has adopted policies and procedures relating to diabetes management, the policies and procedures must include a requirement that any medication administration services specified in the child's diabetes medical management plan must be provided.
- Adds nurses to the health professionals that can train voluntary diabetes care assistants.
- Allows voluntary diabetes care assistants to administer insulin in addition, to glucagon, assist the pupil with self-administration of insulin in an emergency situation or perform any combination of these actions under certain conditions.

- States that if the voluntary diabetes care assistant is authorized to either administer glucagon or insulin the parent or guardian must provide the glucagon or insulin along with all equipment and supplies necessary for insulin administration.

AEA position: MONITOR

Bill status: Passed the House on March 5 by a vote of 55 ayes – 2 nays – 3 absent (voted no: Farnsworth & Seel; absent: Campbell, Fann & Ugenti). Passed the Senate on April 9 by a vote of 29 ayes – 1 nay (voted no: Biggs). HB2042 was signed by Governor Brewer on April 11, 2013.

## **ACCEPTING TEACHER CONTRACTS ELECTRONICALLY**

### **HB2403 teacher employment contracts; electronic signatures**

Sponsor: Representative Carter

Summary:

- Permits school boards to transmit and receive contracts of certified employees in an electronic format and to accept electronic signatures on those contracts.
- School districts are required to email the contract to both a teacher’s personal and work email if the contract is issued after the school year ends. The certificated employee is responsible for providing his or her personal email to human resources personnel for this purpose.
- Districts must implement an electronic verification to the teacher once their contract has been successfully received by the district.

AEA position: SUPPORT

This bill permits certified employees to accept their contract electronically. This can be a convenience factor for both the employee and the district (the teacher can still print out a copy of the contract they receive).

Bill status: Passed the Senate on April 23 by a vote of 28 ayes – 0 nays – 2 absent (absent: Jackson & S. Pierce). Passed the House on May 2 by a vote of 57 ayes - 1 nays – 2 absent (voted no: Olson; absent: Gallego & Hale). Transmitted to Governor Brewer on May 2 (awaiting her action on the bill).

## **PRIVATE SCHOOL VOUCHER EXPANSION**

### **SB1363 empowerment scholarship accounts; expansion; funding**

Sponsor: Senator Murphy

Background:

During the 2011 legislative session, the Arizona Legislature passed a statewide private school voucher program called the “Empowerment Scholarship Accounts.” The program was at first restricted to going to only special education students. Then during the 2012 legislative session the program was expanded to include not only special education students, but also students attending a school or district with a letter grade of D or F, students with a parent or guardian in the armed forces and on active duty, and a child who is a ward of the court (foster kids). The Arizona Department of Education (ADE) is required to deposit monies to each Empowerment Scholarship Account equal to 90% of the base support level funding that would otherwise be allocated for that student. The parent of that student can then use those monies towards private school tuition costs and other education-related expenses.

Summary:

- Expands the state’s current private school voucher program so that it will receive even more state funding than it currently does. Right now the amount per student is 90% of the base support funding level. SB1363 increases this amount to also include “additional assistance” funding for that student if they had previously attended a charter school. This increases the funding for each of these private school vouchers by \$1,600 per student.
- The bill also expands the definition of “qualified student” for the voucher to include a child who is currently eligible to attend a kindergarten program. (This means that parents who always intended to educate their child through the private school system will forever have a private school voucher to help pay the cost of the tuition and fees courtesy of the Arizona taxpayers.)

AEA position: OPPOSE

The AEA has long opposed private school voucher schemes. Opening this program to allow kindergarten students who may have never enrolled in public schools to immediately start receiving these funds, will be a net loss to the state over the student's entire K-12 education. The AEA strongly believes these dollars are better invested in public education where there are multiple accountability measures in place which help to ensure that taxpayer dollars are being properly spent.

Bill status: Passed the Senate on March 26 by a vote of 17 ayes – 10 nays – 3 absent (voting no: Cajero Bedford, Farley, Gallardo, Hobbs, Jackson, Landrum Taylor, Lopez, Meza, Pancrazi & Tovar; absent: Ableser, Bradley & R. Crandall). Passed the House Appropriations Committee on March 27 by a vote of 7 ayes – 4 nays (voting no: Alston, Campbell, Mach & Sherwood). The bill goes to House COW (Committee of the Whole) next.

**EXEMPTIONS FOR SCHOOLS WITHOUT FEDERAL FUNDING****HB2318 schools without federal funding; exemptions**

Sponsor: Representative Farnsworth

Summary:

- Exempts charter schools and district schools, that do not accept federal funding under the Elementary and Secondary Education Act (ESEA), from federal rules, regulations and statutes or state rules, regulations and statutes funded by federal appropriations, including academic standards, state or federal assessments, teacher and principal evaluation requirements and student and course tracking systems.
- Requires charter schools and district schools that do not accept federal funding under ESEA to still abide by all rules, regulations and statutes dealing with health, safety, civil rights and insurance.
- Directs charter schools and district schools that do not accept federal funding under ESEA to submit a letter to the Superintendent of Public Instruction requesting an exemption and include financial records from the school's financial institution or from the school's annual audit that document that the school does not receive federal education funding.

AEA position: OPPOSE

The AEA is concerned that this bill could put Arizona out of compliance with federal funding if a few schools are allowed to opt out of federal regulations. This would then jeopardize federal funding for all our schools. AEA is also concerned that this bill will permit certain school districts and charter schools to operate significantly different as it relates to student academic standards and evaluation requirements. [There are approximately 130 school districts and charter schools that receive no federal funding.]

Bill status: Passed the House on March 7 by a vote of 36 ayes - 23 nays – 1 absent (vote detail: The Republicans supported the bill, and the Democrats opposed it. Absent: Miranda). Passed the Senate Education Committee amended on March 21 by a vote of 6 ayes – 3 nays (voted no: Bradley, Jackson & Landrum Taylor). The Senate Education Committee amendment specifies that the State Board of Education is not prohibited from adopting state testing standards or implementing state assessments for students enrolled in schools that do not receive federal funds. Passed the Senate on April 4 by a vote of 17 ayes – 12 nays – 1 absent (voted no: Ableser, Bradley, Cajero Bedford, Farley, Gallardo, Hobbs, Jackson, Landrum Taylor, Lopez, Meza, Pancrazi & Tovar; absent: R. Crandall). The bill went to a conference committee on April 11 and a technical amendment was adopted. This bill is now ready to be re-voted in both the Senate and the House (final pass vote in each chamber).

**HIGH SCHOOL PERSONAL FINANCE COURSE****SB1449 schools; graduation; personal finance; entrepreneurship**

Sponsor: Senator Yee

Summary:

- Requires the State Board of Education (SBE) to include “personal finance” in the competency requirements for high school graduation. This does not allow the SBE to establish a required separate personal finance course for the purpose of the graduation of students from high school; however, a school district governing board or charter school may prescribe a separate personal finance course for the graduation of high school students

that is in addition to or higher than the course of study and competency requirements that the SBE prescribes.

AEA position: NEUTRAL

The AEA supports the concept of personal finance courses, but always has concerns with putting language into statute for statewide competency requirements. The AEA opposed this bill as introduced and passed in the Senate Education Committee when it required a finance course to be a mandate for high school graduation. With an amendment adopted on the Senate floor (as summarized above), the AEA is now neutral on the bill.

Bill status: Passed the Senate on March 4 by a vote of 24 ayes - 4 nays – 2 absent (voted no: Ableser, Gallardo, Hobbs & Tovar; absent: Rich Crandall & Pancrazi). Passed the House Education Committee on March 18 by a vote of 9 ayes – 0 nays. The bill goes to House COW (Committee of the Whole) next.

## **SCHOOL EMPLOYEES- CARRYING GUNS IN SCHOOLS**

### **SB1325 concealed firearms; schools; authorization requirements**

Sponsor: Senator Rich Crandall

Summary:

- Allows the governing board of an educational institution to authorize a teacher or an administrator to possess a concealed firearm on the property of an educational institution under the following conditions:
  - The school where the authorized person possesses the concealed firearm has less than 600 students enrolled; is more than 30 minutes and 20 miles away from the closest law enforcement facility; and does not have a school resource officer.
  - The governing board must consider the person’s temperament, personality and, if applicable, previous reactions to a crisis before authorizing a person to possess a concealed carry permit.
  - The authorized person must possess a valid fingerprint clearance card; possess a valid concealed carry permit; annually attend firearm training approved by the Arizona Peace Officer Standards and Training Board that covers the following topics: legal issues relating to the use of deadly force, weapon care and maintenance, mental conditioning for the use of deadly force, safe handling and storage of weapons, marksmanship, judgmental shooting, scenario based training, force on force training, familiarity with policy active shooter response, and coordination with the local jurisdiction; use ammunition that is frangible or designed to have a reduced ricochet hazard; and not be a prohibited possessor and the firearm must not be a prohibited weapon. The firearm must remain concealed on the authorized person at all times or be stored in secure locked storage.
- Permits the governing board of an educational institution to authorize a retired peace officer who is an employee of an educational institution to possess a concealed firearm on the property of an educational institution if the retired peace officer complies with the requirements for annual training listed above. (A retired peace officer is defined as a person who has honorably served as a law enforcement officer in the United States for at least 10 consecutive years.)
- Clarifies that possession of a firearm by a person authorized by the governing board or body of a school to possess a concealed firearm on school grounds does not constitute misconduct involving weapons.

AEA position: OPPOSE

This is the only “school safety” legislation that is currently moving at the capitol. It is disappointing that no legislation with an appropriation to fund school resource officers is moving through the legislative process. Requiring school employees to take on this responsibility and liability is concerning.

Bill status: Passed the Senate on March 18 by a vote of 17 ayes – 11 nays – 2 absent (vote no: Bradley, Cajero Bedford, Farley, Gallardo, Hobbs, Jackson, Landrum Taylor, Lopez, Meza, Pancrazi & Tovar; absent: Ableser & McGuire). Passed the House Appropriations Committee amended on March 27 by a vote of 6 ayes – 5 nays (voted no: Alston, Campbell, Forese, Mach & Sherwood). The House Appropriations Committee adds that an authorized person must annually pass a handgun qualifying exam approved by AZPOST and conducted by an AZPOST

recognized firearms instructor or a National Rifle Association (NRA) certified firearms instructor. The bill goes to House Rules/Caucus next.

## **SCHOOL HEALTH RELATED BILLS**

### **SB1337 schools; CPR training**

Sponsor: Senator McGuire

Summary:

- Requires, beginning in school year 2015-2016, that all public school 7-12 grade students be provided at least one training session in cardiopulmonary resuscitation (CPR).
  - The training must be based on the most current training developed by the American Heart Association.
  - The instruction must be provided by a certified CPR trainer. This does not require a teacher or administrator who facilitates, provides or oversees the instruction to be an authorized trainer if the instruction does not result in CPR certification.
  - Permits a school district or charter school to accept in-kind donations of materials, equipment or services that can be used in the CPR instruction.
- A student may be excused from the training at the request of the student's parent or if the student provides written documentation that the student has previously received training or is currently CPR certified.

AEA position: MONITOR

Bill status: Passed the Senate on February 26 by a vote of 25 ayes - 3 nays – 2 absent (voted no: Biggs, Burges and C. Crandell; absent: Ableser & Pancrazi). The bill passed the House Education Committee amended on March 18 by a vote of 8 ayes – 0 nays – 1 absent (absent: Allen). The amendment adopted in the House Education Committee removes the mandate on the bill and makes CPR training optional for school districts and charters. With this amendment, the AEA is fine with the bill. The bill goes to House Committee of the Whole (COW) next.

### **SB1421 school personnel; emergency epinephrine administration**

Sponsor: Senator Lopez

Background:

School district governing boards are required to prescribe and enforce policies and procedures that allow students diagnosed with anaphylaxis to carry and self-administer emergency medications, including auto-injectable epinephrine, while at school and school-sponsored activities.

Summary:

- Requires school districts and charter schools to stock two juvenile doses and two adult doses of auto-injectable epinephrine ("Epi Pen") at each school if the Arizona Legislature appropriates sufficient funding and establishes policies, procedures and training requirements for auto-injectable epinephrine in schools.
- The fiscal note prepared by the Joint Legislative Budget Committee estimates that implementation of SB 1421 will annually cost between \$444,000 to \$700,000.

AEA position: MONITOR

Bill status: Passed the Senate on February 28 by a vote of 25 ayes - 3 nays – 2 absent (voted no: Burges, Chester Crandell and Yarbrough; absent: Pancrazi & Ward). Passed the House Health Committee on March 13 by a vote of 7 ayes – 0 nays. It goes to the House COW (Committee of the Whole) next.

## **GOVERNOR BREWER'S PERFORMANCE BASED FUNDING PROPOSAL**

### **SB1444 schools; performance funding**

Sponsor: Senator Yee

Background:

- This bill provides the structure for Governor Brewer's key school funding reform/performance based pay proposal.

- The Governor's office budget has proposed \$36.2 million in new state funding and \$18.1 million in reallocated dollars from the existing funding formula for the first year of implementation (the 2013-2014 school year).

Summary:

- All school districts and charter schools have the opportunity to earn funding if they achieve more than 100 points (a grade of C or higher) or improve their score.
  - The A-F accountability system assigns a letter grade based on AIMS results, reclassification of English Language Learners (ELLs), graduation rates, dropout rates and student academic growth. The letter grading scale consists of 200 points: 100 points each for academic outcomes and student academic growth. The number of points earned determines the letter grade.
- There are two different payouts for achievement and improvement. Both have a maximum per-pupil payout of \$500 once fully implemented.
  - Achievement: Receive funding by scoring enough points to receive an A, B or C. Will be tied to the specific score, not the letter grade, to provide consistency in year-to-year funding as school districts/charter schools move up or down on the accountability scale.
  - Improvement: Awarded by improving score above their current five-year high. There will be higher per-pupil improvement payments for school districts and charter schools that receive a D or F (so that those schools get increased funding if they improve their overall score but do not yet end up in the A, B or C category).
- The funding for this program will be part of the school finance formula and paid for with new dollars appropriated to the state's general fund (\$36.2 million) and also with dollars reallocated from the existing formula (\$18.1 million).
  - Funding will be phased in over a five-year period until it makes up about 5% of the total K-12 formula funding in fiscal year 2017-2018.
  - Funding will be reallocated from the existing formula by reducing the base level funding.
  - Monies earned through this performance funding will be flexible for use at the local level.

AEA position: OPPOSE

Arizona's current K-12 funding structure has been significantly reduced over the past five years. This has forced our schools to make tough choices and live on a very lean budget. Governor Brewer's plan, though providing some new dollars, will also take 5% of the current funding formula and "reallocate" it to a winner/loser performance funding system once implemented. Our schools cannot afford to operate on even less dollars. [See below for additional analysis.]

Bill status: Passed the Senate Education Committee on February 21 by a vote of 7 ayes – 2 nays (voting no: Bradley & Landrum Taylor). Passed the Senate Appropriations Committee on February 26 by a vote of 6 ayes – 2 nays – 1 absent (voting no: Cajero Bedford & Tovar; absent: Pancrazi). The bill was held awaiting Senate Committee of the Whole (COW), and was never put before a full vote in the Senate. The issue is expected to be held for discussion in the state budget negotiations.

AEA analysis—Comparison of four school districts—ranked A, B, C and D—if SB1444 becomes law

This analysis is for dollars for the first year of implementation only. The proposal is for five years of funding (with the state General Fund kicking in \$2 additional dollars for every \$1 that is "reallocated" amongst current funding for school districts and charter schools).

The baseline year used is the 2011-2012 district or charter school letter grade and score (on a 200-point system). One concern that has been raised is the fact that the AZELLA test for English Language Learners changed this school year (more rigorous and tested in January instead of April, so three months less learning) could mean a loss of as much as three points earned per school because districts may not get those points when calculating their 2013 score. This could negatively impact a school district with a high population of English Language Learners, causing their score to drop significantly under the first year of this proposal.

Four comparison districts:

- Chandler Unified: "A" ranked district with 149 points
- Cartwright Elementary: "B" ranked district with 121 points

- Phoenix Union High School District: “C” ranked district with 108 points
- Gila Bend Unified: “D” ranked district with 97 points

#### Findings:

A district like Chandler Unified that is currently ranked “A” stands to gain money under this proposal, whereas a large Title 1 population school district like Cartwright which is “B” will have to grow an impressive 5 points to get the initial funding that Chandler will receive right up front for being an “A” district. A “C” ranked district like Phoenix Union will have a much harder climb for new money and even lose funding if they gain a point in the first year. A “D” district like Gila Bend loses money under the proposal until they gain three points, and that financial gain is only an additional \$3.74 per student. Lastly, if you are an “A” or “B” district, you can go down points and still gain new dollars. If a “C” or “D” district under the same scenario goes down points, they lose money immediately.

#### Analysis:

##### For Chandler—an “A” ranked district with 149 points:

Because the “achievement”/letter grade is weighted equal to the “improvement” side under the proposal, an “A” district like Chandler stands to make money in the first year this bill passes. By staying exactly the same at 149 points, Chandler will gain \$35.96 per student.

##### For Cartwright—a “B” ranked district with 121 points:

It will take Cartwright gaining five additional points (which is really hard for a large district to do in a given year) for them to get the same amount of funding that Chandler will get in the first year if they just stay flat as a district and maintain their 149 points.

2011-2012 district letter grade of “B”; score of 121

- Go down two points to 119 points in 2012-2013, gain \$3.37 per student in funding in 2013-2014.
- Go down one point to 120 points in 2012-2013, gain \$4.46 per student in funding in the 2013-2014.
- Stay the same at 121 points in 2012-2013, gain \$5.55 per student in funding in 2013-2014.
- Go up one point to 122 points in 2012-2013, gain \$12.53 per student in funding in 2013-2014.
- Go up two points to 123 points in 2012-2013, gain \$19.42 per student in funding in 2013-2014.

##### For Phoenix Union—a “C” ranked district with 108 points:

2011-2012 district letter grade of “C”; score of 108

- Go down two points to 106 points in 2012-2013, lose \$10.74 per student in funding in 2013-2014.
- Go down one point to 107 points in 2012-2013, lose \$9.66 per student in funding in 2013-2014.
- Stay the same at 108 points in 2012-2013, lose \$8.57 per student in funding in 2013-2014.
- Go up one point to 109 points in 2012-2013, lose \$0.94 per student in funding in 2013-2014.
- Go up two points to 110 points in 2012-2013, gain \$6.60 per student in funding in 2013-2014

##### For Gila Bend Unified—a “D” ranked district with 97 points:

2011-2012 district letter grade of “D”; score of 97

- Stay the same at 97 points in 2012-2013, lose \$17.26 per student in funding in 2013-2014.
- Go up one point to 98 points in 2012-2013, lose \$10.16 per student in funding in 2013-2014.
- Go up two points to 99 points in 2012-2013, lose \$3.16 per student in funding in 2013-2014.
- Go up three points to 100 points in 2012-2013, gain \$3.74 per student in funding in 2013-2014.

## **KINDERGARTEN FUNDING AND SCHOOL DISTRICT OVERRIDES**

### **HB2237 schools; bonding level increase; repeal + overrides; RCL; kindergarten pupils**

Sponsor: Representative Stevens

#### Summary:

- The bill as passed the House repealed state law passed in 2011 that temporarily increased the school district bonding capacity limit.
- After being amended by a floor amendment in the Senate, provisions of HB2581 were added to this bill. This language phases out over three years, the counting of full-day kindergarten students when calculating school

district maintenance and operation overrides and special program overrides approved prior to January 1, 2014. It specifies the Group B weight for kindergarten students for fiscal years 2013-14 through 2015-16 for the purpose of adjusting the revenue control limit (RCL) for overrides approved before January 1, 2014 as follows:

- For fiscal year 2013-2014: 1.352
- For fiscal year 2014-2015: 0.901
- For fiscal year 2015-2016: 0.451

AEA position: SUPPORT

When full-day kindergarten funding was eliminated in the fiscal year 2010-2011 budget, the full-day kindergarten Group B weight was eliminated. This resulted in a substantial decrease to a school district's revenue control limit (RCL). This bill phases out the counting of kindergarten students in the RCL calculations so that school districts do not have a funding cut all at once in their override amount.

Bill status: The original bill, HB2581 passed the House on March 4 by a vote of 37 ayes – 22 nays and 1 absent (voted no: Allen, Barton, Fann, Farnsworth, Forese, Gowan, Kavanagh, Kwasman, Lesko, Livingston, Lovas, Mesnard, Mitchell, Montenegro, Olson, Petersen, Seel, Smith, Stevens, Thorpe, Townsend and Ugenti; absent: Campbell). This bill passed the Senate Education Committee on March 21 by a vote of 7 ayes – 2 nays (voted no: Murphy & Yee). The bill was assigned to the Senate Appropriation Committee, and it was never heard there. Thus, HB2581 is “dead” and had to be amended onto HB2237 in the Senate in order to keep the issue moving. HB2237 must now be voted on by the full Senate; however, it is likely to be held for budget negotiations.