



# 2021

## AEA Legislative Wrap-Up

The First Regular Session of the Fifty-fifth Legislature adjourned on June 30, 2021, after 171 days in session. In addition to being one of the longer legislative sessions in recent history, the legislature also passed through many new policies that did not go through the normal legislative vetting process. This session, 1,899 bills, memorials, and resolutions were introduced with 446 bills being signed by the governor. AEA monitored over 150 bills related to public education, funding, democracy, and tax cuts. This report serves as a snapshot of bills AEA monitored that became law. A full list of AEA tracked legislation can be found at [arizonaaea.org/bills](http://arizonaaea.org/bills).

### The Good

#### **SB1165 (schools; performance evaluations)**

This bill related to teacher evaluations allowed districts to waive doing teacher evaluations for the 2020-2021 school year.

#### **SB1097 (pupils; excused absences; mental health)**

Requires the Arizona Department of Education (ADE) to recognize a student's absence for mental or behavioral health as an excused absence.

#### **SCR1044 (tuition; postsecondary education)**

With passage of this resolution, it will ask voters on the 2022 ballot to approve in-state tuition for Dreamers.

### The Bad

#### **SB1572 (schools; early literacy)**

Creates a literacy endorsement that is required of certified teachers who provide literacy instruction in grades K-5. The endorsement will be established by the State Board of Education (SBE), will require additional training or course work and will require the certified teacher to pass a literacy exam prior to receiving the endorsement. There is also a process for a school to verify to the ADE that the certified teacher already possesses the skills required by the endorsement. Endorsement requirement is delayed until August 1, 2025.

#### **HB2427 (attendance boundaries; schools; open enrollment)**

Language from this bill was passed as part of the overall budget and will significantly change the way schools do open enrollment in the state and further erode our public school system.

#### **SB1683 (schools; transportation support; programs; appropriation)**

This new transportation grant was passed as part of the budget and will funnel public funding into private schools rather than investing in public schools for transportation.

### The Ugly

#### **SB1485 (early voting lists; eligibility)**

Commonly known as the "PEVL Purge" bill, this new law will remove people from the once "permanent" early voting list and will disenfranchise thousands of voters on the list.

#### **SB1452 (Arizona empowerment scholarships accounts; revisions)**

Another bill that found its way into the budget was pieces of SB1452, which expands vouchers in Arizona and pulls funding away from public schools.

### **SB1783 (small businesses; alternate income tax)**

This new tax structure passed by the legislature allows some wealthy tax filers to bypass the surcharge passed by the voters in the Invest in Education Act. The estimated impact on the Invest in Education Act is a loss of approximately \$300 million.

### **Mask and Vaccine Bans**

While not a bill that was introduced this year, the legislature included two provisions related to mask wearing and COVID-19 vaccines as part of the budget. This new language states that counties, cities, towns, and governing boards are prohibited from requiring face masks be worn in schools by students or staff. Additionally, the language prohibits schools from requiring the COVID-19 vaccine for students or staff to participate in in-person learning.

### **SB1532 (impeding school operations; civil liability)**

Also known as the Teacher Gag Bill, language from this bill ended up in the budget and will primarily impact what coursework can be taught in the classroom. The language specifically prohibits teaching the following concepts:

- one race, ethnic group or sex is inherently morally or intellectually superior to another race, ethnic group, or sex.
- an individual, by virtue of the individual's race, ethnicity, or sex, is inherently racist, sexist or oppressive, whether consciously or unconsciously.
- an individual should be invidiously discriminated against or receive adverse treatment solely or partly because of the individual's race, ethnicity or sex.
- an individual's moral character is determined by the individual's race, ethnicity or sex.
- an individual, by virtue of the individual's race, ethnicity, or sex, bears responsibility for actions committed by other members of the same race, ethnic group, or sex.
- an individual should feel discomfort, guilt, anguish, or any other form of psychological distress because of the individual's race, ethnicity, or sex.
- academic achievement, meritocracy, or traits such as a hard work ethic are racist or sexist or were created by members of a particular race, ethnic group, or sex to oppress members of another race, ethnic group, or sex.

If the Attorney General's (AG) Office determines that a teacher has violated this section, the teacher can be referred to disciplinary action by the SBE that can result in the teacher's certificate being revoked. The AG can also impose a fine of up to \$5000 on the school district.

The AG can also file civil penalties against a school employee if they believe they used school resources (time, equipment, emails, etc.) to organize a school closure outside of normal work duties.

## **The Budget**

On June 30, 2021, Governor Ducey signed the budget package passed by the Arizona Legislature. While Arizona's economy is healthy and the state was projected to have \$1.5 – 2 billion in ongoing new revenue, the governor signed the largest tax cut in Arizona history. The governor and legislature had the opportunity to make real investments in public education and our communities. Instead, this tax cut primarily benefits the wealthiest Arizonans, and leaves the majority of Arizonans with little to no relief. You can find our full budget summary at [arizonaaea.org](http://arizonaaea.org).