

REFERENCE TITLE: schools; parental classroom visitation policies

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

HB 2025

Introduced by
Representative Udall

AN ACT

AMENDING SECTIONS 15-184 AND 15-341, ARIZONA REVISED STATUTES; RELATING TO
THE LOCAL GOVERNANCE OF SCHOOLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-184, Arizona Revised Statutes, is amended to
3 read:

4 15-184. Charter schools; admissions requirements; parental
5 classroom visits

6 A. A charter school shall enroll all eligible pupils who submit a
7 timely application, unless the number of applications exceeds the capacity
8 of a program, class, grade level or building.

9 B. A charter school shall give enrollment preference to pupils WHO
10 ARE returning to the charter school in the second or any subsequent year
11 of its operation and to siblings of pupils WHO ARE already enrolled in the
12 charter school.

13 C. A charter school may give enrollment preference to children who
14 are in foster care or meet the definition of unaccompanied youth
15 prescribed in the McKinney-Vento homeless assistance act (42 United States
16 Code section 11434a).

17 D. A charter school may give enrollment preference to and reserve
18 capacity for pupils who either:

19 1. Are children, grandchildren or legal wards of any of the
20 following:

21 (a) Employees of the school.

22 (b) Employees of the charter holder.

23 (c) Members of the governing body of the school.

24 (d) Directors, officers, partners or board members of the charter
25 holder.

26 2. Attended another charter school or are the siblings of that
27 pupil if the charter school previously attended by the pupil has the
28 identical charter holder, board and governing board membership as the
29 enrolling charter school or is managed by the same educational management
30 organization, charter management organization or educational service
31 provider as determined by the charter authorizer.

32 E. If remaining capacity is insufficient to enroll all pupils who
33 submit a timely application, the charter school shall select pupils
34 through an equitable selection process such as a lottery except that
35 preference shall be given to siblings of a pupil WHO IS selected through
36 an equitable selection process such as a lottery.

37 F. Except as provided in subsections A through D of this section, a
38 charter school shall not limit admission based on ethnicity, national
39 origin, gender, income level, disabling condition, proficiency in the
40 English language or athletic ability.

41 G. A charter school may limit admission to pupils within a given
42 age group or grade level.

43 H. A charter school may provide instruction to pupils of a single
44 gender with the approval of the sponsor of the charter school. An
45 existing charter school may amend its charter to provide instruction to

1 pupils of a single gender, and, if approved by the sponsor of the charter
2 school, may provide instruction to pupils of a single gender at the
3 beginning of the next school year.

4 I. A charter school may refuse to admit any pupil who has been
5 expelled from another educational institution or who is in the process of
6 being expelled from another educational institution.

7 J. A CHARTER SCHOOL GOVERNING BODY MUST DEVELOP AND ADOPT IN A
8 PUBLIC MEETING POLICIES TO ALLOW FOR VISITS, TOURS AND OBSERVATIONS OF ALL
9 CLASSROOMS BY PARENTS OF ENROLLED PUPILS AND PARENTS WHO WISH TO ENROLL
10 THEIR CHILDREN IN THE CHARTER SCHOOL UNLESS A VISIT, TOUR OR OBSERVATION
11 THREATENS THE HEALTH AND SAFETY OF PUPILS AND STAFF. THESE POLICIES AND
12 PROCEDURES MUST BE EASILY ACCESSIBLE FROM THE HOME PAGE ON EACH SCHOOL'S
13 WEBSITE.

14 Sec. 2. Section 15-341, Arizona Revised Statutes, is amended to
15 read:

16 15-341. General powers and duties; immunity; delegation

17 A. The governing board shall:

18 1. Prescribe and enforce policies and procedures to govern the
19 schools that are not inconsistent with ~~law~~ THE LAWS or rules prescribed by
20 the state board of education.

21 2. Exclude from schools all books, publications, papers or
22 audiovisual materials of a sectarian, partisan or denominational
23 character. This paragraph does not prohibit the elective course ~~permitted~~
24 ALLOWED by section 15-717.01.

25 3. Manage and control the school property within its district,
26 except that a district may enter into a partnership with an entity,
27 including a charter school, another school district or a military base, to
28 operate a school or offer educational services in a district building,
29 including at a vacant or partially used building, or in any building on
30 the entity's property pursuant to a written agreement between the parties.

31 4. Acquire school furniture, apparatus, equipment, library books
32 and supplies for the schools to use.

33 5. Prescribe the curricula and criteria for the promotion and
34 graduation of pupils as provided in sections 15-701 and 15-701.01.

35 6. Furnish, repair and insure, at full insurable value, the school
36 property of the district.

37 7. Construct school buildings on approval by a vote of the district
38 electors.

39 8. In the name of the district, convey property belonging to the
40 district and sold by the board.

41 9. Purchase school sites when authorized by a vote of the district
42 at an election conducted as nearly as practicable in the same manner as
43 the election provided in section 15-481 and held on a date prescribed in
44 section 15-491, subsection E, but such authorization shall not necessarily
45 specify the site to be purchased and such authorization shall not be

- 1 necessary to exchange unimproved property as provided in section 15-342,
2 paragraph 23.
- 3 10. Construct, improve and furnish buildings used for school
4 purposes when such buildings or premises are leased from the national park
5 service.
- 6 11. Purchase school sites or construct, improve and furnish school
7 buildings from the proceeds of the sale of school property only on
8 approval by a vote of the district electors.
- 9 12. Hold pupils to strict account for disorderly conduct on school
10 property.
- 11 13. Discipline students for disorderly conduct on the way to and
12 from school.
- 13 14. Except as provided in section 15-1224, deposit all monies
14 received by the district as gifts, grants and devises with the county
15 treasurer who shall credit the deposits as designated in the uniform
16 system of financial records. If not inconsistent with the terms of the
17 gifts, grants and devises given, any balance remaining after expenditures
18 for the intended purpose of the monies have been made shall be used ~~for~~
19 ~~reduction of~~ TO REDUCE school district taxes for the budget year, except
20 that in the case of accommodation schools the county treasurer shall carry
21 the balance forward for use by the county school superintendent for
22 accommodation schools for the budget year.
- 23 15. Provide that, if a parent or legal guardian chooses not to
24 accept a decision of the teacher as provided in paragraph 42 of this
25 subsection, the parent or legal guardian may request in writing that the
26 governing board review the teacher's decision. This paragraph does not
27 release school districts from any liability relating to a child's
28 promotion or retention.
- 29 16. Provide for adequate supervision over pupils in instructional
30 and noninstructional activities by certificated or noncertificated
31 personnel.
- 32 17. Use school monies received from the state and county school
33 apportionment exclusively to pay salaries of teachers and other employees
34 and contingent expenses of the district.
- 35 18. Annually report to the county school superintendent on or
36 before October 1 in the manner and form and on the blanks prescribed by
37 the superintendent of public instruction or county school superintendent.
38 The board shall also report directly to the county school superintendent
39 or the superintendent of public instruction whenever required.
- 40 19. Deposit all monies received by school districts other than
41 student activities monies or monies from auxiliary operations as provided
42 in sections 15-1125 and 15-1126 with the county treasurer to the credit of
43 the school district except as provided in paragraph 20 of this subsection
44 and sections 15-1223 and 15-1224, and the board shall ~~expend~~ SPEND the
45 monies as provided by law for other school funds.

1 20. Establish bank accounts in which the board during a month may
2 deposit miscellaneous monies received directly by the district. The board
3 shall remit monies deposited in the bank accounts at least monthly to the
4 county treasurer for deposit as provided in paragraph 19 of this
5 subsection and in accordance with the uniform system of financial records.

6 21. Prescribe and enforce policies and procedures for disciplinary
7 action against a teacher who engages in conduct that is a violation of the
8 policies of the governing board but that is not cause for dismissal of the
9 teacher or for revocation of the certificate of the teacher. Disciplinary
10 action may include suspension without pay for a period of time not to
11 exceed ten school days. Disciplinary action shall not include suspension
12 with pay or suspension without pay for a period of time longer than ten
13 school days. The procedures shall include notice, hearing and appeal
14 provisions for violations that are cause for disciplinary action. The
15 governing board may designate a person or persons to act on behalf of the
16 board on these matters.

17 22. Prescribe and enforce policies and procedures for disciplinary
18 action against an administrator who engages in conduct that is a violation
19 of the policies of the governing board regarding duties of administrators
20 but that is not cause for dismissal of the administrator or for revocation
21 of the certificate of the administrator. Disciplinary action may include
22 suspension without pay for a period of time not to exceed ten school days.
23 Disciplinary action shall not include suspension with pay or suspension
24 without pay for a period of time longer than ten school days. The
25 procedures shall include notice, hearing and appeal provisions for
26 violations that are cause for disciplinary action. The governing board
27 may designate a person or persons to act on behalf of the board on these
28 matters. For violations that are cause for dismissal, the provisions of
29 notice, hearing and appeal in chapter 5, article 3 of this title ~~shall~~
30 apply. The filing of a timely request for a hearing suspends the
31 imposition of a suspension without pay or a dismissal pending completion
32 of the hearing.

33 23. Notwithstanding sections 13-3108 and 13-3120, prescribe and
34 enforce policies and procedures that prohibit a person from carrying or
35 possessing a weapon on school grounds unless the person is a peace officer
36 or has obtained specific authorization from the school administrator.

37 24. Prescribe and enforce policies and procedures relating to the
38 health and safety of all pupils participating in district-sponsored
39 practice sessions or games or other interscholastic athletic activities,
40 including:

41 (a) The provision of water.

42 (b) Guidelines, information and forms, developed in consultation
43 with a statewide private entity that supervises interscholastic
44 activities, to inform and educate coaches, pupils and parents of the
45 dangers of concussions and head injuries and the risks of continued

1 participation in athletic activity after a concussion. The policies and
2 procedures shall require that, before a pupil participates in an athletic
3 activity, the pupil and the pupil's parent ~~must~~ sign an information form
4 at least once each school year that states that the parent is aware of the
5 nature and risk of concussion. The policies and procedures shall require
6 that a pupil who is suspected of sustaining a concussion in a practice
7 session, game or other interscholastic athletic activity be immediately
8 removed from the athletic activity and that the pupil's parent or guardian
9 be notified. A coach from the pupil's team or an official or a licensed
10 health care provider may remove a pupil from play. A team parent may also
11 remove the parent's own child from play. A pupil may return to play on
12 the same day if a health care provider rules out a suspected concussion at
13 the time the pupil is removed from play. On a subsequent day, the pupil
14 may return to play if the pupil has been evaluated by and received written
15 clearance to resume participation in athletic activity from a health care
16 provider who has been trained in ~~the evaluation~~ EVALUATING and ~~management~~
17 ~~of~~ MANAGING concussions and head injuries. A health care provider who is
18 a volunteer and who provides clearance to participate in athletic activity
19 on the day of the suspected injury or on a subsequent day is immune from
20 civil liability with respect to all decisions made and actions taken that
21 are based on good faith implementation of the requirements of this
22 subdivision, except in cases of gross negligence or wanton or wilful
23 neglect. A school district, school district employee, team coach,
24 official or team volunteer or a parent or guardian of a team member is not
25 subject to civil liability for any act, omission or policy undertaken in
26 good faith to comply with the requirements of this subdivision or for a
27 decision made or an action taken by a health care provider. A group or
28 organization that uses property or facilities owned or operated by a
29 school district for athletic activities shall comply with the requirements
30 of this subdivision. A school district and its employees and volunteers
31 are not subject to civil liability for any other person or organization's
32 failure or alleged failure to comply with the requirements of this
33 subdivision. This subdivision does not apply to teams that are based in
34 another state and that participate in an athletic activity in this state.
35 For the purposes of this subdivision, athletic activity does not include
36 dance, rhythmic gymnastics, competitions or exhibitions of academic skills
37 or knowledge or other similar forms of physical noncontact activities,
38 civic activities or academic activities, whether engaged in for the
39 purposes of competition or recreation. For the purposes of this
40 subdivision, "health care provider" means a physician who is licensed
41 pursuant to title 32, chapter 13 or 17, an athletic trainer who is
42 licensed pursuant to title 32, chapter 41, a nurse practitioner who is
43 licensed pursuant to title 32, chapter 15, and a physician assistant who
44 is licensed pursuant to title 32, chapter 25.

1 (c) Guidelines, information and forms that are developed in
2 consultation with a statewide private entity that supervises
3 interscholastic activities to inform and educate coaches, pupils and
4 parents of the dangers of heat-related illnesses, sudden cardiac death and
5 prescription opioid use. Before a pupil participates in any
6 district-sponsored practice session or game or other interscholastic
7 athletic activity, the pupil and the pupil's parent must be provided with
8 information at least once each school year on the risks of heat-related
9 illnesses, sudden cardiac death and prescription opioid addiction.

10 25. Establish an assessment, data gathering and reporting system as
11 prescribed in chapter 7, article 3 of this title.

12 26. Provide special education programs and related services
13 pursuant to section 15-764, subsection A to all children with disabilities
14 as defined in section 15-761.

15 27. Administer competency tests prescribed by the state board of
16 education for the graduation of pupils from high school.

17 28. Ensure that insurance coverage is secured for all construction
18 projects for purposes of general liability, property damage and workers'
19 compensation and secure performance and payment bonds for all construction
20 projects.

21 29. Keep in the personnel file of all current and former employees
22 who provide instruction to pupils at a school information about the
23 employee's educational and teaching background and experience in a
24 particular academic content subject area. A school district shall inform
25 parents and guardians of the availability of the information and shall
26 make the information available for inspection on request of parents and
27 guardians of pupils enrolled at a school. This paragraph does not require
28 any school to release personally identifiable information in relation to
29 any teacher or employee, including the teacher's or employee's address,
30 salary, social security number or telephone number.

31 30. Report to local law enforcement agencies any suspected crime
32 against a person or property that is a serious offense as defined in
33 section 13-706 or that involves a deadly weapon or dangerous instrument or
34 serious physical injury and any conduct that poses a threat of death or
35 serious physical injury to employees, students or anyone on the property
36 of the school. This paragraph does not limit or preclude the reporting by
37 a school district or an employee of a school district of suspected crimes
38 other than those required to be reported by this paragraph. For the
39 purposes of this paragraph, "dangerous instrument", "deadly weapon" and
40 "serious physical injury" have the same meanings prescribed in section
41 13-105.

42 31. In conjunction with local law enforcement agencies and
43 emergency response agencies, develop an emergency response plan for each
44 school in the school district in accordance with minimum standards
45 developed jointly by the department of education and the division of

1 emergency management within the department of emergency and military
2 affairs.

3 32. Provide written notice to the parents or guardians of all
4 students enrolled in the school district at least ten days before a public
5 meeting to discuss closing a school within the school district. The
6 notice shall include the reasons for the proposed closure and the time and
7 place of the meeting. The governing board shall fix a time for a public
8 meeting on the proposed closure not less than ten days before voting in a
9 public meeting to close the school. The school district governing board
10 shall give notice of the time and place of the meeting. At the time and
11 place designated in the notice, the school district governing board shall
12 hear reasons for or against closing the school. The school district
13 governing board is exempt from this paragraph if the governing board
14 determines that the school shall be closed because it poses a danger to
15 the health or safety of the pupils or employees of the school. A
16 governing board may consult with the division of school facilities within
17 the department of administration for technical assistance and for
18 information on the impact of closing a school. The information provided
19 from the division of school facilities within the department of
20 administration shall not require the governing board to take or not take
21 any action.

22 33. Incorporate instruction on Native American history into
23 appropriate existing curricula.

24 34. Prescribe and enforce policies and procedures:

25 (a) Allowing pupils who have been diagnosed with anaphylaxis by a
26 health care provider licensed pursuant to title 32, chapter 13, 14, 17 or
27 25 or by a registered nurse practitioner licensed and certified pursuant
28 to title 32, chapter 15 to carry and self-administer emergency
29 medications, including epinephrine auto-injectors, while at school and at
30 school-sponsored activities. The pupil's name on the prescription label on
31 the medication container or on the medication device and annual written
32 documentation from the pupil's parent or guardian to the school that
33 authorizes possession and self-administration is sufficient proof that the
34 pupil is entitled to ~~the possession~~ POSSESS and ~~self-administration of~~
35 SELF-ADMINISTER the medication. The policies shall require a pupil who
36 uses an epinephrine auto-injector while at school and at school-sponsored
37 activities to notify the nurse or the designated school staff person of
38 the use of the medication as soon as practicable. A school district and
39 its employees are immune from civil liability with respect to all
40 decisions made and actions taken that are based on good faith
41 implementation of the requirements of this subdivision, except in cases of
42 wanton or wilful neglect.

43 (b) For the emergency administration of epinephrine auto-injectors
44 by a trained employee of a school district pursuant to section 15-157.

1 35. Allow the possession and self-administration of prescription
2 medication for breathing disorders in handheld inhaler devices by pupils
3 who have been prescribed that medication by a health care professional
4 licensed pursuant to title 32. The pupil's name on the prescription label
5 on the medication container or on the handheld inhaler device and annual
6 written documentation from the pupil's parent or guardian to the school
7 that authorizes possession and self-administration ~~shall be~~ IS sufficient
8 proof that the pupil is entitled to ~~the possession~~ POSSESS and
9 ~~self-administration of~~ SELF-ADMINISTER the medication. A school district
10 and its employees are immune from civil liability with respect to all
11 decisions made and actions taken that are based on a good faith
12 implementation of the requirements of this paragraph.

13 36. Prescribe and enforce policies and procedures to prohibit
14 pupils from harassing, intimidating and bullying other pupils on school
15 grounds, on school property, on school buses, at school bus stops, at
16 school-sponsored events and activities and through the use of electronic
17 technology or electronic communication on school computers, networks,
18 forums and mailing lists that include the following components:

19 (a) A procedure for pupils, parents and school district employees
20 to confidentially report to school officials incidents of harassment,
21 intimidation or bullying. The school shall make available written forms
22 designed to provide a full and detailed description of the incident and
23 any other relevant information about the incident.

24 (b) A requirement that school district employees report in writing
25 suspected incidents of harassment, intimidation or bullying to the
26 appropriate school official and a description of appropriate disciplinary
27 procedures for employees who fail to report suspected incidents that are
28 known to the employee.

29 (c) A requirement that, at the beginning of each school year,
30 school officials provide all pupils with a written copy of the rights,
31 protections and support services available to a pupil who is an alleged
32 victim of an incident reported pursuant to this paragraph.

33 (d) If an incident is reported pursuant to this paragraph, a
34 requirement that school officials provide a pupil who is an alleged victim
35 of the incident with a written copy of the rights, protections and support
36 services available to that pupil.

37 (e) A formal process for documenting reported incidents of
38 harassment, intimidation or bullying and providing for the
39 confidentiality, maintenance and disposition of this documentation.
40 School districts shall maintain documentation of all incidents reported
41 pursuant to this paragraph for at least six years. The school shall not
42 use that documentation to impose disciplinary action unless the
43 appropriate school official has investigated and determined that the
44 reported incidents of harassment, intimidation or bullying occurred. If a
45 school provides documentation of reported incidents to persons other than

1 school officials or law enforcement, all individually identifiable
2 information shall be redacted.

3 (f) A formal process for the appropriate school officials to
4 investigate suspected incidents of harassment, intimidation or bullying,
5 including procedures for notifying the alleged victim and the alleged
6 victim's parent or guardian when a school official or employee becomes
7 aware of the suspected incident of harassment, intimidation or bullying.

8 (g) Disciplinary procedures for pupils who have admitted or been
9 found to have committed incidents of harassment, intimidation or bullying.

10 (h) A procedure that sets forth consequences for submitting false
11 reports of incidents of harassment, intimidation or bullying.

12 (i) Procedures designed to protect the health and safety of pupils
13 who are physically harmed as the result of incidents of harassment,
14 intimidation and bullying, including, if appropriate, procedures to
15 contact emergency medical services or law enforcement agencies, or both.

16 (j) Definitions of harassment, intimidation and bullying.

17 37. Prescribe and enforce policies and procedures regarding
18 changing or adopting attendance boundaries that include the following
19 components:

20 (a) A procedure for holding public meetings to discuss attendance
21 boundary changes or adoptions that allows public comments.

22 (b) A procedure to notify the parents or guardians of the students
23 affected, including assurance that, if that school remains open as part of
24 the boundary change and capacity is available, students assigned to a new
25 attendance area may stay enrolled in their current school.

26 (c) A procedure to notify the residents of the households affected
27 by the attendance boundary changes.

28 (d) A process for placing public meeting notices and proposed maps
29 on the school district's website for public review, if the school district
30 maintains a website.

31 (e) A formal process for presenting the attendance boundaries of
32 the affected area in public meetings that allows public comments.

33 (f) A formal process for notifying the residents and parents or
34 guardians of the affected area as to the decision of the governing board
35 on the school district's website, if the school district maintains a
36 website.

37 (g) A formal process for updating attendance boundaries on the
38 school district's website within ninety days after an adopted boundary
39 change. The school district shall send a direct link to the school
40 district's attendance boundaries website to the department of real estate.

41 38. If the state board of education determines that the school
42 district has committed an overexpenditure as defined in section 15-107,
43 provide a copy of the fiscal management report submitted pursuant to
44 section 15-107, subsection H on its website and make copies available to

1 the public on request. The school district shall comply with a request
2 within five business days after receipt.

3 39. Ensure that the contract for the superintendent is structured
4 in a manner in which up to twenty percent of the total annual salary
5 included for the superintendent in the contract is classified as
6 performance pay. This paragraph does not require school districts to
7 increase total compensation for superintendents. Unless the school
8 district governing board votes to implement an alternative procedure at a
9 public meeting called for this purpose, the performance pay portion of the
10 superintendent's total annual compensation shall be determined as follows:

11 (a) Twenty-five percent of the performance pay shall be determined
12 based on the percentage of academic gain determined by the department of
13 education of pupils who are enrolled in the school district compared to
14 the academic gain achieved by the highest ranking of the fifty largest
15 school districts in this state. For the purposes of this subdivision, the
16 department of education shall determine academic gain by the academic
17 growth achieved by each pupil who has been enrolled at the same school in
18 a school district for at least five consecutive months measured against
19 that pupil's academic results in the 2008-2009 school year. For the
20 purposes of this subdivision, of the fifty largest school districts in
21 this state, the school district with pupils who demonstrate the highest
22 statewide percentage of overall academic gain measured against academic
23 results for the 2008-2009 school year shall be assigned a score of 100 and
24 the school district with pupils who demonstrate the lowest statewide
25 percentage of overall academic gain measured against academic results for
26 the 2008-2009 school year shall be assigned a score of 0.

27 (b) Twenty-five percent of the performance pay shall be determined
28 by the percentage of parents of pupils who are enrolled at the school
29 district who assign a letter grade of "A" to the school on a survey of
30 parental satisfaction with the school district. The parental satisfaction
31 survey shall be administered and scored by an independent entity that is
32 selected by the governing board and that demonstrates sufficient expertise
33 and experience to accurately measure the results of the survey. The
34 parental satisfaction survey shall use standard random sampling procedures
35 and provide anonymity and confidentiality to each parent who participates
36 in the survey. The letter grade scale used on the parental satisfaction
37 survey shall direct parents to assign one of the following letter grades:

- 38 (i) A letter grade of "A" if the school district is excellent.
- 39 (ii) A letter grade of "B" if the school district is above average.
- 40 (iii) A letter grade of "C" if the school district is average.
- 41 (iv) A letter grade of "D" if the school district is below average.
- 42 (v) A letter grade of "F" if the school district is a failure.

43 (c) Twenty-five percent of the performance pay shall be determined
44 by the percentage of teachers who are employed at the school district and
45 who assign a letter grade of "A" to the school on a survey of teacher

1 satisfaction with the school. The teacher satisfaction survey shall be
2 administered and scored by an independent entity that is selected by the
3 governing board and that demonstrates sufficient expertise and experience
4 to accurately measure the results of the survey. The teacher satisfaction
5 survey shall use standard random sampling procedures and provide anonymity
6 and confidentiality to each teacher who participates in the survey. The
7 letter grade scale used on the teacher satisfaction survey shall direct
8 teachers to assign one of the following letter grades:

9 (i) A letter grade of "A" if the school district is excellent.

10 (ii) A letter grade of "B" if the school district is above average.

11 (iii) A letter grade of "C" if the school district is average.

12 (iv) A letter grade of "D" if the school district is below average.

13 (v) A letter grade of "F" if the school district is a failure.

14 (d) Twenty-five percent of the performance pay shall be determined
15 by other criteria selected by the governing board.

16 40. Maintain and store permanent public records of the school
17 district as required by law. Notwithstanding section 39-101, the
18 standards adopted by the Arizona state library, archives and public
19 records for the maintenance and storage of school district public records
20 shall allow school districts to elect to satisfy the requirements of this
21 paragraph by maintaining and storing these records either on paper or in
22 an electronic format, or a combination of a paper and electronic format.

23 41. Adopt in a public meeting and implement policies for principal
24 evaluations. Before adopting principal evaluation policies, the school
25 district governing board shall provide opportunities for public discussion
26 on the proposed policies. The governing board shall adopt policies that:

27 (a) Are designed to improve principal performance and improve
28 student achievement.

29 (b) Include the use of quantitative data on the academic progress
30 for all students, which shall account for between twenty percent and
31 thirty-three percent of the evaluation outcomes.

32 (c) Include four performance classifications, designated as highly
33 effective, effective, developing and ineffective.

34 (d) Describe both of the following:

35 (i) The methods used to evaluate the performance of principals,
36 including the data used to measure student performance and job
37 effectiveness.

38 (ii) The formula used to determine evaluation outcomes.

39 42. Prescribe and enforce policies and procedures that define the
40 duties of principals and teachers. These policies and procedures shall
41 authorize teachers to take and maintain daily classroom attendance, make
42 the decision to promote or retain a pupil in a grade in common school or
43 to pass or fail a pupil in a course in high school, subject to review by
44 the governing board in the manner provided in section 15-342,
45 paragraph 11.

1 43. Prescribe and enforce policies and procedures for the emergency
2 administration by an employee of a school district pursuant to section
3 36-2267 of naloxone hydrochloride or any other opioid antagonist approved
4 by the United States food and drug administration.

5 44. In addition to the notification requirements prescribed in
6 paragraph 36 of this subsection, prescribe and enforce reasonable and
7 appropriate policies to notify a pupil's parent or guardian if any person
8 engages in harassing, threatening or intimidating conduct against that
9 pupil. A school district and its officials and employees are immune from
10 civil liability with respect to all decisions made and actions taken that
11 are based on good faith implementation of the requirements of this
12 paragraph, except in cases of gross negligence or wanton or wilful
13 neglect. A person engages in threatening or intimidating if the person
14 threatens or intimidates by word or conduct to cause physical injury to
15 another person or serious damage to the property of another on school
16 grounds. A person engages in harassment if, with intent to harass or with
17 knowledge that the person is harassing another person, the person
18 anonymously or otherwise contacts, communicates or causes a communication
19 with another person by verbal, electronic, mechanical, telephonic or
20 written means in a manner that harasses on school grounds or substantially
21 disrupts the school environment.

22 45. Each fiscal year, provide to each school district employee a
23 total compensation statement that is broken down by category of benefit or
24 payment and that includes, for that employee, at least all of the
25 following:

- 26 (a) Base salary and any additional pay.
- 27 (b) Medical benefits and the value of any employer-paid portions of
- 28 insurance plan premiums.
- 29 (c) Retirement benefit plans, including social security.
- 30 (d) Legally required benefits.
- 31 (e) Any paid leave.
- 32 (f) Any other payment made to or on behalf of the employee.
- 33 (g) Any other benefit provided to the employee.

34 46. DEVELOP AND ADOPT IN A PUBLIC MEETING POLICIES TO ALLOW FOR
35 VISITS, TOURS AND OBSERVATIONS OF ALL CLASSROOMS BY PARENTS OF ENROLLED
36 PUPILS AND PARENTS WHO WISH TO ENROLL THEIR CHILDREN IN THE SCHOOL
37 DISTRICT UNLESS A VISIT, TOUR OR OBSERVATION THREATENS THE HEALTH AND
38 SAFETY OF PUPILS AND STAFF. THESE POLICIES AND PROCEDURES MUST BE EASILY
39 ACCESSIBLE FROM THE HOME PAGE ON EACH SCHOOL'S WEBSITE.

40 B. Notwithstanding subsection A, paragraphs 7, 9 and 11 of this
41 section, the county school superintendent may construct, improve and
42 furnish school buildings or purchase or sell school sites in the conduct
43 of an accommodation school.

1 C. If any school district acquires real or personal property,
2 whether by purchase, exchange, condemnation, gift or otherwise, the
3 governing board shall pay to the county treasurer any taxes on the
4 property that were unpaid as of the date of acquisition, including
5 penalties and interest. The lien for unpaid delinquent taxes, penalties
6 and interest on property acquired by a school district:

7 1. Is not abated, extinguished, discharged or merged in the title
8 to the property.

9 2. Is enforceable in the same manner as other delinquent tax liens.

10 D. The governing board may not locate a school on property that is
11 less than one-fourth mile from agricultural land regulated pursuant to
12 section 3-365, except that the owner of the agricultural land may agree to
13 comply with the buffer zone requirements of section 3-365. If the owner
14 agrees in writing to comply with the buffer zone requirements and records
15 the agreement in the office of the county recorder as a restrictive
16 covenant running with the title to the land, the school district may
17 locate a school within the affected buffer zone. The agreement may
18 include any stipulations regarding the school, including conditions for
19 future expansion of the school and changes in the operational status of
20 the school that will result in a breach of the agreement.

21 E. A school district, its governing board members, its school
22 council members and its employees are immune from civil liability for the
23 consequences of ~~adoption~~ ADOPTING and ~~implementation of~~ IMPLEMENTING
24 policies and procedures pursuant to subsection A of this section and
25 section 15-342. This waiver does not apply if the school district, its
26 governing board members, its school council members or its employees are
27 guilty of gross negligence or intentional misconduct.

28 F. A governing board may delegate in writing to a superintendent,
29 principal or head teacher the authority to prescribe procedures that are
30 consistent with the governing board's policies.

31 G. Notwithstanding any other provision of this title, a school
32 district governing board shall not take any action that would result in a
33 reduction of pupil square footage unless the governing board notifies the
34 school facilities oversight board established by section 41-5701.02 of the
35 proposed action and receives written approval from the school facilities
36 oversight board to take the action. A reduction includes an increase in
37 administrative space that results in a reduction of pupil square footage
38 or sale of school sites or buildings, or both. A reduction includes a
39 reconfiguration of grades that results in a reduction of pupil square
40 footage of any grade level. This subsection does not apply to temporary
41 reconfiguration of grades to accommodate new school construction if the
42 temporary reconfiguration does not exceed one year. The sale of equipment
43 that results in a reduction that falls below the equipment requirements
44 prescribed in section 41-5711, subsection B is subject to commensurate
45 withholding of school district district additional assistance monies

1 pursuant to the direction of the school facilities oversight
2 board. Except as provided in section 15-342, paragraph 10, proceeds from
3 the sale of school sites, buildings or other equipment shall be deposited
4 in the school plant fund as provided in section 15-1102.

5 H. Subsections C through G of this section apply to a county board
6 of supervisors and a county school superintendent when operating and
7 administering an accommodation school.

8 I. A school district governing board may delegate authority in
9 writing to the superintendent of the school district to submit plans for
10 new school facilities to the school facilities oversight board for the
11 purpose of certifying that the plans meet the minimum school facility
12 adequacy guidelines prescribed in section 41-5711.

13 J. For the purposes of subsection A, paragraph 37 of this section,
14 attendance boundaries may not be used to require students to attend
15 certain schools based on the student's place of residence.