

REFERENCE TITLE: **ASDB; revisions**

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

# **HB 2565**

Introduced by  
Representative Udall

**AN ACT**

**AMENDING SECTIONS 15-1306 AND 15-1342, ARIZONA REVISED STATUTES; RELATING TO THE ARIZONA STATE SCHOOLS FOR THE DEAF AND THE BLIND.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-1306, Arizona Revised Statutes, is amended to  
3 read:

4 15-1306. Arizona state schools for the deaf and the blind;  
5 local education agency

6 Notwithstanding any other provision of this chapter or chapter 10,  
7 article 7 of this title, the Arizona state schools for the deaf and the  
8 blind campuses are considered local education agencies for the following  
9 purposes:

10 1. Federal education funding received by this state.

11 2. State and federal accountability, including reporting  
12 requirements.

13 3. Providing a free and appropriate public education to ~~enrolled~~  
14 pupils ENROLLED IN A CAMPUS-BASED MODEL pursuant to the individuals with  
15 disabilities education act (20 United States Code chapter 33), including  
16 procedural safeguards, complaint procedures, implementation of  
17 individualized education programs and reevaluations pursuant to chapter 7,  
18 article 4 of this title.

19 4. Graduation criteria and procedures, including diplomas and  
20 transcripts.

21 Sec. 2. Section 15-1342, Arizona Revised Statutes, is amended to  
22 read:

23 15-1342. Admissions

24 A. Chapter 7, article 4 of this title governs admissions to the  
25 school except as provided in this section. The evaluation and  
26 consideration of placement in the school shall be made under the direction  
27 of the chief administrative official of the HOME school district ~~or~~  
28 ~~accommodation school~~ within the boundaries of which the child resides or a  
29 person designated by the official as responsible for special education  
30 after consultation with the parent, as defined in section 15-761, of the  
31 child. If a parent or legal guardian of a child directly refers a child  
32 to the ARIZONA state ~~school~~ SCHOOLS for the deaf and the blind, the ~~school~~  
33 SCHOOLS shall immediately, after notification of THE referral, contact the  
34 ~~chief administrative official~~ REPRESENTATIVE of the HOME school district  
35 ~~or accommodation school~~ within the boundaries of which the child  
36 resides. ~~The chief administrative official~~ A REPRESENTATIVE OF THE HOME  
37 SCHOOL DISTRICT shall arrange for the establishment of a placement and  
38 evaluation team for that child.

39 B. A placement and evaluation team shall determine the appropriate  
40 educational placement for the child based on the development of an  
41 individualized education program. PLACEMENT AND REVIEW OF THE  
42 INDIVIDUALIZED EDUCATION PROGRAM MAY BE CONDUCTED AT THE SAME MEETING.  
43 Each placement and evaluation team shall document that it has advised the  
44 CHILD'S parent or legal guardian of all placement options. The placement  
45 and evaluation team shall consist of at least the following persons:

- 1           1. The parent or legal guardian of the child.
- 2           2. ~~An administrator~~ A REPRESENTATIVE from the HOME school district  
3 in which the child resides. ~~WHO MEETS ALL OF THE FOLLOWING REQUIREMENTS:~~
  - 4           (a) IS QUALIFIED TO PROVIDE OR SUPERVISE THE PROVISION OF SPECIALLY  
5 DESIGNED INSTRUCTION TO MEET THE UNIQUE NEEDS OF CHILDREN WITH  
6 DISABILITIES.
  - 7           (b) IS KNOWLEDGEABLE ABOUT THE GENERAL EDUCATION CURRICULUM.
  - 8           (c) IS KNOWLEDGEABLE ABOUT THE AVAILABILITY OF RESOURCES OF THE  
9 PUBLIC AGENCY.
- 10          3. A certified teacher of ~~the~~ CHILDREN WITH A sensory ~~impaired~~  
11 IMPAIRMENT who provides or may provide in the future educational services  
12 to the child.
- 13          4. An evaluator, with preference given to an evaluator who is  
14 trained and experienced in evaluating the educational needs of CHILDREN  
15 WITH A sensory ~~impaired children~~ IMPAIRMENT. THE EVALUATOR MAY ALSO BE A  
16 MEMBER OF THE TEAM PURSUANT TO PARAGRAPH 2 OR 6 OF THIS SUBSECTION.
- 17          5. ~~A~~ AN EDUCATIONAL representative of the ~~school~~ ARIZONA STATE  
18 SCHOOLS FOR THE DEAF AND THE BLIND. THE EDUCATIONAL REPRESENTATIVE MAY  
19 ALSO BE A MEMBER OF THE TEAM PURSUANT TO PARAGRAPH 3 OF THIS SUBSECTION.
- 20          6. IF THE CHILD IS OR WILL BE PARTICIPATING IN THE REGULAR  
21 EDUCATIONAL ENVIRONMENT, AT LEAST ONE REGULAR EDUCATION TEACHER.
- 22          7. IF APPROPRIATE, THE CHILD WITH A DISABILITY.
- 23          C. The individualized education program plan of a child continuing  
24 in special education placement from the prior school year shall be  
25 reviewed annually and revised if necessary. The individualized planning  
26 conference shall include a representative of the HOME school district ~~of~~  
27 ~~residence~~ and a representative of the ~~school~~ SCHOOLS, the child's teacher,  
28 the parent, as defined in section 15-761, of the child and, if  
29 appropriate, the child.
- 30          D. THE ARIZONA STATE SCHOOLS FOR THE DEAF AND THE BLIND SHALL HOLD  
31 A PLACEMENT MEETING FOR A CHILD WHO IS ENROLLED IN A CAMPUS-BASED MODEL AT  
32 LEAST ANNUALLY TO REVIEW THE CHILD'S PLACEMENT STATUS AND SHALL INVITE A  
33 REPRESENTATIVE OF THE CHILD'S HOME SCHOOL DISTRICT. IF A DETERMINATION IS  
34 MADE THAT THE ARIZONA STATE SCHOOLS FOR THE DEAF AND THE BLIND IS NO  
35 LONGER THE LEAST RESTRICTIVE ENVIRONMENT, THE HOME SCHOOL DISTRICT SHALL  
36 ENROLL THE CHILD.
- 37          ~~D.~~ E. Except as provided in subsection ~~F~~ G of this section, ~~the~~  
38 ~~chief administrative official~~ A REPRESENTATIVE FOR SPECIAL EDUCATION of  
39 the HOME school district ~~or accommodation school within the boundaries of~~  
40 ~~which the child resides or a person designated by the official as~~  
41 ~~responsible for special education~~ shall place the child according to the  
42 recommendations of the individualized education program team.
- 43          ~~E.~~ F. A child who is placed in the school but moves from one  
44 school district or county to another may remain placed in the school until  
45 the next annual review. A representative of the child's new district of

1 residence shall be included on the team conducting the review. The  
2 superintendent of the ~~school~~ ARIZONA STATE SCHOOLS FOR THE DEAF AND THE  
3 BLIND shall at least quarterly give the chief administrator of the school  
4 district ~~or accommodation school~~ notice of any changes in a child's  
5 residence AND THE NEW DISTRICT OF RESIDENCE SHALL BECOME THE NEW HOME  
6 SCHOOL DISTRICT.

7 ~~F.~~ G. If the chief administrator of the HOME school district ~~or~~  
8 ~~accommodation school or his designee~~ and the superintendent of the ~~school~~  
9 SCHOOLS determine that the ~~school~~ SCHOOLS cannot provide the appropriate  
10 educational programs and services needed by the child, they shall locate  
11 or establish a program to meet the child's needs in consultation with the  
12 department of education and any other appropriate state agency.

13 ~~G.~~ H. A complete record of every person admitted shall be kept  
14 from the date of ~~his~~ THE PERSON'S admission to the date of ~~his~~ THE  
15 PERSON'S discharge, RELEASE, REMOVAL, GRADUATION or death. The records  
16 shall be accessible to the board or a legislative committee or ~~upon~~ ON  
17 order of a judge of a court of record.

18 ~~H.~~ I. If there is any question regarding the propriety of the  
19 placement or admission of any person received in the ~~school~~ SCHOOLS, the  
20 ~~governing board of the school district or accommodation school within the~~  
21 ~~boundaries of which the child resides or the board of the school~~ OFFICE OF  
22 DISPUTE RESOLUTION OF THE DEPARTMENT OF EDUCATION shall ~~make an~~  
23 ~~investigation~~ INVESTIGATE and take such action as it deems proper.

24 ~~I.~~ J. ~~No~~ A political or religious belief shall NOT be required as  
25 a qualification of any student of the ~~school~~ SCHOOLS.