

REFERENCE TITLE: schools; incentive program; dual enrollment

State of Arizona  
Senate  
Fifty-fifth Legislature  
Second Regular Session  
2022

## **SB 1690**

Introduced by  
Senator Gonzales

AN ACT

AMENDING SECTIONS 15-203 AND 15-249.06, ARIZONA REVISED STATUTES; RELATING  
TO SCHOOL INSTRUCTION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-203, Arizona Revised Statutes, is amended to  
3 read:

4 15-203. Powers and duties; definition

5 A. The state board of education shall:

6 1. Exercise general supervision over and regulate the conduct of  
7 the public school system and adopt any rules and policies it deems  
8 necessary to accomplish this purpose.

9 2. Keep a record of its proceedings.

10 3. Make rules for its own government.

11 4. Determine the policy and work undertaken by it.

12 5. Subject to title 41, chapter 4, article 4, employ staff.

13 6. Prescribe and supervise the duties of its employees pursuant to  
14 title 41, chapter 4, article 4, if not otherwise prescribed by statute.

15 7. Delegate to the superintendent of public instruction the  
16 execution of board policies and rules.

17 8. Recommend to the legislature changes or additions to the  
18 statutes pertaining to schools.

19 9. Prepare, publish and distribute reports concerning the  
20 educational welfare of this state.

21 10. Prepare a budget for expenditures necessary for proper  
22 maintenance of the board and accomplishment of its purposes and present  
23 the budget to the legislature.

24 11. Aid in the enforcement of laws relating to schools.

25 12. Prescribe a minimum course of study in the common schools,  
26 minimum competency requirements for the promotion of pupils from the third  
27 grade and minimum course of study and competency requirements for the  
28 promotion of pupils from the eighth grade. The state board of education  
29 shall prepare a fiscal impact statement of any proposed changes to the  
30 minimum course of study or competency requirements and, on completion,  
31 shall send a copy to the director of the joint legislative budget  
32 committee and the director of the school facilities division within the  
33 department of administration. The state board of education shall not  
34 adopt any changes in the minimum course of study or competency  
35 requirements in effect on July 1, 1998 that will have a fiscal impact on  
36 school capital costs.

37 13. Prescribe minimum course of study and competency requirements  
38 for the graduation of pupils from high school. The state board of  
39 education shall prepare a fiscal impact statement of any proposed changes  
40 to the minimum course of study or competency requirements and, on  
41 completion, shall send a copy to the director of the joint legislative  
42 budget committee and the director of the school facilities division within  
43 the department of administration. The state board of education shall not  
44 adopt any changes in the minimum course of study or competency

1 requirements in effect on July 1, 1998 that will have a fiscal impact on  
2 school capital costs.

3 14. Pursuant to section 15-501.01, supervise and control the  
4 certification of persons engaged in instructional work directly as any  
5 classroom, laboratory or other teacher or indirectly as a supervisory  
6 teacher, speech therapist, principal or superintendent in a school  
7 district, including school district preschool programs, or any other  
8 educational institution below the community college, college or university  
9 level, and prescribe rules for certification.

10 15. Adopt a list of approved tests for determining special  
11 education assistance to gifted pupils as defined in and as provided in  
12 chapter 7, article 4.1 of this title. The adopted tests shall provide  
13 separate scores for quantitative reasoning, verbal reasoning and nonverbal  
14 reasoning and shall be capable of providing reliable and valid scores at  
15 the highest ranges of the score distribution.

16 16. Adopt rules governing the methods for the administration of all  
17 proficiency examinations.

18 17. Adopt proficiency examinations for its use and determine the  
19 passing score for the proficiency examinations.

20 18. Include within its budget the cost of contracting for the  
21 purchase, distribution and scoring of the examinations as provided in  
22 paragraphs 16 and 17 of this subsection.

23 19. Supervise and control the qualifications of professional  
24 nonteaching school personnel and prescribe standards relating to  
25 qualifications. The standards shall not require the business manager of a  
26 school district to obtain certification from the state board of education.

27 20. Impose such disciplinary action, including disciplinary action  
28 pursuant to section 15-505 or the issuance of a letter of censure,  
29 suspension, suspension with conditions or revocation of a certificate, on  
30 a finding of immoral or unprofessional conduct.

31 21. Establish an assessment, data gathering and reporting system  
32 for pupil performance as prescribed in chapter 7, article 3 of this title,  
33 including qualifying examinations for the **DUAL ENROLLMENT AND** college  
34 credit by examination incentive program pursuant to section 15-249.06.

35 22. Adopt a rule to promote braille literacy pursuant to section  
36 15-214.

37 23. Adopt rules prescribing procedures for the state board of  
38 education to investigate every written complaint alleging that a  
39 certificated person, a person seeking certification or a noncertificated  
40 person has engaged in immoral or unprofessional conduct.

41 24. For purposes of federal law, serve as the state board for  
42 vocational and technological education and meet at least four times each  
43 year solely to execute the powers and duties of the state board for  
44 vocational and technological education.

1           25. Develop and maintain a handbook for use in the schools of this  
2 state that provides guidance for the teaching of moral, civic and ethical  
3 education. The handbook shall promote existing curriculum frameworks and  
4 shall encourage school districts to recognize moral, civic and ethical  
5 values within instructional and programmatic educational development  
6 programs for the general purpose of instilling character and ethical  
7 principles in pupils in kindergarten programs and grades one through  
8 twelve.

9           26. Require pupils to recite the following passage from the  
10 declaration of independence for pupils in grades four through six at the  
11 commencement of the first class of the day in the schools, except that a  
12 pupil shall not be required to participate if the pupil or the pupil's  
13 parent or guardian objects:

14                   We hold these truths to be self-evident, that all men  
15                   are created equal, that they are endowed by their creator with  
16                   certain unalienable rights, that among these are life, liberty  
17                   and the pursuit of happiness. That to secure these rights,  
18                   governments are instituted among men, deriving their just  
19                   powers from the consent of the governed. . . .

20           27. Adopt rules that provide for certification reciprocity pursuant  
21 to section 15-501.01.

22           28. Adopt rules that provide for the presentation of an honorary  
23 high school diploma to a person who has never obtained a high school  
24 diploma and who meets both of the following requirements:

25                   (a) Currently resides in this state.

26                   (b) Provides documented evidence from the department of veterans'  
27 services that the person enlisted in the armed forces of the United States  
28 and served in World War I, World War II, the Korean conflict or the  
29 Vietnam conflict.

30           29. Cooperate with the Arizona-Mexico commission in the governor's  
31 office and with researchers at universities in this state to collect data  
32 and conduct projects in the United States and Mexico on issues that are  
33 within the scope of the duties of the department of education and that  
34 relate to quality of life, trade and economic development in this state in  
35 a manner that will help the Arizona-Mexico commission to assess and  
36 enhance the economic competitiveness of this state and of the  
37 Arizona-Mexico region.

38           30. Adopt rules to define and provide guidance to schools as to the  
39 activities that would constitute immoral or unprofessional conduct of  
40 certificated and noncertificated persons.

41           31. Adopt guidelines to encourage pupils in grades nine, ten,  
42 eleven and twelve to volunteer for twenty hours of community service  
43 before graduation from high school. A school district that complies with  
44 the guidelines adopted pursuant to this paragraph is not liable for  
45 damages resulting from a pupil's participation in community service unless

1 the school district is found to have demonstrated wanton or reckless  
2 disregard for the safety of the pupil and other participants in community  
3 service. For the purposes of this paragraph, "community service" may  
4 include service learning. The guidelines shall include the following:

5 (a) A list of the general categories in which community service may  
6 be performed.

7 (b) A description of the methods by which community service will be  
8 monitored.

9 (c) A consideration of risk assessment for community service  
10 projects.

11 (d) Orientation and notification procedures of community service  
12 opportunities for pupils entering grade nine, including the development of  
13 a notification form. The notification form shall be signed by the pupil  
14 and the pupil's parent or guardian, except that a pupil shall not be  
15 required to participate in community service if the parent or guardian  
16 notifies the principal of the pupil's school in writing that the parent or  
17 guardian does not wish the pupil to participate in community service.

18 (e) Procedures for a pupil in grade nine to prepare a written  
19 proposal that outlines the type of community service that the pupil would  
20 like to perform and the goals that the pupil hopes to achieve as a result  
21 of community service. The pupil's written proposal shall be reviewed by a  
22 faculty advisor, a guidance counselor or any other school employee who is  
23 designated as the community service program coordinator for that school.  
24 The pupil may alter the written proposal at any time before performing  
25 community service.

26 (f) Procedures for a faculty advisor, a guidance counselor or any  
27 other school employee who is designated as the community service program  
28 coordinator to evaluate and certify the completion of community service  
29 performed by pupils.

30 32. To facilitate the transfer of military personnel and their  
31 dependents to and from the public schools of this state, pursue, in  
32 cooperation with the Arizona board of regents, reciprocity agreements with  
33 other states concerning the transfer credits for military personnel and  
34 their dependents. A reciprocity agreement entered into pursuant to this  
35 paragraph shall:

36 (a) Address procedures for each of the following:

37 (i) ~~The transfer of~~ TRANSFERRING student records.

38 (ii) Awarding credit for completed coursework.

39 (iii) Allowing a student to satisfy the graduation requirements  
40 prescribed in section 15-701.01 through the successful performance on  
41 comparable exit-level assessment instruments administered in another  
42 state.

43 (b) Include appropriate criteria developed by the state board of  
44 education and the Arizona board of regents.

1           33. Adopt guidelines that school district governing boards shall  
2 use in identifying pupils who are eligible for gifted programs and in  
3 providing gifted education programs and services. The state board of  
4 education shall adopt any other guidelines and rules that it deems  
5 necessary in order to carry out the purposes of chapter 7, article 4.1 of  
6 this title.

7           34. For each of the alternative textbook formats of human-voiced  
8 audio, large-print and braille, designate alternative media producers to  
9 adapt existing standard print textbooks or to provide specialized  
10 textbooks, or both, for pupils with disabilities in this state. Each  
11 alternative media producer shall be capable of producing alternative  
12 textbooks in all relevant subjects in at least one of the alternative  
13 textbook formats. The board shall post the designated list of alternative  
14 media producers on its website.

15           35. Adopt a list of approved professional development training  
16 providers for use by school districts as provided in section 15-107,  
17 subsection J. The professional development training providers shall meet  
18 the training curriculum requirements determined by the state board of  
19 education in at least the areas of school finance, governance, employment,  
20 staffing, inventory and human resources, internal controls and  
21 procurement.

22           36. Adopt rules to prohibit a person who violates the notification  
23 requirements prescribed in section 15-183, subsection C, paragraph 8 or  
24 section 15-550, subsection D from certification pursuant to this title  
25 until the person is no longer charged or is acquitted of any offenses  
26 listed in section 41-1758.03, subsection B. The state board shall also  
27 adopt rules to prohibit a person who violates the notification  
28 requirements, certification surrender requirements or fingerprint  
29 clearance card surrender requirements prescribed in section 15-183,  
30 subsection C, paragraph 9 or section 15-550, subsection E from  
31 certification pursuant to this title for at least ten years after the date  
32 of the violation.

33           37. Adopt rules for the alternative certification of teachers of  
34 nontraditional foreign languages that allow for the passing of a  
35 nationally accredited test to substitute for the education coursework  
36 required for certification.

37           38. Adopt rules to define competency-based educational pathways for  
38 college and career readiness that may be used by schools. The rules shall  
39 include the following components:

40           (a) The establishment of learning outcomes that will be expected  
41 for students in a particular subject, beginning with math.

42           (b) On or before December 31, 2022, a mechanism to allow pupils in  
43 grades seven through twelve who have demonstrated competency in a subject  
44 to immediately obtain credit for the mastery of that subject. The rules  
45 shall include a list of applicable subjects.

1           39. In consultation with the department of health services, the  
2 department of education, medical professionals, school health  
3 professionals, school administrators and an organization that represents  
4 school nurses in this state, adopt rules that prescribe the following for  
5 school districts and charter schools:

6           (a) Annual training in the administration of auto-injectable  
7 epinephrine for designated medical and nonmedical school personnel. The  
8 annual training prescribed in this subdivision is optional during any  
9 fiscal year in which a school does not stock epinephrine auto-injectors at  
10 the school during that fiscal year.

11           (b) Annual training for all school site personnel on the  
12 recognition of anaphylactic shock symptoms and the procedures to follow  
13 when anaphylactic shock occurs, following the national guidelines of the  
14 American academy of pediatrics. The annual training prescribed in this  
15 subdivision is optional during any fiscal year in which a school does not  
16 stock epinephrine auto-injectors at the school during that fiscal year.

17           (c) Procedures for the administration of epinephrine auto-injectors  
18 in emergency situations.

19           (d) Procedures for annually requesting a standing order for  
20 epinephrine auto-injectors pursuant to section 15-157 from the chief  
21 medical officer of the department of health services, the chief medical  
22 officer of a county health department, a doctor of medicine licensed  
23 pursuant to title 32, chapter 13, a doctor of naturopathic medicine  
24 licensed pursuant to title 32, chapter 14 or a doctor of osteopathic  
25 medicine licensed pursuant to title 32, chapter 17.

26           (e) Procedures for reporting the use of epinephrine auto-injectors  
27 to the department of health services.

28           40. In consultation with the department of education, medical  
29 professionals, school health professionals, school administrators and an  
30 organization that represents school nurses in this state, adopt rules that  
31 prescribe the following for school districts and charter schools that  
32 elect to administer inhalers:

33           (a) Annual training in the recognition of respiratory distress  
34 symptoms and the procedures to follow when respiratory distress occurs, in  
35 accordance with good clinical practice, and the administration of  
36 inhalers, as directed on the prescription protocol, by designated medical  
37 and nonmedical school personnel.

38           (b) Requirements for school districts and charter schools that  
39 elect to administer inhalers to designate at least two employees at each  
40 school to be trained in the recognition of respiratory distress symptoms  
41 and the procedures to follow when respiratory distress occurs, in  
42 accordance with good clinical practice, and at least two employees at each  
43 school to be trained in the administration of inhalers, as directed on the  
44 prescription protocol.

1 (c) Procedures for the administration of inhalers in emergency  
2 situations, as directed on the prescription protocol.

3 (d) Procedures for annually requesting a standing order for  
4 inhalers and spacers or holding chambers pursuant to section 15-158 from  
5 the chief medical officer of a county health department, a physician  
6 licensed pursuant to title 32, chapter 13, 14 or 17 or a nurse  
7 practitioner licensed pursuant to title 32, chapter 15.

8 (e) Procedures for notifying a parent once an inhaler has been  
9 administered.

10 41. Adopt rules for certification that allow substitute teachers  
11 who can demonstrate primary teaching responsibility in a classroom as  
12 defined by the state board of education to use the time spent in that  
13 classroom toward the required capstone experience for standard teaching  
14 certification.

15 42. For the purposes of Sandra Day O'Connor civics celebration day  
16 instruction under section 15-710.01, develop a list of recommended  
17 resources relating to civics education that align with the academic  
18 standards prescribed by the state board of education in social studies  
19 pursuant to sections 15-701 and 15-701.01. The state board shall  
20 establish a process that allows public schools to recommend resources for  
21 addition to the list.

22 43. Direct and oversee the work of all investigators related to  
23 investigating certificated persons, persons seeking certification and  
24 noncertificated persons for immoral or unprofessional conduct under this  
25 title and rules adopted pursuant to this title. The investigators shall  
26 be housed within and are employees of the state board of education.

27 44. Establish best practices for social media and cellular  
28 telephone use between students and school personnel, including teachers,  
29 coaches and counselors, and encourage school district governing boards and  
30 charter school governing bodies to adopt policies that implement these  
31 best practices. The state board of education shall make these best  
32 practices available to both public and private schools.

33 B. The state board of education may:

34 1. Contract.

35 2. Sue and be sued.

36 3. Distribute and score the tests prescribed in chapter 7, article  
37 3 of this title.

38 4. Provide for an advisory committee or hearing officers to conduct  
39 hearings and screenings to determine whether grounds exist to impose  
40 disciplinary action against a certificated person, whether grounds exist  
41 to reinstate a revoked or surrendered certificate, whether grounds exist  
42 to approve or deny an initial application for certification or a request  
43 for renewal of a certificate and whether grounds exist to impose or lift  
44 disciplinary action against a noncertificated person. The board may  
45 delegate its responsibility to conduct hearings and screenings to its



1 advisory committee or hearing officers. Hearings shall be conducted  
2 pursuant to title 41, chapter 6, article 6.

3 5. Proceed with the disposal of any complaint requesting  
4 disciplinary action against a noncertificated person after the board has  
5 imposed disciplinary action pursuant to section 15-505 or against a person  
6 holding a certificate as prescribed in subsection A, paragraph 14 of this  
7 section after the suspension or expiration of the certificate or surrender  
8 of the certificate by the holder.

9 6. Assess costs and reasonable attorney fees against a person who  
10 files a frivolous complaint or who files a complaint in bad faith. Costs  
11 assessed pursuant to this paragraph shall not exceed the expenses incurred  
12 by the state board of education in the investigation of the complaint.

13 7. Issue subpoenas to compel the attendance and testimony of  
14 witnesses and production of documents or any physical evidence in  
15 connection with an investigation or hearing of an allegation that a  
16 certificated person, a person seeking certification or a noncertificated  
17 person has engaged in immoral or unprofessional conduct. If a subpoena  
18 issued by the board is disobeyed, the board may petition the superior  
19 court to enforce the subpoena. Any failure to obey an order of the court  
20 pursuant to this paragraph may be punished by the court as contempt.

21 C. For the purposes of this section, "noncertificated person" has  
22 the same meaning prescribed in section 15-505.

23 Sec. 2. Section 15-249.06, Arizona Revised Statutes, is amended to  
24 read:

25 15-249.06. Dual enrollment and college credit by examination  
26 incentive program; incentive bonuses; report;  
27 qualifying lists for college credit; fund

28 A. The DUAL ENROLLMENT AND college credit by examination incentive  
29 program is established within the department of education to provide an  
30 incentive bonus to teachers, school districts and charter schools for  
31 students who COMPLETE A QUALIFYING DUAL ENROLLMENT COURSE WITH A PASSING  
32 GRADE OR obtain a passing score on a qualifying examination for college  
33 credit while in high school.

34 B. The Arizona board of regents shall maintain a list of qualifying  
35 examinations that a high school student may take in order to receive  
36 college credit in mathematics, English language arts, social studies or  
37 science from any university under the jurisdiction of the Arizona board of  
38 regents and the passing scores required on those examinations in order to  
39 receive college credit. On or before September 1 of each year, the  
40 Arizona board of regents shall provide the list of qualifying examinations  
41 and passing scores to the department of education and ~~shall submit this~~  
42 ~~list to~~ the joint legislative budget committee.

43 C. EACH COMMUNITY COLLEGE DISTRICT GOVERNING BOARD SHALL MAINTAIN A  
44 LIST OF QUALIFYING DUAL ENROLLMENT COURSES OFFERED PURSUANT TO SECTION  
45 15-1821.01 THAT A HIGH SCHOOL STUDENT MAY TAKE IN ORDER TO RECEIVE COLLEGE

1 CREDIT IN MATHEMATICS, ENGLISH LANGUAGE ARTS, SOCIAL STUDIES OR SCIENCE  
2 AND THE PASSING GRADE REQUIRED IN EACH QUALIFYING DUAL ENROLLMENT COURSE  
3 IN ORDER TO RECEIVE COLLEGE CREDIT. ON OR BEFORE SEPTEMBER 1 OF EACH  
4 YEAR, EACH COMMUNITY COLLEGE DISTRICT GOVERNING BOARD SHALL PROVIDE THE  
5 LIST OF QUALIFYING DUAL ENROLLMENT COURSES AND PASSING GRADES TO THE  
6 DEPARTMENT OF EDUCATION AND THE JOINT LEGISLATIVE BUDGET COMMITTEE.

7 ~~C. D. Beginning in fiscal year 2017-2018,~~ The department of  
8 education shall pay an incentive bonus to school districts and charter  
9 schools for each student in grades nine through twelve who receives a  
10 passing score during the previous fiscal year on a qualifying examination  
11 identified by the Arizona board of regents pursuant to subsection B of  
12 this section. A student who receives a passing score on a qualifying  
13 examination and who is enrolled in a school where fifty percent or more of  
14 the students are eligible for free or reduced-price lunches shall generate  
15 for the school or charter school a bonus of \$450 per passing score on a  
16 qualifying examination. A student who receives a passing score on a  
17 qualifying examination and who is enrolled in a school where less than  
18 fifty percent of the students are eligible for free or reduced-price  
19 lunches shall generate for the school or charter school a bonus of \$300  
20 per passing score on a qualifying examination. If the statewide sum of  
21 per student bonuses awarded pursuant to this subsection exceeds the amount  
22 of available monies appropriated for incentive bonuses, the bonus monies  
23 shall be reduced proportionally to cover all eligible bonus awards.

24 E. BEGINNING IN FISCAL YEAR 2023-2024, THE DEPARTMENT OF EDUCATION  
25 SHALL PAY AN INCENTIVE BONUS TO SCHOOL DISTRICTS AND CHARTER SCHOOLS FOR  
26 EACH STUDENT IN GRADES NINE THROUGH TWELVE WHO COMPLETES A QUALIFYING DUAL  
27 ENROLLMENT COURSE, AS IDENTIFIED BY A COMMUNITY COLLEGE DISTRICT GOVERNING  
28 BOARD PURSUANT TO SUBSECTION C OF THIS SECTION, WITH A PASSING GRADE  
29 DURING THE PREVIOUS FISCAL YEAR AND WHO IS ENROLLED IN A SCHOOL WHERE  
30 FIFTY PERCENT OR MORE OF THE STUDENTS ARE ELIGIBLE FOR FREE OR  
31 REDUCED-PRICE LUNCHES. A STUDENT WHO COMPLETES A QUALIFYING DUAL  
32 ENROLLMENT COURSE WITH A PASSING GRADE AND WHO IS ENROLLED IN A SCHOOL  
33 WHERE FIFTY PERCENT OR MORE OF THE STUDENTS ARE ELIGIBLE FOR FREE OR  
34 REDUCED-PRICE LUNCHES SHALL GENERATE FOR THE SCHOOL OR CHARTER SCHOOL A  
35 BONUS OF \$450 PER PASSING GRADE IN A QUALIFYING DUAL ENROLLMENT COURSE.  
36 IF THE STATEWIDE SUM OF PER STUDENT BONUSES AWARDED PURSUANT TO THIS  
37 SUBSECTION EXCEEDS THE AMOUNT OF AVAILABLE MONIES APPROPRIATED FOR  
38 INCENTIVE BONUSES, THE BONUS MONIES SHALL BE REDUCED PROPORTIONALLY TO  
39 COVER ALL ELIGIBLE BONUS AWARDS.

40 ~~D.~~ F. A school district or charter school that receives an  
41 incentive bonus pursuant to this section shall distribute at least fifty  
42 percent of the bonus monies to the associated classroom teacher for each  
43 student who COMPLETES A QUALIFYING DUAL ENROLLMENT COURSE WITH A PASSING  
44 GRADE OR passes a qualifying examination and to other teachers of relevant  
45 subjects who instructed that student, including teachers in the same

1 department or subject matter that contributed to the student **COMPLETING A**  
 2 **QUALIFYING DUAL ENROLLMENT COURSE WITH A PASSING GRADE OR** passing the  
 3 examination, as identified by the school district governing board, the  
 4 charter school governing body or the school principal. Bonus monies  
 5 awarded to a teacher pursuant to this subsection are in addition to any  
 6 regular wage, compensation or other bonus the teacher receives or is  
 7 scheduled to receive and shall be provided to the teacher by the end of  
 8 the school year or not later than thirty days after the end of the school  
 9 year. The remainder of any bonus monies received by a school district or  
 10 charter school shall be allocated by the school principal on behalf of  
 11 students who receive a **PASSING GRADE OR** passing score and may be used for  
 12 teacher professional development or student instructional support,  
 13 reimbursement of examination fees or instructional materials. Any bonus  
 14 monies received by a school district or charter school pursuant to this  
 15 subsection shall be separately accounted for in the school district's or  
 16 charter school's annual financial report.

17 ~~F.~~ **G.** Incentive bonuses distributed to and any bonus monies  
 18 received by a school district or charter school pursuant to this section  
 19 are not subject to collective bargaining.

20 ~~F.~~ **H.** Payments made by the department of education pursuant to  
 21 this section shall be distributed to schools not later than March 1 of  
 22 each year. School districts and charter schools may appeal the allocation  
 23 of bonus monies not later than August 1 of each year. The department may  
 24 withhold up to \$10,000 of the monies appropriated for the purposes of this  
 25 section to address allocation appeals by school districts and charter  
 26 schools.

27 ~~G.~~ **I.** On or before ~~December 15, 2018 and on or before~~ December 15  
 28 of each year ~~thereafter~~, the department of education shall submit to the  
 29 president of the senate, the speaker of the house of representatives, the  
 30 governor, the secretary of state, and the joint legislative budget  
 31 committee, a report on all of the following:

32 1. The number of students **WHO COMPLETED A QUALIFYING DUAL**  
 33 **ENROLLMENT COURSE AND THE NUMBER OF STUDENTS** who took a qualifying  
 34 examination at each school.

35 2. The number of students **WHO COMPLETED A QUALIFYING DUAL**  
 36 **ENROLLMENT COURSE WITH A PASSING GRADE, THE NUMBER OF STUDENTS** who  
 37 received a passing score on a qualifying examination and the number of  
 38 incentive bonus awards distributed.

39 3. The number and types of **QUALIFYING DUAL ENROLLMENT COURSES AND**  
 40 qualifying examinations taken by students.

41 4. The amount of bonus monies received by each school.

42 ~~H.~~ **J.** Incentive bonuses distributed to and any bonus monies  
 43 received by a teacher are not compensation as defined in section 38-711.

1           ~~+~~ K. The DUAL ENROLLMENT AND college credit by examination  
2 development fund is established consisting of monies that are appropriated  
3 to the department of education for the purposes of this section but that  
4 are not distributed by the end of the fiscal year in which the monies are  
5 appropriated. The department shall administer the fund. Monies in the  
6 fund are continuously appropriated and are exempt from the provisions of  
7 section 35-190 relating to lapsing of appropriations. The department  
8 shall distribute monies in the fund to schools in which fifty percent or  
9 more of the students are eligible for free or reduced-price lunches to  
10 assist those schools in developing and operating classes that offer  
11 qualifying examinations pursuant to this section. The department shall  
12 prioritize distributions from the fund based on need.