

~~charter schools; financial requirements; revisions~~
(now: schools; requirements; revisions)

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

CHAPTER 170
HOUSE BILL 2060

AN ACT

AMENDING TITLE 15, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-120.04; AMENDING SECTIONS 15-183, 15-211, 15-219, 15-249.16, 15-341, 15-701, 15-704, 15-828 AND 15-903, ARIZONA REVISED STATUTES; AMENDING SECTION 6, AS ADDED BY SENATE BILL 1720, FIFTY-SIXTH LEGISLATURE, FIRST REGULAR SESSION, AS TRANSMITTED TO THE GOVERNOR; RELATING TO SCHOOLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 15, chapter 1, article 1, Arizona Revised
3 Statutes, is amended by adding section 15-120.04, to read:

4 15-120.04. Postings on website; satisfaction of requirement

5 NOTWITHSTANDING ANY OTHER LAW:

6 1. A SCHOOL DISTRICT, A SCHOOL THAT IS OPERATED BY A SCHOOL
7 DISTRICT OR A CHARTER SCHOOL MAY SATISFY ANY STATUTORY REQUIREMENT TO
8 POST, PROMINENTLY DISPLAY, MAKE ACCESSIBLE OR OTHERWISE INCLUDE SPECIFIED
9 INFORMATION ON ITS WEBSITE BY MAKING A LINK TO THE INFORMATION AVAILABLE
10 ON THE SCHOOL DISTRICT'S, THE SCHOOL'S OR THE CHARTER SCHOOL'S HOME PAGE.

11 2. A SCHOOL DISTRICT, A SCHOOL THAT IS OPERATED BY A SCHOOL
12 DISTRICT OR A CHARTER SCHOOL MAY CONSOLIDATE ALL INFORMATION THAT IT IS
13 STATUTORILY REQUIRED TO POST, PROMINENTLY DISPLAY, MAKE ACCESSIBLE OR
14 OTHERWISE INCLUDE ON ITS WEBSITE ON A SINGLE WEBPAGE AND POST A LINK TO
15 THE WEBPAGE ON THE SCHOOL DISTRICT'S, THE SCHOOL'S OR THE CHARTER SCHOOL'S
16 HOME PAGE.

17 Sec. 2. Section 15-183, Arizona Revised Statutes, is amended to
18 read:

19 15-183. Charter schools; application; requirements; immunity;
20 exemptions; renewal of application; reprisal; fee;
21 funds; annual reports

22 A. An applicant seeking to establish a charter school shall apply
23 in writing to a proposed sponsor as prescribed in subsection C of this
24 section. The application, application process and application time frames
25 shall be posted on the sponsor's website and shall include the following,
26 as specified in the application adopted by the sponsor:

- 27 1. A detailed educational plan.
- 28 2. A detailed business plan.
- 29 3. A detailed operational plan.
- 30 4. Any other materials required by the sponsor.

31 B. The sponsor of a charter school may contract with a public body,
32 private person or private organization for the purpose of establishing a
33 charter school pursuant to this article.

34 C. The sponsor of a charter school may be either the state board of
35 education, the state board for charter schools, a university under the
36 jurisdiction of the Arizona board of regents, a community college district
37 or a group of community college districts, subject to the following
38 requirements:

39 1. An applicant may not apply for sponsorship to any person or
40 entity other than those prescribed in this subsection.

41 2. The applicant may apply to the state board of education or the
42 state board for charter schools. Notwithstanding any other law, neither
43 the state board for charter schools nor the state board of education shall
44 grant a charter to a school district governing board for a new charter
45 school or for the conversion of an existing district public school to a

1 charter school. The state board of education or the state board for
2 charter schools may approve the application if the application meets the
3 requirements of this article and may approve the charter if the proposed
4 sponsor determines, within its sole discretion, that the applicant is
5 sufficiently qualified to operate a charter school and that the applicant
6 is applying to operate as a separate charter holder by considering factors
7 such as whether:

8 (a) The schools have separate governing bodies, governing body
9 membership, staff, facilities and student population.

10 (b) Daily operations are carried out by different administrators.

11 (c) The applicant intends to have an affiliation agreement for the
12 purpose of providing enrollment preferences.

13 (d) The applicant's charter management organization has multiple
14 charter holders serving varied grade configurations on one physical site
15 or nearby sites serving one community.

16 (e) The applicant is reconstituting an existing school site
17 population at the same or new site.

18 (f) The applicant is reconstituting an existing grade configuration
19 from a prior charter holder with at least one grade remaining on the
20 original site with the other grade or grades moving to a new site. The
21 state board of education or the state board for charter schools may
22 approve any charter schools transferring charters. If the state board of
23 education or the state board for charter schools rejects the preliminary
24 application, the state board of education or the state board for charter
25 schools shall notify the applicant in writing of the reasons for the
26 rejection and of suggestions for improving the application. An applicant
27 may submit a revised application for reconsideration by the state board of
28 education or the state board for charter schools. The applicant may
29 request, and the state board of education or the state board for charter
30 schools may provide, technical assistance to improve the application.

31 3. The applicant may submit the application to a university under
32 the jurisdiction of the Arizona board of regents, a community college
33 district or a group of community college districts. A university, a
34 community college district or a group of community college districts shall
35 not grant a charter to a school district governing board for a new charter
36 school or for the conversion of an existing district public school to a
37 charter school. A university, a community college district or a group of
38 community college districts may approve the application if it meets the
39 requirements of this article and if the proposed sponsor determines, in
40 its sole discretion, that the applicant is sufficiently qualified to
41 operate a charter school.

42 4. Each applicant seeking to establish a charter school shall
43 submit a full set of fingerprints to the approving agency for the purpose
44 of obtaining a state and federal criminal records check pursuant to
45 section 41-1750 and Public Law 92-544. If an applicant will have direct

1 contact with students, the applicant shall possess a valid fingerprint
2 clearance card that is issued pursuant to title 41, chapter 12,
3 article 3.1. The department of public safety may exchange this
4 fingerprint data with the federal bureau of investigation. The criminal
5 records check shall be completed before the issuance of a charter.

6 5. All persons engaged in instructional work directly as a
7 classroom, laboratory or other teacher or indirectly as a supervisory
8 teacher, speech therapist or principal and all charter representatives,
9 charter school governing body members and officers, directors, members and
10 partners of the charter holder shall have a valid fingerprint clearance
11 card that is issued pursuant to title 41, chapter 12, article 3.1, unless
12 the person is a volunteer or guest speaker who is accompanied in the
13 classroom by a person with a valid fingerprint clearance card. A charter
14 school shall not employ in any position that requires a valid fingerprint
15 clearance card a person against whom the state board of education has
16 taken disciplinary action as prescribed in section 15-505 or whose
17 certificate has been suspended, surrendered or revoked, unless the
18 person's certificate has been subsequently reinstated by the state board
19 of education. All other personnel shall be fingerprint checked pursuant
20 to section 15-512, or the charter school may require those personnel to
21 obtain a fingerprint clearance card issued pursuant to title 41,
22 chapter 12, article 3.1. Before employment, the charter school shall make
23 documented, good faith efforts to contact previous employers of a person
24 to obtain information and recommendations that may be relevant to the
25 person's fitness for employment as prescribed in section 15-512,
26 subsection F, including checking the educator information system that is
27 maintained by the department of education pursuant to section 15-505. The
28 charter school shall notify the department of public safety if the charter
29 school or sponsor receives credible evidence that a person who possesses a
30 valid fingerprint clearance card is arrested for or is charged with an
31 offense listed in section 41-1758.03, subsection B. A person who is
32 employed at a charter school that has met the requirements of this
33 paragraph is not required to meet any additional requirements that are
34 established by the department of education or that may be established by
35 rule by the state board of education. The state board of education may
36 not adopt rules that exceed the requirements for persons who are qualified
37 to teach in charter schools prescribed in title I of the every student
38 succeeds act (P.L. 114-95) or the individuals with disabilities education
39 improvement act of 2004 (P.L. 108-446). Charter schools may hire
40 personnel who have not yet received a fingerprint clearance card if proof
41 is provided of the submission of an application to the department of
42 public safety for a fingerprint clearance card and if the charter school
43 that is seeking to hire the applicant does all of the following:

1 (a) Documents in the applicant's file the necessity for hiring and
2 placing the applicant before the applicant receives a fingerprint
3 clearance card.

4 (b) Ensures that the department of public safety completes a
5 statewide criminal records check on the applicant. A statewide criminal
6 records check shall be completed by the department of public safety every
7 one hundred twenty days until the date that the fingerprint check is
8 completed or the fingerprint clearance card is issued or denied.

9 (c) Obtains references from the applicant's current employer and
10 the two most recent previous employers except for applicants who have been
11 employed for at least five years by the applicant's most recent employer.

12 (d) Provides general supervision of the applicant until the date
13 that the fingerprint card is obtained.

14 (e) Completes a search of criminal records in all local
15 jurisdictions outside of this state in which the applicant has lived in
16 the previous five years.

17 (f) Verifies the fingerprint status of the applicant with the
18 department of public safety.

19 6. A charter school that complies with the fingerprinting
20 requirements of this section shall be deemed to have complied with section
21 15-512 and is entitled to the same rights and protections provided to
22 school districts by section 15-512.

23 7. If a charter school operator is not already subject to a public
24 meeting or hearing by the municipality in which the charter school is
25 located, the operator of a charter school shall conduct a public meeting
26 at least thirty days before the charter school operator opens a site or
27 sites for the charter school. The charter school operator shall post
28 notices of the public meeting in at least three different locations that
29 are within three hundred feet of the proposed charter school site.

30 8. A person who is employed by a charter school or who is an
31 applicant for employment with a charter school, who is arrested for or
32 charged with a nonappealable offense listed in section 41-1758.03,
33 subsection B and who does not immediately report the arrest or charge to
34 the person's supervisor or potential employer is guilty of unprofessional
35 conduct and the person shall be immediately dismissed from employment with
36 the charter school or immediately excluded from potential employment with
37 the charter school.

38 9. A person who is employed by a charter school and who is
39 convicted of any nonappealable offense listed in section 41-1758.03,
40 subsection B or is convicted of any nonappealable offense that amounts to
41 unprofessional conduct under section 15-550 shall immediately do all of
42 the following:

43 (a) Surrender any certificates issued by the department of
44 education.

1 (b) Notify the person's employer or potential employer of the
2 conviction.

3 (c) Notify the department of public safety of the conviction.

4 (d) Surrender the person's fingerprint clearance card.

5 D. An entity that is authorized to sponsor charter schools pursuant
6 to this article has no legal authority over or responsibility for a
7 charter school sponsored by a different entity. This subsection does not
8 apply to the state board of education's duty to exercise general
9 supervision over the public school system pursuant to section 15-203,
10 subsection A, paragraph 1.

11 E. The charter of a charter school shall do all of the following:

12 1. Ensure compliance with federal, state and local rules,
13 regulations and statutes relating to health, safety, civil rights and
14 insurance. The department of education shall publish a list of relevant
15 rules, regulations and statutes to notify charter schools of their
16 responsibilities under this paragraph.

17 2. Ensure that it is nonsectarian in its programs, admission
18 policies and employment practices and all other operations.

19 3. Ensure that it provides a comprehensive program of instruction
20 for at least a kindergarten program or any grade between grades one and
21 twelve, except that a school may offer this curriculum with an emphasis on
22 a specific learning philosophy or style or certain subject areas such as
23 mathematics, science, fine arts, performance arts or foreign language.

24 4. Ensure that it designs a method to measure pupil progress toward
25 the pupil outcomes adopted by the state board of education pursuant to
26 section 15-741.01, including participation in the statewide assessment and
27 the nationally standardized norm-referenced achievement test as designated
28 by the state board and the completion and distribution of an annual report
29 card as prescribed in chapter 7, article 3 of this title.

30 5. Ensure that, except as provided in this article and in its
31 charter, it is exempt from all statutes and rules relating to schools,
32 governing boards and school districts.

33 6. Ensure that, except as provided in this article, it is subject
34 to the same financial and electronic data submission requirements as a
35 school district, including the uniform system of financial records as
36 prescribed in chapter 2, article 4 of this title, procurement rules as
37 prescribed in section 15-213 and audit requirements. The auditor general
38 shall conduct a comprehensive review and revision of the uniform system of
39 financial records to ensure that the provisions of the uniform system of
40 financial records that relate to charter schools are in accordance with
41 commonly accepted accounting principles used by private business. A
42 school's charter may include exceptions to the requirements of this
43 paragraph that are necessary as determined by the university, the
44 community college district, the group of community college districts, the
45 state board of education or the state board for charter schools. The

1 department of education or the office of the auditor general may conduct
2 financial, program or compliance audits.

3 7. Ensure compliance with all federal and state laws relating to
4 the education of children with disabilities in the same manner as a school
5 district.

6 8. Ensure that it provides for a governing body for the charter
7 school that is responsible for the policy decisions of the charter school.
8 Notwithstanding section 1-216, if there is a vacancy or vacancies on the
9 governing body, a majority of the remaining members of the governing body
10 constitute a quorum for the transaction of business, unless that quorum is
11 prohibited by the charter school's operating agreement.

12 9. Ensure that it provides a minimum of one hundred eighty
13 instructional days before June 30 of each fiscal year unless it is
14 operating on an alternative calendar approved by its sponsor. The
15 superintendent of public instruction shall adjust the apportionment
16 schedule accordingly to accommodate a charter school utilizing an
17 alternative calendar.

18 F. A charter school shall ~~keep in the personnel file of each~~
19 ~~current employee who provides instruction to pupils at the charter school~~
20 COLLECT AND MAINTAIN information about ~~the employee's~~ EACH TEACHER'S
21 educational and teaching background and experience in a particular
22 academic content subject area. A charter school shall ~~inform parents and~~
23 ~~guardians of the availability of the information and shall~~ EITHER POST THE
24 INFORMATION ON THE CHARTER SCHOOL'S WEBSITE OR make the information
25 available for inspection on request of parents and guardians of pupils
26 enrolled at the charter school. This subsection does not require any
27 charter school to release personally identifiable information in relation
28 to any teacher ~~or employee~~, including the teacher's ~~or employee's~~ address,
29 salary, social security number or telephone number.

30 G. The charter of a charter school may be amended at the request of
31 the governing body of the charter school and on the approval of the
32 sponsor.

33 H. Charter schools may contract, sue and be sued.

34 I. The charter is effective for fifteen years from the first day of
35 the fiscal year as specified in the charter, subject to the following:

36 1. At least eighteen months before the charter expires, the sponsor
37 shall notify the charter school that the charter school may apply for
38 renewal and shall make the renewal application available to the charter
39 school. A charter school that elects to apply for renewal shall file a
40 complete renewal application at least fifteen months before the charter
41 expires. A sponsor shall give written notice of its intent not to renew
42 the charter school's request for renewal to the charter school at least
43 twelve months before the expiration of the charter. The sponsor shall
44 make data used in making renewal decisions available to the school and the
45 public and shall provide a public report summarizing the evidence basis

1 for each decision. The sponsor may deny the request for renewal if, in
2 its judgment, the charter holder has failed to do any of the following:

3 (a) Meet or make sufficient progress toward the academic
4 performance expectations set forth in the performance framework.

5 (b) Meet the operational performance expectations set forth in the
6 performance framework or any improvement plans.

7 (c) Meet the financial performance expectations set forth in the
8 performance framework or any improvement plans.

9 (d) Complete the obligations of the contract.

10 (e) Comply with this article or any provision of law from which the
11 charter school is not exempt.

12 2. A charter operator may apply for early renewal. At least nine
13 months before the charter school's intended renewal consideration, the
14 operator of the charter school shall submit a letter of intent to the
15 sponsor to apply for early renewal. The sponsor shall review fiscal
16 audits and academic performance data for the charter school that are
17 annually collected by the sponsor, review the current contract between the
18 sponsor and the charter school and provide the qualifying charter school
19 with a renewal application. On submission of a complete application, the
20 sponsor shall give written notice of its consideration of the renewal
21 application. The sponsor may deny the request for early renewal if, in
22 the sponsor's judgment, the charter holder has failed to do any of the
23 following:

24 (a) Meet or make sufficient progress toward the academic
25 performance expectations set forth in the performance framework.

26 (b) Meet the operational performance expectations set forth in the
27 performance framework or any improvement plans.

28 (c) Meet the financial performance expectations set forth in the
29 performance framework or any improvement plans.

30 (d) Complete the obligations of the contract.

31 (e) Comply with this article or any provision of law from which the
32 charter school is not exempt.

33 3. A sponsor shall review a charter at five-year intervals using a
34 performance framework adopted by the sponsor and may revoke a charter at
35 any time if the charter school breaches one or more provisions of its
36 charter or if the sponsor determines that the charter holder has failed to
37 do any of the following:

38 (a) Meet or make sufficient progress toward the academic
39 performance expectations set forth in the performance framework.

40 (b) Meet the operational performance expectations set forth in the
41 performance framework or any improvement plans.

42 (c) Meet the financial performance expectations set forth in the
43 performance framework or any improvement plans.

44 (d) Comply with this article or any provision of law from which the
45 charter school is not exempt.

1 4. In determining whether to renew or revoke a charter holder, the
2 sponsor must consider making sufficient progress toward the academic
3 performance expectations set forth in the sponsor's performance framework
4 as one of the most important factors.

5 5. Before the sponsor adopts a determination of intent to revoke a
6 charter, the charter holder shall have at least thirty days to address the
7 problems, as necessary or applicable, associated with the reason or
8 reasons for the determination of intent to revoke. The sponsor is not
9 required to provide the charter holder with thirty days to correct the
10 problems associated with the reason or reasons for adopting a
11 determination of intent to revoke if the reason or reasons cannot be
12 remedied, including a failure to submit required financial audits pursuant
13 to subsection E, paragraph 6 of this section and section 15-914, or for a
14 matter of health or safety, or both. Before the sponsor adopts a
15 determination of intent to revoke a charter, the sponsor shall give
16 written notice to the charter holder that includes the reason or reasons
17 for the sponsor's consideration to revoke the charter. Notice may be
18 provided by electronic means or by United States mail and is effective on
19 the date of email or, if sent by United States mail, the earlier of the
20 date of receipt by the charter holder or within five days after the notice
21 is mailed. The determination of whether to proceed to revocation shall be
22 made at a public meeting called for that purpose.

23 J. The charter may be renewed for successive periods of twenty
24 years.

25 K. A charter school that is sponsored by the state board of
26 education, the state board for charter schools, a university, a community
27 college district or a group of community college districts may not be
28 located on the property of a school district unless the district governing
29 board grants this authority.

30 L. A governing board or a school district employee who has control
31 over personnel actions shall not take unlawful reprisal against another
32 employee of the school district because the employee is directly or
33 indirectly involved in an application to establish a charter school. A
34 governing board or a school district employee shall not take unlawful
35 reprisal against an educational program of the school or the school
36 district because an application to establish a charter school proposes to
37 convert all or a portion of the educational program to a charter school.
38 For the purposes of this subsection, "unlawful reprisal" means an action
39 that is taken by a governing board or a school district employee as a
40 direct result of a lawful application to establish a charter school and
41 that is adverse to another employee or an education program and:

42 1. With respect to a school district employee, results in one or
43 more of the following:

- 44 (a) Disciplinary or corrective action.
- 45 (b) Detail, transfer or reassignment.

- 1 (c) Suspension, demotion or dismissal.
- 2 (d) An unfavorable performance evaluation.
- 3 (e) A reduction in pay, benefits or awards.
- 4 (f) Elimination of the employee's position without a reduction in
- 5 force by reason of lack of monies or work.
- 6 (g) Other significant changes in duties or responsibilities that
- 7 are inconsistent with the employee's salary or employment classification.
- 8 2. With respect to an educational program, results in one or more
- 9 of the following:
 - 10 (a) Suspension or termination of the program.
 - 11 (b) Transfer or reassignment of the program to a less favorable
 - 12 department.
 - 13 (c) Relocation of the program to a less favorable site within the
 - 14 school or school district.
 - 15 (d) Significant reduction or termination of funding for the
 - 16 program.
- 17 M. Charter schools shall secure insurance for liability and
- 18 property loss. The governing body of a charter school that is sponsored
- 19 by the state board of education or the state board for charter schools may
- 20 enter into an intergovernmental agreement or otherwise contract to
- 21 participate in an insurance program offered by a risk retention pool
- 22 established pursuant to section 11-952.01 or 41-621.01 or the charter
- 23 school may secure its own insurance coverage. The pool may charge the
- 24 requesting charter school reasonable fees for any services it performs in
- 25 connection with the insurance program.
- 26 N. Charter schools do not have the authority to acquire property by
- 27 eminent domain.
- 28 O. A sponsor, including members, officers and employees of the
- 29 sponsor, is immune from personal liability for all acts done and actions
- 30 taken in good faith within the scope of its authority.
- 31 P. Charter school sponsors and this state are not liable for the
- 32 debts or financial obligations of a charter school or persons who operate
- 33 charter schools.
- 34 Q. The sponsor of a charter school shall establish procedures to
- 35 conduct administrative hearings on determination by the sponsor that
- 36 grounds exist to revoke a charter. Procedures for administrative hearings
- 37 shall be similar to procedures prescribed for adjudicative proceedings in
- 38 title 41, chapter 6, article 10. Except as provided in section
- 39 41-1092.08, subsection H, final decisions of the state board of education
- 40 and the state board for charter schools from hearings conducted pursuant
- 41 to this subsection are subject to judicial review pursuant to title 12,
- 42 chapter 7, article 6.
- 43 R. The sponsoring entity of a charter school shall have oversight
- 44 and administrative responsibility for the charter schools that it
- 45 sponsors. In implementing its oversight and administrative

1 responsibilities, the sponsor shall ground its actions in evidence of the
2 charter holder's performance in accordance with the performance framework
3 adopted by the sponsor. The performance framework shall be publicly
4 available, shall be placed on the sponsoring entity's website and shall
5 include:

6 1. The academic performance expectations of the charter school and
7 the measurement of sufficient progress toward the academic performance
8 expectations.

9 2. The operational expectations of the charter school, including
10 adherence to all applicable laws and obligations of the charter contract.

11 3. The financial expectations of the charter school.

12 4. Intervention and improvement policies.

13 S. Charter schools may pledge, assign or encumber their assets to
14 be used as collateral for loans or extensions of credit.

15 T. All property accumulated by a charter school shall remain the
16 property of the charter school.

17 U. Charter schools may not locate a school on property that is less
18 than one-fourth mile from agricultural land regulated pursuant to section
19 3-365, except that the owner of the agricultural land may agree to comply
20 with the buffer zone requirements of section 3-365. If the owner agrees
21 in writing to comply with the buffer zone requirements and records the
22 agreement in the office of the county recorder as a restrictive covenant
23 running with the title to the land, the charter school may locate a school
24 within the affected buffer zone. The agreement may include any
25 stipulations regarding the charter school, including conditions for future
26 expansion of the school and changes in the operational status of the
27 school that will result in a breach of the agreement.

28 V. A transfer of a charter to another sponsor, a transfer of a
29 charter school site to another sponsor or a transfer of a charter school
30 site to a different charter shall be completed before the beginning of the
31 fiscal year that the transfer is scheduled to become effective. An entity
32 that sponsors charter schools may accept a transferring school after the
33 beginning of the fiscal year if the transfer is approved by the
34 superintendent of public instruction. The superintendent of public
35 instruction shall have the discretion to consider each transfer during the
36 fiscal year on a case-by-case basis. A charter holder seeking to transfer
37 sponsors shall comply with the current charter terms regarding assignment
38 of the charter. A charter holder transferring sponsors shall notify the
39 current sponsor that the transfer has been approved by the new sponsor.

40 W. Notwithstanding subsection V of this section, a charter holder
41 on an improvement plan must notify parents or guardians of registered
42 students of the intent to transfer the charter and the timing of the
43 proposed transfer. On the approved transfer, the new sponsor shall
44 enforce the improvement plan but may modify the plan based on performance.

1 X. Notwithstanding subsection Y of this section, the state board
2 for charter schools shall charge a processing fee to any charter school
3 that amends its contract to participate in Arizona online instruction
4 pursuant to section 15-808. The charter Arizona online instruction
5 processing fund is established consisting of fees collected and
6 administered by the state board for charter schools. The state board for
7 charter schools shall use monies in the fund only for processing contract
8 amendments for charter schools participating in Arizona online
9 instruction. Monies in the fund are continuously appropriated.

10 Y. The sponsoring entity may not charge any fees to a charter
11 school that it sponsors unless the sponsor has provided services to the
12 charter school and the fees represent the full value of those services
13 provided by the sponsor. On request, the value of the services provided
14 by the sponsor to the charter school shall be demonstrated to the
15 department of education.

16 Z. Charter schools may enter into an intergovernmental agreement
17 with a presiding judge of the juvenile court to implement a law-related
18 education program as defined in section 15-154. The presiding judge of
19 the juvenile court may assign juvenile probation officers to participate
20 in a law-related education program in any charter school in the county.
21 The cost of juvenile probation officers who participate in the program
22 implemented pursuant to this subsection shall be funded by the charter
23 school.

24 AA. The sponsor of a charter school shall modify previously
25 approved curriculum requirements for a charter school that wishes to
26 participate in the board examination system prescribed in chapter 7,
27 article 6 of this title.

28 BB. If a charter school decides not to participate in the board
29 examination system prescribed in chapter 7, article 6 of this title,
30 pupils enrolled at that charter school may earn a Grand Canyon diploma by
31 obtaining a passing score on the same board examinations.

32 CC. Notwithstanding subsection Y of this section, a sponsor of
33 charter schools may charge a new charter application processing fee to any
34 applicant. The application fee shall fully cover the cost of application
35 review and any needed technical assistance. Authorizers may approve
36 policies that allow a portion of the fee to be returned to the applicant
37 whose charter is approved.

38 DD. A charter school may choose to provide a preschool program for
39 children with disabilities pursuant to section 15-771.

40 EE. Pursuant to the prescribed graduation requirements adopted by
41 the state board of education, the governing body of a charter school
42 operating a high school may approve a rigorous computer science course
43 that would fulfill a mathematics course required for graduation from high
44 school. The governing body may approve a rigorous computer science course
45 only if the rigorous computer science course includes significant

1 mathematics content and the governing body determines the high school
2 where the rigorous computer science course is offered has sufficient
3 capacity, infrastructure and qualified staff, including competent teachers
4 of computer science.

5 FF. A charter school may allow the use of school property,
6 including school buildings, grounds, buses and equipment, by any person,
7 group or organization for any lawful purpose, including a recreational,
8 educational, political, economic, artistic, moral, scientific, social,
9 religious or other civic or governmental purpose. The charter school may
10 charge a reasonable fee for the use of the school property.

11 GG. A charter school and its employees, including the governing
12 body, or chief administrative officer, are immune from civil liability
13 with respect to all decisions made and actions taken to allow the use of
14 school property, unless the charter school or its employees are guilty of
15 gross negligence or intentional misconduct. This subsection does not
16 limit any other immunity provisions that are prescribed by law.

17 HH. Sponsors authorized pursuant to this section shall submit an
18 annual report to the auditor general on or before October 1. The report
19 shall include:

20 1. The current number of charters authorized and the number of
21 schools operated by authorized charter holders.

22 2. The academic, operational and financial performance of the
23 sponsor's charter portfolio as measured by the sponsor's adopted
24 performance framework.

25 3. For the prior year, the number of new charters approved, the
26 number of charter schools closed and the reason for the closure.

27 4. The sponsor's application, amendment, renewal and revocation
28 processes, charter contract template and current performance framework as
29 required by this section.

30 II. The auditor general shall prescribe the format for the annual
31 report required by subsection HH of this section and may require that the
32 annual report be submitted electronically. The auditor general shall
33 review the submitted annual reports to ensure that the reports include the
34 required items in subsection HH of this section and shall make the annual
35 reports available on request. If the auditor general finds significant
36 noncompliance or if a sponsor fails to submit the annual report required
37 by subsection HH of this section, on or before December 31 of each year
38 the auditor general shall report to the governor, the president of the
39 senate, the speaker of the house of representatives and the chairs of the
40 senate and house education committees or their successor committees, and
41 the legislature shall consider revoking the sponsor's authority to sponsor
42 charter schools.

1 Sec. 3. Section 15-211, Arizona Revised Statutes, is amended to
2 read:

3 15-211. K-3 reading program; dyslexia specialist; dyslexia
4 training; receipt and use of monies; additional
5 funding; annual report

6 A. The department of education shall administer a K-3 reading
7 program to improve the reading proficiency of pupils in kindergarten
8 programs and grades one, two and three in the public schools of this
9 state.

10 B. The department of education shall designate a dyslexia
11 specialist for the department to provide school districts and charter
12 schools with support and resources that are necessary to assist students
13 with dyslexia.

14 C. On or before July 1, 2022, each school district and charter
15 school shall ensure that at least one kindergarten through third grade
16 teacher, **LITERACY COACH OR LITERACY SPECIALIST** in each school has received
17 training related to dyslexia that complies with the requirements
18 prescribed in section 15-219.

19 D. Each school district and charter school shall submit to the
20 department of education a plan for improving the reading proficiency of
21 the school district's or the charter school's pupils in kindergarten
22 programs and grades one, two and three. The plan shall include baseline
23 data on the reading proficiency of the school district's or the charter
24 school's pupils in kindergarten programs and grades one, two and three and
25 a budget for spending monies from both the K-3 support level weight and
26 the K-3 reading support level weight established in section 15-943. Each
27 school district and charter school shall annually submit to the department
28 of education on or before October 1 an updated K-3 reading program plan
29 that includes data on program expenditures and results.

30 E. School districts and charter schools shall use monies generated
31 by the K-3 reading support level weight established in section 15-943 only
32 on instructional purposes based on the plan submitted pursuant to
33 subsection D of this section intended to improve reading proficiency for
34 pupils in kindergarten programs and grades one, two and three with
35 particular emphasis on pupils in kindergarten programs and grades one and
36 two.

37 F. Each school district and charter school that is assigned a
38 letter grade of C, D or F pursuant to section 15-241 or that has more than
39 ten percent of its pupils in grade three who do not demonstrate sufficient
40 reading skills as established by the state board of education according to
41 the reading portion of the statewide assessment shall receive monies
42 generated by the K-3 reading support level weight established in section
43 15-943 only after the K-3 reading program plan of the school district or
44 charter school has been submitted, reviewed and recommended for approval
45 by the department of education and approved by the state board. The state

1 board must give approval to a school district or charter school before any
2 portion of the monies generated by the K-3 reading support level weight
3 may be distributed to the school district or charter school pursuant to
4 this subsection.

5 G. Pupils in a charter school that is in its first year of
6 operation and that is sponsored by the state board of education, the state
7 board for charter schools, a university under the jurisdiction of the
8 Arizona board of regents, a community college district or a group of
9 community college districts are eligible for the K-3 reading support level
10 weight.

11 H. The department of education shall solicit gifts, grants and
12 donations from any lawful public or private source in order to provide
13 additional funding for the K-3 reading program.

14 I. The state board of education may establish rules and policies
15 for the K-3 reading program, including:

16 1. The proper use of monies in accordance with subsection E of this
17 section.

18 2. The distribution of monies by the department of education in
19 accordance with subsection D of this section.

20 3. The compliance of reading proficiency plans submitted pursuant
21 to subsection D of this section with section 15-704.

22 J. Pursuant to subsection I of this section, the department of
23 education shall develop program implementation guidance for school
24 districts and charter schools to assist schools in administering an
25 effective K-3 evidence-based reading program plan. This guidance shall
26 include identifying and recommending appropriate program expenditures,
27 providing technical oversight and assistance for annually updating reading
28 program plans, selecting and adopting evidence-based reading curricula and
29 providing and promoting teacher professional development that is based on
30 evidence-based reading research. The department shall prioritize supports
31 and interventions, including enrollment in reading trainings and
32 professional development, for school districts and charter schools that
33 have the highest percentage of pupils who do not demonstrate sufficient
34 reading skills as established by the state board of education. The
35 department shall deposit any monies received for offering reading
36 trainings or professional development, including coaching, in the
37 department of education professional development revolving fund
38 established by section 15-237.01.

39 K. On or before December 15, the department of education shall
40 submit an annual report on the K-3 reading program to the governor, the
41 president of the senate and the speaker of the house of representatives
42 and shall provide a copy of this annual report to the secretary of state,
43 the state board of education and the chairpersons of the education
44 committees of the senate and the house of representatives. The report
45 shall contain all of the following:

1 1. Information on the improvement of K-3 reading in this state,
2 including achievement data statewide and achievement data at the school
3 district and charter school level. The information pursuant to this
4 paragraph shall include data and information on continued proficiency on
5 the statewide assessment in subsequent grades.

6 2. A description of the activities of the department to support
7 school districts and charter schools in improving K-3 reading.

8 3. Specific findings on methods by which the department may
9 continue to improve support and assistance for school districts and
10 charter schools in the administration of K-3 reading program plans.

11 4. Information and data on K-3 reading program plans throughout
12 this state and the expenditure of K-3 reading monies by school districts
13 and charter schools.

14 5. Data reported pursuant to section 15-701, subsection A,
15 paragraph 2, subdivision (d).

16 Sec. 4. Section 15-219, Arizona Revised Statutes, is amended to
17 read:

18 15-219. Dyslexia and reading impairment screening,
19 intervention, accommodation and technology;
20 continuing education; rules; training

21 A. The state board of education shall adopt rules to allow
22 certificated teachers, **LITERACY COACHES, LITERACY SPECIALISTS** and
23 administrators to count training regarding screening, intervention,
24 accommodation, use of technology and advocacy for students with reading
25 impairments, including dyslexia, as continuing education credits.

26 B. The department of education shall annually develop a list of
27 training opportunities related to dyslexia that satisfy the requirements
28 prescribed in subsection C of this section.

29 C. The training opportunities related to dyslexia developed
30 pursuant to this section must meet professional development requirements
31 and all of the following requirements:

32 1. Include at least one training opportunity that is provided
33 entirely online.

34 2. Include the knowledge and practice standards of an international
35 organization on dyslexia that is designated by the department of
36 education.

37 3. Enable teachers, **LITERACY COACHES, LITERACY SPECIALISTS AND**
38 **ADMINISTRATORS** to understand and recognize dyslexia.

39 4. Enable teachers, **LITERACY COACHES, LITERACY SPECIALISTS AND**
40 **ADMINISTRATORS** to implement structured literacy instruction that is
41 systematic, explicit, multisensory and evidence-based to meet the
42 educational needs of students with dyslexia.

1 Sec. 5. Section 15-249.16, Arizona Revised Statutes, is amended to
2 read:

3 15-249.16. Statutory handbooks of parental rights; posting

4 A. The department OF EDUCATION shall ~~establish~~ DEVELOP and post on
5 its website a statutory handbook of parental rights ~~that consists~~
6 OUTLINING THE RIGHTS OF PARENTS OF CHILDREN ENROLLED IN SCHOOL DISTRICTS
7 AND A STATUTORY HANDBOOK OF PARENTAL RIGHTS OUTLINING THE RIGHTS OF
8 PARENTS OF CHILDREN ENROLLED IN CHARTER SCHOOLS.

9 B. THE STATUTORY HANDBOOK OF PARENTAL RIGHTS OUTLINING THE RIGHTS
10 OF PARENTS OF CHILDREN ENROLLED IN SCHOOL DISTRICTS SHALL CONSIST of the
11 text of the following statutes:

- 12 1. Title 1, chapter 6.
- 13 2. Section 15-102.
- 14 3. Section 15-110.
- 15 4. Section 15-113.
- 16 5. Section 15-117.
- 17 6. Section 15-351.
- 18 7. Section 15-721.
- 19 8. Section 15-722.
- 20 9. Section 15-730.

21 C. THE STATUTORY HANDBOOK OF PARENTAL RIGHTS OUTLINING THE RIGHTS
22 OF PARENTS OF CHILDREN ENROLLED IN CHARTER SCHOOLS SHALL CONSIST OF THE
23 TEXT OF THE FOLLOWING STATUTES:

- 24 1. TITLE 1, CHAPTER 6.
- 25 2. SECTION 15-110.
- 26 3. SECTION 15-113.
- 27 4. SECTION 15-117.

28 ~~B.~~ D. Each school district and charter school in this state shall
29 ~~prominently~~ post on a publicly accessible portion of its website a link to
30 the statutory handbook of parental rights ~~established~~ DEVELOPED pursuant
31 to subsection A of this section.

32 Sec. 6. Section 15-341, Arizona Revised Statutes, is amended to
33 read:

34 15-341. General powers and duties; immunity; delegation

35 A. The governing board shall:

- 36 1. Prescribe and enforce policies and procedures to govern the
37 schools that are not inconsistent with the laws or rules prescribed by the
38 state board of education.
- 39 2. Exclude from schools all books, publications, papers or
40 audiovisual materials of a sectarian, partisan or denominational
41 character. This paragraph does not prohibit the elective course allowed
42 by section 15-717.01.
- 43 3. Manage and control the school property within its district,
44 except that a district may enter into a partnership with an entity,
45 including a charter school, another school district or a military base, to

- 1 operate a school or offer educational services in a district building,
2 including at a vacant or partially used building, or in any building on
3 the entity's property pursuant to a written agreement between the parties.
- 4 4. Acquire school furniture, apparatus, equipment, library books
5 and supplies for the schools to use.
- 6 5. Prescribe the curricula and criteria for the promotion and
7 graduation of pupils as provided in sections 15-701 and 15-701.01.
- 8 6. Furnish, repair and insure, at full insurable value, the school
9 property of the district.
- 10 7. Construct school buildings on approval by a vote of the district
11 electors.
- 12 8. In the name of the district, convey property belonging to the
13 district and sold by the board.
- 14 9. Purchase school sites when authorized by a vote of the district
15 at an election conducted as nearly as practicable in the same manner as
16 the election provided in section 15-481 and held on a date prescribed in
17 section 15-491, subsection E, but such authorization shall not necessarily
18 specify the site to be purchased and such authorization shall not be
19 necessary to exchange unimproved property as provided in section 15-342,
20 paragraph 23.
- 21 10. Construct, improve and furnish buildings used for school
22 purposes when such buildings or premises are leased from the national park
23 service.
- 24 11. Purchase school sites or construct, improve and furnish school
25 buildings from the proceeds of the sale of school property only on
26 approval by a vote of the district electors.
- 27 12. Hold pupils to strict account for disorderly conduct on school
28 property.
- 29 13. Discipline students for disorderly conduct on the way to and
30 from school.
- 31 14. Except as provided in section 15-1224, deposit all monies
32 received by the district as gifts, grants and devises with the county
33 treasurer who shall credit the deposits as designated in the uniform
34 system of financial records. If not inconsistent with the terms of the
35 gifts, grants and devises given, any balance remaining after expenditures
36 for the intended purpose of the monies have been made shall be used to
37 reduce school district taxes for the budget year, except that in the case
38 of accommodation schools the county treasurer shall carry the balance
39 forward for use by the county school superintendent for accommodation
40 schools for the budget year.
- 41 15. Provide that, if a parent or legal guardian chooses not to
42 accept a decision of the teacher as provided in paragraph 42 of this
43 subsection, the parent or legal guardian may request in writing that the
44 governing board review the teacher's decision. This paragraph does not

1 release school districts from any liability relating to a child's
2 promotion or retention.

3 16. Provide for adequate supervision over pupils in instructional
4 and noninstructional activities by certificated or noncertificated
5 personnel.

6 17. Use school monies received from the state and county school
7 apportionment exclusively to pay salaries of teachers and other employees
8 and contingent expenses of the district.

9 18. Annually report to the county school superintendent on or
10 before October 1 in the manner and form and on the blanks prescribed by
11 the superintendent of public instruction or county school superintendent.
12 The board shall also report directly to the county school superintendent
13 or the superintendent of public instruction whenever required.

14 19. Deposit all monies received by school districts other than
15 student activities monies or monies from auxiliary operations as provided
16 in sections 15-1125 and 15-1126 with the county treasurer to the credit of
17 the school district except as provided in paragraph 20 of this subsection
18 and sections 15-1223 and 15-1224, and the board shall spend the monies as
19 provided by law for other school funds.

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

25 21. Prescribe and enforce policies and procedures for disciplinary
26 action against a teacher who engages in conduct that is a violation of the
27 policies of the governing board but that is not cause for dismissal of the
28 teacher or for revocation of the certificate of the teacher. Disciplinary
29 action may include suspension without pay for a period of time not to
30 exceed ten school days. Disciplinary action shall not include suspension
31 with pay or suspension without pay for a period of time longer than ten
32 school days. The procedures shall include notice, hearing and appeal
33 provisions for violations that are cause for disciplinary action. The
34 governing board may designate a person or persons to act on behalf of the
35 board on these matters.

36 22. Prescribe and enforce policies and procedures for disciplinary
37 action against an administrator who engages in conduct that is a violation
38 of the policies of the governing board regarding duties of administrators
39 but that is not cause for dismissal of the administrator or for revocation
40 of the certificate of the administrator. Disciplinary action may include
41 suspension without pay for a period of time not to exceed ten school days.
42 Disciplinary action shall not include suspension with pay or suspension
43 without pay for a period of time longer than ten school days. The
44 procedures shall include notice, hearing and appeal provisions for
45 violations that are cause for disciplinary action. The governing board

1 may designate a person or persons to act on behalf of the board on these
2 matters. For violations that are cause for dismissal, the provisions of
3 notice, hearing and appeal in chapter 5, article 3 of this title
4 apply. The filing of a timely request for a hearing suspends the
5 imposition of a suspension without pay or a dismissal pending completion
6 of the hearing.

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

11 24. Prescribe and enforce policies and procedures relating to the
12 health and safety of all pupils participating in district-sponsored
13 practice sessions or games or other interscholastic athletic activities,
14 including:

15 (a) The provision of water.

16 (b) Guidelines, information and forms, developed in consultation
17 with a statewide private entity that supervises interscholastic
18 activities, to inform and educate coaches, pupils and parents of the
19 dangers of concussions and head injuries and the risks of continued
20 participation in athletic activity after a concussion. The policies and
21 procedures shall require that, before a pupil participates in an athletic
22 activity, the pupil and the pupil's parent sign an information form at
23 least once each school year that states that the parent is aware of the
24 nature and risk of concussion. The policies and procedures shall require
25 that a pupil who is suspected of sustaining a concussion in a practice
26 session, game or other interscholastic athletic activity be immediately
27 removed from the athletic activity and that the pupil's parent or guardian
28 be notified. A coach from the pupil's team or an official or a licensed
29 health care provider may remove a pupil from play. A team parent may also
30 remove the parent's own child from play. A pupil may return to play on
31 the same day if a health care provider rules out a suspected concussion at
32 the time the pupil is removed from play. On a subsequent day, the pupil
33 may return to play if the pupil has been evaluated by and received written
34 clearance to resume participation in athletic activity from a health care
35 provider who has been trained in evaluating and managing concussions and
36 head injuries. A health care provider who is a volunteer and who provides
37 clearance to participate in athletic activity on the day of the suspected
38 injury or on a subsequent day is immune from civil liability with respect
39 to all decisions made and actions taken that are based on good faith
40 implementation of the requirements of this subdivision, except in cases of
41 gross negligence or wanton or wilful neglect. A school district, school
42 district employee, team coach, official or team volunteer or a parent or
43 guardian of a team member is not subject to civil liability for any act,
44 omission or policy undertaken in good faith to comply with the
45 requirements of this subdivision or for a decision made or an action taken

1 by a health care provider. A group or organization that uses property or
2 facilities owned or operated by a school district for athletic activities
3 shall comply with the requirements of this subdivision. A school district
4 and its employees and volunteers are not subject to civil liability for
5 any other person or organization's failure or alleged failure to comply
6 with the requirements of this subdivision. This subdivision does not
7 apply to teams that are based in another state and that participate in an
8 athletic activity in this state. For the purposes of this subdivision,
9 athletic activity does not include dance, rhythmic gymnastics,
10 competitions or exhibitions of academic skills or knowledge or other
11 similar forms of physical noncontact activities, civic activities or
12 academic activities, whether engaged in for the purposes of competition or
13 recreation. For the purposes of this subdivision, "health care provider"
14 means a physician who is licensed pursuant to title 32, chapter 13, 14 or
15 17, an athletic trainer who is licensed pursuant to title 32, chapter 41,
16 a nurse practitioner who is licensed pursuant to title 32, chapter 15, and
17 a physician assistant who is licensed pursuant to title 32, chapter 25.

18 (c) Guidelines, information and forms that are developed in
19 consultation with a statewide private entity that supervises
20 interscholastic activities to inform and educate coaches, pupils and
21 parents of the dangers of heat-related illnesses, sudden cardiac death and
22 prescription opioid use. Before a pupil participates in any
23 district-sponsored practice session or game or other interscholastic
24 athletic activity, the pupil and the pupil's parent must be provided with
25 information at least once each school year on the risks of heat-related
26 illnesses, sudden cardiac death and prescription opioid addiction.

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

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

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

34 28. Ensure that insurance coverage is secured for all construction
35 projects for purposes of general liability, property damage and workers'
36 compensation and secure performance and payment bonds for all construction
37 projects.

38 29. ~~Keep in the personnel file of all current and former employees~~
39 ~~who provide instruction to pupils at a school~~ COLLECT AND MAINTAIN
40 information about ~~the employee's~~ EACH CURRENT AND FORMER TEACHER'S
41 educational and teaching background and experience in a particular
42 academic content subject area. A school district shall ~~inform parents and~~
43 ~~guardians of the availability of the information and shall~~ EITHER POST THE
44 INFORMATION ON THE SCHOOL DISTRICT'S WEBSITE OR make the information
45 available for inspection on request of parents and guardians of pupils

1 enrolled at a school. This paragraph does not require any school to
2 release personally identifiable information in relation to any teacher ~~or~~
3 ~~employee~~, including the teacher's ~~or employee's~~ address, salary, social
4 security number or telephone number.

5 30. Report to local law enforcement agencies any suspected crime
6 against a person or property that is a serious offense as defined in
7 section 13-706 or that involves a deadly weapon or dangerous instrument or
8 serious physical injury and any conduct that poses a threat of death or
9 serious physical injury to employees, students or anyone on the property
10 of the school. This paragraph does not limit or preclude the reporting by
11 a school district or an employee of a school district of suspected crimes
12 other than those required to be reported by this paragraph. For the
13 purposes of this paragraph, "dangerous instrument", "deadly weapon" and
14 "serious physical injury" have the same meanings prescribed in section
15 13-105.

16 31. In conjunction with local law enforcement agencies and
17 emergency response agencies, develop an emergency response plan for each
18 school in the school district in accordance with minimum standards
19 developed jointly by the department of education and the division of
20 emergency management within the department of emergency and military
21 affairs.

22 32. Provide written notice to the parents or guardians of all
23 students enrolled in the school district at least ten days before a public
24 meeting to discuss closing a school within the school district. The
25 notice shall include the reasons for the proposed closure and the time and
26 place of the meeting. The governing board shall fix a time for a public
27 meeting on the proposed closure not less than ten days before voting in a
28 public meeting to close the school. The school district governing board
29 shall give notice of the time and place of the meeting. At the time and
30 place designated in the notice, the school district governing board shall
31 hear reasons for or against closing the school. The school district
32 governing board is exempt from this paragraph if the governing board
33 determines that the school shall be closed because it poses a danger to
34 the health or safety of the pupils or employees of the school. A
35 governing board may consult with the division of school facilities within
36 the department of administration for technical assistance and for
37 information on the impact of closing a school. The information provided
38 from the division of school facilities within the department of
39 administration shall not require the governing board to take or not take
40 any action.

41 33. Incorporate instruction on Native American history into
42 appropriate existing curricula.

43 34. Prescribe and enforce policies and procedures:

44 (a) Allowing pupils who have been diagnosed with anaphylaxis by a
45 health care provider licensed pursuant to title 32, chapter 13, 14, 17 or

1 25 or by a registered nurse practitioner licensed and certified pursuant
2 to title 32, chapter 15 to carry and self-administer emergency
3 medications, including epinephrine auto-injectors, while at school and at
4 school-sponsored activities. The pupil's name on the prescription label on
5 the medication container or on the medication device and annual written
6 documentation from the pupil's parent or guardian to the school that
7 authorizes possession and self-administration is sufficient proof that the
8 pupil is entitled to possess and self-administer the medication. The
9 policies shall require a pupil who uses an epinephrine auto-injector while
10 at school and at school-sponsored activities to notify the nurse or the
11 designated school staff person of the use of the medication as soon as
12 practicable. A school district and its employees are immune from civil
13 liability with respect to all decisions made and actions taken that are
14 based on good faith implementation of the requirements of this
15 subdivision, except in cases of wanton or wilful neglect.

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

18 35. Allow the possession and self-administration of prescription
19 medication for breathing disorders in handheld inhaler devices by pupils
20 who have been prescribed that medication by a health care professional
21 licensed pursuant to title 32. The pupil's name on the prescription label
22 on the medication container or on the handheld inhaler device and annual
23 written documentation from the pupil's parent or guardian to the school
24 that authorizes possession and self-administration is sufficient proof
25 that the pupil is entitled to possess and self-administer the
26 medication. A school district and its employees are immune from civil
27 liability with respect to all decisions made and actions taken that are
28 based on a good faith implementation of the requirements of this
29 paragraph.

30 36. Prescribe and enforce policies and procedures to prohibit
31 pupils from harassing, intimidating and bullying other pupils on school
32 grounds, on school property, on school buses, at school bus stops, at
33 school-sponsored events and activities and through the use of electronic
34 technology or electronic communication on school computers, networks,
35 forums and mailing lists that include the following components:

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

41 (b) A requirement that school district employees report in writing
42 suspected incidents of harassment, intimidation or bullying to the
43 appropriate school official and a description of appropriate disciplinary
44 procedures for employees who fail to report suspected incidents that are
45 known to the employee.

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

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

9 (e) A formal process for documenting reported incidents of
10 harassment, intimidation or bullying and providing for the
11 confidentiality, maintenance and disposition of this documentation.
12 School districts shall maintain documentation of all incidents reported
13 pursuant to this paragraph for at least six years. The school shall not
14 use that documentation to impose disciplinary action unless the
15 appropriate school official has investigated and determined that the
16 reported incidents of harassment, intimidation or bullying occurred. If a
17 school provides documentation of reported incidents to persons other than
18 school officials or law enforcement, all individually identifiable
19 information shall be redacted.

20 (f) A formal process for the appropriate school officials to
21 investigate suspected incidents of harassment, intimidation or bullying,
22 including procedures for notifying the alleged victim and the alleged
23 victim's parent or guardian when a school official or employee becomes
24 aware of the suspected incident of harassment, intimidation or bullying.

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

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

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

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

34 37. Prescribe and enforce policies and procedures regarding
35 changing or adopting attendance boundaries that include the following
36 components:

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

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

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

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

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

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

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

14 38. If the state board of education determines that the school
15 district has committed an overexpenditure as defined in section 15-107,
16 provide a copy of the fiscal management report submitted pursuant to
17 section 15-107, subsection H on its website and make copies available to
18 the public on request. The school district shall comply with a request
19 within five business days after receipt.

20 39. Ensure that the contract for the superintendent is structured
21 in a manner in which up to twenty percent of the total annual salary
22 included for the superintendent in the contract is classified as
23 performance pay. This paragraph does not require school districts to
24 increase total compensation for superintendents. Unless the school
25 district governing board votes to implement an alternative procedure at a
26 public meeting called for this purpose, the performance pay portion of the
27 superintendent's total annual compensation shall be determined as follows:

28 (a) Twenty-five percent of the performance pay shall be determined
29 based on the percentage of academic gain determined by the department of
30 education of pupils who are enrolled in the school district compared to
31 the academic gain achieved by the highest ranking of the fifty largest
32 school districts in this state. For the purposes of this subdivision, the
33 department of education shall determine academic gain by the academic
34 growth achieved by each pupil who has been enrolled at the same school in
35 a school district for at least five consecutive months measured against
36 that pupil's academic results in the 2008-2009 school year. For the
37 purposes of this subdivision, of the fifty largest school districts in
38 this state, the school district with pupils who demonstrate the highest
39 statewide percentage of overall academic gain measured against academic
40 results for the 2008-2009 school year shall be assigned a score of 100 and
41 the school district with pupils who demonstrate the lowest statewide
42 percentage of overall academic gain measured against academic results for
43 the 2008-2009 school year shall be assigned a score of 0.

44 (b) Twenty-five percent of the performance pay shall be determined
45 by the percentage of parents of pupils who are enrolled at the school

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

- 10 (i) A letter grade of "A" if the school district is excellent.
- 11 (ii) A letter grade of "B" if the school district is above average.
- 12 (iii) A letter grade of "C" if the school district is average.
- 13 (iv) A letter grade of "D" if the school district is below average.
- 14 (v) A letter grade of "F" if the school district is a failure.

15 (c) Twenty-five percent of the performance pay shall be determined
16 by the percentage of teachers who are employed at the school district and
17 who assign a letter grade of "A" to the school on a survey of teacher
18 satisfaction with the school. The teacher satisfaction survey shall be
19 administered and scored by an independent entity that is selected by the
20 governing board and that demonstrates sufficient expertise and experience
21 to accurately measure the results of the survey. The teacher satisfaction
22 survey shall use standard random sampling procedures and provide anonymity
23 and confidentiality to each teacher who participates in the survey. The
24 letter grade scale used on the teacher satisfaction survey shall direct
25 teachers to assign one of the following letter grades:

- 26 (i) A letter grade of "A" if the school district is excellent.
- 27 (ii) A letter grade of "B" if the school district is above average.
- 28 (iii) A letter grade of "C" if the school district is average.
- 29 (iv) A letter grade of "D" if the school district is below average.
- 30 (v) A letter grade of "F" if the school district is a failure.

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

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

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

- 44 (a) Are designed to improve principal performance and improve
45 student achievement.

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

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

6 (d) Describe both of the following:

7 (i) The methods used to evaluate the performance of principals,
8 including the data used to measure student performance and job
9 effectiveness.

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

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

18 43. Prescribe and enforce policies and procedures for the emergency
19 administration by an employee of a school district pursuant to section
20 36-2267 of naloxone hydrochloride or any other opioid antagonist approved
21 by the United States food and drug administration.

22 44. In addition to the notification requirements prescribed in
23 paragraph 36 of this subsection, prescribe and enforce reasonable and
24 appropriate policies to notify a pupil's parent or guardian if any person
25 engages in harassing, threatening or intimidating conduct against that
26 pupil. A school district and its officials and employees are immune from
27 civil liability with respect to all decisions made and actions taken that
28 are based on good faith implementation of the requirements of this
29 paragraph, except in cases of gross negligence or wanton or wilful
30 neglect. A person engages in threatening or intimidating if the person
31 threatens or intimidates by word or conduct to cause physical injury to
32 another person or serious damage to the property of another on school
33 grounds. A person engages in harassment if, with intent to harass or with
34 knowledge that the person is harassing another person, the person
35 anonymously or otherwise contacts, communicates or causes a communication
36 with another person by verbal, electronic, mechanical, telephonic or
37 written means in a manner that harasses on school grounds or substantially
38 disrupts the school environment.

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

43 (a) Base salary and any additional pay.

44 (b) Medical benefits and the value of any employer-paid portions of
45 insurance plan premiums.

1 (c) Retirement benefit plans, including social security.

2 (d) Legally required benefits.

3 (e) Any paid leave.

4 (f) Any other payment made to or on behalf of the employee.

5 (g) Any other benefit provided to the employee.

6 46. Develop and adopt in a public meeting policies to allow for
7 visits, tours and observations of all classrooms by parents of enrolled
8 pupils and parents who wish to enroll their children in the school
9 district unless a visit, tour or observation threatens the health and
10 safety of pupils and staff. These policies and procedures must be easily
11 accessible from the home page on each school's website.

12 B. Notwithstanding subsection A, paragraphs 7, 9 and 11 of this
13 section, the county school superintendent may construct, improve and
14 furnish school buildings or purchase or sell school sites in the conduct
15 of an accommodation school.

16 C. If any school district acquires real or personal property,
17 whether by purchase, exchange, condemnation, gift or otherwise, the
18 governing board shall pay to the county treasurer any taxes on the
19 property that were unpaid as of the date of acquisition, including
20 penalties and interest. The lien for unpaid delinquent taxes, penalties
21 and interest on property acquired by a school district:

22 1. Is not abated, extinguished, discharged or merged in the title
23 to the property.

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

25 D. The governing board may not locate a school on property that is
26 less than one-fourth mile from agricultural land regulated pursuant to
27 section 3-365, except that the owner of the agricultural land may agree to
28 comply with the buffer zone requirements of section 3-365. If the owner
29 agrees in writing to comply with the buffer zone requirements and records
30 the agreement in the office of the county recorder as a restrictive
31 covenant running with the title to the land, the school district may
32 locate a school within the affected buffer zone. The agreement may
33 include any stipulations regarding the school, including conditions for
34 future expansion of the school and changes in the operational status of
35 the school that will result in a breach of the agreement.

36 E. A school district, its governing board members, its school
37 council members and its employees are immune from civil liability for the
38 consequences of adopting and implementing policies and procedures pursuant
39 to subsection A of this section and section 15-342. This waiver does not
40 apply if the school district, its governing board members, its school
41 council members or its employees are guilty of gross negligence or
42 intentional misconduct.

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

1 G. Notwithstanding any other provision of this title, a school
2 district governing board shall not take any action that would result in a
3 reduction of pupil square footage unless the governing board notifies the
4 school facilities oversight board established by section 41-5701.02 of the
5 proposed action and receives written approval from the school facilities
6 oversight board to take the action. A reduction includes an increase in
7 administrative space that results in a reduction of pupil square footage
8 or sale of school sites or buildings, or both. A reduction includes a
9 reconfiguration of grades that results in a reduction of pupil square
10 footage of any grade level. This subsection does not apply to temporary
11 reconfiguration of grades to accommodate new school construction if the
12 temporary reconfiguration does not exceed one year. The sale of equipment
13 that results in a reduction that falls below the equipment requirements
14 prescribed in section 41-5711, subsection B is subject to commensurate
15 withholding of school district additional assistance monies
16 pursuant to the direction of the school facilities oversight
17 board. Except as provided in section 15-342, paragraph 10, proceeds from
18 the sale of school sites, buildings or other equipment shall be deposited
19 in the school plant fund as provided in section 15-1102.

20 H. Subsections C through G of this section apply to a county board
21 of supervisors and a county school superintendent when operating and
22 administering an accommodation school.

23 I. A school district governing board may delegate authority in
24 writing to the superintendent of the school district to submit plans for
25 new school facilities to the school facilities oversight board for the
26 purpose of certifying that the plans meet the minimum school facility
27 adequacy guidelines prescribed in section 41-5711.

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

31 Sec. 7. Section 15-701, Arizona Revised Statutes, is amended to
32 read:

33 15-701. Common schools; promotions; requirements;
34 certificate; supervision of eighth grades by
35 superintendent of high school district; high school
36 admissions; academic credit; definition

37 A. The state board of education shall:

38 1. Prescribe a minimum course of study incorporating the academic
39 standards adopted by the state board of education to be taught in the
40 common schools.

41 2. Prescribe competency requirements for the promotion of pupils
42 from the eighth grade and competency requirements for the promotion of
43 pupils from the third grade ~~incorporating~~ THAT INCORPORATE the academic
44 standards in at least the areas of reading, writing, mathematics, science

1 and social studies. The competency requirements for the promotion of
2 pupils from the third grade shall include the following:

3 (a) A requirement that a pupil not be promoted from the third grade
4 if the pupil obtains a score on the reading portion of the statewide
5 assessment that does not demonstrate sufficient reading skills as
6 established by the state board. A pupil may not be retained pursuant to
7 this subdivision if data regarding the pupil's performance on the
8 statewide assessment is not available before the end of the current
9 academic year and may not be retained more than once. A pupil who is not
10 retained due to the unavailability of test data must receive
11 evidence-based intervention and remedial strategies pursuant to
12 subdivision (c) of this paragraph if the third grade assessment data
13 subsequently does not demonstrate sufficient reading skills.

14 (b) A mechanism to allow a school district governing board or ~~the~~
15 ~~governing body of a~~ charter school **GOVERNING BODY** to promote from the
16 third grade a pupil who does not demonstrate sufficient reading skills
17 pursuant to subdivision (a) of this paragraph if the pupil:

18 (i) Is an English learner or a limited English proficient student
19 as defined in section 15-751 and has had fewer than three years of English
20 language instruction.

21 (ii) Is in the process of a special education referral or
22 evaluation for placement in special education, has been diagnosed as
23 having a significant reading impairment, including dyslexia, or is a child
24 with a disability as defined in section 15-761 if the pupil's
25 individualized education program team and the pupil's parent or guardian
26 agree that promotion is appropriate based on the pupil's individualized
27 education program.

28 (iii) Has demonstrated or subsequently demonstrates sufficient
29 reading skills or adequate progress toward sufficient reading skills of
30 the third grade reading standards as evidenced through a collection of
31 reading assessments approved by the state board of education, which
32 includes an alternative standardized reading assessment approved by the
33 state board.

34 (iv) Receives intervention and remedial services during the summer
35 or a subsequent school year pursuant to subdivision (c) of this paragraph
36 and demonstrates sufficient progress based on guidelines issued pursuant
37 to subsection B, paragraph 7 of this section.

38 (c) Evidence-based intervention and remedial strategies developed
39 by the state board of education for pupils who are not promoted from the
40 third grade. A school district governing board or ~~the governing body of a~~
41 charter school **GOVERNING BODY** shall offer more than one of the
42 intervention and remedial strategies developed by the state board of
43 education. The parent or guardian of a pupil who is not promoted from the
44 third grade and the pupil's teacher and principal may choose the most
45 appropriate intervention and remedial strategies that will be provided to

1 that pupil. The intervention and remedial strategies developed by the
2 state board of education shall include:

3 (i) A requirement that the pupil be assigned for evidence-based
4 reading instruction by a different teacher who was designated in that
5 teacher's most recent performance evaluation in one of the top two
6 performance classifications.

7 (ii) Summer school reading instruction.

8 (iii) In the next academic year, intensive reading instruction that
9 occurs before, during or after the regular school day, or any combination
10 of before, during and after the regular school day.

11 (iv) Small group and teacher-led evidence-based reading
12 instruction, which may include computer-based or online reading
13 instruction.

14 (d) A requirement that a school district governing board or charter
15 school governing body that promotes a pupil pursuant to subdivision (b) of
16 this paragraph provide annual reporting to the department of education on
17 or before October 1 that includes information on the total number of
18 pupils subject to the retention provisions of subdivision (a) of this
19 paragraph, the total number of students promoted pursuant to subdivision
20 (b) of this paragraph, the total number of pupils retained in grade three
21 and the interventions administered pursuant to subdivision (c) of this
22 paragraph.

23 3. Provide for universal screening of pupils in preschool programs,
24 kindergarten programs and grades one through three that is designed to
25 identify pupils who have reading deficiencies pursuant to section 15-704.
26 If sufficient monies are appropriated, beginning in the 2022-2023 school
27 year, the state board of education shall adopt a ~~statewide~~ kindergarten
28 entry evaluation tool ~~to~~ THAT SCHOOL DISTRICTS AND CHARTER SCHOOLS MAY
29 administer to pupils in kindergarten programs ~~within forty-five calendar~~
30 ~~days after the beginning of each school year or within forty-five calendar~~
31 ~~days after a pupil enrolls.~~ EACH SCHOOL DISTRICT GOVERNING BOARD AND
32 CHARTER SCHOOL GOVERNING BODY SHALL SELECT APPROPRIATE EVALUATION METHODS
33 OR ASSESSMENTS, OR BOTH, TO ADMINISTER TO PUPILS IN KINDERGARTEN PROGRAMS
34 FOR THE PURPOSES OF THIS PARAGRAPH. A SCHOOL DISTRICT OR CHARTER SCHOOL
35 SHALL ADMINISTER THE EVALUATION TOOL SELECTED BY THE SCHOOL DISTRICT
36 GOVERNING BOARD OR CHARTER SCHOOL GOVERNING BODY PURSUANT TO THIS
37 PARAGRAPH WITHIN FORTY-FIVE CALENDAR DAYS AFTER THE BEGINNING OF EACH
38 SCHOOL YEAR OR WITHIN FORTY-FIVE CALENDAR DAYS AFTER A PUPIL ENROLLS.
39 SCHOOL DISTRICTS AND CHARTER SCHOOLS ARE NOT REQUIRED TO ADMINISTER THE
40 KINDERGARTEN ENTRY EVALUATION TOOL ADOPTED BY THE STATE BOARD OF EDUCATION
41 PURSUANT TO THIS PARAGRAPH.

42 4. Develop evidence-based intervention and remedial strategies
43 pursuant to paragraph 2, subdivision (c) of this subsection for pupils in
44 kindergarten programs and grades one through three who are identified as
45 having reading deficiencies pursuant to section 15-704.

1 5. Distribute guidelines for the school districts to follow in
2 prescribing criteria for the promotion of pupils from grade to grade in
3 the common schools. These guidelines shall include recommended procedures
4 for ensuring that the cultural background of a pupil is taken into
5 consideration when criteria for promotion are being applied.

6 B. School districts and charter schools shall provide annual
7 written notification to parents of pupils in kindergarten programs and
8 first, second and third grades that a pupil who does not demonstrate
9 sufficient reading skills pursuant to subsection A of this section will
10 not be promoted from the third grade. School districts and charter
11 schools shall identify each pupil who is at risk of reading below grade
12 level in kindergarten and grades one, two and three, ~~based on local or~~
13 ~~statewide assessments~~, and shall provide to the parent of that pupil a
14 specific written notification of the reading deficiency within three weeks
15 after identifying the reading deficiency. The notification shall include
16 the following information:

17 1. A description of the pupil's specific individual needs.

18 2. A description of the current reading services provided to the
19 pupil.

20 3. A description of the available supplemental instructional
21 services and supporting programs that are designed to remediate reading
22 deficiencies. Each school district or charter school shall offer more
23 than one evidence-based intervention strategy and more than one remedial
24 strategy developed by the state board of education for pupils with reading
25 deficiencies. The notification shall list the intervention and remedial
26 strategies offered and shall instruct the parent to choose, in
27 consultation with the pupil's teacher, the most appropriate strategies to
28 be provided and implemented for that child.

29 4. Parental strategies to assist the pupil to attain reading
30 proficiency.

31 5. The frequency with which the school district or charter school
32 will provide timely updates and information to the parent on the pupil's
33 progress toward reading proficiency.

34 6. A statement that the pupil will not be promoted from the third
35 grade if the pupil does not demonstrate sufficient reading skills pursuant
36 to subsection A, paragraph 2, subdivision (a) of this section, unless the
37 pupil is exempt from mandatory retention in grade three or the pupil
38 qualifies for an exemption pursuant to subsection A, paragraph 2,
39 subdivision (b) of this section.

40 7. A description of the school district or charter school policies
41 on midyear promotion to a higher grade.

42 C. Pursuant to the guidelines that the state board of education
43 distributes, the governing board of a school district shall:

1 1. Prescribe curricula that include the academic standards in the
2 required subject areas pursuant to subsection A, paragraph 1 of this
3 section.

4 2. Prescribe criteria for the promotion of pupils from grade to
5 grade in the common schools in the school district. These criteria shall
6 include accomplishment of the academic standards in at least reading,
7 writing, mathematics, science and social studies, as determined by
8 district assessment. Other criteria may include additional measures of
9 academic achievement and attendance.

10 D. The governing board may prescribe the course of study and
11 competency requirements for promotion that are in addition to or higher
12 than the course of study and competency requirements the state board
13 prescribes.

14 E. A teacher shall determine whether to promote or retain a pupil
15 in a grade in a common school on the basis of the prescribed
16 criteria. The governing board, if it reviews the decision of a teacher to
17 promote or retain a pupil in a grade in a common school as provided in
18 section 15-342, paragraph 11, shall base its decision on the prescribed
19 criteria.

20 F. A governing board may provide and issue certificates of
21 promotion to pupils whom it promotes from the eighth grade of a common
22 school. Such certificates shall be signed by the principal or
23 superintendent of schools. If there is no principal or superintendent of
24 schools, the certificates shall be signed by ~~the teacher of~~ an eighth
25 grade TEACHER. The certificates shall admit the holders to any high
26 school in ~~the~~ THIS state.

27 G. Within any high school district or union high school district,
28 the superintendent of the high school district shall supervise the work of
29 the eighth grade of all schools ~~employing no~~ THAT DO NOT EMPLOY A
30 superintendent or principal.

31 H. A school district shall not deny a pupil who is between the ages
32 of sixteen and twenty-one years admission to a high school because the
33 pupil does not hold an eighth grade certificate. Governing boards shall
34 establish procedures for determining the admissibility of pupils who are
35 under sixteen years of age and who do not hold eighth grade certificates.

36 I. The state board of education shall adopt rules to allow common
37 school pupils who can demonstrate competency in a particular academic
38 course or subject to obtain academic credit for the course or subject
39 without enrolling in the course or subject.

40 J. A school district may conduct a ceremony to honor pupils who
41 have been promoted from the eighth grade.

42 K. For the purposes of this section, "dyslexia" means a condition
43 that:

44 1. Is neurological in origin.

1 2. Is characterized by difficulties with accurate or fluent word
2 recognition and by poor spelling and decoding abilities, including
3 difficulties that typically result from a deficit in the phonological
4 component of language that is often unexpected in relation to other
5 cognitive abilities and to the provision of effective classroom
6 instruction.

7 3. May include secondary consequences such as problems with reading
8 comprehension and reduced reading experience that may impede the growth of
9 vocabulary and background knowledge.

10 Sec. 8. Section 15-704, Arizona Revised Statutes, is amended to
11 read:

12 15-704. Reading proficiency; dyslexia screening plan;
13 parental notification; definitions

14 A. Each school district or charter school that provides instruction
15 in kindergarten programs and grades one through three shall select and
16 administer screening, ongoing diagnostic and classroom-based instructional
17 reading assessments, including a motivational assessment, ~~as defined by~~
18 ~~the state board of education,~~ and the kindergarten entry evaluation tool
19 ~~adopted~~ **SELECTED BY THE SCHOOL DISTRICT GOVERNING BOARD OR CHARTER SCHOOL**
20 **GOVERNING BODY** pursuant to section 15-701, subsection A, paragraph 3, to
21 monitor student progress. Each school shall use the diagnostic
22 information to plan evidence-based appropriate and effective instruction
23 and intervention.

24 B. On or before July 1, 2022, the department of education shall
25 develop a dyslexia screening plan that meets all of the following
26 requirements:

27 1. Ensures that within forty-five calendar days after the beginning
28 of each school year or within forty-five calendar days after a student
29 enrollment occurs after the first day of school, every student who is
30 enrolled in a kindergarten program or grade one in a public school in this
31 state is screened for indicators of dyslexia.

32 2. Provides guidance for notifications sent by public schools to
33 parents of students who are identified as having indicators of dyslexia
34 based on a screening for indicators.

35 3. Is developed collaboratively with the dyslexia specialist for
36 the department designated pursuant to section 15-211, and other experts on
37 dyslexia, including representatives in this state of an international
38 organization on dyslexia.

39 4. Ensures that screening for indicators of dyslexia includes the
40 following:

- 41 (a) Phonological and phonemic awareness.
- 42 (b) Rapid naming skills.
- 43 (c) Correspondence between sounds and letters.
- 44 (d) Nonsense word fluency.
- 45 (e) Sound symbol recognition.

1 C. The screening for indicators of dyslexia may be integrated with
2 reading proficiency screenings as prescribed in this section.

3 D. Each school district or charter school that provides instruction
4 for pupils in kindergarten programs and grades one through three shall
5 conduct a curriculum evaluation and adopt an evidence-based reading
6 curriculum that includes the essential components of reading instruction.
7 All school districts and charter schools that offer instruction in
8 kindergarten programs and grades one through three shall provide ongoing
9 teacher training based on evidence-based reading research.

10 E. Each school district or charter school that provides instruction
11 in kindergarten programs and grades one through three shall devote
12 reasonable amounts of time to explicit evidence-based instruction and
13 independent reading in grades one through three.

14 F. A pupil in grade three who does not demonstrate proficiency on
15 the reading standards measured by the statewide assessment administered
16 pursuant to section 15-741 shall be provided core reading instruction and
17 intensive, evidence-based reading instruction as defined by the state
18 board of education until the pupil meets these standards.

19 G. The governing board of each school district and the governing
20 body of each charter school shall determine the percentage of pupils at
21 each school in grade three who do not demonstrate proficiency on the
22 reading standards prescribed by the state board of education and measured
23 by the statewide assessment administered pursuant to section 15-741. If
24 more than twenty percent of students in grade three at either the
25 individual school level or at the school district level do not demonstrate
26 proficiency on the standards, the governing board or governing body shall
27 conduct a review of its reading program that includes curriculum and
28 professional development in light of current, evidence-based reading
29 research.

30 H. Based on the review required in subsection G of this section,
31 the governing board or governing body and the school principal of each
32 school that does not demonstrate proficiency on the reading standards, in
33 conjunction with school council members, if applicable, shall develop
34 methods of best practices for teaching reading based on essential
35 components of reading instruction and supported by evidence-based reading
36 research. These methods shall be adopted at a public meeting and shall be
37 implemented the following academic year.

38 I. Subsections G and H of this section shall be coordinated with
39 efforts to develop and implement an improvement plan if required pursuant
40 to section 15-241.02.

41 J. For the purposes of this section:

42 1. "Essential components of reading instruction" means explicit and
43 systematic instruction in the following:

44 (a) Phonological awareness, including phonemic awareness.

45 (b) Phonics encoding and decoding.

- 1 (c) Vocabulary development.
- 2 (d) Reading fluency as demonstrated by automatic reading of text.
- 3 (e) Reading comprehension of written text.
- 4 (f) Written and oral expression, including spelling and
- 5 handwriting.

6 2. "Evidence-based reading research" means research that

7 demonstrates either:

8 (a) A statistically significant effect on improving student

9 outcomes or other relevant outcomes based on either:

10 (i) Strong evidence from at least one well-designed and

11 well-implemented experimental study.

12 (ii) Moderate evidence from at least one well-designed and

13 well-implemented quasi-experimental study.

14 (iii) Promising evidence from at least one well-designed and

15 well-implemented correlational study with statistical controls for

16 selection bias.

17 (b) A rationale based on high-quality research findings or positive

18 evaluation that an activity, strategy or intervention is likely to improve

19 student outcomes or other relevant outcomes and that includes ongoing

20 efforts to examine the effects of these activities, strategies or

21 interventions.

22 3. "Reading" means a complex system of deriving meaning from

23 written text that requires all of the following:

24 (a) The skills and knowledge to understand how phonemes or speech

25 sounds are connected to written text.

26 (b) The ability to decode unfamiliar words.

27 (c) The ability to read fluently.

28 (d) Sufficient background information and vocabulary to foster

29 reading comprehension.

30 (e) The development of appropriate active strategies to construct

31 meaning from written text.

32 (f) The development and maintenance of a motivation to read."

33 Sec. 9. Section 15-828, Arizona Revised Statutes, is amended to

34 read:

35 15-828. Birth certificate; school records; exception

36 A. On enrollment of a pupil for the first time in a particular

37 school district or private school offering instruction to pupils in any

38 kindergarten programs or grades one through twelve, that school or school

39 district shall notify the person enrolling the pupil in writing that

40 within thirty days the person must provide one of the following:

41 1. A certified copy of the pupil's birth certificate.

42 2. Other reliable proof of the pupil's identity and age, including

43 the pupil's baptismal certificate, an application for a social security

44 number or original school registration records and an affidavit explaining

45 the inability to provide a copy of the birth certificate.

1 3. A letter from the authorized representative of an agency having
2 custody of the pupil pursuant to title 8, chapter 2 certifying that the
3 pupil has been placed in the custody of the agency as prescribed by law.

4 B. If a child is instructed at home pursuant to section 15-802, the
5 person who has custody of the child shall, within thirty days after the
6 home instruction begins, provide to the county school superintendent of
7 the county in which the child resides one of the following:

8 1. A certified copy of the child's birth certificate.

9 2. Other reliable proof of the child's identity and age, including
10 the child's baptismal certificate, an application for a social security
11 number or original school registration records and an affidavit explaining
12 the inability to provide a copy of the birth certificate.

13 3. A letter from the authorized representative of an agency having
14 custody of the pupil pursuant to title 8, chapter 2 certifying that the
15 pupil has been placed in the custody of the agency as prescribed by law.

16 C. On presentation of a document pursuant to this section, a
17 photocopy of the document shall be placed in the pupil's file and the
18 document that is presented shall be returned.

19 D. A pupil shall be enrolled in the school or school district, or
20 the county school superintendent shall record the pupil's name, using the
21 name that is printed on the birth certificate, other reliable proof of the
22 pupil's identity, or letter from an agency having custody of the pupil
23 provided pursuant to this section. This subsection does not prohibit a
24 school or school district from calling a pupil by any name the pupil's
25 parent or guardian wishes the pupil to be called.

26 E. On the failure of a person enrolling a pupil or instructing a
27 child at home to comply with subsection A or B of this section, the
28 school, school district or county school superintendent shall notify that
29 person in writing that, unless the person complies within ten days, the
30 case shall be referred to the local law enforcement agency for
31 investigation. If compliance is not obtained within the ~~ten-day~~ TEN-DAY
32 period, the school, school district or county school superintendent shall
33 refer the case to the local law enforcement agency.

34 F. The school, school district or county school superintendent
35 shall immediately report to the local law enforcement agency any affidavit
36 received pursuant to this section ~~which~~ THAT appears TO BE inaccurate or
37 suspicious in form or content.

38 G. Within ~~five~~ TEN school days after enrolling a transfer pupil
39 from a private school or another school district, a school shall request
40 directly from the pupil's previous school a certified copy of the pupil's
41 record. ~~The requesting school shall exercise due diligence in obtaining~~
42 ~~the copy of the record requested.~~ Notwithstanding any financial debt owed
43 by the pupil, any school requested to forward a copy of a transferring
44 pupil's record to the new school shall comply and forward the record
45 within ten school days after receipt of the request unless the record has

1 been flagged pursuant to section 15-829. If the record has been flagged,
2 the requested school shall not forward the copy and shall notify the local
3 law enforcement agency of the request. School districts shall include in
4 the educational records required by this subsection data collected
5 pursuant to sections 15-741 and 15-766, as prescribed by the state board
6 of education.

7 H. Any disclosure of educational records by the school district or
8 charter school shall comply with the family educational rights and privacy
9 act of 1974 (20 United States Code section 1232g).

10 I. ~~The provisions of~~ This section ~~do~~ DOES not apply to homeless
11 pupils as defined in section 15-824, subsection C.

12 Sec. 10. Section 15-903, Arizona Revised Statutes, is amended to
13 read:

14 15-903. Budget format; prohibited expenditures; annual report

15 A. The superintendent of public instruction in conjunction with the
16 auditor general shall prepare and prescribe a budget format to be ~~utilized~~
17 USED by all school districts.

18 B. The budget format shall be designed to allow all school
19 districts to plan and provide in detail for ~~the use of~~ USING available
20 funds MONIES. The budget format shall contain distinct sections for, but
21 need not be limited to, maintenance and operation, debt service, special
22 projects, capital outlay, adjacent ways and classroom site fund. The
23 maintenance and operation section shall include, but need not be limited
24 to, separate subsections for regular education programs, special education
25 programs and operational expenditures for pupil transportation. Each
26 subsection shall clearly distinguish classroom instruction expenditures.
27 The special education program subsection shall include a subtotal for the
28 disability classifications as defined in section 15-761 and programs for
29 gifted, vocational and technical education, remedial education and
30 bilingual students. The total expenditures for each of these programs
31 shall be included on the budget form. The pupil transportation subsection
32 shall include all operational expenditures relating to ~~the transportation~~
33 of TRANSPORTING pupils, including all operational expenditures within a
34 contract if the school district contracts for pupil transportation.

35 C. The capital outlay section of the budget shall include a
36 subsection for unrestricted capital outlay. The unrestricted capital
37 outlay subsection shall include budgeted expenditures for acquisitions by
38 purchase, lease-purchase or lease of capital items as defined in the
39 uniform system of financial records and shall include:

40 1. Land, buildings and improvements to land and buildings,
41 including labor and related employee benefits costs and material costs if
42 work is performed by school district employees.

43 2. Furniture, furnishings, athletic equipment and other equipment,
44 including computer software.

- 1 3. Pupil and nonpupil transportation vehicles and equipment,
2 including all capital expenditures within a contract if the school
3 district contracts for pupil transportation.
- 4 4. Textbooks and related printed subject matter materials adopted
5 by the governing board.
- 6 5. Instructional aids.
- 7 6. Library books.
- 8 7. Payment of principal and interest on bonds.
- 9 8. School district administration emergency needs that are directly
10 related to pupils.
- 11 D. The budget format shall contain distinct subsections for the
12 following:
- 13 1. Special programs to improve academic achievement of pupils in
14 kindergarten programs and grades one through three as provided in section
15 15-482.
- 16 2. School plant funds.
- 17 3. Capital outlay budget increases as provided in section 15-481.
- 18 4. Property taxation, including the following:
- 19 (a) The primary tax rates for the school district for the current
20 year and the budget year.
- 21 (b) The secondary tax rates for maintenance and operation, K-3 and
22 capital overrides for the school district for the current year and the
23 budget year.
- 24 (c) The secondary tax rates for class A bonds for the school
25 district for the current year and the budget year.
- 26 (d) The secondary tax rates for class B bonds for the school
27 district for the current year and the budget year.
- 28 5. A description of any corrections or adjustments made to the
29 budget pursuant to section 15-915.
- 30 E. The budget format shall also contain:
- 31 1. A statement identifying proposed pupil-teacher ratios and
32 pupil-staff ratios relating to the provision of special education services
33 for the budget year.
- 34 ~~2. A statement identifying the number of full-time equivalent~~
35 ~~certified employees.~~
- 36 ~~3.~~ 2. The prominent display of the average salary of all teachers
37 employed by the school district for the current year. The school district
38 shall also prominently post this information on its website home page
39 separately from its budget.
- 40 ~~4.~~ 3. The prominent display of the average salary of all teachers
41 employed by the school district for the previous year. The school
42 district shall also prominently post this information on its website home
43 page separately from its budget.

1 ~~5-~~ 4. The prominent display of the dollar increase in the average
2 salary of all teachers employed by the school district for the current
3 year. The school district shall also prominently post this information on
4 its website home page separately from its budget.

5 ~~6-~~ 5. The prominent display of the percentage increase in the
6 average salary of all teachers employed by the school district for the
7 current year. The school district shall also prominently post this
8 information on its website home page separately from its budget.

9 F. The special projects section shall include budgeted expenditures
10 for state special projects, including special adult projects, career
11 education, deficiencies correction fund projects and new school facilities
12 fund projects, such federal special projects as ESEA title programs,
13 vocational education and title IV Indian education, and other special
14 projects.

15 G. A school district shall not make expenditures for campaign
16 literature associated with school district or charter school officials.
17 If the superintendent of public instruction determines that a school
18 district has violated this subsection, the superintendent of public
19 instruction may withhold any portion of the school district's
20 apportionment of state aid.

21 H. The budget format shall include an electronic format that shall
22 be submitted for each proposed, adopted and revised budget.

23 I. On or before November 30 of each year, the department of
24 education shall electronically submit to the joint legislative budget
25 committee and the governor's office of strategic planning and budgeting a
26 report that compiles the information required by subsection E, paragraphs
27 ~~3-~~ 2 through ~~6-~~ 5 of this section for all school districts statewide.

28 Sec. 11. Section 6, as added by Senate Bill 1720, fifty-sixth
29 legislature, first regular session, as transmitted to the governor, is
30 amended to read:

31 Sec. 6. DEPARTMENT OF ADMINISTRATION

	<u>2023-24</u>
FTE positions	539.1
Operating lump sum appropriation	\$ 91,914,700
Utilities	7,649,900
Arizona financial information system	14,442,100
Risk management administrative expenses	10,870,700
Risk management losses and premiums	52,436,300

1	Workers' compensation losses	
2	and premiums	28,395,000
3	Cyber risk insurance	23,037,200
4	Information technology project	
5	management and oversight	1,667,300
6	State surplus property sales	
7	agency proceeds	1,810,000
8	Employee compensation study	4,000,000
9	Health care interoperability grants	3,000,000
10	Fire incident management	
11	fund deposit	12,200,000
12	Kirkland SKULL VALLEY school	
13	district distribution	300,000
14	Early literacy	250,000
15	K-12 transportation grants	15,000,000
16	Miami unified school district	
17	gym floors	350,000
18	Southwest defense contracts	25,000
19	Government transformation office	<u>2,063,000</u>
20	Total appropriation – department of	
21	administration	\$269,411,200
22	Fund sources:	
23	State general fund	\$ 44,450,900
24	Air quality fund	928,000
25	Arizona financial information	
26	system collections fund	14,442,100
27	Automation operations fund	29,901,000
28	Capital outlay stabilization fund	19,200,200
29	Corrections fund	634,600
30	Cyber risk insurance fund	23,037,200
31	Federal surplus materials revolving	
32	fund	468,500
33	Information technology fund	2,292,000
34	Personnel division fund	13,779,500
35	Risk management revolving fund	99,955,800
36	Special employee health insurance	
37	trust fund	5,719,900
38	Special services revolving fund	1,257,300
39	State surplus materials revolving	
40	fund	3,064,600
41	State web portal fund	8,465,600
42	Telecommunications fund	1,814,000

1 The amount appropriated for southwest defense contracts shall be
2 distributed to a nonprofit organization that advocates for preserving and
3 enhancing critical defense missions and assets in the southwestern United
4 States.

5 The appropriation from the automation operations fund established by
6 section 41-711, Arizona Revised Statutes, is an estimate representing all
7 monies, including balance forward, revenues and transfers during fiscal
8 year 2023-2024. These monies are appropriated to the department of
9 administration for the purposes established in section 41-711, Arizona
10 Revised Statutes. The appropriation is adjusted as necessary to reflect
11 monies credited to the automation operations fund for automation operation
12 center projects. Before spending any automation operations fund monies in
13 excess of \$29,901,000 in fiscal year 2023-2024, the department shall
14 report the intended use of the monies to the joint legislative budget
15 committee.

16 On or before September 1, 2024, the department shall submit a report
17 to the joint legislative budget committee on the results of pilot projects
18 implemented in fiscal year 2023-2024 for the state employee public
19 transportation service reimbursements pursuant to section 41-710.01,
20 Arizona Revised Statutes, in a vehicle emissions control area as defined
21 in section 49-541, Arizona Revised Statutes, of a county with a population
22 of more than four hundred thousand persons.

23 All state surplus materials revolving fund monies received by the
24 department of administration in excess of \$3,064,600 in fiscal year
25 2023-2024 are appropriated to the department. Before spending state
26 surplus materials revolving fund monies in excess of \$3,064,600 in fiscal
27 year 2023-2024, the department shall report the intended use of the monies
28 to the joint legislative budget committee.

29 Of the amount appropriated for the Arizona financial information
30 system line item in fiscal year 2023-2024, \$4,000,000 is exempt from the
31 provisions of section 35-190, Arizona Revised Statutes, relating to
32 lapsing of appropriations, until June 30, 2025.

33 On or before November 1, 2024, the department shall submit a report
34 to the director of the joint legislative budget committee on expenditures
35 made from the cyber risk insurance fund established by section 41-622,
36 Arizona Revised Statutes, from the prior year.

37 On or before October 1, 2024, the department shall submit a report
38 to the president of the senate, the speaker of the house of
39 representatives, the chairpersons of the senate and house of
40 representatives appropriations committees and the director of the joint
41 legislative budget committee on the outcome of the employee compensation
42 study.

1 The amount appropriated for the K-12 transportation grants line item
2 in fiscal year 2022-2023 pursuant to Laws 2022, chapter 313, section 5 is
3 exempt from the provisions of section 35-190, Arizona Revised Statutes,
4 relating to the lapsing of appropriations, until June 30, 2024.

5 The amount appropriated for the early literacy line item shall be
6 distributed to a literacy program that places young adult role models in
7 high-need preschool classrooms and childcare centers where they deliver
8 targeted early literacy interventions to children who may otherwise never
9 have had young adult role models.

10 The amount appropriated for the enduring freedom memorial repair
11 line item in fiscal year 2021-2022 pursuant to Laws 2021, chapter 408,
12 section 5 is exempt from the provisions of section 35-190, Arizona Revised
13 Statutes, relating to the lapsing of appropriations, until June 30, 2024.

APPROVED BY THE GOVERNOR JUNE 19, 2023.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 19, 2023.