

Bill Tracker (Revised 5/6/10)

Please note this bill tracker is prepared by Arizona State Board for Charter Schools staff on behalf of the Board to provide the Board with a brief synopsis of certain legislation. This bill tracker does not reflect a comprehensive list of education bills being considered during this legislative session. For the text of any of these bills and the bill summaries prepared by legislative staff, please visit the Arizona State Legislature’s website at <http://www.azleg.gov>. Unless otherwise indicated, the general effective date for bills is July 29, 2010.

Bill No. (sponsor)	Short Title, Summary	Committee(s)	Last Action
HB 2129 (Crandall)	<p>Education; meetings; technical correction (NOW: Arizona online instruction; reform) AS TRANSMITTED TO GOVERNOR – Among its many provisions, the bill:</p> <ul style="list-style-type: none"> • Removes the requirement that a pupil enrolled in Arizona Online Instruction (AOI) is considered full-time if the pupil’s average instructional hours exceed 119 minutes for kindergarten programs, 238 minutes for 1st through 3rd grades, 297 minutes for 4th through 6th grades, 356 minutes for 7th and 8th grades and 300 minutes for 9th through 12th grades. • Removes the requirement that a pupil enrolled in AOI will be considered part-time if the pupil’s average instructional hours are less than the hours required for a full-time pupil. • Defines “full-time student” as: <ul style="list-style-type: none"> ○ A student who is at least five years old before September 1 of the school year and enrolled in a school kindergarten program that meets at least 346 hours during the school year. ○ A student who is at least 6 years old before September 1 of a school year, who has not graduated from the highest grade taught in the school and who is regularly enrolled in a course of study required by the State Board of Education that meets at least 890 hours. ○ Seventh and eighth grade students or ungraded students who are at least 12, but under 14 years of age on or before September 1, and are enrolled in an instructional program of courses that meets at least 1,068 hours during the school year. ○ For high schools, a student not graduated from the highest grade taught in a school district, or an ungraded student at least 14 years of age on or before September 1, who is enrolled in at least four courses throughout the year that meet at least 900 hours during the school year that will not be counted more than once for the computation of average daily membership. • Defines “part-time student” as any student who is enrolled in a program that is funded at 85 percent of the base support level that would be calculated for that pupil if that pupil were enrolled as a part-time student in a school district or charter school that does not participate in AOI. The bill further defines part-time student for students in grades one through high school. 		4/27 Signed by Governor (Chapter 174)
HB 2209 (Reagan: Tobin)	<p>Public meetings; notices AS TRANSMITTED TO GOVERNOR – Among its many provisions, requires Arizona public bodies, including charter schools, to: 1) conspicuously post on their website a statement</p>		4/19 Signed by Governor (Chapter 88)

	<p>indicating where all public notices of their meetings will be posted, including the physical and electronic locations (rather than filing this with the Secretary of State); and 2) post all public meeting notices on their website. Further, it specifies that all state agencies must annually publish in the register, state directory and a telephone directory for Maricopa County the name or names of the employee(s) designated to provide agency assistance to members of the public. (Current law only requires this of agencies that employ more than 100 people.)</p>		
<p>HB 2281 (Montenegro, Gowan, Seel, Stevens: Antenori, Goodale, Weiers JP)</p>	<p><i>Schools; prohibited courses; discipline (NOW: Prohibited courses; discipline; schools)</i> AS TRANSMITTED TO GOVERNOR – Among its many provisions, the bill:</p> <ul style="list-style-type: none"> • Prohibits a school district or charter school from including in its program of instruction any courses or classes that either promote the overthrow of the United States government, promote resentment toward a race or class of people, are designed primarily for pupils of a particular ethnic group and/or advocate ethnic solidarity instead of the treatment of pupils as individuals. • States that if the State Board of Education or Superintendent of Public Instruction determines that a school district or charter school is offering a course that violates this act, the SBE must direct the Superintendent of Public Instruction to notify the school district or charter school that it is in violation. • Stipulates that if the SBE or Superintendent determines that the school district or charter school has failed to comply within 60 days after a notice has been issued by the Superintendent, the SBE or Superintendent may direct the ADE to withhold up to 10% of the monthly apportionment of state aid that would otherwise be due to the school district or charter school and requires ADE to adjust the apportionment accordingly. • Specifies that when the SBE or Superintendent determines that the school district or charter school is in compliance with not offering a prohibited course, ADE must restore the full amount of state aid payments to the school district or charter school. • States that this act cannot be construed to restrict or prohibit courses or classes for Native American pupils that are required to comply with federal law, the grouping of pupils according to academic performance, including capability in the English language, that may result in a disparate impact by ethnicity, courses or classes that include the history of any ethnic group and that are open to all students, unless the course or class violates this act, courses or classes that include the discussion of controversial aspects of history and/or the instruction of the Holocaust, any other instance of genocide or the historical oppression of any particular group of people based on ethnicity, race or class. • Prohibits rules pertaining to the discipline, suspension and expulsion of pupils from being based on race, color, religion, sex, national origin or ancestry. • Contains a delayed effective date from and after December 31, 2010. 		4/30 Transmitted to Governor
<p>HB 2385 (Boone)</p>	<p><i>Schools; ADM calculation</i> AS TRANSMITTED TO GOVERNOR – Among its many provisions, the bill:</p> <ul style="list-style-type: none"> • Deletes the definition of and statutory references to “average daily attendance”. • Modifies the definition of “average daily membership” (ADM) to the total enrollment of the fractional students and full-time students minus withdrawals who are enrolled on September 15, November 15, January 15 and March 15, divided by four. • Requires school districts and charter schools to report student absence data to the ADE at 		4/29 Transmitted to Governor

	<p>least once every 60 days in session.</p> <ul style="list-style-type: none"> • Specifies that for computation purposes, the effective date of withdrawal must be retroactive to the last day of actual attendance of the student or excused absence. • Requires school district governing boards and the governing board of each charter school to adopt a policy governing excused pupils from school attendance and stipulates that the policy must require the school district to apply to the ADE for authorization of school closure for specified reasons. • Requires the ADE to compute and aggregate ADM for the current year no later than April 15 and cannot further aggregate student data after April 15 for the current year. It also stipulates that any future adjustments in student counts, if discovered by the school district or charter school after April 15, must be made pursuant to the correction of state aid or budget limit errors statutes. • Exempts Arizona Online Instruction (AOI) from the ADM calculation requirements specified in this act. • Modifies the definition of full-time students for high school as students enrolled in an instructional program of 4 or more subjects that meets for a total of at least 720 hours for a 180 day school year or the instructional hours prescribed in statute and stipulates that the ADM must be 1.0. Also modifies the definition of fractional students for high schools. • Modifies the definition of full-time students for common schools. • Deletes the definition of full-time instructional program. • Stipulates that a school district or charter holder that elects to provide 200 days of instruction may increase its base level by 5% and must obtain approval from the ADE before the beginning of the fiscal year that the school district or charter holder is planning on offering instruction for 200 days. • Requires a school district or charter holder that elects to provide 200 days to ensure that the last day of instruction in any school year occurs before June 30 and must increase its annual instructional hours by 10% in order to receive the 5% base level increase. • Requires the ADE and the Auditor General to include at least a 10% sample of daily attendance records as part of the ADM audits beginning in FY2011-2012. • Contains a delayed effective date of June 30, 2011. 		
<p>HB 2514 (Murphy) [Association Bill]</p>	<p><i>Charter schools; food; tax exemption</i> AS TRANSMITTED TO GOVERNOR – Provides charter schools the same transaction privilege tax and use tax exemption as school districts for food and drink prepared and served for consumption on school premises during school hours. The bill also contains a delayed effective date of October 1, 2010.</p>		4/14 Signed by Governor (Chapter 52)
<p>HB 2722 (Goodale, Court, Crandall; McLain)</p>	<p><i>Charter schools; funding; nonresidents (NOW: Schools; funding; nonresidents)</i> AS TRANSMITTED TO GOVERNOR – Prohibits school districts and charter schools from including pupils who are not residents of Arizona in the school or charter school’s student count and obtaining state funding for those pupils, except as provided by current statute regarding admission of nonresident pupils.</p>		4/28 Transmitted to Governor
<p>HB 2725 (Court, Ash, Crandall, Pratt,</p>	<p><i>Education; omnibus</i> AS TRANSMITTED TO GOVERNOR – Among its many provisions, the bill:</p> <ul style="list-style-type: none"> • Requires each school district governing board and the governing body of each charter 		4/30 Transmitted to Governor

<p>Young Wright: Goodale, Jones, Waters, Williams)</p>	<p>school to conduct a public meeting no later than January 1, 2011 to consider the adoption of a policy to provide at least 30 total minutes of recess each day for pupils in grades K through five. The governing bodies must discuss and vote on the adoption of the proposed recess policy. Each parent or guardian of a child who is enrolled in the school district or charter school shall be provided notice of any public meeting called for this purpose and provided with the opportunity to comment on the proposed policy. If a recess policy is adopted, the bill specifies certain requirements and suggestions. School districts and charter schools that do not provide instruction to pupils in grades K through five are not required to conduct the public meeting.</p> <ul style="list-style-type: none"> • Authorizes public universities with an enrollment of at least 15,000 FTE students, a community college district with enrollment of more than 15,000 FTE students and a group of community college districts with a combined enrollment of at least 15,000 FTE students to sponsor a charter school. • Limits the number of approved applications each new sponsoring entity may approve to 2 in FY2010-2011, 3 in FY2011-2012 and 4 in FY2012-2013. • Requires the governing body of a charter school to transmit a copy of its proposed budget or the summary of the proposed budget and a notice of the public hearing to the ADE for posting on the ADE's website no later than 10 days before the hearing and meeting. • Stipulates that if the charter school maintains a website, then the governing body must post on its website a copy of its proposed budget or the summary of the proposed budget and a notice of the public hearing. • Allows the ASBCS to use the services of the Auditor General. • Reduces the annual required instructional hours for 7th and 8th graders from 1,068 to 1,000 beginning in fiscal year 2010-2011. • Allows all school districts and charter schools that are eligible for E-rate Priority 1 funding to apply for funding by submitting applications with assistance from the Government Information Technology Agency (GITA). • Requires all school districts and charter schools that receive E-rate funding to establish a Fund and monies in the Fund may be used to reimburse the school district or charter school for broadband internet and telecommunications costs. 		
<p><u>HB 2731</u> (Rep. Crandall, Ash, Court, Driggs, Pratt, Schapira, Young Wright, Sen. Huppenthal: Rep. Adams, Goodale, Jones, Kavanagh, Lujan, McComish, McLain, Meyer, Pancrazi, Tobin, Waters)</p>	<p><i>High schools; graduation; board examinations</i> AS TRANSMITTED TO GOVERNOR – Among its many provisions, the bill:</p> <ul style="list-style-type: none"> • Creates the Grand Canyon Diploma and enables high school students to choose different pathways to education. • Establishes a board examination system for high school students that supports a “move on when ready” process. • Requires the ASBCS to modify previously approved curriculum requirements for charter schools that wish to participate in the board examination system. 		<p>4/29 Transmitted to Governor</p>

<p>HB 2732 (Rep. Crandall, Ash, Court, Driggs, Pratt; Adams, Goodale, Jones, McComish, McLain, Pancrazi, Tobin, Sen. Huppenthal)</p>	<p><i>Schools; third grade retention</i> AS TRANSMITTED TO GOVERNOR – Among its many provisions, the bill:</p> <ul style="list-style-type: none"> • States that the competency requirements prescribed by the State Board of Education for the promotion of pupils from third grade shall include: <ul style="list-style-type: none"> ○ A requirement that a pupil not be promoted from the 3rd grade if the pupil obtains a score on the reading portion of the AIMS test, or a successor test, that demonstrates that the pupil is reading far below the 3rd grade level. ○ A mechanism to allow a school district governing board to promote a pupil from the 3rd grade who obtains a score that demonstrates that the pupil is reading far below the 3rd grade level for any of five specified good cause exemptions. ○ Intervention and remedial strategies developed by the SBE for pupils who are not promoted from the 3rd grade. A school district governing board shall offer at least one of the intervention and remedial strategies developed by the SBE. It allows the pupil’s parent or guardian, teacher and principal to choose the intervention and remedial strategy that will be provided to the pupil. The bill specifies certain intervention and remedial strategies that the SBE’s strategies must include. • Beginning in the 2010-2011 school year, requires school districts and charter schools to provide annual written notification to parents of students in kindergarten through third grade communicating the promotion policy. • Directs schools to provide a separate written notification to the parents of students with substantial reading deficiencies identified prior to the end of third grade. The bill specifies information that must be included in the notification. • Specifies a good cause exemption from retention process based upon a parent request. • Requires the SBE to provide for universal screening of pupils in preschool programs, kindergarten programs and grades one through three that is designed to identify pupils who have reading deficiencies. • Delays the application of the third grade promotion competency requirements until the 2013-2014 school year. • Establishes the Task Force on Reading Assessment and its membership, which includes two charter school members. The Task Force shall: a) examine the experiences and outcomes of other states that have adopted reading tests that are required for the promotion of pupils from 3rd grade; b) develop methodologies, models and other recommendations for an assessment that will measure pupils’ reading abilities in 1st and 2nd grade relying on the concepts of phonics, phonemic awareness, reading comprehension, fluency and vocabulary; c) develop recommendations that integrate the use of mid-year promotion; d) develop recommendations on the use of student, teacher and school level data to improve promotion rates; and e) submit a written report that contains the Task Force’s findings and recommendations on or before February 15, 2011. • Adds a conditional enactment contingent upon Proposition 100 being approved by voters in the May 18, 2010 special election. 		4/29 Transmitted to Governor
<p>HB 2733 (Rep. Crandall, Ash, Court,</p>	<p><i>Department of education; data collection</i> AS TRANSMITTED TO GOVERNOR – Among its many provisions, the bill:</p> <ul style="list-style-type: none"> • Requires the Superintendent of Public Instruction to enter into contracts with public or 		4/30 Transmitted to Governor

<p>Driggs, Pratt: Adams, Goodale, Jones, McComish, McLain, Meyer, Tobin, Waters, Sen. Huppenthal)</p>	<p>private entities to carry out the purposes of this act.</p> <ul style="list-style-type: none"> • Requires the Arizona Department of Education to issue a request to evaluate the existing system of data collection, compilation and reporting conducted by the ADE on or before August 1, 2010 and award a contract no later than October 1, 2010. It further specifies items that must be included in the evaluation of SAIS and the Data Warehouse. • Requires the ADE to issue an additional request for proposal to replace or update SAIS and to bring that system into compliance with the American Recovery and Reinvestment Act. It also stipulates certain contract requirements if the Superintendent directs the ADE to issue a contract to replace or update the SAIS system. • Establishes the Data Governance Commission and describes its membership. The Commission is to establish guidelines related to managed data access, technology, privacy and security, adequacy of training, adequacy of data model implementation, prioritization of funding opportunities and resolution of data conflicts and provide recommendations on technology spending. Other areas of analysis and recommendations are specified in the bill. • Establishes the Task Force on Data Systems and requires the Task Force to: a) design a request for proposals form to be used by ADE to solicit proposals from private entities to carry out the above provisions and b) submit the request for proposals form to ADE by December 31, 2011. • Stipulates that contracts from the ADE will be awarded subject to the appropriation of state funds or the receipt of federal funds, private donations, or grants from any lawful public or private source for this purpose. 		
<p>SB 1039 (Huppenthal)</p>	<p><i>Restructuring; school report cards (NOW: AOI; charter schools; processing fee)</i> AS TRANSMITTED TO GOVERNOR –Among its provisions, the bill:</p> <ul style="list-style-type: none"> • Requires the ASBCS to charge a processing fee to any charter school that amends its charter contract to participate in the Arizona Online Instruction (AOI) program. • Establishes the Charter Arizona Online Instruction Processing Fund (Fund) consisting of fees collected and administered by the ASBCS. • Requires the ASBCS to use monies in the Fund only for the processing of contract amendments for charter schools participating in AOI. • Specifies that the monies in the Fund are continuously appropriated. • Contains an emergency clause. 		<p>4/26 Signed by Governor (Chapter 160E)</p>
<p>SB 1040 (Huppenthal)</p>	<p><i>Schools; achievement profiles; MAP (NOW: Teacher and principal evaluations)</i> AS TRANSMITTED TO GOVERNOR – On or before December 15, 2011, requires the State Board of Education to adopt and maintain a model framework for a teacher and principal evaluation instrument that includes quantitative data on student academic progress that accounts for between 33% and 50% of the evaluation outcomes and best practices for professional development and evaluator training. It also mandates that school districts and charter schools use an instrument that meets the data requirements established by the SBE to annually evaluate individual teachers and principals beginning in school year 2012-13.</p>		<p>4/29 Transmitted to Governor</p>
<p>SB 1119 (Huppenthal: Allen S, Gray L)</p>	<p><i>Task force; K-3 accountability; assessments</i> AS TRANSMITTED TO GOVERNOR – Among its many provisions, the bill establishes the Task Force on K-3 Accountability and Assessments at the Arizona Department of Education and specifies the Task Force’s membership, which includes three charter school representatives.</p>		<p>4/23 Signed by Governor (Chapter 142)</p>

	<p>The bill requires the Task Force to examine and evaluate best practices in accountability and assessment measures and measures of academic gains for K-3 schools and to conduct trial examinations of K-3 pupils. Additionally, it allows school districts and charter schools to voluntarily participate in the measure of academic gains developed by the Task Force. Further, it requires the ADE to develop mechanisms to allow a school district or charter school that voluntarily participates to improve its school classification designated pursuant to statute relating to school accountability if the school district's or charter school's academic gains meet the criteria developed by the ADE and approved by the State Board of Education. Finally, it repeals the Task Force for Measuring Academic Gains of K-3 Pupils.</p>		
<p>SB 1282 (Huppenthal)</p>	<p><i>Affiliated charter schools</i> AS TRANSMITTED TO GOVERNOR – Among its many provisions, the bill:</p> <ul style="list-style-type: none"> • Allows the ASBCS or the State Board of Education to approve a charter application if the proposed sponsor determines, within its sole discretion, that the applicant is sufficiently qualified to operate a charter school and is applying to operate as a separate charter holder by considering whether: <ul style="list-style-type: none"> ○ The schools have separate governing bodies, governing body membership, staff, facilities, and student population. ○ Daily operations are carried out by different administrators. ○ The applicant intends to have an affiliation agreement for the purpose of providing enrollment preference. ○ The applicant's charter management organization has multiple charter holders serving varied grade configurations on one physical site or nearby sites serving one community. ○ The applicant is reconstituting an existing school site population at the same or new site. ○ The applicant is reconstituting an existing grade configuration from a prior charter holder with at least one grade remaining on the original site with the other grade or grades moving to a new site. • Allows a charter school to give enrollment preference to and reserve capacity for pupils who attended another charter school if the charter school previously attended by the pupil has identical charter holder, board, and governing board membership as the enrolling school, provided that any school that elects to give enrollment preferences is treated as a single charter school for the purpose of establishing the support level weights. 		<p>4/29 Transmitted to Governor</p>
<p>SB 1284 (Huppenthal)</p>	<p><i>School finance revision</i> AS TRANSMITTED TO GOVERNOR – Among its many provisions, the bill:</p> <ul style="list-style-type: none"> • Mandates that, to the extent permitted by the Arizona Constitution and unless otherwise specified by law, that ADE must apply any changes to state law that modify or impact school finance formulas on the effective date of that change to state law so that it applies to the entire fiscal year in which the change became effective. • Designates the budget capacity derived from the Classroom Site Fund for FY2010-2011 as \$120 per pupil. • Stipulates that school districts and charter schools that use sources other than Classroom Site Fund monies for teacher compensation in FY2010-2011 as a result of the adjustment 		<p>5/3 Transmitted to Governor</p>

	<p>for prior year shortfalls in the FY2010-2011 per pupil amount as calculated by the Joint Legislative Budget Committee are not required to maintain this higher level of spending for teacher compensation from other sources in FY2011-2012.</p> <ul style="list-style-type: none"> • Specifies that the definition of “base level” includes the amounts listed in statute plus the percentage increases to the base level as provided by statute relating to option 200 day average daily membership, Career Ladder Programs, Optional Performance Incentive Programs and additional monies for teacher compensation. 		
<p>SB 1286 (Sen. Huppenthal, Gray L; Rep Lesko; Sen. Allen S, Verschoor)</p>	<p><i>Schools; achievement profiles; letter grades</i> AS TRANSMITTED TO GOVERNOR – Among its many provisions, the bill:</p> <ul style="list-style-type: none"> • Expands the Arizona Measure of Academic Progress to high schools and requires the ADE to compute the extent of academic progress made by the pupils at each school. • Requires the ADE to establish achievement profiles for each school district using the same methodology utilized for school achievement profiles. • Requires 50% of the school and school district classification determination to consist of academic performance measurements as follows: <ul style="list-style-type: none"> ○ 50% must consist of a measurement of academic gain for all pupils enrolled at the school or school district; and ○ 50% must consist of a measurement of the 25% of pupils with the lowest academic performance measurement enrolled at the school or school district. • Replaces the current school classification system with a letter grade system. • Specifies that, for the remainder of the academic year after the effective date of this act and the next academic year, each school district and charter school must be designated with both of the following: <ul style="list-style-type: none"> ○ An achievement profile that corresponds to the classification that the school would have received under the old classification system; and ○ An achievement profile that corresponds to the grade letter assigned to that school. • Contains an effective date of from and after August 31, 2011. 		4/29 Transmitted to Governor
<p>SB 1309 (Sen. Gray C, Gray L, Pearce R; Rep. Barnes, Barto, Gowan, Montenegro; Sen. Allen S, Harper, Melvin, Verschoor; Rep. Antenori, Burges, Lesko, Mason, Murphy, Nichols, Stevens)</p>	<p><i>Parents; rights</i> AS TRANSMITTED TO GOVERNOR – Outlines parental rights related to education, healthcare, recordings, scans, genetic testing and the upbringing of a minor child. It also prescribes additional procedures a school district governing board must develop related to parental involvement.</p>		4/28 Transmitted to Governor