



## A LETTER FROM ASBCS

"To improve public education in Arizona by sponsoring charter schools that provide quality educational choices"

### 2021 Legislative Session Summary

Last year, the Arizona State Board for Charter Schools launched the Compliance Statement of Assurances, a document approved by the Board to be submitted annually by every charter holder. The Compliance Statement of Assurances serves as a compliance check for the benefit of our charters and the Board.

With the adjournment of the 2021 Legislative Session, the Compliance Statement of Assurances will be updated accordingly and distributed, pending approval by the Board.

The following is a list of changes to statute made during the 2021 Legislative Session that impact charter schools. All changes become effective on September 29, 2021, unless otherwise noted:

- [\(HB2018\)](#) School districts and charter schools are required to send a copy of audit reports to the county school superintendent and the Arizona Department of Education (ADE). ADE is required to make the audit reports available on its website. School district and charter school governing boards are required to publicly accept all audits and compliance questionnaires by roll call vote.
- [\(HB2020\)](#) A public school that provides or contracts for child care services is permitted to reduce the fee a public school employee pays for the child care services if the cost the public school pays for those services is not grossly disproportionate to the total consideration received from the employee.
- [\(HB2023\)](#) Establishes process for the investigation and potential discipline of non-certificated instructional employees in public schools. School districts and charter schools are prohibited from employing in a position that requires a valid fingerprint clearance card either a certificated person whose certificate has been suspended, surrendered or revoked and not subsequently reinstated, or a noncertificated person who has been prohibited from employment at a school district or charter school by the State Board of Education under this legislation.
- [\(HB2123\)](#) A school district or charter school may suspend or expel a student enrolled in kindergarten or grades one through four only under the specified circumstances in the bill.
- [\(HB2241\)](#) In adopting the course of study and competency requirements, the State Board of Education must include a requirement that students be taught about the Holocaust and other genocides at least twice between the 7th and 12th grades.
- [\(HB2268\)](#) School district governing boards and charter school governing bodies are required to annually provide a total compensation statement to each employee that includes a list of specified pay and benefits.
- [\(HB2705\)](#) School district governing boards and charter school governing bodies cannot prohibit a student who is a member of a federally recognized Indian Tribe or who is eligible to be enrolled as a member of a federally recognized Indian Tribe from wearing traditional tribal regalia or objects of cultural significance at a graduation ceremony.

- [\(HB2862\)](#) School district governing boards and charter school governing bodies (school boards) are authorized to adopt any instructional time models to meet the minimum annual instructional time and instructional hours requirements of statute for determining average daily membership, daily attendance, student count, and any other purpose relating to instructional time or instructional hours. Students must receive the minimum instructional time or instructional hours. School districts and charter schools are authorized to deliver instructional time or instructional hours to students through any combination of direct instruction, project-based learning, and independent learning time, and may include any combination of in-person instruction and remote instruction, subject to a list of conditions. School districts and charter schools are authorized to stagger learning times and schedules and may offer courses and other instructional time options on the weekend or in the evenings.
- [\(HB2898\)](#) Education Budget Bill
  - School district governing boards or charter school governing bodies may not require the use of face coverings by students or staff during school hours and on school property, retroactive to June 30, 2021.
  - A school district or charter school may not require a student or teacher to receive a vaccine for COVID-19 or to wear a face covering to participate in in-person instruction, retroactive to June 30, 2021.
  - Beginning in the 2021-2022 school year, a charter school is authorized to use a portion of its charter additional assistance funding to provide in lieu of transportation grants to parents of students who attend the school district or charter school under a plan submitted to ADE.
  - Establishes a Public School Transportation Modernization Grants Program in the Department of Administration. School districts and charter schools are authorized to issue grants to support individual parents or neighborhood carpools in transporting students to school. ADE is required to adopt policies and procedures to account for expenditures for the grants and to require proof of attendance for students whose transportation is supported through the grants.
  - Outlines specified prohibited instruction and related disciplinary action.
- [\(SB1097\)](#) The Arizona Department of Education (ADE) is required to identify an absence due to the mental or behavioral health of a pupil as an excused absence. ADE is authorized to adopt guidelines and rules for determining what constitutes an absence due to the mental or behavioral health of a pupil.
- [\(SB1114\)](#) School district schools and charter schools are required to post in a clearly visible location in a public area of the school that is readily accessible to students a sign that contains the telephone number of the centralized intake hotline concerning suspected abuse and neglect of children, instructions to call 911 for emergencies, and directions for accessing the website of the Department of Child Safety for more information.
- [\(SB1139\)](#) Modifies the purposes for which monies from the Classroom Site Fund must be spent to add "student support services" (defined) and to specify that teacher compensation must include a base pay and a performance pay component. Deletes the requirement for school districts and charter schools to allocate 40 percent of the monies received from the Classroom Site Fund for teacher compensation increases based on performance and employment related expenses, 20 percent of the monies for teacher base salary increases and employment related expenses, and 40 percent of the monies for maintenance and operation purposes.
- [\(SB1376\)](#) The State Board of Education must require that all health education instruction include mental health instruction.
- [\(SB1572\)](#) Retroactive to July 1, 2021, the deadline for school districts and charter schools to ensure that at least one kindergarten through third grade teacher in each school has received training related to dyslexia is extended one year to July 1, 2022.

- (SB1660) The State Board of Education is required to establish best practices for social media and cellular telephone use between students and school personnel, including teachers, coaches and counselors, and encourage school district governing boards and charter school governing bodies to adopt policies that implement these best practices.

## FY21 Audit Documents Released

The recently revised audit documents for the fiscal year 2021 audit cycle have been posted on the Board's [website](#). They include the following:

- Revised audit guidelines dated June 25, 2021
- Revised Legal Compliance Questionnaire
- Revised USFRCS Compliance Questionnaire
- Revised Procurement Compliance Questionnaire

Along with technical and clarifying changes, the revisions to the fiscal year 2021 audit guidelines include:

- Requiring charter holders subject to a single audit to submit certain audit components to the Board by March 31 if they choose to utilize a deadline extension issued by the federal Office of Management and Budget (OMB). This change was made to help minimize the effect of future OMB extensions on the Board's efforts to fulfill its oversight responsibilities.
- Alerting charter holders to new audit-related requirements for charter schools and school districts signed into law during the 2021 legislative session. Under Laws 2021, Chapter 7, sec. 3, (HB2018) audit reports must be: 1) submitted to the Arizona Department of Education (ADE) and county school superintendent and 2) publicly accepted by the governing body by a roll call vote. **This law does not change the requirement that charter audits be submitted to the Board.**

Revisions to the Legal and USFRCS compliance questionnaires were made to reflect current attendance reporting guidelines issued by the ADE and Office of the Auditor General (OAG). Among other changes, two student attendance reporting questions were added by ADE. Revisions to the Procurement Compliance Questionnaire were made to reflect current purchasing guidelines issued by the OAG.

The Board considered the fiscal year 2021 audit documents at its May 10, 2021 meeting under Agenda Item H. Attached please find a document tracking the changes made to the Legal Compliance Questionnaire.

For questions, contact Andrea Leder at (602) 364-3106 or [Andrea.Leder@asbcs.az.gov](mailto:Andrea.Leder@asbcs.az.gov).

Legal Compliance Questionnaire Tracked Changes

### Amendment Submission Information

The window is now open for charters to begin submitting expansion amendments for FY 2024, and remains open for FY 2023 expansions. Charters should always submit expansion amendments early to

### Updated Tool Available for Monitoring Financial Performance

To facilitate charter holders monitoring, throughout the school year, their performance under the Board's Financial Performance Framework, the Board has made

ensure the amendment can be considered at a Board meeting for consideration prior to the start of the Fiscal Year in which the amendment will be implemented.

As you are enrolling students this summer, be sure you are considering the need for expansion as your numbers begin to rise. Please refer to the [Board's calendar](#) for amendment request deadlines.

available, on its [website](#), the FY2022 performance calculator.

For the current school year, the charter holder should select the FY2022 Financial Framework Measure Calculator template that corresponds to the charter holder's number of years in operation as of FY2022. Once the charter holder's FY2021 audit has been received and reviewed by the Board, the charter holder will be able to include the "FY21 Dashboard" data in the calculator.

If you have any questions, please reach out to Board staff at 602-364-3080 or email at [charterschoolboard@asbcs.az.gov](mailto:charterschoolboard@asbcs.az.gov).

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## Reminders

### **Next Regular Board Meeting**

Date: Monday, August 9, 2021

Time: 9:00 AM

Location: Virtual

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