

HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **SB 1042**

Carter Floor Amendment

The Sub Floor amendment includes provisions of the Education Committee amendment except that it:

1. Replaces specialized teaching certificates for persons with STEM expertise with subject matter expert standard teaching certificates for individuals with expertise in a content area and modifies requirements to obtain the certificate.
2. Removes references to provisional certificates.
3. Increases, from two to three years, the full-time teaching requirements to qualify for an exemption from the proficiency examination requirement and exempts persons with a bachelor's degree in a relevant content area from the subject knowledge portion.
4. Requires SBE to establish an alternative option to the subject knowledge proficiency examination for applicants to demonstrate subject knowledge, including relevant work experience and proof of employment.
5. Removes the automatic approval for alternative preparation program providers that meet specified requirements.
6. Modifies the authority for school districts and charter schools to approve teacher certifications to apply the teaching length requirement to teachers in English Language Arts, Math and Science, require applicants to demonstrate subject and professional knowledge proficiency, allow the submission of program sequences or training schedules and allow for the hiring and enrollment of any teaching candidate with a bachelor's degree and FCC into the preparation program, beginning in SY 2021.
7. Requires SBE to revise its rules to eliminate the issuance of provisional certificates and issue standard certificates with necessary deficiencies to applicants from all available certification pathways.
8. Prohibits alternative preparation program providers that were approved by January 1, 2015 and are a 501(c)(3) that operates in multiple states from having their status as an alternative provider revoked or denied by SBE and requires SBE to conditionally approve relevant providers for at least five years.
 - a. Applies this requirement retroactively to July 1, 2016, requires SBE to reinstate providers who were denied renewal or had their status revoked and prohibits SBE

Amendment explanation prepared by Aaron Wonders

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Ics

4/13/2017

from revoking or denying the renewal of alternative providers until new rules have been adopted.

CARTER SUBSTITUTE FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1042

I move the following SUBSTITUTE amendment to the EDUCATION Committee Amendment to SENATE BILL 1042 (Reference to Senate engrossed bill)

1 Page 1, between lines 1 and 2, insert:

2 "Section 1. Section 15-183, Arizona Revised Statutes, is amended to
3 read:

4 15-183. Charter schools; application; requirements; immunity;
5 exemptions; renewal of application; reprisal; fee;
6 funds; annual reports

7 A. An applicant seeking to establish a charter school shall submit a
8 written application to a proposed sponsor as prescribed in subsection C of
9 this section. The application, application process and application time
10 frames shall be posted on the sponsor's website and shall include the
11 following, as specified in the application adopted by the sponsor:

- 12 1. A detailed educational plan.
- 13 2. A detailed business plan.
- 14 3. A detailed operational plan.
- 15 4. Any other materials required by the sponsor.

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

19 C. The sponsor of a charter school may be either the state board of
20 education, the state board for charter schools, a university under the
21 jurisdiction of the Arizona board of regents, a community college district

1 or a group of community college districts, subject to the following
2 requirements:

3 1. An applicant may not submit an application for sponsorship to any
4 person or entity other than those prescribed in this subsection.

5 2. The applicant may submit the application to the state board of
6 education or the state board for charter schools. Notwithstanding any
7 other law, neither the state board for charter schools nor the state board
8 of education shall grant a charter to a school district governing board for
9 a new charter school or for the conversion of an existing district public
10 school to a charter school. The state board of education or the state
11 board for charter schools may approve the application if the application
12 meets the requirements of this article and may approve the charter if the
13 proposed sponsor determines, within its sole discretion, that the applicant
14 is sufficiently qualified to operate a charter school and that the
15 applicant is applying to operate as a separate charter holder by
16 considering factors such as whether:

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

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

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

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

25 (e) It is reconstituting an existing school site population at the
26 same or new site.

27 (f) It is reconstituting an existing grade configuration from a
28 prior charter holder with at least one grade remaining on the original site
29 with the other grade or grades moving to a new site. The state board of
30 education or the state board for charter schools may approve any charter
31 schools transferring charters. If the state board of education or the
32 state board for charter schools rejects the preliminary application, the

1 state board of education or the state board for charter schools shall
2 notify the applicant in writing of the reasons for the rejection and of
3 suggestions for improving the application. An applicant may submit a
4 revised application for reconsideration by the state board of education or
5 the state board for charter schools. The applicant may request, and the
6 state board of education or the state board for charter schools may
7 provide, technical assistance to improve the application.

8 3. The applicant may submit the application to a university under
9 the jurisdiction of the Arizona board of regents, a community college
10 district or a group of community college districts. A university, a
11 community college district or a group of community college districts shall
12 not grant a charter to a school district governing board for a new charter
13 school or for the conversion of an existing district public school to a
14 charter school. A university, a community college district or a group of
15 community college districts may approve the application if it meets the
16 requirements of this article and if the proposed sponsor determines, in its
17 sole discretion, that the applicant is sufficiently qualified to operate a
18 charter school.

19 4. Each applicant seeking to establish a charter school shall submit
20 a full set of fingerprints to the approving agency for the purpose of
21 obtaining a state and federal criminal records check pursuant to section
22 41-1750 and Public Law 92-544. If an applicant will have direct contact
23 with students, the applicant shall possess a valid fingerprint clearance
24 card that is issued pursuant to title 41, chapter 12, article 3.1. The
25 department of public safety may exchange this fingerprint data with the
26 federal bureau of investigation. The criminal records check shall be
27 completed before the issuance of a charter.

28 5. All persons engaged in instructional work directly as a
29 classroom, laboratory or other teacher or indirectly as a supervisory
30 teacher, speech therapist or principal shall have a valid fingerprint
31 clearance card that is issued pursuant to title 41, chapter 12, article
32 3.1, unless the person is a volunteer or guest speaker who is accompanied

1 in the classroom by a person with a valid fingerprint clearance card. A
2 charter school shall not employ a teacher whose certificate has been
3 surrendered or revoked, unless the teacher's certificate has been
4 subsequently reinstated by the state board of education. All other
5 personnel shall be fingerprint checked pursuant to section 15-512, or the
6 charter school may require those personnel to obtain a fingerprint
7 clearance card issued pursuant to title 41, chapter 12, article 3.1.
8 Before employment, the charter school shall make documented, good faith
9 efforts to contact previous employers of a person to obtain information and
10 recommendations that may be relevant to a person's fitness for employment
11 as prescribed in section 15-512, subsection F. The charter school shall
12 notify the department of public safety if the charter school or sponsor
13 receives credible evidence that a person who possesses a valid fingerprint
14 clearance card is arrested for or is charged with an offense listed in
15 section 41-1758.03, subsection B. A PERSON WHO IS EMPLOYED AT A CHARTER
16 SCHOOL THAT HAS MET THE REQUIREMENTS OF THIS PARAGRAPH IS NOT REQUIRED TO
17 MEET ANY ADDITIONAL REQUIREMENTS THAT ARE ESTABLISHED BY THE DEPARTMENT OF
18 EDUCATION OR THAT MAY BE ESTABLISHED BY RULE BY THE STATE BOARD OF
19 EDUCATION. THE STATE BOARD OF EDUCATION MAY NOT ADOPT RULES THAT EXCEED
20 THE REQUIREMENTS FOR PERSONS QUALIFIED TO TEACH IN CHARTER SCHOOLS
21 PRESCRIBED IN TITLE I OF THE EVERY STUDENT SUCCEEDS ACT (P.L. 114-95) OR
22 THE INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT OF 2004
23 (P.L. 108-446). Charter schools may hire personnel who have not yet
24 received a fingerprint clearance card if proof is provided of the
25 submission of an application to the department of public safety for a
26 fingerprint clearance card and if the charter school that is seeking to
27 hire the applicant does all of the following:

28 (a) Documents in the applicant's file the necessity for hiring and
29 placement of the applicant before receiving a fingerprint clearance card.

30 (b) Ensures that the department of public safety completes a
31 statewide criminal records check on the applicant. A statewide criminal
32 records check shall be completed by the department of public safety every

1 one hundred twenty days until the date that the fingerprint check is
2 completed or the fingerprint clearance card is issued or denied.

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

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

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

11 (f) Verifies the fingerprint status of the applicant with the
12 department of public safety.

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

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

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

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

5 (a) Surrender any certificates issued by the department of
6 education.

7 (b) Notify the person's employer or potential employer of the
8 conviction.

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

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

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

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

18 1. Ensure compliance with federal, state and local rules,
19 regulations and statutes relating to health, safety, civil rights and
20 insurance. The department of education shall publish a list of relevant
21 rules, regulations and statutes to notify charter schools of their
22 responsibilities under this paragraph.

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

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

30 4. Ensure that it designs a method to measure pupil progress toward
31 the pupil outcomes adopted by the state board of education pursuant to
32 section 15-741.01, including participation in the statewide assessment and

1 the nationally standardized norm-referenced achievement test as designated
2 by the state board and the completion and distribution of an annual report
3 card as prescribed in chapter 7, article 3 of this title.

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

7 6. Ensure that, except as provided in this article, it is subject to
8 the same financial and electronic data submission requirements as a school
9 district, including the uniform system of financial records as prescribed
10 in chapter 2, article 4 of this title, procurement rules as prescribed in
11 section 15-213 and audit requirements. The auditor general shall conduct a
12 comprehensive review and revision of the uniform system of financial
13 records to ensure that the provisions of the uniform system of financial
14 records that relate to charter schools are in accordance with commonly
15 accepted accounting principles used by private business. A school's
16 charter may include exceptions to the requirements of this paragraph that
17 are necessary as determined by the university, the community college
18 district, the group of community college districts, the state board of
19 education or the state board for charter schools. The department of
20 education or the office of the auditor general may conduct financial,
21 program or compliance audits.

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

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

31 9. Ensure that it provides a minimum of one hundred eighty
32 instructional days before June 30 of each fiscal year unless it is

1 operating on an alternative calendar approved by its sponsor. The
2 superintendent of public instruction shall adjust the apportionment
3 schedule accordingly to accommodate a charter school utilizing an
4 alternative calendar.

5 F. A charter school shall keep in the personnel file of all current
6 employees who provide instruction to pupils at the charter school
7 information about the employee's educational and teaching background and
8 experience in a particular academic content subject area. A charter school
9 shall inform parents and guardians of the availability of the information
10 and shall make the information available for inspection on request of
11 parents and guardians of pupils enrolled at the charter school. This
12 subsection does not require any charter school to release personally
13 identifiable information in relation to any teacher or employee, including
14 the teacher's or employee's address, salary, social security number or
15 telephone number.

16 G. The charter of a charter school may be amended at the request of
17 the governing body of the charter school and on the approval of the
18 sponsor.

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

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

22 1. At least eighteen months before the expiration of the charter,
23 the sponsor shall notify the charter school that the charter school may
24 apply for renewal and shall make the renewal application available to the
25 charter school. A charter school that elects to apply for renewal shall
26 file a complete renewal application at least fifteen months before the
27 expiration of the charter. A sponsor shall give written notice of its
28 intent not to renew the charter school's request for renewal to the charter
29 school at least twelve months before the expiration of the charter. The
30 sponsor shall make data used in making renewal decisions available to the
31 school and the public and shall provide a public report summarizing the
32 evidence basis for each decision. The sponsor may deny the request for

1 renewal if, in its judgment, the charter holder has failed to do any of the
2 following:

3 (a) Meet or make sufficient progress toward the academic performance
4 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) Complete the obligations of the contract.

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

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

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

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

25 (c) Complete the obligations of the contract.

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

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

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

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

5 (c) Comply with this article or any provision of law from which the
6 charter school is not exempt.

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

11 5. At least sixty days before the effective date of the proposed
12 revocation, the sponsor shall give written notice to the operator of the
13 charter school of its intent to revoke the charter. Notice of the
14 sponsor's intent to revoke the charter shall be delivered personally to the
15 operator of the charter school or sent by certified mail, return receipt
16 requested, to the address of the charter school. The notice shall
17 incorporate a statement of reasons for the proposed revocation of the
18 charter. The sponsor shall allow the charter school at least sixty days to
19 correct the problems associated with the reasons for the proposed
20 revocation of the charter. The final determination of whether to revoke
21 the charter shall be made at a public hearing called for such purpose.

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

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

29 L. A governing board or a school district employee who has control
30 over personnel actions shall not take unlawful reprisal against another
31 employee of the school district because the employee is directly or
32 indirectly involved in an application to establish a charter school. A

1 governing board or a school district employee shall not take unlawful
2 reprisal against an educational program of the school or the school
3 district because an application to establish a charter school proposes the
4 conversion of all or a portion of the educational program to a charter
5 school. For the purposes of this subsection, "unlawful reprisal" means an
6 action that is taken by a governing board or a school district employee as
7 a direct result of a lawful application to establish a charter school and
8 that is adverse to another employee or an education program and:

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

11 (a) Disciplinary or corrective action.

12 (b) Detail, transfer or reassignment.

13 (c) Suspension, demotion or dismissal.

14 (d) An unfavorable performance evaluation.

15 (e) A reduction in pay, benefits or awards.

16 (f) Elimination of the employee's position without a reduction in
17 force by reason of lack of monies or work.

18 (g) Other significant changes in duties or responsibilities that are
19 inconsistent with the employee's salary or employment classification.

20 2. With respect to an educational program, results in one or more of
21 the following:

22 (a) Suspension or termination of the program.

23 (b) Transfer or reassignment of the program to a less favorable
24 department.

25 (c) Relocation of the program to a less favorable site within the
26 school or school district.

27 (d) Significant reduction or termination of funding for the program.

28 M. Charter schools shall secure insurance for liability and property
29 loss. The governing body of a charter school that is sponsored by the
30 state board of education or the state board for charter schools may enter
31 into an intergovernmental agreement or otherwise contract to participate in
32 an insurance program offered by a risk retention pool established pursuant

1 to section 11-952.01 or 41-621.01 or the charter school may secure its own
2 insurance coverage. The pool may charge the requesting charter school
3 reasonable fees for any services it performs in connection with the
4 insurance program.

5 N. Charter schools do not have the authority to acquire property by
6 eminent domain.

7 O. A sponsor, including members, officers and employees of the
8 sponsor, is immune from personal liability for all acts done and actions
9 taken in good faith within the scope of its authority.

10 P. Charter school sponsors and this state are not liable for the
11 debts or financial obligations of a charter school or persons who operate
12 charter schools.

13 Q. The sponsor of a charter school shall establish procedures to
14 conduct administrative hearings on determination by the sponsor that
15 grounds exist to revoke a charter. Procedures for administrative hearings
16 shall be similar to procedures prescribed for adjudicative proceedings in
17 title 41, chapter 6, article 10. Except as provided in section 41-1092.08,
18 subsection H, final decisions of the state board of education and the state
19 board for charter schools from hearings conducted pursuant to this
20 subsection are subject to judicial review pursuant to title 12, chapter 7,
21 article 6.

22 R. The sponsoring entity of a charter school shall have oversight
23 and administrative responsibility for the charter schools that it
24 sponsors. In implementing its oversight and administrative
25 responsibilities, the sponsor shall ground its actions in evidence of the
26 charter holder's performance in accordance with the performance framework
27 adopted by the sponsor. The performance framework shall be publicly
28 available, shall be placed on the sponsoring entity's website and shall
29 include:

30 1. The academic performance expectations of the charter school and
31 the measurement of sufficient progress toward the academic performance
32 expectations.

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

3 3. Intervention and improvement policies.

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

6 T. All property accumulated by a charter school shall remain the
7 property of the charter school.

8 U. Charter schools may not locate a school on property that is less
9 than one-fourth mile from agricultural land regulated pursuant to section
10 3-365, except that the owner of the agricultural land may agree to comply
11 with the buffer zone requirements of section 3-365. If the owner agrees in
12 writing to comply with the buffer zone requirements and records the
13 agreement in the office of the county recorder as a restrictive covenant
14 running with the title to the land, the charter school may locate a school
15 within the affected buffer zone. The agreement may include any
16 stipulations regarding the charter school, including conditions for future
17 expansion of the school and changes in the operational status of the school
18 that will result in a breach of the agreement.

19 V. A transfer of a charter to another sponsor, a transfer of a
20 charter school site to another sponsor or a transfer of a charter school
21 site to a different charter shall be completed before the beginning of the
22 fiscal year that the transfer is scheduled to become effective. An entity
23 that sponsors charter schools may accept a transferring school after the
24 beginning of the fiscal year if the transfer is approved by the
25 superintendent of public instruction. The superintendent of public
26 instruction shall have the discretion to consider each transfer during the
27 fiscal year on a case-by-case basis. A charter holder seeking to transfer
28 sponsors shall comply with the current charter terms regarding assignment
29 of the charter. A charter holder transferring sponsors shall notify the
30 current sponsor that the transfer has been approved by the new sponsor.

31 W. Notwithstanding subsection V of this section, a charter holder on
32 an improvement plan must notify parents or guardians of registered students

1 of the intent to transfer the charter and the timing of the proposed
2 transfer. On the approved transfer, the new sponsor shall enforce the
3 improvement plan but may modify the plan based on performance.

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

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

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

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

30 BB. If a charter school decides not to participate in the board
31 examination system prescribed in chapter 7, article 6 of this title, pupils

1 enrolled at that charter school may earn a Grand Canyon diploma by
2 obtaining a passing score on the same board examinations.

3 CC. Notwithstanding subsection Y of this section, a sponsor of
4 charter schools may charge a new charter application processing fee to any
5 applicant. The application fee shall fully cover the cost of application
6 review and any needed technical assistance. Authorizers may approve
7 policies that allow a portion of the fee to be returned to the applicant
8 whose charter is approved.

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

11 EE. Pursuant to the prescribed graduation requirements adopted by
12 the state board of education, the governing body of a charter school
13 operating a high school may approve a rigorous computer science course that
14 would fulfill a mathematics course required for graduation from high
15 school. The governing body may approve a rigorous computer science course
16 only if the rigorous computer science course includes significant
17 mathematics content and the governing body determines the high school where
18 the rigorous computer science course is offered has sufficient capacity,
19 infrastructure and qualified staff, including competent teachers of
20 computer science.

21 FF. A charter school may permit the use of school property,
22 including school buildings, grounds, buses and equipment, by any person,
23 group or organization for any lawful purpose, including a recreational,
24 educational, political, economic, artistic, moral, scientific, social,
25 religious or other civic or governmental purpose. The charter school may
26 charge a reasonable fee for the use of the school property.

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

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

4 1. The current number of charters authorized and the number of
5 schools operated by authorized charter holders.

6 2. The academic and operational performance of the sponsor's charter
7 portfolio as measured by the sponsor's adopted performance framework.

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

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

13 II. The auditor general shall prescribe the format for the annual
14 report required by subsection HH of this section and may require that the
15 annual report be submitted electronically. The auditor general shall
16 review the submitted annual reports to ensure that the reports include the
17 required items in subsection HH of this section and shall make the annual
18 reports available on request. If the auditor general finds significant
19 noncompliance or if a sponsor fails to submit the annual report required by
20 subsection HH of this section, on or before December 31 of each year the
21 auditor general shall report to the governor, the president of the senate,
22 the speaker of the house of representatives and the chairs of the senate
23 and house education committees or their successor committees, and the
24 legislature shall consider revoking the sponsor's authority to sponsor
25 charter schools."

26 Renumber to conform

27 Page 2, line 7, after the first "certification" strike remainder of line

28 Strike lines 8 and 9

29 Line 10, strike "prescribed for the certification of teachers trained in this
30 state"

31 Line 36, after "(ii)" insert "IF APPLICABLE,"

32 Page 3, line 16, strike "specialized" insert "SUBJECT MATTER EXPERT STANDARD"

1 Page 3, line 17, strike "classroom teachers with" insert "PERSONS WHO HAVE";
2 strike "either science,"
3 Line 18, strike "technology, engineering or mathematics" insert "A CONTENT
4 AREA, WHO POSSESS ANY ADVANCED DEGREE SUBSTANTIALLY SIMILAR OR RELEVANT TO
5 A CONTENT AREA OR WHO HAVE TEN YEARS OF EXPERIENCE IN A FIELD SUBSTANTIALLY
6 SIMILAR OR RELEVANT TO A CONTENT AREA"; strike "Teachers" insert "PERSONS"
7 Line 19, after "training" insert ", IF APPLICABLE,"
8 Line 20, after "board" insert "PURSUANT TO SECTION 15-756.09"; strike
9 "Teachers" insert "PERSONS"
10 Lines 21 and 22, strike "professional knowledge and"
11 Line 24, after the period insert "PERSONS PURSUANT TO ITEM (i) OF THIS
12 SUBDIVISION ARE ALSO EXEMPT FROM THE PROFESSIONAL KNOWLEDGE PROFICIENCY
13 REQUIREMENTS PURSUANT TO SECTION 15-553."; strike "teacher" insert "PERSON"
14 Line 25, strike "specialized" insert "SUBJECT MATTER EXPERT STANDARD"
15 Line 26, strike "teacher's" insert "PERSON'S"
16 Line 27, after the period insert "ISSUANCE OF THE SUBJECT MATTER EXPERT
17 STANDARD TEACHING CERTIFICATE MAY NOT BE CONDITIONED ON THE PERSON'S
18 EMPLOYMENT WITH A LOCAL EDUCATION AGENCY. A PERSON WHO MEETS THE
19 REQUIREMENTS OF THIS SUBDIVISION SHALL BE ISSUED A SUBJECT MATTER EXPERT
20 STANDARD TEACHING CERTIFICATE WITHOUT HAVING TO DEMONSTRATE PROFESSIONAL
21 KNOWLEDGE PROFICIENCY PURSUANT TO SECTION 15-553, EXCEPT THAT THE PERSON
22 SHALL HAVE AT LEAST THREE YEARS TO DEMONSTRATE PROFESSIONAL KNOWLEDGE
23 PROFICIENCY PURSUANT TO SECTION 15-553."
24 Line 28, strike "teacher" insert "PERSON"
25 Line 29, strike "specialized" insert "SUBJECT MATTER EXPERT STANDARD"
26 Line 31, after "twelve" insert a period strike remainder of line
27 Line 32, strike "mathematics course. A classroom teacher" insert "A PERSON";
28 strike "specialized" insert "SUBJECT MATTER EXPERT STANDARD"
29 Line 33, strike "teacher" insert "PERSON OBTAINS A VALID FINGERPRINT CLEARANCE
30 CARD THAT IS ISSUED PURSUANT TO TITLE 41, CHAPTER 12, ARTICLE 3.1. AND";
31 strike "all" insert "ANY"
32 Line 35, after "taught" strike remainder of line

1 Page 3, line 36, after "courses" insert "SUBSTANTIALLY SIMILAR OR RELEVANT TO A
2 CONTENT AREA"

3 Line 38, strike "An applicant" insert "A PERSON"

4 Line 42, strike "a baccalaureate degree,"

5 Line 43, strike "specific to"

6 Strike line 44

7 Page 4, strike lines 1 through 4, insert "SUBSTANTIALLY SIMILAR OR RELEVANT TO A
8 CONTENT AREA.

9 (iii) DEMONSTRATES EXPERTISE THROUGH RELEVANT WORK EXPERIENCE OF AT
10 LEAST TEN YEARS IN A FIELD THAT IS SUBSTANTIALLY SIMILAR OR RELEVANT TO A
11 CONTENT AREA. A PERSON SHALL DEMONSTRATE COMPLIANCE WITH THIS REQUIREMENT
12 BY PROVIDING THE STATE BOARD WITH WRITTEN PROOF OF EMPLOYMENT."

13 Line 12, strike the first "a" insert "ALL"; strike "certificate" insert
14 "CERTIFICATES"

15 Page 9, line 31, strike "osteopathy" insert "OSTEOPATHIC MEDICINE"

16 Page 11, line 28, strike "either"; strike "PROVISIONAL or"

17 Line 37, after the period insert:

18 "C."; strike "PROVISIONAL,"

19 Line 44, strike "PROVISIONAL,"

20 Reletter to conform

21 Page 12, line 2, after "STATE" insert ", INCLUDING THIS STATE,"; strike "TWO"
22 insert "THREE"

23 Line 6, strike "at" insert "OR A BACHELOR'S DEGREE IN A SPECIFIC SUBJECT AREA
24 THAT IS SUBSTANTIALLY SIMILAR OR RELEVANT TO A CONTENT AREA TAUGHT IN
25 PUBLIC SCHOOLS FROM"

26 Between lines 7 and 8, insert:

27 "D. THE STATE BOARD OF EDUCATION SHALL ESTABLISH AN ALTERNATIVE
28 OPTION FOR AN APPLICANT INSTEAD OF TAKING THE SUBJECT KNOWLEDGE PORTION OF
29 THE PROFICIENCY EXAM TO DEMONSTRATE SUBJECT MATTER KNOWLEDGE THAT INCLUDES
30 DEMONSTRATING EXPERTISE THROUGH RELEVANT WORK EXPERIENCE IN A FIELD THAT IS
31 SUBSTANTIALLY SIMILAR OR RELEVANT TO A CONTENT AREA. AN APPLICANT SHALL

1 DEMONSTRATE COMPLIANCE WITH THIS REQUIREMENT BY PROVIDING THE STATE BOARD
2 WITH WRITTEN PROOF OF EMPLOYMENT."

3 Page 12, line 19, after "B" insert "OR C"

4 Line 13, strike "PROVISIONAL or"

5 Between lines 27 and 28, insert:

6 "Sec. 5. Title 15, chapter 5, article 3, Arizona Revised Statutes,
7 is amended by adding section 15-553, to read:

8 15-553. School districts and charter schools; classroom-based
9 alternative preparation program providers; teacher
10 certification; rules

11 A. IN ADDITION TO ANY OTHER ALTERNATIVE PREPARATION PROGRAM PROVIDER
12 PATH APPROVED BY THE STATE BOARD OF EDUCATION, A SCHOOL DISTRICT OR CHARTER
13 SCHOOL MAY APPLY TO THE STATE BOARD OF EDUCATION FOR AUTHORITY TO APPROVE
14 THE CERTIFICATION OF TEACHERS AS A CLASSROOM-BASED ALTERNATIVE PREPARATION
15 PROGRAM PROVIDER PURSUANT TO THIS SECTION AND SECTION 15-203, SUBSECTION A,
16 PARAGRAPH 14, SUBDIVISION (a).

17 B. THE STATE BOARD OF EDUCATION SHALL ADOPT RULES, POLICIES AND
18 PROCEDURES TO BE ADMINISTERED BY THE DEPARTMENT OF EDUCATION. THE RULES
19 MAY NOT BE MORE RESTRICTIVE OR REQUIRE MORE THAN IS PRESCRIBED IN THIS
20 SUBSECTION. THE RULES SHALL FACILITATE THE APPROVAL AND CERTIFICATION
21 PROCESS PURSUANT TO THIS SECTION AND PROVIDE FOR ALL OF THE FOLLOWING:

22 1. THE SUPERINTENDENT OF A SCHOOL DISTRICT OR THE PRINCIPAL OF A
23 CHARTER SCHOOL MUST VERIFY THAT THE APPLICANT FOR CERTIFICATION HAS MADE
24 SATISFACTORY PROGRESS AND ACHIEVEMENT WITH STUDENTS. A TEACHER WHO IS
25 TEACHING ENGLISH LANGUAGE ARTS, MATHEMATICS OR SCIENCE MAY NOT RECEIVE A
26 CERTIFICATE PURSUANT TO THIS SECTION UNTIL THE TEACHER HAS BEEN IN THE
27 CLASSROOM FOR AT LEAST TWO YEARS AND STUDENT DATA HAS BEEN SUBMITTED BY THE
28 SCHOOL DISTRICT OR CHARTER SCHOOL CONFIRMING THAT THE TEACHER'S STUDENTS,
29 AT THE END OF THE SCHOOL YEAR, EITHER ARE PERFORMING AT GRADE LEVEL OR HAVE
30 ACHIEVED AT LEAST ONE YEAR OF ACADEMIC GROWTH AT A RATE EQUIVALENT TO THE
31 STATE AVERAGE FOR THE STUDENTS' ASSOCIATED PEER GROUPS.

1 2. FOR INFORMATIONAL PURPOSES ONLY, ALLOW A SCHOOL DISTRICT OR
2 CHARTER SCHOOL TO SUBMIT A PROGRAM SEQUENCE OR TRAINING SCHEDULE ALONG WITH
3 ANY INFORMATION REGARDING MENTORING AND COACHING OF TEACHER CANDIDATES.

4 3. A SCHOOL DISTRICT OR CHARTER SCHOOL MUST SUBMIT DATA SUPPORTING
5 THE EFFICACY OF THE SCHOOL DISTRICT'S OR CHARTER SCHOOL'S TEACHER
6 PREPARATION PROGRAM. A SCHOOL DISTRICT OR CHARTER SCHOOL MAY CONTRACT WITH
7 A THIRD-PARTY PROVIDER TO PROVIDE THE TEACHER PREPARATION PROGRAM AND MAY
8 USE THAT PROGRAM'S EFFICACY DATA TO MEET THE REQUIREMENTS OF THIS
9 PARAGRAPH.

10 4. A SCHOOL DISTRICT OR CHARTER SCHOOL MAY ADOPT STUDENT ACHIEVEMENT
11 REQUIREMENTS THAT EXCEED THE STUDENT ACHIEVEMENT REQUIREMENTS PRESCRIBED BY
12 THE STATE BOARD FOR OBTAINING CERTIFICATION.

13 5. AN APPLICANT FOR CERTIFICATION PURSUANT TO THIS SECTION MUST HOLD
14 AT LEAST A BACHELOR'S DEGREE FROM AN ACCREDITED UNIVERSITY AND MEET
15 BACKGROUND AND FINGERPRINT CLEARANCE CARD REQUIREMENTS PURSUANT TO SECTION
16 15-534.

17 6. AN APPLICANT PURSUING CERTIFICATION PURSUANT TO THIS SECTION MUST
18 DEMONSTRATE SUBJECT KNOWLEDGE AND PROFESSIONAL KNOWLEDGE THROUGH ANY
19 AVAILABLE OPTION PURSUANT TO SECTION 15-533.

20 C. ON THE SUBMISSION OF VERIFICATION FROM A SCHOOL DISTRICT OR
21 CHARTER SCHOOL THAT THE REQUIREMENTS PRESCRIBED IN THIS SECTION HAVE BEEN
22 MET, THE STATE BOARD SHALL ISSUE A SUBJECT MATTER EXPERT STANDARD TEACHING
23 CERTIFICATE TO THE TEACHER PURSUANT TO SECTION 15-203.

24 D. A SCHOOL DISTRICT OR CHARTER SCHOOL MAY EMPLOY AND ENROLL
25 EMERGENCY TEACHER CERTIFICATION HOLDERS WITH A BACHELOR'S DEGREE INTO ITS
26 CLASSROOM-BASED ALTERNATIVE PREPARATION PROGRAM. NOTWITHSTANDING ANY OTHER
27 LAW AND BEGINNING IN SCHOOL YEAR 2020-2021, A SCHOOL DISTRICT OR CHARTER
28 SCHOOL MAY HIRE AND ENROLL INTO ITS CLASSROOM-BASED ALTERNATIVE PREPARATION
29 PROGRAM ANY TEACHING CANDIDATE WHO MEETS THE REQUIREMENTS OF SUBSECTION B,
30 PARAGRAPH 5 OF THIS SECTION."

31 Renumber to conform

1 Page 12, line 29, after "rules" insert ";retroactivity"

2 Line 36, after the period insert "The state board of education shall also
3 revise state board rules to eliminate the issuance of provisional
4 certificates and issue standard certificates with the necessary
5 deficiencies to applicants from all available certification pathways."

6 After line 42, insert:

7 "C. Any alternative preparation program provider that was approved
8 to provide instruction for the preparation of teachers on or before January
9 1, 2015, that is a nonprofit organization under section 501(c)(3) and that
10 operates in multiple states may not have its status as an alternative
11 preparation program provider revoked or denied by the state board of
12 education. The state board shall allow for an alternative preparation
13 program provider pursuant to this subsection to be conditionally approved
14 for at least five years in order to prepare teachers in this state without
15 any additional requirements. An alternative preparation program provider
16 pursuant to this subsection shall be reevaluated and renewed based on the
17 alternative preparation program provider's ability to prepare and place
18 teachers.

19 D. Subsection C of this section applies retroactively to from and
20 after June 30, 2016. The state board of education shall reinstate any
21 previous alternative preparation program provider that was denied renewal
22 or had its status revoked. The state board may not revoke the status of or
23 deny the renewal of any alternative preparation program provider until new
24 rules have been adopted as required by this act."

25 Amend title to conform

HEATHER CARTER

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