



Bill Number: S.B. 1551

Fann Floor Amendment

Reference to: printed bill

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

1. Reinstates the three-fiscal year limit for a school district or charter school to participate in the School Safety Program.
2. Allows a school district or charter school that received approval for a three-year program to annually submit a modified spending plan.
3. Modifies the qualifying time-period that a certificate, credential or license is included on the industry credentials list for a school district, charter school or career technical education district to receive an incentive award for a qualifying student.
4. Specifies incentive award monies for the Arizona Industry Credentials Incentive Program can be spent for developmental costs related to improving an approved program or course site.
5. Specifies for every three credits earned by a concurrently enrolled student for a community college or university course, one-eighth of an average daily membership (ADM) will be generated, instead of basing the calculation on the combined hours a student is enrolled at the school and the community college or university.
6. Removes the requirement that the hours a student, who is concurrently enrolled, attends a high school be included in the calculation of the student's ADM.
7. Allows the Board of the Arizona State Schools for the Deaf and the Blind to use Enterprise Fund monies for costs outside of facility operations.
8. Requires the School Facilities Board (SFB) to use the projected one hundredth day ADM for the current school year, rather than the most recent fortieth day, to determine whether a school building meets the minimum adequate gross square footage requirements.

9. Additionally requires the SFB to report to the Director of the Governor's Office of Strategic Planning and Budgeting, upon transferring monies to the Emergency Deficiencies Correction Fund.
10. Requires the Arizona Department of Education to contract with a third-party administrator to assist in the financial administration of empowerment scholarship accounts.
11. Modifies the results-based funding for alternative high schools by requiring schools to perform in the top 27 percent on the statewide assessment in spring 2018 with at least 60 percent of pupils qualifying for free or reduced-price lunch, rather than based upon a letter grade designation.
12. Specifies an alternative high school is eligible for results-based funding only if it reports the average percentage of pupils who received a passing score on both the math and language arts portions of the statewide assessment.
13. Establishes the appeals process for bonus monies for the College Credit by Examination Incentive Program is retroactive to July 1, 2018.
14. Reduces the additional expenditure authority, from \$1.8 million to \$300 thousand, for a school district with an ADM of between 300 to 399 pupils.
15. Removes the establishment of the Arizona Community Schools Pilot Program.
16. Defines *school resource officer*.
17. Makes technical and conforming changes.

Amendment explanation prepared by Jeffrey Ong

05/24/2019

FANN FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1551
(Reference to printed bill)

1 Page 1, line 13, strike "~~for up to three fiscal years~~" insert "for up to three
2 fiscal years"

3 Line 14, after the period insert "A SCHOOL DISTRICT OR CHARTER SCHOOL THAT
4 RECEIVES APPROVAL FOR A THREE-YEAR PROGRAM UNDER THIS SUBSECTION MAY
5 ANNUALLY SUBMIT A MODIFIED SPENDING PLAN FOR ITS APPROVED PROGRAM."

6 Page 4, between lines 5 and 6, insert:

7 "5. "SCHOOL RESOURCE OFFICER" MEANS A PEACE OFFICER OR A
8 FULL-AUTHORITY RESERVE PEACE OFFICER WHO IS CERTIFIED BY THE ARIZONA PEACE
9 OFFICER STANDARDS AND TRAINING BOARD."

10 Renumber to conform

11 Page 14, line 25, strike "CONFORM" insert "ALIGN"

12 Line 45, after "WHO" insert "MEETS BOTH OF THE FOLLOWING CONDITIONS"

13 Page 15, lines 6 and 7, strike "IN THE CURRENT SCHOOL YEAR" insert "OR THAT WAS
14 INCLUDED ON THE LIST AT THE TIME THE STUDENT BEGAN THE PROGRAM"

15 Line 28, strike "STUDENT'S" insert "STUDENTS'"

16 Line 30, strike "OR" insert a comma; after "EXPANDING" insert "OR IMPROVING"

17 Line 35, after "EXPLORATION" insert "IN ANY SCHOOL GRADE"

18 Page 16, line 17, strike "BY" insert "TO"

19 Page 26, between lines 7 and 8, insert:

20 "Sec. 8. Section 15-901.07, Arizona Revised Statutes, is amended to
21 read:

22 15-901.07. Concurrent coursework; calculation of average daily
23 membership; definition

24 A. A school district or a charter school may include students
25 enrolled in concurrent coursework for the purposes of calculating average
26 daily membership if the school district has received approval from the
27 state board of education or the charter school has received approval from
28 its sponsor to offer concurrent coursework and all of the following apply:

1 1. A student earns at least three semester hours of credit per
2 semester in the community college or university course.

3 2. A student is awarded academic credit by the school district or
4 charter school for the concurrent coursework pursuant to section 15-701.01.

5 3. The concurrent coursework is at a higher level than the course
6 taught at the school district or charter school in grades nine through
7 twelve.

8 4. A student who is enrolled in concurrent coursework also attends
9 at least one course offered at the school district or charter school per
10 semester.

11 5. The concurrent coursework is applicable to an established
12 community college academic degree or certificate program that is
13 transferable to a university under the jurisdiction of the Arizona board of
14 regents. Concurrent coursework that is applicable to a community college
15 occupational degree or certificate program may be transferable to a
16 university under the jurisdiction of the Arizona board of regents.

17 6. The school district or charter school pays the community college
18 or university for the tuition cost of the concurrent coursework or
19 reimburses the student for the tuition cost of the concurrent coursework.

20 B. A course at a community college or university of three semester
21 hours of credit or more is considered a subject for the purposes of meeting
22 the definition of full-time student prescribed in section 15-901. A course
23 at a community college or university of three semester hours of credit or
24 more is not required to meet one hundred twenty-three hours a year, or the
25 equivalent, to be considered a subject.

26 C. Instructional hours provided by a community college or university
27 to a student in concurrent coursework shall be included in the calculation
28 of the average daily membership for that student pursuant to section
29 15-901.

30 ~~D. Notwithstanding the subject requirements prescribed in section~~
31 ~~15-901, the hours in which a student who is enrolled in concurrent~~
32 ~~coursework attends a high school shall be included in the calculation of~~
33 ~~the average daily membership for that student.~~

1 ~~F.~~ D. Average daily membership FOR CLASSES AT A COMMUNITY COLLEGE
2 OR UNIVERSITY shall be based on the COMMUNITY COLLEGE OR UNIVERSITY CREDITS
3 EARNED BY ~~combined hours that~~ the student. ~~is enrolled in at the school~~
4 ~~district or charter school and at the community college or university.~~
5 ~~Average daily membership shall be calculated by dividing the combined hours~~
6 ~~by seven hundred twenty, except that if a student in grade nine through~~
7 ~~twelve participates in Arizona online instruction, average daily membership~~
8 ~~shall be calculated by dividing the combined hours by nine hundred~~ FOR EACH
9 COMMUNITY COLLEGE OR UNIVERSITY COURSE FOR WHICH THREE CREDITS ARE EARNED,
10 ONE-EIGHTH OF AN AVERAGE DAILY MEMBERSHIP SHALL BE GENERATED. Except as
11 otherwise provided by law, for a full-time high school student who attends
12 concurrent enrollment courses pursuant to this section, the average daily
13 membership may not exceed 1.0.

14 ~~F.~~ E. For the purposes of this section, "concurrent coursework"
15 means courses at a community college under the jurisdiction of a community
16 college district in this state or at a university under the jurisdiction of
17 the Arizona board of regents in the required or elective subjects that
18 satisfy high school graduation requirements pursuant to section 15-701.01."

19 Renumber to conform

20 Page 35, between lines 14 and 15, insert:

21 "Sec. 13. Section 15-1323, Arizona Revised Statutes, is amended to
22 read:

23 15-1323. Board of directors; fund; powers and duties

24 A. The board may bring actions and proceedings necessary to protect
25 the interests of the schools. Such proceedings shall be instituted in the
26 name of the Arizona state schools for the deaf and the blind.

27 B. The board shall be trustee of all donations of lands, monies or
28 other things of value for the benefit of the schools. Notwithstanding
29 title 35, chapters 1 and 2, the board may invest monies donated to the
30 school through a contract with an investment specialist. The
31 superintendent of the schools shall annually report to the board on the use
32 of monies received as donations or income from donations.

1 C. The board shall maintain an enterprise fund in which shall be
2 retained fees, rentals and other charges received for the use of school
3 facilities for nonschool events. ~~Monies in the enterprise fund may be used~~
4 ~~only to pay costs associated with operating facilities for the purpose for~~
5 ~~which the monies were received.~~

6 D. The board shall:

7 1. Provide from the funds appropriated for the schools all the
8 necessary staff, services, supplies and equipment.

9 2. Prescribe the system of records and accounts for the schools.

10 3. Cause to be kept a record of all important papers.

11 4. Cause to be kept a set of books and accounts ~~which~~ THAT show
12 every transaction made, every appropriation by the legislature for the
13 schools, the purchase, storage and consumption of supplies for subsistence,
14 construction and other purposes, receipts from all sources and all
15 expenditures made.

16 E. Books and records of the schools shall be open to public
17 inspection, unless otherwise restricted by law.

18 Sec. 14. Section 15-2011, Arizona Revised Statutes, is amended to
19 read:

20 15-2011. Minimum school facility adequacy requirements:
21 definition

22 A. The school facilities board, as determined and prescribed in this
23 chapter, shall provide funding to school districts for new construction as
24 the number of pupils in the district fills the existing school facilities
25 and requires more pupil space.

26 B. School buildings in a school district are adequate if all of the
27 following requirements are met:

28 1. The buildings contain sufficient and appropriate space and
29 equipment that comply with the minimum school facility adequacy guidelines
30 established pursuant to subsection F of this section. The state shall not
31 fund facilities for elective courses that require the school district
32 facilities to exceed minimum school facility adequacy requirements. The
33 school facilities board shall determine whether a school building meets the

1 requirements of this paragraph by analyzing the total square footage that
2 is available for each pupil in conjunction with the need for specialized
3 spaces and equipment.

4 2. The buildings are in compliance with federal, state and local
5 building and fire codes and laws that are applicable to the particular
6 building, except that a school with an aggregate area of less than five
7 thousand square feet is subject to permitting and inspection by a local
8 fire marshal and is only subject to regulation or inspection by the office
9 of the state fire marshal if the county, city or town in which the school
10 is located does not employ a local fire marshal. An existing school
11 building is not required to comply with current requirements for new
12 buildings unless this compliance is specifically mandated by law or by the
13 building or fire code of the jurisdiction where the building is located.

14 3. The building systems, including roofs, plumbing, telephone
15 systems, electrical systems, heating systems and cooling systems, are in
16 working order and are capable of being properly maintained.

17 4. The buildings are structurally sound.

18 C. The standards that shall be used by the school facilities board
19 to determine whether a school building meets the minimum adequate gross
20 square footage requirements are as follows:

21 1. For a school district that provides instruction to pupils in
22 programs for preschool children with disabilities, kindergarten programs
23 and grades one through six, eighty square feet per pupil in programs for
24 preschool children with disabilities, kindergarten programs and grades one
25 through six.

26 2. For a school district that provides instruction to up to eight
27 hundred pupils in grades seven and eight, eighty-four square feet per pupil
28 in grades seven and eight.

29 3. For a school district that provides instruction to more than
30 eight hundred pupils in grades seven and eight, eighty square feet per
31 pupil in grades seven and eight or sixty-seven thousand two hundred square
32 feet, whichever is more.

1 4. For a school district that provides instruction to up to four
2 hundred pupils in grades nine through twelve, one hundred twenty-five
3 square feet per pupil in grades nine through twelve.

4 5. For a school district that provides instruction to more than four
5 hundred and up to one thousand pupils in grades nine through twelve, one
6 hundred twenty square feet per pupil in grades nine through twelve or fifty
7 thousand square feet, whichever is more.

8 6. For a school district that provides instruction to more than one
9 thousand and up to one thousand eight hundred pupils in grades nine through
10 twelve, one hundred twelve square feet per pupil in grades nine through
11 twelve or one hundred twenty thousand square feet, whichever is more.

12 7. For a school district that provides instruction to more than one
13 thousand eight hundred pupils in grades nine through twelve, ninety-four
14 square feet per pupil in grades nine through twelve or two hundred one
15 thousand six hundred square feet, whichever is more.

16 D. The school facilities board may modify the square footage
17 requirements prescribed in subsection C of this section or modify the
18 amount of monies awarded to cure the square footage deficiency pursuant to
19 this section for particular school districts based on extraordinary
20 circumstances for any of the following considerations:

21 1. The number of pupils served by the school district.

22 2. Geographic factors.

23 3. Grade configurations other than those prescribed in subsection C
24 of this section.

25 E. In measuring the square footage per pupil requirements of
26 subsection C of this section, the school facilities board shall:

27 1. Use the ~~most recent fortieth day~~ PROJECTED ONE HUNDREDTH DAY
28 average daily membership FOR THE CURRENT SCHOOL YEAR.

29 2. For each school, use the lesser of either:

30 (a) Total gross square footage.

31 (b) Student capacity multiplied by the appropriate square footage
32 per pupil prescribed by subsection C of this section.

1 3. Consider the total space available in all schools in use in the
2 school district, except that the school facilities board shall allow an
3 exclusion of the square footage for certain schools and the pupils within
4 the schools' boundaries if the school district demonstrates to the board's
5 satisfaction unusual or excessive busing of pupils or unusual attendance
6 boundary changes between schools.

7 4. Compute the gross square footage of all buildings by measuring
8 from exterior wall to exterior wall. Square footage used solely for
9 district administration, storage of vehicles and other nonacademic purposes
10 shall be excluded from the net square footage.

11 5. Include all portable and modular buildings.

12 6. Include in the net square footage new construction funded wholly
13 or partially by the school facilities board based on the square footage
14 funded by the school facilities board. If the new construction is to
15 exceed the square footage funded by the school facilities board, the excess
16 square footage shall not be included in the net square footage if any of
17 the following applies:

18 (a) The excess square footage was constructed before July 1, 2002 or
19 funded by a class B bond, impact aid revenue bond or capital outlay
20 override approved by the voters after August 1, 1998 and before June 30,
21 2002 or funded from unrestricted capital outlay expended before June 30,
22 2002.

23 (b) The excess square footage of new school facilities does not
24 exceed twenty-five percent of the minimum square footage requirements
25 pursuant to subsection C of this section.

26 (c) The excess square footage of expansions to school facilities
27 does not exceed twenty-five percent of the minimum square footage
28 requirements pursuant to subsection C of this section.

29 7. Exclude square footage built under a developer agreement
30 according to section 15-342, paragraph 33 until the school facilities board
31 provides funding for the square footage under section 15-2041,
32 subsection 0.

1 8. Include square footage that a school district has leased to
2 another entity.

3 F. The school facilities board shall adopt rules establishing
4 minimum school facility adequacy guidelines. The guidelines shall provide
5 the minimum quality and quantity of school buildings and facilities and
6 equipment necessary and appropriate to enable pupils to achieve the
7 academic standards pursuant to section 15-203, subsection A, paragraphs 12
8 and 13 and sections 15-701 and 15-701.01. At a minimum, the school
9 facilities board shall address all of the following in developing these
10 guidelines:

- 11 1. School sites.
- 12 2. Classrooms.
- 13 3. Libraries and media centers, or both.
- 14 4. Cafeterias.
- 15 5. Auditoriums, multipurpose rooms or other multiuse space.
- 16 6. Technology.
- 17 7. Transportation.
- 18 8. Facilities for science, arts and physical education.
- 19 9. Other facilities and equipment that are necessary and appropriate
20 to achieve the academic standards prescribed pursuant to section 15-203,
21 subsection A, paragraphs 12 and 13 and sections 15-701 and 15-701.01.
- 22 10. Appropriate combinations of facilities or uses listed in this
23 section.

24 G. The board shall consider the facilities and equipment of the
25 schools with the highest academic productivity scores, as prescribed in
26 section 15-2002, subsection A, paragraph 9, subdivision (d), and the
27 highest parent quality ratings in the establishment of the guidelines.

28 H. The school facilities board may consider appropriate combinations
29 of facilities or uses in making assessments of and curing existing
30 deficiencies pursuant to section 15-2002, subsection A, paragraph 1 and in
31 certifying plans for new school facilities pursuant to section 15-2002,
32 subsection A, paragraph 5.

1 I. If the school facilities board makes any changes to the minimum
2 adequacy requirements prescribed in this section, the board shall provide a
3 fiscal impact statement of the effect of the proposed changes to the joint
4 committee on capital review for review.

5 J. For the purposes of this section, "student capacity" means the
6 capacity adjusted to include any additions to or deletions of space,
7 including modular or portable buildings at the school. The school
8 facilities board shall determine the student capacity for each school in
9 conjunction with each school district, recognizing each school's allocation
10 of space as of July 1, 1998, to achieve the academic standards prescribed
11 pursuant to section 15-203, subsection A, paragraphs 12 and 13 and sections
12 15-701 and 15-701.01."

13 Renumber to conform

14 Page 35, line 32, after "COMMITTEE" insert "AND THE DIRECTOR OF THE GOVERNOR'S
15 OFFICE OF STRATEGIC PLANNING AND BUDGETING"

16 Page 37, lines 31 and 32, strike "most recent fortieth day"

17 Page 38, line 1, strike "most recent fortieth day"

18 Line 2, strike "indicates" insert "PROJECTIONS INDICATE"

19 Line 9, strike "most recent fortieth day"

20 Line 10, strike "indicates" insert "PROJECTIONS INDICATE"

21 Page 44, between lines 2 and 3, insert:

22 "Sec. 17. Title 15, chapter 19, article 1, Arizona Revised Statutes,
23 is amended by adding section 15-2405, to read:

24 15-2405. Department of education; third-party administrator

25 THE DEPARTMENT OF EDUCATION SHALL CONTRACT WITH A THIRD-PARTY
26 ADMINISTRATOR TO ASSIST THE DEPARTMENT IN THE FINANCIAL ADMINISTRATION OF
27 ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNTS."

28 Renumber to conform

29 Page 46, line 36, strike "3.7908" insert "\$3.7908"

30 Page 52, line 3, strike "\$1,766,300" insert "\$300,000"

31 Page 52, strike lines 20 through 44

32 Strike pages 53 and 54

33 Page 55, strike lines 1 and 2

1 Renumber to conform

2 Page 56, strike lines 20 through 23, insert:

3 "4. Each alternative high school shall receive \$400 per student
4 count from the fund if in the results achieved during testing conducted in
5 the spring of 2018 the school performed in the top twenty-seven percent of
6 schools identified pursuant to paragraph 3, subdivision (a) of this
7 section, as demonstrated by the average percentage of those pupils who
8 obtained a passing score on the mathematics portions of the statewide
9 assessment and the average percentage of pupils who obtained a passing
10 score on the language arts portions of the statewide assessment. An
11 alternative high school is eligible for funding under this paragraph only
12 if it reports the average percentage of pupils who obtained a passing score
13 on both the mathematics portions of the statewide assessment and the
14 language arts portions of the statewide assessment during testing conducted
15 in the spring of 2018.

16 Sec. 26. Retroactivity

17 Section 15-249.06, Arizona Revised Statutes, as amended by this act,
18 applies retroactively to from and after June 30, 2018."

19 Renumber to conform

20 Amend title to conform

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