

HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **SB 1508**

Gress Floor Amendment

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1. Cites this legislation as *Andrew's Law*.

GRESS FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1508
(Reference to Senate engrossed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.
[Green underlining in brackets] indicates text added to new session law or text restoring existing law.
[GREEN STRIKEOUT IN BRACKETS] indicates new text removed from statute or previously enacted session law.
[Green strikeout in brackets] indicates text removed from existing statute, previously enacted session law or new session law.
<<Green carets>> indicate a section added to the bill.
<<Green strikeout in carets>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Section 15-341, Arizona Revised Statutes, is amended to
3 read:

4 15-341. General powers and duties; immunity; delegation

5 A. ~~The~~ EACH SCHOOL DISTRICT governing board shall:

6 1. Prescribe and enforce policies and procedures to govern the
7 schools that are not inconsistent with the laws or rules prescribed by the
8 state board of education.

9 2. Exclude from schools all books, publications, papers or
10 audiovisual materials of a sectarian, partisan or denominational
11 character. This paragraph does not prohibit the elective course allowed
12 by section 15-717.01.

13 3. Manage and control the school property within its district,
14 except that a district may enter into a partnership with an entity,
15 including a charter school, another school district or a military base, to
16 operate a school or offer educational services in a district building,
17 including at a vacant or partially used building, or in any building on
18 the entity's property pursuant to a written agreement between the parties.

19 4. Acquire school furniture, apparatus, equipment, library books
20 and supplies for the schools to use.

21 5. Prescribe the curricula and criteria for the promotion and
22 graduation of pupils as provided in sections 15-701 and 15-701.01.

23 6. Furnish, repair and insure, at full insurable value, the school
24 property of the district.

25 7. Construct school buildings on approval by a vote of the district
26 electors.

1 8. In the name of the district, convey property belonging to the
2 district and sold by the board.

3 9. Purchase school sites when authorized by a vote of the district
4 at an election conducted as nearly as practicable in the same manner as
5 the election provided in section 15-481 and held on a date prescribed in
6 section 15-491, subsection E, but such authorization shall not necessarily
7 specify the site to be purchased and such authorization shall not be
8 necessary to exchange unimproved property as provided in section 15-342,
9 paragraph 23.

10 10. Construct, improve and furnish buildings used for school
11 purposes when such buildings or premises are leased from the national park
12 service.

13 11. Purchase school sites or construct, improve and furnish school
14 buildings from the proceeds of the sale of school property only on
15 approval by a vote of the district electors.

16 12. Hold pupils to strict account for disorderly conduct on school
17 property.

18 13. Discipline students for disorderly conduct on the way to and
19 from school.

20 14. Except as provided in section 15-1224, deposit all monies
21 received by the district as gifts, grants and devises with the county
22 treasurer who shall credit the deposits as designated in the uniform
23 system of financial records. If not inconsistent with the terms of the
24 gifts, grants and devises given, any balance remaining after expenditures
25 for the intended purpose of the monies have been made shall be used to
26 reduce school district taxes for the budget year, except that in the case
27 of accommodation schools the county treasurer shall carry the balance
28 forward for use by the county school superintendent for accommodation
29 schools for the budget year.

30 15. Provide that, if a parent or legal guardian chooses not to
31 accept a decision of the teacher as provided in paragraph 42 of this
32 subsection, the parent or legal guardian may request in writing that the
33 governing board review the teacher's decision. This paragraph does not
34 release school districts from any liability relating to a child's
35 promotion or retention.

36 16. Provide for adequate supervision over pupils in instructional
37 and noninstructional activities by certificated or noncertificated
38 personnel.

39 17. Use school monies received from the state and county school
40 apportionment exclusively to pay salaries of teachers and other employees
41 and contingent expenses of the district.

42 18. Annually report to the county school superintendent on or
43 before October 1 in the manner and form and on the blanks prescribed by
44 the superintendent of public instruction or county school superintendent.
45 The board shall also report directly to the county school superintendent
46 or the superintendent of public instruction whenever required.

47 19. Deposit all monies received by school districts other than
48 student activities monies or monies from auxiliary operations as provided

1 in sections 15-1125 and 15-1126 with the county treasurer to the credit of
2 the school district except as provided in paragraph 20 of this subsection
3 and sections 15-1223 and 15-1224, and the board shall spend the monies as
4 provided by law for other school funds.

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

10 21. Prescribe and enforce policies and procedures for disciplinary
11 action against a teacher who engages in conduct that is a violation of the
12 policies of the governing board but that is not cause for dismissal of the
13 teacher or for revocation of the certificate of the teacher. Disciplinary
14 action may include suspension without pay for a period of time not to
15 exceed ten school days. Disciplinary action shall not include suspension
16 with pay or suspension without pay for a period of time longer than ten
17 school days. The procedures shall include notice, hearing and appeal
18 provisions for violations that are cause for disciplinary action. The
19 governing board may designate a person or persons to act on behalf of the
20 board on these matters.

21 22. Prescribe and enforce policies and procedures for disciplinary
22 action against an administrator who engages in conduct that is a violation
23 of the policies of the governing board regarding duties of administrators
24 but that is not cause for dismissal of the administrator or for revocation
25 of the certificate of the administrator. Disciplinary action may include
26 suspension without pay for a period of time not to exceed ten school days.
27 Disciplinary action shall not include suspension with pay or suspension
28 without pay for a period of time longer than ten school days. The
29 procedures shall include notice, hearing and appeal provisions for
30 violations that are cause for disciplinary action. The governing board
31 may designate a person or persons to act on behalf of the board on these
32 matters. For violations that are cause for dismissal, the provisions of
33 notice, hearing and appeal in chapter 5, article 3 of this title apply.
34 The filing of a timely request for a hearing suspends the imposition of a
35 suspension without pay or a dismissal pending completion of the hearing.

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

40 24. Prescribe and enforce policies and procedures relating to the
41 health and safety of all pupils participating in district-sponsored
42 practice sessions or games or other interscholastic athletic activities,
43 including:

44 (a) The provision of water.

45 (b) Guidelines, information and forms, developed in consultation
46 with a statewide private entity that supervises interscholastic
47 activities, to inform and educate coaches, pupils and parents of the
48 dangers of concussions and head injuries and the risks of continued

1 participation in athletic activity after a concussion. The policies and
2 procedures shall require that, before a pupil participates in an athletic
3 activity, the pupil and the pupil's parent sign an information form at
4 least once each school year that states that the parent is aware of the
5 nature and risk of concussion. The policies and procedures shall require
6 that a pupil who is suspected of sustaining a concussion in a practice
7 session, game or other interscholastic athletic activity be immediately
8 removed from the athletic activity and that the pupil's parent or guardian
9 be notified. A coach from the pupil's team or an official or a licensed
10 health care provider may remove a pupil from play. A team parent may also
11 remove the parent's own child from play. A pupil may return to play on
12 the same day if a health care provider rules out a suspected concussion at
13 the time the pupil is removed from play. On a subsequent day, the pupil
14 may return to play if the pupil has been evaluated by and received written
15 clearance to resume participation in athletic activity from a health care
16 provider who has been trained in evaluating and managing concussions and
17 head injuries. A health care provider who is a volunteer and who provides
18 clearance to participate in athletic activity on the day of the suspected
19 injury or on a subsequent day is immune from civil liability with respect
20 to all decisions made and actions taken that are based on good faith
21 implementation of the requirements of this subdivision, except in cases of
22 gross negligence or wanton or wilful neglect. A school district, school
23 district employee, team coach, official or team volunteer or a parent or
24 guardian of a team member is not subject to civil liability for any act,
25 omission or policy undertaken in good faith to comply with the
26 requirements of this subdivision or for a decision made or an action taken
27 by a health care provider. A group or organization that uses property or
28 facilities owned or operated by a school district for athletic activities
29 shall comply with the requirements of this subdivision. A school district
30 and its employees and volunteers are not subject to civil liability for
31 any other person or organization's failure or alleged failure to comply
32 with the requirements of this subdivision. This subdivision does not
33 apply to teams that are based in another state and that participate in an
34 athletic activity in this state. For the purposes of this subdivision,
35 athletic activity does not include dance, rhythmic gymnastics,
36 competitions or exhibitions of academic skills or knowledge or other
37 similar forms of physical noncontact activities, civic activities or
38 academic activities, whether engaged in for the purposes of competition or
39 recreation. For the purposes of this subdivision, "health care provider"
40 means a physician who is licensed pursuant to title 32, chapter 13, 14 or
41 17, an athletic trainer who is licensed pursuant to title 32, chapter 41,
42 a nurse practitioner who is licensed pursuant to title 32, chapter 15, and
43 a physician assistant who is licensed pursuant to title 32, chapter 25.

44 (c) Guidelines, information and forms that are developed in
45 consultation with a statewide private entity that supervises
46 interscholastic activities to inform and educate coaches, pupils and
47 parents of the dangers of heat-related illnesses, sudden cardiac death and
48 prescription opioid use. Before a pupil participates in any

1 district-sponsored practice session or game or other interscholastic
2 athletic activity, the pupil and the pupil's parent must be provided with
3 information at least once each school year on the risks of heat-related
4 illnesses, sudden cardiac death and prescription opioid addiction.

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

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

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

12 28. Ensure that insurance coverage is secured for all construction
13 projects for purposes of general liability, property damage and workers'
14 compensation and secure performance and payment bonds for all construction
15 projects.

16 29. Collect and maintain information about each current and former
17 teacher's educational and teaching background and experience in a
18 particular academic content subject area. A school district shall either
19 post the information on the school district's website or make the
20 information available for inspection on request of parents and guardians
21 of pupils enrolled at a school. This paragraph does not require any
22 school to release personally identifiable information in relation to any
23 teacher, including the teacher's address, salary, social security number
24 or telephone number.

25 30. Report to local law enforcement agencies any suspected crime
26 against a person or property that is a serious offense as defined in
27 section 13-706 or that involves a deadly weapon or dangerous instrument or
28 serious physical injury and any conduct that poses a threat of death or
29 serious physical injury to employees, students or anyone on the property
30 of the school. This paragraph does not limit or preclude the reporting by
31 a school district or an employee of a school district of suspected crimes
32 other than those required to be reported by this paragraph. For the
33 purposes of this paragraph, "dangerous instrument", "deadly weapon" and
34 "serious physical injury" have the same meanings prescribed in section
35 13-105.

36 31. In conjunction with local law enforcement agencies and
37 emergency response agencies, develop an emergency response plan for each
38 school in the school district in accordance with minimum standards
39 developed jointly by the department of education and the division of
40 emergency management within the department of emergency and military
41 affairs. Any emergency response plan developed pursuant to this paragraph
42 must address how the school and emergency responders will communicate with
43 and provide assistance to students with disabilities.

44 32. Provide written notice to the parents or guardians of all
45 students enrolled in the school district at least ten days before a public
46 meeting to discuss closing a school within the school district. The
47 notice shall include the reasons for the proposed closure and the time and
48 place of the meeting. The governing board shall fix a time for a public

1 meeting on the proposed closure not less than ten days before voting in a
2 public meeting to close the school. The school district governing board
3 shall give notice of the time and place of the meeting. At the time and
4 place designated in the notice, the school district governing board shall
5 hear reasons for or against closing the school. The school district
6 governing board is exempt from this paragraph if the governing board
7 determines that the school shall be closed because it poses a danger to
8 the health or safety of the pupils or employees of the school. A
9 governing board may consult with the division of school facilities within
10 the department of administration for technical assistance and for
11 information on the impact of closing a school. The information provided
12 from the division of school facilities within the department of
13 administration shall not require the governing board to take or not take
14 any action.

15 33. Incorporate instruction on Native American history into
16 appropriate existing curricula.

17 34. Prescribe and enforce policies and procedures:

18 (a) Allowing pupils who have been diagnosed with anaphylaxis by a
19 health care provider licensed pursuant to title 32, chapter 13, 14, 17 or
20 25 or by a registered nurse practitioner licensed and certified pursuant
21 to title 32, chapter 15 to carry and self-administer emergency
22 medications, including epinephrine auto-injectors, while at school and at
23 school-sponsored activities. The pupil's name on the prescription label
24 on the medication container or on the medication device and annual written
25 documentation from the pupil's parent or guardian to the school that
26 authorizes possession and self-administration is sufficient proof that the
27 pupil is entitled to possess and self-administer the medication. The
28 policies shall require a pupil who uses an epinephrine auto-injector while
29 at school and at school-sponsored activities to notify the nurse or the
30 designated school staff person of the use of the medication as soon as
31 practicable. A school district and its employees are immune from civil
32 liability with respect to all decisions made and actions taken that are
33 based on good faith implementation of the requirements of this
34 subdivision, except in cases of wanton or wilful neglect.

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

37 35. Allow the possession and self-administration of prescription
38 medication for breathing disorders in handheld inhaler devices by pupils
39 who have been prescribed that medication by a health care professional
40 licensed pursuant to title 32. The pupil's name on the prescription label
41 on the medication container or on the handheld inhaler device and annual
42 written documentation from the pupil's parent or guardian to the school
43 that authorizes possession and self-administration is sufficient proof
44 that the pupil is entitled to possess and self-administer the medication.
45 A school district and its employees are immune from civil liability with
46 respect to all decisions made and actions taken that are based on a good
47 faith implementation of the requirements of this paragraph.

1 36. Prescribe and enforce policies and procedures to prohibit
2 pupils from harassing, intimidating and bullying other pupils on school
3 grounds, on school property, on school buses, at school bus stops, at
4 school-sponsored events and activities and through the use of electronic
5 technology or electronic communication on school computers, networks,
6 forums and mailing lists that include the following components:

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

12 (b) A requirement that school district employees report in writing
13 suspected incidents of harassment, intimidation or bullying to the
14 appropriate school official and a description of appropriate disciplinary
15 procedures for employees who fail to report suspected incidents that are
16 known to the employee.

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

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

25 (e) A formal process for documenting reported incidents of
26 harassment, intimidation or bullying and providing for the
27 confidentiality, maintenance and disposition of this documentation.
28 School districts shall maintain documentation of all incidents reported
29 pursuant to this paragraph for at least six years. The school shall not
30 use that documentation to impose disciplinary action unless the
31 appropriate school official has investigated and determined that the
32 reported incidents of harassment, intimidation or bullying occurred. If a
33 school provides documentation of reported incidents to persons other than
34 school officials or law enforcement, all individually identifiable
35 information shall be redacted.

36 (f) A formal process for the appropriate school officials to
37 investigate suspected incidents of harassment, intimidation or bullying,
38 including procedures for notifying the alleged victim and the alleged
39 victim's parent or guardian when a school official or employee becomes
40 aware of the suspected incident of harassment, intimidation or bullying.

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

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

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

1 (j) ~~Definitions of harassment, intimidation and~~ A DEFINITION OF
2 BULLYING AS EITHER A SINGLE SIGNIFICANT ACT OR A PATTERN OF ACTS BY ONE OR
3 MORE STUDENTS THAT IS DIRECTED AT ANOTHER STUDENT, THAT EXPLOITS AN
4 IMBALANCE OF POWER, THAT INVOLVES WRITTEN EXPRESSION, VERBAL EXPRESSION,
5 EXPRESSION THROUGH ELECTRONIC MEANS OR PHYSICAL CONDUCT, THAT OCCURS ON OR
6 IS DELIVERED TO SCHOOL PROPERTY, A SCHOOL-SPONSORED ACTIVITY, A
7 SCHOOL-RELATED ACTIVITY, A VEHICLE OPERATED BY THE SCHOOL DISTRICT OR A
8 VEHICLE THAT IS USED TO TRANSPORT STUDENTS TO SCHOOL, A SCHOOL-SPONSORED
9 ACTIVITY OR A SCHOOL-RELATED ACTIVITY AND THAT MEETS ANY OF THE FOLLOWING:
10 (i) RESULTS IN PHYSICAL HARM TO A STUDENT, SUBSTANTIAL NEGATIVE
11 MENTAL HEALTH EFFECTS TO A STUDENT OR DAMAGE TO A STUDENT'S PROPERTY OR
12 PLACES A STUDENT IN REASONABLE FEAR OF HARM TO THE STUDENT'S PERSON OR OF
13 DAMAGE TO THE STUDENT'S PROPERTY.
14 (ii) IS SUFFICIENTLY SEVERE, PERSISTENT AND PERVASIVE THAT THE
15 CONDUCT OR THREATENED CONDUCT CREATES AN INTIMIDATING, THREATENING OR
16 ABUSIVE EDUCATIONAL ENVIRONMENT FOR A STUDENT.
17 (iii) MATERIALLY AND SUBSTANTIALY DISRUPTS THE EDUCATIONAL PROCESS
18 OR THE ORDERLY OPERATION OF A CLASSROOM OR SCHOOL.
19 (iv) INFRINGES ON THE RIGHTS OF A STUDENT AT SCHOOL.
20 (k) A DEFINITION OF CYBERBULLYING THAT IS SUBSTANTIALY AS FOLLOWS:
21 (i) MEANS BULLYING THAT IS CONDUCTED THROUGH AN ELECTRONIC
22 COMMUNICATION DEVICE, INCLUDING A TELEPHONE, CELLULAR PHONE, COMPUTER,
23 PAGER OR CAMERA, OR THROUGH EMAIL, INSTANT MESSAGING, TEXT MESSAGING, A
24 SOCIAL MEDIA APPLICATION, AN INTERNET WEBSITE OR ANY OTHER INTERNET-BASED
25 COMMUNICATION PLATFORM.
26 (ii) INCLUDES ANY CONDUCT OR COMMUNICATION THAT IS DELIVERED TO
27 SCHOOL PROPERTY, A SCHOOL-SPONSORED ACTIVITY OR A SCHOOL-RELATED ACTIVITY
28 IF THE CONDUCT OR COMMUNICATION INTERFERES WITH A STUDENT'S EDUCATIONAL
29 OPPORTUNITIES OR SUBSTANTIALY DISRUPTS THE ORDERLY OPERATION OF A
30 CLASSROOM, SCHOOL, SCHOOL-SPONSORED ACTIVITY OR SCHOOL-RELATED ACTIVITY.
31 (l) A DEFINITION OF HARASSMENT CONSISTENT WITH SECTION 13-2921.
32 (m) A DEFINITION OF INTIMIDATION CONSISTENT WITH SECTION 13-1202.
33 37. Prescribe and enforce policies and procedures regarding
34 changing or adopting attendance boundaries that include the following
35 components:
36 (a) A procedure for holding public meetings to discuss attendance
37 boundary changes or adoptions that allows public comments.
38 (b) A procedure to notify the parents or guardians of the students
39 affected, including assurance that, if that school remains open as part of
40 the boundary change and capacity is available, students assigned to a new
41 attendance area may stay enrolled in their current school.
42 (c) A procedure to notify the residents of the households affected
43 by the attendance boundary changes.
44 (d) A process for placing public meeting notices and proposed maps
45 on the school district's website for public review, if the school district
46 maintains a website.
47 (e) A formal process for presenting the attendance boundaries of
48 the affected area in public meetings that allows public comments.

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

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

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

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

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

39 (b) Twenty-five percent of the performance pay shall be determined
40 by the percentage of parents of pupils who are enrolled at the school
41 district who assign a letter grade of "A" to the school on a survey of
42 parental satisfaction with the school district. The parental satisfaction
43 survey shall be administered and scored by an independent entity that is
44 selected by the governing board and that demonstrates sufficient expertise
45 and experience to accurately measure the results of the survey. The
46 parental satisfaction survey shall use standard random sampling procedures
47 and provide anonymity and confidentiality to each parent who participates

1 in the survey. The letter grade scale used on the parental satisfaction
2 survey shall direct parents to assign one of the following letter grades:

- 3 (i) A letter grade of "A" if the school district is excellent.
- 4 (ii) A letter grade of "B" if the school district is above average.
- 5 (iii) A letter grade of "C" if the school district is average.
- 6 (iv) A letter grade of "D" if the school district is below average.
- 7 (v) A letter grade of "F" if the school district is a failure.

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

- 19 (i) A letter grade of "A" if the school district is excellent.
- 20 (ii) A letter grade of "B" if the school district is above average.
- 21 (iii) A letter grade of "C" if the school district is average.
- 22 (iv) A letter grade of "D" if the school district is below average.
- 23 (v) A letter grade of "F" if the school district is a failure.

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

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

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

37 (a) Are designed to improve principal performance and improve
38 student achievement.

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

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

44 (d) Describe both of the following:

45 (i) The methods used to evaluate the performance of principals,
46 including the data used to measure student performance and job
47 effectiveness.

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

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

8 43. Prescribe and enforce policies and procedures for the emergency
9 administration by an employee of a school district pursuant to section
10 36-2267 of naloxone hydrochloride or any other opioid antagonist approved
11 by the United States food and drug administration.

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

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

- 33 (a) Base salary and any additional pay.
- 34 (b) Medical benefits and the value of any employer-paid portions of
- 35 insurance plan premiums.
- 36 (c) Retirement benefit plans, including social security.
- 37 (d) Legally required benefits.
- 38 (e) Any paid leave.
- 39 (f) Any other payment made to or on behalf of the employee.
- 40 (g) Any other benefit provided to the employee.

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

1 B. Notwithstanding subsection A, paragraphs 7, 9 and 11 of this
2 section, the county school superintendent may construct, improve and
3 furnish school buildings or purchase or sell school sites in the conduct
4 of an accommodation school.

5 C. If any school district acquires real or personal property,
6 whether by purchase, exchange, condemnation, gift or otherwise, the
7 governing board shall pay to the county treasurer any taxes on the
8 property that were unpaid as of the date of acquisition, including
9 penalties and interest. The lien for unpaid delinquent taxes, penalties
10 and interest on property acquired by a school district:

11 1. Is not abated, extinguished, discharged or merged in the title
12 to the property.

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

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

25 E. A school district, its governing board members, its school
26 council members and its employees are immune from civil liability for the
27 consequences of adopting and implementing policies and procedures pursuant
28 to subsection A of this section and section 15-342. This waiver does not
29 apply if the school district, its governing board members, its school
30 council members or its employees are guilty of gross negligence or
31 intentional misconduct.

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

35 G. Notwithstanding any other provision of this title, a school
36 district governing board shall not take any action that would result in a
37 reduction of pupil square footage unless the governing board notifies the
38 school facilities oversight board established by section 41-5701.02 of the
39 proposed action and receives written approval from the school facilities
40 oversight board to take the action. A reduction includes an increase in
41 administrative space that results in a reduction of pupil square footage
42 or sale of school sites or buildings, or both. A reduction includes a
43 reconfiguration of grades that results in a reduction of pupil square
44 footage of any grade level. This subsection does not apply to temporary
45 reconfiguration of grades to accommodate new school construction if the
46 temporary reconfiguration does not exceed one year. The sale of equipment
47 that results in a reduction that falls below the equipment requirements
48 prescribed in section 41-5711, subsection B is subject to commensurate

1 withholding of school district district additional assistance monies
2 pursuant to the direction of the school facilities oversight board.
3 Except as provided in section 15-342, paragraph 10, proceeds from the sale
4 of school sites, buildings or other equipment shall be deposited in the
5 school plant fund as provided in section 15-1102.

6 H. Subsections C through G of this section apply to a county board
7 of supervisors and a county school superintendent when operating and
8 administering an accommodation school.

9 I. A school district governing board may delegate authority in
10 writing to the superintendent of the school district to submit plans for
11 new school facilities to the school facilities oversight board for the
12 purpose of certifying that the plans meet the minimum school facility
13 adequacy guidelines prescribed in section 41-5711.

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

17 <<Sec. 2. Short title
18 [This act may be cited as "Andrew's Law".]>>

19 Enroll and engross to conform
20 Amend title to conform

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