

Conference Engrossed

State of Arizona
Senate
Forty-fifth Legislature
First Regular Session
2001

CHAPTER 379

SENATE BILL 1263

AN ACT

AMENDING SECTIONS 15-503 AND 15-977, ARIZONA REVISED STATUTES; RELATING TO
SCHOOL FINANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-503, Arizona Revised Statutes, is amended to
3 read:

4 15-503. Superintendents, principals, head teachers and school
5 psychologists; term of employment; evaluation;
6 contract delivery; nonretention notice

7 A. The governing board may:

8 1. Employ a superintendent or principal, or both.

9 2. Appoint a head teacher.

10 3. Jointly with another governing board employ a superintendent or a
11 principal, or both.

12 B. The term of employment of superintendents or principals may be for
13 any period not exceeding three years, EXCEPT THAT IF THE SUPERINTENDENT'S OR
14 PRINCIPAL'S CONTRACT WITH THE SCHOOL DISTRICT IS FOR MULTIPLE YEARS PURSUANT
15 TO THIS SUBSECTION THE SCHOOL DISTRICT SHALL NOT OFFER TO EXTEND OR
16 RENEGOTIATE THE CONTRACT UNTIL MAY OF THE YEAR PRECEDING THE FINAL YEAR OF
17 THE CONTRACT. THE SCHOOL DISTRICT GOVERNING BOARD OR THE GOVERNING BODY OF
18 THE CHARTER SCHOOL SHALL COMMUNICATE THE SUPERINTENDENT'S OR PRINCIPAL'S
19 DUTIES WITH RESPECT TO THE CLASSROOM SITE FUND ESTABLISHED BY SECTION 15-977.

20 C. The governing board shall establish systems for the evaluation of
21 the performance of principals and other school administrators and
22 certificated school psychologists in the school district. In the development
23 and adoption of these performance evaluation systems, the governing board
24 shall avail itself of the advice of its administrators and certificated
25 school psychologists. Each evaluation shall include recommendations as to
26 areas of improvement in the performance of the certificated school
27 psychologist if the performance of the certificated school psychologist
28 warrants improvement. After transmittal of an assessment, a board designee
29 shall confer with the certificated school psychologist to make specific
30 recommendations as to areas of improvement in the certificated school
31 psychologist's performance. The board designee shall provide assistance and
32 opportunities for the certificated school psychologist to improve his
33 performance and shall follow up with the certificated school psychologist
34 after a reasonable period of time for the purpose of ascertaining that the
35 certificated school psychologist is demonstrating adequate performance. The
36 evaluation process for certificated school psychologists shall include appeal
37 procedures for certificated school psychologists who disagree with the
38 evaluation of their performance, if the evaluation is for use as criteria for
39 establishing compensation or dismissal.

40 D. On or before May 15 the governing board shall offer a contract for
41 the next school year to each certified administrator and certificated school
42 psychologist who is in the last year of his contract unless, on or before
43 April 15, the governing board, a member of the board acting on behalf of the
44 board or the superintendent of the school district gives notice to the
45 administrator or certificated school psychologist of the board's intention

1 not to offer a new contract. If the governing board has called for an
2 override election for the third Tuesday in May as provided in section 15-481,
3 the governing board shall offer a contract for the next school year to each
4 certified administrator or certificated school psychologist who is in the
5 last year of his contract on or before June 15 unless, no later than five
6 days after the override election excluding Saturday, Sunday and legal
7 holidays, the governing board, a member of the board acting on behalf of the
8 board or the superintendent of the school district gives notice to the
9 administrator or the certificated school psychologist of the board's
10 intention not to offer a new contract. The administrator's or the
11 certificated school psychologist's acceptance of the contract shall be
12 indicated within thirty days from the date of the written contract or the
13 offer is revoked. The administrator or certificated school psychologist
14 accepts the contract by signing the contract and returning it to the
15 governing board or by making a written instrument which accepts the terms of
16 the contract and delivering the written instrument to the governing board.

17 E. Notice of the board's intention not to reemploy the administrator
18 or certificated school psychologist shall be made by delivering the notice
19 personally to the administrator or the certificated school psychologist or
20 by sending the notice by certified mail, postmarked on or before the
21 applicable deadline prescribed in subsection D of this section, and directed
22 to the administrator or the certificated school psychologist at his place of
23 residence as recorded in the school district records.

24 Sec. 2. Section 15-977, Arizona Revised Statutes, is amended to read:
25 15-977. Classroom site fund; definitions

26 A. The classroom site fund is established consisting of monies
27 transferred to the fund pursuant to section 37-521, subsection B and section
28 42-5029, subsection E, paragraph 10. The department of education shall
29 administer the fund. School districts and charter schools may not supplant
30 existing school site funding with revenues from the fund. All monies
31 distributed from the fund are intended for use at the school site. Each
32 school district or charter school shall allocate forty per cent of the monies
33 for teacher compensation increases based on performance and employment
34 related expenses, twenty per cent of the monies for teacher base salary
35 increases and employment related expenses and forty per cent of the monies
36 for maintenance and operation purposes as prescribed in subsection C of this
37 section. TEACHER COMPENSATION INCREASES BASED ON PERFORMANCE OR TEACHER BASE
38 SALARY INCREASES DISTRIBUTED PURSUANT TO THIS SUBSECTION SHALL SUPPLEMENT,
39 AND NOT SUPPLANT, TEACHER COMPENSATION MONIES FROM ANY OTHER SOURCES. The
40 school district or charter school shall notify each school principal of the
41 amount available to the school by April 15. The district or charter school
42 shall request from the school's principal each school's priority for the
43 allocation of the funds available to the school for each program listed under
44 subsection C OF THIS SECTION. The amount budgeted by the school district or
45 charter school pursuant to this section shall not be included in the

1 allowable budget balance carryforward calculated pursuant to section
2 15-943.01.

3 B. Monies in the fund are continuously appropriated, are exempt from
4 the provisions of section 35-190 relating to lapsing of appropriations and
5 shall be distributed as follows:

6 1. By March 30 of each year the staff of the joint legislative budget
7 committee shall determine a per pupil amount from the fund for the budget
8 year using the estimated statewide weighted count for the current year
9 pursuant to section 15-943, paragraph 2, subdivision (a) and based on
10 estimated available resources in the classroom site fund for the budget year.

11 2. The allocation to each charter school and school district for a
12 fiscal year shall equal the per pupil amount established in paragraph 1 of
13 this subsection for the fiscal year multiplied by the weighted student count
14 for the school district or charter school for the fiscal year pursuant to
15 section 15-943, paragraph 2, subdivision (a).

16 3. For grades nine through twelve, multiply the amount determined
17 under paragraph 1 of this subsection by the weight that corresponds to the
18 student count as provided in section 15-943, paragraph 1, subdivision (a),
19 column 3.

20 4. For a school district with a student count of six hundred or more
21 in kindergarten programs and grades one through eight multiply the amount
22 determined under paragraph 1 of this subsection by 1.158 and for a school
23 district with a student count of six hundred or more in grades nine through
24 twelve multiply the amount determined under paragraph 1 of this subsection
25 by 1.268.

26 5. For programs for preschool children with disabilities, multiply the
27 amount determined under paragraph 1 of this subsection by 1.158.

28 C. Monies distributed from the classroom site fund shall be spent for
29 the following maintenance and operation purposes:

30 1. Class size reduction.

31 2. Teacher compensation increases.

32 3. AIMS intervention programs.

33 4. Teacher development.

34 5. Dropout prevention programs.

35 6. Teacher liability insurance premiums.

36 D. The district governing board or charter school shall allocate the
37 classroom site fund monies to include, wherever possible, the priorities
38 identified by the principals of the schools while assuring that the funds
39 maximize classroom opportunities and conform to the authorized expenditures
40 identified in subsection A of this section.

41 E. School districts and charter schools that receive monies from the
42 classroom site fund shall submit a report by November 15 of each year to the
43 superintendent of public instruction on a per school basis that provides an
44 accounting of the expenditures of monies distributed from the fund during the
45 previous fiscal year and a summary of the results of district and school

1 programs funded with monies distributed from the fund. The department of
2 education in conjunction with the auditor general shall prescribe the format
3 of the report under this subsection.

4 F. School districts and charter schools that receive monies from the
5 classroom site fund shall receive these monies in the same manner as the
6 apportionment schedule prescribed in section 15-973, subsection B.

7 G. For purposes of this section:

8 1. "AIMS intervention" means summer programs, after school programs,
9 before school programs or tutoring programs that are specifically designed
10 to ensure that pupils meet the Arizona academic standards as measured by the
11 Arizona instrument to measure standards test prescribed by section 15-741.

12 2. "Class size reduction" means any maintenance and operations
13 expenditure that is designed to reduce the ratio of pupils to classroom
14 teachers, including the use of persons who serve as aides to classroom
15 teachers.

APPROVED BY THE GOVERNOR MAY 8, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 8, 2001.

HOUSE FINAL PASSAGE
as per Joint Conference

Passed the House May 3, 20 01,

by the following vote: 34 Ayes,

15 Nays, 11 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

SENATE FINAL PASSAGE
as per Joint Conference

Passed the Senate May 2, 20 01,

by the following vote: 27 Ayes,

0 Nays, 3 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR**

This Bill was received by the Governor

this _____ day of _____, 20 _____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20 _____,

at _____ o'clock _____ M.

Governor of Arizona

S.B. 1263

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State

this _____ day of _____, 20 _____,

at _____ o'clock _____ M.

Secretary of State

ON RECONSIDERATION

HOUSE FINAL PASSAGE
as per Joint Conference

Passed the House May 3, 2001,

by the following vote: 32 Ayes,

24 Nays, 4 Not Voting

Speaker of the House

Chief Clerk of the House

ON RECONSIDERATION

SENATE FINAL PASSAGE
as per Joint Conference

Passed the Senate May 3, 2001,

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor

this 3 day of May, 2001,

at 11:30 o'clock A M.

Secretary to the Governor

Approved this 8 day of

May, 2001,

at 4:00 o'clock P M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 8 day of May, 2001,

at 5:30 o'clock P M.

Secretary of State

S.B. 1263

Passed the House March 26, 20 01

Passed the Senate February 21, 20 01

by the following vote: 53 Ayes,

by the following vote: 28 Ayes,

3 Nays, 4 Not Voting

1 Nays, 1 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this
_____ day of _____, 20 _____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20 _____,

at _____ o'clock _____ M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this _____ day of _____, 20 _____,

at _____ o'clock _____ M.

Secretary of State

S.B. 1263