



Arizona School Boards Association

**SB 1693 (public school closures; coronavirus disease (Fann))**

**HB 2910 (public school closures; coronavirus disease (Bowers))**

This bill is retroactively enacted from March 15, 2020 and after to address the public health crisis brought on by COVID-19. It contains an emergency clause to go into effect immediately upon the signature of the governor. The language contains two conditional enactments to provide guidelines if schools open by March 29, 2020 and if they remain closed for a longer period.

**Provisions:**

- If schools open by March 29, 2020:
  - States that public schools are not required to extend the school year or add additional instructional hours after the statewide closure ends to make up for the days and hours missed during the closure in order to meet instructional time requirements.
  - Extends the testing window for the statewide assessment to May 31, 2020.
  - States that schools are encouraged to offer formative assessments.
  - States that, for the 2019-2020 school year, a school's A-F letter grade will be the higher of the school's grade of the 2018-2019 grade or the 2019-2020 grade.
  - Requires each public school to continue to pay all employees, including hourly employees, for the duration of the statewide school closure.
  - Clarifies that schools may not require any employee to use accrued vacation or sick leave during the closure.
- If schools remain closed after March 29, 2020:
  - States that public schools are not required to extend the school year or add additional instructional hours to make up for the days and hours missed during the first two weeks of the statewide closure in order to meet instructional time requirements.
  - States that beginning on March 30, 2020, each public school must offer students general educational opportunities as determined by the public school for the duration of the closure.
    - Requires the State Board of Education (SBE) and the Arizona Department of Education (ADE) to determine the manner in which a school attests that it is complying with this requirement
    - Clarifies that if the closure is not lifted before the scheduled end of the school's posted school year calendar, the school must continue offering general educational opportunities until the scheduled end of the school's calendar year
  - Specifies that if the statewide closure ends before the end of the school's scheduled calendar year, the school shall either:



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- Resume physical operations as usual on the date the closure is lifted and continue operations until the scheduled end of the school's calendar year
- Continue offering general educational opportunities until the scheduled end of the school's calendar year
- Specifies that if the statewide closure causes the daily route mileage of a school district to be lower in FY20 than it was in FY19, the daily route mileage for FY19 will be considered the route mileage for FY20 in terms of calculating the transportation support level.
- Allows a school's transportation fleet, including school buses, to be used to perform school operations that are deemed to support students and their families during the closure as determined by the school.
- Requires each school to continue to pay all employees, including hourly employees, for the duration of the statewide closure, subject to the following:
  - Before March 30, 2020, each public school employee, including hourly employees, must commit to be available to work during the employee's normal work hours
  - If an employee is able to perform work tasks remotely, they shall work remotely beginning March 30, 2020 until the closure is lifted. After the closure is lifted, if the school opts to resume physical operations as usual, the employee may no longer work remotely unless authorized by the school.
  - If an employee is unable to perform tasks remotely, the school shall reassign the employee to other tasks beginning March 30, 2020 through the duration of the closure. The employee shall resume normal work tasks when the closure is lifted unless otherwise authorized by the school.
- Allows, during the 2019-2020 school year, for a school to deviate from the statutory requirements relating to special education programs, including implementing alternative modes of service delivery.
- Requires schools to ensure to attempt to ensure that each student with a Section 504 plan or IEP has access to these educational opportunities.
- Allows schools to use any money generated during the 2019-2020 school year to provide summer school instruction during the summer of 2020.
- Cancels the statewide assessment for the 2019-2020 school year.
- Specifies that a school's A-F letter grade for the 2019-2020 school year will be the grade the school earned in the 2018-2019 school year.
- Removes the Move on When Reading requirements for the 2019-2020 school year for third grade students' promotion
- Directs SBE to adopt rules for high school graduation and exempts the Board from rulemaking requirements
- Allows a student who takes an online summer school course to generate up to 1.25 ADM in FY21
- Directs the auditor general to work with schools to establish modified timelines for financial and performance data reporting



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- Directs ADE to apply to the U.S. Department of Education for waivers of federal food and nutrition, assessment and accountability requirements and other issues that impact educational attainment that cannot be met in the 2019-2020 school year due to the statewide closure
- Allows ADE, with the approval of SBE, to waive any school finance requirement necessary to implement the provisions of this bill related to school finance matters for the 2019-2020 school year only.
- Defines “public school” as schools operated by a school district, charter schools, ASDB, and CTEDs.