

House Engrossed

public school closures; coronavirus disease.

State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HOUSE BILL 2910

AN ACT

PROVIDING FOR PROCEDURES REGARDING PUBLIC SCHOOL CLOSURES RELATED TO THE CORONAVIRUS DISEASE 2019; APPROPRIATING MONIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Public school closures; coronavirus disease 2019; waivers; definition

3 A. For the benefit of students enrolled in public schools that have closed as a result of the
4 statewide closure, each public school in this state shall continue to pay its employees, including hourly
5 employees, from March 16, 2020 through March 29, 2020 if an employee is committed to being available to
6 work during the employee's normal work hours. The public school may not require any employee to use
7 accrued vacation or sick leave for the duration of the closure.

8 B. Notwithstanding any other law, if, following the statewide school closure announced on
9 March 15, 2020 by the governor and the superintendent of public instruction in response to a state of
10 emergency declaration by the governor related to the coronavirus disease 2019 (COVID-19), the statewide
11 closure of the public schools in this state is lifted on or before March 29, 2020, all of the following apply:

12 1. Public schools in this state are not required to extend the number of school days or add
13 additional instructional hours after the statewide closure ends to make up for the days and hours missed as
14 a result of the statewide closure and to meet the requirements prescribed in sections 15-341.01, 15-391, 15-
15 393, 15-901 and 15-902.04, Arizona Revised Statutes, or any other law for the number of school days or
16 instructional hours, the number of hours a class must meet or the number of hours a student must be
17 enrolled for school finance calculations.

18 2. The testing window for the statewide assessment adopted pursuant to section 15-741,
19 Arizona Revised Statutes, is extended through May 31, 2020. Schools operated by a school district and
20 charter schools are encouraged to offer formative assessments.

21 3. For the 2019-2020 school year, a public school's letter grade pursuant to section 15-241,
22 Arizona Revised Statutes, is the higher of the public school's 2018-2019 letter grade or the public school's
23 2019-2020 letter grade.

24 C. Notwithstanding any other law, if, following the statewide school closure announced on March
25 15, 2020 by the governor and the superintendent of public instruction in response to a state of emergency
26 declaration by the governor related to the coronavirus disease 2019 (COVID-19), the statewide closure of the
27 public schools in this state is not lifted on or before March 29, 2020, all of the following apply:

28 1. Public schools in this state are not required to extend the number of school days or add
29 additional instructional hours after the statewide closure ends to make up for the days and hours missed as
30 a result of the first two weeks of the statewide closure during which general educational opportunities as
31 determined by each public school were not provided as prescribed in paragraph 2 of this subsection and to
32 meet the requirements prescribed in sections 15-341.01, 15-391, 15-393, 15-901 and 15-902.04, Arizona
33 Revised Statutes, or any other law for the number of school days or instructional hours, the number of hours
34 a class must meet or the number of hours a student must be enrolled for school finance calculations. If a
35 public school complies with paragraphs 2 through 4 of this subsection, the public school is deemed to meet
36 the requirements prescribed in sections 15-341.01, 15-901 and 15-902.04, Arizona Revised Statutes, or any
37 other law for the number of school days or instructional hours, the number of hours a class must meet or
38 the number of hours a student must be enrolled for school finance calculations for the 2019-2020 school
39 year.

40 2. Beginning on March 30, 2020, each public school in this state shall offer students general
41 educational opportunities as determined by the public school for the duration of the statewide closure as a
42 condition of the public school receiving continued formula funding based on the public school's one
43 hundredth-day average daily membership. The state board of education and the department of education
44 shall determine the manner in which a public school attests that it is complying with this paragraph.

45 3. If the statewide closure is not lifted before the scheduled end of the public school's 2019-
46 2020 posted school year calendar, the public school shall continue offering general educational opportunities
47 as determined by the public school as prescribed in paragraph 2 of this subsection until the scheduled end
48 of the public school's 2019-2020 posted school year calendar.

49 4. If the statewide closure is lifted before the scheduled end of the public school's 2019-2020
50 posted school year calendar, the public school shall either:

51 (a) Resume physical operations as usual on the date that the statewide closure of the public
52 schools in this state is lifted and continue operations until the scheduled end of the public school's 2019-
53 2020 posted school year calendar.

54 (b) Continue offering general educational opportunities as determined by the public school as
55 prescribed in paragraph 2 of this subsection until the scheduled end of the public school's 2019-2020 posted
56 school year calendar.

57 5. If the statewide closure causes the daily route mileage as defined in section 15-901, Arizona
58 Revised Statutes, of a school district to be lower in fiscal year 2019-2020 than it was in fiscal year 2018-2019,
59 the daily route mileage as defined in section 15-901, Arizona Revised Statutes, of the school district for fiscal
60 year 2019-2020 for the purposes of calculating the transportation support level under section 15-945,
61 Arizona Revised Statutes, in fiscal year 2020-2021 shall be considered the daily route mileage from the 2018-
62 2019 fiscal year. A public school's transportation fleet, including school buses, may be used to perform
63 school operations that are deemed to support students and their families during the statewide closure as
64 determined by the public school.

65 6. For the benefit of students enrolled in public schools that have closed as a result of the
66 statewide closure, each public school in this state shall continue to pay all its employees, including hourly
67 employees, for the duration of the statewide closure, subject to the following:

68 (a) Before March 30, 2020, each public school employee, including hourly employees, shall
69 commit to be available to work during the employee's normal work hours.

70 (b) If the public school employee is able to perform the employee's work tasks remotely, the
71 employee shall work remotely beginning March 30, 2020 through the duration of the statewide closure.
72 After the statewide closure is lifted, if the public school opts to resume physical operations as usual as
73 prescribed in paragraph 4, subdivision (a) of this subsection, the public school employee may no longer work
74 remotely unless otherwise authorized by the public school.

75 (c) If the public school employee is unable to perform the employee's work tasks remotely,
76 the public school shall reassign the employee to other tasks that the employee is able to perform and the
77 employee shall perform those tasks beginning March 30, 2020 through the duration of the statewide closure.
78 After the statewide closure is lifted, if the public school opts to resume physical operations as usual as
79 prescribed in paragraph 4, subdivision (a) of this subsection, the public school employee shall resume the
80 public school employee's normal work tasks unless otherwise authorized by the public school.

81 7. During the 2019-2020 school year, public schools may deviate from the statutory
82 requirements relating to special education programs. Public schools shall attempt to ensure that each
83 student who has a section 504 plan as defined in section 15-731, Arizona Revised Statutes, or who receives
84 special education services through an individualized education program has access to these educational
85 opportunities.

86 8. Public schools may use any monies generated during the 2019-2020 school year to provide
87 summer school instruction during the summer of 2020 only.

