



2022 Legislative Update

2022 COP Fall Forum

September 28, 2022

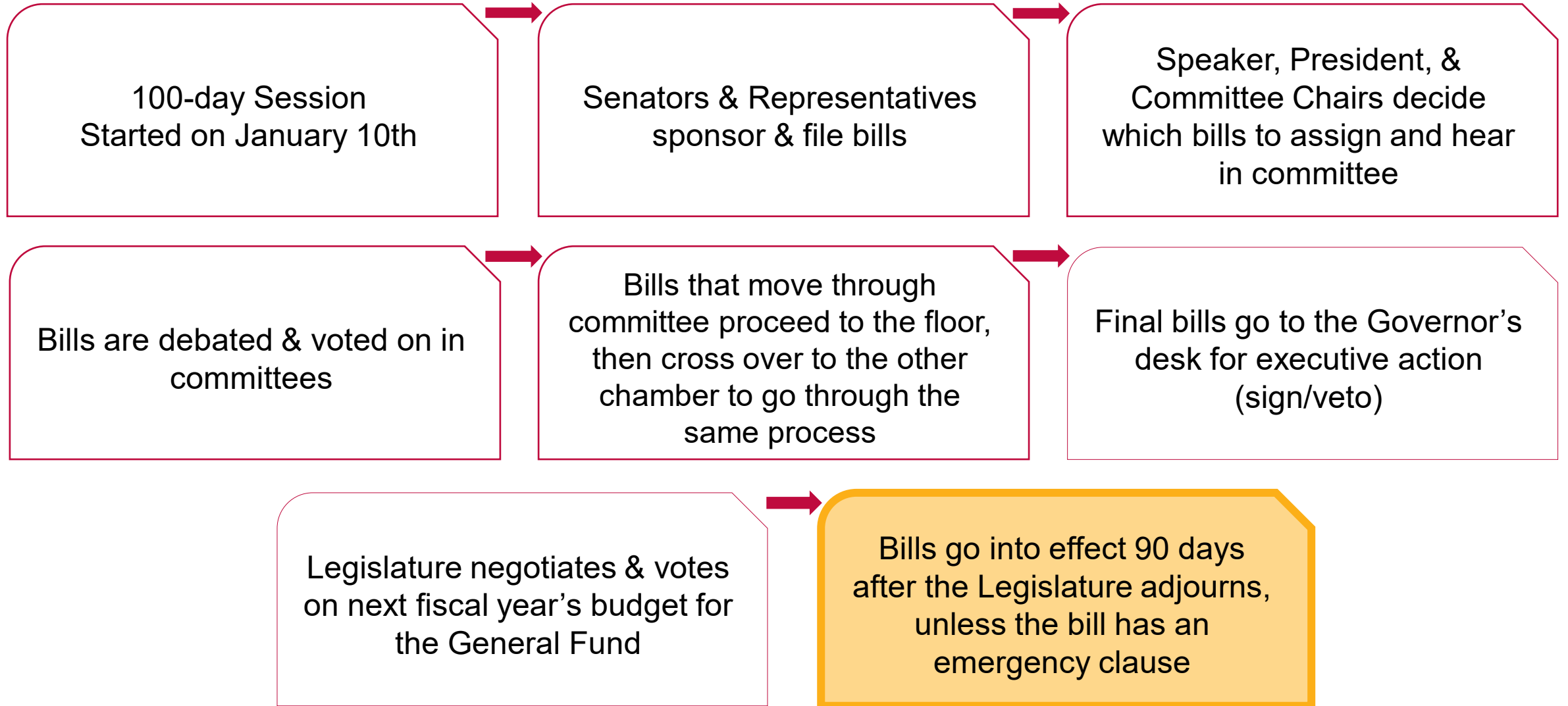
OVERVIEW OF LEGISLATIVE SESSION



SECTION #1

Overview of Legislative Process

Flow of Legislative Session



General Effective Date: September 24, 2022

- Legislature adjourned Sine Die on June 25, 2022
- Bills without an emergency clause go into effect on the General Effective Date
- 2022 Legislative Summary can be found here: [ADE 2022 Arizona Legislative Session Summary](#)

OVERVIEW OF LEGISLATIVE SESSION



SECTION #2

Highlights of 2022 Legislation

Signed Legislation

Bill #	Title	Summary
HB 2034	CTEDs; associate degrees	Allows CTEDs to offer accredited associate degrees for CTED programs that are on the in-demand regional education list.
HB 2161	parental rights; schools; educational records	Entitles a parent access to written and electronic records of districts and charter schools that concern their child.
HB 2549	school library; review; policy	Directs district and charter school governing bodies to adopt procedures that provide parents access to a school's library collection and list of books and materials their child borrows, beginning January 1, 2023.
HB 2495	schools; sexually explicit materials; prohibition	Prohibits public schools from referring students to or using sexually explicit materials unless the materials meet outlined criteria.

Signed Legislation

Bill #	Title	Summary
HB 2632	civics test; passing score	Increases the passing score for the civics test from 60% to 70% and outlines civics test data that LEAs must report to ADE.
HB 2707	public schools; moment of silence	Requires LEAs to set aside one to two minutes at the beginning of each school day for students to engage in a moment of silence.
HB 2853	Arizona empowerment scholarship accounts; appropriation	Expands eligibility for the ESA Program to residents of this state who are eligible to enroll in a public school and do not otherwise qualify for the Program.
SB 1159	teacher certification; leadership preparation programs	Modifies teacher certification requirements, classroom-based preparation program eligibility requirements, and allows LEAs to apply to SBE to offer a leadership preparation program for the certification of school leadership positions.

Signed Legislation

Bill #	Title	Summary
SB 1165	interscholastic; intramural athletics; biological sex	Directs public school and certain private school athletic teams to be designated based on biological sex of participating students.
SB 1300	tribal college dual enrollment program	Allows participants of the Tribal College Dual Enrollment Program to offer courses to high schools outside of a reservation and includes books and instructional materials as allowable costs for compensation.
SB 1630	school buses; student transportation; vehicles	Allows LEAs or privately owned entities to use a motor vehicle designed to carry 11 to 15 passengers or designated as a type A or B school buses to transport students to and from home or school.

COVID-related Legislation

Bill #	Title	Summary
HB 2086	DHS; school immunizations; exclusions	Exempts immunizations against the Human Papillomavirus and COVID-19 as a requirement for school attendance.
HB 2371	enforcement prohibition; vaccinations; requirements	Prohibits any governmental entity from requiring a person under 18 years of age to receive a vaccination for COVID-19 without the consent of the parent or guardian.
HB 2453	governmental entities; mask requirement; prohibition	Prohibits governmental entities from imposing any requirement to wear a mask or face covering anywhere on the entities' premises.
HB 2616	mask mandates; minors; parental consent	Prohibits this state, political subdivisions, governmental entities, school districts, and charter schools from requiring persons under 18 years of age to wear a mask without express parental consent.

OVERVIEW OF LEGISLATIVE SESSION

SECTION #3

FY 2023 Budget Provisions



FY 2023 Budget Provisions

Subject	Amount	Summary
Adult Education Programs	\$16.85 Million	Establishes the Continuing High School and Workforce Training Program, Adult Workforce Diploma Program, and Community College Adult Education Workforce Development Program.
Base Level Increase	\$526 Million	Increases base level funding by a total of 8.8%.
Special Education	\$100 Million	Increases special education funding (Group B weight for DD, ED, MIID, SLD, SLI, and OHI).
Teacher Compensation & State Equalization Tax Rate Funding	\$330 million	Eliminates teacher compensation and state equalization tax rate funding.
School Safety Program	\$50 Million	Increases funding for the School Safety Program to first address the wait list for school resource office positions, then left over funds can be allocated for school counselors and social workers.

FY 2023 Budget Provisions

Subject	Amount	Summary
Office of Indian Education	\$5 Million	Appropriates funds for onetime (non-lapsing) distribution to the Office of Indian Education.
Code Writers Initiative Program	\$1 million	Appropriates funds for onetime Code Writers Initiative Program.
Free and Reduced-Price Lunch (FRPL) Group B Weight	\$50 million	Establishes Group B weight of 0.018 for children who are eligible for FRPL and other school programs dependent on poverty measures. (Grows to \$100 million by FY 25)
District & Charter Additional Assistance	\$60 million	Increases district and charter additional assistance amount per student count by ~\$55.



Thank You!

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COVID Federal Relief Funding Update

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Elementary & Secondary School Emergency Relief (ESSER) Fund

ESSER Updates

- **ESSER I** period of availability **ends** on **September 30, 2022**
- **All funds must be obligated by this date (9/30/22)**
- **Completion reports** (CRs) for ESSER I opened 7/1/22 for those LEAs who have expended all ESSER I funds and are ready to close out FY21 ESSER I early. The **due date for all ESSER I completion reports** is **12/30/22**

ESSER Updates

Good News Regarding ESSER II and ESSER III Completion Reports

- Unlike ESSER I, there will be a **single completion report for ESSER II** and a **single completion report for ESSER III**. This will remove the burden of completing a second application and budget with unspent carry-over funds
- **CRs for ESSER II** will open on 10/1/22 for any LEAs who have completely expended ESSER II funds and are ready to submit their completion report. ESSER II funds must be expended no later than 9/30/23, and the single completion report for ESSER II is due no later than 12/30/23
- **CRs for ESSER III** will also open on 10/1/22. LEAs may submit their completion report as soon as they have completely expended all ESSER III funds. ESSER III funds must be expended no later than 9/30/24, and the single completion report for ESSER III is due no later than 12/30/24



ESSER Updates

A Reminder About Fiscal Monitoring:

If an LEA is selected for fiscal monitoring, they may be asked for a sampling of ESSER II or III expenditures as part of the monitoring even though the Completion Report (CR) has not been completed. In this way, ADE can perform its ESSER funds fiduciary oversight responsibilities in a prudent manner

Example Questions

1. My LEA has spent all of its ESSER I Funds. What is my next step?
 - A. Complete the ESSER I CR now and submit it for approval in GME
2. My LEA will expend all ESSER II funds by 9/1/22. What should I do?
 - A. The ESSER II CR will open on 10/1/22. At that time, the ESSER II completion report and submit for approval in GME
3. We project that our ESSER II and III funds will both be expended around 6/30/23. When should I do completion reports?
 - A. CRs for both ESSER II and III will be open, so you will complete both CRs once all funds are expended and submit for approval in GME

Please note: Completing CRs as soon as possible after grant funds are completely expended is highly recommended

If you have any questions, please email esser@azed.gov



ADE Grants Management Updates

Procurement Training by Brustein & Manasevit

- Grants Management is hosting **FREE** virtual “**ESSER & Federal Procurement**” workshops presented by **Brustein & Manasevit, PLLC** in collaboration with the **Arizona Auditor General’s Office** to share answers and guidance to help schools appropriately expend their ESSER funds
- Sessions are anticipated to be offered **quarterly** throughout the year. The most recent opportunity was held on 9/13/2022
- Visit gme.azed.gov for more information on upcoming sessions, and to submit procurement questions in advance of sessions



ADE Grants Management Updates

Reimbursement Request (RR) Update

Grants Management has updated guidance regarding backup expenditure documentation that may be required for **ESSER (I, II and III)** related **Reimbursement Requests submitted via GME**

ESSER Grants

- If RR is greater than or equal to 20% of award, then an expenditure summary should accompany the RR

OR

- If RR is greater than or equal to \$100k, then an expenditure summary should accompany the RR

NON-ESSER Grants

- If RR is greater than or equal to 20% of award, then an expenditure summary should accompany the RR

ADE Grants Management Updates

NEW for FY2022 Single Audit

- All entities will now be required to complete the **Single Audit Qualifier Questionnaire** in the **FY22 Single Audit Monitoring Instrument** in GME
- The FY22 Single Audit Qualifier Questionnaire opens in GME on October 1, 2022, and will be **due by December 30, 2022**

ESSER Updates

- **ED ESSER Annual Data Reporting Update**
- **ARP ESSER (ESSER III) Maintenance of Equity (MOEquity) – SEA and LEAs**
- **ESSER Late Liquidation Possibility**
- **Other questions?**



ADE ESSER Fund Projects

ADE's ESSER set-aside funds investments align to the following categories:

Student Equity & Achievement



Goal: Increase proficiency for all students and close achievement gaps.

Engaging and empowering Arizona students to reach their full potential and providing opportunities for equitable academic outcomes so all students have access to multiple pathways to achieve lifelong success.

Educator Recruitment & Retention



Goal: Every student has access to qualified educators and leaders.

Inadequate retention and recruitment of teachers and other professionals providing specialized student support, such as school counselors, has led to a staffing shortage.

Highly effective teachers in the classroom are the biggest predictor of student success. Arizona must foster a robust, statewide teaching profession where educators can grow and thrive professionally and personally.

Safe & Healthy Schools



Goal: All students will learn and grow in a safe and healthy environment.

Integral to every child's education is their social-emotional wellbeing, in which mental and physical health and safety have a primary role.

Schools need resources and information to sustain safe, healthy, supportive, and inclusive environments for students, families, and educators.

Serving AZ School Communities & Families through the Pandemic



Goal: Help schools and families address disruptions resulting from the emergency of the pandemic.

Safe and healthy schools ensure that all students can learn and grow successfully. These projects supported healthy school environments regardless of public health crises.

Bridging the Digital Divide and Providing Access to Digital Resources



Goal: Bridge the digital divide and provide broadband access.

Provide relief to meet immediate needs and address ongoing needs and solutions that strengthen connectivity across Arizona and its school communities.

Post-Secondary Access & Attainment



Goal: All students are prepared to access and succeed in post-secondary learning opportunities.

Post-secondary access and success are vital to ensuring all students reach their full potential.

Additional Relief Funding for Public Schools



Goal: Baseline levels of relief funding for all public schools.

Provide \$112.4 million to ensure a baseline level of relief funding for public school districts, non-profit charters, and career and technical education districts.

\$74.1 million – Support for Non-Title I-A Local Education Agencies

\$26.6 million – Additional Support for Title I-A Local Education Agencies

\$11.7 million – Support for Career & Technical Education Districts

*LEA = Local Education Agency, such as a District or Charter Organization

<https://www.azed.gov/esser-setaside>



ADE ESSER Fund Projects

Arizona's
ARP (American
Rescue Plan)



School and Community Grantees

<https://www.azed.gov/esser/american-rescue-plan>

Sign up for our
Monthly ESSER
Newsletter:



ESSER Newsletter

A MONTHLY COMMUNICATION FROM
THE ARIZONA DEPARTMENT OF EDUCATION





Please visit
www.azed.gov/ESSER
for links to all ESSER (I, II & III)
grant program resources and
guidance documents

If you have any questions,
please contact us at:
ESSER@azed.gov





Questions?



Thank You!

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