



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature  
Second Regular Session

House: 3<sup>rd</sup> Read 60-0-0-0  
Senate: 3<sup>rd</sup> Read 30-0-0-0

## **HB2910: public school closures; coronavirus disease.**

**Sponsor: Representative Bowers, LD 25**  
**Transmitted to Governor**

### **Overview**

An emergency measure relating to the statewide school closure announced on March 15, 2020 by the Governor and the Superintendent of Public Instruction in response to the coronavirus disease 2019 (COVID-19).

### **History**

On March 11, 2020, Governor Ducey issued a [state of emergency declaration](#) related to COVID-19, as well as [Executive Order 2020-07](#). Four days later, Governor Ducey and Superintendent of Public Instruction Hoffmann announced a [statewide school closure](#), closing all public schools from March 16, 2020 to March 27, 2020.

### **Provisions**

#### ***If the statewide closure of Arizona public schools is lifted by March 29, 2020:***

1. Requires each public school to continue to pay its employees from March 16, 2020 through March 29, 2020 if an employee is committed to being available to work during the employee's normal work hours. (Sec. 1)
2. Prohibits a public school from requiring any employee to use accrued vacation or sick leave for the duration of the closure. (Sec. 1)
3. States that public schools are not required to extend the number of school days or add additional instructional hours after the statewide closure ends to:
  - a) Make up for the days and hours missed as a result of the statewide closure; and
  - b) Meet the requirements of any law for the number of school days or instructional hours, how many hours a class must meet or how many hours a student must be enrolled for school finance calculations. (Sec. 1)
4. Extends the statewide assessment testing window to May 31, 2020. (Sec. 1)
  - a) States that public schools are encouraged to offer formative assessments. (Sec. 1)
5. Designates a public school's 2019-2020 letter grade as its 2018-2019 letter grade or 2019-2020 letter grade, whichever is higher. (Sec. 1)

#### ***If the statewide closure of Arizona public schools is not lifted by March 29, 2020:***

6. States that public schools are not required to extend the number of school days or add additional instructional hours after the statewide closure ends to:
  - a) Make up for the days and hours missed as a result of the first two weeks of the statewide closure, during which general educational opportunities were not provided; and

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- b) Meet the requirements of any law for the number of school days or instructional hours, how many hours a class must meet or how many hours a student must be enrolled for school finance calculations. (Sec. 1)
7. Stipulates that public schools that offer general educational opportunities or resume physical operations on the date the statewide closure is lifted are deemed to meet any law for the number of school days or instructional hours, how many hours a class must or how many hours a student must be enrolled for school finance calculations for the 2019-2020 school year. (Sec. 1)
8. Requires, beginning March 30, 2020, each public school to offer students general educational opportunities, as determined by the public school, for the duration of the statewide closure. (Sec. 1)
  - a) Stipulates that this requirement is a condition for the public school to receive continued formula funding. (Sec. 1)
  - b) Authorizes the State Board of Education (SBE) and the Arizona Department of Education (ADE) with determining how this requirement is met. (Sec. 1)
9. Directs public schools to continue offering general educational opportunities until the scheduled end of its posted 2019-2020 school year if the statewide closure is not lifted. (Sec. 1)
10. Specifies that if the statewide closure is lifted before the scheduled end of the public school's 2019-2020 posted school year calendar, the public school must either:
  - a) Resume physical operations as usual; or
  - b) Continue offering general educational opportunities. (Sec. 1)
11. Declares that if the statewide closure causes a school district's daily route mileage to be lower in FY 2020 than in FY 2019, the school district's daily route mileage for FY 2020 is the daily route mileage from FY 2019. (Sec. 1)
12. Allows a public school to use its transportation fleet to perform school operations that are deemed to support students and their families during the statewide closure, as determined by the public school. (Sec. 1)
13. Requires each public school to continue to pay all its employees for the duration of the statewide closure, subject to the following:
  - a) Before March 30, 2020, each public school employee must commit to be available to work during the employee's normal work hours;
  - b) If the employee can work remotely, the employee must work remotely beginning March 30, 2020 through the duration of the statewide closure;
  - c) If the employee cannot work remotely, the public school must reassign the employee to other tasks that the employee can perform, and the employee must perform those tasks beginning March 30, 2020 through the duration of the statewide closure; and
  - d) If the public school opts to resume physical operations after the statewide closure is lifted, the employee must resume normal work unless otherwise authorized by the public school. (Sec. 1)
14. Permits public schools to deviate from statutory requirements relating to special education programs during the 2019-2020 school year. (Sec. 1)
  - a) Requires public schools to ensure that each student who has a section 504 plan, or who receives special education services through an individualized education program, has access to educational opportunities. (Sec. 1)

15. Allows public schools to use monies generated during the 2019-2020 school year to provide summer school instruction during Summer 2020 only. (Sec. 1)
16. Cancels the statewide assessment. (Sec. 1)
17. Designates a public school's 2019-2020 letter grade as its 2018-2019 letter grade. (Sec. 1)
18. Exempts third grade students from the requirement that they obtain a passing score on the reading portion of the statewide assessment to be promoted. (Sec. 1)
19. Directs SBE to adopt rules for the high school graduation of public school students for the 2019-2020 school year. (Sec. 1)
  - a) Exempts SBE from statutory rulemaking requirements. (Sec. 1)
20. States that a public school student who takes an online course during June or July 2020 may generate up to 1.25 average daily membership for FY 2021. (Sec. 1)
21. Directs the Auditor General to work with public schools to establish modified timelines for financial and performance data reporting. (Sec. 1)
22. Requires ADE, with the approval of SBE and by April 15, 2020, to apply to the U.S. Department of Education, or other federal agencies, for a waiver of the 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 state of emergency declaration related to COVID-19. (Sec. 1)

**Miscellaneous**

23. Authorizes the Superintendent of Public Instruction, through June 30, 2021 and only with the approval of SBE, to waive any school finance requirement necessary for school finance matters related to the 2019-2020 school year only. (Sec. 2)
24. Defines *public school* as schools operated by a school district, charter schools, the Arizona State Schools for the Deaf and Blind, accommodation schools, county jail or juvenile detention center education programs and career technical education districts. (Sec. 1)
25. Contains a retroactivity clause of March 16, 2020. (Sec. 3)
26. Contains an emergency clause. (Sec. 4)