



**Arizona State Board of Education**  
1700 W. Washington Street Executive Tower, Suite 300  
Phoenix, Arizona 85007  
Phone: (602) 542-5057  
Website: [azsbe.az.gov](http://azsbe.az.gov)



**September 27, 2021**

Below are highlights from the State Board of Education's [September 27<sup>th</sup> meeting](#). You can watch the entire meeting on [YouTube](#).

### **Sex Education Certificates of Compliance**

At the September 27<sup>th</sup> Meeting, the Board updated sex education rules to conform to legislation. R7-2-303(B) requires schools that offer sex education to submit certificates of compliance to the Board.

As the result of changes to the rule and [HB 2035](#), **local education agencies (school districts and charter schools) that offer sex education courses or lessons must submit a certificate of compliance, using the template provided, to the State Board of Education at [inbox@azsbe.az.gov](mailto:inbox@azsbe.az.gov) or 1700 W Washington St, Executive Tower Suite #300, Phoenix, Arizona 85007 by December 15, 2021.**

School districts and charter networks should submit one certificate for all of their schools. For more information, please go to website: <https://azsbe.az.gov/resources/forms-0>.

### **Accountability Updates**

In addition to several rulemaking actions briefly described below, the Board is in full swing implementing legislation and Executive Orders from the year regarding accountability, including developing an academic impact plan to support student success in light of learning disruption (5A) and reporting academic achievement data (5B).

The Board is also required under [HB 2402](#) to identify “below average schools” in lieu of issuing A-F letter grades (5C). To do so, the state needs complete data. Some schools did not submit their CCRI data during the window in the summer. **These schools will have until October 15, 2021 at 5:00 P.M. MST to submit their CCRI data or may be identified as “below average”** at the October Board Meeting. These schools should contact ADE’s Accountability unit at [achieve@azed.gov](mailto:achieve@azed.gov).

The Board may adopt these items as soon as the October 25, 2021 Meeting.

### **Educator Discipline**

[Legislation](#) making changes to educator discipline goes into effect on September 29<sup>th</sup>. The bill subjects noncertificated educators to the same expectations for conduct as certificated educators. For schools, this means the same reporting requirements in place for certificated educators apply to noncertificated educators. More information and guidance is forthcoming. If you have questions, please reach out to the Board at [inbox@azsbe.az.gov](mailto:inbox@azsbe.az.gov) or (602) 542-2298.

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## **Rulemaking Update**

Several rulemaking packages are in the works at the Board. The rules may be reviewed [here](#). Public comments are accepted at [inbox@azsbe.az.gov](mailto:inbox@azsbe.az.gov) or may be provided at a public hearing or Board meeting. Below is a summary of the action the Board took on rules at the September 27<sup>th</sup> Meeting.

The following rules were adopted by the Board:

- *R7-2-303 relating to Sex Education*: [HB 2035](#) prohibits sex education instruction prior to the 5<sup>th</sup> grade and makes similar or identical changes the Board already adopted as the result of Executive Order 2021-11. The rules adopted by the Board prohibit sex education instruction prior to 5<sup>th</sup> grade to conform to HB 2035.
- *R7-2-205, R7-2-607, Article 7 and Article 13 relating to Educator Discipline*: The Board is charged with imposing discipline on certified educators for engaging in immoral or unprofessional conduct. [HB 2023](#) subjects noncertified educators to discipline as well. The bill also made other changes to the educator discipline process. The rules adopted by the Board make the necessary conforming changes as well as amend adjudication processes for efficiency.
- *R7-2-300, R7-2-310 and R7-2-311 relating to Statewide Assessment*: The rules adopted by the Board update antiquated code governing statewide assessments. The rules are largely technical in nature.
- *R7-2-601 and R7-2-607, relating to Certification*: These rules attempt to clarify the required approved areas for certification. The proposed rules also define “teaching experience” as “work experience” in alignment with recent Board action and conform to legislation passed in 2018 regarding substitute teaching.
- *R7-2-615 relating to the Gifted Education Endorsement*: The adopted rules remove a pathway that allows educators to obtain the Gifted Education Endorsement solely through teaching experience and removes requirements for applicants to complete nine semester hours of upper division coursework.
- *Update R7-2-1001, R7-2-1069, R7-2-1070, R7-2-1141, relating to School District Procurement*: [SB 1056](#) was signed by the Governor earlier this year to make changes to school district procurement. The proposed rules conform to these changes regarding water and energy savings measures and services and remove a requirement for qualified providers to cover the costs of a study.

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The following rules were presented to the Board for an update. They may be adopted as soon as the October 25, 2021 Meeting.

- *R7-2-302 Minimum Course of Study:* [SB 1376](#) requires all health education instruction to include mental health instruction. The mental health instruction must meet specific requirements and may be included in a health course or other existing course. Rules were opened to incorporate the mental health instruction requirement into the minimum course of study. Once adopted, more work will begin to ensure appropriate implementation.
- *R7-2-615 relating to a Literacy Endorsement:* [SB 1572](#) requires all certificated teachers who provide literacy instruction in K-5 to obtain a literacy endorsement. As an accompanying policy, the Board is also drafting an Excellent Teacher Pathway; a pathway to obtain the endorsement for teachers obtaining high results with students.
- *R7-2-619 relating to Certification Renewal:* The CAC recommended rules to allow a Nationally Certified School Psychologist Credential to qualify as a pathway for school psychologists to renew their certificate without additional requirements. The credential requires more hours than the standard 15 annual clock hours of continuing education required to renew a certificate.

Finally, the Board opened rules governing the Empowerment Scholarship Account (ESA) Program. The rules will conform to legislative changes and establish an appeals process within the agency. A virtual public hearing will be held on October 21, 2021 at noon.

### **2021 Meeting Schedule**

The Board's 2021 meeting schedule is provided on the Board's [homepage](#). The next Board meeting is scheduled for October 25, 2021.

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