# RESOLUTION OF THE NAABIK'ÍYÁTI' STANDING COMMITTEE 25th NAVAJO NATION COUNCIL -- First Year, 2023

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE AND NAABIK'ÍYÁTI' COMMITTEE; SUPPORTING ARIZONA HOUSE BILL 2800 TITLED "AN ACT AMENDING SECTION 15-189.05. ARIZONA REVISED STATUTES: AMENDING TITLE 15. CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-248.01; AMENDING SECTIONS 15-747 AND 15-903, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-5706; APPROPRIATING MONIES; RELATING TO PUBLIC SCHOOLS."

#### WHEREAS:

- A. The Navajo Nation established the Naabik'íyáti' Committee as a Navajo Nation Council standing committee and as such empowered the Naabik'íyáti' Committee to coordinate all requests for information, appearances and testimony relating to proposed county, state and federal legislation impacting the Navajo Nation. 2 N.N.C. §§ 700(A), 701(A)(6).
- B. The Health Education and Human Services Committee is empowered to recommend and review resolutions relating to education. 2 N.N.C. § 401(B)(6)(a).
- C. The Navajo Nation has a government-to-government relationship with the State of Arizona.
- D. During the First Regular Session of 2023, Arizona State Representative Matt Gress from LD 4 introduced House Bill 2800 to the 56<sup>th</sup> Legislature, the text of which is included in Exhibit A.
- E. The Arizona House Engrossed Summary Sheet for House Bill 2800, attached as Exhibit B, provides, in relevant part, that "each school district and charter school to increase the base salary of all eligible teachers and creates Pay Teachers First Fund."

#### THEREFORE, BE IT RESOLVED:

A. The Navajo Nation hereby supports Arizona House Bill 2800 titled "AN ACT AMENDING SECTION 15-189.05. ARIZONA REVISED STATUTES: AMENDING TITLE 15. CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-248.01; AMENDING SECTIONS 15-747 AND 15-903, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-5706; APPROPRIATING MONIES; RELATING TO PUBLIC SCHOOL," in accordance with Exhibit A.

B. The Navajo Nation hereby authorizes the Speaker of the Navajo Nation Council, President of the Navajo Nation, and their designees, to advocate the Navajo Nation's support of Arizona House Bill 2800.

#### CERTIFICATION

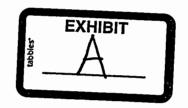
I, hereby certify that the foregoing resolution was duly considered by the Naabik'íyáti' Committee of the 25<sup>th</sup> Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 15 in Favor, and 00 Opposed, on this 24<sup>th</sup> day of August 2023.

Honorable Crystalyne Curley, Chairwoman Naabik'íyáti' Committee

Date

Motion: Honorable Rickie Nez Second: Honorable Brenda Jesus

Chairwoman Crystalyne Curley not voting



House Engrossed

teacher salary increases; public schools

State of Arizona House of Representatives Fifty-sixth Legislature First Regular Session 2023

### **HOUSE BILL 2800**

AN ACT

AMENDING SECTION 15-189.05, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-248.01; AMENDING SECTIONS 15-747 AND 15-903, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 56, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-5706; APPROPRIATING MONIES; RELATING TO PUBLIC SCHOOLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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- C. NOTWITHSTANDING SECTIONS 15-502 AND 15-544, A SCHOOL DISTRICT OR CHARTER SCHOOL MAY NOT REDUCE THE BASE SALARY OF ELIGIBLE TEACHERS WHO ARE OR WILL BE EMPLOYED BY THE SCHOOL DISTRICT OR CHARTER SCHOOL BELOW THE BASE SALARY SCHEDULE REPORTED TO THE DEPARTMENT IN FISCAL YEAR 2024-2025. THIS SUBSECTION DOES NOT RESTRICT A SCHOOL DISTRICT'S OR CHARTER SCHOOL'S AUTHORITY TO ADJUST AN INDIVIDUAL TEACHER'S SALARY IN A MANNER THAT IS CONSISTENT WITH THE APPLICABLE BASE SALARY SCHEDULE, INCLUDING AN ADJUSTMENT FOR ANY CHANGE IN EMPLOYMENT STATUS.
- D. A SCHOOL DISTRICT OR CHARTER SCHOOL IS ELIGIBLE TO RECEIVE MONIES FROM THE PAY TEACHERS FIRST FUND ESTABLISHED BY THIS SECTION IF THE SCHOOL DISTRICT OR CHARTER SCHOOL COMPLIES WITH THE REQUIREMENTS PRESCRIBED IN SECTION 15-747. MONIES DISTRIBUTED FROM THIS FUND MUST BE USED FOR THE SALARY INCREASES FOR ELIGIBLE TEACHERS REQUIRED BY SUBSECTION A OF THIS SECTION. MONIES IN THE FUND MAY BE USED FOR UP TO FIFTY PERCENT OF ASSOCIATED EMPLOYEE-RELATED EXPENSE COST INCREASES.
- E. THE PAY TEACHERS FIRST FUND IS ESTABLISHED CONSISTING OF LEGISLATIVE APPROPRIATIONS. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED AND EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS. THE DEPARTMENT SHALL ADMINISTER THE FUND AND ESTABLISH PROCEDURES FOR DETERMINING WHETHER SCHOOL DISTRICTS AND CHARTER SCHOOLS ARE ELIGIBLE TO RECEIVE MONIES FROM THE FUND. THE DEPARTMENT SHALL ALLOCATE MONIES FROM THE FUND TO EACH ELIGIBLE SCHOOL DISTRICT OR CHARTER SCHOOL AS FOLLOWS:
- 1. IN FISCAL YEAR 2023-2024, \$5,000 PER ELIGIBLE TEACHER AS REPORTED PURSUANT TO SECTIONS 15-189.05 AND 15-903 TO FUND THE INCREASES MADE UNDER SUBSECTION A OF THIS SECTION IN FISCAL YEAR 2023-2024.
- 2. BEGINNING IN FISCAL YEAR 2024-2025 AND EACH FISCAL YEAR THEREAFTER. \$10.000 PER ELIGIBLE TEACHER AS REPORTED PURSUANT TO SECTIONS 15-189.05 AND 15-903 TO FUND THE INCREASES MADE UNDER SUBSECTION A OF THIS SECTION IN FISCAL YEAR 2024-2025.
- F. ON OR BEFORE MAY 30 OF EACH YEAR. THE DEPARTMENT SHALL FURNISH TO THE JOINT LEGISLATIVE BUDGET COMMITTEE AN ESTIMATE OF THE AMOUNT REQUIRED TO FUND THE PAY TEACHERS FIRST FUND ALLOCATIONS PRESCRIBED BY SUBSECTION E OF THIS SECTION FOR THE FOLLOWING FISCAL YEAR.
- G. THE DEPARTMENT SHALL ADD THE AMOUNT ALLOCATED TO EACH SCHOOL DISTRICT AND CHARTER SCHOOL PURSUANT TO SUBSECTION E OF THIS SECTION TO THE BASE SUPPORT LEVEL THAT WOULD OTHERWISE BE COMPUTED FOR THE SCHOOL DISTRICT OR CHARTER SCHOOL FOR EACH FISCAL YEAR PURSUANT TO SECTION 15-943 OR 15-943.02.
  - H. FOR THE PURPOSES OF THIS SECTION:
- 1. "CLASSROOM TEACHING" INCLUDES ANY NONADMINISTRATIVE ACTIVITIES THAT PROVIDE INSTRUCTION TO STUDENTS OR THAT SUPPORT STUDENT ACADEMIC ACHIEVEMENT AS PRESCRIBED BY THE SCHOOL DISTRICT GOVERNING BOARD OR CHARTER SCHOOL GOVERNING BODY.

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- (i) THE AMOUNT ALLOCATED FOR EACH CURRENT AND PROSPECTIVE CAPITAL PROJECT OR FACILITY EXPENSE AND ALL FUNDING SOURCES FOR EACH PROJECT OR EXPENSE.
- 6. (j) Any other information that is necessary for a transparent comparison between schools with respect to their revenues, expenditures, student demographics or academic achievement.
- 3. CONTAINS A COMPREHENSIVE DATABASE OF RECEIPTS AND EXPENDITURES BY EACH SCHOOL DISTRICT AND EACH INDIVIDUAL SCHOOL OPERATED BY A SCHOOL DISTRICT.
- B. THE COMPREHENSIVE DATABASE PRESCRIBED IN SUBSECTION A, PARAGRAPH 3 OF THIS SECTION MUST ALLOW USERS TO:
- 1. SEARCH AND AGGREGATE PAYMENTS BY INDIVIDUAL SCHOOL, CATEGORY OF EXPENSES AND SCHOOL DISTRICT.
- 2. SEARCH AND AGGREGATE PAYMENTS TO INDIVIDUAL VENDORS, INCLUDING THE TOTAL AMOUNT OF FUNDING AWARDED TO INDIVIDUAL VENDORS BY EACH INDIVIDUAL SCHOOL, EACH SCHOOL DISTRICT OR ALL SCHOOL DISTRICTS IN THIS STATE.
  - 3. DOWNLOAD INFORMATION YIELDED BY A SEARCH OF THE DATABASE.
- 4. ACCESS ELECTRONIC VERSIONS OF CONTRACTS THAT RELATE TO EXPENDITURES.
- C. THE COMPREHENSIVE DATABASE PRESCRIBED IN SUBSECTION A, PARAGRAPH 3 OF THIS SECTION SHALL INCLUDE EACH ENTRY INTO THE SCHOOL DISTRICTS' GENERAL LEDGER, INCLUDING RECEIPTS OF REVENUES, EXPENDITURES AND DISBURSEMENTS. THE EXPENDITURE DATA PRESCRIBED IN THIS SUBSECTION SHALL LIST:
- 1. THE MANNER OF PAYMENT, INCLUDING CHECK, WARRANT OR CREDIT, DEBIT OR OTHER PURCHASE CARD.
  - 2. THE FUNDING SOURCE FROM WHICH THE EXPENDITURE IS APPROPRIATED.
- 3. A STANDARDIZED DESCRIPTIVE TITLE OF THE TYPE AND PURPOSE OF THE TRANSACTION.
  - 4. THE DATE AND AMOUNT OF EACH PAYMENT.
  - 5. THE INDIVIDUAL SCHOOL OR SCHOOL DISTRICT MAKING THE PAYMENT.
- 6. THE NAME OF THE PERSON OR ENTITY RECEIVING THE PAYMENT, INCLUDING TO THE EXTENT PRACTICABLE A PARENT ENTITY OF THE RECIPIENT IF THE RECIPIENT IS OWNED BY ANOTHER ENTITY.
- 7. THE PRIMARY LOCATION OF PERFORMANCE UNDER THE CONTRACT. INCLUDING THE COUNTY. CITY OR TOWN AND LEGISLATIVE DISTRICT.
- D. THE COMPREHENSIVE DATABASE PRESCRIBED IN SUBSECTION A. PARAGRAPH 3 OF THIS SECTION MAY NOT INCLUDE:
- 1. PAYEES' ADDRESSES OR TELEPHONE NUMBERS, BUT THE DEPARTMENT MAY ALLOW PUBLIC ACCESS TO THE DATABASE INFORMATION IDENTIFYING THE COUNTY IN WHICH THE PAYEE IS LOCATED.
- 2. WORK PRODUCT IN ANTICIPATION OF LITIGATION OR INFORMATION SUBJECT TO ATTORNEY-CLIENT PRIVILEGE.

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42 43 Sec. 4. Section 15-903, Arizona Revised Statutes, is amended to read:

#### 15-903. Budget format: prohibited expenditures: annual report

- A. The superintendent of public instruction in conjunction with the auditor general shall prepare and prescribe a budget format to be  $\frac{\text{utilized}}{\text{USED}}$  by all school districts.
- B. The budget format shall be designed to allow all school districts to plan and provide in detail for the use of USING available funds MONIES. The budget format shall contain distinct sections for, but need not be limited to, maintenance and operation, debt service, special projects, capital outlay, adjacent ways and classroom site fund. The maintenance and operation section shall include, but need not be limited to, separate subsections for regular education programs, special education programs and operational expenditures for pupil transportation. Each subsection shall clearly distinguish classroom instruction expenditures. The special education program subsection shall include a subtotal for the disability classifications as defined in section 15-761 and programs for vocational and technical education, remedial education and gifted. bilingual students. The total expenditures for each of these programs shall be included on the budget form. The pupil transportation subsection shall include all operational expenditures relating to the transportation of TRANSPORTING pupils, including all operational expenditures within a contract if the school district contracts for pupil transportation.
- C. The capital outlay section of the budget shall include a subsection for unrestricted capital outlay. The unrestricted capital outlay subsection shall include budgeted expenditures for acquisitions by purchase, lease-purchase or lease of capital items as defined in the uniform system of financial records and shall include:
- 1. Land, buildings and improvements to land and buildings, including labor and related employee benefits costs and material costs if work is performed by school district employees.
- 2. Furniture, furnishings, athletic equipment and other equipment, including computer software.
- 3. Pupil and nonpupil transportation vehicles and equipment, including all capital expenditures within a contract if the school district contracts for pupil transportation.
- 4. Textbooks and related printed subject matter materials adopted by the governing board.
  - 5. Instructional aids.
  - 6. Library books.
  - 7. Payment of principal and interest on bonds.
- 8. School district administration emergency needs that are directly related to pupils.

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- 8. THE SALARY SCHEDULE OR SCHEDULES FOR ELIGIBLE TEACHERS AS DEFINED IN SECTION 15-248.01 WHO ARE EMPLOYED BY THE SCHOOL DISTRICT FOR THE CURRENT YEAR.
- F. The special projects section shall include budgeted expenditures for state special projects, including special adult projects, career education, deficiencies correction fund projects and new school facilities fund projects, such federal special projects as ESEA title programs, vocational education and title IV Indian education, and other special projects.
- G. A school district shall not make expenditures for campaign literature associated with school district or charter school officials. If the superintendent of public instruction determines that a school district has violated this subsection, the superintendent of public instruction may withhold any portion of the school district's apportionment of state aid.
- H. The budget format shall include an electronic format that shall be submitted for each proposed, adopted and revised budget.
- I. On or before November 30 of each year, the department of education shall electronically submit to the joint legislative budget committee and the governor's office of strategic planning and budgeting a report that compiles the information required by subsection E, paragraphs 3 through  $\frac{6}{5}$  8 of this section for all school districts statewide.
- Sec. 5. Title 41, chapter 56, article 1, Arizona Revised Statutes, is amended by adding section 41-5706, to read:

## 41-5706. School districts; facilities master plans; requirements

- A. BEGINNING JULY 1, 2025, EACH SCHOOL DISTRICT GOVERNING BOARD SHALL DEVELOP AND ADOPT A LONG-TERM FACILITIES MASTER PLAN THAT INCLUDES THE FOLLOWING COMPONENTS FOR THE TWENTY-YEAR PERIOD FOLLOWING THE YEAR IN WHICH THE PLAN IS ADOPTED:
- 1. A PROFESSIONAL ASSESSMENT ANALYZING THE ACADEMIC FACILITY CONDITIONS. INCLUDING BUILDING CONDITIONS. SITE FEATURES. MAINTENANCE ISSUES. FUNCTIONALITY AND UTILITIES.
- 2. PROJECTED CAPITAL FACILITY IMPROVEMENTS, RENOVATIONS, REPAIRS AND REPLACEMENTS. INCLUDING THE PRIORITY LEVEL THAT THE SCHOOL DISTRICT GOVERNING BOARD ASSIGNS TO EACH PROJECT.
- 3. THE ROUTINE PREVENTIVE MAINTENANCE GUIDELINES DEVELOPED BY THE SCHOOL DISTRICT PURSUANT TO SECTION 41-5702 AND PREVENTIVE MAINTENANCE PLAN REQUIRED BY SECTION 41-5731.
- 4. THE CAPITAL PLAN AND ENROLLMENT PROJECTIONS DEVELOPED PURSUANT TO SECTION 41-5741. AS UPDATED IN THE YEAR IN WHICH THE LONG-TERM FACILITIES MASTER PLAN IS ADOPTED OR UPDATED.
- 5. OPTIONS FOR ADDRESSING ANY IDENTIFIED DEFICIENCY, INCLUDING EACH DEFICIENCY THAT IS IDENTIFIED BY THE ASSESSMENT CONDUCTED PURSUANT TO PARAGRAPH 1 OF THIS SUBSECTION.

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- B. The sum of \$2,000,000 and 14 FTE positions are appropriated from the state general fund in fiscal year 2023-2024 to the division of school facilities within the department of administration for inspecting school facilities and reviewing the long-term facilities master plans and short-term facilities master plans required by section 41-5706, Arizona Revised Statutes, as added by this act.
- C. The following sums are appropriated from the state general fund in fiscal year 2023-2024 to the department of education:
- 1. \$5,000,000 to develop and maintain the online transparency portal prescribed by section 15-747, Arizona Revised Statutes, as amended by this act.
- 2. \$10,000,000 to hire a third-party contractor to audit the administrative and operational efficiency of school districts in this state. The department of education shall post the audit reports on the online transparency portal prescribed by section 15-747. Arizona Revised Statutes, as amended by this act.
- D. The sum of \$2,000,000 is appropriated from the state general fund in fiscal year 2023-2024 to the state board for charter schools to conduct financial reviews and inspections of charter schools.
- E. The appropriations made in subsection A of this section are exempt from the provisions of section 35-190. Arizona Revised Statutes. relating to lapsing of appropriations.
- F. The legislature intends that the appropriation made in subsection A, paragraph 2 of this section be considered ongoing funding in future years.

#### Sec. 8. Conditional enactment

This act does not become effective unless House Bill 2533, fifty-sixth legislature, first regular session, relating to classroom instruction, becomes law.

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#### **ARIZONA HOUSE OF REPRESENTATIVES**

Fifty-sixth Legislature First Regular Session

House: APPROP DP 10-5-0-0

HB 2800: teacher salary increases; public schools
Sponsor: Representative Gress, LD 4
House Engrossed

#### **Overview**

Mandates each school district and charter school increase the base salary of all eligible teachers and creates the Pay Teachers First Fund. Expands the school level data that must be included in the School Online Transparency Portal. Directs each school district to establish a long-term and short-term facilities master plan. Makes multiple appropriations from the state General Fund (GF) for outlined purposes.

#### **History**

A school district's and charter school's budget must contain the average teacher salary for the current and previous years, as well as the dollar and percentage increase in the current year average teacher salary. This information must be prominently posted on the school district's or charter school's website home page. The Arizona Department of Education (ADE) must annually compile this average teacher salary information and submit it to specified entities (A.R.S. §§ 15-189.05, 15-903).

The Arizona Department of Administration (ADOA) must contract with a third party to develop a school financial transparency portal that includes school level data for charter schools, school districts and district schools, such as: 1) weighted student count revenues; 2) federal, state and local revenues; 3) allocation of Classroom Site Fund monies; 4) amounts allocated for teacher pay and benefits, classroom supplies, student support and other expenditures; 5) a comparison of the funding information for each school in the same local education agency; and 6) any other information necessary. ADE and the Arizona State Board for Charter Schools (ASBCS) must provide any necessary data or financial information requested for the portal (A.R.S. § 15-747).

A school district must develop routine preventive maintenance guidelines for its facilities and submit these guidelines to the Division of School Facilities (Division). The Division uses these guidelines to determine if a facility was inadequately maintained (A.R.S. § 41-5702). Additionally, to be eligible to receive Building Renewal Grant (BRG) Fund monies, a school district must submit a preventive maintenance plan to the Division (A.R.S. § 41-5731).

A school district governing board (governing board) must annually update a capital plan that includes enrollment projections for schools. This capital plan is used by the School Facilities Oversight Board to determine if the school district requires capital funding from the New School Facilities (NSF) Fund (A.R.S. § 41-5741).

#### **Provisions**

#### Teacher Salary Increases

- Requires each school district and charter school, regardless of whether it receives Pay Teachers
  First Fund monies, to revise its salary schedules to increase the base salary of all eligible
  teachers who are or will be employed by:
  - a) \$5,000 above the FY 2023 base salary in FY 2024; and

b)	\$10,000 above t	the FY 202	3 base salar	y in F	Y 2025.	(Sec. 2)

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note
			HB 2800

Initials CH Page 1 House Engrossed

#### School District and Charter School Budgets

- 19. Includes in each school district's and charter school's budget:
  - a) the salary schedule for eligible teachers employed for the current year; and
  - b) a statement identifying the number of eligible teachers employed for the current year. (Sec. 1, 4)
- 20. Requires the FY 2024 budgets of school districts and charter schools to include:
  - a) the salary schedules for all eligible teachers for the current fiscal year without the required teacher salary increases; and
  - b) the revised salary schedules for eligible teachers for the current fiscal year with the required teacher salary increases. (Sec. 6)
- 21. Mandates school districts and charter schools include in total compensation statements:
  - a) in FY 2024, a statement notifying eligible teachers that the Legislature provided them a \$5,000 base salary increase; and
  - b) in FY 2025, a statement notifying eligible teachers that the Legislature provided them an additional \$5,000 year-over-year base salary increase, for a combined total of \$10,000 base salary increases since FY 2023. (Sec. 6)

#### School Online Transparency Portal

- 22. Renames the School Financial Transparency Portal to the School Online Transparency Portal (Portal). (Sec. 3)
- 23. Transfers the Portal from ADOA to ADE. (Sec. 3)
- 24. Requires the Portal to be electronically searchable by the public at no cost. (Sec. 3)
- 25. Expands the school level data that must be contained in the Portal to include:
  - a) the number of full-time equivalent (FTE) positions at each individual school, disaggregated by position type;
  - b) the average salary and salary range for each type of FTE position reported at each individual school;
  - c) links to each school district's or charter school's proposed, adopted and revised budgets as outlined; and
  - d) the amount allocated for each current and prospective capital project or facility expense and all funding sources. (Sec. 3)
- 26. Adds that the Portal must contain a comprehensive database of receipts and expenditures by each school and district school that allows users to:
  - a) search and aggregate payments by individual school, expense categoy and school district;
  - b) search and aggregate payments to individual vendors as specified;
  - c) download information yielded by a database search; and
  - d) access electronic versions of contracts that relate to expenditures. (Sec. 3)
- 27. Mandates the comprehensive database include each entry into the school district's general ledger, including receipts of revenues, expenditures and disbursements. (Sec. 3)
- 28. Specifies the expenditure data included in the comprehensive database must list:
  - a) the manner of payment;
  - b) the funding source from which the expenditure is appropriated;
  - c) a standardized descriptive title of the type and purpose of the transaction;
  - d) the data and amount of each payment;
  - e) the individual school or school district making the payment;
  - f) the name of the person or entity receiving the payment; and
  - g) the primary location of performance under the contract. (Sec. 3)

#### **NAVAJO NATION**

#### Naabik'iyati' Committee Regular Meeting

8/24/2023 01:09:51 PM

Amd# to Amd#

New Business: CONSENT AGENDA

**PASSED** 

MOT Nez, R

(5) Legislations: 0199-23,

SEC Jesus, B

0201-23, 0205-23, 0154-23

0152-23

Yeas: 15

Nays: 0

Excused: 5

Not Voting: 3

Yea: 15

Arviso, S Aseret, L Begay, H

Crotty, A Daniels, H Johnson, C Nez, R Notah, N Parrish, S

Slater, C Tolth, G Yanito, C

Begay, N

Nez, A

Simpson, D

Nay: 0

Excused: 5

Charles-Newton, E

Jesus, B

Simonson, G

Yazzie, C

Not Voting: 3

Tso, O

Claw, S

James, V

Damon, S

Presiding Speaker: Curley, C