REFERENCE TITLE: office of Indian education; assistance

State of Arizona
Senate
Fifty-fourth Legislature
First Regular Session
2019

SB 1270

Introduced by
Senators Peshlakai: Alston, Bradley, Contreras, Dalessandro, Gonzales,
Mendez, Navarrete, Otundo, Quezada, Rios, Steele; Representatives
Jermaine, Teller, Tsosie

AN ACT

AMENDING SECTIONS 5-572 AND 15-244, ARIZONA REVISED STATUTES; RELATING TO
THE DEPARTMENT OF EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)
SB 1270

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

Section 1. Section 5-572, Arizona Revised Statutes, is amended to read:

5-572. Use of monies in state lottery fund; report

A. If there are any bonds or bond related obligations payable from the state lottery revenue bond debt service fund, the state lottery revenue bond debt service fund shall be secured by a first lien on the monies in the state lottery fund after the payment of operating costs of the lottery, as prescribed in section 5-555, subsection A, paragraph 1, until the state lottery bond debt service fund contains sufficient monies to meet all the requirements for the current period as required by the bond documents. Debt service for revenue bonds issued pursuant to this chapter shall be paid first from monies that would have otherwise been deposited pursuant to this section in the state general fund. After the requirements for the current period have been satisfied as required by the bond documents, the monies in the state lottery fund shall be expended for the expenses of the commission incurred in carrying out its powers and duties and in the operation of the lottery.

B. Of the monies remaining in the state lottery fund each fiscal year after appropriations and deposits authorized in subsection A of this section, ten million dollars $10,000,000 shall be deposited in the Arizona game and fish commission heritage fund established by section 17-297.

C. Of the monies remaining in the state lottery fund each fiscal year after appropriations and deposits authorized in subsections A and B of this section, five million dollars $5,000,000 shall be allocated to the department of child safety for the healthy families program established by section 8-481, four million dollars $4,000,000 shall be allocated to the Arizona board of regents for the Arizona area health education system established by section 15-1643, three million dollars $3,000,000 shall be allocated to the department of health services to fund the teenage pregnancy prevention programs established in BY Laws 1995, chapter 190, sections 2 and 3, two million dollars $2,000,000 shall be allocated to the department of health services for the health start program established by section 36-697, two million dollars $2,000,000 shall be deposited in the disease control research fund established by section 36-274 and one million dollars $1,000,000 shall be allocated to the department of health services for the federal women, infants and children food program. The allocations in this subsection shall be adjusted annually according to changes in the GDP price deflator as defined in section 41-563, and the allocations are exempt from the provisions of section 35-190 relating to lapsing of appropriations. If there are not sufficient monies available pursuant to this subsection, the allocation of monies for each program shall be reduced on a pro rata basis.
D. If the state lottery director determines that monies available to the state general fund may not equal \textit{eighty-four million one hundred fifty-thousand dollars} $84,150,000 in a fiscal year, the director shall not authorize deposits to the Arizona game and fish commission heritage fund pursuant to subsection B of this section until the deposits to the state general fund equal \textit{eighty-four million one hundred fifty-thousand dollars} $84,150,000 in a fiscal year.

E. Of the monies remaining in the state lottery fund each fiscal year after appropriations and deposits authorized in subsections A through D of this section, \textit{one million dollars} $1,000,000 or the remaining balance in the fund, whichever is less, is appropriated to the department of economic security for grants to nonprofit organizations, including \textit{faith based} FAITH-BASED organizations, for homeless emergency and transitional shelters and related support services. The department of economic security shall submit a report on the amounts, recipients, purposes and results of each grant to the governor, the speaker of the house of representatives and the president of the senate on or before December 31 of each year for the prior fiscal year and shall provide a copy of this report to the secretary of state.

F. Of the monies remaining in the state lottery fund each fiscal year after appropriations and deposits authorized in subsections A through E of this section, and after a total of at least \textit{ninety-nine million six hundred forty-thousand dollars} $99,640,000 has been deposited in the state general fund, \textit{three million five hundred thousand dollars} $3,500,000 shall be deposited in the Arizona competes fund established by section 41-1545.01. The balance in the state lottery fund remaining after deposits into the Arizona competes fund shall be deposited in the university capital improvement lease-to-own and bond fund established by section 15-1682.03, up to a maximum of eighty percent of the total annual payments of lease-to-own and bond agreements entered into by the Arizona board of regents.

G. OF THE MONIES REMAINING IN THE STATE LOTTERY FUND EACH FISCAL YEAR AFTER APPROPRIATIONS AND DEPOSITS AUTHORIZED IN SUBSECTIONS A THROUGH F OF THIS SECTION, $1,000,000 OR THE REMAINING BALANCE IN THE FUND, WHICHEVER IS LESS, IS APPROPRIATED TO THE DEPARTMENT OF EDUCATION TO FUND THE OFFICE OF INDIAN EDUCATION. THE DEPARTMENT SHALL USE A PORTION OF THESE MONIES TO HIRE AND PROVIDE SALARIES TO AT LEAST FIVE FULL-TIME EQUIVALENT EMPLOYEES WHO ARE ASSIGNED TO THE OFFICE OF INDIAN EDUCATION.

H. All monies remaining in the state lottery fund after the appropriations and deposits authorized in this section shall be deposited in the state general fund.

I. Except for monies expended for debt service of revenue bonds as provided in subsection A of this section, monies expended under subsection A of this section are subject to legislative appropriation.
I. J. The commission shall transfer monies prescribed in this
section on a quarterly basis.

Sec. 2. Section 15-244, Arizona Revised Statutes, is amended to
read:

15-244. Office of Indian education; reporting requirements;
definition

A. The office of Indian education is established in the department
of education. The superintendent of public instruction shall hire
appropriate personnel for the office.

B. The office of Indian education shall:

1. In collaboration with Indian nations, provide technical
assistance to schools and Indian nations to meet the educational needs of
native American pupils, INCLUDING THE FOLLOWING: —

(a) PROFESSIONAL DEVELOPMENT.
(b) DATA LITERACY.
(c) TEACHER RECRUITMENT AND RETENTION.
(d) NATIVE LANGUAGE DEVELOPMENT.
(e) FISCAL MANAGEMENT, INCLUDING THE MOST EFFICIENT USE OF
AVAILABLE MONIES.
(f) FAMILY ENGAGEMENT.
(g) THE INCORPORATION OF NATIVE AMERICAN CULTURE INTO THE
CURRICULA.

2. Provide technical assistance to schools and Indian nations in
the planning, development, implementation and evaluation of curricula that
are culturally relevant and aligned to state standards.

3. Provide technical assistance to schools and Indian nations to
develop culturally appropriate curricula and instructional materials.

4. Establish an Indian education advisory council in the department
of education that shall include at least parents who are not
certificated teachers.

5. Encourage and foster parental involvement in the education of
EDUCATING native American pupils.

C. At least once each year, representatives from all Indian
nations, members of the state board of EDUCATION, the governor's office,
the governor's office on tribal relations, the intertribal INTER TRIBAL
council of Arizona, the legislature, the superintendent of public
instruction and the Indian education advisory council shall meet to assist
in evaluating, consolidating and coordinating all activities relating to
the education of EDUCATING native American pupils.

D. Based on data submitted pursuant to subsection E of this
section, the office of Indian education, in collaboration with entities
that serve native American pupils, shall submit an annual statewide native
American education status report to all Indian nations in this state. The
division shall provide a copy of this report to the secretary of state.
E. A school district with tribal lands located within its boundaries shall provide a district-wide native American education status report to all Indian nations represented within the school district boundaries and to the department of education.

F. The status reports prescribed in subsections D and E of this section shall be written in a brief format and shall include the following information, through which public school performance is measured and reported to the Indian nations:

1. Student achievement as measured by a statewide test approved by the state board of education, with results disaggregated by ethnicity.
2. School safety.
3. The dropout rate.
4. Attendance.
5. Parent and community involvement.
6. Educational programs that target native American pupils.
7. Financial reports.
8. The current status of federal Indian education policies and procedures.
9. School district initiatives to decrease the number of student dropouts and increase attendance.
11. School district consultations with parent advisory committees.

G. The state board of education, in consultation with the Indian nations in this state, may adopt rules to implement this section.

H. For the purposes of this section, "Indian nations" means an Indian nation, tribe or pueblo that is located in this state.