



**ARIZONA STATE SENATE**  
*Fifty-Fifth Legislature, First Regular Session*

**AMENDED**

FACT SHEET FOR H.B. 2863

ASDB; revisions

(NOW: ASDB; local education agencies)

Purpose

Designates the campuses of the Arizona State Schools for the Deaf and the Blind (ASDB) as local education agencies for outlined purposes.

Background

ASDB was established in 1912 and currently serves over 2,000 children who are blind, visually impaired, deaf, hard of hearing or deafblind from birth through grade 12. Currently, the ASDB operates two schools for the deaf, one school for the blind and a statewide birth-to-three early childhood and family education program including five regional cooperatives ([ASDB](#)).

Statute recognizes ASDB schools as institutions for educational purposes and optional resources to school districts, state institutions and other approved educational programs. ASDB schools provide resource services including: 1) assessments; 2) special curriculum; 3) equipment and materials; 4) supplemental related services; 5) special short-term programs including planning and staff development; 6) information services for parents, families and the public; and 7) research and development to promote improved programs and services ([A.R.S. § 15-1302](#)).

A student is admitted to ASDB after evaluation and consideration provided under the direction of the chief administrative official of the school district or accommodation school within the boundaries of which the child resides or a designated person who is responsible for special education, after consultation with the child's parent. A placement and evaluation team, that includes a child's parent or legal guardian, an administrator from the school district in which the child resides, a certified teacher, an evaluator and a school representative, determines the appropriate educational placement for the child based on the development of an individualized education program ([A.R.S. § 15-1342](#)). An Arizona resident between 3 and 21 years old can attend ASDB without charge if they have a sensory impairment that prevents them from being appropriately educated in their school district of residence ([A.R.S. § 15-1343](#)).

A *local educational agency* is a public board of education or other public authority that provides administrative control, direction or performs a service function for public elementary schools or secondary schools in a city, county, school district or other political subdivision ([34 U.S.C. § 303.23](#)).

There is no anticipated fiscal impact on the state General Fund associated with this legislation.

Provisions

1. Deems the ASDB campuses as local education agencies for the following purposes:
  - a) federal education funding received by Arizona;
  - b) state and federal accountability, including reporting requirements;
  - c) procedural safeguards and complaint procedures according to federal law regulating state assistance for educating children with disabilities; and
  - d) graduation criteria and procedures, including diplomas and transcripts.
2. Deems the ASDB in the 2021 school year is a district of responsibility and local education agency for pupils served through a campus-based model.
3. Requires the ASDB in the 2021 school year to:
  - a) provide a free and appropriate public education;
  - b) award diplomas and submit data for federal and state accountability purposes; and
  - c) invite a school district or charter school representative, if a pupil plans to move, to participate in an individualized education program (IEP) team meeting if convened, to determine a pupil's placement status.
4. Requires a school district or charter school in the 2021 school year, where a pupil previously attended or intends to attend, to enroll the pupil if an IEP determines the ASDB is no longer the least restrictive environment.
5. Includes a legislative intent clause.
6. Changes the chapter heading from *Arizona State School for the Deaf and the Blind* to *Arizona State Schools for the Deaf and the Blind*.
7. Becomes effective on the general effective date.

Amendments Adopted by Committee

1. Deems in the 2021 school year, the ASDB is a district of responsibility and local education agency for pupils served through a campus-based model.
2. Requires the ASDB to provide a free and appropriate public education, award diplomas and submit data for federal and state accountability purposes.
3. Directs a school district or charter school to enroll a pupil if an IEP determination is made that the ASDB is no longer the least restrictive environment.
4. Requires the ASDB to invite a school district or charter school representative to a meeting of a pupil's IEP team to determine a pupil's placement status.

House Action

Senate Action

ED	2/16/21	DPA/SE	10-0-0-0	ED	3/23/21	DPA	7-0-1
3 <sup>rd</sup> Read	2/23/21		59-0-1				