

House Engrossed
CTEDS; revisions

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

HOUSE BILL 2027

AN ACT

AMENDING SECTION 15-393, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2021, CHAPTER 252, SECTION 1 AND CHAPTER 404, SECTION 14; REPEALING SECTION 15-393, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2021, CHAPTER 252, SECTION 1 AND CHAPTER 416, SECTION 2; AMENDING SECTION 15-393.01, ARIZONA REVISED STATUTES; RELATING TO CAREER TECHNICAL EDUCATION DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-393, Arizona Revised Statutes, as amended by
3 Laws 2021, chapter 252, section 1 and chapter 404, section 14, is amended
4 to read:

5 15-393. Career technical education district governing board;
6 report; definitions

7 A. The management and control of a career technical education
8 district are vested in the career technical education district governing
9 board, including the content and quality of the courses offered by the
10 district, the quality of teachers who provide instruction on behalf of the
11 district, the salaries of teachers who provide instruction on behalf of
12 the district and the reimbursement of other entities for the facilities
13 used by the district. This section does not restrict a school district
14 from offering any career and technical education course that does not
15 qualify for funding as a career technical education course or career
16 technical education district program. Unless the governing boards of the
17 school districts participating in the formation of the career technical
18 education district vote to implement an alternative election system as
19 provided in subsection B of this section, the career technical education
20 board consists of five members elected from five single member districts
21 formed within the career technical education district. The single member
22 district election system shall be submitted as part of the plan for the
23 career technical education district pursuant to section 15-392 and shall
24 be established in the plan as follows:

25 1. The governing boards of the school districts participating in
26 the formation of the career technical education district shall define the
27 boundaries of the single member districts so that the single member
28 districts are as nearly equal in population as is practicable, except that
29 if the career technical education district lies in part in each of two or
30 more counties, at least one single member district may be entirely within
31 each of the counties comprising the career technical education district if
32 this district design is consistent with the obligation to equalize the
33 population among single member districts.

34 2. The boundaries of each single member district shall follow
35 election precinct boundary lines, as far as practicable, in order to avoid
36 further segmentation of the precincts.

37 3. A person who is a registered voter of this state and who has
38 been a resident of the single member district for at least one year
39 immediately preceding the date of the election is eligible for election to
40 the office of career technical education board member from the single
41 member district. The terms of office of the members of the career
42 technical education board shall be as prescribed in section 15-427,
43 subsection B. An employee of a career technical education district or the
44 spouse of an employee shall not hold membership on a governing board of a
45 career technical education district by which the employee is employed. A

1 member of one school district governing board or career technical
2 education district governing board is ineligible to be a candidate for
3 nomination or election to or serve simultaneously as a member of any other
4 governing board, except that a member of a governing board may be a
5 candidate for nomination or election for any other governing board if the
6 member is serving in the last year of a term of office. A member of a
7 governing board shall resign the member's seat on the governing board
8 before becoming a candidate for nomination or election to the governing
9 board of any other school district or career technical education district,
10 unless the member of the governing board is serving in the last year of a
11 term of office. Members of a career technical education district
12 governing board are subject to the conflict of interest requirements
13 prescribed in section 38-503.

14 4. Nominating petitions shall be signed by the number of qualified
15 electors of the single member district as provided in section 16-322.

16 B. The governing boards of the school districts participating in
17 the formation of the career technical education district may vote to
18 implement any other alternative election system for the election of career
19 technical education district board members. If an alternative election
20 system is selected, it shall be submitted as part of the plan for the
21 career technical education district pursuant to section 15-392, and the
22 implementation of the system shall be as approved by the United States
23 justice department.

24 C. Career technical education districts are subject to the
25 following provisions of this title:

- 26 1. Chapter 1, articles 1 through 6.
- 27 2. Sections 15-208, 15-210, 15-213 and 15-234.
- 28 3. Articles 2, 3 and 5 of this chapter.
- 29 4. Section 15-361.
- 30 5. Chapter 4, articles 1, 2 and 5.
- 31 6. Chapter 5, articles 1 and 3.
- 32 7. Sections 15-701.01, 15-722, 15-723, 15-724, 15-727, 15-728,
33 15-729 and 15-730.
- 34 8. Chapter 7, article 5.
- 35 9. Chapter 8, articles 1, 3 and 4.
- 36 10. Sections 15-828 and 15-829.
- 37 11. Chapter 9, article 1, article 6, except for section 15-995, and
38 article 7.
- 39 12. Sections 15-941, 15-943.01, 15-952, 15-953 and 15-973.
- 40 13. Sections 15-1101 and 15-1104.
- 41 14. Chapter 10, articles 2, 3, 4 and 8.

1 D. Notwithstanding subsection C of this section, the following
2 apply to a career technical education district:

3 1. A career technical education district may issue bonds for the
4 purposes specified in section 15-1021 and in chapter 4, article 5 of this
5 title to an amount in the aggregate, including the existing indebtedness,
6 not exceeding one percent of the net assessed value of the full cash value
7 of the property within the career technical education district. For the
8 purposes of this paragraph, "full cash value" and "net assessed value"
9 have the same meanings prescribed in section 42-11001.

10 2. The number of governing board members for a career technical
11 education district shall be as prescribed in subsection A of this section.

12 3. The student count for the first year of operation of a career
13 technical education district as provided in this article shall be
14 determined as follows:

15 (a) Determine the estimated student count for career technical
16 education district classes that will operate in the first year of
17 operation. This estimate shall be based on actual registration of pupils
18 as of March 30 scheduled to attend classes that will be operated by the
19 career technical education district. The student count for the school
20 district of residence of the pupils registered at the career technical
21 education district shall be adjusted. The adjustment shall cause the
22 school district of residence to reduce the student count for the pupil to
23 reflect the courses to be taken at the career technical education
24 district. The school district of residence shall review and approve the
25 adjustment of its own student count as provided in this subdivision before
26 the pupils from the school district can be added to the student count of
27 the career technical education district.

28 (b) The student count for the new career technical education
29 district shall be the student count as determined in subdivision (a) of
30 this paragraph.

31 (c) For the first year of operation, the career technical education
32 district shall revise the student count to the actual average daily
33 membership as prescribed in section 15-901, subsection A, paragraph 1 for
34 students attending classes in the career technical education district. A
35 career technical education district shall revise its student count, the
36 base support level as provided in section 15-943.02, the revenue control
37 limit as provided in section 15-944.01 and the district additional
38 assistance as provided in section 15-962.01 before May 15. A career
39 technical education district that overestimated its student count shall
40 revise its budget before May 15. A career technical education district
41 that underestimated its student count may revise its budget before May 15.

42 (d) After March 15 of the first year of operation, the school
43 district of residence shall adjust its student count by reducing it to
44 reflect the courses actually taken at the career technical education
45 district. The school district of residence shall revise its student

1 count, the base support level as provided in section 15-943, the revenue
2 control limit as provided in section 15-944 and the district additional
3 assistance as provided in section 15-962.01 prior to May 15. A district
4 that underestimated the student count for students attending the career
5 technical education district shall revise its budget before May 15. A
6 district that overestimated the student count for students attending the
7 career technical education district may revise its budget before May 15.

8 (e) The procedures for implementing this paragraph shall be as
9 prescribed in the uniform system of financial records.

10 For the purposes of this paragraph, "school district of residence" means
11 the school district that included the pupil in its average daily
12 membership for the year before the first year of operation of the career
13 technical education district and that would have included the pupil in its
14 student count for the purposes of computing its base support level for the
15 fiscal year of the first year of operation of the career technical
16 education district if the pupil had not enrolled in the career technical
17 education district.

18 4. A student includes any person enrolled in the career technical
19 education district without regard to the person's age or high school
20 graduation status, except that:

21 (a) A student in a kindergarten program or in any of grades one
22 through eight who enrolls in courses offered by the career technical
23 education district shall not be included in the career technical education
24 district's student count or average daily membership.

25 (b) A student in a kindergarten program or in any of grades one
26 through eight who is enrolled in career and technical education courses
27 shall not be funded in whole or in part with monies provided by a career
28 technical education district, except that a pupil in grade eight may be
29 funded with monies generated by the \$.05 qualifying tax rate authorized in
30 subsection F of this section.

31 (c) A student who has graduated from high school or received a
32 general equivalency diploma or who is over twenty-one years of age shall
33 not be included in the student count of the career technical education
34 district for the purposes of chapter 9, articles 3, 4 and 5 of this title.

35 5. A career technical education district may operate for more than
36 one hundred eighty days per year, **OR LESS**, with ~~expanded hours of service~~
37 **THE EQUIVALENT NUMBER OF HOURS OF INSTRUCTION**.

38 6. A career technical education district may use the carryforward
39 provisions of section 15-943.01.

40 7. A school district that is part of a career technical education
41 district shall use any monies received pursuant to this article to
42 supplement and not supplant base year career and technical education
43 courses, and directly related equipment and facilities, except that a
44 school district that is part of a career technical education district and
45 that has used monies received pursuant to this article to supplant career

1 and technical education courses that were offered before the first year
2 that the school district participated in the career technical education
3 district or the first year that the school district used monies received
4 pursuant to this article or that used the monies for purposes other than
5 for career and technical education courses shall use one hundred percent
6 of the monies received pursuant to this article to supplement and not
7 supplant base year career and technical education courses. Each
8 applicable school district shall provide a report to the career technical
9 education board and the department of education outlining the required
10 maintenance of effort and how monies were used to supplement and not
11 supplant base year career and technical education courses and directly
12 related equipment and facilities.

13 8. A career technical education district shall use any monies
14 received pursuant to this article to enhance and not supplant career and
15 technical education courses and directly related equipment and facilities.

16 9. A career technical education district or a school district that
17 is part of a career technical education district or a charter school shall
18 only include pupils in grades nine through twelve and pupils in the school
19 year immediately following graduation in the calculation of student count
20 or average daily membership if the pupils are enrolled in courses that are
21 approved jointly by the governing board of the career technical education
22 district and each participating school district or charter school for
23 satellite courses taught within the participating school district or
24 charter school, or approved solely by the career technical education
25 district for centrally located courses. Funding may be provided for not
26 more than four years for the same student. Student count and average
27 daily membership from courses that are not part of an approved program for
28 career and technical education shall not be included in student count and
29 average daily membership of a career technical education district.

30 E. The career technical education board shall appoint a
31 superintendent as the executive officer of the career technical education
32 district.

33 F. Taxes may be levied for the support of the career technical
34 education district as prescribed in chapter 9, article 6 of this title,
35 except that a career technical education district shall not levy a
36 property tax pursuant to law that exceeds \$.05 per \$100 assessed valuation
37 except for bond monies pursuant to subsection D, paragraph 1 of this
38 section. Except for the taxes levied pursuant to section 15-994, such
39 taxes shall be obtained from a levy of taxes on the taxable property used
40 for secondary tax purposes.

41 G. The schools in the career technical education district are
42 available to all persons who reside in the career technical education
43 district and to pupils whose school district of residence within this
44 state is paying tuition on behalf of the pupils to a district of
45 attendance that is a member of the career technical education district,

1 subject to the rules for admission prescribed by the career technical
2 education board.

3 H. The career technical education board may collect tuition for
4 adult students and the attendance of pupils who are residents of school
5 districts that are not participating in the career technical education
6 district pursuant to arrangements made between the governing board of the
7 school district and the career technical education board.

8 I. The career technical education board may accept gifts, grants,
9 federal monies, tuition and other allocations of monies to erect, repair
10 and equip buildings and for the cost of operating the schools of the
11 career technical education district.

12 J. One member of the career technical education board shall be
13 selected chairman. The chairman shall be selected annually on a rotation
14 basis from among the participating school districts. The chairman of the
15 career technical education board shall be a voting member.

16 K. A career technical education board and a community college
17 district may enter into agreements to provide for administrative,
18 operational and educational services and facilities.

19 L. Any agreement between the governing board of a career technical
20 education district and another career technical education district, a
21 school district, a charter school or a community college district shall be
22 in the form of an intergovernmental agreement or other written contract.
23 The auditor general shall modify the uniform system of financial records
24 and budget forms in accordance with this subsection. The
25 intergovernmental agreement or other written contract shall completely and
26 accurately specify each of the following:

27 1. The financial provisions of the intergovernmental agreement or
28 other written contract and the format for the billing of all services.

29 2. The accountability provisions of the intergovernmental agreement
30 or other written contract.

31 3. The responsibilities of each career technical education
32 district, each school district, each charter school and each community
33 college district that is a party to the intergovernmental agreement or
34 other written contract.

35 4. The type of instruction that will be provided under the
36 intergovernmental agreement or other written contract, including
37 individualized education programs pursuant to section 15-763.

38 5. The quality of the instruction that will be provided under the
39 intergovernmental agreement or other written contract.

40 6. The transportation services that will be provided under the
41 intergovernmental agreement or other written contract and the manner in
42 which transportation costs will be paid.

43 7. The amount that the career technical education district will
44 contribute to a course and the amount of support required by the school
45 district, the charter school or the community college.

1 8. That the services provided by the career technical education
2 district, the school district, the charter school or the community college
3 district be proportionally calculated in the cost of delivering the
4 service.

5 9. That the payment for services shall not exceed the cost of the
6 services provided.

7 10. That the career technical education district will provide the
8 following minimum services for all member districts:

9 (a) Professional development of career and technical teachers in
10 the career technical education district who are teaching programs or
11 courses at a satellite campus.

12 (b) Ongoing evaluation and support of satellite campus programs and
13 courses to ensure quality and compliance.

14 11. An itemized listing of other goods and services that are
15 provided to the member district and that are paid for by the retention of
16 satellite campus student funding.

17 M. A member school district or charter school may not submit
18 requests to approve or add satellite campus career technical education
19 district programs or courses directly to the career and technical
20 education division of the department of education, but shall submit all
21 appropriate application documentation and materials for programs or
22 courses to the career technical education district. On approval from the
23 career technical education board, a career technical education district
24 shall only submit requests to approve or add satellite campus career
25 technical education district programs or courses directly to the career
26 and technical education division of the department of education, which
27 shall determine whether the criteria prescribed in section 15-391,
28 paragraphs 2 and 4 have been met. If the career and technical education
29 division of the department of education determines that a course does not
30 meet the criteria for approval as a career technical education course, the
31 governing board of the career technical education district may appeal this
32 decision to the state board of education acting as the state board of
33 vocational education.

34 N. Notwithstanding any other law, the average daily membership for
35 a pupil who is enrolled in a career technical education course and who
36 does not meet the criteria specified in subsection P, ~~P~~ Q OR R of this
37 section shall be 0.25 for each course, except the sum of the average daily
38 membership shall not exceed the limits prescribed by subsection D, P, ~~P~~ Q
39 OR R of this section, as applicable.

40 O. If a career and technical education course or program is
41 provided on a satellite campus, the sum of the average daily membership,
42 as provided in section 15-901, subsection A, paragraph 1, for that pupil
43 in the school district or charter school and career technical education
44 district shall not exceed 1.25. The school district or charter school and
45 the career technical education district shall determine the apportionment

1 of the average daily membership for that pupil between the school district
2 or charter school and the career technical education district. A pupil
3 who attends a course or program at a satellite campus and who is not
4 enrolled in the school district or charter school where the satellite
5 campus is located may generate the average daily membership OF UP TO 0.25
6 FOR ONE HUNDRED FIFTY INSTRUCTIONAL HOURS OF ENROLLMENT FOR INSTRUCTION
7 RECEIVED DURING ANY HOUR OF THE DAY, DURING ANY DAY OF THE WEEK AND AT ANY
8 TIME BETWEEN JULY 1 AND JUNE 30 OF EACH FISCAL YEAR pursuant to this
9 subsection if the pupil is enrolled in a school district that is a member
10 district in the same career technical education district.

11 P. The sum of the average daily membership of a pupil who is
12 enrolled in both the school district and career technical education course
13 or career technical education program provided by a community college
14 pursuant to subsection K of this section or at a centralized campus shall
15 not exceed 1.75. THE AVERAGE DAILY MEMBERSHIP FOR A PUPIL WHO IS ENROLLED
16 IN A CAREER TECHNICAL EDUCATION COURSE OR CAREER TECHNICAL EDUCATION
17 PROGRAM PROVIDED BY A COMMUNITY COLLEGE SHALL BE 0.25 FOR THE ACCUMULATION
18 OF EVERY THREE COMMUNITY COLLEGE CREDITS FOR WHICH A STUDENT IS ENROLLED
19 IN CAREER TECHNICAL EDUCATION COURSES. The member school district and the
20 career technical education district shall determine the apportionment of
21 the average daily membership and student enrollment for that pupil between
22 the member school district and the career technical education district,
23 except that the amount apportioned shall not exceed 1.0 for either entity.
24 Notwithstanding any other law, the average daily membership for a pupil
25 who is in grade nine, ten, eleven or twelve or in the school year
26 immediately following graduation and who is enrolled in a course that
27 meets for at least one hundred fifty minutes per class period at a
28 centralized campus shall be 0.75. ~~Students in an approved career~~
29 ~~technical education district centralized campus program may generate an~~
30 ~~average daily membership during any day of the week and at any time~~
31 ~~between July 1 and June 30 of each fiscal year.~~ To qualify for funding
32 pursuant to this subsection, a centralized campus shall offer programs and
33 courses to all eligible students in each member district of the career
34 technical education district. STUDENTS IN AN APPROVED CAREER TECHNICAL
35 EDUCATION PROGRAM MAY GENERATE AN AVERAGE DAILY MEMBERSHIP OF UP TO 1.75
36 FOR INSTRUCTION RECEIVED DURING ANY HOUR OF THE DAY, DURING ANY DAY OF THE
37 WEEK AND AT ANY TIME BETWEEN JULY 1 AND JUNE 30 OF EACH FISCAL
38 YEAR. AVERAGE DAILY MEMBERSHIP SHALL NOT BE CALCULATED ON THE ONE
39 HUNDREDTH DAY OF INSTRUCTION FOR THE PURPOSES OF THIS SECTION. AVERAGE
40 DAILY MEMBERSHIP SHALL BE CALCULATED BY DIVIDING THE INSTRUCTIONAL HOURS
41 OF ENROLLMENT BY SIX HUNDRED HOURS, EXCEPT THAT:

- 42 1. AT LEAST ONE HUNDRED FIFTY HOURS AND LESS THAN THREE HUNDRED
43 HOURS EQUALS 0.25 AVERAGE DAILY MEMBERSHIP.
- 44 2. AT LEAST THREE HUNDRED HOURS AND LESS THAN FOUR HUNDRED FIFTY
45 HOURS EQUALS 0.5 AVERAGE DAILY MEMBERSHIP.

1 3. AT LEAST FOUR HUNDRED FIFTY HOURS AND LESS THAN SIX HUNDRED
2 HOURS EQUALS 0.75 AVERAGE DAILY MEMBERSHIP.

3 4. AT LEAST SIX HUNDRED HOURS EQUALS 1.0 AVERAGE DAILY MEMBERSHIP.

4 Q. The average daily membership for a pupil who is in grade nine,
5 ten, eleven or twelve or in the school year immediately following
6 graduation and who is enrolled in a course that meets for at least one
7 hundred fifty minutes per class period at a leased centralized campus
8 shall not exceed 0.75. ~~Students in an approved career technical education~~
9 ~~district leased campus centralized program may generate an average daily~~
10 ~~membership during any day of the week and at any time between July 1 and~~
11 ~~June 30 of each fiscal year.~~ STUDENTS IN AN APPROVED CAREER TECHNICAL
12 EDUCATION PROGRAM PROVIDED BY A LEASED CENTRALIZED CAMPUS MAY GENERATE AN
13 AVERAGE DAILY MEMBERSHIP FOR INSTRUCTION RECEIVED DURING ANY HOUR OF THE
14 DAY, DURING ANY DAY OF THE WEEK AND AT ANY TIME BETWEEN JULY 1 AND JUNE 30
15 OF EACH FISCAL YEAR. AVERAGE DAILY MEMBERSHIP SHALL BE CALCULATED BY
16 DIVIDING THE INSTRUCTIONAL HOURS OF ENROLLMENT BY SIX HUNDRED HOURS,
17 EXCEPT THAT:

18 1. AT LEAST ONE HUNDRED FIFTY HOURS AND LESS THAN THREE HUNDRED
19 HOURS EQUALS 0.25 AVERAGE DAILY MEMBERSHIP.

20 2. AT LEAST THREE HUNDRED HOURS AND LESS THAN FOUR HUNDRED FIFTY
21 HOURS EQUALS 0.5 AVERAGE DAILY MEMBERSHIP.

22 3. AT LEAST FOUR HUNDRED FIFTY HOURS AND LESS THAN SIX HUNDRED
23 HOURS EQUALS 0.75 AVERAGE DAILY MEMBERSHIP.

24 4. AT LEAST SIX HUNDRED HOURS EQUALS 1.0 AVERAGE DAILY MEMBERSHIP.

25 R. The sum of the average daily membership, as provided in section
26 15-901, subsection A, paragraph 1, of a pupil who is enrolled in both the
27 school district and in career technical education courses provided at a
28 leased centralized campus shall not exceed 1.75 if all of the following
29 conditions are met:

30 1. The course qualifies as a career technical education course.

31 2. The course is offered to all eligible students in each member
32 district of the career technical education district and enrolls students
33 from multiple high schools.

34 3. The career technical education district program in which the
35 course is included addresses a specific industry need and has been
36 developed in cooperation with that industry, or the leased facility is a
37 state or federal asset that would otherwise be unused or underutilized.

38 4. The lease is established at fair market value if the lease is
39 executed for a facility located on the site of a member district and was
40 approved by the joint committee on capital review, except that a lease
41 that was executed or renewed before December 31, 2012 is not subject to
42 approval by the joint committee on capital review.

43 ~~R.~~ S. A student who is enrolled in an accommodation school may be
44 treated as a student of the school district in which the student
45 physically resides for the purposes of enrollment in a career technical

1 education district and shall be included in the calculation of average
2 daily membership for either the career technical education district or the
3 accommodation school, or both.

4 ~~S.~~ T. Notwithstanding any other law, the student count for a
5 career technical education district shall be equivalent to the career
6 technical education district's average daily membership. STUDENTS IN AN
7 APPROVED CAREER TECHNICAL EDUCATION PROGRAM PROVIDED BY A SATELLITE
8 CAMPUS, CENTRALIZED CAMPUS OR LEASED CENTRALIZED CAMPUS MAY GENERATE AN
9 AVERAGE DAILY MEMBERSHIP SUBJECT TO THE LIMITS PRESCRIBED BY SUBSECTIONS
10 D, N, O, P, Q AND R OF THIS SECTION, AS APPLICABLE, FOR INSTRUCTION
11 RECEIVED DURING ANY HOUR OF THE DAY, DURING ANY DAY OF THE WEEK AND AT ANY
12 TIME BETWEEN JULY 1 AND JUNE 30 OF EACH FISCAL YEAR. AVERAGE DAILY
13 MEMBERSHIP SHALL NOT BE CALCULATED ON THE ONE HUNDREDTH DAY OF INSTRUCTION
14 FOR THE PURPOSES OF THIS SECTION. THE DEPARTMENT MAY NOT RESTRICT THE
15 INSTRUCTIONAL TIME BY LIMITING THE PARTICULAR DAYS OF THE WEEK OR TIME OF
16 THE FISCAL YEAR FOR INSTRUCTION TO OCCUR.

17 ~~F.~~ U. A school district or charter school may not prohibit or
18 discourage students who are enrolled in that school district or charter
19 school from attending courses offered by a career technical education
20 district, including requiring students to generate a full 1.0 average
21 daily membership or to enroll in more courses than are needed to graduate
22 before enrolling in and attending programs or courses offered by a career
23 technical education district.

24 ~~H.~~ V. The governing board of the career technical education
25 district may contract with any charter school that is located within the
26 boundaries of the career technical education district to allow that
27 charter school to offer career and technical education courses or programs
28 as a satellite campus.

29 ~~V.~~ W. Beginning in 2020 and every five years thereafter, the
30 career and technical education division of the department of education
31 shall review career technical education district programs and career
32 technical education courses to ensure compliance, quality and
33 eligibility. Any program or course deemed to not meet the requirements
34 set forth by law shall not be funded for the current school year and shall
35 be removed from the approved program and course list for the purposes of
36 funding. The career and technical education division may establish a
37 staggered schedule for reviewing each career technical education district.

38 ~~W.~~ X. Notwithstanding subsection D, paragraphs 4 and 9 and
39 subsections P, ~~and~~ Q AND R of this section, for a student in grade nine,
40 funding shall be provided pursuant to this section only if the student
41 reaches the fortieth day of grade eleven enrolled in an approved career
42 technical education program and meets the requirements prescribed in
43 subsection ~~Y~~ Z of this section. At that time funding shall be provided
44 for that student for grade nine and for any subsequent year in which the
45 student is eligible for funding pursuant to this section.

1 districts that may not be based solely on the criteria prescribed in the
2 Carl D. Perkins vocational education act, as amended by the Carl D.
3 Perkins vocational and applied technology education act amendments of
4 1990, as amended by the Carl D. Perkins vocational and technical education
5 act of 1998. The department shall include all of the following
6 performance indicators in the annual achievement profiles and provide a
7 copy of the information to each career technical education district
8 governing board:

9 1. The graduation rate of all students enrolled in a career and
10 technical education program or course.

11 2. The completion rate for each program offered by the career
12 technical education district.

13 3. Performance on assessments required pursuant to section 15-391,
14 paragraph 4, subdivision (b).

15 4. Postgraduation employment rates, postsecondary enrollment rates
16 and military service rates for students who complete a career and
17 technical education program.

18 B. A career technical education district is subject to the
19 performance audits pursuant to section 41-1279.03, subsection A,
20 paragraph 9. The auditor general shall consider the differences and
21 applicable laws for a career technical education district when conducting
22 a performance audit for a career technical education district.

23 C. On or before December 31 of each year, the career and technical
24 education division of the department of education shall submit a career
25 technical education district annual report to the governor, the president
26 of the senate and the speaker of the house of representatives and shall
27 submit a copy of this report to the secretary of state. The career and
28 technical education division of the department of education shall submit a
29 copy of this report to the joint legislative budget committee for review.
30 The annual report shall include the following:

31 1. The average daily membership of each career technical education
32 district, including the average daily membership of each centralized
33 campus, satellite campus and leased centralized campus as defined in
34 section 15-393.

35 2. The actual student count of each career technical education
36 district, including the student count of each centralized campus,
37 satellite campus and leased centralized campus as defined in section
38 15-393.

39 3. The programs and corresponding courses offered by each career
40 technical education district, including the location of each program and
41 course.

42 4. For each career technical education district based on program or
43 course location:

44 (a) The student enrollment of each program and corresponding
45 course.

1 (b) The percentage of students who enrolled in the second year of
2 each program and corresponding course relative to the number of students
3 in the same cohort who enrolled in the first year of each program and
4 corresponding course.

5 (c) The percentage of students who completed each program relative
6 to the number of students in the same cohort who began the program.

7 5. The costs associated with each program offered by the career
8 technical education district.

9 6. A listing of any programs or courses that were discontinued by
10 review of the career and technical education division pursuant to section
11 15-393, subsection W.

12 7. A listing of any programs or courses that were continued by
13 review of the career and technical education division pursuant to section
14 15-393, subsection W.

15 8. A listing of any programs or courses that were added by the
16 career and technical education division.

17 9. For applicable school districts, the required maintenance of
18 effort and how monies were used to supplement and not supplant base year
19 career and technical education courses, including expenditures related to
20 personnel, equipment and facilities.

21 10. For students who meet the requirements to receive funding
22 pursuant to section 15-393, subsection ~~W~~ X, students enrolled in an
23 internship course and students enrolled in the year immediately following
24 graduation, a separate listing of the following information for each
25 district:

26 (a) Average daily membership.

27 (b) The actual student count.

28 (c) Enrollment by course or program and persistence at each grade
29 level toward completion of the program.

30 (d) The percentage of students who completed each program.

31 (e) The number of certifications and licenses earned by students
32 delineated by those who attended a satellite program and those who
33 attended a centralized campus.

34 11. Any other data or information deemed necessary by the
35 department of education.

36 D. The office of the auditor general, in consultation with the
37 department of education, shall develop and establish uniform cost
38 reporting guidelines, policies and procedures for career technical
39 education district programs. Any guideline, policy or procedure shall
40 allow for the effective comparison of cost between career technical
41 education district programs.

42 Sec. 4. Retroactivity

43 Sections 1 and 2 of this act apply retroactively to from and after
44 September 28, 2021.