

REFERENCE TITLE: special education vouchers; amount

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

HB 2566

Introduced by
Representative Udall

AN ACT

AMENDING SECTION 15-1204, ARIZONA REVISED STATUTES; RELATING TO THE
SPECIAL EDUCATION VOUCHER FUND FOR STATE INSTITUTIONAL PLACEMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-1204, Arizona Revised Statutes, is amended to
3 read:

4 15-1204. Voucher; application; approval; requirements;
5 budgets; prohibited uses; advances

6 A. When an institution decides to place a person in an
7 institutional special education program, the institution, ~~upon~~ ON
8 application to and approval by the division of special education, shall
9 have a permanent special education institutional voucher issued pursuant
10 to this article to pay the special education instructional costs of the
11 person at the institution.

12 B. When an institution decides to place a person who resides in the
13 institution in a school special education program, the school, ~~upon~~ ON
14 application to and approval by the division of special education, shall
15 have a permanent special education institutional voucher issued pursuant
16 to this article to pay the special education instructional costs of the
17 person in the school.

18 C. ~~No~~ A person residing in an institution and attending a school
19 may NOT have a certificate of educational convenience issued pursuant to
20 section 15-825, subsection A.

21 D. The director of the division of special education shall develop
22 requirements for the approval of vouchers, pursuant to this section,
23 including the requirement that the person be educationally evaluated.

24 E. If approved, the voucher, in an amount not exceeding the sum of
25 the following, shall be paid directly to the institution or deposited with
26 the county treasurer to the credit of the school, with notice to the
27 county school superintendent:

- 28 1. For group A, the base level multiplied by two.
- 29 2. For group B, the sum of the base for kindergarten PROGRAMS AND
30 GRADES ONE through eight and the support level weight for the category,
31 multiplied by the base level.

32 3. For both group A and group B, ~~one hundred dollars~~ \$100 for
33 capital outlay costs and ~~fifty dollars~~ \$50 for transportation costs.

34 4. FOR BOTH GROUP A AND GROUP B WHO ARE ENROLLED IN A CAMPUS-BASED
35 PROGRAM AT THE ARIZONA STATE SCHOOLS FOR THE DEAF AND THE BLIND, \$450.76
36 FOR PRESCHOOL PROGRAMS FOR CHILDREN WITH DISABILITIES, \$514.63 FOR
37 KINDERGARTEN PROGRAMS AND GRADES ONE THROUGH EIGHT AND \$590.86 FOR GRADES
38 NINE THROUGH TWELVE FOR CAPITAL OUTLAY COSTS AND A RATE OF \$5.23 PER ROUTE
39 MILE FOR TRANSPORTATION COSTS. AN AMOUNT FOR THE PURCHASE OF REQUIRED
40 TEXTBOOKS AND RELATED PRINTED SUBJECT MATTER MATERIALS SHALL BE USED TO
41 INCREASE THE CAPITAL OUTLAY ASSISTANCE FOR STUDENTS ENROLLED IN A
42 CAMPUS-BASED PROGRAM AT THE ARIZONA STATE SCHOOLS FOR THE DEAF AND THE
43 BLIND. THIS AMOUNT SHALL EQUAL THE STUDENT COUNT IN GRADES NINE THROUGH
44 TWELVE, MULTIPLIED BY \$69.68. BEGINNING WITH FISCAL YEAR 2022-2023, THE
45 AMOUNTS PROVIDED IN THIS PARAGRAPH FOR CAPITAL OUTLAY AND TRANSPORTATION

1 ARE INCREASED BY THE GROWTH RATE PRESCRIBED BY LAW, SUBJECT TO
2 APPROPRIATION.

3 F. The budget format developed cooperatively between the department
4 of child safety and the department of education pursuant to section 8-503
5 shall be used by the institutions to determine and segregate residential
6 costs from educational instructional costs.

7 G. If sufficient appropriated monies are available and ~~upon~~ ON a
8 showing by an institution that additional state monies are necessary for
9 current expenses, an advance apportionment of state aid may be paid to an
10 institution. ~~in no event shall~~ An institution ~~have received~~ MAY NOT
11 RECEIVE more than three-fourths of its total apportionment under this
12 section before May 1 of the fiscal year. Early payments pursuant to this
13 subsection must be approved by the state treasurer, the director of the
14 department of administration and the superintendent of public instruction.

15 H. Notwithstanding subsection G of this section, when making the
16 April payment to an institution, the department of education may include
17 an additional amount based on an estimate of monies payable to the
18 institution in May. Before the department of education apportions monies
19 to the institution in June, it shall adjust the June payment to account
20 for any discrepancies between the monies actually paid in April and May
21 and the amount which should have been paid. If an overpayment in May
22 exceeds the total amount payable in June, the institution shall refund to
23 the department of education an amount equal to the overpayment within
24 sixty days ~~of~~ AFTER notification of the overpayment. If the overpayment
25 is not refunded within sixty days by the institution, the superintendent
26 of public instruction shall reduce the state aid entitlement to the
27 institution for the succeeding fiscal year to recover any overpayment of
28 state aid received during the current fiscal year.

29 I. Any special education institutional voucher issued pursuant to
30 this article shall not be used in any school or institution that
31 discriminates on the basis of race, religion, creed, color or national
32 origin.

33 J. The state board of education may withhold state aid from an
34 institution for noncompliance with any applicable statute or any
35 applicable rule adopted by the state board.