

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

## HB 2866

Introduced by  
Representative Cobb (with permission of Committee on Rules)

### AN ACT

AMENDING SECTION 15-185, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 15-217, 15-217.01, 15-217.02 AND 15-217.03; AMENDING TITLE 15, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-249.17; AMENDING SECTION 15-393, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2022, CHAPTER 136, SECTION 1; AMENDING SECTIONS 15-901, 15-910, 15-913.01, 15-943 AND 15-945, ARIZONA REVISED STATUTES; REPEALING SECTION 15-952, ARIZONA REVISED STATUTES; AMENDING SECTIONS 15-953, 15-961 AND 15-971, ARIZONA REVISED STATUTES; REPEALING SECTION 15-994, ARIZONA REVISED STATUTES; AMENDING SECTIONS 15-1371 AND 15-1372, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 19, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-2405; AMENDING SECTION 37-521, ARIZONA REVISED STATUTES; AMENDING SECTION 41-1276, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2022, CHAPTER 171, SECTION 1; AMENDING SECTIONS 41-5731 AND 42-17051, ARIZONA REVISED STATUTES; APPROPRIATING MONIES; RELATING TO KINDERGARTEN THROUGH GRADE TWELVE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-185, Arizona Revised Statutes, is amended to  
3 read:

4 15-185. Charter schools; financing; civil penalties;  
5 transportation; definition

6 A. A school district is not financially responsible for any charter  
7 school that is sponsored by the state board of education, the state board  
8 for charter schools, a university under the jurisdiction of the Arizona  
9 board of regents, a community college district or a group of community  
10 college districts.

11 B. Financial provisions for a charter school that is sponsored by  
12 the state board of education, the state board for charter schools, a  
13 university, a community college district or a group of community college  
14 districts are as follows:

15 1. The charter school shall calculate a base support level as  
16 prescribed in section 15-943, except that:

17 (a) Section 15-941 does not apply to these charter schools.

18 (b) The small school weights prescribed in section 15-943,  
19 paragraph 1 apply if a charter holder holds one charter for one or more  
20 school sites and the average daily membership for the school sites are  
21 combined for the calculation of the small school weight. The small school  
22 weight shall not be applied individually to a charter holder if one or  
23 more of the following conditions exist and the combined average daily  
24 membership derived from the following conditions is greater than six  
25 hundred:

26 (i) The organizational structure or management agreement of the  
27 charter holder requires the charter holder or charter school to contract  
28 with a specific management company.

29 (ii) The governing body of the charter holder has identical  
30 membership to another charter holder in this state.

31 (iii) The charter holder is a subsidiary of a corporation that has  
32 other subsidiaries that are charter holders in this state.

33 (iv) The charter holder holds more than one charter in this state.

34 (c) Notwithstanding subdivision (b) of this paragraph, for fiscal  
35 years 2015-2016 and 2016-2017, the department of education shall reduce by  
36 thirty-three percent the amount provided by the small school weight for  
37 charter schools prescribed in subdivision (b) of this paragraph.

38 2. Notwithstanding paragraph 1 of this subsection, the student  
39 count shall be determined initially using an estimated student count based  
40 on actual registration of pupils before the beginning of the school year.  
41 Notwithstanding section 15-1042, subsection F, student level data  
42 submitted to the department may be used to determine estimated student  
43 counts. After the first forty days, one hundred days or two hundred days  
44 in session, as applicable, the charter school shall revise the student  
45 count to be equal to the actual average daily membership, as defined in

1 section 15-901, of the charter school. Before the fortieth day, one  
 2 hundredth day or two hundredth day in session, as applicable, the state  
 3 board of education, the state board for charter schools, the sponsoring  
 4 university, the sponsoring community college district or the sponsoring  
 5 group of community college districts may require a charter school to  
 6 report periodically regarding pupil enrollment and attendance, and the  
 7 department of education may revise its computation of equalization  
 8 assistance based on the report. A charter school shall revise its student  
 9 count, base support level and charter additional assistance before May 15.  
 10 A charter school that overestimated its student count shall revise its  
 11 budget before May 15. A charter school that underestimated its student  
 12 count may revise its budget before May 15.

13 3. A charter school may use section 15-855 for the purposes of this  
 14 section. The charter school and the department of education shall  
 15 prescribe procedures for determining average daily membership.

16 4. Equalization assistance for the charter school shall be  
 17 determined by adding the amount of the base support level and charter  
 18 additional assistance. The amount of the charter additional assistance is  
 19 ~~\$1,897.90~~ \$2,057.32 per student count in preschool programs for children  
 20 with disabilities, kindergarten programs and grades one through eight and  
 21 ~~\$2,211.97~~ \$2,397.78 per student count in grades nine through twelve.

22 5. The state board of education shall apportion state aid from the  
 23 appropriations made for such purposes to the state treasurer for  
 24 disbursement to the charter schools in each county in an amount as  
 25 determined by this paragraph. The apportionments shall be made as  
 26 prescribed in section 15-973, subsection B.

27 6. The charter school shall not charge tuition for pupils who  
 28 reside in this state, levy taxes or issue bonds. A charter school may  
 29 admit pupils who are not residents of this state and shall charge tuition  
 30 for those pupils in the same manner prescribed in section 15-823.

31 7. Not later than noon on the day preceding each apportionment date  
 32 established by paragraph 5 of this subsection, the superintendent of  
 33 public instruction shall furnish to the state treasurer an abstract of the  
 34 apportionment and shall certify the apportionment to the department of  
 35 administration, which shall draw its warrant in favor of the charter  
 36 schools for the amount apportioned.

37 C. If a pupil is enrolled in both a charter school and a public  
 38 school that is not a charter school, the sum of the daily membership,  
 39 which includes enrollment as prescribed in section 15-901, subsection A,  
 40 paragraph 1, subdivisions (a) and (b) and daily attendance as prescribed  
 41 in section 15-901, subsection A, paragraph 5, for that pupil in the school  
 42 district and the charter school shall not exceed 1.0. If a pupil is  
 43 enrolled in both a charter school and a public school that is not a  
 44 charter school, the department of education shall direct the average daily  
 45 membership to the school with the most recent enrollment date. On

1 validation of actual enrollment in both a charter school and a public  
 2 school that is not a charter school and if the sum of the daily membership  
 3 or daily attendance for that pupil is greater than 1.0, the sum shall be  
 4 reduced to 1.0 and shall be apportioned between the public school and the  
 5 charter school based on the percentage of total time that the pupil is  
 6 enrolled or in attendance in the public school and the charter school.  
 7 The uniform system of financial records shall include guidelines to  
 8 apportion the pupil enrollment and attendance as provided in this section.

9 D. Charter schools are allowed to accept grants and gifts to  
 10 supplement their state funding, but it is not the intent of the charter  
 11 school law to require taxpayers to pay twice to educate the same pupils.  
 12 The base support level for a charter school or for a school district  
 13 sponsoring a charter school shall be reduced by an amount equal to the  
 14 total amount of monies received by a charter school from a federal or  
 15 state agency if the federal or state monies are intended for the basic  
 16 maintenance and operations of the school. The superintendent of public  
 17 instruction shall estimate the amount of the reduction for the budget year  
 18 and shall revise the reduction to reflect the actual amount before May 15  
 19 of the current year. If the reduction results in a negative amount, the  
 20 negative amount shall be used in computing all budget limits and  
 21 equalization assistance, except that:

- 22 1. Equalization assistance shall not be less than zero.
- 23 2. For a charter school sponsored by the state board of education,  
 24 the state board for charter schools, a university, a community college  
 25 district or a group of community college districts, the total of the base  
 26 support level and the charter additional assistance shall not be less than  
 27 zero.

28 E. If a charter school was a district public school in the prior  
 29 year and sponsored by the state board of education, the state board for  
 30 charter schools, a university, a community college district or a group of  
 31 community college districts, the reduction in subsection D of this section  
 32 applies. The reduction to the base support level of the charter school  
 33 shall equal the sum of the base support level and the charter additional  
 34 assistance received in the current year for those pupils who were enrolled  
 35 in the traditional public school in the prior year and are now enrolled in  
 36 the charter school in the current year.

37 F. Equalization assistance for charter schools shall be provided as  
 38 a single amount based on average daily membership without categorical  
 39 distinctions between maintenance and operations or capital.

40 G. At the request of a charter school, the county school  
 41 superintendent of the county where the charter school is located may  
 42 provide the same educational services to the charter school as prescribed  
 43 in section 15-308, subsection A. The county school superintendent may  
 44 charge a fee to recover costs for providing educational services to  
 45 charter schools.

1 H. If the sponsor of the charter school determines at a public  
2 meeting that the charter school is not in compliance with federal law,  
3 with the laws of this state or with its charter, the sponsor of a charter  
4 school may submit a request to the department of education to withhold up  
5 to ten percent of the monthly apportionment of state aid that would  
6 otherwise be due the charter school. The department shall adjust the  
7 charter school's apportionment accordingly. The sponsor shall provide  
8 written notice to the charter school at least seventy-two hours before the  
9 meeting and shall allow the charter school to respond to the allegations  
10 of noncompliance at the meeting before the sponsor makes a final  
11 determination to notify the department of education of noncompliance. The  
12 charter school shall submit a corrective action plan to the sponsor on a  
13 date specified by the sponsor at the meeting. The corrective action plan  
14 shall be designed to correct deficiencies at the charter school and to  
15 ensure that the charter school promptly returns to compliance. When the  
16 sponsor determines that the charter school is in compliance, the  
17 department shall restore the full amount of state aid payments to the  
18 charter school.

19 I. In addition to the withholding of state aid payments pursuant to  
20 subsection H of this section, the sponsor of a charter school may impose a  
21 civil penalty of \$1,000 per occurrence if a charter school fails to comply  
22 with the fingerprinting requirements prescribed in section 15-183,  
23 subsection C or section 15-512. The sponsor of a charter school shall not  
24 impose a civil penalty if it is the first time the charter school is out  
25 of compliance with the fingerprinting requirements and if the charter  
26 school provides proof within forty-eight hours after written notification  
27 that an application for the appropriate fingerprint check has been  
28 received by the department of public safety. The sponsor of the charter  
29 school shall obtain proof that the charter school has been notified, and  
30 the notification shall identify the date of the deadline and shall be  
31 signed by both parties. The sponsor of a charter school shall  
32 automatically impose a civil penalty of \$1,000 per occurrence if the  
33 sponsor determines that the charter school subsequently violates the  
34 fingerprinting requirements. Civil penalties pursuant to this subsection  
35 shall be assessed by requesting the department of education to reduce the  
36 amount of state aid that the charter school would otherwise receive by an  
37 amount equal to the civil penalty. The amount of state aid withheld shall  
38 revert to the state general fund at the end of the fiscal year.

39 J. A charter school may receive and spend monies distributed by the  
40 department of education pursuant to section 42-5029, subsection E, section  
41 42-5029.02, subsection A and section 37-521, subsection B.

42 K. If a school district transports or contracts to transport pupils  
43 to the Arizona state schools for the deaf and the blind during any fiscal  
44 year, the school district may transport or contract with a charter school  
45 to transport sensory impaired pupils during that same fiscal year to a

1 charter school if requested by the parent of the pupil and if the distance  
2 from the pupil's place of actual residence within the school district to  
3 the charter school is less than the distance from the pupil's place of  
4 actual residence within the school district to the campus of the Arizona  
5 state schools for the deaf and the blind.

6 L. Notwithstanding any other law, a university under the  
7 jurisdiction of the Arizona board of regents, a community college district  
8 or a group of community college districts shall not include any student in  
9 the student count of the university, community college district or group  
10 of community college districts for state funding purposes if that student  
11 is enrolled in and attending a charter school sponsored by the university,  
12 community college district or group of community college districts.

13 M. The governing body of a charter school shall transmit a copy of  
14 its proposed budget or the summary of the proposed budget and a notice of  
15 the public hearing to the department of education for posting on the  
16 department of education's website not later than ten days before the  
17 hearing and meeting. If the charter school maintains a website, the  
18 charter school governing body shall post on its website a copy of its  
19 proposed budget or the summary of the proposed budget and a notice of the  
20 public hearing.

21 N. The governing body of a charter school shall collaborate with  
22 the private organization that is approved by the state board of education  
23 pursuant to section 15-792.02 to provide approved board examination  
24 systems for the charter school.

25 O. If allowed by federal law, a charter school may opt out of  
26 federal grant opportunities if the charter holder or the appropriate  
27 governing body of the charter school determines that the federal  
28 requirements impose unduly burdensome reporting requirements.

29 P. For the purposes of this section, "monies intended for the basic  
30 maintenance and operations of the school" means monies intended to provide  
31 support for the educational program of the school, except that it does not  
32 include supplemental assistance for a specific purpose or title VIII of  
33 the elementary and secondary education act of 1965 monies. The auditor  
34 general shall determine which federal or state monies meet this  
35 definition.

36 Sec. 2. Title 15, chapter 2, article 1, Arizona Revised Statutes,  
37 is amended by adding sections 15-217, 15-217.01, 15-217.02 and 15-217.03,  
38 to read:

39 15-217. Performance measures; adult education and workforce  
40 development programs

41 A. ON OR BEFORE JULY 1, 2024, THE STATE BOARD OF EDUCATION, IN  
42 COOPERATION WITH THE DEPARTMENT OF EDUCATION, SHALL ADOPT PERFORMANCE  
43 MEASURES TO EVALUATE THE PERFORMANCE OF ADULT EDUCATION AND WORKFORCE  
44 DEVELOPMENT PROGRAMS ESTABLISHED UNDER SECTIONS 15-217.01, 15-217.02 AND  
45 15-217.03. THE PERFORMANCE MEASURES SHALL INCLUDE:

- 1           1. MEASUREMENTS OF ADULT LEARNER PROGRESS TOWARD EARNING A HIGH  
2 SCHOOL DIPLOMA OR HIGH SCHOOL EQUIVALENCY DIPLOMA.
- 3           2. THE NUMBER OF HIGH SCHOOL DIPLOMAS OR HIGH SCHOOL EQUIVALENCY  
4 DIPLOMAS EARNED.
- 5           3. THE NUMBER OF INDUSTRY-RECOGNIZED CREDENTIALS EARNED.
- 6           4. THE NUMBER OF ADULT LEARNERS OR GRADUATES WHO HAVE MATRICULATED  
7 AT AN INSTITUTION OF HIGHER LEARNING OR POSTSECONDARY EDUCATIONAL  
8 INSTITUTION.
- 9           5. THE NUMBER OF ADULT LEARNERS OR GRADUATES WHO HAVE NEWLY  
10 ACQUIRED EMPLOYMENT, WHO ARE NOW EARNING HIGHER WAGES OR WHO HAVE OBTAINED  
11 A BETTER JOB OR A PROMOTION.
- 12           6. OTHER RELEVANT MEASURES AS ADOPTED BY THE STATE BOARD OF  
13 EDUCATION, IN COOPERATION WITH THE DEPARTMENT OF EDUCATION.
- 14           B. THE PERFORMANCE MEASURES ADOPTED BY THE STATE BOARD OF EDUCATION  
15 PURSUANT TO THIS SECTION SHALL BOTH:
- 16           1. ALLOW FOR A COMPARABLE EVALUATION ACROSS ADULT EDUCATION AND  
17 WORKFORCE DEVELOPMENT PROGRAMS.
- 18           2. TAKE INTO CONSIDERATION THE VARIETY OF LEARNING LEVELS OF ADULT  
19 LEARNERS ENTERING THE PROGRAMS.
- 20           15-217.01. Continuing high school and workforce training  
21                                   program; service providers; program schools;  
22                                   requirements; reporting; enrollment limits;  
23                                   rules
- 24           A. THE STATE BOARD OF EDUCATION SHALL ESTABLISH A CONTINUING HIGH  
25 SCHOOL AND WORKFORCE TRAINING PROGRAM THAT PROVIDES ADULT LEARNERS WITH  
26 ALTERNATIVE STUDY SERVICES AND THAT LEADS TO THE ISSUANCE OF A HIGH SCHOOL  
27 DIPLOMA AND INDUSTRY-RECOGNIZED CREDENTIALS. THE STATE BOARD OF EDUCATION  
28 SHALL AUTHORIZE ELIGIBLE SERVICE PROVIDERS TO PARTICIPATE IN THE  
29 CONTINUING HIGH SCHOOL AND WORKFORCE TRAINING PROGRAM AND TO ESTABLISH A  
30 PROGRAM SCHOOL IN PARTNERSHIP WITH A SCHOOL DISTRICT OR NONPROFIT CHARTER  
31 SCHOOL.
- 32           B. TO BE ELIGIBLE TO PARTICIPATE IN THE CONTINUING HIGH SCHOOL AND  
33 WORKFORCE TRAINING PROGRAM, A SERVICE PROVIDER MUST MEET BOTH OF THE  
34 FOLLOWING:
- 35           1. BE A NONPROFIT CORPORATION THAT IS QUALIFIED AS TAX-EXEMPT  
36 PURSUANT TO SECTION 501(c)(3) OF THE INTERNAL REVENUE CODE OR BE AN ADULT  
37 EDUCATION PROVIDER THAT IS APPROVED BY THE DIVISION OF ADULT EDUCATION  
38 WITHIN THE DEPARTMENT OF EDUCATION.
- 39           2. DEMONSTRATE AT LEAST A TEN-YEAR HISTORY OF PROVIDING WORKFORCE  
40 TRAINING AND CAREER SERVICES IN THIS STATE TO PERSONS WHO ARE AT LEAST  
41 EIGHTEEN YEARS OF AGE AND WHOSE EDUCATIONAL AND TRAINING OPPORTUNITIES  
42 HAVE BEEN LIMITED BY EDUCATIONAL DISADVANTAGES, DISABILITIES OR OTHER  
43 BARRIERS TO EDUCATION, SUCH AS LACK OF RELIABLE AND AFFORDABLE  
44 TRANSPORTATION, LACK OF CHILD CARE OR FOOD INSECURITY.

1 C. A HIGH SCHOOL DIPLOMA MAY BE ISSUED PURSUANT TO THIS SECTION  
2 ONLY TO AN ADULT LEARNER WHO MEETS ALL THE GRADUATION REQUIREMENTS OF  
3 SECTION 15-701.01 AND THE STATE BOARD OF EDUCATION.

4 D. A PROGRAM SCHOOL SHALL MEET ALL APPLICABLE LEGAL REQUIREMENTS  
5 PRESCRIBED IN THIS TITLE FOR A PUBLIC SCHOOL, INCLUDING REQUIREMENTS FOR  
6 STUDENT ASSESSMENTS AND SPECIAL EDUCATION SERVICES AND PROHIBITIONS  
7 AGAINST ADMISSION LIMITS BASED ON ETHNICITY, NATIONAL ORIGIN, GENDER,  
8 INCOME LEVEL, DISABLING CONDITION, ENGLISH LANGUAGE PROFICIENCY OR  
9 ATHLETIC ABILITY.

10 E. NOTWITHSTANDING ANY OTHER LAW, THE DEPARTMENT OF EDUCATION SHALL  
11 DISTRIBUTE MONIES TO AN APPROVED PROGRAM SCHOOL AS FOLLOWS:

12 1. THE PROGRAM SCHOOL SHALL RECEIVE \$7,700 PER FULL-TIME STUDENT  
13 ENROLLED IN THE PROGRAM SCHOOL. PART-TIME STUDENTS SHALL BE FUNDED IN  
14 PROPORTION TO THE NUMBER OF ENROLLED COURSES OR HOURS OF INSTRUCTION.

15 2. THE PROGRAM SCHOOL IS ELIGIBLE TO RECEIVE FUNDING FOR ANY ADULT  
16 LEARNER REGARDLESS OF AGE.

17 3. THE PROGRAM SCHOOL IS NOT ELIGIBLE FOR ANY OTHER SCHOOL FINANCE  
18 FORMULA FUNDING FOR ADULT LEARNERS ENROLLED IN THE PROGRAM SCHOOL,  
19 INCLUDING ANY OF THE FOLLOWING:

- 20 (a) TRANSPORTATION FUNDING PURSUANT TO SECTION 15-945.
- 21 (b) ARIZONA ONLINE INSTRUCTION FUNDING PURSUANT TO SECTION 15-808.
- 22 (c) BASE SUPPORT LEVEL FUNDING PURSUANT TO SECTION 15-943.
- 23 (d) ADDITIONAL ASSISTANCE.

24 F. THE DEPARTMENT OF EDUCATION SHALL DEVELOP APPLICATION PROCEDURES  
25 FOR THE CONTINUING HIGH SCHOOL AND WORKFORCE TRAINING PROGRAM. THE  
26 SERVICE PROVIDER SHALL SUBMIT THE APPLICATION ON BEHALF OF THE PROGRAM  
27 SCHOOL. AN APPLICATION SUBMITTED PURSUANT TO THIS SECTION MUST INCLUDE  
28 ALL OF THE FOLLOWING:

29 1. A DESCRIPTION OF THE SERVICE PROVIDER'S PARTNERSHIP WITH A  
30 SCHOOL DISTRICT OR NONPROFIT CHARTER SCHOOL.

31 2. A DESCRIPTION OF THE PROGRAM SCHOOL'S ADMINISTRATIVE STRUCTURE,  
32 PROGRAM ACTIVITIES, PROGRAM STAFF, BUDGET AND SPECIFIC CURRICULUM THAT IS  
33 ALIGNED WITH THE STATE ACADEMIC STANDARDS.

34 3. THE PROGRAM SCHOOL'S ACADEMIC CALENDAR AND A SCHEDULE DESCRIBING  
35 THE PROGRAM SCHOOL'S LENGTH OF SCHOOL DAY, PROGRAM SEQUENCE,  
36 MULTIDISCIPLINARY COURSES, PACE AND INSTRUCTIONAL ACTIVITIES, OR ANY  
37 COMBINATION OF THESE ITEMS.

38 4. CONFIRMATION OF THE PROGRAM SCHOOL'S LOCATION AND A DESCRIPTION  
39 OF THE PROGRAM SCHOOL'S FACILITY, INCLUDING ALL OF THE FOLLOWING:

- 40 (a) ACCESSIBILITY.
- 41 (b) AVAILABLE CLASSROOM SPACE.
- 42 (c) CHILD CARE SPACE.
- 43 (d) HEALTH AND SAFETY REQUIREMENTS.



1           5. A DESCRIPTION OF SPECIFIC ACADEMIC, BEHAVIORAL AND EMOTIONAL  
2 SUPPORT SERVICES THE SERVICE PROVIDER WILL OFFER TO ADULT LEARNERS WHO  
3 ENROLL IN THE PROGRAM SCHOOL.

4           6. A DESCRIPTION OF THE ADULT LEARNER AND FAMILY SUPPORTS THAT THE  
5 PROGRAM SCHOOL WILL PROVIDE AT NO COST TO ADULT LEARNERS, INCLUDING ALL OF  
6 THE FOLLOWING:

7           (a) ON-SITE CHILD CARE FOR DEPENDENTS OF ENROLLED ADULT LEARNERS  
8 WHILE THE ADULT LEARNER IS ON SITE.

9           (b) LOCAL TRANSPORTATION ASSISTANCE FOR ADULT LEARNERS WITH A  
10 VERIFIABLE NEED.

11           (c) CAREER AND HIGHER EDUCATION COUNSELING.

12           (d) JOB PLACEMENT ASSISTANCE.

13           7. A DESCRIPTION OF THE AVAILABLE COUNSELING SERVICES THAT ASSIST  
14 ADULT LEARNERS IN OVERCOMING BARRIERS TO EDUCATIONAL SUCCESS, INCLUDING  
15 ANY OF THE FOLLOWING:

16           (a) EDUCATIONAL DISADVANTAGES.

17           (b) HOMELESSNESS.

18           (c) CRIMINAL HISTORY.

19           (d) DISABLING CONDITIONS.

20           8. A DESCRIPTION OF THE CAREER TECHNICAL EDUCATION INSTRUCTION THE  
21 PROGRAM SCHOOL WILL PROVIDE. CAREER TECHNICAL EDUCATION INSTRUCTION AND  
22 COURSES MUST LEAD TO INDUSTRY-RECOGNIZED CREDENTIALS OR RESULT IN AN ADULT  
23 LEARNER EARNING COURSE CREDITS FROM A UNIVERSITY OR COMMUNITY COLLEGE. A  
24 SERVICE PROVIDER MAY PARTNER WITH A COMMUNITY COLLEGE DISTRICT OR CAREER  
25 TECHNICAL EDUCATION DISTRICT TO PROVIDE CAREER TECHNICAL EDUCATION  
26 INSTRUCTION.

27           9. A DESCRIPTION OF SPECIFIC PROGRAM OUTCOMES, GOALS AND METRICS  
28 THE PROGRAM SCHOOL WILL USE TO DETERMINE ADULT LEARNER SUCCESS.

29           10. THE PROJECTED NUMBER OF ADULT LEARNERS THE PROGRAM SCHOOL WILL  
30 ENROLL.

31           G. THE STATE BOARD OF EDUCATION, IN CONSULTATION WITH THE  
32 DEPARTMENT OF EDUCATION, SHALL EVALUATE APPLICATIONS SUBMITTED FOR THE  
33 CONTINUING HIGH SCHOOL AND WORKFORCE TRAINING PROGRAM AND APPROVE PROGRAM  
34 SCHOOLS THAT DEMONSTRATE, THROUGH EVIDENCE OR OTHER DOCUMENTATION, THE  
35 ABILITY TO PROVIDE ADULT LEARNERS WITH THE INSTRUCTION AND SUPPORT THAT  
36 LEAD TO A HIGH SCHOOL DIPLOMA AND ONE OR MORE INDUSTRY-RECOGNIZED  
37 CREDENTIALS. THE FOLLOWING APPLY TO APPROVAL OF A PROGRAM SCHOOL'S  
38 PARTICIPATION IN THE CONTINUING HIGH SCHOOL AND WORKFORCE TRAINING  
39 PROGRAM:

40           1. INITIAL APPROVAL SHALL BE FOR A PERIOD OF NOT MORE THAN TWO  
41 SCHOOL YEARS.

42           2. RENEWAL OF APPROVAL SHALL BE FOR A PERIOD OF NOT MORE THAN FOUR  
43 SCHOOL YEARS AND IS CONTINGENT ON SPECIFIC PERFORMANCE EXPECTATIONS,  
44 INCLUDING STUDENT PROGRESSION, GRADUATION RATES AND EARNING OF  
45 INDUSTRY-RECOGNIZED CREDENTIALS.

1           3. IF AN APPROVED SERVICE PROVIDER FAILS TO MEET ANY REQUIREMENTS  
2 OF THIS SECTION OR ANY RULES ADOPTED BY THE STATE BOARD, THE STATE BOARD  
3 SHALL IMMEDIATELY INITIATE A PROCESS TO BRING THE PROGRAM SCHOOL INTO  
4 COMPLIANCE OR TO REVOKE THE PROGRAM SCHOOL'S AUTHORIZATION TO PARTICIPATE  
5 IN THE CONTINUING HIGH SCHOOL AND WORKFORCE TRAINING PROGRAM.  
6           H. AN APPROVED PROGRAM SCHOOL PARTICIPATING IN THE CONTINUING HIGH  
7 SCHOOL AND WORKFORCE TRAINING PROGRAM SHALL ANNUALLY REPORT THE FOLLOWING  
8 INFORMATION TO THE DEPARTMENT OF EDUCATION:  
9           1. THE NUMBER OF ADULT LEARNERS ENROLLED IN THE PROGRAM SCHOOL.  
10           2. THE GRADUATION RATE OF ADULT LEARNERS ENROLLED IN THE PROGRAM  
11 SCHOOL.  
12           3. THE AVERAGE PROGRESS OF ADULT LEARNERS TOWARD MEETING GRADUATION  
13 REQUIREMENTS.  
14           4. THE NUMBER AND TYPE OF INDUSTRY-RECOGNIZED CREDENTIALS EARNED BY  
15 ADULT LEARNERS ENROLLED IN THE PROGRAM SCHOOL.  
16           5. THE NUMBER OF ADULT LEARNERS WHO HAVE NEWLY ACQUIRED PROFICIENCY  
17 IN THE ENGLISH LANGUAGE.  
18           6. A DESCRIPTIVE SUMMARY OF THE ACADEMIC, BEHAVIORAL AND EMOTIONAL  
19 SUPPORT SERVICES THE SERVICE PROVIDER OFFERS TO ADULT LEARNERS IN THE  
20 PROGRAM SCHOOL.  
21           7. THE INFORMATION REQUIRED BY THE PERFORMANCE MEASURES ADOPTED BY  
22 THE STATE BOARD OF EDUCATION PURSUANT TO SECTION 15-217.  
23           I. ON OR BEFORE DECEMBER 15, 2025 AND ON OR BEFORE DECEMBER 15 OF  
24 EACH YEAR THEREAFTER, THE DEPARTMENT OF EDUCATION SHALL SUBMIT AN ANNUAL  
25 REPORT EVALUATING THE EFFECTIVENESS OF THE CONTINUING HIGH SCHOOL AND  
26 WORKFORCE TRAINING PROGRAM TO THE GOVERNOR, THE PRESIDENT OF THE SENATE  
27 AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. THE DEPARTMENT SHALL  
28 PROVIDE A COPY OF THE REPORT TO THE SECRETARY OF STATE.  
29           J. THE STATE BOARD OF EDUCATION MAY APPROVE PROGRAM SCHOOLS WITH A  
30 TOTAL PROJECTED FULL-TIME ENROLLMENT OF:  
31           1. IN FISCAL YEAR 2022-2023, NOT MORE THAN SIX HUNDRED.  
32           2. IN FISCAL YEAR 2023-2024, NOT MORE THAN ONE THOUSAND.  
33           3. IN FISCAL YEAR 2024-2025 AND EACH FISCAL YEAR THEREAFTER, NOT  
34 MORE THAN ONE THOUSAND FOUR HUNDRED.  
35           K. IF THE TOTAL FULL-TIME ENROLLMENT REQUESTED BY APPROVED PROGRAM  
36 SCHOOLS IS GREATER THAN THE AMOUNTS PRESCRIBED IN SUBSECTION J OF THIS  
37 SECTION, THE STATE BOARD OF EDUCATION MAY PRIORITIZE FUNDING DISTRIBUTION  
38 TO PROGRAM SCHOOLS DEMONSTRATING THE HIGHEST PERFORMANCE. NEW PROGRAM  
39 SCHOOLS SHALL BE PRIORITIZED BASED ON THE SERVICES AND SUPPORTS FOR ADULT  
40 LEARNERS AS OUTLINED IN THEIR APPLICATIONS.  
41           L. A PROGRAM SCHOOL MAY NOT EITHER:  
42           1. CONDUCT ADVERTISING OR MARKETING CAMPAIGNS DIRECTED AT STUDENTS  
43 WHO ARE CURRENTLY ENROLLED IN A SCHOOL DISTRICT OR CHARTER SCHOOL, OR  
44 UNDERTAKE ANY OTHER ACTIVITY THAT ENCOURAGES STUDENTS WHO ARE CURRENTLY

1 ENROLLED IN A SCHOOL DISTRICT OR CHARTER SCHOOL TO STOP ATTENDING SCHOOL  
2 IN ORDER TO ENROLL IN A PROGRAM SCHOOL.

3 2. ENROLL A STUDENT WHO WAS ENROLLED IN A SCHOOL DISTRICT OR  
4 CHARTER SCHOOL WITHIN THE PRECEDING THIRTY DAYS.

5 M. THE STATE BOARD OF EDUCATION MAY ADOPT RULES TO CARRY OUT THE  
6 PURPOSES OF THIS SECTION.

7 15-217.02. Adult workforce diploma program; fund; program  
8 providers; requirements; annual report;  
9 definitions

10 A. THE ADULT WORKFORCE DIPLOMA PROGRAM IS ESTABLISHED WITHIN THE  
11 STATE BOARD OF EDUCATION TO ASSIST A PERSON WHO IS AT LEAST TWENTY-ONE  
12 YEARS OF AGE IN EARNING A HIGH SCHOOL DIPLOMA AND DEVELOPING CRITICAL  
13 EMPLOYABILITY AND CAREER AND TECHNICAL SKILLS TO PREPARE THE PERSON FOR  
14 EMPLOYMENT. THE STATE BOARD OF EDUCATION SHALL OPERATE THE PROGRAM IN  
15 COOPERATION WITH THE DEPARTMENT OF EDUCATION. THE PROGRAM MAY BE  
16 DELIVERED IN A CAMPUS-BASED, ONLINE OR BLENDED MODALITY.

17 B. THE ADULT WORKFORCE DIPLOMA PROGRAM FUND IS ESTABLISHED  
18 CONSISTING OF LEGISLATIVE APPROPRIATIONS, GIFTS, GRANTS AND OTHER  
19 DONATIONS. THE DEPARTMENT OF EDUCATION SHALL ADMINISTER THE FUND. THE  
20 DEPARTMENT OF EDUCATION SHALL USE MONIES IN THE FUND TO PAY APPROVED  
21 PROGRAM PROVIDERS AS PRESCRIBED IN SUBSECTION E OF THIS SECTION. MONIES  
22 IN THE FUND ARE CONTINUOUSLY APPROPRIATED AND ARE EXEMPT FROM THE  
23 PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS.

24 C. ON OR BEFORE AUGUST 15 OF EACH YEAR, THE STATE BOARD OF  
25 EDUCATION SHALL ISSUE A REQUEST FOR QUALIFICATIONS FOR ELIGIBLE PROGRAM  
26 PROVIDERS TO PARTICIPATE IN THE PROGRAM. TO BE APPROVED, A PROGRAM  
27 PROVIDER MUST MEET ALL OF THE FOLLOWING:

28 1. BE OPERATING A REGIONALLY ACCREDITED HIGH SCHOOL  
29 DIPLOMA-GRANTING ENTITY.

30 2. HAVE THE ABILITY TO DEVELOP A LEARNING PLAN FOR EACH STUDENT  
31 THAT INTEGRATES GRADUATION REQUIREMENTS AND CAREER GOALS.

32 3. PROVIDE A COURSE CATALOG THAT INCLUDES ALL COURSES THAT ARE  
33 NECESSARY TO MEET GRADUATION REQUIREMENTS.

34 4. HAVE THE ABILITY TO PROVIDE ALL OF THE FOLLOWING:

35 (a) REMEDIATION OPPORTUNITIES IN LITERACY AND NUMERACY.

36 (b) CAREER PATHWAYS COURSEWORK.

37 (c) PREPARATION FOR INDUSTRY-RECOGNIZED CREDENTIALS AND STACKABLE  
38 CREDENTIALS.

39 (d) CAREER PLACEMENT SERVICES.

40 (e) ACADEMIC SKILLS INTAKE ASSESSMENTS AND TRANSCRIPT EVALUATIONS.

41 D. ON OR BEFORE OCTOBER 15 OF EACH YEAR, THE STATE BOARD OF  
42 EDUCATION, IN CONSULTATION WITH THE DEPARTMENT OF EDUCATION, SHALL APPROVE  
43 ALL QUALIFIED PROGRAM PROVIDERS AND PLACE THOSE PROVIDERS ON AN APPROVED  
44 PROGRAM PROVIDERS LIST. APPROVED PROGRAM PROVIDERS SHALL BEGIN ENROLLING  
45 STUDENTS ON OR BEFORE NOVEMBER 15 OF EACH YEAR. APPROVED PROGRAM

1 PROVIDERS MAINTAIN APPROVAL STATUS UNLESS THE APPROVED PROGRAM PROVIDER IS  
2 REMOVED FROM THE APPROVED PROGRAM PROVIDERS LIST PURSUANT TO SUBSECTION I  
3 OF THIS SECTION.

4 E. THE DEPARTMENT OF EDUCATION SHALL PAY APPROVED PROGRAM PROVIDERS  
5 THE FOLLOWING AMOUNTS FOR EACH STUDENT WHO COMPLETES THE FOLLOWING  
6 MILESTONES:

- 7 1. \$250 FOR EACH COMPLETED HALF UNIT OF HIGH SCHOOL CREDIT.
- 8 2. \$250 FOR EACH COMPLETED EMPLOYABILITY SKILLS CERTIFICATION.
- 9 3. \$250 FOR EACH EARNED INDUSTRY-RECOGNIZED CREDENTIAL OR STACKABLE  
10 CREDENTIAL THAT REQUIRES NOT MORE THAN FIFTY HOURS OF TRAINING.
- 11 4. \$500 FOR EACH EARNED INDUSTRY-RECOGNIZED CREDENTIAL OR STACKABLE  
12 CREDENTIAL THAT REQUIRES AT LEAST FIFTY HOURS BUT NOT MORE THAN ONE  
13 HUNDRED HOURS OF TRAINING.
- 14 5. \$750 FOR EACH EARNED INDUSTRY-RECOGNIZED CREDENTIAL OR STACKABLE  
15 CREDENTIAL THAT REQUIRES MORE THAN ONE HUNDRED HOURS OF TRAINING.
- 16 6. \$1,000 FOR EACH EARNED HIGH SCHOOL DIPLOMA.

17 F. APPROVED PROGRAM PROVIDERS SHALL SUBMIT MONTHLY INVOICES TO THE  
18 DEPARTMENT OF EDUCATION NOT LATER THAN THE TENTH CALENDAR DAY OF EACH  
19 MONTH FOR MILESTONES MET IN THE PREVIOUS CALENDAR MONTH. THE DEPARTMENT  
20 OF EDUCATION SHALL PAY APPROVED PROGRAM PROVIDERS IN THE ORDER IN WHICH  
21 INVOICES ARE SUBMITTED UNTIL ALL AVAILABLE MONIES ARE EXHAUSTED. THE  
22 DEPARTMENT OF EDUCATION SHALL PROVIDE A WRITTEN UPDATE TO THE APPROVED  
23 PROGRAM PROVIDERS ON OR BEFORE THE LAST CALENDAR DAY OF EACH MONTH,  
24 INCLUDING THE AGGREGATE TOTAL DOLLARS THAT HAVE BEEN PAID TO APPROVED  
25 PROGRAM PROVIDERS TO DATE AND THE ESTIMATED NUMBER OF ENROLLMENTS STILL  
26 AVAILABLE FOR THE PROGRAM YEAR.

27 G. ON OR BEFORE JULY 15 OF EACH YEAR, EACH APPROVED PROGRAM  
28 PROVIDER SHALL REPORT THE FOLLOWING TO THE STATE BOARD OF EDUCATION:

- 29 1. THE TOTAL NUMBER OF STUDENTS WHO WERE FUNDED THROUGH THE  
30 PROGRAM.
- 31 2. THE TOTAL NUMBER OF EARNED CREDITS.
- 32 3. THE TOTAL NUMBER OF EARNED INDUSTRY-RECOGNIZED CREDENTIALS OR  
33 STACKABLE CREDENTIALS EARNED FOR EACH TIER OF FUNDING.
- 34 4. THE TOTAL NUMBER OF STUDENTS WHO GRADUATED THROUGH THE PROGRAM.
- 35 5. THE INFORMATION REQUIRED BY THE PERFORMANCE MEASURES ADOPTED BY  
36 THE STATE BOARD OF EDUCATION PURSUANT TO SECTION 15-217.

37 H. BEGINNING WITH THE END OF THE SECOND FISCAL YEAR OF THE PROGRAM,  
38 THE STATE BOARD OF EDUCATION, IN COOPERATION WITH THE DEPARTMENT OF  
39 EDUCATION, SHALL REVIEW DATA FROM EACH APPROVED PROGRAM PROVIDER TO ENSURE  
40 THAT EACH APPROVED PROGRAM PROVIDER IS ACHIEVING MINIMUM PROGRAM  
41 PERFORMANCE STANDARDS, INCLUDING:

- 42 1. A GRADUATION RATE OF AT LEAST FIFTY PERCENT.
- 43 2. AN AVERAGE COST PER GRADUATE OF \$7,000 OR LESS.

1 I. THE STATE BOARD OF EDUCATION, IN COOPERATION WITH THE DEPARTMENT  
2 OF EDUCATION, SHALL PLACE AN APPROVED PROGRAM PROVIDER THAT DOES NOT MEET  
3 THE MINIMUM PROGRAM PERFORMANCE STANDARDS PRESCRIBED IN SUBSECTION H OF  
4 THIS SECTION ON PROBATIONARY STATUS FOR THE REMAINDER OF THE FISCAL YEAR.  
5 AN APPROVED PROGRAM PROVIDER THAT DOES NOT MEET THE MINIMUM PERFORMANCE  
6 STANDARDS FOR TWO CONSECUTIVE YEARS SHALL BE REMOVED FROM THE APPROVED  
7 PROGRAM PROVIDERS LIST.

8 J. FOR THE PURPOSES OF THIS SECTION:

9 1. "ACADEMIC SKILLS INTAKE ASSESSMENT" MEANS A CRITERION-REFERENCED  
10 ASSESSMENT OF NUMERACY AND LITERACY SKILLS WITH HIGH RELIABILITY AND  
11 VALIDITY THAT IS DETERMINED BY THIRD-PARTY RESEARCH AND THAT MAY BE  
12 ADMINISTERED IN PERSON OR ONLINE.

13 2. "ACCREDITED PROVIDER" MEANS AN ENTITY THAT IS CURRENTLY  
14 ACCREDITED BY ONE OF THE SEVEN REGIONAL ACCREDITATION ORGANIZATIONS OR ANY  
15 SUCCESSOR ENTITY.

16 3. "APPROVED PROGRAM PROVIDER" MEANS A PUBLIC, NONPROFIT OR OTHER  
17 ENTITY THAT MEETS THE REQUIREMENTS OF THIS SECTION AND THAT DOES NOT  
18 RECEIVE FEDERAL OR STATE FUNDING OR PRIVATE TUITION FOR A STUDENT WHO IS  
19 FUNDED THROUGH THE PROGRAM.

20 4. "AVERAGE COST PER GRADUATE" MEANS THE TOTAL PROGRAM FUNDING  
21 DISPERSED TO AN APPROVED PROGRAM PROVIDER DIVIDED BY THE TOTAL NUMBER OF  
22 GRADUATES FOR A COHORT CALCULATED TWELVE MONTHS AFTER THE CLOSE OF THE  
23 COHORT.

24 5. "CAREER PATHWAYS COURSEWORK" MEANS ONE OR MORE COURSES THAT  
25 ALIGN WITH THE SKILL NEEDS OF INDUSTRIES IN THE ECONOMY OF THIS STATE OR  
26 REGION AND THAT ASSIST STUDENTS TO ENTER OR ADVANCE WITHIN A SPECIFIC  
27 OCCUPATION OR OCCUPATIONAL CLUSTER.

28 6. "CAREER PLACEMENT SERVICES" MEANS SERVICES THAT ARE DESIGNED TO  
29 ASSIST STUDENTS IN OBTAINING EMPLOYMENT, INCLUDING CAREER INTEREST  
30 SELF-ASSESSMENTS, JOB SEARCH SKILLS, RÉSUMÉ DEVELOPMENT AND MOCK  
31 INTERVIEWS.

32 7. "COHORT" MEANS THE STUDENTS WHO ENTER THE PROGRAM BETWEEN JULY 1  
33 AND JUNE 30 OF EACH PROGRAM YEAR.

34 8. "EMPLOYABILITY SKILLS CERTIFICATION" MEANS A CERTIFICATE EARNED  
35 BY DEMONSTRATING PROFESSIONAL NONTECHNICAL SKILLS THROUGH ASSESSMENT,  
36 PORTFOLIO OR OBSERVATION.

37 9. "GRADUATE" MEANS A STUDENT WHO HAS SUCCESSFULLY COMPLETED ALL  
38 STATE AND APPROVED PROGRAM PROVIDER REQUIREMENTS TO EARN A HIGH SCHOOL  
39 DIPLOMA.

40 10. "GRADUATION RATE" MEANS THE TOTAL NUMBER OF GRADUATES FROM A  
41 COHORT DIVIDED BY THE TOTAL NUMBER OF STUDENTS FROM THE SAME COHORT  
42 CALCULATED TWELVE MONTHS AFTER THE CLOSE OF THE COHORT.

43 11. "GRADUATION REQUIREMENTS" MEANS COURSE AND CREDIT REQUIREMENTS  
44 NEEDED TO EARN A HIGH SCHOOL DIPLOMA FROM AN APPROVED PROGRAM PROVIDER.

1           12. "HIGH SCHOOL DIPLOMA" MEANS A DIPLOMA THAT IS ISSUED BY AN  
2 ACCREDITED PROVIDER AND THAT IS RECOGNIZED AS A SECONDARY SCHOOL DIPLOMA  
3 BY THIS STATE.

4           13. "INDUSTRY-RECOGNIZED CREDENTIAL" MEANS AN EDUCATION-RELATED OR  
5 WORK-RELATED CREDENTIAL THAT VERIFIES AN INDIVIDUAL'S QUALIFICATION OR  
6 COMPETENCE AND THAT IS ISSUED BY A THIRD PARTY WITH THE RELEVANT AUTHORITY  
7 TO ISSUE THE CREDENTIAL.

8           14. "LEARNING PLAN" MEANS A DOCUMENTED PLAN THAT BOTH:

9           (a) IS DESIGNED TO PREPARE A STUDENT TO SUCCEED IN THE PROGRAM AND  
10 THE STUDENT'S FUTURE ENDEAVORS.

11           (b) IDENTIFIES THE COURSES AND CREDITS THAT ARE NEEDED FOR A  
12 STUDENT TO COMPLETE THE PROGRAM AND THAT ARE APPROVED PROGRAM PROVIDER  
13 GRADUATION REQUIREMENTS.

14           15. "MILESTONES" MEANS OBJECTIVE MEASURES OF PROGRESS FOR WHICH  
15 PAYMENT IS MADE TO AN APPROVED PROGRAM PROVIDER UNDER THIS SECTION,  
16 INCLUDING EARNED UNITS OF HIGH SCHOOL CREDIT, EARNED INDUSTRY-RECOGNIZED  
17 CREDENTIALS AND EARNED HIGH SCHOOL DIPLOMAS.

18           16. "PROGRAM" MEANS THE ADULT WORKFORCE DIPLOMA PROGRAM.

19           17. "REQUEST FOR QUALIFICATIONS" MEANS A REQUEST FOR INTERESTED  
20 POTENTIAL PROGRAM PROVIDERS TO SUBMIT EVIDENCE THAT THEY MEET THE  
21 QUALIFICATIONS PRESCRIBED BY THIS SECTION.

22           18. "STACKABLE CREDENTIAL" MEANS A THIRD-PARTY CREDENTIAL THAT IS  
23 PART OF A SEQUENCE OF CREDENTIALS THAT CAN BE ACCUMULATED OVER TIME TO  
24 BUILD UP AN INDIVIDUAL'S QUALIFICATIONS TO ADVANCE ALONG A CAREER PATHWAY.

25           19. "STUDENT" MEANS A PARTICIPANT IN THE PROGRAM WHO IS AT LEAST  
26 TWENTY-ONE YEARS OF AGE, WHO IS A RESIDENT OF THIS STATE AND WHO HAS NOT  
27 EARNED A HIGH SCHOOL DIPLOMA.

28           20. "TRANSCRIPT EVALUATION" MEANS A DOCUMENTED SUMMARY OF CREDITS  
29 THAT WERE EARNED IN PREVIOUS PUBLIC OR PRIVATE ACCREDITED HIGH SCHOOLS  
30 COMPARED WITH PROGRAM AND APPROVED PROGRAM PROVIDER GRADUATION  
31 REQUIREMENTS.

32           21. "UNIT OF HIGH SCHOOL CREDIT" MEANS A CREDIT THAT IS AWARDED  
33 BASED ON A STUDENT'S DEMONSTRATION THAT THE STUDENT HAS SUCCESSFULLY MET  
34 THE CONTENT EXPECTATIONS FOR THE CREDIT AREA AS DEFINED BY SUBJECT AREA  
35 STANDARDS, EXPECTATIONS OR GUIDELINES.

36           15-217.03. Community college adult education workforce  
37 development program; fund; program schools;  
38 annual report

39           A. THE COMMUNITY COLLEGE ADULT EDUCATION WORKFORCE DEVELOPMENT  
40 PROGRAM IS ESTABLISHED WITHIN THE STATE BOARD OF EDUCATION, TO BE OPERATED  
41 IN COOPERATION WITH THE DEPARTMENT OF EDUCATION, TO PROVIDE ADULT LEARNERS  
42 WITH INTEGRATED EDUCATION AND TRAINING PROGRAMS AND ADDITIONAL STUDY AND  
43 SUPPORT SERVICES THAT LEAD TO THE ISSUANCE OF BOTH OF THE FOLLOWING:

- 44           1. A HIGH SCHOOL DIPLOMA OR HIGH SCHOOL EQUIVALENCY DIPLOMA.  
45           2. AN INDUSTRY-RECOGNIZED CREDENTIAL OR COMMUNITY COLLEGE DEGREE.

1 B. TO BE ELIGIBLE TO PARTICIPATE IN THE PROGRAM, THE PROGRAM  
2 APPLICANT MUST BE A COMMUNITY COLLEGE THAT IS A RECOGNIZED HIGH SCHOOL  
3 DIPLOMA OR HIGH SCHOOL EQUIVALENCY DIPLOMA PROVIDER AND PROVIDES EDUCATION  
4 AND WORKFORCE TRAINING THAT LEADS TO INDUSTRY-RECOGNIZED CREDENTIALS OR  
5 COMMUNITY COLLEGE DEGREES. IF A PROGRAM APPLICANT MEETS THE REQUIREMENTS  
6 OF THIS SUBSECTION, THE DEPARTMENT OF EDUCATION SHALL DISTRIBUTE MONIES TO  
7 THE PROGRAM APPLICANT AS PRESCRIBED IN SUBSECTION C OF THIS SECTION.

8 C. THE COMMUNITY COLLEGE ADULT EDUCATION WORKFORCE DEVELOPMENT  
9 PROGRAM FUND IS ESTABLISHED CONSISTING OF LEGISLATIVE APPROPRIATIONS AND  
10 ANY OTHER MONIES. THE DEPARTMENT OF EDUCATION SHALL ADMINISTER THE FUND.  
11 MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED AND ARE EXEMPT FROM THE  
12 PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS.  
13 NOTWITHSTANDING ANY OTHER LAW, A PROGRAM SCHOOL SHALL BE FUNDED AS  
14 FOLLOWS:

15 1. THE PROGRAM SCHOOL MAY RECEIVE UP TO \$3,000 PER FULL-TIME  
16 STUDENT ENROLLED IN THE PROGRAM EACH FISCAL YEAR. PART-TIME STUDENTS  
17 SHALL BE FUNDED IN PROPORTION TO THE NUMBER OF ENROLLED COURSES OR HOURS  
18 OF INSTRUCTION.

19 2. THE DEPARTMENT OF EDUCATION SHALL DISTRIBUTE FUND MONIES TO ALL  
20 PROGRAM SCHOOLS THAT MEET THE CRITERIA PRESCRIBED IN SUBSECTION B OF THIS  
21 SECTION IN A PROPORTIONAL MANNER BASED ON THE NUMBER OF ADULT LEARNERS  
22 EACH PROGRAM SCHOOL SERVES.

23 D. A PROGRAM SCHOOL SHALL USE MONIES RECEIVED UNDER THIS SECTION TO  
24 SUPPLEMENT AND NOT SUPPLANT CURRENT PROGRAM OFFERINGS. IN ADDITION TO ANY  
25 MONIES RECEIVED FROM THE FUND, A PROGRAM SCHOOL MAY ACCEPT AND SPEND  
26 FEDERAL MONIES AND PRIVATE GRANTS, GIFTS, CONTRIBUTIONS AND DEVISES TO  
27 ASSIST THE PROGRAM SCHOOL IN CARRYING OUT THE PURPOSES OF THIS SECTION. A  
28 PROGRAM SCHOOL SHALL USE MONIES RECEIVED UNDER SUBSECTION C OF THIS  
29 SECTION FOR ADULT LEARNERS TO PARTICIPATE IN A HIGH SCHOOL DIPLOMA OR HIGH  
30 SCHOOL EQUIVALENCY DIPLOMA PROGRAM THAT ALSO OFFERS AN INDUSTRY-RECOGNIZED  
31 CREDENTIAL OR COMMUNITY COLLEGE DEGREE. A PORTION OF MONIES MAY BE USED  
32 FOR ADDITIONAL SUPPORT SERVICES TO ENSURE THE SUCCESS OF ADULT LEARNERS IN  
33 THE PROGRAM, INCLUDING THE FOLLOWING:

34 1. TRANSPORTATION ASSISTANCE FOR ADULT LEARNERS WITH A DEMONSTRATED  
35 NEED.

36 2. CHILD CARE SERVICES FOR DEPENDENTS OF ADULT LEARNERS WHILE THE  
37 ADULT LEARNER IS ON-SITE.

38 3. COLLEGE AND CAREER COUNSELING.

39 4. JOB PLACEMENT ASSISTANCE.

40 E. FOR EACH YEAR THAT MONIES ARE APPROPRIATED BY THE LEGISLATURE TO  
41 THE FUND ESTABLISHED BY SUBSECTION C OF THIS SECTION, ON OR BEFORE  
42 SEPTEMBER 30, EACH PROGRAM SCHOOL SHALL SUBMIT A REPORT REGARDING THE  
43 COMMUNITY COLLEGE ADULT EDUCATION WORKFORCE DEVELOPMENT PROGRAM TO THE  
44 GOVERNOR, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF  
45 REPRESENTATIVES AND SHALL PROVIDE A COPY OF THIS REPORT TO THE SECRETARY

1 OF STATE. EACH REPORT SHALL INCLUDE, AT A MINIMUM, ALL OF THE FOLLOWING  
2 INFORMATION FOR EACH PROGRAM SCHOOL FOR THE PRECEDING SCHOOL YEAR:

3 1. THE NUMBER OF ADULT LEARNERS ENROLLED IN THE PROGRAM.

4 2. THE COMPLETION RATE OF HIGH SCHOOL DIPLOMAS AND HIGH SCHOOL  
5 EQUIVALENCY DIPLOMAS EARNED BY ADULT LEARNERS ENROLLED IN THE PROGRAM.

6 3. THE AVERAGE PROGRESS OF ADULT LEARNERS TOWARD MEETING COMPLETION  
7 CRITERIA.

8 4. THE NUMBER AND TYPE OF INDUSTRY-RECOGNIZED CREDENTIALS,  
9 COMMUNITY COLLEGE DEGREE CREDITS AND COMMUNITY COLLEGE DEGREES EARNED BY  
10 ADULT LEARNERS ENROLLED IN THE PROGRAM.

11 5. A DESCRIPTIVE SUMMARY OF THE COMMUNITY COLLEGE ADULT EDUCATION  
12 WORKFORCE DEVELOPMENT PROGRAM OFFERED.

13 6. THE NUMBER OF ADULT LEARNERS WHO HAVE NEWLY ACQUIRED PROFICIENCY  
14 IN THE ENGLISH LANGUAGE.

15 7. THE INFORMATION REQUIRED BY THE PERFORMANCE MEASURES ADOPTED BY  
16 THE STATE BOARD OF EDUCATION PURSUANT TO SECTION 15-217.

17 F. THE STATE BOARD OF EDUCATION, IN COOPERATION WITH THE DEPARTMENT  
18 OF EDUCATION, MAY REQUEST INFORMATION FROM ANY PROGRAM APPLICANT OR  
19 PROGRAM SCHOOL FOR THE PURPOSES OF DETERMINING PROGRAM ELIGIBILITY AND  
20 FUNDING DISTRIBUTIONS UNDER THIS SECTION.

21 G. THE STATE BOARD OF EDUCATION, IN COOPERATION WITH THE DEPARTMENT  
22 OF EDUCATION, MAY DEVELOP A PROCESS TO BRING A PROGRAM SCHOOL INTO  
23 COMPLIANCE OR REVOKE THE PROGRAM SCHOOL'S AUTHORIZATION TO PARTICIPATE IN  
24 THE PROGRAM, AT THE DISCRETION OF THE STATE BOARD OF EDUCATION, IN  
25 COOPERATION WITH THE DEPARTMENT OF EDUCATION.

26 Sec. 3. Title 15, chapter 2, article 2, Arizona Revised Statutes,  
27 is amended by adding section 15-249.17, to read:

28 15-249.17. Code writers initiative program; grants; annual  
29 report

30 A. THE CODE WRITERS INITIATIVE PROGRAM IS ESTABLISHED WITHIN THE  
31 DEPARTMENT OF EDUCATION TO PROVIDE GRANTS ON A COMPETITIVE BASIS PURSUANT  
32 TO TITLE 41, CHAPTER 24, ARTICLE 1 FOR THE PURPOSES PRESCRIBED IN THIS  
33 SECTION. THE INDIAN EDUCATION ADVISORY COUNCIL IN THE DEPARTMENT OF  
34 EDUCATION SHALL EVALUATE GRANT APPLICATIONS AND MAKE AWARD RECOMMENDATIONS  
35 TO THE DEPARTMENT. THE DEPARTMENT SHALL MAXIMIZE AVAILABLE FUNDING BY  
36 AWARDED GRANTS TO PARTICIPANTS THAT WILL LEVERAGE STATE MONIES BY  
37 SECURING GIFTS, GRANTS AND DONATIONS FROM OTHER SOURCES.

38 B. GRANTEEES IN THE CODE WRITERS INITIATIVE PROGRAM SHALL:

39 1. INTRODUCE A COMPUTER CODE WRITING CURRICULUM FOR STUDENTS IN  
40 GRADES NINE THROUGH TWELVE.

41 2. DELIVER A TECHNOLOGY-FOCUSED EDUCATION TO NATIVE AMERICAN  
42 STUDENTS THAT WILL PREPARE THE STUDENTS FOR THE GLOBAL ECONOMY. THE  
43 INSTRUCTION MAY BE OFFERED THROUGH AFTER-SCHOOL PROGRAMMING.



1 3. INSTRUCT NATIVE AMERICAN STUDENTS IN COMPUTER CODE WRITING AND  
2 WORK WITH INDUSTRY PARTNERS TO DEVELOP INTERNSHIPS AND PROGRAMS THAT WILL  
3 BE MADE AVAILABLE TO STUDENTS WHO COMPLETE THE PROGRAM CURRICULUM.

4 4. INSTRUCT TEACHERS AND ADMINISTRATORS IN A TECHNOLOGY-FOCUSED  
5 CURRICULUM.

6 5. DEVELOP ASSESSMENT METRICS TO MEASURE PROGRESS TO BE USED TO  
7 DETERMINE THE INITIATIVE'S EFFECTIVENESS.

8 6. INSTALL AUDIOVISUAL DISTANCE LEARNING EQUIPMENT AT KEY DELIVERY  
9 POINTS TO MAXIMIZE THE NUMBER OF PROGRAM PARTICIPANTS.

10 7. DETERMINE THE IMPACTS FROM THE INITIATIVE'S CURRICULUM AND  
11 TEACHER INSTRUCTION ON STUDENTS' STANDARDIZED TEST SCORES AND GRADUATION  
12 RATES.

13 8. ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, SUBMIT AN ANNUAL REPORT  
14 TO THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF  
15 REPRESENTATIVES, THE INDIAN EDUCATION ADVISORY COUNCIL AND THE DEPARTMENT  
16 OF EDUCATION CONTAINING DETAILED INFORMATION RELATING TO THE REQUIREMENTS  
17 OF THIS SUBSECTION FOR THE MOST RECENT SCHOOL YEAR.

18 Sec. 4. Section 15-393, Arizona Revised Statutes, as amended by  
19 Laws 2022, chapter 136, section 1, is amended to read:

20 15-393. Career technical education district governing board;  
21 report; definitions

22 A. The management and control of a career technical education  
23 district are vested in the career technical education district governing  
24 board, including the content and quality of the courses offered by the  
25 district, the quality of teachers who provide instruction on behalf of the  
26 district, the salaries of teachers who provide instruction on behalf of  
27 the district and the reimbursement of other entities for the facilities  
28 used by the district. This section does not restrict a school district  
29 from offering any career and technical education course that does not  
30 qualify for funding as a career technical education course or career  
31 technical education district program. Unless the governing boards of the  
32 school districts participating in the formation of the career technical  
33 education district vote to implement an alternative election system as  
34 provided in subsection B of this section, the career technical education  
35 board consists of five members elected from five single member districts  
36 formed within the career technical education district. The single member  
37 district election system shall be submitted as part of the plan for the  
38 career technical education district pursuant to section 15-392 and shall  
39 be established in the plan as follows:

40 1. The governing boards of the school districts participating in  
41 the formation of the career technical education district shall define the  
42 boundaries of the single member districts so that the single member  
43 districts are as nearly equal in population as is practicable, except that  
44 if the career technical education district lies in part in each of two or  
45 more counties, at least one single member district may be entirely within

1 each of the counties comprising the career technical education district if  
2 this district design is consistent with the obligation to equalize the  
3 population among single member districts.

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

7 3. A person who is a registered voter of this state and who has  
8 been a resident of the single member district for at least one year  
9 immediately preceding the date of the election is eligible for election to  
10 the office of career technical education board member from the single  
11 member district. The terms of office of the members of the career  
12 technical education board shall be as prescribed in section 15-427,  
13 subsection B. An employee of a career technical education district or the  
14 spouse of an employee shall not hold membership on a governing board of a  
15 career technical education district by which the employee is employed. A  
16 member of one school district governing board or career technical  
17 education district governing board is ineligible to be a candidate for  
18 nomination or election to or serve simultaneously as a member of any other  
19 governing board, except that a member of a governing board may be a  
20 candidate for nomination or election for any other governing board if the  
21 member is serving in the last year of a term of office. A member of a  
22 governing board shall resign the member's seat on the governing board  
23 before becoming a candidate for nomination or election to the governing  
24 board of any other school district or career technical education district,  
25 unless the member of the governing board is serving in the last year of a  
26 term of office. Members of a career technical education district  
27 governing board are subject to the conflict of interest requirements  
28 prescribed in section 38-503.

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

31 B. The governing boards of the school districts participating in  
32 the formation of the career technical education district may vote to  
33 implement any other alternative election system for the election of career  
34 technical education district board members. If an alternative election  
35 system is selected, it shall be submitted as part of the plan for the  
36 career technical education district pursuant to section 15-392, and the  
37 implementation of the system shall be as approved by the United States  
38 justice department.

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

- 41 1. Chapter 1, articles 1 through 6.
- 42 2. Sections 15-208, 15-210, 15-213 and 15-234.
- 43 3. Articles 2, 3 and 5 of this chapter.
- 44 4. Section 15-361.

- 1           5. Chapter 4, articles 1, 2 and 5.
- 2           6. Chapter 5, articles 1 and 3.
- 3           7. Sections 15-701.01, 15-722, 15-723, 15-724, 15-727, 15-728,
- 4 15-729 and 15-730.
- 5           8. Chapter 7, article 5.
- 6           9. Chapter 8, articles 1, 3 and 4.
- 7           10. Sections 15-828 and 15-829.
- 8           11. Chapter 9, article 1, article 6, except for section 15-995, and
- 9 article 7.
- 10          12. Sections 15-941, 15-943.01, ~~15-952~~, 15-953 and 15-973.
- 11          13. Sections 15-1101 and 15-1104.
- 12          14. Chapter 10, articles 2, 3, 4 and 8.
- 13          D. Notwithstanding subsection C of this section, the following
- 14 apply to a career technical education district:
- 15           1. A career technical education district may issue bonds for the
- 16 purposes specified in section 15-1021 and in chapter 4, article 5 of this
- 17 title to an amount in the aggregate, including the existing indebtedness,
- 18 not exceeding one percent of the net assessed value of the full cash value
- 19 of the property within the career technical education district. For the
- 20 purposes of this paragraph, "full cash value" and "net assessed value"
- 21 have the same meanings prescribed in section 42-11001.
- 22           2. The number of governing board members for a career technical
- 23 education district shall be as prescribed in subsection A of this section.
- 24           3. The student count for the first year of operation of a career
- 25 technical education district as provided in this article shall be
- 26 determined as follows:
- 27           (a) Determine the estimated student count for career technical
- 28 education district classes that will operate in the first year of
- 29 operation. This estimate shall be based on actual registration of pupils
- 30 as of March 30 scheduled to attend classes that will be operated by the
- 31 career technical education district. The student count for the school
- 32 district of residence of the pupils registered at the career technical
- 33 education district shall be adjusted. The adjustment shall cause the
- 34 school district of residence to reduce the student count for the pupil to
- 35 reflect the courses to be taken at the career technical education
- 36 district. The school district of residence shall review and approve the
- 37 adjustment of its own student count as provided in this subdivision before
- 38 the pupils from the school district can be added to the student count of
- 39 the career technical education district.
- 40           (b) The student count for the new career technical education
- 41 district shall be the student count as determined in subdivision (a) of
- 42 this paragraph.
- 43           (c) For the first year of operation, the career technical education
- 44 district shall revise the student count to the actual average daily
- 45 membership as prescribed in section 15-901, subsection A, paragraph 1 for

1 students attending classes in the career technical education district. A  
 2 career technical education district shall revise its student count, the  
 3 base support level as provided in section 15-943.02, the revenue control  
 4 limit as provided in section 15-944.01 and the district additional  
 5 assistance as provided in section 15-962.01 before May 15. A career  
 6 technical education district that overestimated its student count shall  
 7 revise its budget before May 15. A career technical education district  
 8 that underestimated its student count may revise its budget before May 15.

9 (d) After March 15 of the first year of operation, the school  
 10 district of residence shall adjust its student count by reducing it to  
 11 reflect the courses actually taken at the career technical education  
 12 district. The school district of residence shall revise its student  
 13 count, the base support level as provided in section 15-943, the revenue  
 14 control limit as provided in section 15-944 and the district additional  
 15 assistance as provided in section 15-962.01 prior to May 15. A district  
 16 that underestimated the student count for students attending the career  
 17 technical education district shall revise its budget before May 15. A  
 18 district that overestimated the student count for students attending the  
 19 career technical education district may revise its budget before May 15.

20 (e) The procedures for implementing this paragraph shall be as  
 21 prescribed in the uniform system of financial records.  
 22 For the purposes of this paragraph, "school district of residence" means  
 23 the school district that included the pupil in its average daily  
 24 membership for the year before the first year of operation of the career  
 25 technical education district and that would have included the pupil in its  
 26 student count for the purposes of computing its base support level for the  
 27 fiscal year of the first year of operation of the career technical  
 28 education district if the pupil had not enrolled in the career technical  
 29 education district.

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

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

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

43 (c) A student who has graduated from high school or received a  
 44 general equivalency diploma or who is over twenty-one years of age shall

1 not be included in the student count of the career technical education  
2 district for the purposes of chapter 9, articles 3, 4 and 5 of this title.

3 5. A career technical education district may operate for more than  
4 one hundred eighty days per year, or less, with the equivalent number of  
5 hours of instruction.

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

8 7. A school district that is part of a career technical education  
9 district shall use any monies received pursuant to this article to  
10 supplement and not supplant base year career and technical education  
11 courses, and directly related equipment and facilities, except that a  
12 school district that is part of a career technical education district and  
13 that has used monies received pursuant to this article to supplant career  
14 and technical education courses that were offered before the first year  
15 that the school district participated in the career technical education  
16 district or the first year that the school district used monies received  
17 pursuant to this article or that used the monies for purposes other than  
18 for career and technical education courses shall use one hundred percent  
19 of the monies received pursuant to this article to supplement and not  
20 supplant base year career and technical education courses. Each  
21 applicable school district shall provide a report to the career technical  
22 education board and the department of education outlining the required  
23 maintenance of effort and how monies were used to supplement and not  
24 supplant base year career and technical education courses and directly  
25 related equipment and facilities.

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

29 9. A career technical education district or a school district that  
30 is part of a career technical education district or a charter school shall  
31 only include pupils in grades nine through twelve and pupils in the school  
32 year immediately following graduation in the calculation of student count  
33 or average daily membership if the pupils are enrolled in courses that are  
34 approved jointly by the governing board of the career technical education  
35 district and each participating school district or charter school for  
36 satellite courses taught within the participating school district or  
37 charter school, or approved solely by the career technical education  
38 district for centrally located courses. Funding may be provided for not  
39 more than four years for the same student. Student count and average  
40 daily membership from courses that are not part of an approved program for  
41 career and technical education shall not be included in student count and  
42 average daily membership of a career technical education district.

43 E. The career technical education board shall appoint a  
44 superintendent as the executive officer of the career technical education  
45 district.

1 F. Taxes may be levied for the support of the career technical  
2 education district as prescribed in chapter 9, article 6 of this title,  
3 except that a career technical education district shall not levy a  
4 property tax pursuant to law that exceeds \$.05 per \$100 assessed valuation  
5 except for bond monies pursuant to subsection D, paragraph 1 of this  
6 section. ~~Except for the taxes levied pursuant to section 15-994,~~ Such  
7 taxes shall be obtained from a levy of taxes on the taxable property used  
8 for secondary tax purposes.

9 G. The schools in the career technical education district are  
10 available to all persons who reside in the career technical education  
11 district and to pupils whose school district of residence within this  
12 state is paying tuition on behalf of the pupils to a district of  
13 attendance that is a member of the career technical education district,  
14 subject to the rules for admission prescribed by the career technical  
15 education board.

16 H. The career technical education board may collect tuition for  
17 adult students and the attendance of pupils who are residents of school  
18 districts that are not participating in the career technical education  
19 district pursuant to arrangements made between the governing board of the  
20 school district and the career technical education board.

21 I. The career technical education board may accept gifts, grants,  
22 federal monies, tuition and other allocations of monies to erect, repair  
23 and equip buildings and for the cost of operating the schools of the  
24 career technical education district.

25 J. One member of the career technical education board shall be  
26 selected chairman. The chairman shall be selected annually on a rotation  
27 basis from among the participating school districts. The chairman of the  
28 career technical education board shall be a voting member.

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

32 L. Any agreement between the governing board of a career technical  
33 education district and another career technical education district, a  
34 school district, a charter school or a community college district shall be  
35 in the form of an intergovernmental agreement or other written contract.  
36 The auditor general shall modify the uniform system of financial records  
37 and budget forms in accordance with this subsection. The  
38 intergovernmental agreement or other written contract shall completely and  
39 accurately specify each of the following:

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

42 2. The accountability provisions of the intergovernmental agreement  
43 or other written contract.

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

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

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

10          6. The transportation services that will be provided under the  
11 intergovernmental agreement or other written contract and the manner in  
12 which transportation costs will be paid.

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

16          8. That the services provided by the career technical education  
17 district, the school district, the charter school or the community college  
18 district be proportionally calculated in the cost of delivering the  
19 service.

20          9. That the payment for services shall not exceed the cost of the  
21 services provided.

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

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

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

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

32          M. A member school district or charter school may not submit  
33 requests to approve or add satellite campus career technical education  
34 district programs or courses directly to the career and technical  
35 education division of the department of education, but shall submit all  
36 appropriate application documentation and materials for programs or  
37 courses to the career technical education district. On approval from the  
38 career technical education board, a career technical education district  
39 shall only submit requests to approve or add satellite campus career  
40 technical education district programs or courses directly to the career  
41 and technical education division of the department of education, which  
42 shall determine whether the criteria prescribed in section 15-391,  
43 paragraphs 2 and 4 have been met. If the career and technical education  
44 division of the department of education determines that a course does not  
45 meet the criteria for approval as a career technical education course, the

1 governing board of the career technical education district may appeal this  
2 decision to the state board of education acting as the state board of  
3 vocational education.

4 N. Notwithstanding any other law, the average daily membership for  
5 a pupil who is enrolled in a career technical education course and who  
6 does not meet the criteria specified in subsection P, Q or R of this  
7 section shall be 0.25 for each course, except the sum of the average daily  
8 membership shall not exceed the limits prescribed by subsection D, P, Q or  
9 R of this section, as applicable.

10 O. If a career and technical education course or program is  
11 provided on a satellite campus, the sum of the average daily membership,  
12 as provided in section 15-901, subsection A, paragraph 1, for that pupil  
13 in the school district or charter school and career technical education  
14 district shall not exceed 1.25. The school district or charter school and  
15 the career technical education district shall determine the apportionment  
16 of the average daily membership for that pupil between the school district  
17 or charter school and the career technical education district. A pupil  
18 who attends a course or program at a satellite campus and who is not  
19 enrolled in the school district or charter school where the satellite  
20 campus is located may generate the average daily membership of up to 0.25  
21 for one hundred fifty instructional hours of enrollment for instruction  
22 received during any hour of the day, during any day of the week and at any  
23 time between July 1 and June 30 of each fiscal year pursuant to this  
24 subsection if the pupil is enrolled in a school district that is a member  
25 district in the same career technical education district.

26 P. The sum of the average daily membership of a pupil who is  
27 enrolled in both the school district and career technical education course  
28 or career technical education program provided by a community college  
29 pursuant to subsection K of this section or at a centralized campus shall  
30 not exceed 1.75. The average daily membership for a pupil who is enrolled  
31 in a career technical education course or career technical education  
32 program provided by a community college shall be 0.25 for the accumulation  
33 of every three community college credits for which a student is enrolled  
34 in career technical education courses. The member school district and the  
35 career technical education district shall determine the apportionment of  
36 the average daily membership and student enrollment for that pupil between  
37 the member school district and the career technical education district,  
38 except that the amount apportioned shall not exceed 1.0 for either entity.  
39 Notwithstanding any other law, the average daily membership for a pupil  
40 who is in grade nine, ten, eleven or twelve or in the school year  
41 immediately following graduation and who is enrolled in a course that  
42 meets for at least one hundred fifty minutes per class period at a  
43 centralized campus shall be 0.75. To qualify for funding pursuant to this  
44 subsection, a centralized campus shall offer programs and courses to all  
45 eligible students in each member district of the career technical



1 education district. Students in an approved career technical education  
2 program may generate an average daily membership of up to 1.75 for  
3 instruction received during any hour of the day, during any day of the  
4 week and at any time between July 1 and June 30 of each fiscal  
5 year. Average daily membership shall not be calculated on the one  
6 hundredth day of instruction for the purposes of this section. Average  
7 daily membership shall be calculated by dividing the instructional hours  
8 of enrollment by six hundred hours, except that:

9 1. At least one hundred fifty hours and less than three hundred  
10 hours equals 0.25 average daily membership.

11 2. At least three hundred hours and less than four hundred fifty  
12 hours equals 0.5 average daily membership.

13 3. At least four hundred fifty hours and less than six hundred  
14 hours equals 0.75 average daily membership.

15 4. At least six hundred hours equals 1.0 average daily membership.

16 Q. The average daily membership for a pupil who is in grade nine,  
17 ten, eleven or twelve or in the school year immediately following  
18 graduation and who is enrolled in a course that meets for at least one  
19 hundred fifty minutes per class period at a leased centralized campus  
20 shall not exceed 0.75. Students in an approved career technical education  
21 program provided by a leased centralized campus may generate an average  
22 daily membership for instruction received during any hour of the day,  
23 during any day of the week and at any time between July 1 and June 30 of  
24 each fiscal year. Average daily membership shall be calculated by  
25 dividing the instructional hours of enrollment by six hundred hours,  
26 except that:

27 1. At least one hundred fifty hours and less than three hundred  
28 hours equals 0.25 average daily membership.

29 2. At least three hundred hours and less than four hundred fifty  
30 hours equals 0.5 average daily membership.

31 3. At least four hundred fifty hours and less than six hundred  
32 hours equals 0.75 average daily membership.

33 4. At least six hundred hours equals 1.0 average daily membership.

34 R. The sum of the average daily membership, as provided in section  
35 15-901, subsection A, paragraph 1, of a pupil who is enrolled in both the  
36 school district and in career technical education courses provided at a  
37 leased centralized campus shall not exceed 1.75 if all of the following  
38 conditions are met:

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

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

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

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

10          S. A student who is enrolled in an accommodation school may be  
11 treated as a student of the school district in which the student  
12 physically resides for the purposes of enrollment in a career technical  
13 education district and shall be included in the calculation of average  
14 daily membership for either the career technical education district or the  
15 accommodation school, or both.

16          T. Notwithstanding any other law, the student count for a career  
17 technical education district shall be equivalent to the career technical  
18 education district's average daily membership. Students in an approved  
19 career technical education program provided by a satellite campus,  
20 centralized campus or leased centralized campus may generate an average  
21 daily membership subject to the limits prescribed by subsections D, N, O,  
22 P, Q and R of this section, as applicable, for instruction received during  
23 any hour of the day, during any day of the week and at any time between  
24 July 1 and June 30 of each fiscal year. Average daily membership shall  
25 not be calculated on the one hundredth day of instruction for the purposes  
26 of this section. The department may not restrict the instructional time  
27 by limiting the particular days of the week or time of the fiscal year for  
28 instruction to occur.

29          U. A school district or charter school may not prohibit or  
30 discourage students who are enrolled in that school district or charter  
31 school from attending courses offered by a career technical education  
32 district, including requiring students to generate a full 1.0 average  
33 daily membership or to enroll in more courses than are needed to graduate  
34 before enrolling in and attending programs or courses offered by a career  
35 technical education district.

36          V. The governing board of the career technical education district  
37 may contract with any charter school that is located within the boundaries  
38 of the career technical education district to allow that charter school to  
39 offer career and technical education courses or programs as a satellite  
40 campus.

41          W. Beginning in 2020 and every five years thereafter, the career  
42 and technical education division of the department of education shall  
43 review career technical education district programs and career technical  
44 education courses to ensure compliance, quality and eligibility. Any  
45 program or course deemed to not meet the requirements set forth by law

1 shall not be funded for the current school year and shall be removed from  
2 the approved program and course list for the purposes of funding. The  
3 career and technical education division may establish a staggered schedule  
4 for reviewing each career technical education district.

5 X. Notwithstanding subsection D, paragraphs 4 and 9 and subsections  
6 P, Q and R of this section, for a student in grade nine, funding shall be  
7 provided pursuant to this section only if the student reaches the fortieth  
8 day of grade eleven enrolled in an approved career technical education  
9 program and meets the requirements prescribed in subsection Z of this  
10 section. At that time funding shall be provided for that student for  
11 grade nine and for any subsequent year in which the student is eligible  
12 for funding pursuant to this section.

13 Y. On or before September 1 of each year, the office of economic  
14 opportunity in collaboration with the department of education shall  
15 compile an in-demand regional education list of the approved career  
16 technical education programs that lead to a career path in high demand  
17 with median-to-high-wage jobs in that region. The office of economic  
18 opportunity shall incorporate industry feedback as part of developing the  
19 in-demand regional educational list. The office of economic opportunity  
20 shall submit the in-demand regional education list to the Arizona career  
21 and technical education quality commission for review and approval.

22 Z. Notwithstanding subsection D, paragraphs 4 and 9 and subsections  
23 P, Q and R of this section, for a student in grade nine or in the school  
24 year immediately following graduation, funding shall be provided pursuant  
25 to this section only if the student is enrolled in a program that was  
26 included on the in-demand regional education list compiled pursuant to  
27 subsection Y of this section for that student's region for the year in  
28 which the student began the program.

29 AA. For the purposes of this section:

30 1. "Base year" means the complete school year in which voters of a  
31 school district elected to join a career technical education district.

32 2. "Centralized campus" means a facility that is owned and operated  
33 by a career technical education district to offer career technical  
34 education district programs or career technical education courses.

35 3. "Lease" means a written agreement in which the right to occupy  
36 or use real property is conveyed from one person or entity to another  
37 person or entity for a specified period of time.

38 4. "Leased centralized campus" means a facility that is leased and  
39 operated by a career technical education district to offer career  
40 technical education district programs or career technical education  
41 courses.

42 5. "Satellite campus" means a facility that is owned or operated by  
43 a school district or charter school to offer career technical education  
44 district programs or career technical education courses.

1           Sec. 5. Section 15-901, Arizona Revised Statutes, is amended to  
2 read:

3           15-901. Definitions

4           A. In this title, unless the context otherwise requires:

5           1. "Average daily membership" means the total enrollment of  
6 fractional students and full-time students, minus withdrawals, of each  
7 school day through the first one hundred days or two hundred days in  
8 session, as applicable, for the current year. Withdrawals include  
9 students who are formally withdrawn from schools and students who are  
10 absent for ten consecutive school days, except for excused absences  
11 identified by the department of education. For the purposes of this  
12 section, school districts and charter schools shall report student absence  
13 data to the department of education at least once every sixty days in  
14 session. For computation purposes, the effective date of withdrawal shall  
15 be retroactive to the last day of actual attendance of the student or  
16 excused absence. A school district or charter school may satisfy any of  
17 the time and hours requirements prescribed in this subsection in any  
18 manner prescribed in the school district's or charter school's  
19 instructional time model adopted under section 15-901.08.

20           (a) "Fractional student" means:

21           (i) For common schools, a preschool child who is enrolled in a  
22 program for preschool children with disabilities of at least three hundred  
23 sixty minutes each week that meets at least two hundred sixteen hours over  
24 the minimum number of days or a kindergarten student who is at least five  
25 years of age before January 1 of the school year and enrolled in a school  
26 kindergarten program that meets at least three hundred fifty-six hours for  
27 a one hundred eighty-day school year, or the instructional hours  
28 prescribed in this section. In computing the average daily membership,  
29 preschool children with disabilities and kindergarten students shall be  
30 counted as one-half of a full-time student. For common schools, a  
31 part-time student is a student enrolled for less than the total time for a  
32 full-time student as defined in this section. A part-time common school  
33 student shall be counted as one-fourth, one-half or three-fourths of a  
34 full-time student if the student is enrolled in an instructional program  
35 that is at least one-fourth, one-half or three-fourths of the time a  
36 full-time student is enrolled as defined in subdivision (b) of this  
37 paragraph. The hours in which a student is scheduled to attend a common  
38 school during the regular school day shall be included in the calculation  
39 of the average daily membership for that student.

40           (ii) For high schools, a part-time student who is enrolled in less  
41 than four subjects that count toward graduation as defined by the state  
42 board of education, each of which, if taught each school day for the  
43 minimum number of days required in a school year, would meet a minimum of  
44 one hundred twenty-three hours a year, or the equivalent, in a recognized  
45 high school. The average daily membership of a part-time high school

1 student shall be 0.75 if the student is enrolled in an instructional  
2 program of three subjects that meet at least five hundred forty hours for  
3 a one hundred eighty-day school year, or the instructional hours  
4 prescribed in this section. The average daily membership of a part-time  
5 high school student shall be 0.5 if the student is enrolled in an  
6 instructional program of two subjects that meet at least three hundred  
7 sixty hours for a one hundred eighty-day school year, or the instructional  
8 hours prescribed in this section. The average daily membership of a  
9 part-time high school student shall be 0.25 if the student is enrolled in  
10 an instructional program of one subject that meets at least one hundred  
11 eighty hours for a one hundred eighty-day school year, or the  
12 instructional hours prescribed in this section. The hours in which a  
13 student is scheduled to attend a high school during the regular school day  
14 shall be included in the calculation of the average daily membership for  
15 that student.

16 (b) "Full-time student" means:

17 (i) For common schools, a student who is at least six years of age  
18 before January 1 of a school year, who has not graduated from the highest  
19 grade taught in the school district and who is regularly enrolled in a  
20 course of study required by the state board of education. First, second  
21 and third grade students or ungraded group B children with disabilities  
22 who are at least five, but under six, years of age by September 1 must be  
23 enrolled in an instructional program that meets for a total of at least  
24 seven hundred twelve hours for a one hundred eighty-day school year, or  
25 the instructional hours prescribed in this section. Fourth, fifth, sixth,  
26 seventh and eighth grade students must be enrolled in an instructional  
27 program that meets for a total of at least eight hundred ninety hours for  
28 a one hundred eighty-day school year, or the instructional hours  
29 prescribed in this section, including the equivalent number of  
30 instructional hours for schools that operate on a one hundred  
31 forty-four-day school year. The hours in which a student is scheduled to  
32 attend a common school during the regular school day shall be included in  
33 the calculation of the average daily membership for that student.

34 (ii) For high schools, a student who has not graduated from the  
35 highest grade taught in the school district and who is enrolled in at  
36 least an instructional program of four or more subjects that count toward  
37 graduation as defined by the state board of education, each of which, if  
38 taught each school day for the minimum number of days required in a school  
39 year, would meet a minimum of one hundred twenty-three hours a year, or  
40 the equivalent, that meets for a total of at least seven hundred twenty  
41 hours for a one hundred eighty-day school year, or the instructional hours  
42 prescribed in this section in a recognized high school. A full-time  
43 student shall not be counted more than once for computation of average  
44 daily membership. The average daily membership of a full-time high school  
45 student shall be 1.0 if the student is enrolled in at least four subjects

1 that meet at least seven hundred twenty hours for a one hundred eighty-day  
2 school year, or the equivalent instructional hours prescribed in this  
3 section. The hours in which a student is scheduled to attend a high  
4 school during the regular school day shall be included in the calculation  
5 of the average daily membership for that student.

6 (iii) If a child who has not reached five years of age before  
7 September 1 of the current school year is admitted to kindergarten and  
8 repeats kindergarten in the following school year, a school district or  
9 charter school is not eligible to receive basic state aid on behalf of  
10 that child during the child's second year of kindergarten. If a child who  
11 has not reached five years of age before September 1 of the current school  
12 year is admitted to kindergarten but does not remain enrolled, a school  
13 district or charter school may receive a portion of basic state aid on  
14 behalf of that child in the subsequent year. A school district or charter  
15 school may charge tuition for any child who is ineligible for basic state  
16 aid pursuant to this item.

17 (iv) Except as otherwise provided by law, for a full-time high  
18 school student who is concurrently enrolled in two school districts or two  
19 charter schools, the average daily membership shall not exceed 1.0.

20 (v) Except as otherwise provided by law, for any student who is  
21 concurrently enrolled in a school district and a charter school, the  
22 average daily membership shall be apportioned between the school district  
23 and the charter school and shall not exceed 1.0. The apportionment shall  
24 be based on the percentage of total time that the student is enrolled in  
25 or in attendance at the school district and the charter school.

26 (vi) Except as otherwise provided by law, for any student who is  
27 concurrently enrolled, pursuant to section 15-808, in a school district  
28 and Arizona online instruction or a charter school and Arizona online  
29 instruction, the average daily membership shall be apportioned between the  
30 school district and Arizona online instruction or the charter school and  
31 Arizona online instruction and shall not exceed 1.0. The apportionment  
32 shall be based on the percentage of total time that the student is  
33 enrolled in or in attendance at the school district and Arizona online  
34 instruction or the charter school and Arizona online instruction.

35 (vii) For homebound or hospitalized, a student receiving at least  
36 four hours of instruction per week.

37 (c) "Regular school day" means the regularly scheduled class  
38 periods intended for instructional purposes. Instructional purposes may  
39 include core subjects, elective subjects, lunch, study halls, music  
40 instruction and other classes that advance the academic instruction of  
41 pupils. Instructional purposes do not include athletic practices or  
42 extracurricular clubs and activities.

43 2. "Budget year" means the fiscal year for which the school  
44 district is budgeting and that immediately follows the current year.

1           3. "Common school district" means a political subdivision of this  
2 state offering instruction to students in programs for preschool children  
3 with disabilities and kindergarten programs and either:

4           (a) Grades one through eight.

5           (b) Grades one through nine pursuant to section 15-447.01.

6           4. "Current year" means the fiscal year in which a school district  
7 is operating.

8           5. "Daily attendance" means:

9           (a) For common schools, days in which a pupil:

10           (i) Of a kindergarten program or ungraded, but not group B children  
11 with disabilities, who is at least five, but under six, years of age by  
12 September 1 attends at least three-quarters of the instructional time  
13 scheduled for the day. If the total instruction time scheduled for the  
14 year is at least three hundred fifty-six hours but is less than seven  
15 hundred twelve hours, such attendance shall be counted as one-half day of  
16 attendance. If the instructional time scheduled for the year is at least  
17 six hundred ninety-two hours, "daily attendance" means days in which a  
18 pupil attends at least one-half of the instructional time scheduled for  
19 the day. Such attendance shall be counted as one-half day of attendance.  
20 A school district or charter school may satisfy any of the time and hours  
21 requirements prescribed in this item in any manner prescribed in the  
22 school district's or charter school's instructional time model adopted  
23 under section 15-901.08.

24           (ii) Of the first, second or third grades attends more than  
25 three-quarters of the instructional time scheduled for the day. A school  
26 district or charter school may satisfy any of the time and hours  
27 requirements prescribed in this item in any manner prescribed in the  
28 school district's or charter school's instructional time model adopted  
29 under section 15-901.08.

30           (iii) Of the fourth, fifth or sixth grades attends more than  
31 three-quarters of the instructional time scheduled for the day, except as  
32 provided in section 15-797. A school district or charter school may  
33 satisfy any of the time and hours requirements prescribed in this item in  
34 any manner prescribed in the school district's or charter school's  
35 instructional time model adopted under section 15-901.08.

36           (iv) Of the seventh or eighth grades attends more than  
37 three-quarters of the instructional time scheduled for the day, except as  
38 provided in section 15-797. A school district or charter school may  
39 satisfy any of the time and hours requirements prescribed in this item in  
40 any manner prescribed in the school district's or charter school's  
41 instructional time model adopted under section 15-901.08.

42           (b) For common schools, the attendance of a pupil at three-quarters  
43 or less of the instructional time scheduled for the day shall be counted  
44 as follows, except as provided in section 15-797 and except that

1 attendance for a fractional student shall not exceed the pupil's  
2 fractional membership:

3 (i) If attendance for all pupils in the school is based on quarter  
4 days, the attendance of a pupil shall be counted as one-fourth of a day's  
5 attendance for each one-fourth of full-time instructional time attended.  
6 A school district or charter school may satisfy any of the time and hours  
7 requirements prescribed in this item in any manner prescribed in the  
8 school district's or charter school's instructional time model adopted  
9 under section 15-901.08.

10 (ii) If attendance for all pupils in the school is based on half  
11 days, the attendance of at least three-quarters of the instructional time  
12 scheduled for the day shall be counted as a full day's attendance and  
13 attendance at a minimum of one-half but less than three-quarters of the  
14 instructional time scheduled for the day equals one-half day of  
15 attendance. A school district or charter school may satisfy any of the  
16 time and hours requirements prescribed in this item in any manner  
17 prescribed in the school district's or charter school's instructional time  
18 model adopted under section 15-901.08.

19 (c) For common schools, the attendance of a preschool child with  
20 disabilities shall be counted as one-fourth day's attendance for each  
21 thirty-six minutes of attendance, except as provided in paragraph 1,  
22 subdivision (a), item (i) of this subsection for children with  
23 disabilities up to a maximum of three hundred sixty minutes each week. A  
24 school district or charter school may satisfy any of the time and hours  
25 requirements prescribed in this subdivision in any manner prescribed in  
26 the school district's or charter school's instructional time model adopted  
27 under section 15-901.08.

28 (d) For high schools, the attendance of a pupil shall not be  
29 counted as a full day unless the pupil is actually and physically in  
30 attendance and enrolled in and carrying four subjects, each of which, if  
31 taught each school day for the minimum number of days required in a school  
32 year, would meet a minimum of one hundred twenty-three hours a year, or  
33 the equivalent, that count toward graduation in a recognized high school  
34 except as provided in section 15-797 and subdivision (e) of this  
35 paragraph. Attendance of a pupil carrying less than the load prescribed  
36 shall be prorated. A school district or charter school may satisfy any of  
37 the time and hours requirements prescribed in this subdivision in any  
38 manner prescribed in the school district's or charter school's  
39 instructional time model adopted under section 15-901.08.

40 (e) For high schools, the attendance of a pupil may be counted as  
41 one-fourth of a day's attendance for each sixty minutes of instructional  
42 time in a subject that counts toward graduation, except that attendance  
43 for a pupil shall not exceed the pupil's full or fractional membership. A  
44 school district or charter school may satisfy any of the time and hours  
45 requirements prescribed in this subdivision in any manner prescribed in



1 the school district's or charter school's instructional time model adopted  
2 under section 15-901.08.

3 (f) For homebound or hospitalized, a full day of attendance may be  
4 counted for each day during a week in which the student receives at least  
5 four hours of instruction. A school district or charter school may  
6 satisfy any of the time and hours requirements prescribed in this  
7 subdivision in any manner prescribed in the school district's or charter  
8 school's instructional time model adopted under section 15-901.08.

9 (g) For school districts that maintain school for an approved  
10 year-round school year operation, attendance shall be based on a  
11 computation, as prescribed by the superintendent of public instruction, of  
12 the one hundred eighty days' equivalency or two hundred days' equivalency,  
13 as applicable, of instructional time as approved by the superintendent of  
14 public instruction during which each pupil is enrolled. A school district  
15 or charter school may satisfy any of the time and hours requirements  
16 prescribed in this subdivision in any manner prescribed in the school  
17 district's or charter school's instructional time model adopted under  
18 section 15-901.08.

19 6. "Daily route mileage" means the sum of:

20 (a) The total number of miles driven daily by all buses of a school  
21 district while transporting eligible students from their residence to the  
22 school of attendance and from the school of attendance to their residence  
23 on scheduled routes approved by the superintendent of public instruction.

24 (b) The total number of miles driven daily on routes approved by  
25 the superintendent of public instruction for which a private party, a  
26 political subdivision or a common or a contract carrier is reimbursed for  
27 bringing an eligible student from the place of the student's residence to  
28 a school transportation pickup point or to the school of attendance and  
29 from the school transportation scheduled return point or from the school  
30 of attendance to the student's residence. Daily route mileage includes  
31 the total number of miles necessary to drive to transport eligible  
32 students from and to their residence as provided in this paragraph.

33 7. "District support level" means the base support level plus the  
34 transportation support level.

35 8. "Eligible students" means:

36 (a) Students who are transported by or for a school district and  
37 who qualify as full-time students or fractional students, except students  
38 for whom transportation is paid by another school district or a county  
39 school superintendent, and:

40 (i) For common school students, whose place of actual residence  
41 within the school district is more than one mile from the school facility  
42 of attendance or students who are admitted pursuant to section 15-816.01  
43 and who meet the economic eligibility requirements established under the  
44 national school lunch and child nutrition acts (42 United States Code  
45 sections 1751 through 1793) for free or reduced-price lunches and whose

1 actual place of residence outside the school district boundaries is more  
2 than one mile from the school facility of attendance.

3 (ii) For high school students, whose place of actual residence  
4 within the school district is more than one and one-half miles from the  
5 school facility of attendance or students who are admitted pursuant to  
6 section 15-816.01 and who meet the economic eligibility requirements  
7 established under the national school lunch and child nutrition acts  
8 (42 United States Code sections 1751 through 1793) for free or  
9 reduced-price lunches and whose actual place of residence outside the  
10 school district boundaries is more than one and one-half miles from the  
11 school facility of attendance.

12 (b) Kindergarten students, for purposes of computing the number of  
13 eligible students under subdivision (a), item (i) of this paragraph, shall  
14 be counted as full-time students, notwithstanding any other provision of  
15 law.

16 (c) Children with disabilities, as defined by section 15-761, who  
17 are transported by or for the school district or who are admitted pursuant  
18 to chapter 8, article 1.1 of this title and who qualify as full-time  
19 students or fractional students regardless of location or residence within  
20 the school district or children with disabilities whose transportation is  
21 required by the pupil's individualized education program.

22 (d) Students whose residence is outside the school district and who  
23 are transported within the school district on the same basis as students  
24 who reside in the school district.

25 9. "Enrolled" or "enrollment" means that a pupil is currently  
26 registered in the school district.

27 10. "GDP price deflator" means the average of the four implicit  
28 price deflators for the gross domestic product reported by the United  
29 States department of commerce for the four quarters of the calendar year.

30 11. "High school district" means a political subdivision of this  
31 state offering instruction to students for grades nine through twelve or  
32 that portion of the budget of a common school district that is allocated  
33 to teaching high school subjects with permission of the state board of  
34 education.

35 12. "Instructional hours" or "instructional time" means hours or  
36 time spent pursuant to an instructional time model adopted under section  
37 15-901.08.

38 13. "Revenue control limit" means the base revenue control limit  
39 plus the transportation revenue control limit.

40 14. "Student count" means average daily membership as prescribed in  
41 this subsection for the fiscal year before the current year, except that  
42 for the purpose of budget preparation student count means average daily  
43 membership as prescribed in this subsection for the current year.

- 1           15. "Submit electronically" means submitted in a format and in a  
2 manner prescribed by the department of education.
- 3           16. "Total bus mileage" means the total number of miles driven by  
4 all buses of a school district during the school year.
- 5           17. "Total students transported" means all eligible students  
6 transported from their place of residence to a school transportation  
7 pickup point or to the school of attendance and from the school of  
8 attendance or from the school transportation scheduled return point to  
9 their place of residence.
- 10          18. "Unified school district" means a political subdivision of this  
11 state offering instruction to students in programs for preschool children  
12 with disabilities and kindergarten programs and grades one through twelve.
- 13           B. In this title, unless the context otherwise requires:
- 14           1. "Base" means the revenue level per student count specified by  
15 the legislature.
- 16           2. "Base level" means the following amounts plus the percentage  
17 ~~increases~~ INCREASE to the base level as provided in ~~sections~~ SECTION  
18 15-902.04 ~~and 15-952, except that if a school district or charter school~~  
19 ~~is eligible for an increase in the base level as provided in two or more~~  
20 ~~of these sections, the base level amount shall be calculated by~~  
21 ~~compounding rather than adding the sum of one plus the percentage of the~~  
22 ~~increase from those different sections:~~
- 23           ~~(a) For fiscal year 2019-2020, \$4,150.43.~~  
24           ~~(b)~~ (a) For fiscal year 2020-2021, \$4,305.73.  
25           ~~(c)~~ (b) For fiscal year 2021-2022, \$4,390.65.  
26           (c) FOR FISCAL YEAR 2022-2023, \$4,736.63.
- 27           3. "Base revenue control limit" means the base revenue control  
28 limit computed as provided in section 15-944.
- 29           4. "Base support level" means the base support level as provided in  
30 section 15-943.
- 31           5. "Certified teacher" means a person who is certified as a teacher  
32 pursuant to the rules adopted by the state board of education, who renders  
33 direct and personal services to schoolchildren in the form of instruction  
34 related to the school district's educational course of study and who is  
35 paid from the maintenance and operation section of the budget.
- 36           6. "DD" means programs for children with developmental delays who  
37 are at least three years of age but under ten years of age. A preschool  
38 child who is categorized under this paragraph is not eligible to receive  
39 funding pursuant to section 15-943, paragraph 2, subdivision (b).
- 40           7. "ED, MIID, SLD, SLI and OHI" means programs for children with  
41 emotional disabilities, mild intellectual disabilities, a specific  
42 learning disability, a speech/language impairment and other health  
43 impairments. A preschool child who is categorized as SLI under this  
44 paragraph is not eligible to receive funding pursuant to section 15-943,  
45 paragraph 2, subdivision (b).

1           8. "ED-P" means programs for children with emotional disabilities  
2 who are enrolled in private special education programs as prescribed in  
3 section 15-765, subsection D, paragraph 1 or in an intensive school  
4 district program as provided in section 15-765, subsection D, paragraph 2.

5           9. "ELL" means English learners who do not speak English or whose  
6 native language is not English, who are not currently able to perform  
7 ordinary classroom work in English and who are enrolled in an English  
8 language education program pursuant to sections 15-751, 15-752 and 15-753.

9           10. "Full-time equivalent certified teacher" or "FTE certified  
10 teacher" means for a certified teacher the following:

11           (a) If employed full time as defined in section 15-501, 1.00.

12           (b) If employed less than full time, multiply 1.00 by the  
13 percentage of a full school day, or its equivalent, or a full class load,  
14 or its equivalent, for which the teacher is employed as determined by the  
15 governing board.

16           11. "G" means educational programs for gifted pupils who score at  
17 or above the ninety-seventh percentile, based on national norms, on a test  
18 adopted by the state board of education.

19           12. "Group A" means educational programs for career exploration, a  
20 specific learning disability, an emotional disability, a mild intellectual  
21 disability, remedial education, a speech/language impairment,  
22 developmental delay, homebound pupils, bilingual pupils and pupils with  
23 other health impairments.

24           13. "Group B" means educational improvements for pupils in  
25 kindergarten programs and grades one through three, educational programs  
26 for autism, a hearing impairment, a moderate intellectual disability,  
27 multiple disabilities, multiple disabilities with severe sensory  
28 impairment, orthopedic impairments, preschool severe delay, a severe  
29 intellectual disability and emotional disabilities for school age pupils  
30 enrolled in private special education programs or in school district  
31 programs for children with severe disabilities or visual impairment and  
32 English learners enrolled in a program to promote English language  
33 proficiency pursuant to section 15-752.

34           14. "HI" means programs for pupils with hearing impairment.

35           15. "Homebound" or "hospitalized" means a pupil who is capable of  
36 profiting from academic instruction but is unable to attend school due to  
37 illness, disease, accident or other health conditions, who has been  
38 examined by a competent medical doctor and who is certified by that doctor  
39 as being unable to attend regular classes for a period of not less than  
40 three school months or a pupil who is capable of profiting from academic  
41 instruction but is unable to attend school regularly due to chronic or  
42 acute health problems, who has been examined by a competent medical doctor  
43 and who is certified by that doctor as being unable to attend regular  
44 classes for intermittent periods of time totaling three school months  
45 during a school year. The medical certification shall state the general

1 medical condition, such as illness, disease or chronic health condition,  
2 that is the reason that the pupil is unable to attend school. Homebound  
3 or hospitalized includes a student who is unable to attend school for a  
4 period of less than three months due to a pregnancy if a competent medical  
5 doctor, after an examination, certifies that the student is unable to  
6 attend regular classes due to risk to the pregnancy or to the student's  
7 health.

8 16. "K-3" means kindergarten programs and grades one through three.

9 17. "K-3 reading" means reading programs for pupils in kindergarten  
10 programs and grades one, two and three.

11 18. "MD-R, A-R and SID-R" means resource programs for pupils with  
12 multiple disabilities, autism and severe intellectual disability.

13 19. "MD-SC, A-SC and SID-SC" means self-contained programs for  
14 pupils with multiple disabilities, autism and severe intellectual  
15 disability.

16 20. "MD-SSI" means a program for pupils with multiple disabilities  
17 with severe sensory impairment.

18 21. "MOID" means programs for pupils with moderate intellectual  
19 disability.

20 22. "OI-R" means a resource program for pupils with orthopedic  
21 impairments.

22 23. "OI-SC" means a self-contained program for pupils with  
23 orthopedic impairments.

24 24. "PSD" means preschool programs for children with disabilities  
25 as provided in section 15-771.

26 25. "P-SD" means programs for children who meet the definition of  
27 preschool severe delay as provided in section 15-771.

28 26. "Qualifying tax rate" means the qualifying tax rate specified  
29 in section 15-971 applied to the assessed valuation used for primary  
30 property taxes.

31 27. "Small isolated school district" means a school district that  
32 meets all of the following:

33 (a) Has a student count of fewer than six hundred in kindergarten  
34 programs and grades one through eight or grades nine through twelve.

35 (b) Contains no school that is fewer than thirty miles by the most  
36 reasonable route from another school, or, if road conditions and terrain  
37 make the driving slow or hazardous, fifteen miles from another school that  
38 teaches one or more of the same grades and is operated by another school  
39 district in this state.

40 (c) Is designated as a small isolated school district by the  
41 superintendent of public instruction.

42 28. "Small school district" means a school district that meets all  
43 of the following:

44 (a) Has a student count of fewer than six hundred in kindergarten  
45 programs and grades one through eight or grades nine through twelve.

1 (b) Contains at least one school that is fewer than thirty miles by  
2 the most reasonable route from another school that teaches one or more of  
3 the same grades and is operated by another school district in this state.

4 (c) Is designated as a small school district by the superintendent  
5 of public instruction.

6 29. "Transportation revenue control limit" means the transportation  
7 revenue control limit computed as prescribed in section 15-946.

8 30. "Transportation support level" means the support level for  
9 pupil transportation operating expenses as provided in section 15-945.

10 31. "VI" means programs for pupils with visual impairments.

11 Sec. 6. Section 15-910, Arizona Revised Statutes, is amended to  
12 read:

13 15-910. School district budgets; excess utility costs;  
14 desegregation costs; tuition costs for bond issues;  
15 costs for registering warrants; report

16 A. The governing board may budget for the district's excess utility  
17 costs that are specifically exempt from the district's revenue control  
18 limit. If approved by the qualified electors voting at a statewide  
19 general election, the exemption from the revenue control limit under this  
20 subsection expires at the end of the 2008-2009 budget year. The uniform  
21 system of financial records shall specify expenditure items allowable as  
22 excess utility costs, which are limited to direct operational costs of  
23 heating, cooling, water and electricity, telephone communications and  
24 sanitation fees. The department of education and the auditor general  
25 shall include in the maintenance and operation section of the budget  
26 format, as provided in section 15-903, a separate line for utility  
27 expenditures and a special excess utility cost category. The special  
28 excess utility cost category shall contain budgeted expenditures for  
29 excess utility costs, determined as follows:

30 1. Determine the lesser of the total budgeted or total actual  
31 utility expenditures for fiscal year 1984-1985.

32 2. Multiply the amount in paragraph 1 of this subsection by the  
33 total percentage increase or decrease in the revenue control limit and the  
34 capital outlay revenue limit for the budget year over the revenue control  
35 limit and the capital outlay revenue limit for fiscal year 1984-1985  
36 ~~excluding monies available from a teacher compensation program provided~~  
37 ~~for in section 15-952.~~

38 3. The sum of the amounts in paragraphs 1 and 2 of this subsection  
39 is the amount budgeted in the utility expenditure line.

40 4. Additional expenditures for utilities are budgeted in the excess  
41 utility cost category.

42 B. The governing board shall apply the same percentage increase or  
43 decrease allowed in the revenue control limit and the capital outlay  
44 revenue limit as provided in section 15-905, subsection E to the utility  
45 expenditure line of the budget.

1 C. The governing board may expend from the excess utility cost  
2 category only after it has expended for utility purposes the full amount  
3 budgeted in the utility expenditure line of the budget.

4 D. The governing board, after notice is given and a public meeting  
5 is held as provided in section 15-905, subsection D, may revise at any  
6 time before May 15 the amount budgeted in the excess utility cost category  
7 for the current year. Not later than May 18, the budget as revised shall  
8 be submitted electronically to the superintendent of public instruction.

9 E. If the revised excess utility cost category results in an  
10 expenditure of monies in excess of school district revenues for the  
11 current year, the county school superintendent shall include within the  
12 revenue estimate for the budget year monies necessary to meet the  
13 liabilities incurred by the school district in the current year in excess  
14 of revenues received for the current year.

15 F. If a school district receives a refund of utility expenditures  
16 or a rebate on energy saving devices or services, the refund or rebate  
17 shall be applied against utility expenditures for the current year as a  
18 reduction of the expenditures, except that the reduction of expenditures  
19 shall not exceed the amount of actual utility expenditures.

20 G. The governing board may budget for expenses of complying with or  
21 continuing to implement activities that were required or permitted by a  
22 court order of desegregation or administrative agreement with the United  
23 States department of education office for civil rights directed toward  
24 remediating alleged or proven racial discrimination that are specifically  
25 exempt in whole or in part from the revenue control limit and district  
26 additional assistance. This exemption applies only to expenses incurred  
27 for activities that are begun before the termination of the court order or  
28 administrative agreement. If a district is levying a property tax on  
29 February 23, 2006 and using those monies to administer an English language  
30 learner program to remedy alleged or proven discrimination under title VI  
31 of the civil rights act of 1964 (42 United States Code section 2000d), the  
32 district may spend those monies to remedy a violation of the equal  
33 educational opportunities act of 1974 (20 United States Code section  
34 1703(f)). Nothing in this subsection allows a school district to levy a  
35 property tax for violations of the equal educational opportunities act of  
36 1974 (20 United States Code section 1703(f)) in the absence of an alleged  
37 or proven discrimination under title VI of the civil rights act of 1964  
38 (42 United States Code section 2000d).

39 H. If a governing board chooses to budget monies outside of the  
40 revenue control limit as provided in subsection G of this section, the  
41 governing board may do one of the following:

42 1. Use monies from the maintenance and operation fund equal to any  
43 excess desegregation or compliance expenses beyond the revenue control  
44 limit before June 30 of the current year.

1           2. Notify the county school superintendent to include the cost of  
2 the excess expenses in the county school superintendent's estimate of the  
3 additional amount needed for the school district from the secondary  
4 property tax as provided in section 15-991.

5           3. Employ the provisions of both paragraphs 1 and 2 of this  
6 subsection, provided that the total amount transferred and included in the  
7 amount needed from property taxes does not exceed the total amount  
8 budgeted as prescribed in subsection J, paragraph 1 of this section.

9           I. If a governing board chooses to budget monies outside of  
10 district additional assistance as provided in subsection G of this  
11 section, the governing board may notify the county school superintendent  
12 to include the cost of the excess expenses in the county school  
13 superintendent's estimate of the additional amount needed for the school  
14 district from the secondary property tax as provided in section 15-991.

15           J. A governing board using subsections G, H and I of this section:

16           1. Shall prepare and employ a separate maintenance and operation  
17 desegregation budget and capital outlay desegregation budget on a form  
18 prescribed by the superintendent of public instruction in conjunction with  
19 the auditor general. The budget format shall be designed to allow a  
20 school district to plan and provide in detail for expenditures to be  
21 incurred solely as a result of compliance with or continuing to implement  
22 activities that were required or permitted by a court order of  
23 desegregation or administrative agreement with the United States  
24 department of education office for civil rights directed toward  
25 remediating alleged or proven racial discrimination.

26           2. Shall prepare as a part of the annual financial report a  
27 detailed report of expenditures incurred solely as a result of compliance  
28 with or continuing to implement activities that were required or permitted  
29 by a court order of desegregation or administrative agreement with the  
30 United States department of education office for civil rights directed  
31 toward remediating alleged or proven racial discrimination, in a format  
32 prescribed by the auditor general in conjunction with the Arizona  
33 department of education as provided by section 15-904.

34           3. On or before July 15 each year, shall collect and report data  
35 regarding activities related to a court order of desegregation or an  
36 administrative agreement with the United States department of education  
37 office for civil rights directed toward remediating alleged or proven  
38 racial discrimination in a format prescribed by the Arizona department of  
39 education. The Arizona department of education shall compile and submit  
40 copies of the reports to the governor, the president of the senate, the  
41 speaker of the house of representatives and the chairpersons of the  
42 education committees of the senate and the house of representatives and  
43 shall submit a copy to the secretary of state. A school district that  
44 becomes subject to a new court order of desegregation or a party to an  
45 administrative agreement with the United States department of education



1 office for civil rights directed toward remediating alleged or proven  
2 racial discrimination shall submit these reports on or before July 15 or  
3 within ninety days of the date of the court order or administrative  
4 agreement, whichever occurs first. The Arizona department of education,  
5 in consultation with the auditor general, shall develop reporting  
6 requirements to ensure that school districts submit at least the following  
7 information and documentation to the Arizona department of education:

8 (a) A district-wide budget summary and a budget summary on a  
9 school-by-school basis for each school in the school district that lists  
10 the sources and uses of monies that are designated for desegregation  
11 purposes.

12 (b) A detailed list of desegregation activities on a district-wide  
13 basis and on a school-by-school basis for each school in the school  
14 district.

15 (c) The date that the school district was determined to be out of  
16 compliance with title VI of the civil rights act of 1964 (42 United States  
17 Code section 2000d) and the basis for that determination.

18 (d) The initial date that the school district began to levy  
19 property taxes to provide funding for desegregation expenses and any dates  
20 that these property tax levies were increased.

21 (e) If applicable, a current and accurate description of all magnet  
22 type programs that are in operation pursuant to the court order during the  
23 current school year on a district-wide basis and on a school-by-school  
24 basis. This information shall contain the eligibility and attendance  
25 criteria of each magnet type program, the capacity of each magnet type  
26 program, the ethnic composition goals of each magnet type program, the  
27 actual attending ethnic composition of each magnet type program and the  
28 specific activities offered in each magnet type program.

29 (f) The number of pupils who participate in desegregation  
30 activities on a district-wide basis and on a school-by-school basis for  
31 each school in the school district.

32 (g) A detailed summary of the academic achievement of pupils on a  
33 district-wide basis and on a school-by-school basis for each school in the  
34 school district.

35 (h) The number of employees, including teachers and administrative  
36 personnel, on a district-wide basis and on a school-by-school basis for  
37 each school in the school district that is necessary to conduct  
38 desegregation activities.

39 (i) The number of employees, including teachers and administrative  
40 personnel, on a district-wide basis and on a school-by-school basis for  
41 each school in the school district and the number of employees at school  
42 district administrative offices that are funded in whole or in part with  
43 desegregation monies received pursuant to this section.

1 (j) The amount of monies that is not derived through a primary or  
2 secondary property tax levy and that is budgeted and spent on  
3 desegregation activities on a district-wide basis and on a  
4 school-by-school basis for each school in the school district.

5 (k) Verification that the desegregation funding will supplement and  
6 not supplant funding for other academic and extracurricular activities.

7 (l) Verification that the desegregation funding is educationally  
8 justifiable.

9 (m) Any documentation that supports the proposition that the  
10 requested desegregation funding is intended to result in equal education  
11 opportunities for all pupils in the school district.

12 (n) Verification that the desegregation funding will be used to  
13 promote systemic and organizational changes within the school district.

14 (o) Verification that the desegregation funding will be used in  
15 accordance with the academic standards adopted by the state board of  
16 education pursuant to sections 15-701 and 15-701.01.

17 (p) Verification that the desegregation funding will be used to  
18 accomplish specific actions to remediate proven discrimination pursuant to  
19 title VI of the civil rights act of 1964 (42 United States Code section  
20 2000d) as specified in the court order or administrative agreement.

21 (q) An evaluation by the school district of the effectiveness of  
22 the school district's desegregation measures.

23 (r) An estimate of when the school district will be in compliance  
24 with the court order or administrative agreement and a detailed account of  
25 the steps that the school district will take to achieve compliance.

26 (s) Any other information that the Arizona department of education  
27 deems necessary to carry out the purposes of this paragraph.

28 K. If a school district governing board budgets for expenses of  
29 complying with a court order of desegregation or an administrative  
30 agreement with the United States department of education office for civil  
31 rights directed toward remediating alleged or proven racial  
32 discrimination, the governing board shall ensure that the desegregation  
33 expenses will:

34 1. Be educationally justifiable.

35 2. Result in equal education opportunities for all pupils in the  
36 school district.

37 3. Be used to promote systemic and organizational changes within  
38 the school district.

39 4. Be used in accordance with the academic standards adopted by the  
40 state board of education pursuant to sections 15-701 and 15-701.01.

41 5. Be used to accomplish specific actions to remediate proven  
42 discrimination pursuant to title VI of the civil rights act of 1964  
43 (42 United States Code section 2000d) as specified in the court order or  
44 administrative agreement.

1           6. Be used in accordance with a plan submitted to the department of  
2 education that includes an estimate of the amount of monies that will be  
3 required to bring the school district into compliance with the court order  
4 or administrative agreement and an estimate of when the school district  
5 will be in compliance with the court order or administrative agreement.

6           7. Each fiscal year, not exceed the amount budgeted by the school  
7 district for desegregation expenses in fiscal year 2008-2009.

8           L. Beginning in fiscal year 2018-2019, subsections G through K of  
9 this section apply only if the governing board uses revenues from  
10 secondary property taxes rather than primary property taxes to fund  
11 expenses of complying with or continuing to implement activities that were  
12 required or allowed by a court order of desegregation or administrative  
13 agreement with the United States department of education office for civil  
14 rights directed toward remediating alleged or proven racial discrimination  
15 that are specifically exempt in whole or in part from the revenue control  
16 limit and district additional assistance. Secondary property taxes levied  
17 pursuant to this subsection do not require voter approval, but shall be  
18 separately delineated on a property owner's property tax statement.

19           M. The governing board may budget for the bond issues portion of  
20 the cost of tuition charged the district as provided in section 15-824 for  
21 the pupils attending school in another school district, except that if the  
22 district is a common school district not within a high school district,  
23 the district may only include that part of tuition that is excluded from  
24 the revenue control limit and district support level as provided in  
25 section 15-951. The bond issues portion of the cost of tuition charged is  
26 specifically exempt from the revenue control limit of the school district  
27 of residence, and the primary property tax rate set to fund this amount  
28 shall not be included in the computation of additional state aid for  
29 education as provided in section 15-972, except as provided in section  
30 15-972, subsection E. The department of education and the auditor general  
31 shall include in the maintenance and operation section of the budget  
32 format, as provided in section 15-903, a separate category for the bond  
33 issues portion of the cost of tuition.

34           N. The governing board may budget for interest expenses it incurred  
35 for registering warrants drawn against a fund of the school district or  
36 net interest expense on tax anticipation notes as prescribed in section  
37 35-465.05, subsection C for the fiscal year preceding the current year if  
38 the county treasurer pooled all school district monies for investment as  
39 provided in section 15-996 for the fiscal year preceding the current year  
40 and, in those school districts that receive state aid, the school  
41 districts applied for an apportionment of state aid before the date set  
42 for the apportionment as provided in section 15-973 for the fiscal year  
43 preceding the current year. The governing board may budget an amount for  
44 interest expenses for registering warrants or issuing tax anticipation  
45 notes equal to or less than the amount of the warrant interest expense or

1 net interest expense on tax anticipation notes as prescribed in section  
2 35-465.05, subsection C for the fiscal year preceding the current year as  
3 provided in this subsection that is specifically exempt from the revenue  
4 control limit. For the purposes of this subsection, "state aid" means  
5 state aid as determined in sections 15-971 and 15-972.

6 Sec. 7. Section 15-913.01, Arizona Revised Statutes, is amended to  
7 read:

8 15-913.01. Education program; county jails

9 A. Each county that operates a county jail shall offer an education  
10 program to serve all prisoners who are ~~under eighteen years of age and~~  
11 ~~prisoners with disabilities who are age~~ twenty-one YEARS OF AGE or  
12 younger, WHO DO NOT HAVE A HIGH SCHOOL DIPLOMA OR A GENERAL EQUIVALENCY  
13 DIPLOMA and who are confined in the county jail. The county school  
14 superintendent and the sheriff in each county shall agree on the method of  
15 delivery of the education program.

16 B. The county school superintendent shall develop policies and  
17 procedures ~~for the TO~~ transfer of THE educational records of any prisoner  
18 confined in a county jail who has been transferred from a juvenile  
19 detention center or from any other public agency that has provided  
20 educational services to that prisoner.

21 C. A county may operate its county jail education program through  
22 an accommodation school that provides alternative education services  
23 pursuant to section 15-308, except that each pupil enrolled in the  
24 accommodation school county jail education program shall be funded at an  
25 amount equal to seventy-two ~~per cent~~ PERCENT of the amount for that pupil  
26 if that pupil were enrolled in another accommodation school program.

27 D. If a county chooses not to operate its county jail education  
28 program through an accommodation school, the county school superintendent  
29 may establish a county jail education fund to provide financial support to  
30 the program. The county jail education fund for each program shall  
31 consist of a base amount plus a variable amount. For fiscal year  
32 1999-2000, the base amount is ~~fourteen thousand four hundred dollars~~  
33 \$14,400 and the variable amount shall be determined pursuant to subsection  
34 E of this section. The base amount and variable amount for each county or  
35 counties served shall be funded with state general fund monies, subject to  
36 appropriation. The county school superintendent must submit claims for  
37 payments to the ~~state~~ superintendent of public instruction. The county  
38 school superintendent shall deposit the payments ~~into~~ IN the RESPECTIVE  
39 county jail education fund.

40 E. The variable amount shall be determined as follows:

41 1. Determine the number of days in the prior fiscal year that each  
42 pupil who is a prisoner and who had been in the county jail for more than  
43 forty-eight hours received an instructional program of at least two  
44 hundred forty minutes. ~~No~~ A school district may NOT count a pupil as

1 being in attendance in that school district on a day that the pupil is  
2 counted as a prisoner for the purposes of this paragraph.

3 2. Multiply the number of days determined under paragraph 1 of this  
4 subsection by the following amount:

5 (a) For fiscal year 1999-2000, ~~ten dollars eighty cents~~ \$10.80.  
6 (b) For fiscal year 2000-2001 and each year thereafter, the amount  
7 for the prior year adjusted by any growth rate prescribed by law, subject  
8 to legislative appropriation.

9 3. For each pupil who is a child with a disability as defined in  
10 section 15-761, who is a prisoner and who had been in the county jail for  
11 more than forty-eight hours:

12 (a) Determine the amount prescribed in section 15-1204, subsection  
13 E, paragraph 1 or 2, multiply the amount by .72 and add ~~seventy-two~~  
14 ~~dollars~~ \$72 for capital outlay costs.

15 (b) Divide the sum determined under subdivision (a) of this  
16 paragraph by one hundred seventy-five.

17 (c) Subtract the amount prescribed in paragraph 2 of this  
18 subsection from the quotient determined in subdivision (b) of this  
19 paragraph.

20 (d) Determine the number of days in the prior fiscal year that the  
21 pupil received an instructional program of at least two hundred forty  
22 minutes.

23 (e) Multiply the amount determined in subdivision (d) of this  
24 paragraph by the difference determined in subdivision (c) of this  
25 paragraph.

26 4. Add the amounts determined in paragraph 3 of this subsection for  
27 all pupils with disabilities who are prisoners.

28 5. Add the sum determined in paragraph 4 of this subsection to the  
29 product determined in paragraph 2 of this subsection. This sum is the  
30 variable amount.

31 F. If a county jail education program serves more than one county,  
32 the county school superintendents and the sheriffs of the counties being  
33 served shall agree on a county of jurisdiction. The county school  
34 superintendent shall deposit ~~into~~ IN the county jail education fund of the  
35 county of jurisdiction monies that are received from the superintendent of  
36 public instruction pursuant to this section for all counties served by the  
37 county of jurisdiction.

38 G. If a county operated a county jail education program through an  
39 accommodation school in the year before it begins to operate its county  
40 jail education program as provided in subsection D of this section, for  
41 the first year of operation as provided in subsection D of this section,  
42 the student count of the accommodation school shall be reduced by the  
43 average daily membership attributable to the accommodation school's county  
44 jail EDUCATION program in its last fiscal year of operation.

1           Sec. 8. Section 15-943, Arizona Revised Statutes, is amended to  
2 read:

3           15-943. Base support level

4           The base support level for each school district shall be computed as  
5 follows:

6           1. The following support level weights shall be used in  
7 paragraph 2, subdivision (a) of this section for the following school  
8 districts:

9           (a) For school districts whose student count in kindergarten  
10 programs and grades one through eight is classified in column 1 of this  
11 subdivision, the support level weight for kindergarten programs and grades  
12 one through eight is the corresponding support level weight prescribed in  
13 column 2 or 3 of this subdivision, whichever is appropriate:

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
	Support Level Weight For Small Isolated	Support Level Weight For Small
<u>Student Count</u>	<u>School Districts</u>	<u>School Districts</u>
1-99	1.559	1.399
100-499	1.358 + [0.0005 x (500 - student count)]	1.278 + [0.0003 x (500 - student count)]
500-599	1.158 + [0.002 x (600 - student count)]	1.158 + [0.0012 x (600 - student count)]

23           (b) For school districts whose student count in grades nine through  
24 twelve is classified in column 1 of this subdivision, the support level  
25 weight for grades nine through twelve is the corresponding support level  
26 weight prescribed in column 2 or 3 of this subdivision, whichever is  
27 appropriate:

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
	Support Level Weight For Small Isolated	Support Level Weight For Small
<u>Student Count</u>	<u>School Districts</u>	<u>School Districts</u>
1-99	1.669	1.559
100-499	1.468 + [0.0005 x (500 - student count)]	1.398 + [0.0004 x (500 - student count)]
500-599	1.268 + [0.002 x (600 - student count)]	1.268 + [0.0013 x (600 - student count)]

1           2. Subject to paragraph 1 of this section, determine the weighted  
2 student count as follows:

3           (a)

4					Support				Weighted	
5					Level		Student		Student	
6	<u>Grade</u>	<u>Base</u>		<u>Group A</u>	<u>Weight</u>		<u>Count</u>		<u>Count</u>	
7	PSD	1.000	+	0.450	=	1.450	x	_____	=	_____
8	K-8	1.000	+	0.158	=	1.158	x	_____	=	_____
9	9-12	1.163	+	0.105	=	1.268	x	_____	=	_____
10								Subtotal	A	_____

11           (b)

12					Support				Weighted
13	Funding				Level		Student		Student
14	<u>Category</u>				<u>Weight</u>		<u>Count</u>		<u>Count</u>
15	HI				4.771	x	_____	=	_____
16	K-3				0.060	x	_____	=	_____
17	K-3 reading				0.040	x	_____	=	_____
18	ELL				0.115	x	_____	=	_____
19	MD-R, A-R and								
20	SID-R				6.024	x	_____	=	_____
21	MD-SC, A-SC and								
22	SID-SC				5.988	x	_____	=	_____
23	MD-SSI				7.947	x	_____	=	_____
24	OI-R				3.158	x	_____	=	_____
25	OI-SC				6.773	x	_____	=	_____
26	P-SD				3.595	x	_____	=	_____
27	DD, ED, MIID, SLD,								
28	SLI and OHI				<del>0.093</del> 0.292	x	_____	=	_____
29	ED-P				4.822	x	_____	=	_____
30	MOID				4.421	x	_____	=	_____
31	VI				4.806	x	_____	=	_____
32	G				0.007	x	_____	=	_____
33							Subtotal	B	_____

34           (c) Total of subtotals A and B:

35           3. Multiply the total determined in paragraph 2 of this section by  
36 the base level.

37           4. Multiply the teacher experience index of the district or 1.00,  
38 whichever is greater, by the product obtained in paragraph 3 of this  
39 section.

40           5. For the purposes of this section, the student count is the  
41 average daily membership as prescribed in section 15-901 for the current  
42 year, except that for the purposes of computing the base support level  
43 used in determining school district rollover allocations and school  
44 district budget override amounts, the student count is the average daily  
45 membership as prescribed in section 15-901 for the prior year.

1           Sec. 9. Section 15-945, Arizona Revised Statutes, is amended to  
2 read:

3           15-945. Transportation support level

4           A. The support level for to and from school for each school  
5 district for the current year shall be computed as follows:

6           1. Determine the approved daily route mileage of the school  
7 district for the fiscal year prior to the current year.

8           2. Multiply the figure obtained in paragraph 1 of this subsection  
9 by one hundred eighty, or for a school district that elects to provide two  
10 hundred days of instruction pursuant to section 15-902.04, multiply the  
11 figure obtained in paragraph 1 of this subsection by two hundred.

12           3. Determine the number of eligible students transported in the  
13 fiscal year prior to the current year.

14           4. Divide the amount determined in paragraph 1 of this subsection  
15 by the amount determined in paragraph 3 of this subsection to determine  
16 the approved daily route mileage per eligible student transported.

17           5. Determine the classification in column 1 of this paragraph for  
18 the quotient determined in paragraph 4 of this subsection. Multiply the  
19 product obtained in paragraph 2 of this subsection by the corresponding  
20 state support level for each route mile as provided in column 2 of this  
21 paragraph.

<u>Column 1</u>	<u>Column 2</u>
23 Approved Daily Route	State Support Level per
24 Mileage per Eligible	Route Mile for
25 <u>Student Transported</u>	Fiscal Year <del>2021-2022</del> <u>2022-2023</u>
26 0.5 or less	<del>2.77</del> 2.83
27 More than 0.5 through 1.0	<del>2.27</del> 2.32
28 More than 1.0	<del>2.77</del> 2.83

29           6. Add the amount spent during the prior fiscal year for bus tokens  
30 and bus passes for students who qualify as eligible students as defined in  
31 section 15-901.

32           B. The support level for academic education, career and technical  
33 education, vocational education and athletic trips for each school  
34 district for the current year is computed as follows:

35           1. Determine the classification in column 1 of paragraph 2 of this  
36 subsection for the quotient determined in subsection A, paragraph 4 of  
37 this section.

38           2. Multiply the product obtained in subsection A, paragraph 5 of  
39 this section by the corresponding state support level for academic  
40 education, career and technical education, vocational education and  
41 athletic trips as provided in column 2, 3 or 4 of this paragraph,  
42 whichever is appropriate for the type of district.



<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
Approved Daily Route	District Type	District Type	District Type
Mileage per Eligible Student Transported	<u>02 or 03</u>	<u>04</u>	<u>05</u>
0.5 or less	0.15	0.10	0.25
More than 0.5 through 1.0	0.15	0.10	0.25
More than 1.0	0.18	0.12	0.30

For the purposes of this paragraph, "district type 02" means a unified school district or an accommodation school that offers instruction in grades nine through twelve, "district type 03" means a common school district not within a high school district, "district type 04" means a common school district within a high school district or an accommodation school that does not offer instruction in grades nine through twelve and "district type 05" means a high school district.

C. The support level for extended school year services for pupils with disabilities is computed as follows:

1. Determine the sum of the following:

(a) The total number of miles driven by all buses of a school district while transporting eligible pupils with disabilities on scheduled routes from their residence to the school of attendance and from the school of attendance to their residence on routes for extended school year services in accordance with section 15-881.

(b) The total number of miles driven on routes approved by the superintendent of public instruction for which a private party, a political subdivision or a common or a contract carrier is reimbursed for bringing an eligible pupil with a disability from the place of the pupil's residence to a school transportation pickup point or to the school facility of attendance and from the school transportation scheduled return point or from the school facility to the pupil's residence for extended school year services in accordance with section 15-881.

2. Multiply the sum determined in paragraph 1 of this subsection by the state support level for the district determined as provided in subsection A, paragraph 5 of this section.

D. The transportation support level for each school district for the current year is the sum of the support level for to and from school as determined in subsection A of this section, the support level for academic education, career and technical education, vocational education and athletic trips as determined in subsection B of this section and the support level for extended school year services for pupils with disabilities as determined in subsection C of this section.

E. The state support level for each approved route mile, as provided in subsection A, paragraph 5 of this section, shall be adjusted by the growth rate prescribed by law, subject to appropriation.

1 F. School districts must provide the odometer reading for each bus  
2 as of the end of the current year and the total bus mileage during the  
3 current year.

4 Sec. 10. Repeal

5 Section 15-952, Arizona Revised Statutes, is repealed.

6 Sec. 11. Section 15-953, Arizona Revised Statutes, is amended to  
7 read:

8 15-953. Increases in the base level

9 If a school district receives approval to calculate its budget using  
10 an increase in the base level ~~as provided in section 15-918 or 15-952 or~~  
11 PURSUANT TO any ~~other~~ law for a given fiscal year, that increase in the  
12 base level applies only to the fiscal year for which approval was  
13 given. In order to calculate its budget using an increase in the base  
14 level for any subsequent fiscal year the school district must receive  
15 specific approval to do so as prescribed by law.

16 Sec. 12. Section 15-961, Arizona Revised Statutes, is amended to  
17 read:

18 15-961. District additional assistance; growth rate

19 A. District additional assistance per student count is established  
20 as follows:

21 1. For school districts with a student count of less than one  
22 hundred for kindergarten programs and grades one through eight, ~~five~~  
23 ~~hundred forty-four dollars fifty-eight cents~~ \$583.79. For school  
24 districts with a student count of one hundred or more and less than six  
25 hundred for kindergarten programs and grades one through eight, multiply  
26 ~~three hundred eighty-nine dollars twenty-five cents~~ \$417.28 by the weight  
27 that corresponds to the student count for kindergarten programs and grades  
28 one through eight for the school district as provided in section 15-943,  
29 paragraph 1, subdivision (a), column 3. For a school district with a  
30 student count of six hundred or more in kindergarten programs and grades  
31 one through eight, the limit is ~~four hundred fifty dollars seventy-six~~  
32 ~~cents~~ \$483.21.

33 2. For school districts with a student count of less than one  
34 hundred for grades nine through twelve, ~~six hundred one dollars~~  
35 ~~twenty-four cents~~ \$644.53. For school districts with a student count of  
36 one hundred or more and less than six hundred for grades nine through  
37 twelve, multiply ~~four hundred five dollars fifty-nine cents~~ \$434.79 by the  
38 weight that corresponds to the student count for grades nine through  
39 twelve for the school district as provided in section 15-943, paragraph 1,  
40 subdivision (b), column 3. For a school district with a student count of  
41 six hundred or more in grades nine through twelve, the limit is ~~four~~  
42 ~~hundred ninety-two dollars ninety-four cents~~ \$528.43.

43 3. For programs for preschool children with disabilities, ~~four~~  
44 ~~hundred fifty dollars seventy-six cents~~ \$483.21.

1 B. District additional assistance for a school district shall be  
2 computed as follows:

3 1. Select the applicable district additional assistance per student  
4 count for the school district.

5 2. Multiply the amount or amounts selected in paragraph 1 of this  
6 subsection by the appropriate student count of the school district.

7 3. If a school district's student count used for the budget year is  
8 greater than one hundred five percent of the student count used for the  
9 current year's budget, increase the adjusted district additional  
10 assistance determined in paragraph 2 of this subsection by fifty percent  
11 of the actual percentage increase in the school district's student count.

12 C. An amount for the purchase of required textbooks and related  
13 printed subject matter materials shall be used to increase the district  
14 additional assistance for a school district as determined in subsection B,  
15 paragraph 2 or 3 of this section, whichever is applicable. This amount  
16 shall equal the student count in grades nine through twelve multiplied by  
17 ~~sixty-nine dollars sixty-eight cents~~ \$74.70.

18 Sec. 13. Section 15-971, Arizona Revised Statutes, is amended to  
19 read:

20 15-971. Determination of equalization assistance payments  
21 from state funds for school districts

22 A. Equalization assistance for education is computed by determining  
23 the total of the following:

24 1. The lesser of a school district's revenue control limit or  
25 district support level as determined in section 15-947 or 15-951.

26 2. District additional assistance of a school district as  
27 determined in section 15-951 or 15-961.

28 B. From the total of the amounts determined in subsection A of this  
29 section subtract:

30 1. The amount that would be produced by levying the applicable  
31 qualifying tax rate determined pursuant to section 41-1276 for a high  
32 school district or a common school district within a high school district  
33 that does not offer instruction in high school subjects as provided in  
34 section 15-447.

35 2. The amount that would be produced by levying the applicable  
36 qualifying tax rate determined pursuant to section 41-1276 for a unified  
37 school district, a common school district not within a high school  
38 district or a common school district within a high school district that  
39 offers instruction in high school subjects as provided in section 15-447.  
40 The qualifying tax rate shall be applied in the following manner:

41 (a) For the purposes of the amount determined in subsection A,  
42 paragraph 1 of this section:

43 (i) Determine separately the percentage that the weighted student  
44 count in preschool programs for children with disabilities, kindergarten  
45 programs and grades one through eight and the weighted student count in

1 grades nine through twelve is to the weighted student count determined in  
2 subtotal A as provided in section 15-943, paragraph 2, subdivision (a).

3 (ii) Apply the percentages determined in item (i) of this  
4 subdivision to the amount determined in subsection A, paragraph 1 of this  
5 section.

6 (b) For the purposes of the amounts determined in subsection A,  
7 paragraph 2 of this section, determine separately the amount of the  
8 district additional assistance attributable to the student count in  
9 preschool programs for children with disabilities, kindergarten programs  
10 and grades one through eight and grades nine through twelve.

11 (c) From the amounts determined in subdivisions (a) and (b) of this  
12 paragraph, subtract the levy that would be produced by the current  
13 qualifying tax rate for a high school district or a common school district  
14 within a high school district that does not offer instruction in high  
15 school subjects as provided in section 15-447. If the qualifying tax rate  
16 generates a levy that is in excess of the total determined in subsection A  
17 of this section, the school district ~~shall~~ IS not ~~be~~ eligible for  
18 equalization assistance. For the purposes of this subsection, "assessed  
19 valuation" includes the values used to determine voluntary contributions  
20 collected pursuant to title 9, chapter 4, article 3 and title 48, chapter  
21 1, article 8 and the assessed value of all property subject to the  
22 government property lease excise tax pursuant to title 42, chapter 6,  
23 article 5.

24 3. The amount that would be produced by levying a qualifying tax  
25 rate in a career technical education district, which shall be ~~five cents~~  
26 ~~\$.05~~ per ~~one hundred dollars~~ \$100 assessed valuation unless the  
27 legislature sets a lower rate by law.

28 ~~6. County aid for equalization assistance for education shall be~~  
29 ~~computed as follows:~~

30 ~~1. Determine the total equalization assistance for all school~~  
31 ~~districts in the county as provided in subsections A and B of this~~  
32 ~~section.~~

33 ~~2. Determine the total amount of state equalization assistance~~  
34 ~~collected for all school districts in the county as provided in section~~  
35 ~~15-994.~~

36 ~~3. Divide the amount determined in paragraph 2 of this subsection~~  
37 ~~by the amount determined in paragraph 1 of this subsection.~~

38 ~~4. Multiply the amount determined in subsections A and B of this~~  
39 ~~section by the quotient determined in paragraph 3 of this subsection for~~  
40 ~~each school district.~~

41 ~~5. The amount determined in paragraph 4 of this subsection shall be~~  
42 ~~the county aid for equalization assistance for education for a school~~  
43 ~~district.~~

1       ~~D.~~ C. State aid for equalization assistance for education for a  
2 school district shall be ~~computed as follows:~~

3       ~~1. Determine~~ the equalization assistance for education for a school  
4 district as provided in subsections A and B of this section.

5       ~~2. For each county, determine the levy that would be produced by~~  
6 ~~the state equalization assistance property tax rate prescribed in section~~  
7 ~~15-994, subsection A.~~

8       ~~3. Prorate the amount determined in paragraph 2 of this subsection~~  
9 ~~to each school district in the county as prescribed by subsection C of~~  
10 ~~this section.~~

11       ~~4. Subtract the amount determined in paragraph 3 of this subsection~~  
12 ~~from the amount determined in paragraph 1 of this subsection.~~

13       ~~E.~~ D. Equalization assistance for education shall be paid from  
14 appropriations for that purpose to the school districts as provided in  
15 section 15-973.

16       ~~F.~~ E. A school district shall report expenditures on approved  
17 career and technical education and vocational education programs in the  
18 annual financial report according to uniform guidelines prescribed by the  
19 uniform system of financial records and in order to facilitate compliance  
20 with sections 15-255 and 15-904.

21       ~~G.~~ F. The additional weight for state aid purposes given to  
22 special education as provided in section 15-943 shall be given to school  
23 districts only if special education programs comply with chapter 7,  
24 article 4 of this title and the conditions and standards prescribed by the  
25 superintendent of public instruction pursuant to rules of the state board  
26 of education for pupil identification and placement pursuant to sections  
27 15-766 and 15-767.

28       ~~H.~~ G. In addition to state general fund appropriations, all  
29 amounts received pursuant to section 37-521, subsection B, paragraph 3,  
30 section 42-5029, subsection E, paragraph 5 and **SECTION** 42-5029.02,  
31 subsection A, paragraph 5 and from any other source for the purposes of  
32 this section are appropriated for state aid to schools as provided in this  
33 section.

34       ~~I.~~ H. The total amount of state monies that may be spent in any  
35 fiscal year for state equalization assistance shall not exceed the amount  
36 appropriated or authorized by section 35-173 for that purpose. This  
37 section does not impose a duty on an officer, agent or employee of this  
38 state to discharge a responsibility or create any right in a person or  
39 group if the discharge or right would require an expenditure of state  
40 monies in excess of the expenditure authorized by legislative  
41 appropriation for that specific purpose.

42       Sec. 14. Repeal

43       Section 15-994, Arizona Revised Statutes, is repealed.

1           Sec. 15. Section 15-1371, Arizona Revised Statutes, is amended to  
2 read:

3           15-1371. Equalization assistance for state educational system  
4                                   for committed youth; state education fund for  
5                                   committed youth

6           A. The superintendent of the state educational system for committed  
7 youth shall calculate a base support level as prescribed in section 15-943  
8 and district additional assistance as prescribed in section 15-961 for the  
9 educational system established pursuant to section 41-2831, except that:

10           1. Notwithstanding section 15-901:

11           (a) The student count shall be determined using the following  
12 definitions:

13           (i) "Daily attendance" means days in which a pupil attends an  
14 educational program for a minimum of two hundred forty minutes, not  
15 including meal and recess periods. Attendance for one hundred twenty or  
16 more minutes but fewer than two hundred forty minutes shall be counted as  
17 one-half day's attendance.

18           (ii) "Fractional student" means a pupil who is enrolled in an  
19 educational program of one hundred twenty or more minutes but fewer than  
20 two hundred forty minutes a day, not including meal and recess periods. A  
21 fractional student shall be counted as one-half of a full-time student.

22           (iii) "Full-time student" means a pupil who is enrolled in an  
23 educational program for a minimum of two hundred forty minutes a day, not  
24 including meal and recess periods.

25           (b) "Pupils with serious emotional disabilities enrolled in a  
26 school district program as provided in section 15-765" includes pupils  
27 with serious emotional disabilities enrolled in the department of juvenile  
28 corrections school system.

29           2. All pupils shall be counted as if they were enrolled in grades  
30 nine through twelve.

31           3. The teacher experience index is 1.00.

32           4. The base support level shall be calculated using the base level  
33 multiplied by 1.0; ~~except that the state educational system for committed~~  
34 ~~youth is also eligible for additional teacher compensation monies as~~  
35 ~~specified in section 15-952.~~

36           5. Section 15-943, paragraph 1 does not apply.

37           B. The superintendent may use section 15-855 in making the  
38 calculations prescribed in subsection A of this section. The  
39 superintendent of the system and the department of education shall  
40 prescribe procedures for determining average daily membership.

41           C. Equalization assistance for the state educational system for  
42 committed youth for the budget year is determined by adding the amount of  
43 the base support level and district additional assistance for the budget  
44 year calculated as prescribed in subsection A of this section.

1           D. The state educational system for committed youth shall not  
2 receive twenty-five percent of the equalization assistance unless it is  
3 accredited by the north central association of colleges and secondary  
4 schools.

5           E. The state education fund for committed youth is established.  
6 Fund monies shall be used for the purposes of the state educational system  
7 for committed youth, and notwithstanding section 35-173, monies  
8 appropriated to the fund shall not be transferred to or used for any  
9 program that is not within the state educational system for committed  
10 youth. State equalization assistance for the state educational system for  
11 committed youth as determined in subsection A of this section, other state  
12 and federal monies received from the department of education for the state  
13 educational system for committed youth and monies appropriated for the  
14 state educational system for committed youth, except monies appropriated  
15 pursuant to subsection F of this section, shall be deposited in the fund.  
16 The state treasurer shall maintain separate accounts for fund monies if  
17 the separate accounts are required by statute or federal law.

18           F. The department of juvenile corrections may seek appropriations  
19 for capital needs for land, buildings and improvements, including repairs  
20 and maintenance, that are required to maintain the state educational  
21 system for committed youth.

22           G. The state board of education shall apportion state aid and  
23 deposit it, pursuant to sections 35-146 and 35-147, in the state education  
24 fund for committed youth in an amount as determined by subsection A of  
25 this section. The apportionments shall be as follows:

26           1. On July 1, one-third of the total amount to be apportioned  
27 during the fiscal year.

28           2. On October 15, one-twelfth of the total amount to be apportioned  
29 during the fiscal year.

30           3. On December 15, one-twelfth of the total amount to be  
31 apportioned during the fiscal year.

32           4. On January 15, one-twelfth of the total amount to be apportioned  
33 during the fiscal year.

34           5. On February 15, one-twelfth of the total amount to be  
35 apportioned during the fiscal year.

36           6. On March 15, one-twelfth of the total amount to be apportioned  
37 during the fiscal year.

38           7. On April 15, one-twelfth of the total amount to be apportioned  
39 during the fiscal year.

40           8. On May 15, one-twelfth of the total amount to be apportioned  
41 during the fiscal year.

42           9. On June 15, one-twelfth of the total amount to be apportioned  
43 during the fiscal year.

1 H. In conjunction with the department of administration, the  
2 superintendent of the state educational system for committed youth shall  
3 establish procedures to account for the receipt and expenditure of state  
4 education fund for committed youth monies by modifying the current  
5 accounting system used for state agencies as necessary.

6 Sec. 16. Section 15-1372, Arizona Revised Statutes, is amended to  
7 read:

8 15-1372. Equalization assistance for state educational system  
9 for persons in the state department of  
10 corrections; fund

11 A. The state department of corrections shall provide educational  
12 services for pupils who are under the age of eighteen years and pupils  
13 with disabilities who are age twenty-one or younger who are committed to  
14 the state department of corrections. The department of education shall  
15 provide technical assistance to the state department of corrections on  
16 request and shall assist the state department of corrections in  
17 establishing program and personnel standards.

18 B. The state education fund for correctional education is  
19 established. Subject to legislative appropriation, fund monies shall be  
20 used for the purposes of providing education to pupils as specified in  
21 subsection A of this section. Notwithstanding section 35-173, monies  
22 appropriated to the fund shall not be transferred to or used for any  
23 program that is not directly related to the educational services required  
24 by this section. State equalization assistance, other state and federal  
25 monies received from the department of education for which the pupils in  
26 correctional education programs qualify and monies appropriated for  
27 correctional education except monies appropriated pursuant to subsection C  
28 of this section shall be deposited in the fund. The state treasurer shall  
29 maintain separate accounts for fund monies if the separate accounts are  
30 required by statute or federal law.

31 C. The state department of corrections may seek appropriations for  
32 capital needs for land, buildings and improvements, including repairs and  
33 maintenance, that are required to maintain the educational services  
34 required by this section.

35 D. The state board of education shall apportion state aid and  
36 deposit it, pursuant to sections 35-146 and 35-147, in the state education  
37 fund for correctional education in an amount as determined by subsection E  
38 of this section. The apportionments are as follows:

39 1. On July 1, one-third of the total amount to be apportioned  
40 during the fiscal year.

41 2. On October 15, one-twelfth of the total amount to be apportioned  
42 during the fiscal year.

43 3. On December 15, one-twelfth of the total amount to be  
44 apportioned during the fiscal year.



1           4. On January 15, one-twelfth of the total amount to be apportioned  
2 during the fiscal year.

3           5. On February 15, one-twelfth of the total amount to be  
4 apportioned during the fiscal year.

5           6. On March 15, one-twelfth of the total amount to be apportioned  
6 during the fiscal year.

7           7. On April 15, one-twelfth of the total amount to be apportioned  
8 during the fiscal year.

9           8. On May 15, one-twelfth of the total amount to be apportioned  
10 during the fiscal year.

11          9. On June 15, one-twelfth of the total amount to be apportioned  
12 during the fiscal year.

13          E. The director of the state department of corrections shall  
14 calculate a base support level as prescribed in section 15-943 and  
15 district additional assistance as prescribed in section 15-961 for the  
16 educational services required by this section, except that:

17           1. Notwithstanding section 15-901, the student count shall be  
18 determined using the following definitions:

19           (a) "Daily attendance" means days in which a pupil attends an  
20 educational program for a minimum of one hundred eighty minutes, not  
21 including meal and recess periods. Attendance for ninety or more minutes  
22 but fewer than one hundred eighty minutes shall be counted as one-half  
23 day's attendance.

24           (b) "Fractional student" means a pupil who is enrolled in an  
25 educational program of ninety or more minutes but fewer than one hundred  
26 eighty minutes per day, not including meal and recess periods. A  
27 fractional student shall be counted as one-half of a full-time student.

28           (c) "Full-time student" means a pupil who is enrolled in an  
29 educational program for a minimum of one hundred eighty minutes per day,  
30 not including meal and recess periods.

31           (d) "Pupil with a disability" has the same meaning as child with a  
32 disability prescribed in section 15-761.

33          2. All pupils shall be counted as if they were enrolled in grades  
34 nine through twelve.

35          3. The teacher experience index is 1.00.

36          ~~4. The calculation for additional teacher compensation monies as~~  
37 ~~prescribed in section 15-952 is available.~~

38          ~~5.~~ 4. Section 15-943, paragraph 1 does not apply.

39          ~~6.~~ 5. The base support level and capital outlay amounts calculated  
40 pursuant to this section shall be multiplied by 0.67.

41          ~~7.~~ 6. The school year shall consist of a period of not less than  
42 two hundred eight days.

43          F. The director of the state department of corrections may use  
44 section 15-855 in making the calculations prescribed in subsection E of  
45 this section. The director of the state department of corrections and the

1 department of education shall prescribe procedures for calculating average  
2 daily membership.

3 G. Equalization assistance for correctional education programs  
4 provided for those pupils specified in subsection A of this section is  
5 determined by adding the amount of the base support level and district  
6 additional assistance for the budget year calculated as prescribed in  
7 subsection E of this section.

8 H. The director of the state department of corrections shall keep  
9 records and provide information as the department of education requires to  
10 determine the appropriate amount of equalization assistance. Equalization  
11 assistance shall be used to provide educational services in this section.

12 I. The department of education and the state department of  
13 corrections shall enter into an intergovernmental agreement that  
14 establishes the necessary accountability between the two departments  
15 regarding the administrative and funding requirements contained in  
16 subsections A and B of this section. The agreement shall:

17 1. Provide for appropriate education to all committed youths as  
18 required by state and federal law.

19 2. Provide financial information to meet requirements for  
20 equalization assistance.

21 3. Provide for appropriate pupil intake and assessment procedures.

22 4. Require pupil performance assessment and the reporting of  
23 results.

24 Sec. 17. Title 15, chapter 19, article 1, Arizona Revised Statutes,  
25 is amended by adding section 15-2405, to read:

26 15-2405. Arizona empowerment scholarship accounts parent  
27 oversight committee; membership; duties

28 A. THE ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNTS PARENT OVERSIGHT  
29 COMMITTEE IS ESTABLISHED CONSISTING OF SIX MEMBERS WHO ARE PARENTS OF  
30 QUALIFIED STUDENTS WHO RECEIVE ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNT  
31 MONIES UNDER THIS CHAPTER. THE MEMBERS SHALL BE APPOINTED AS FOLLOWS:

32 1. TWO MEMBERS WHO ARE APPOINTED BY THE PRESIDENT OF THE SENATE.

33 2. TWO MEMBERS WHO ARE APPOINTED BY THE SPEAKER OF THE HOUSE OF  
34 REPRESENTATIVES.

35 3. TWO MEMBERS WHO ARE APPOINTED BY THE GOVERNOR.

36 B. AT A MINIMUM, THE MEMBERS APPOINTED PURSUANT TO SUBSECTION A,  
37 PARAGRAPHS 1 AND 2 OF THIS SECTION SHALL BE PARENTS OF QUALIFIED STUDENTS  
38 WHO BOTH:

39 1. MEET ANY OF THE CRITERIA SPECIFIED IN SECTION 15-2401, PARAGRAPH  
40 7, SUBDIVISION (a), ITEM (i), (ii) OR (iii) AS DETERMINED BY AN  
41 INDEPENDENT THIRD PARTY PURSUANT TO SECTION 15-2403, SUBSECTION I.

42 2. USE MONIES DEPOSITED IN THE QUALIFIED STUDENT'S ARIZONA  
43 EMPOWERMENT SCHOLARSHIP ACCOUNT FOR EXPENSES AS PRESCRIBED IN SECTION  
44 15-2402, SUBSECTION B, PARAGRAPH 4, SUBDIVISION (c).

1 C. THE MEMBERS OF THE COMMITTEE SHALL ANNUALLY ELECT A CHAIRPERSON  
2 FROM AMONG ITS MEMBERS.

3 D. THE COMMITTEE SHALL MEET AT LEAST ONCE EACH CALENDAR QUARTER. A  
4 MAJORITY OF THE MEMBERSHIP CONSTITUTES A QUORUM FOR THE TRANSACTION OF  
5 BUSINESS.

6 E. THE COMMITTEE SHALL COLLABORATE AND INTERACT WITH THE  
7 DEPARTMENT, THE STATE BOARD OF EDUCATION, THE ATTORNEY GENERAL AND, AS  
8 APPROPRIATE, THE AUDITOR GENERAL TO REVIEW ALL OF THE FOLLOWING:

9 1. THE IMPLEMENTATION OF POLICIES AND PROCEDURES RELATING TO THE  
10 ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNT PROGRAM UNDER THIS CHAPTER AND THE  
11 PROGRAM'S EFFECTIVENESS.

12 2. THE CONCERNS OF PARENTS OF QUALIFIED STUDENTS WHO RECEIVE  
13 ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNT MONIES UNDER THIS CHAPTER.

14 3. THE WORK OF THE OMBUDSMAN-CITIZENS AIDE ON COMPLAINTS ASSOCIATED  
15 WITH ADMINISTERING THE ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNT PROGRAM.

16 F. A PARENT MAY NOT SERVE ON THE COMMITTEE IF ANY OF THE FOLLOWING  
17 APPLIES:

18 1. THE PARENT IS AN EMPLOYEE OR THE RELATIVE OF AN EMPLOYEE OF THE  
19 DEPARTMENT.

20 2. THE PARENT RECEIVES MONIES OR COMPENSATION FROM OR IS OTHERWISE  
21 ASSOCIATED IN ANY MANNER WITH A LOBBYIST ORGANIZATION, A SCHOOL CHOICE  
22 ADVOCACY GROUP OR A PRIVATE FINANCIAL MANAGEMENT FIRM THAT MANAGES ARIZONA  
23 EMPOWERMENT SCHOLARSHIP ACCOUNTS PURSUANT TO SECTION 15-2403, SUBSECTION  
24 A.

25 3. THE PARENT PROVIDES GOODS OR SERVICES TO QUALIFIED STUDENTS THAT  
26 ARE PURCHASED PURSUANT TO SECTION 15-2402, SUBSECTION B, PARAGRAPH 4.

27 Sec. 18. Section 37-521, Arizona Revised Statutes, is amended to  
28 read:

29 37-521. Permanent state school fund; composition; use

30 A. After any appropriation pursuant to section 37-527, the  
31 permanent state school fund shall consist of:

32 1. The proceeds of all lands granted to ~~the~~ THIS state by the  
33 United States for the support of common schools.

34 2. All property which accrues to ~~the~~ THIS state by escheat or  
35 forfeiture.

36 3. All property donated for the benefit of the common schools,  
37 unless the terms of the donation otherwise provide.

38 4. All unclaimed shares and dividends of any corporation  
39 incorporated under the laws of this state.

40 5. The proceeds of sale of timber, mineral, gravel or other natural  
41 products or property from school lands and state lands other than those  
42 granted for specific purposes.

43 6. The residue of the lands granted for payment of the bonds and  
44 accrued interest issued by Maricopa, Pima, Yavapai and Coconino counties,  
45 after the purpose of the grant has been satisfied, and the five ~~per cent~~

1 PERCENT of the proceeds of sales of public lands lying within this state  
2 sold by the United States subsequent to admission of this state into the  
3 union, as granted by the enabling act.

4 B. The fund shall be and remain a perpetual fund and distributions  
5 from the fund pursuant to article X, section 7, Constitution of Arizona,  
6 plus monies derived from the rental of the lands and property, interest  
7 and accrued rent for that year credited pursuant to section 37-295 and  
8 interest paid on installment sales, shall be used as follows:

9 1. If there are outstanding state school facilities revenue bonds  
10 pursuant to title 41, chapter 56, article 6, outstanding qualified zone  
11 academy bonds pursuant to title 41, chapter 56, article 7 or outstanding  
12 state school trust revenue bonds issued to correct existing deficiencies,  
13 the state treasurer and the state land department shall annually transfer  
14 to the state school facilities revenue bond debt service fund established  
15 in section 41-5754, the state school improvement revenue bond debt service  
16 fund established in section 41-5784 and the state school trust revenue  
17 bond debt service fund the amount that is necessary to pay that fiscal  
18 year's debt service on outstanding state school facilities revenue bonds,  
19 qualified zone academy bonds and state school trust revenue bonds, before  
20 transferring amounts for any other uses.

21 2. If there are no outstanding state school facilities revenue  
22 bonds pursuant to title 41, chapter 56, article 6 or if the amount of  
23 monies available under this subsection exceeds the amount required under  
24 paragraph 1 of this subsection, the monies are subject to legislative  
25 appropriation to the new school facilities fund established by section  
26 41-5741.

27 3. If the amount of monies available under this subsection exceeds  
28 the amount required under paragraphs 1 and 2 of this subsection, the  
29 legislature may annually appropriate an amount to be used as provided in  
30 section 15-971, subsection ~~H~~ G, except that the amount appropriated may  
31 not exceed the amount appropriated from the permanent state school fund  
32 and from the rent and interest paid on installment sales for this purpose  
33 in fiscal year 2000-2001.

34 4. Notwithstanding paragraphs 1, 2 and 3 of this subsection, from  
35 and after June 30, 2001, any expendable earnings under this subsection  
36 that exceed the fiscal year 2000-2001 expendable earnings shall be  
37 deposited in the classroom site fund established by section 15-977.

38 Sec. 19. Section 41-1276, Arizona Revised Statutes, as amended by  
39 Laws 2022, chapter 171, section 1, is amended to read:

40 41-1276. Truth in taxation levy for equalization assistance  
41 to school districts

42 A. On or before February 15 of each year, the joint legislative  
43 budget committee shall compute and transmit the truth in taxation rates  
44 for equalization assistance for school districts for the following fiscal  
45 year to:

1           1. The chairperson of the house of representatives ways and means  
2 committee and the senate finance committee, or their successor committees.

3           2. The chairperson of the appropriations committees of the senate  
4 and the house of representatives, or their successor committees.

5           B. The truth in taxation rates consist of the qualifying tax rate  
6 for a high school district or a common school district within a high  
7 school district that does not offer instruction in high school subjects  
8 pursuant to section 15-971, subsection B, paragraph 1, ~~AND~~ a qualifying  
9 tax rate for a unified district, a common school district not within a  
10 high school district or a common school district within a high school  
11 district that offers instruction in high school subjects pursuant to  
12 section 15-971, subsection B, paragraph 2 ~~and a state equalization~~  
13 ~~assistance property tax rate pursuant to section 15-994~~ that will offset  
14 the change in net assessed valuation of property that was subject to tax  
15 in the prior year.

16           C. The joint legislative budget committee shall compute the truth  
17 in taxation rates as follows:

18           1. Determine the statewide net assessed value for the preceding tax  
19 year as provided in section 42-17151, subsection A, paragraph 3.

20           2. Determine the statewide net assessed value for the current tax  
21 year, excluding the net assessed value of property that was not subject to  
22 tax in the preceding year.

23           3. Divide the amount determined in paragraph 1 of this subsection  
24 by the amount determined in paragraph 2 of this subsection.

25           4. Adjust the qualifying tax rates ~~and the state equalization~~  
26 ~~assistance property tax rate~~ for the current fiscal year by the percentage  
27 determined in paragraph 3 of this subsection in order to offset the change  
28 in net assessed value.

29           D. Except as provided in subsections E and G of this section, the  
30 qualifying tax rate for a high school district or a common school district  
31 within a high school district that does not offer instruction in high  
32 school subjects, ~~AND~~ the qualifying tax rate for a unified school  
33 district, a common school district not within a high school district or a  
34 common school district within a high school district that offers  
35 instruction in high school subjects ~~and the state equalization assistance~~  
36 ~~property tax rate~~ for the following fiscal year shall be the rate  
37 determined by the joint legislative budget committee pursuant to  
38 subsection C of this section. The committee shall transmit the rates to  
39 the superintendent of public instruction and the county boards of  
40 supervisors by March 15 of each year.

41           E. If the legislature proposes ~~either~~ qualifying tax rates ~~or a~~  
42 ~~state equalization assistance property tax rate~~ that ~~exceeds~~ EXCEED the  
43 truth in taxation rate:

44           1. The house of representatives ways and means committee and the  
45 senate finance committee, or their successor committees, shall hold a

1 joint hearing on or before February 28 and publish a notice of a truth in  
2 taxation hearing subject to the following requirements:

3 (a) The notice shall be published twice in a newspaper of general  
4 circulation in this state that is published at the state capital. The  
5 first publication shall be at least fourteen but not more than twenty days  
6 before the date of the hearing. The second publication shall be at least  
7 seven but not more than ten days before the date of the hearing.

8 (b) The notice shall be published in a location other than the  
9 classified or legal advertising section of the newspaper.

10 (c) The notice shall be at least one-fourth page in size and shall  
11 be surrounded by a solid black border at least one-eighth inch in width.

12 (d) The notice shall be in the following form, with the "truth in  
13 taxation hearing – notice of tax increase" headline in at least  
14 eighteen-point type:

15 Truth in Taxation Hearing  
16 Notice of Tax Increase

17 In compliance with section 41-1276, Arizona Revised  
18 Statutes, the state legislature is notifying property  
19 taxpayers in Arizona of the legislature's intention to raise  
20 the property tax levy over last year's level.

21 The proposed tax increase will cause the taxes on a  
22 \$100,000 home to be \$(total proposed taxes including the tax  
23 increase). Without the proposed tax increase, the total taxes  
24 that would be owed on a \$100,000 home would have been  
25 \$\_\_\_\_\_.

26 All interested citizens are invited to attend a public  
27 hearing on the tax increase that is scheduled to be held  
28 (date and time) at (location).

29 (e) For the purposes of computing the tax increase on a \$100,000  
30 home as required by the notice, the joint meeting of the house of  
31 representatives ways and means committee and the senate finance committee,  
32 or their successor committees, shall consider the difference between the  
33 truth in taxation rate and the proposed increased rate.

34 2. The joint meeting of the house of representatives ways and means  
35 committee and the senate finance committee, or their successor committees,  
36 shall consider any motion to recommend the proposed tax rates to the full  
37 legislature by roll call vote.

38 F. In addition to publishing the truth in taxation notice under  
39 subsection E, paragraph 1 of this section, the joint meeting of the house  
40 of representatives ways and means committee and the senate finance  
41 committee, or their successor committees, shall issue a press release  
42 containing the truth in taxation notice.

43 G. Notwithstanding any other law, the legislature shall not adopt a  
44 state budget that provides for ~~either~~ qualifying tax rates pursuant to  
45 section 15-971 ~~or a state equalization assistance property tax rate~~

1 ~~pursuant to section 15-994~~ that ~~exceeds~~ EXCEED the truth in taxation rates  
 2 computed pursuant to subsection A of this section unless the rates are  
 3 adopted by a concurrent resolution approved by an affirmative roll call  
 4 vote of two-thirds of the members of each house of the legislature before  
 5 the legislature enacts the general appropriations bill. If the resolution  
 6 is not approved by two-thirds of the members of each house of the  
 7 legislature, the rates for the following fiscal year shall be the truth in  
 8 taxation rates determined pursuant to subsection C of this section and  
 9 shall be transmitted to the superintendent of public instruction and the  
 10 county boards of supervisors.

11 H. Notwithstanding subsection C of this section and if approved by  
 12 the qualified electors voting at a statewide general election, the  
 13 legislature shall not set a qualifying tax rate that exceeds \$2.1265 for a  
 14 common or high school district or \$4.253 for a unified school district.  
 15 The legislature shall not set a county equalization assistance for  
 16 education rate that exceeds \$0.5123.

17 I. Pursuant to subsection C of this section, the qualifying tax  
 18 rate in tax year ~~2021~~ 2022 for a high school district or a common school  
 19 district within a high school district that does not offer instruction in  
 20 high school subjects as provided in section 15-447 is ~~\$1.7694~~ \$1.7133 and  
 21 for a unified school district, a common school district not within a high  
 22 school district or a common school district within a high school district  
 23 that offers instruction in high school subjects as provided in section  
 24 15-447 is ~~\$3.5388~~ \$3.4266. ~~The state equalization assistance property tax~~  
 25 ~~rate in tax year 2021 is \$0.4263.~~

- 26 ~~J. The state equalization assistance property tax rate:~~
- 27 ~~1. In tax year 2022 is \$0.4128.~~
- 28 ~~2. In tax year 2023 is \$0.4009.~~
- 29 ~~3. In tax year 2024 is \$0.3909.~~
- 30 ~~4. In tax year 2025 is \$0.3824.~~
- 31 ~~5. In tax year 2026 is \$0.3295.~~
- 32 ~~6. In tax year 2027 is \$0.2871.~~

33 Sec. 20. Section 41-5731, Arizona Revised Statutes, is amended to  
 34 read:

35 41-5731. Building renewal grant fund; rules; annual report;  
 36 definitions

37 A. The building renewal grant fund is established consisting of  
 38 monies appropriated to the fund by the legislature. The division shall  
 39 administer the fund and distribute monies to school districts for the  
 40 purpose of maintaining the adequacy of existing school facilities. Monies  
 41 in the fund are exempt from the provisions of section 35-190 relating to  
 42 lapsing of appropriations.

43 B. The division shall distribute monies from the building renewal  
 44 grant fund based on grant requests from school districts to fund primary  
 45 building renewal projects. Project requests shall be prioritized by the

1 division, with priority given to school districts that have provided  
 2 routine preventive maintenance on the facility. A school district must  
 3 submit a preventive maintenance plan to the division to be eligible to  
 4 receive monies from the building renewal grant fund. The division shall  
 5 approve only projects that will be completed within twelve months, unless  
 6 similar projects on average take longer to complete. A grant issued under  
 7 this section expires twelve months after the grant request is approved  
 8 unless the division issues an extension, except that if the division  
 9 approves a project and determines that similar projects on average take  
 10 longer than twelve months to complete, the division shall extend the grant  
 11 expiration date based on the average amount of time that similar projects  
 12 take to complete. The division shall establish a process by which a  
 13 school district may request an extension under this subsection. On  
 14 expiration of a grant, a school district shall return any building renewal  
 15 grant fund monies that the school district has not spent to the division  
 16 for deposit in the building renewal grant fund. The division may spend  
 17 monies from the fund for assessments to determine whether a grant from the  
 18 fund is warranted under this section.

19 C. School districts that receive monies from the building renewal  
 20 grant fund shall use these monies on projects for buildings or any part of  
 21 a building in the division's database for any of the following:

22 1. Major renovations and repairs to a building that is used for  
 23 student instruction or other academic purposes.

24 2. Upgrading systems and areas that will maintain or extend the  
 25 useful life of the building.

26 3. Infrastructure costs.

27 D. Monies received from the fund shall not be used for any of the  
 28 following purposes:

29 1. New construction.

30 2. Remodeling interior space for aesthetic or preferential reasons.

31 3. Exterior beautification.

32 4. Demolition.

33 5. Routine preventive maintenance.

34 6. Any project in a building, or part of a building, that is being  
 35 leased to another entity.

36 E. Accommodation schools are not eligible for monies from the  
 37 building renewal grant fund.

38 F. If the division or a court of competent jurisdiction determines  
 39 that a school district received monies from the building renewal grant  
 40 fund that must be reimbursed to the division due to legal action  
 41 associated with improper construction by a hired contractor, the school  
 42 district shall reimburse the division an agreed-on amount for deposit into  
 43 the building renewal grant fund.

44 G. The division shall categorize each project that is eligible for  
 45 monies from the building renewal grant fund as either critical or



1 noncritical. The division shall adopt policies and procedures to  
2 prioritize critical projects and to designate critical projects as  
3 projects that immediately impact student safety or building closures or  
4 that result in operational disruptions. Critical projects have priority  
5 over any previously approved noncritical projects.

6 H. If the division determines that sufficient monies are not  
7 available for a noncritical project that the division has approved, the  
8 division shall notify the school district that submitted the project  
9 request that monies will be distributed from the building renewal grant  
10 fund for the project only if the legislature appropriates sufficient  
11 monies. If sufficient monies are not available in the fiscal year in  
12 which the project is awarded for a noncritical project, the noncritical  
13 project does not receive priority in the next fiscal year.

14 I. Building renewal grants pursuant to this section shall be used  
15 only for projects that serve an academic purpose.

16 J. The division shall do both of the following:

17 1. Implement policies and procedures to require a school district  
18 to report the preventive maintenance activities completed during the  
19 previous twelve months for the facility for which the monies are being  
20 requested.

21 2. Submit a monthly report to the school facilities oversight board  
22 that details how monies from the building renewal grant fund have been  
23 distributed.

24 K. In addition to establishing a project eligibility assessment  
25 under section 41-5702, subsection A, paragraph 5, subdivision (b), the  
26 division shall adopt rules regarding both of the following:

27 1. The approval of building renewal grants pursuant to this  
28 section.

29 2. Time frames for the division regarding all of the following with  
30 respect to this section:

31 (a) Approving or denying grant requests for critical projects.

32 (b) Notifying an applicant if the applicant's application is  
33 incomplete.

34 (c) Providing regular updates to applicants regarding completed  
35 applications.

36 (d) Distributing monies from the building renewal grant fund.

37 L. The board shall review all policies and procedures that the  
38 division develops to administer this section.

39 M. The division may spend monies from the fund for assessments to  
40 determine if a grant from the fund is warranted under this section.

41 N. ON OR BEFORE JUNE 30 OF EACH YEAR, THE DIVISION SHALL SUBMIT A  
42 REPORT TO THE JOINT LEGISLATIVE BUDGET COMMITTEE AND THE GOVERNOR'S OFFICE  
43 OF STRATEGIC PLANNING AND BUDGETING ON ANY UNOBLIGATED MONIES IN THE  
44 BUILDING RENEWAL GRANT FUND.



1           7. The allowable levy of primary property taxes for the current  
2 fiscal year for all political subdivisions is the maximum allowable  
3 primary property tax levy limit less any amounts required to reduce the  
4 levy pursuant to subsections B and C of this section.

5           B. Any monies that a political subdivision received from primary  
6 property taxation in excess of the sum of the amount of taxes collectible  
7 pursuant to section ~~42-15054~~ 42-15053, SUBSECTION G, PARAGRAPH 2 and the  
8 allowable levy determined under subsection A of this section shall be  
9 maintained in a separate fund and used to reduce the primary property tax  
10 levy in the following year. Monies that are received and that are  
11 attributable to the payment of delinquent taxes that were properly  
12 assessed in prior years shall not be applied to reduce the levy in the  
13 following year.

14           C. If, pursuant to section 41-1279.07, the auditor general  
15 determines that in any fiscal year a county has exceeded its expenditure  
16 limitation, the allowable levy of primary property taxes of the county  
17 determined under subsection A of this section shall be reduced in the  
18 fiscal year following the auditor general's hearing by the amount of the  
19 expenditures that exceeded the county's expenditure limitation.

20           D. The limitations prescribed by this section do not apply to  
21 levies made pursuant to ~~section 15-994 or~~ article 5 of this chapter.

22           E. The levy limitation for a political subdivision is considered to  
23 be increased each year to the maximum permissible limit under subsection A  
24 of this section regardless of whether the county, city, town or district  
25 actually levies taxes in any year up to the maximum permissible amount.

26           F. For purposes of determining a county's levy limit under this  
27 article, remote municipal property, as defined in section 42-15251, is  
28 considered to be taxable property in the county.

29           Sec. 22. Results-based funding; allocation formula; fiscal  
30 year 2022-2023

31           Notwithstanding section 15-249.08, subsection B, paragraph 2,  
32 Arizona Revised Statutes, for fiscal year 2022-2023, the department of  
33 education shall distribute monies from the results-based funding fund  
34 established by section 15-249.08, Arizona Revised Statutes, as follows:

35           1. Each school operated by a school district or charter holder  
36 shall receive \$225 per student count from the fund if both of the  
37 following apply:

38           (a) At the time the test prescribed in subdivision (b) of this  
39 paragraph was administered, fewer than sixty percent of the students who  
40 were enrolled in the school met the eligibility requirements established  
41 under the national school lunch and child nutrition acts (42 United States  
42 Code sections 1751 through 1793) for free or reduced-price lunches, or an  
43 equivalent measure recognized for participating in the federal free and  
44 reduced-price lunch program and other school programs dependent on a

1 poverty measure, including the community eligibility provision for which  
2 free and reduced-price lunch data is not available.

3 (b) In results achieved during the spring of 2021, the school  
4 performed in the top thirteen percent of all schools statewide as  
5 demonstrated by the average percentage of students who obtained a passing  
6 score on the mathematics portions of the statewide assessment and the  
7 average percentage of students who obtained a passing score on the  
8 language arts portions of the statewide assessment.

9 2. Each school operated by a school district or charter holder  
10 shall receive \$400 per student count from the fund if both of the  
11 following apply:

12 (a) At the time the test prescribed in subdivision (b) of this  
13 paragraph was administered, sixty percent or more of the students who were  
14 enrolled in the school met the eligibility requirements established under  
15 the national school lunch and child nutrition acts (42 United States Code  
16 sections 1751 through 1793) for free or reduced-price lunches, or an  
17 equivalent measure recognized for participating in the federal free and  
18 reduced-price lunch program and other school programs dependent on a  
19 poverty measure, including the community eligibility provision for which  
20 free and reduced-price lunch data is not available.

21 (b) In results achieved during the spring of 2021, the school  
22 performed in the top thirteen percent of schools pursuant to subdivision  
23 (a) of this paragraph, as demonstrated by the average percentage of those  
24 students who obtained a passing score on the mathematics portions of the  
25 statewide assessment and the average percentage of students who obtained a  
26 passing score on the language arts portions of the statewide assessment.

27 3. Each school operated by a school district or charter holder  
28 shall receive \$225 per student count from the fund if both of the  
29 following apply:

30 (a) At the time the test prescribed in subdivision (b) of this  
31 paragraph was administered, sixty percent or more of the students who were  
32 enrolled in the school met the eligibility requirements established under  
33 the national school lunch and child nutrition acts (42 United States Code  
34 sections 1751 through 1793) for free or reduced-price lunches, or an  
35 equivalent measure recognized for participating in the federal free and  
36 reduced-price lunch program and other school programs dependent on a  
37 poverty measure, including the community eligibility provision for which  
38 free and reduced-price lunch data is not available.

39 (b) In results achieved during the spring of 2021, the school  
40 performed in the top twenty-seven percent but not in the top thirteen  
41 percent of schools pursuant to subdivision (a) of this paragraph, as  
42 demonstrated by the average percentage of those students who obtained a  
43 passing score on the mathematics portions of the statewide assessment and  
44 the average percentage of students who obtained a passing score on the  
45 language arts portions of the statewide assessment.

1           4. Each alternative high school shall receive \$400 per student  
2 count from the fund if in the results achieved during testing conducted in  
3 the spring of 2021 the school performed in the top twenty-seven percent of  
4 schools identified pursuant to paragraph 3, subdivision (a) of this  
5 section, as demonstrated by the average percentage of those students who  
6 obtained a passing score on the mathematics portions of the statewide  
7 assessment and the average percentage of students who obtained a passing  
8 score on the language arts portions of the statewide assessment. An  
9 alternative high school is eligible for funding under this paragraph only  
10 if it reports the average percentage of students who obtained a passing  
11 score on both the mathematics portions of the statewide assessment and the  
12 language arts portions of the statewide assessment during testing  
13 conducted in the spring of 2021.

14           Sec. 23. Intent

15           The governor and the legislature intend that school districts  
16 increase the total percentage of classroom spending over the previous  
17 year's percentages in the combined categories of instruction, student  
18 support and instructional support as prescribed by the auditor general.