

REFERENCE TITLE: education programs; county jails; appropriation

State of Arizona
Senate
Fifty-fifth Legislature
Second Regular Session
2022

SB 1683

Introduced by
Senator Gonzales

AN ACT

AMENDING SECTION 15-913.01, ARIZONA REVISED STATUTES; APPROPRIATING
MONIES; RELATING TO EDUCATION PROGRAMS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-913.01, Arizona Revised Statutes, is amended
3 to read:

4 15-913.01. Education program; county jails

5 A. Each county that operates a county jail shall offer an education
6 program to serve all prisoners who are ~~under eighteen years of age and~~
7 ~~prisoners with disabilities who are age~~ twenty-one YEARS OF AGE or
8 younger, WHO DO NOT HAVE A HIGH SCHOOL DIPLOMA OR A GENERAL EQUIVALENCY
9 DIPLOMA and who are confined in the county jail AND PRISONERS WITH
10 DISABILITIES WHO ARE TWENTY-ONE YEARS OF AGE OR YOUNGER AND WHO ARE
11 CONFINED IN THE COUNTY JAIL. The county school superintendent and the
12 sheriff in each county shall agree on the method of delivery of the
13 education program.

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

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

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

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

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

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

1 (a) For fiscal year 1999-2000, ~~ten dollars eighty cents~~ \$10.80.
2 (b) For fiscal year 2000-2001 and each year thereafter, the amount
3 for the prior year adjusted by any growth rate prescribed by law, subject
4 to legislative appropriation.
5 3. For each pupil who is a child with a disability as defined in
6 section 15-761, who is a prisoner and who had been in the county jail for
7 more than forty-eight hours:
8 (a) Determine the amount prescribed in section 15-1204, subsection
9 E, paragraph 1 or 2, multiply the amount by .72 and add ~~seventy-two~~
10 ~~dollars~~ \$72 for capital outlay costs.
11 (b) Divide the sum determined under subdivision (a) of this
12 paragraph by one hundred seventy-five.
13 (c) Subtract the amount prescribed in paragraph 2 of this
14 subsection from the quotient determined in subdivision (b) of this
15 paragraph.
16 (d) Determine the number of days in the prior fiscal year that the
17 pupil received an instructional program of at least two hundred forty
18 minutes.
19 (e) Multiply the amount determined in subdivision (d) of this
20 paragraph by the difference determined in subdivision (c) of this
21 paragraph.
22 4. Add the amounts determined in paragraph 3 of this subsection for
23 all pupils with disabilities who are prisoners.
24 5. Add the sum determined in paragraph 4 of this subsection to the
25 product determined in paragraph 2 of this subsection. This sum is the
26 variable amount.
27 F. If a county jail education program serves more than one county,
28 the county school superintendents and the sheriffs of the counties being
29 served shall agree on a county of jurisdiction. The county school
30 superintendent shall deposit ~~into~~ IN the county jail education fund of the
31 county of jurisdiction monies that are received from the superintendent of
32 public instruction pursuant to this section for all counties served by the
33 county of jurisdiction.
34 G. If a county operated a county jail education program through an
35 accommodation school in the year before it begins to operate its county
36 jail education program as provided in subsection D of this section, for
37 the first year of operation as provided in subsection D of this section,
38 the student count of the accommodation school shall be reduced by the
39 average daily membership attributable to the accommodation school's county
40 jail EDUCATION program in its last fiscal year of operation.
41 Sec. 2. Appropriation; superintendent of public instruction;
42 county jail education programs
43 The sum of \$114,000 is appropriated from the state general fund in
44 fiscal year 2022-2023 to the superintendent of public instruction to
45 distribute to county school superintendents for the purposes prescribed in
46 section 15-913.01, Arizona Revised Statutes, as amended by this act.