

REFERENCE TITLE: county jails; education programs; appropriation

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
First Regular Session  
2023

# HB 2341

Introduced by  
Representative Shah

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 twenty-one years of age or younger,  
7 who do not have a high school diploma or a general equivalency diploma and  
8 who are confined in the county jail. The county school superintendent and  
9 the sheriff in each county shall agree on the method of delivery of the  
10 education program.

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

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

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

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

35 1. Determine the number of days in the prior fiscal year that each  
36 pupil who is a prisoner and who had been in the county jail for more than  
37 forty-eight hours received an instructional program of at least two  
38 hundred forty minutes. A school district may not count a pupil as being  
39 in attendance in that school district on a day that the pupil is counted  
40 as a prisoner for the purposes of this paragraph.

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

43 (a) For fiscal year 1999-2000, \$10.80.

1 (b) For fiscal year 2000-2001 and each year thereafter, the amount  
2 for the prior year adjusted by any growth rate prescribed by law, subject  
3 to legislative appropriation.

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

7 (a) Determine the amount prescribed in section 15-1204, subsection  
8 E, paragraph 1 or 2, ~~multiply the amount by .72~~ and add ~~\$72~~ \$100 for  
9 capital outlay costs.

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

12 (c) Subtract the amount prescribed in paragraph 2 of this  
13 subsection from the quotient determined in subdivision (b) of this  
14 paragraph.

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

18 (e) Multiply the amount determined in subdivision (d) of this  
19 paragraph by the difference determined in subdivision (c) of this  
20 paragraph.

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

23 5. Add the sum determined in paragraph 4 of this subsection to the  
24 product determined in paragraph 2 of this subsection. This sum is the  
25 variable amount.

26 F. If a county jail education program serves more than one county,  
27 the county school superintendents and the sheriffs of the counties being  
28 served shall agree on a county of jurisdiction. The county school  
29 superintendent shall deposit in the county jail education fund of the  
30 county of jurisdiction monies that are received from the superintendent of  
31 public instruction pursuant to this section for all counties served by the  
32 county of jurisdiction.

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

40 Sec. 2. Appropriation; superintendent of public instruction;  
41 county jail education programs

42 The sum of \$\_\_\_\_\_ is appropriated from the state general fund  
43 in fiscal year 2023-2024 to the superintendent of public instruction to  
44 distribute to county school superintendents for the purposes prescribed in  
45 section 15-913.01, Arizona Revised Statutes, as amended by this act.