

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2127

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 015-393, Arizona Revised Statutes, is amended to  
3 read:

4 15-393. Joint technological education district governing board;  
5 report; definition

6 A. The management and control of the joint district are vested in the  
7 joint technological education district governing board, including the content  
8 and quality of the courses offered by the district, the quality of teachers  
9 who provide instruction on behalf of the district, the salaries of teachers  
10 who provide instruction on behalf of the district and the reimbursement of  
11 other entities for the facilities used by the district. Unless the governing  
12 boards of the school districts participating in the formation of the joint  
13 district vote to implement an alternative election system as provided in  
14 subsection B of this section, the joint board shall consist of five members  
15 elected from five single member districts formed within the joint  
16 district. The single member district election system shall be submitted as  
17 part of the plan for the joint district pursuant to section 15-392 and shall  
18 be established in the plan as follows:

19 1. The governing boards of the school districts participating in the  
20 formation of the joint district shall define the boundaries of the single  
21 member districts so that the single member districts are as nearly equal in  
22 population as is practicable, except that if the joint district lies in part  
23 in each of two or more counties, at least one single member district may be  
24 entirely within each of the counties comprising the joint district if this  
25 district design is consistent with the obligation to equalize the population  
26 among single member districts.

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

4           3. A person who is a registered voter of this state and who is a  
5 resident of the single member district is eligible for election to the office  
6 of joint board member from the single member district. The terms of office  
7 of the members of the joint board shall be as prescribed in section 15-427,  
8 subsection B. An employee of a joint technological education district or the  
9 spouse of an employee shall not hold membership on a governing board of a  
10 joint technological education district by which the employee is employed. A  
11 member of one school district governing board or joint technological  
12 education district governing board is ineligible to be a candidate for  
13 nomination or election to or serve simultaneously as a member of any other  
14 governing board, except that a member of a governing board may be a candidate  
15 for nomination or election for any other governing board if the member is  
16 serving in the last year of a term of office. A member of a governing board  
17 shall resign the member's seat on the governing board before becoming a  
18 candidate for nomination or election to the governing board of any other  
19 school district or joint technological education district, unless the member  
20 of the governing board is serving in the last year of a term of office.

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

23           B. The governing boards of the school districts participating in the  
24 formation of the joint district may vote to implement any other alternative  
25 election system for the election of joint district board members. If an  
26 alternative election system is selected, it shall be submitted as part of the  
27 plan for the joint district pursuant to section 15-392, and the  
28 implementation of the system shall be as approved by the United States  
29 justice department.

30           C. The joint technological education district shall be subject to the  
31 following provisions of this title:

32           1. Chapter 1, articles 1 through 6.

- 1           2. Sections 15-208, 15-210, 15-213 and 15-234.
- 2           3. Articles 2, 3 and 5 of this chapter.
- 3           4. Section 15-361.
- 4           5. Chapter 4, articles 1, 2 and 5.
- 5           6. Chapter 5, articles 1, 2 and 3.
- 6           7. Sections 15-701.01, 15-722, 15-723, 15-724, 15-727, 15-728, 15-729
- 7           and 15-730.
- 8           8. Chapter 7, article 5.
- 9           9. Chapter 8, articles 1, 3 and 4.
- 10          10. Sections 15-828 and 15-829.
- 11          11. Chapter 9, article 1, article 6, except for section 15-995, and
- 12          article 7.
- 13          12. Sections 15-941, 15-943.01, 15-948, 15-952, 15-953 and 15-973.
- 14          13. Sections 15-1101 and 15-1104.
- 15          14. Chapter 10, articles 2, 3, 4 and 8.
- 16          D. Notwithstanding subsection C of this section, the following apply
- 17          to a joint technological education district:
- 18            1. A joint district may issue bonds for the purposes specified in
- 19            section 15-1021 and in chapter 4, article 5 of this title to an amount in the
- 20            aggregate, including the existing indebtedness, not exceeding one per cent of
- 21            the taxable property used for secondary tax purposes, as determined pursuant
- 22            to title 42, chapter 15, article 1, within the joint technological education
- 23            district as ascertained by the last property tax assessment previous to
- 24            issuing the bonds.
- 25            2. The number of governing board members for a joint district shall be
- 26            as prescribed in subsection A of this section.
- 27            3. If a career and technical education and vocational education course
- 28            or program provided pursuant to this article is provided in a facility owned
- 29            or operated by a school district in which a pupil is enrolled, including
- 30            satellite courses, the sum of the daily attendance, as provided in section
- 31            15-901, subsection A, paragraph 6, for that pupil in both the school district
- 32            and joint technological education district shall not exceed 1.25 and the sum

1 of the fractional student enrollment, as provided in section 15-901,  
2 subsection A, paragraph 2, subdivision (a), shall not exceed 1.25 for the  
3 courses taken in the school district and the facility, including satellite  
4 courses. The school district and the joint district shall determine the  
5 apportionment of the daily attendance and fractional student enrollment for  
6 that pupil between the school district and the joint district.

7 4. The student count for the first year of operation of a joint  
8 technological education district as provided in this article shall be  
9 determined as follows:

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

21 (b) The student count for the new joint district shall be the student  
22 count as determined in subdivision (a) of this paragraph.

23 (c) After the first one hundred days or two hundred days in session,  
24 as applicable, for the first year of operation, the joint district shall  
25 revise the student count to the actual student count for students attending  
26 classes in the joint district. A joint district shall revise its student  
27 count, the base support level as provided in section 15-943.02, the revenue  
28 control limit as provided in section 15-944.01, the capital outlay revenue  
29 limit and the soft capital allocation as provided in section 15-962.01 prior  
30 to May 15. A joint district that overestimated its student count shall  
31 revise its budget prior to May 15. A joint district that underestimated its  
32 student count may revise its budget prior to May 15.

1           (d) After the first one hundred days or two hundred days in session,  
2 as applicable, for the first year of operation, the district of residence  
3 shall adjust its student count by reducing it to reflect the courses actually  
4 taken at the joint district. The district of residence shall revise its  
5 student count, the base support level as provided in section 15-943, the  
6 revenue control limit as provided in section 15-944, the capital outlay  
7 revenue limit as provided in section 15-961 and the soft capital allocation  
8 as provided in section 15-962 prior to May 15. A district that  
9 underestimated the student count for students attending the joint district  
10 shall revise its budget prior to May 15. A district that overestimated the  
11 student count for students attending the joint district may revise its budget  
12 prior to May 15.

13           (e) A joint district for the first year of operation shall not be  
14 eligible for adjustment pursuant to section 15-948.

15           (f) The procedures for implementing this paragraph shall be as  
16 prescribed in the uniform system of financial records.

17           (g) If the district of residence utilizes section 15-942 to determine  
18 its student count, the district shall reduce its student count as provided in  
19 this paragraph by subtracting the appropriate count from the student count  
20 determined as provided in section 15-942.

21 For the purposes of this paragraph, "district of residence" means the  
22 district that included the pupil in its average daily membership for the year  
23 before the first year of operation of the joint district and that would have  
24 included the pupil in its student count for the purposes of computing its  
25 base support level for the fiscal year of the first year of operation of the  
26 joint district if the pupil had not enrolled in the joint district.

27           5. A student includes any person enrolled in the joint district  
28 without regard to the person's age or high school graduation status, except  
29 that:

30           (a) A student in a kindergarten program or in grades one through eight  
31 who enrolls in courses offered by the joint technological education district

1 shall not be included in the joint district's average daily attendance or  
2 average daily membership.

3 (b) A student in a kindergarten program or in grades one through eight  
4 who is enrolled in vocational education courses shall not be funded in whole  
5 or in part with monies provided by a joint technological education district.

6 (c) A student who is over twenty-two years of age shall not be  
7 included in the student count of the joint district for the purposes of  
8 chapter 9, articles 3, 4 and 5 of this title.

9 (d) A student in grade nine who enrolls in a career exploration course  
10 shall not be included in the joint district's average daily attendance or  
11 average daily membership.

12 6. A joint district may operate for more than one hundred seventy-five  
13 days per year, with expanded hours of service.

14 7. A joint district may use the excess utility costs provisions of  
15 section 15-910 in the same manner as a school district for fiscal years  
16 1999-2000 and 2000-2001, except that the base year shall be the first full  
17 fiscal year of operations.

18 8. A joint district may use the carryforward provisions of section  
19 15-943.01 retroactively to July 1, 1993.

20 9. A school district that is part of a joint district shall use any  
21 monies received pursuant to this article to supplement and not supplant base  
22 year career and technical education and vocational education courses, and  
23 directly related equipment and facilities, except that a school district that  
24 is part of a joint technological education district and that has used monies  
25 received pursuant to this article to supplant career and technological  
26 education and vocational education courses that were offered before the first  
27 year that the school district participated in the joint district or the first  
28 year that the school district used monies received pursuant to this article  
29 or that used the monies for purposes other than for career and technological  
30 education and vocational education courses shall:

1           (a) Use at least thirty-three per cent of the monies received pursuant  
2 to this article in fiscal year 2005-2006 to supplement and not supplant base  
3 year career and technical education and vocational education courses.

4           (b) Use at least sixty-six per cent of the monies received pursuant to  
5 this article in fiscal year 2006-2007 to supplement and not supplant base  
6 year career and technical education and vocational education courses.

7           (c) Use one hundred per cent of the monies received pursuant to this  
8 article in fiscal year 2007-2008 and each fiscal year thereafter to  
9 supplement and not supplant base year career and technical education and  
10 vocational education courses.

11           10. A joint technological education district shall use any monies  
12 received pursuant to this article to enhance and not supplant career and  
13 technical education and vocational education courses and directly related  
14 equipment and facilities.

15           11. A joint technological education district or a school district that  
16 is part of a joint district shall only include pupils in grades nine through  
17 twelve in the calculation of average daily membership or average daily  
18 attendance if the pupils are enrolled in courses that are approved jointly by  
19 the governing board of the joint technological education district and each  
20 participating school district for satellite courses taught within the  
21 participating school district, or approved solely by the joint technological  
22 education district for centrally located courses. Average daily membership  
23 and average daily attendance from courses that are not part of an approved  
24 program for career and technical education shall not be included in average  
25 daily membership and average daily attendance of a joint technological  
26 education district. A student in grade nine who enrolls in a career  
27 exploration course shall not be included in the joint district's average  
28 daily attendance or average daily membership.

29           E. The joint board shall appoint a superintendent as the executive  
30 officer of the joint district.

31           F. Taxes may be levied for the support of the joint district as  
32 prescribed in chapter 9, article 6 of this title, except that a joint

1 technological education district shall not levy a property tax pursuant to  
2 law that exceeds five cents per one hundred dollars assessed valuation except  
3 for bond monies pursuant to subsection D, paragraph 1 of this  
4 section. Except for the taxes levied pursuant to section 15-994, such taxes  
5 shall be obtained from a levy of taxes on the taxable property used for  
6 secondary tax purposes.

7 G. The schools in the joint district are available to all persons who  
8 reside in the joint district subject to the rules for admission prescribed by  
9 the joint board.

10 H. The joint board may collect tuition for adult students and the  
11 attendance of pupils who are residents of school districts that are not  
12 participating in the joint district pursuant to arrangements made between the  
13 governing board of the district and the joint board.

14 I. The joint board may accept gifts, grants, federal monies, tuition  
15 and other allocations of monies to erect, repair and equip buildings and for  
16 the cost of operation of the schools of the joint district.

17 J. One member of the joint board shall be selected chairman. The  
18 chairman shall be selected annually on a rotation basis from among the  
19 participating school districts. The chairman of the joint board shall be a  
20 voting member.

21 K. A joint board and a community college district may enter into  
22 agreements for the provision of administrative, operational and educational  
23 services and facilities.

24 L. Any agreement between the governing board of a joint technological  
25 education district and another joint technological education district, a  
26 school district, a charter school or a community college district shall be in  
27 the form of an intergovernmental agreement or other written contract. The  
28 auditor general shall modify the uniform system of financial records and  
29 budget forms in accordance with this subsection. The intergovernmental  
30 agreement or other written contract shall completely and accurately specify  
31 each of the following:

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

3           2. The accountability provisions of the intergovernmental agreement or  
4 other written contract.

5           3. The responsibilities of each joint technological education  
6 district, each school district, each charter school and each community  
7 college district that is a party to the intergovernmental agreement or other  
8 written contract.

9           4. The type of instruction that will be provided under the  
10 intergovernmental agreement or other written contract.

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

13           6. The transportation services that will be provided under the  
14 intergovernmental agreement or other written contract and the manner in which  
15 transportation costs will be paid.

16           7. The amount that the joint technological education district will  
17 contribute to a course and the amount of support required by the school  
18 district or the community college.

19           8. That the services provided by the joint technological education  
20 district, the school district, the charter school or the community college  
21 district be proportionally calculated in the cost of delivering the service.

22           9. That the payment for services shall not exceed the cost of the  
23 services provided.

24           10. That any initial intergovernmental agreement or other written  
25 contract and any addendums between the governing board of a joint  
26 technological education district and another joint technological education  
27 district, a school district, a charter school or a community college district  
28 be submitted by the joint technological education district to the joint  
29 legislative budget committee for review.

30           M. On or before December 31 of each year, each joint technological  
31 education district shall submit a detailed report to the career and technical  
32 education division of the department of education. The career and technical

1 education division of the department of education shall collect, summarize  
2 and analyze the data submitted by the joint districts, shall submit an annual  
3 report that summarizes the data submitted by the joint districts to the  
4 governor, the speaker of the house of representatives, the president of the  
5 senate and the state board of education and shall submit a copy of this  
6 report to the secretary of state and the director of the Arizona state  
7 library, archives and public records. The data submitted by each joint  
8 technological education district shall include the following:

- 9 1. The average daily membership of the joint district.
- 10 2. The course listings and course descriptions of courses offered by  
11 the joint district.
- 12 3. The costs associated with each course offered by the joint  
13 district.
- 14 4. The completion rate for each course offered by the joint district.
- 15 5. The graduation rate of students enrolled in the joint district.
- 16 6. A detailed description of the career opportunities available to  
17 students after completion of the program offered by the joint district.
- 18 7. A detailed description of the career placement of students who have  
19 completed the program offered by the joint district.
- 20 8. Any other data deemed necessary by the department of education to  
21 carry out its duties under this subsection.

22 N. If the career and technical education division of the department of  
23 education determines that a course does not meet the criteria for approval as  
24 a joint technical education course, the governing board of the joint  
25 technological education district may appeal this decision to the state board  
26 of education acting as the state board of vocational education.

27 O. Notwithstanding any other law, the average daily membership of a  
28 pupil who is enrolled in a course that meets for at least one hundred fifty  
29 minutes per class period at a centralized campus owned and operated by a  
30 joint technological education district shall be 0.75. THE SUM OF DAILY  
31 ATTENDANCE, AS PROVIDED IN SECTION 15-901, SUBSECTION A, PARAGRAPH 6 AND THE  
32 SUM OF THE FRACTIONAL STUDENT ENROLLMENT, AS PROVIDED IN SECTION 15-901,

1 SUBSECTION A, PARAGRAPH 2, SUBDIVISION (a) FOR THAT PUPIL IN BOTH THE MEMBER  
2 SCHOOL DISTRICT AND JOINT TECHNOLOGICAL EDUCATION DISTRICT COURSES PROVIDED  
3 AT A COMMUNITY COLLEGE PURSUANT TO SUBSECTION K OF THIS SECTION OR AT A  
4 FACILITY OWNED OR OPERATED OR OWNED AND OPERATED BY A JOINT TECHNOLOGICAL  
5 EDUCATION DISTRICT THAT IS NOT LOCATED ON A SITE OF A MEMBER DISTRICT SHALL  
6 NOT EXCEED 1.75. THE MEMBER SCHOOL DISTRICT AND THE JOINT DISTRICT SHALL  
7 DETERMINE THE APPORTIONMENT OF THE DAILY ATTENDANCE AND STUDENT ENROLLMENT  
8 FOR THAT PUPIL BETWEEN THE MEMBER SCHOOL DISTRICT AND THE JOINT DISTRICT,  
9 EXCEPT THE AMOUNT APPORTIONED SHALL NOT EXCEED 1.0 FOR EITHER ENTITY.

10 P. For the purposes of this section, "base year" means the complete  
11 school year in which voters of a school district elected to join a joint  
12 technological education district.

13 Sec. 2. Retroactivity

14 This act is effective retroactively to from and after June 30, 2010.

15 Sec. 3. Emergency

16 This act is an emergency measure that is necessary to preserve the  
17 public peace, health or safety and is operative immediately as provided by  
18 law."

19 Amend title to conform

RICH CRANDALL

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2:02 PM  
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