

REFERENCE TITLE: school finance revisions

State of Arizona
Senate
Fiftieth Legislature
Second Regular Session
2012

SB 1456

Introduced by
Senator Crandall

AN ACT

AMENDING SECTIONS 15-239, 15-901 AND 15-915, ARIZONA REVISED STATUTES;
RELATING TO SCHOOL FINANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-239, Arizona Revised Statutes, is amended to
3 read:

4 15-239. School compliance and recognition; accreditation;
5 audits

6 A. The department of education may:

7 1. Monitor school districts to ascertain that laws applying to the
8 school districts are implemented as prescribed by law.

9 2. Adopt a system of recognition for school districts that meet or
10 exceed the requirements of the law that apply to the school districts.

11 3. Establish standards and procedures for the accreditation of all
12 schools requesting state accreditation.

13 B. The department of education may adopt guidelines necessary to
14 implement this section.

15 C. The department of education may conduct financial, compliance or
16 average daily membership audits of school districts and charter schools.
17 Beginning in fiscal year 2011-2012 and in each fiscal year thereafter, the
18 department of education shall include at least a ten per cent sample of daily
19 attendance records as part of the average daily membership audits.

20 D. The auditor general may conduct financial, program, compliance or
21 average daily membership audits of school districts and charter schools.
22 Beginning in fiscal year 2011-2012 and in each fiscal year thereafter, the
23 auditor general shall include at least a ten per cent sample of daily
24 attendance records as part of the average daily membership audits.

25 E. WHEN CONDUCTING MONITORING AND AUDIT ACTIVITIES ALLOWED BY THIS
26 SECTION, THE DEPARTMENT OF EDUCATION SHALL PRESCRIBE AN AUDIT WINDOW OF UP TO
27 THREE CONSECUTIVE FISCAL YEARS AT THE TIME THE MONITORING OR AUDIT ACTIVITY
28 COMMENCES. IF THE DEPARTMENT ISSUES FINDINGS WITHIN TWENTY-FOUR MONTHS AFTER
29 THE BEGINNING OF AUDIT OR MONITORING ACTIVITIES, THE DEPARTMENT MAY ADJUST
30 FUNDING TO A SCHOOL DISTRICT OR CHARTER SCHOOL IF ACTIONS THAT TOOK PLACE
31 WITHIN THE AUDIT WINDOW RESULTED IN OVERPAYMENT OR UNDERPAYMENT OF STATE AID
32 TO THE SCHOOL DISTRICT OR CHARTER SCHOOL.

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

34 15-901. Definitions

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

36 1. "Average daily membership" means the total enrollment of fractional
37 students and full-time students, minus withdrawals, ~~who are enrolled on~~
38 ~~September 15, November 15, January 15 and March 15, divided by four~~ OF EACH
39 SCHOOL DAY THROUGH THE FIRST ONE HUNDRED DAYS OR TWO HUNDRED DAYS IN SESSION,
40 AS APPLICABLE, FOR THE CURRENT YEAR. Withdrawals include students formally
41 withdrawn from schools and students absent for ten consecutive school days,
42 except for excused absences identified by the department of education. For
43 the purposes of this section, school districts and charter schools shall
44 report student absence data to the department of education at least once
45 every sixty days in session. For computation purposes, the effective date of

1 withdrawal shall be retroactive to the last day of actual attendance of the
2 student or excused absence.

3 (a) "Fractional student" means:

4 (i) For common schools, a preschool child who is enrolled in a program
5 for preschool children with disabilities of at least three hundred sixty
6 minutes each week or a kindergarten student at least five years of age before
7 January 1 of the school year and enrolled in a school kindergarten program
8 that meets at least three hundred fifty-six hours for a one hundred eighty
9 day school year, or the instructional hours prescribed in this section.
10 Lunch periods and recess periods may not be included as part of the
11 instructional hours unless the child's individualized education program
12 requires instruction during those periods and the specific reasons for such
13 instruction are fully documented. In computing the average daily membership,
14 preschool children with disabilities and kindergarten students shall be
15 counted as one-half of a full-time student. For common schools, a part-time
16 student is a student enrolled for less than the total time for a full-time
17 student as defined in this section. A part-time common school student shall
18 be counted as one-fourth, one-half or three-fourths of a full-time student if
19 the student is enrolled in an instructional program that is at least
20 one-fourth, one-half or three-fourths of the time a full-time student is
21 enrolled as defined in subdivision (b) of this paragraph.

22 (ii) For high schools, a part-time student who is enrolled in less
23 than four subjects that count toward graduation as defined by the state board
24 of education, EACH OF WHICH, IF TAUGHT EACH SCHOOL DAY FOR THE MINIMUM NUMBER
25 OF DAYS REQUIRED IN A SCHOOL YEAR, WOULD MEET A MINIMUM OF ONE HUNDRED
26 TWENTY-THREE HOURS A YEAR, OR THE EQUIVALENT, in a recognized high school.
27 The average daily membership of a part-time high school student shall be 0.75
28 if the student is enrolled in an instructional program of three subjects that
29 meet at least five hundred forty hours for a one hundred eighty day school
30 year, or the instructional hours prescribed in this section. The average
31 daily membership of a part-time high school student shall be 0.5 if the
32 student is enrolled in an instructional program of two subjects that meet at
33 least three hundred sixty hours for a one hundred eighty day school year, or
34 the instructional hours prescribed in this section. The average daily
35 membership of a part-time high school student shall be 0.25 if the student is
36 enrolled in an instructional program of one subject that meets at least one
37 hundred eighty hours for a one hundred eighty day school year, or the
38 instructional hours prescribed in this section.

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

40 (i) For common schools, a student who is at least six years of age
41 before January 1 of a school year, who has not graduated from the highest
42 grade taught in the school district and who is regularly enrolled in a course
43 of study required by the state board of education. First, second and third
44 grade students, ungraded students at least six, but under nine, years of age
45 by September 1 or ungraded group B children with disabilities who are at

1 least five, but under six, years of age by September 1 must be enrolled in an
2 instructional program that meets for a total of at least seven hundred twelve
3 hours for a one hundred eighty day school year, or the instructional hours
4 prescribed in this section. Fourth, fifth and sixth grade students or
5 ungraded students at least nine, but under twelve, years of age by September
6 1 must be enrolled in an instructional program that meets for a total of at
7 least eight hundred ninety hours for a one hundred eighty day school year, or
8 the instructional hours prescribed in this section. Seventh and eighth grade
9 students or ungraded students at least twelve, but under fourteen, years of
10 age by September 1 must be enrolled in an instructional program that meets
11 for at least one thousand hours. Lunch periods and recess periods may not be
12 included as part of the instructional hours unless the student is a child
13 with a disability and the child's individualized education program requires
14 instruction during those periods and the specific reasons for such
15 instruction are fully documented.

16 (ii) For high schools, except as provided in section 15-105, a student
17 not graduated from the highest grade taught in the school district, or an
18 ungraded student at least fourteen years of age by September 1, and enrolled
19 in at least an instructional program of four or more subjects that count
20 toward graduation as defined by the state board of education, EACH OF WHICH,
21 IF TAUGHT EACH SCHOOL DAY FOR THE MINIMUM NUMBER OF DAYS REQUIRED IN A SCHOOL
22 YEAR, WOULD MEET A MINIMUM OF ONE HUNDRED TWENTY-THREE HOURS A YEAR, OR THE
23 EQUIVALENT, that meets for a total of at least seven hundred twenty hours for
24 a one hundred eighty day school year, or the instructional hours prescribed
25 in this section in a recognized high school. A full-time student shall not
26 be counted more than once for computation of average daily membership. The
27 average daily membership of a full-time high school student shall be 1.0 if
28 the student is enrolled in at least four subjects that meet at least seven
29 hundred twenty hours for a one hundred eighty day school year, or the
30 equivalent instructional hours prescribed in this section.

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

34 (iv) Except as otherwise provided by law, for any student who is
35 concurrently enrolled in a school district and a charter school, the average
36 daily membership shall be apportioned between the school district and the
37 charter school and shall not exceed 1.0. The apportionment shall be based on
38 the percentage of total time that the student is enrolled in or in attendance
39 at the school district and the charter school.

40 (v) Except as otherwise provided by law, for any student who is
41 concurrently enrolled, pursuant to section 15-808, in a school district and
42 Arizona online instruction or a charter school and Arizona online
43 instruction, the average daily membership shall be apportioned between the
44 school district and Arizona online instruction or the charter school and
45 Arizona online instruction and shall not exceed 1.0. The apportionment shall

1 be based on the percentage of total time that the student is enrolled in or
2 in attendance at the school district and Arizona online instruction or the
3 charter school and Arizona online instruction.

4 (vi) For homebound or hospitalized, a student receiving at least four
5 hours of instruction per week.

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

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

11 (a) Grades one through eight.

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

13 4. "Current year" means the fiscal year in which a school district is
14 operating.

15 5. "Daily attendance" means:

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

17 (i) Of a kindergarten program or ungraded, but not group B children
18 with disabilities, and at least five, but under six, years of age by
19 September 1 attends at least three-quarters of the instructional time
20 scheduled for the day. If the total instruction time scheduled for the year
21 is at least three hundred forty-six hours but is less than six hundred
22 ninety-two hours, such attendance shall be counted as one-half day of
23 attendance. If the instructional time scheduled for the year is at least six
24 hundred ninety-two hours, "daily attendance" means days in which a pupil
25 attends at least one-half of the instructional time scheduled for the day.
26 Such attendance shall be counted as one-half day of attendance.

27 (ii) Of the first, second or third grades, ungraded and at least six,
28 but under nine, years of age by September 1 or ungraded group B children with
29 disabilities and at least five, but under six, years of age by September 1
30 attends more than three-quarters of the instructional time scheduled for the
31 day.

32 (iii) Of the fourth, fifth or sixth grades or ungraded and at least
33 nine, but under twelve, years of age by September 1 attends more than
34 three-quarters of the instructional time scheduled for the day, except as
35 provided in section 15-797.

36 (iv) Of the seventh or eighth grades or ungraded and at least twelve,
37 but under fourteen, years of age by September 1 attends more than
38 three-quarters of the instructional time scheduled for the day, except as
39 provided in section 15-797.

40 (b) For common schools, the attendance of a pupil at three-quarters or
41 less of the instructional time scheduled for the day shall be counted as
42 follows, except as provided in section 15-797 and except that attendance for
43 a fractional student shall not exceed the pupil's fractional membership:

1 (i) If attendance for all pupils in the school is based on quarter
2 days, the attendance of a pupil shall be counted as one-fourth of a day's
3 attendance for each one-fourth of full-time instructional time attended.

4 (ii) If attendance for all pupils in the school is based on half days,
5 the attendance of at least three-quarters of the instructional time scheduled
6 for the day shall be counted as a full day's attendance and attendance at a
7 minimum of one-half but less than three-quarters of the instructional time
8 scheduled for the day equals one-half day of attendance.

9 (c) For common schools, the attendance of a preschool child with
10 disabilities shall be counted as one-fourth day's attendance for each
11 thirty-six minutes of attendance not including lunch periods and recess
12 periods, except as provided in paragraph 1, subdivision (a), item (i) of this
13 subsection for children with disabilities up to a maximum of three hundred
14 sixty minutes each week.

15 (d) For high schools or ungraded schools in which the pupil is at
16 least fourteen years of age by September 1, the attendance of a pupil shall
17 not be counted as a full day unless the pupil is actually and physically in
18 attendance and enrolled in and carrying four subjects, each of which, if
19 taught each school day for the minimum number of days required in a school
20 year, would meet a minimum of one hundred twenty hours a year, or the
21 equivalent, that count toward graduation in a recognized high school except
22 as provided in section 15-797 and subdivision (e) of this paragraph.
23 Attendance of a pupil carrying less than the load prescribed shall be
24 prorated.

25 (e) For high schools or ungraded schools in which the pupil is at
26 least fourteen years of age by September 1, the attendance of a pupil may be
27 counted as one-fourth of a day's attendance for each sixty minutes of
28 instructional time in a subject that counts toward graduation, except that
29 attendance for a pupil shall not exceed the pupil's full or fractional
30 membership.

31 (f) For homebound or hospitalized, a full day of attendance may be
32 counted for each day during a week in which the student receives at least
33 four hours of instruction.

34 (g) For school districts that maintain school for an approved
35 year-round school year operation, attendance shall be based on a computation,
36 as prescribed by the superintendent of public instruction, of the one hundred
37 eighty days' equivalency or two hundred days' equivalency, as applicable, of
38 instructional time as approved by the superintendent of public instruction
39 during which each pupil is enrolled.

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

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

1 (b) The total number of miles driven daily on routes approved by the
2 superintendent of public instruction for which a private party, a political
3 subdivision or a common or a contract carrier is reimbursed for bringing an
4 eligible student from the place of his residence to a school transportation
5 pickup point or to the school of attendance and from the school
6 transportation scheduled return point or from the school of attendance to his
7 residence. Daily route mileage includes the total number of miles necessary
8 to drive to transport eligible students from and to their residence as
9 provided in this paragraph.

10 7. "District support level" means the base support level plus the
11 transportation support level.

12 8. "Eligible students" means:

13 (a) Students who are transported by or for a school district and who
14 qualify as full-time students or fractional students, except students for
15 whom transportation is paid by another school district or a county school
16 superintendent, and:

17 (i) For common school students, whose place of actual residence within
18 the school district is more than one mile from the school facility of
19 attendance or students who are admitted pursuant to section 15-816.01 and who
20 meet the economic eligibility requirements established under the national
21 school lunch and child nutrition acts (42 United States Code sections 1751
22 through 1785) for free or reduced price lunches and whose actual place of
23 residence outside the school district boundaries is more than one mile from
24 the school facility of attendance.

25 (ii) For high school students, whose place of actual residence within
26 the school district is more than one and one-half miles from the school
27 facility of attendance or students who are admitted pursuant to section
28 15-816.01 and who meet the economic eligibility requirements established
29 under the national school lunch and child nutrition acts (42 United States
30 Code sections 1751 through 1785) for free or reduced price lunches and whose
31 actual place of residence outside the school district boundaries is more than
32 one and one-half miles from the school facility of attendance.

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

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

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

1 9. "Enrolled" or "enrollment" means when a pupil is currently
2 registered in the school district.

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

6 11. "High school district" means a political subdivision of this state
7 offering instruction to students for grades nine through twelve or that
8 portion of the budget of a common school district that is allocated to
9 teaching high school subjects with permission of the state board of
10 education.

11 12. "Revenue control limit" means the base revenue control limit plus
12 the transportation revenue control limit.

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

17 14. "Submit electronically" means submitted in a format and in a manner
18 prescribed by the department of education.

19 15. "Total bus mileage" means the total number of miles driven by all
20 buses of a school district during the school year.

21 16. "Total students transported" means all eligible students
22 transported from their place of residence to a school transportation pickup
23 point or to the school of attendance and from the school of attendance or
24 from the school transportation scheduled return point to their place of
25 residence.

26 17. "Unified school district" means a political subdivision of the
27 state offering instruction to students in programs for preschool children
28 with disabilities and kindergarten programs and grades one through twelve.

29 B. In this title, unless the context otherwise requires:

30 1. "Base" means the revenue level per student count specified by the
31 legislature.

32 2. "Base level" means the following amounts plus the percentage
33 increases to the base level as provided in sections 15-902.02, 15-918.04,
34 15-919.04 and 15-952, except that if a school district or charter school is
35 eligible for an increase in the base level as provided in two or more of
36 these sections, the base level amount shall be calculated by compounding
37 rather than adding the sum of one plus the percentage of the increase from
38 those different sections:

39 (a) For fiscal year 2007-2008, three thousand two hundred twenty-six
40 dollars eighty-eight cents.

41 (b) For fiscal year 2008-2009, three thousand two hundred ninety-one
42 dollars forty-two cents.

43 (c) For fiscal years 2009-2010, 2010-2011 and 2011-2012, three
44 thousand two hundred sixty-seven dollars seventy-two cents.

1 3. "Base revenue control limit" means the base revenue control limit
2 computed as provided in section 15-944.

3 4. "Base support level" means the base support level as provided in
4 section 15-943.

5 5. "Certified teacher" means a person who is certified as a teacher
6 pursuant to the rules adopted by the state board of education, who renders
7 direct and personal services to school children in the form of instruction
8 related to the school district's educational course of study and who is paid
9 from the maintenance and operation section of the budget.

10 6. "DD" means programs for children with developmental delays who are
11 at least three years of age but under ten years of age. A preschool child
12 who is categorized under this paragraph is not eligible to receive funding
13 pursuant to section 15-943, paragraph 2, subdivision (b).

14 7. "ED, MIID, SLD, SLI and OHI" means programs for children with
15 emotional disabilities, mild intellectual disabilities, a specific learning
16 disability, a speech/language impairment and other health impairments. A
17 preschool child who is categorized as SLI under this paragraph is not
18 eligible to receive funding pursuant to section 15-943, paragraph 2,
19 subdivision (b).

20 8. "ED-P" means programs for children with emotional disabilities who
21 are enrolled in private special education programs as prescribed in section
22 15-765, subsection D, paragraph 1 or in an intensive school district program
23 as provided in section 15-765, subsection D, paragraph 2.

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

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

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

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

35 11. "Group A" means educational programs for career exploration, a
36 specific learning disability, an emotional disability, a mild intellectual
37 disability, remedial education, a speech/language impairment, developmental
38 delay, homebound, bilingual, other health impairments and gifted pupils.

39 12. "Group B" means educational improvements for pupils in kindergarten
40 programs and grades one through three, educational programs for autism, a
41 hearing impairment, a moderate intellectual disability, multiple
42 disabilities, multiple disabilities with severe sensory impairment,
43 orthopedic impairments, preschool severe delay, a severe intellectual
44 disability and emotional disabilities for school age pupils enrolled in
45 private special education programs or in school district programs for

1 children with severe disabilities or visual impairment and English learners
2 enrolled in a program to promote English language proficiency pursuant to
3 section 15-752.

4 13. "HI" means programs for pupils with hearing impairment.

5 14. "Homebound" or "hospitalized" means a pupil who is capable of
6 profiting from academic instruction but is unable to attend school due to
7 illness, disease, accident or other health conditions, who has been examined
8 by a competent medical doctor and who is certified by that doctor as being
9 unable to attend regular classes for a period of not less than three school
10 months or a pupil who is capable of profiting from academic instruction but
11 is unable to attend school regularly due to chronic or acute health problems,
12 who has been examined by a competent medical doctor and who is certified by
13 that doctor as being unable to attend regular classes for intermittent
14 periods of time totaling three school months during a school year. The
15 medical certification shall state the general medical condition, such as
16 illness, disease or chronic health condition, that is the reason that the
17 pupil is unable to attend school. Homebound or hospitalized includes a
18 student who is unable to attend school for a period of less than three months
19 due to a pregnancy if a competent medical doctor, after an examination,
20 certifies that the student is unable to attend regular classes due to risk to
21 the pregnancy or to the student's health.

22 15. "K-3" means kindergarten programs and grades one through three.

23 16. "MD-R, A-R and SID-R" means resource programs for pupils with
24 multiple disabilities, autism and severe intellectual disability.

25 17. "MD-SC, A-SC and SID-SC" means self-contained programs for pupils
26 with multiple disabilities, autism and severe intellectual disability.

27 18. "MD-SSI" means a program for pupils with multiple disabilities with
28 severe sensory impairment.

29 19. "MOID" means programs for pupils with moderate intellectual
30 disability.

31 20. "OI-R" means a resource program for pupils with orthopedic
32 impairments.

33 21. "OI-SC" means a self-contained program for pupils with orthopedic
34 impairments.

35 22. "PSD" means preschool programs for children with disabilities as
36 provided in section 15-771.

37 23. "P-SD" means programs for children who meet the definition of
38 preschool severe delay as provided in section 15-771.

39 24. "Qualifying tax rate" means the qualifying tax rate specified in
40 section 15-971 applied to the assessed valuation used for primary property
41 taxes.

42 25. "Small isolated school district" means a school district that meets
43 all 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 no school that is fewer than thirty miles by the most
2 reasonable route from another school, or, if road conditions and terrain make
3 the driving slow or hazardous, fifteen miles from another school that teaches
4 one or more of the same grades and is operated by another school district in
5 this state.

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

8 26. "Small school district" means a school district that meets all of
9 the following:

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

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

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

17 27. "Transportation revenue control limit" means the transportation
18 revenue control limit computed as prescribed in section 15-946.

19 28. "Transportation support level" means the support level for pupil
20 transportation operating expenses as provided in section 15-945.

21 29. "VI" means programs for pupils with visual impairments.

22 30. "Voc. Ed." means career and technical education and vocational
23 education programs, as defined in section 15-781.

24 Sec. 3. Section 15-915, Arizona Revised Statutes, is amended to read:

25 15-915. Correction of state aid or budget limit errors:
26 definition

27 A. If the superintendent of public instruction determines that the
28 calculation of state aid for a school district or charter school or the
29 calculation of the school district's or charter school's budget limits within
30 the previous ~~year~~ **THREE YEARS** did not conform with statutory requirements,
31 the superintendent shall require correction of the errors as follows:

32 1. Corrections may be made in the current year or in the budget year,
33 except that in case of hardship to the school district, the superintendent
34 may approve corrections partly in one year and partly in the year after that
35 year.

36 2. Errors in the calculation of state aid shall be corrected by
37 increasing or decreasing the state aid to the school district or charter
38 school in the year or years in which the correction is made.

39 3. Errors in the calculation of the school district's or charter
40 school's budget limits shall be corrected at a public hearing by requiring
41 the governing board to reduce or by allowing it to increase its budget by the
42 amount of the correction to be made that year. Overbudgeting errors
43 corrected as provided in this paragraph are exempt from section 15-905,
44 subsections L and M. Not later than three days after the hearing and
45 correction, the budget as revised shall be submitted electronically to the

1 superintendent of public instruction. ~~Nothing in~~ This paragraph shall NOT be
2 construed to require a decrease in state aid not otherwise required by
3 paragraph 2 of this subsection.

4 B. Subject to the review by the joint legislative budget committee,
5 the superintendent of public instruction shall adjust state aid for a school
6 district in the current year if the governing board of a school district
7 requests the recalculation of state aid for a prior year due to a change in
8 assessed valuation that occurred as the result of a judgment in accordance
9 with section 42-16213.

10 C. Notwithstanding subsection A of this section, a school district or
11 charter school may not make upward revisions to its average daily membership
12 counts for a particular school year after June 30 of the subsequent school
13 year.

14 D. For the purposes of this section, "state aid":

15 1. For school districts means state aid as determined in section
16 15-971 and additional state aid as determined in section 15-972.

17 2. For charter schools means state aid as determined in section
18 15-185.

19 Sec. 4. Retroactivity

20 This act applies retroactively to from and after June 30, 2012.