

REFERENCE TITLE: public school credit; equalization assistance

State of Arizona
House of Representatives
Fifty-second Legislature
First Regular Session
2015

HB 2616

Introduced by
Representative Olson

AN ACT

AMENDING SECTION 15-185, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 9, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-902; AMENDING SECTIONS 15-971 AND 43-1089.01, 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 15-185, Arizona Revised Statutes, is amended to
3 read:

4 15-185. Charter schools; financing; civil penalty;
5 transportation; definitions

6 A. Financial provisions for a charter school that is sponsored by a
7 school district governing board are as follows:

8 1. The charter school shall be included in the district's budget and
9 financial assistance calculations pursuant to paragraph 3 of this subsection
10 and chapter 9 of this title, except for chapter 9, article 4 of this title.
11 The charter of the charter school shall include a description of the methods
12 of funding the charter school by the school district. The school district
13 shall send a copy of the charter and application, including a description of
14 how the school district plans to fund the school, to the state board of
15 education before the start of the first fiscal year of operation of the
16 charter school. The charter or application shall include an estimate of the
17 student count for the charter school for its first fiscal year of operation.
18 This estimate shall be computed pursuant to the requirements of paragraph 3
19 of this subsection.

20 2. A school district is not financially responsible for any charter
21 school that is sponsored by the state board of education, the state board for
22 charter schools, a university under the jurisdiction of the Arizona board of
23 regents, a community college district or a group of community college
24 districts.

25 3. A school district that sponsors a charter school may:

26 (a) Increase its student count as provided in subsection B, paragraph
27 2 of this section during the first year of the charter school's operation to
28 include those charter school pupils who were not previously enrolled in the
29 school district. A charter school sponsored by a school district governing
30 board is eligible for the charter additional assistance prescribed in
31 subsection B, paragraph 4 of this section. The district additional
32 assistance allocation as provided in section 15-961 for the school district
33 sponsoring the charter school shall be increased by the amount of the charter
34 additional assistance. The school district shall include the full amount of
35 the charter additional assistance in the funding provided to the charter
36 school.

37 (b) Compute separate weighted student counts pursuant to section
38 15-943, paragraph 2, subdivision (a) for its noncharter school versus charter
39 school pupils in order to maintain eligibility for small school district
40 support level weights authorized in section 15-943, paragraph 1 for its
41 noncharter school pupils only. The portion of a district's student count
42 that is attributable to charter school pupils is not eligible for small
43 school district support level weights.

44 4. If a school district uses the provisions of paragraph 3 of this
45 subsection, the school district is not eligible to include those pupils in

1 its student count for the purposes of computing an increase in its revenue
2 control limit and district support level as provided in section 15-948.

3 5. A school district that sponsors a charter school is not eligible to
4 include the charter school pupils in its student count for the purpose of
5 computing an increase in its district additional assistance as provided in
6 section 15-961, subsection B, except that if the charter school was
7 previously a school in the district, the district may include in its student
8 count any charter school pupils who were enrolled in the school district in
9 the prior year.

10 6. A school district that sponsors a charter school is not eligible to
11 include the charter school pupils in its student count for the purpose of
12 computing the revenue control limit which is used to determine the maximum
13 budget increase as provided in chapter 4, article 4 of this title unless the
14 charter school is located within the boundaries of the school district.

15 7. If a school district converts one or more of its district public
16 schools to a charter school and receives assistance as prescribed in
17 subsection B, paragraph 4 of this section, and subsequently converts the
18 charter school back to a district public school, the school district shall
19 repay the state the total charter additional assistance received for the
20 charter school for all years that the charter school was in operation. The
21 repayment shall be in one lump sum and shall be reduced from the school
22 district's current year equalization assistance. The school district's
23 general budget limit shall be reduced by the same lump sum amount in the
24 current year.

25 8. THE CHARTER SCHOOL SHALL BE ELIGIBLE FOR AND SHALL CALCULATE
26 EXTRACURRICULAR ACTIVITIES AND CLASSROOM LEARNING PRIORITIES ASSISTANCE
27 PURSUANT TO SECTION 15-902.

28 B. Financial provisions for a charter school that is sponsored by the
29 state board of education, the state board for charter schools, a university,
30 a community college district or a group of community college districts are as
31 follows:

32 1. The charter school shall calculate a base support level as
33 prescribed in section 15-943, except that section 15-941 does not apply to
34 these charter schools.

35 2. Notwithstanding paragraph 1 of this subsection, the student count
36 shall be determined initially using an estimated student count based on
37 actual registration of pupils before the beginning of the school year.
38 Notwithstanding section 15-1042, subsection F, student level data submitted
39 to the department may be used to determine estimated student counts. After
40 the first forty days, one hundred days or two hundred days in session, as
41 applicable, the charter school shall revise the student count to be equal to
42 the actual average daily membership, as defined in section 15-901, of the
43 charter school. Before the fortieth day, one hundredth day or two hundredth
44 day in session, as applicable, the state board of education, the state board
45 for charter schools, the sponsoring university, the sponsoring community
46 college district or the sponsoring group of community college districts may

1 require a charter school to report periodically regarding pupil enrollment
2 and attendance, and the department of education may revise its computation of
3 equalization assistance based on the report. A charter school shall revise
4 its student count, base support level and charter additional assistance
5 before May 15. A charter school that overestimated its student count shall
6 revise its budget before May 15. A charter school that underestimated its
7 student count may revise its budget before May 15.

8 3. A charter school may utilize section 15-855 for the purposes of
9 this section. The charter school and the department of education shall
10 prescribe procedures for determining average daily membership.

11 4. Equalization assistance for the charter school shall be determined
12 by adding the amount of the base support level and charter additional
13 assistance. The amount of the charter additional assistance is one thousand
14 seven hundred seven dollars seventy-seven cents per student count in
15 preschool programs for children with disabilities, kindergarten programs and
16 grades one through eight and one thousand nine hundred ninety dollars
17 thirty-eight cents per student count in grades nine through twelve.

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

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

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

33 8. THE CHARTER SCHOOL SHALL BE ELIGIBLE FOR AND SHALL CALCULATE
34 EXTRACURRICULAR ACTIVITIES AND CLASSROOM LEARNING PRIORITIES ASSISTANCE
35 PURSUANT TO SECTION 15-902.

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

1 pupil is greater than 1.0, the sum shall be reduced to 1.0 and shall be
2 apportioned between the public school and the charter school based on the
3 percentage of total time that the pupil is enrolled or in attendance in the
4 public school and the charter school. The uniform system of financial
5 records shall include guidelines for the apportionment of the pupil
6 enrollment and attendance as provided in this section.

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

19 1. Equalization assistance shall not be less than zero.

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

24 3. For a charter school sponsored by a school district, the base
25 support level for the school district shall not be reduced by more than the
26 amount that the charter school increased the district's base support level
27 and district additional assistance allocation.

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

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

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

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

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

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

41 K. If a school district transports or contracts to transport pupils to
 42 the Arizona state schools for the deaf and the blind during any fiscal year,
 43 the school district may transport or contract with a charter school to
 44 transport sensory impaired pupils during that same fiscal year to a charter
 45 school if requested by the parent of the pupil and if the distance from the
 46 pupil's place of actual residence within the school district to the charter

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

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

11 M. The governing body of a charter school shall transmit a copy of its
12 proposed budget or the summary of the proposed budget and a notice of the
13 public hearing to the department of education for posting on the department
14 of education's website no later than ten days before the hearing and meeting.
15 If the charter school maintains a website, the charter school governing body
16 shall post on its website a copy of its proposed budget or the summary of the
17 proposed budget and a notice of the public hearing.

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

22 O. If permitted by federal law, a charter school may opt out of
23 federal grant opportunities if the charter holder or the appropriate
24 governing body of the charter school determines that the federal requirements
25 impose unduly burdensome reporting requirements.

26 P. For the purposes of this section:

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

33 2. "Operated for or by the same school district" means the charter
34 school is either governed by the same district governing board or operated by
35 the district in the same manner as other traditional schools in the district
36 or is operated by an independent party that has a contract with the school
37 district. The auditor general and the department of education shall
38 determine which charter schools meet the definition in this subsection.

39 Sec. 2. Title 15, chapter 9, article 1, Arizona Revised Statutes, is
40 amended by adding section 15-902, to read:

41 15-902. Extracurricular activities and classroom learning
42 priorities assistance

43 THE EXTRACURRICULAR ACTIVITIES AND CLASSROOM LEARNING PRIORITIES
44 ASSISTANCE FOR A SCHOOL DISTRICT OR CHARTER SCHOOL IS FORTY-SEVEN DOLLARS
45 THIRTY-EIGHT CENTS MULTIPLIED BY THE STUDENT COUNT OF THE SCHOOL DISTRICT OR

1 CHARTER SCHOOL. THE ASSISTANCE PRESCRIBED IN THIS SECTION SHALL BE USED FOR
2 EXTRACURRICULAR ACTIVITIES AND CLASSROOM LEARNING PRIORITIES.

3 Sec. 3. Section 15-971, Arizona Revised Statutes, is amended to read:

4 15-971. Determination of equalization assistance payments from
5 county and state funds for school districts

6 A. Equalization assistance for education is computed by determining
7 the total of the following:

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

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

12 3. EXTRACURRICULAR ACTIVITIES AND CLASSROOM LEARNING PRIORITIES
13 ASSISTANCE OF A SCHOOL DISTRICT AS DETERMINED PURSUANT TO SECTION 15-902.

14 B. From the total of the amounts determined in subsection A of this
15 section subtract:

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

20 2. The amount that would be produced by levying the applicable
21 qualifying tax rate determined pursuant to section 41-1276 for a unified
22 school district, a common school district not within a high school district
23 or a common school district within a high school district that offers
24 instruction in high school subjects as provided in section 15-447. The
25 qualifying tax rate shall be applied in the following manner:

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

28 (i) Determine separately the percentage that the weighted student
29 count in preschool programs for children with disabilities, kindergarten
30 programs and grades one through eight and the weighted student count in
31 grades nine through twelve is to the weighted student count determined in
32 subtotal A as provided in section 15-943, paragraph 2, subdivision (a).

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

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

40 (c) From the amounts determined in subdivisions (a) and (b) of this
41 paragraph, subtract the levy that would be produced by the current qualifying
42 tax rate for a high school district or a common school district within a high
43 school district that does not offer instruction in high school subjects as
44 provided in section 15-447. If the qualifying tax rate generates a levy that
45 is in excess of the total determined in subsection A of this section, the
46 school district shall not be eligible for equalization assistance. For the

1 purposes of this subsection, "assessed valuation" includes the values used to
2 determine voluntary contributions collected pursuant to title 9, chapter 4,
3 article 3 and title 48, chapter 1, article 8 and the assessed value of all
4 property subject to the government property lease excise tax pursuant to
5 title 42, chapter 6, article 5.

6 3. The amount that would be produced by levying a qualifying tax rate
7 in a joint technical education district, which shall be five cents per one
8 hundred dollars assessed valuation unless the legislature sets a lower rate
9 by law.

10 4. THE AMOUNT RECEIVED BY THE SCHOOL DISTRICT OR CHARTER SCHOOL IN THE
11 MOST RECENTLY REPORTED PREVIOUS CALENDAR YEAR FROM CONTRIBUTIONS PURSUANT TO
12 SECTION 43-1089.01.

13 C. County aid for equalization assistance for education shall be
14 computed as follows:

15 1. Determine the total equalization assistance for all school
16 districts in the county as provided in subsections A and B of this section.

17 2. Determine the total amount of state equalization assistance
18 collected for all school districts in the county as provided in section
19 15-994.

20 3. Divide the amount determined in paragraph 2 of this subsection by
21 the amount determined in paragraph 1 of this subsection.

22 4. Multiply the amount determined in subsections A and B of this
23 section by the quotient determined in paragraph 3 of this subsection for each
24 school district.

25 5. The amount determined in paragraph 4 of this subsection shall be
26 the county aid for equalization assistance for education for a school
27 district.

28 D. State aid for equalization assistance for education for a school
29 district shall be computed as follows:

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

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

35 3. Prorate the amount determined in paragraph 2 of this subsection to
36 each school district in the county as prescribed by subsection C of this
37 section.

38 4. Subtract the amount determined in paragraph 3 of this subsection
39 from the amount determined in paragraph 1 of this subsection.

40 E. Equalization assistance for education shall be paid from
41 appropriations for that purpose to the school districts as provided in
42 section 15-973.

43 F. A school district shall report expenditures on approved career and
44 technical education and vocational education programs in the annual financial
45 report according to uniform guidelines prescribed by the uniform system of

1 financial records and in order to facilitate compliance with sections 15-255
2 and 15-904.

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

9 H. In addition to general fund appropriations, all amounts received
10 pursuant to section 37-521, subsection B, paragraph 3 and section 42-5029,
11 subsection E, paragraph 5 and from any other source for the purposes of this
12 section are appropriated for state aid to schools as provided in this
13 section.

14 I. The total amount of state monies that may be spent in any fiscal
15 year for state equalization assistance shall not exceed the amount
16 appropriated or authorized by section 35-173 for that purpose. This section
17 shall not be construed to impose a duty on an officer, agent or employee of
18 this state to discharge a responsibility or to create any right in a person
19 or group if the discharge or right would require an expenditure of state
20 monies in excess of the expenditure authorized by legislative appropriation
21 for that specific purpose.

22 Sec. 4. Section 43-1089.01, Arizona Revised Statutes, is amended to
23 read:

24 43-1089.01. Tax credit; donations to public schools; definition

25 A. A credit is allowed against the taxes imposed by this title for the
26 amount of any ~~fees or~~ cash contributions by a taxpayer or on the taxpayer's
27 behalf pursuant to section 43-401, subsection G during the taxable year to a
28 public school located in this state for the support of ~~extracurricular~~
29 ~~activities or character education~~ programs of the public school, but not
30 exceeding:

31 1. Two hundred dollars for a single individual or a head of household.

32 2. Three hundred dollars in taxable year 2005 for a married couple
33 filing a joint return.

34 3. Four hundred dollars in taxable year 2006 and any subsequent
35 taxable year for a married couple filing a joint return.

36 B. A husband and wife who file separate returns for a taxable year in
37 which they could have filed a joint return may each claim only one-half of
38 the tax credit that would have been allowed for a joint return.

39 C. The credit allowed by this section is in lieu of any deduction
40 pursuant to section 170 of the internal revenue code and taken for state tax
41 purposes.

42 D. If the allowable tax credit exceeds the taxes otherwise due under
43 this title on the claimant's income, or if there are no taxes due under this
44 title, the taxpayer may carry the amount of the claim not used to offset the
45 taxes under this title forward for not more than five consecutive taxable
46 years' income tax liability.

1 ~~E. The site council of the public school that receives contributions~~
2 ~~that are not designated for a specific purpose shall determine how the~~
3 ~~contributions are used at the school site. If a charter school does not have~~
4 ~~a site council, the principal, director or chief administrator of the charter~~
5 ~~school shall determine how the contributions that are not designated for a~~
6 ~~specific purpose are used at the school site. If at the end of a fiscal year~~
7 ~~a public school has unspent contributions that were previously designated for~~
8 ~~a specific purpose or program and that purpose or program has been~~
9 ~~discontinued or has not been used for two consecutive fiscal years, these~~
10 ~~contributions shall be considered undesignated in the following fiscal year~~
11 ~~for the purposes of this subsection.~~

12 ~~F. A public school that receives fees or a cash contribution pursuant~~
13 ~~to subsection A of this section shall report to the department, in a form~~
14 ~~prescribed by the department, by February 28 of each year the following~~
15 ~~information:~~

16 ~~1. The total number of fee and cash contribution payments received~~
17 ~~during the previous calendar year.~~

18 ~~2. The total dollar amount of fees and contributions received during~~
19 ~~the previous calendar year.~~

20 ~~3. The total dollar amount of fees and contributions spent by the~~
21 ~~school during the previous calendar year, categorized by specific~~
22 ~~extracurricular activity or character education program.~~

23 E. ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, A PUBLIC SCHOOL THAT
24 RECEIVES CONTRIBUTIONS FOR THE PURPOSES OF THE CREDIT PURSUANT TO THIS
25 SECTION SHALL REPORT TO THE STATE BOARD OF EDUCATION FOR THE PURPOSES OF
26 SECTION 15-971 AND TO THE DEPARTMENT OF REVENUE THE TOTAL DOLLAR AMOUNT OF
27 THE CONTRIBUTIONS THE SCHOOL RECEIVED DURING THE PRECEDING FISCAL YEAR.

28 ~~G. F. For the purposes of this sections, :-~~

29 ~~1. "Character education programs" means a program described in section~~
30 ~~15-719.~~

31 ~~2. "Extracurricular activities" means school sponsored activities that~~
32 ~~require enrolled students to pay a fee in order to participate, including~~
33 ~~fees for:~~

34 ~~(a) Band uniforms.~~

35 ~~(b) Equipment or uniforms for varsity athletic activities.~~

36 ~~(c) Scientific laboratory materials.~~

37 ~~(d) In-state or out-of-state trips that are solely for competitive~~
38 ~~events. Extracurricular activities do not include any senior trips or events~~
39 ~~that are recreational, amusement or tourist activities.~~

40 ~~3. "public school" means a school that is part of a school district, a~~
41 ~~joint technical education district or a charter school.~~