

State of Arizona
Senate
Fifty-second Legislature
Second Regular Session
2016

CHAPTER 4
SENATE BILL 1525

AN ACT

AMENDING SECTIONS 15-391 AND 15-393, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 3, ARTICLE 6, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-393.01; RELATING TO JOINT TECHNICAL EDUCATION DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Heading change

3 The article heading of title 15, chapter 3, article 6, Arizona Revised
4 Statutes, is changed from "JOINT TECHNOLOGICAL EDUCATION DISTRICTS" to "JOINT
5 TECHNICAL EDUCATION DISTRICTS".

6 Sec. 2. Section 15-391, Arizona Revised Statutes, is amended to read:
7 15-391. Definitions

8 In this article, unless the context otherwise requires:

9 1. "Joint board" means a joint technical education district governing
10 board.

11 2. "Joint district" means a joint technical education district.

12 3. "Joint technical education course" means a course that is offered
13 by a joint technical education district as part of a joint technical
14 education district program, that is approved by the career and technical
15 education division of the department of education and that meets each of the
16 following requirements:

17 (a) Is taught by an instructor who is certified to teach career and
18 technical education by the state board of education or by a postsecondary
19 educational institution.

20 (b) Is part of a program that requires students to obtain a passing
21 score ~~OF AT LEAST SIXTY PERCENT~~ on an ~~examination~~ ASSESSMENT that
22 demonstrates ~~a~~ THE level of ~~skill or competency~~ SKILLS, KNOWLEDGE AND
23 COMPETENCIES NECESSARY TO BE SUCCESSFUL IN THE DESIGNATED VOCATION OR
24 INDUSTRY for that program of study ~~that is accepted by a vocation or an~~
25 ~~industry.~~

26 (c) Is part of an approved joint technical education district program.

27 (d) IS NOT A COURSE OR ANY VARIATION OF A COURSE, INCLUDING HONORS,
28 THAT IS REQUIRED UNDER THE MINIMUM COURSE OF STUDY PURSUANT TO SECTION
29 15-701.01 IN ORDER TO GRADUATE FROM HIGH SCHOOL.

30 (e) REQUIRES A MAJORITY OF INSTRUCTIONAL TIME TO BE CONDUCTED IN A
31 LABORATORY ENVIRONMENT, FIELD-BASED ENVIRONMENT OR WORK-BASED LEARNING
32 ENVIRONMENT.

33 (f) HAS DEMONSTRATED A NEED FOR EXTRA FUNDING IN ORDER TO PROVIDE THE
34 JOINT TECHNICAL EDUCATION COURSE.

35 (g) REQUIRES SPECIALIZED EQUIPMENT IN ORDER TO PROVIDE INSTRUCTION TO
36 STUDENTS THAT EXCEEDS THE COST OF A STANDARD EDUCATIONAL COURSE.

37 4. "Joint technical education district" means a district that is
38 formed pursuant to this article and that offers joint technical education
39 courses.

40 5. "Joint technical education district program" means a sequence of
41 courses that is offered by a joint technical education district and that
42 meets all of the following requirements:

43 (a) Is taught by an instructor who is certified to teach career and
44 technical education by the state board of education or by a postsecondary
45 educational institution.

1 (b) Requires an assessment that demonstrates ~~a~~ THE level of ~~skill or~~
2 ~~competency in a~~ SKILLS, KNOWLEDGE AND COMPETENCIES NECESSARY TO BE SUCCESSFUL
3 IN THE DESIGNATED vocation or industry ~~or that leads to~~ OR AN ASSESSMENT
4 NECESSARY FOR certification in and acceptance by that vocation or industry.
5 ANY ASSESSMENT ADOPTED PURSUANT TO THIS SUBDIVISION SHALL REQUIRE A PASSING
6 SCORE OF AT LEAST SIXTY PERCENT.

7 (c) Requires specialized equipment ~~or instructional materials~~ IN ORDER
8 TO PROVIDE INSTRUCTION TO STUDENTS that ~~exceed~~ EXCEEDS the ~~scope and~~ cost of
9 a standard educational course.

10 (d) Requires A MAJORITY OF INSTRUCTIONAL TIME TO BE CONDUCTED IN A
11 LABORATORY ENVIRONMENT, FIELD-BASED ENVIRONMENT OR work-based learning
12 ~~components,~~ ENVIRONMENT, AND REQUIRES career and technical student
13 organization participation ~~and laboratory experience as determined by the~~
14 ~~career and technical education division of the department of education.~~

15 (e) ~~Meets~~ DEMONSTRATES ALIGNMENT THROUGH A CURRICULUM, INSTRUCTIONAL
16 MODEL AND COURSE SEQUENCE TO MEET the standards of a career and technical
17 education preparatory program as determined by the career and technical
18 education division of the department of education.

19 (f) ~~Had~~ HAS a defined pathway to career and postsecondary education IN
20 A SPECIFIC VOCATION OR INDUSTRY AS DETERMINED BY THE CAREER AND TECHNICAL
21 EDUCATION DIVISION OF THE DEPARTMENT OF EDUCATION.

22 (g) Is approved by the career and technical education division of the
23 department of education based on the requirements prescribed in this
24 paragraph ~~within one hundred twenty days~~ after the submission of all required
25 documentation.

26 (h) Is certified by the joint technical education district governing
27 board to have met all the requirements prescribed in this article.

28 (i) Is offered only to students in grades nine, ten, eleven and
29 twelve.

30 (j) FILLS A HIGH-NEED VOCATIONAL OR INDUSTRY NEED AS DETERMINED BY THE
31 CAREER AND TECHNICAL EDUCATION DIVISION OF THE DEPARTMENT OF EDUCATION.

32 (k) REQUIRES A SINGLE OR STACKABLE CREDENTIAL AS DESCRIBED IN
33 SUBDIVISION (1) OF THIS PARAGRAPH OR A SKILL THAT WILL ALLOW A STUDENT TO
34 OBTAIN WORK AS DESCRIBED IN SUBDIVISION (1) OF THIS PARAGRAPH ON GRADUATION
35 BEFORE RECEIVING AN ASSOCIATE'S DEGREE OR BACCALAUREATE DEGREE.

36 (1) LEADS TO CERTIFICATION OR LICENSURE IN THE DESIGNATED VOCATION OR
37 INDUSTRY THAT HAS BEEN VERIFIED AND ACCEPTED BY THAT VOCATION OR INDUSTRY AND
38 THAT QUALIFIES THE RECIPIENT OF THE CERTIFICATION OR LICENSURE FOR EMPLOYMENT
39 FOR WHICH THE STUDENT WOULD NOT OTHERWISE QUALIFY. IF THERE IS NO
40 CERTIFICATION OR LICENSURE THAT IS ACCEPTED BY THE VOCATION OR INDUSTRY,
41 COMPLETION OF THE PROGRAM MUST QUALIFY THE STUDENT FOR EMPLOYMENT FOR WHICH
42 THE STUDENT WOULD NOT OTHERWISE QUALIFY WITHOUT COMPLETION OF THE JOINT
43 TECHNICAL EDUCATION DISTRICT PROGRAM.

44 (m) REQUIRES INSTRUCTION AND INSTRUCTIONAL MATERIALS IN COURSES THAT
45 ARE SUBSTANTIALLY DIFFERENT FROM AND EXCEED THE SCOPE OF STANDARD INSTRUCTION
46 AND THAT INCLUDE VOCATIONAL SKILLS, COMPETENCIES AND KNOWLEDGE TO BE

1 SUCCESSFUL IN THE DESIGNATED JOINT TECHNICAL EDUCATION DISTRICT PROGRAM
2 VOCATION OR INDUSTRY.

3 (n) AN INDUSTRY OR VOCATION HAS AGREED TO PROVIDE FINANCIAL OR
4 TECHNICAL SUPPORT TO THE JOINT TECHNICAL EDUCATION DISTRICT FOR A SPECIFIC
5 JOINT TECHNICAL EDUCATION DISTRICT PROGRAM. FOR THE PURPOSES OF THIS
6 SUBDIVISION, "FINANCIAL SUPPORT" INCLUDES IN-KIND CONTRIBUTIONS AND
7 DONATIONS.

8 (o) A JOINT TECHNICAL EDUCATION DISTRICT HAS DEMONSTRATED A NEED FOR
9 EXTRA FUNDING IN ORDER TO PROVIDE THE JOINT TECHNICAL EDUCATION DISTRICT
10 PROGRAM.

11 6. "State board" means the state board of education.

12 Sec. 3. Section 15-393, Arizona Revised Statutes, is amended to read:

13 15-393. Joint technical education district governing board;
14 report; definitions

15 A. The management and control of the joint district are vested in the
16 joint technical education district governing board, including the content and
17 quality of the courses offered by the district, the quality of teachers who
18 provide instruction on behalf of the district, the salaries of teachers who
19 provide instruction on behalf of the district and the reimbursement of other
20 entities for the facilities used by the district. Unless the governing
21 boards of the school districts participating in the formation of the joint
22 district vote to implement an alternative election system as provided in
23 subsection B of this section, the joint board shall consist of five members
24 elected from five single member districts formed within the joint district.
25 The single member district election system shall be submitted as part of the
26 plan for the joint district pursuant to section 15-392 and shall be
27 established in the plan as follows:

28 1. The governing boards of the school districts participating in the
29 formation of the joint district shall define the boundaries of the single
30 member districts so that the single member districts are as nearly equal in
31 population as is practicable, except that if the joint district lies in part
32 in each of two or more counties, at least one single member district may be
33 entirely within each of the counties comprising the joint district if this
34 district design is consistent with the obligation to equalize the population
35 among single member districts.

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

39 3. A person who is a registered voter of this state and who is a
40 resident of the single member district is eligible for election to the office
41 of joint board member from the single member district. The terms of office
42 of the members of the joint board shall be as prescribed in section 15-427,
43 subsection B. An employee of a joint technical education district or the
44 spouse of an employee shall not hold membership on a governing board of a
45 joint technical education district by which the employee is employed. A
46 member of one school district governing board or joint technical education

1 district governing board is ineligible to be a candidate for nomination or
2 election to or serve simultaneously as a member of any other governing board,
3 except that a member of a governing board may be a candidate for nomination
4 or election for any other governing board if the member is serving in the
5 last year of a term of office. A member of a governing board shall resign
6 the member's seat on the governing board before becoming a candidate for
7 nomination or election to the governing board of any other school district or
8 joint technical education district, unless the member of the governing board
9 is serving in the last year of a term of office.

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

12 B. The governing boards of the school districts participating in the
13 formation of the joint district may vote to implement any other alternative
14 election system for the election of joint district board members. If an
15 alternative election system is selected, it shall be submitted as part of the
16 plan for the joint district pursuant to section 15-392, and the
17 implementation of the system shall be as approved by the United States
18 justice department.

19 C. The joint technical education district shall be subject to the
20 following provisions of this title:

- 21 1. Chapter 1, articles 1 through 6.
- 22 2. Sections 15-208, 15-210, 15-213 and 15-234.
- 23 3. Articles 2, 3 and 5 of this chapter.
- 24 4. Section 15-361.
- 25 5. Chapter 4, articles 1, 2 and 5.
- 26 6. Chapter 5, articles 1, 2 and 3.
- 27 7. Sections 15-701.01, 15-722, 15-723, 15-724, 15-727, 15-728, 15-729
28 and 15-730.
- 29 8. Chapter 7, article 5.
- 30 9. Chapter 8, articles 1, 3 and 4.
- 31 10. Sections 15-828 and 15-829.
- 32 11. Chapter 9, article 1, article 6, except for section 15-995, and
33 article 7.
- 34 12. Sections 15-941, 15-943.01, 15-948, 15-952, 15-953 and 15-973.
- 35 13. Sections 15-1101 and 15-1104.
- 36 14. Chapter 10, articles 2, 3, 4 and 8.

37 D. Notwithstanding subsection C of this section, the following apply
38 to a joint technical education district:

39 1. A joint district may issue bonds for the purposes specified in
40 section 15-1021 and in chapter 4, article 5 of this title to an amount in the
41 aggregate, including the existing indebtedness, not exceeding one percent of
42 the taxable property used for secondary tax purposes, as determined pursuant
43 to title 42, chapter 15, article 1, within the joint technical education
44 district as ascertained by the last property tax assessment previous to
45 issuing the bonds.

1 2. The number of governing board members for a joint district shall be
2 as prescribed in subsection A of this section.

3 3. The student count for the first year of operation of a joint
4 technical education district as provided in this article shall be determined
5 as follows:

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

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

19 (c) For the first year of operation, the joint district shall revise
20 the student count to the actual average daily membership as prescribed in
21 section 15-901, subsection A, paragraph 1 for students attending classes in
22 the joint district. A joint district shall revise its student count, the
23 base support level as provided in section 15-943.02, the revenue control
24 limit as provided in section 15-944.01 and the district additional assistance
25 as provided in section 15-962.01 prior to May 15. A joint district that
26 overestimated its student count shall revise its budget prior to May 15. A
27 joint district that underestimated its student count may revise its budget
28 prior to May 15.

29 (d) After March 15 of the first year of operation, the district of
30 residence shall adjust its student count by reducing it to reflect the
31 courses actually taken at the joint district. The district of residence
32 shall revise its student count, the base support level as provided in section
33 15-943, the revenue control limit as provided in section 15-944 and the
34 district additional assistance as provided in section 15-962.01 prior to
35 May 15. A district that underestimated the student count for students
36 attending the joint district shall revise its budget prior to May 15. A
37 district that overestimated the student count for students attending the
38 joint district may revise its budget prior to May 15.

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

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

43 (g) Pupils in an approved joint technical education district
44 centralized program may generate an average daily membership of 1.0 during
45 any day of the week and at any time between July 1 and June 30 of each fiscal
46 year.

1 For the purposes of this paragraph, "district of residence" means the
2 district that included the pupil in its average daily membership for the year
3 before the first year of operation of the joint district and that would have
4 included the pupil in its student count for the purposes of computing its
5 base support level for the fiscal year of the first year of operation of the
6 joint district if the pupil had not enrolled in the joint district.

7 4. A student includes any person enrolled in the joint district
8 without regard to the person's age or high school graduation status, except
9 that:

10 (a) A student in a kindergarten program or in grades one through nine
11 who enrolls in courses offered by the joint technical education district
12 shall not be included in the joint district's student count or average daily
13 membership.

14 (b) A student in a kindergarten program or in grades one through nine
15 who is enrolled in career and technical education courses shall not be funded
16 in whole or in part with monies provided by a joint technical education
17 district, except that a pupil in grade eight or nine may be funded with
18 monies generated by the five cent qualifying tax rate authorized in
19 subsection F of this section.

20 (c) BEGINNING JULY 1, 2016, a student who HAS GRADUATED FROM HIGH
21 SCHOOL OR RECEIVED A GENERAL EQUIVALENCY DIPLOMA OR WHO is over twenty-one
22 years of age shall not be included in the student count of the joint district
23 for the purposes of chapter 9, articles 3, 4 and 5 of this title. A STUDENT
24 WHO HAS YET TO GRADUATE OR RECEIVE A GENERAL EQUIVALENCY DIPLOMA AND WAS
25 LAWFULLY ENROLLED IN A JOINT TECHNICAL EDUCATION DISTRICT PROGRAM ON JANUARY
26 1, 2016 MAY CONTINUE TO PARTICIPATE IN THE PROGRAM AFTER THE EFFECTIVE DATE
27 OF THIS AMENDMENT TO THIS SECTION.

28 (d) A STUDENT WHO IS ENROLLED IN ANY INTERNSHIP COURSE AS PART OF A
29 JOINT TECHNICAL EDUCATION DISTRICT PROGRAM SHALL NOT BE INCLUDED IN THE
30 STUDENT COUNT OF THE JOINT DISTRICT FOR THAT INTERNSHIP COURSE FOR THE
31 PURPOSES OF CHAPTER 9, ARTICLES 3, 4 AND 5 OF THIS TITLE.

32 5. A joint district may operate for more than one hundred eighty days
33 per year, with expanded hours of service.

34 6. A joint district may use the carryforward provisions of section
35 15-943.01.

36 7. A school district that is part of a joint district shall use any
37 monies received pursuant to this article to supplement and not supplant base
38 year career and technical education courses, and directly related equipment
39 and facilities, except that a school district that is part of a joint
40 technical education district and that has used monies received pursuant to
41 this article to supplant career and technical education courses that were
42 offered before the first year that the school district participated in the
43 joint district or the first year that the school district used monies
44 received pursuant to this article or that used the monies for purposes other
45 than for career and technical education courses shall use one hundred percent

1 of the monies received pursuant to this article to supplement and not
2 supplant base year career and technical education courses.

3 8. A joint technical education district shall use any monies received
4 pursuant to this article to enhance and not supplant career and technical
5 education courses and directly related equipment and facilities.

6 9. A joint technical education district or a school district that is
7 part of a joint district or a charter school shall only include pupils in
8 grades ten through twelve in the calculation of student count or average
9 daily membership if the pupils are enrolled in courses that are approved
10 jointly by the governing board of the joint technical education district and
11 each participating school district or charter school for satellite courses
12 taught within the participating school district or charter school, or
13 approved solely by the joint technical education district for centrally
14 located courses. Student count and average daily membership from courses
15 that are not part of an approved program for career and technical education
16 shall not be included in student count and average daily membership of a
17 joint technical education district.

18 E. The joint board shall appoint a superintendent as the executive
19 officer of the joint district.

20 F. Taxes may be levied for the support of the joint district as
21 prescribed in chapter 9, article 6 of this title, except that a joint
22 technical education district shall not levy a property tax pursuant to law
23 that exceeds five cents per one hundred dollars assessed valuation except for
24 bond monies pursuant to subsection D, paragraph 1 of this section. Except
25 for the taxes levied pursuant to section 15-994, such taxes shall be obtained
26 from a levy of taxes on the taxable property used for secondary tax purposes.

27 G. The schools in the joint district are available to all persons who
28 reside in the joint district and to pupils whose district of residence within
29 this state is paying tuition on behalf of the pupils to a district of
30 attendance that is a member of the joint technical education district,
31 subject to the rules for admission prescribed by the joint board.

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

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

39 J. One member of the joint board shall be selected chairman. The
40 chairman shall be selected annually on a rotation basis from among the
41 participating school districts. The chairman of the joint board shall be a
42 voting member.

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

1 L. BEGINNING JULY 1, 2016, any agreement between the governing board
2 of a joint technical education district and another joint technical education
3 district, a school district, a charter school or a community college district
4 shall be in the form of an intergovernmental agreement or other written
5 contract. The auditor general shall modify the uniform system of financial
6 records and budget forms in accordance with this subsection. The
7 intergovernmental agreement or other written contract shall completely and
8 accurately specify each of the following:

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

11 2. The accountability provisions of the intergovernmental agreement or
12 other written contract.

13 3. The responsibilities of each joint technical education district,
14 each school district, each charter school and each community college district
15 that is a party to the intergovernmental agreement or other written contract.

16 4. The type of instruction that will be provided under the
17 intergovernmental agreement or other written contract, including
18 individualized education programs pursuant to section 15-763.

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

21 6. The transportation services that will be provided under the
22 intergovernmental agreement or other written contract and the manner in which
23 transportation costs will be paid.

24 7. The amount that the joint technical education district will
25 contribute to a course and the amount of support required by the school
26 district or the community college.

27 8. That the services provided by the joint technical education
28 district, the school district, the charter school or the community college
29 district be proportionally calculated in the cost of delivering the service.

30 9. That the payment for services shall not exceed the cost of the
31 services provided.

32 10. THAT THE JOINT TECHNICAL EDUCATION DISTRICT WILL PROVIDE THE
33 FOLLOWING MINIMUM SERVICES FOR ALL MEMBER DISTRICTS:

34 (a) PROFESSIONAL DEVELOPMENT OF CAREER AND TECHNICAL TEACHERS IN THE
35 JOINT DISTRICT WHO ARE TEACHING PROGRAMS OR COURSES AT A SATELLITE CAMPUS.

36 (b) ONGOING EVALUATION AND SUPPORT OF SATELLITE CAMPUS PROGRAMS AND
37 COURSES TO ENSURE QUALITY AND COMPLIANCE.

38 11. AN ITEMIZED LISTING OF OTHER GOODS AND SERVICES THAT ARE PROVIDED
39 TO THE MEMBER DISTRICT AND THAT ARE PAID FOR BY THE RETENTION OF SATELLITE
40 CAMPUS STUDENT FUNDING.

41 ~~M. On or before December 31 of each year, each joint technical~~
42 ~~education district shall submit a detailed report to the career and technical~~
43 ~~education division of the department of education. The career and technical~~
44 ~~education division of the department of education shall collect, summarize~~
45 ~~and analyze the data submitted by the joint districts, shall submit an annual~~
46 ~~report that summarizes the data submitted by the joint districts to the~~

1 ~~governor, the speaker of the house of representatives, the president of the~~
2 ~~senate and the state board of education and shall submit a copy of this~~
3 ~~report to the secretary of state. The data submitted by each joint technical~~
4 ~~education district shall include the following:~~

- 5 ~~1. The average daily membership of the joint district.~~
- 6 ~~2. The program listings and program descriptions of programs offered~~
7 ~~by the joint district, including the course sequences for each program.~~
- 8 ~~3. The costs associated with each program offered by the joint~~
9 ~~district.~~
- 10 ~~4. The completion rate for each program offered by the joint district.~~
11 ~~For the purposes of this paragraph, "completion rate" means the completion~~
12 ~~rate for students who are designated as concentrators in that program by the~~
13 ~~department of education under the career and technology approved plan.~~
- 14 ~~5. The graduation rate from the school district of residence of~~
15 ~~students who have completed a program 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.~~ M. A MEMBER SCHOOL DISTRICT OR CHARTER SCHOOL MAY NOT SUBMIT
23 REQUESTS FOR THE APPROVAL OR ADDITION OF SATELLITE CAMPUS JOINT DISTRICT
24 PROGRAMS OR COURSES DIRECTLY TO THE CAREER AND TECHNICAL EDUCATION DIVISION
25 OF THE DEPARTMENT OF EDUCATION, BUT SHALL SUBMIT ALL APPROPRIATE APPLICATION
26 DOCUMENTATION AND MATERIALS FOR PROGRAMS OR COURSES TO THE JOINT
27 DISTRICT. ON APPROVAL FROM THE JOINT BOARD, A JOINT DISTRICT SHALL ONLY
28 SUBMIT REQUESTS FOR THE APPROVAL OR ADDITION OF SATELLITE CAMPUS JOINT
29 DISTRICT PROGRAMS OR COURSES DIRECTLY TO THE CAREER AND TECHNICAL EDUCATION
30 DIVISION OF THE DEPARTMENT OF EDUCATION. If the career and technical
31 education division of the department of education determines that a course
32 does not meet the criteria for approval as a joint technical education
33 course, the governing board of the joint technical education district may
34 appeal this decision to the state board of education acting as the state
35 board of vocational education.

36 ~~Q.~~ N. Notwithstanding any other law, the average daily membership for
37 a pupil who is enrolled in a joint technical education course defined in
38 section 15-391 and who does not meet the criteria specified in subsection ~~Q-~~
39 ~~P~~ or ~~R-~~ Q of this section shall be 0.25 for each course, except the sum of
40 the average daily membership shall not exceed the limits prescribed by
41 subsection D, ~~Q-~~ P or ~~R-~~ Q of this section, as applicable.

42 ~~P.~~ O. If a career and technical education course or program is
43 provided on a satellite campus, the sum of the average daily membership, as
44 provided in section 15-901, subsection A, paragraph 1, for that pupil in the
45 school district or charter school and joint technical education district
46 shall not exceed 1.25. The school district or charter school and the joint

1 district shall determine the apportionment of the average daily membership
2 for that pupil between the school district or charter school and the joint
3 district. A pupil who attends a course or program at a satellite campus and
4 who is not enrolled in the school district or charter school where the
5 satellite campus is located may generate the average daily membership
6 pursuant to this subsection if the pupil is enrolled in a school district
7 that is a member district in the same joint technical education district.

8 ~~R.~~ P. The sum of the average daily membership of a pupil who is
9 enrolled in both the school district and joint technical education district
10 course or program provided at a community college pursuant to subsection K of
11 this section or at a centralized campus shall not exceed 1.75. The member
12 school district and the joint district shall determine the apportionment of
13 the average daily membership and student enrollment for that pupil between
14 the member school district and the joint district, except that the amount
15 apportioned shall not exceed 1.0 for either entity. Notwithstanding any
16 other law, the average daily membership for a pupil in grade ten, eleven or
17 twelve who is enrolled in a course that meets for at least one hundred fifty
18 minutes per class period at a centralized campus shall be 0.75. To qualify
19 for funding pursuant to this subsection, a centralized campus shall offer
20 programs and courses to all eligible students in each member district of the
21 joint technical education district.

22 ~~R.~~ Q. The average daily membership for a pupil in grade ten, eleven
23 or twelve who is enrolled in a course that meets for at least one hundred
24 fifty minutes per class period at a leased centralized campus shall not
25 exceed 0.75. The sum of the average daily membership, as provided in section
26 15-901, subsection A, paragraph 1, of a pupil who is enrolled in both the
27 school district and in joint technical education district courses provided at
28 a leased centralized campus shall not exceed 1.75 if all of the following
29 conditions are met:

30 1. The course qualifies as a joint technical education course as
31 defined in section 15-391.

32 2. The course is offered to all eligible students in each member
33 district of the joint technical education district and enrolls students from
34 multiple high schools.

35 3. The joint technical education district program in which the course
36 is included addresses a specific industry need and has been developed in
37 cooperation with that industry, or the leased facility is a state or federal
38 asset that would otherwise be unused or underutilized.

39 4. The lease is established at fair market value if the lease is
40 executed for a facility located on the site of a member district and was
41 approved by the joint committee on capital review, except that a lease that
42 was executed or renewed before December 31, 2012 is not subject to approval
43 by the joint committee on capital review. ~~The requirement prescribed in this~~
44 ~~paragraph does not apply from and after December 31, 2016.~~

45 ~~S.~~ R. A student who is enrolled in an accommodation school as defined
46 in section 15-101 may be treated as a student of the school district in which

1 the student physically resides for the purposes of enrollment in a joint
2 technical education district and shall be included in the calculation of
3 average daily membership for either the joint technical education district or
4 the accommodation school, or both.

5 ~~F.~~ S. Notwithstanding any other law, the student count for a joint
6 technical education district shall be equivalent to the joint technical
7 education district's average daily membership.

8 ~~U.~~ Beginning in fiscal year 2016-2017, base support level funding that
9 a school district or charter school receives for a pupil who is enrolled in
10 both a school district or charter school and a joint technical education
11 district satellite campus program shall be funded at ninety-two and one-half
12 percent of the base support level funding that the school district or charter
13 school would otherwise receive for that pupil.

14 ~~V.~~ Beginning in fiscal year 2016-2017, base support level funding that
15 a joint technical education district receives for a pupil who is enrolled in
16 both a school district or charter school and a joint technical education
17 district shall be funded at ninety-two and one-half percent of the base
18 support level funding that the joint technical education district would
19 otherwise receive for that pupil.

20 ~~W.~~ T. A school district OR CHARTER SCHOOL may not prohibit or
21 discourage students who are enrolled in that school district OR CHARTER
22 SCHOOL from attending courses offered by a joint technical education
23 district, INCLUDING REQUIRING STUDENTS TO GENERATE A FULL 1.0 AVERAGE DAILY
24 MEMBERSHIP OR ENROLLING IN MORE COURSES THAN ARE NEEDED FOR A PARTICULAR
25 STUDENT TO GRADUATE BEFORE ENROLLING AND ATTENDING PROGRAMS OR COURSES
26 OFFERED BY A JOINT DISTRICT.

27 ~~X.~~ Notwithstanding subsection D, paragraph 7 of this section, a school
28 district or charter school that experiences a reduction in its base support
29 level funding pursuant to subsection U of this section may use a portion of
30 joint technical education district monies that it receives pursuant to this
31 section in order to offset the loss of regular education funding that it
32 experiences pursuant to subsection U of this section. The amount of joint
33 technical education monies that the school district or charter school may use
34 to offset the loss of funding that it experiences pursuant to subsection U of
35 this section may not exceed the reduction in base support level funding that
36 it experiences pursuant to subsection U of this section.

37 ~~Y.~~ U. The governing board of the joint technical education district
38 may contract with any charter school that is located within the boundaries of
39 the joint technical education district to allow that charter school to offer
40 career and technical education courses or programs as a satellite campus.

41 V. BEGINNING IN 2020 AND EVERY FIVE YEARS THEREAFTER, THE CAREER AND
42 TECHNICAL EDUCATION DIVISION OF THE DEPARTMENT OF EDUCATION SHALL REVIEW
43 JOINT TECHNICAL EDUCATION DISTRICT PROGRAMS AND JOINT TECHNICAL EDUCATION
44 COURSES TO ENSURE COMPLIANCE, QUALITY AND ELIGIBILITY. ANY PROGRAM OR COURSE
45 DEEMED TO NOT MEET THE REQUIREMENTS SET FORTH BY LAW SHALL NOT BE FUNDED FOR
46 THE PRECEDING SCHOOL YEAR AND SHALL BE REMOVED FROM THE APPROVED PROGRAM AND

1 COURSE LIST. THE CAREER AND TECHNICAL EDUCATION DIVISION MAY ESTABLISH A
2 STAGGERED SCHEDULE FOR REVIEWING EACH JOINT TECHNICAL EDUCATION DISTRICT.

3 ~~Z.~~ W. For the purposes of this section:

4 1. "Base year" means the complete school year in which voters of a
5 school district elected to join a joint technical education district.

6 2. "Centralized campus" means a facility that is owned and operated by
7 a joint technical education district for the purpose of offering joint
8 technical education DISTRICT programs or joint technical education courses ~~as~~
9 ~~defined in section 15-391.~~

10 3. "Lease" means a written agreement in which the right of occupancy
11 or use of real property is conveyed from one person or entity to another
12 person or entity for a specified period of time.

13 4. "Leased centralized campus" means a facility that is leased and
14 operated by a joint technical education district for the purpose of offering
15 joint technical education DISTRICT programs or joint technical education
16 courses ~~as defined in section 15-391.~~

17 5. "Satellite campus" means a facility that is owned or operated by a
18 school district or charter school for the purpose of offering joint technical
19 education DISTRICT programs or joint technical education courses ~~as defined~~
20 ~~in section 15-391.~~

21 Sec. 4. Title 15, chapter 3, article 6, Arizona Revised Statutes, is
22 amended by adding section 15-393.01, to read:

23 15-393.01. Joint technical education districts; annual report;
24 performance and accountability

25 A. THE DEPARTMENT OF EDUCATION SHALL INCLUDE EACH JOINT TECHNICAL
26 EDUCATION DISTRICT IN THE DEPARTMENT'S ANNUAL ACHIEVEMENT PROFILES REQUIRED
27 BY SECTION 15-241. SUBJECT TO APPROVAL BY THE STATE BOARD OF EDUCATION, THE
28 DEPARTMENT OF EDUCATION SHALL DEVELOP SPECIFIC CRITERIA APPLICABLE TO JOINT
29 DISTRICTS AND INCLUDE JOINT DISTRICTS IN THE LETTER GRADE CLASSIFICATION
30 SYSTEM PRESCRIBED IN SECTION 15-241. THE DEPARTMENT SHALL INCLUDE ALL OF THE
31 FOLLOWING PERFORMANCE INDICATORS IN THE ANNUAL ACHIEVEMENT PROFILES AND
32 LETTER GRADE CLASSIFICATION:

33 1. THE GRADUATION RATE OF ALL STUDENTS ENROLLED IN A CAREER AND
34 TECHNICAL EDUCATION PROGRAM OR COURSE.

35 2. THE COMPLETION RATE FOR EACH PROGRAM OFFERED BY THE JOINT DISTRICT.

36 3. PERFORMANCE ON ASSESSMENTS REQUIRED PURSUANT TO SECTION 15-391,
37 PARAGRAPH 5, SUBDIVISION (b).

38 4. POSTGRADUATION EMPLOYMENT RATES FOR STUDENTS WHO COMPLETE A CAREER
39 AND TECHNICAL EDUCATION PROGRAM.

40 B. A JOINT DISTRICT IS SUBJECT TO THE PERFORMANCE AUDITS PURSUANT TO
41 SECTION 41-1279.03, SUBSECTION A, PARAGRAPH 9. THE AUDITOR GENERAL SHALL
42 CONSIDER THE DIFFERENCES AND APPLICABLE LAWS FOR A JOINT DISTRICT WHEN
43 CONDUCTING A PERFORMANCE AUDIT FOR A JOINT DISTRICT.

44 C. ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE CAREER AND TECHNICAL
45 EDUCATION DIVISION OF THE DEPARTMENT OF EDUCATION SHALL SUBMIT A JOINT
46 TECHNICAL EDUCATION DISTRICT ANNUAL REPORT TO THE GOVERNOR, THE PRESIDENT OF

1 THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND SHALL SUBMIT A
2 COPY OF THIS REPORT TO THE SECRETARY OF STATE. THE CAREER AND TECHNICAL
3 EDUCATION DIVISION OF THE DEPARTMENT OF EDUCATION SHALL SUBMIT A COPY OF THIS
4 REPORT TO THE JOINT LEGISLATIVE BUDGET COMMITTEE FOR REVIEW. THE ANNUAL
5 REPORT SHALL INCLUDE THE FOLLOWING:

6 1. THE AVERAGE DAILY MEMBERSHIP OF EACH JOINT DISTRICT, INCLUDING THE
7 AVERAGE DAILY MEMBERSHIP OF EACH CENTRALIZED CAMPUS, SATELLITE CAMPUS AND
8 LEASED CENTRALIZED CAMPUS AS DEFINED IN SECTION 15-393.

9 2. THE ACTUAL STUDENT COUNT OF EACH JOINT DISTRICT, INCLUDING THE
10 STUDENT COUNT OF EACH CENTRALIZED CAMPUS, SATELLITE CAMPUS AND LEASED
11 CENTRALIZED CAMPUS AS DEFINED IN SECTION 15-393.

12 3. THE PROGRAMS AND CORRESPONDING COURSES OFFERED BY EACH JOINT
13 DISTRICT, INCLUDING THE LOCATION OF EACH PROGRAM AND COURSE.

14 4. THE STUDENT ENROLLMENT OF EACH PROGRAM AND CORRESPONDING COURSE FOR
15 EACH JOINT DISTRICT BASED ON PROGRAM OR COURSE LOCATION.

16 5. THE COSTS ASSOCIATED WITH EACH PROGRAM OFFERED BY THE JOINT
17 DISTRICT.

18 6. A LISTING OF ANY PROGRAMS OR COURSES THAT WERE DISCONTINUED BY
19 REVIEW OF THE CAREER AND TECHNICAL EDUCATION DIVISION PURSUANT TO SECTION
20 15-393, SUBSECTION V.

21 7. A LISTING OF ANY PROGRAMS OR COURSES THAT WERE CONTINUED BY REVIEW
22 OF THE CAREER AND TECHNICAL EDUCATION DIVISION PURSUANT TO SECTION 15-393,
23 SUBSECTION V.

24 8. A LISTING OF ANY PROGRAMS OR COURSES THAT WERE ADDED BY THE CAREER
25 AND TECHNICAL EDUCATION DIVISION.

26 9. ANY OTHER DATA OR INFORMATION DEEMED NECESSARY BY THE DEPARTMENT OF
27 EDUCATION.

28 D. THE OFFICE OF THE AUDITOR GENERAL, IN CONSULTATION WITH THE
29 DEPARTMENT OF EDUCATION, SHALL DEVELOP AND ESTABLISH UNIFORM COST REPORTING
30 GUIDELINES, POLICIES AND PROCEDURES FOR JOINT TECHNICAL EDUCATION DISTRICT
31 PROGRAMS. ANY GUIDELINE, POLICY OR PROCEDURE SHALL ALLOW FOR THE EFFECTIVE
32 COMPARISON OF COST BETWEEN JOINT TECHNICAL EDUCATION DISTRICT PROGRAMS.

33 Sec. 5. Career and technical education task force; members;
34 duties; annual report; repeal

35 A. The career and technical education task force is established
36 consisting of the following members:

37 1. Three members of the senate who are appointed by the president of
38 the senate, not more than two of whom are members of the same political
39 party. The president of the senate shall designate one of these members to
40 serve as cochairperson of the committee.

41 2. Three members of the house of representatives who are appointed by
42 the speaker of the house of representatives, not more than two of whom are
43 members of the same political party. The speaker of the house of
44 representatives shall designate one of these members to serve as
45 cochairperson of the committee.

1 3. One member who is affiliated with a statewide policy and research
2 organization that has a background in school finance, school choice and
3 education policy and who is appointed by the governor.

4 4. One member who is affiliated with a major taxpayer organization and
5 who is appointed by the governor.

6 5. One member who represents a high-need vocation or industry in this
7 state and who is appointed by the governor.

8 6. Two members who each represent a different joint technical
9 education district and who are appointed by the president of the senate. One
10 of these members shall be from a joint technical education district that has
11 two thousand or more students enrolled in a centralized campus and the other
12 member shall be from a joint district with a majority of students enrolled at
13 satellite campuses.

14 7. Two members who each represent a different joint technical
15 education district and who are appointed by the speaker of the house of
16 representatives. Both of these members shall be from separate joint
17 technical education districts with less than two thousand students.

18 B. Task force members are not eligible to receive compensation but are
19 eligible to receive reimbursement of expenses pursuant to title 38, chapter
20 4, article 2, Arizona Revised Statutes.

21 C. The career and technical education division of the department of
22 education and the department of education shall lend technical support to the
23 task force and provide any data, research or information that the task force
24 may request.

25 D. The task force shall study and analyze:

26 1. Uniformity in career and technical education course offerings and
27 titles across all joint technical education districts.

28 2. Uniformity in course sequencing for completing career and technical
29 education programs across all joint technical education districts.

30 3. Uniformity in certifications and licensure issued on completion of
31 career and technical education programs across all joint technical education
32 districts.

33 4. The establishment of open enrollment and school choice across all
34 joint technical education districts.

35 5. Joint technical education district financing and allocation of
36 monies to member districts and charter schools for students enrolled at
37 satellite campuses.

38 6. The reduction of duplicative career and technical education
39 programs and courses based on locations of other satellite campus,
40 centralized campus, leased centralized campus and community college career
41 and technical education program and course offerings.

42 7. Any other issues to reform, promote and enhance career and
43 technical education.

44 E. The task force shall submit an annual report of its findings and
45 recommendations for administrative and legislative action on or before
46 December 15 to the governor, the president of the senate and the speaker of

1 the house of representatives and shall provide a copy of this report to the
2 secretary of state.

3 F. This section is repealed from and after December 31, 2018.

4 Sec. 6. Department of education; joint legislative budget
5 committee review of new requirements; reports

6 On the effective date of this act, the department of education shall
7 immediately start reviewing the compliance and eligibility of all joint
8 technical education district programs and joint technical education courses
9 currently in effect with the new requirements set forth in this act. Through
10 December 31, 2018, the department of education shall submit quarterly reports
11 to the joint legislative budget committee for review on its progress and the
12 subsequent approval or rejection of currently eligible joint technical
13 education district programs and joint technical education courses. Any joint
14 technical education program or joint technical education course that is
15 deemed to have not met the requirements pursuant to this act may not receive
16 funding after the effective date of this act.

17 Sec. 7. Auditor general; special audit

18 As scheduled by the joint legislative audit committee, the auditor
19 general shall conduct a special audit of joint technical education districts
20 that includes all of the following:

21 1. The delivery of career and technical education for schools that are
22 not included in a joint technical education district compared to the delivery
23 of career and technical education in a joint technical education district.

24 2. The delivery of career and technical education at a centralized
25 campus compared to the delivery of career and technical education at a
26 satellite campus.

27 3. The growth in satellite campus programs compared to centralized
28 campus programs.

29 4. The spending habits of joint technical education districts.

30 5. The efficiency of joint technical education district practices and
31 administrative spending.

32 6. The relationship between joint technical education districts and
33 member districts and services provided to member districts.

34 7. The variety, scope and duplication of joint technical education
35 district program and course offerings.

36 8. Any follow-up issues arising since the previous audit or any other
37 issues necessary for the completion of the audit as determined by the auditor
38 general.

39 Sec. 8. House of Representatives; findings and intent

40 A. The Arizona House of Representatives finds that:

41 1. Joint Technical Education Districts, known as JTEDs, are an
42 important component of a well-rounded education system by providing access to
43 Career and Technical Education programs that offer training to students to
44 equip them with the tools needed to enter the workforce after high school in
45 jobs that demand highly-skilled employees.

1 2. Restoring funding to JTEDs and implementing accountability measures
2 to the programs was an important priority of members of the Arizona House of
3 Representatives, including Representatives Ackerley, Allen, Alston, Andrade,
4 Barton, Benally, Bolding, Borrelli, Bowers, Boyer, Brophy McGee, Campbell,
5 Cardenas, Carter, Clark, Cobb, Coleman, Espinoza, Fann, Farnsworth E,
6 Fernandez, Finchem, Friese, Gabaldón, Gonzales, Gowan, Gray, Hale, Kern,
7 Kopec, Larkin, Lawrence, Leach, Livingston, Lovas, Mendez, Mesnard, Meyer,
8 Mitchell, Montenegro, Norgaard, Olson, Otondo, Petersen, Plumlee, Pratt,
9 Rios, Rivero, Robson, Saldate, Shope, Stevens, Thorpe, Townsend, Velasquez
10 and Weninger.

11 3. To accomplish the goal of swift and efficient enactment of funding
12 and reforms to JTEDs, House and Senate members and staff worked with
13 stakeholders to develop an agreement which culminated in the introduction of
14 House Bill 2642 on February 4, 2016. House Bill 2642 was heard in a Special
15 Education Committee on February 8, 2016 and passed by the House and
16 transmitted to the Senate on February 9, 2016, with the understanding that a
17 motion would be made in the Senate pursuant to Senate Rule 11 to substitute
18 House Bill 2642 on Third Reading and send the bill to the Governor.

19 4. The Senate introduced Senate Bill 1525, identical to House
20 Bill 2642, and amended Senate Bill 1525 in Committee of the Whole, which
21 caused the bills to no longer be identical, and passed Senate Bill 1525 on
22 Third Reading and transmitted it to the House on February 11, 2016.

23 B. It is the intent of the Arizona House of Representatives to ensure
24 that these vital JTED programs are funded to meet the needs of both Arizona's
25 students and businesses. The Arizona House of Representatives urges the
26 Arizona State Senate to immediately concur in the House amendments to Senate
27 Bill 1525, pass the bill on Final Passage, and transmit the bill to the
28 Governor.

29 Sec. 9. Retroactivity

30 Section 15-393, Arizona Revised Statutes, as amended by this act,
31 applies retroactively to from and after June 30, 2016.

32 Sec. 10. Emergency

33 This act is an emergency measure that is necessary to preserve the
34 public peace, health or safety and is operative immediately as provided by
35 law.

APPROVED BY THE GOVERNOR FEBRUARY 17, 2016.

FILED IN THE OFFICE OF THE SECRETARY OF STATE FEBRUARY 18, 2016.