

REFERENCE TITLE: extraordinary special education needs fund

State of Arizona
Senate
Fifty-fourth Legislature
First Regular Session
2019

SB 1230

Introduced by
Senator Allen S

AN ACT

AMENDING SECTION 15-774, ARIZONA REVISED STATUTES; APPROPRIATING MONIES;
RELATING TO SPECIAL EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-774, Arizona Revised Statutes, is amended to
3 read:

4 15-774. Extraordinary special education needs fund: grant
5 application; criteria

6 A. The extraordinary special education needs fund is established
7 consisting of legislative appropriations, gifts, grants and donations.
8 Monies in the fund are subject to legislative appropriation and are exempt
9 from the provisions of section 35-190 relating to lapsing of
10 appropriations. The ~~state board~~ DEPARTMENT of education shall administer
11 the fund.

12 B. A school district or charter school may apply to the ~~state board~~
13 DEPARTMENT of education for an extraordinary special education needs grant
14 from the fund. The ~~state board of education~~ DEPARTMENT shall prescribe
15 the format of the applications. The applications shall include the
16 following:

17 1. Demonstration of extraordinary needs, including a description
18 and documentation of pupil services required and evidence that the
19 district or charter school is not able to absorb the costs of these
20 services.

21 2. Evidence that monies from the fund will not supplant federal,
22 local or other state efforts.

23 3. Evidence that before making an application for monies from the
24 fund the school district or charter school has made sufficient efforts to
25 seek but has not received funding to cover the extraordinary costs applied
26 for pursuant to paragraph 1 of this subsection from all other sources,
27 including federal and other state sources of funding.

28 C. A SCHOOL DISTRICT OR CHARTER SCHOOL IS ELIGIBLE FOR A GRANT FROM
29 THE FUND IF EITHER OF THE FOLLOWING CONDITIONS ARE MET:

30 1. THE SCHOOL DISTRICT'S OR CHARTER SCHOOL'S WEIGHTED STUDENT COUNT
31 SUBTOTAL CALCULATED PURSUANT TO SECTION 15-943, PARAGRAPH 2, SUBDIVISION
32 (b) FOR THE PRIOR FISCAL YEAR FOR THE FOLLOWING FUNDING CATEGORIES EQUALED
33 AT LEAST TEN PERCENT OF ITS AVERAGE DAILY MEMBERSHIP FOR THE PRIOR FISCAL
34 YEAR AS CALCULATED PURSUANT TO SECTION 15-901, SUBSECTION A, PARAGRAPH 1,
35 AS DETERMINED BY THE DEPARTMENT OF EDUCATION:

- 36 (a) HI.
- 37 (b) MD-R, A-R AND SID-R.
- 38 (c) MD-SC, A-SC AND SID-SC.
- 39 (d) MD-SSI.
- 40 (e) OI-R.
- 41 (f) OI-SC.
- 42 (g) P-SD.
- 43 (h) DD, ED, MIID, SLD, SLI AND OHI.

1 (i) ED-P.

2 (j) MOID.

3 (k) VI.

4 2. THE SCHOOL DISTRICT OR CHARTER SCHOOL IS ELIGIBLE FOR THE SMALL
5 SCHOOL WEIGHT PURSUANT TO SECTION 15-943 AND IN THE PRIOR YEAR ITS SPECIAL
6 EDUCATION EXPENDITURES FROM THE MAINTENANCE AND OPERATION SECTION OF ITS
7 BUDGET EQUALED AT LEAST TWENTY PERCENT OF ITS TOTAL EXPENDITURES FROM THE
8 MAINTENANCE AND OPERATION SECTION OF ITS BUDGET.

9 D. A SCHOOL DISTRICT OR CHARTER SCHOOL MAY APPLY FOR AND RECEIVE
10 MORE THAN ONE GRANT FROM THE FUND IN THE SAME SCHOOL YEAR BUT MAY NOT
11 RECEIVE A TOTAL OF MORE THAN \$200,000 FROM THE FUND IN THE SAME SCHOOL
12 YEAR.

13 ~~E.~~ E. Extraordinary special education needs grants shall be used
14 in the current year. All unspent grant monies shall be returned to the
15 department of education at the end of the fiscal year for deposit,
16 pursuant to sections 35-146 and 35-147, in the extraordinary special
17 education needs fund.

18 Sec. 2. Appropriation; transfer; department of education;
19 extraordinary special education needs fund

20 A. The sum of \$5,000,000 is appropriated from the state general
21 fund in fiscal year 2019-2020 to the department of education for deposit
22 in the extraordinary special education needs fund established by section
23 15-774, Arizona Revised Statutes, as amended by this act.

24 B. The sum of \$5,000,000 is transferred in fiscal year 2019-2020
25 from the special education fund established by section 15-1182, Arizona
26 Revised Statutes, to the extraordinary special education needs fund
27 established by section 15-774, Arizona Revised Statutes, as amended by
28 this act.