

REFERENCE TITLE: education programs; juvenile detention centers

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

SB 1104

Introduced by
Senators Carter: Alston, Bowie, Bradley, Brophy McGee

AN ACT

AMENDING SECTION 15-913, ARIZONA REVISED STATUTES; RELATING TO SCHOOL
FINANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Section 15-913, Arizona Revised Statutes, is amended to read:

15-913. Education programs; juvenile detention centers; fund

A. Each county that operates a juvenile detention center shall offer an education program to serve all school-age children in its juvenile detention center. The county school superintendent and the presiding juvenile court judge in each county shall agree on the method of delivery of the juvenile detention center education program.

B. The state board of education shall prescribe standards and achievement testing requirements for county juvenile detention center education programs that ~~shall~~ attempt to ensure that the programs are compatible with public school education goals and requirements. The county school superintendent shall attempt to coordinate the program with each pupil's school district of residence to assist the pupil's transition back to the school district at the appropriate time.

C. A county may operate its juvenile detention center education program through an existing accommodation school.

D. If a county chooses not to operate its juvenile detention center education program through an existing accommodation school, the county school superintendent may establish a detention center education fund to provide financial support to the program. The detention center education fund for each program shall consist of a base amount plus a variable amount. For fiscal year ~~1994-1995~~ 2019-2020, the base amount is ~~twenty thousand dollars~~ \$100,000 and the variable amount shall be determined pursuant to subsection E of this section. Beginning with fiscal year ~~1995-1996~~ 2020-2021, the base amount is the amount for the prior year adjusted by the growth rate prescribed by law, subject to appropriation. The base amount and variable amount for each county or counties served shall be funded with state general fund monies, subject to appropriation. The county school superintendent must submit claims for payments to the ~~state~~ superintendent of public instruction. The county school superintendent shall deposit the payments into the detention center education fund. **ANY EXCESS MONIES IN THE DETENTION CENTER EDUCATION FUND SHALL BE USED TO SUPPLEMENT CLASSROOM SPENDING.**

E. The variable amount shall be determined as follows:

1. Determine the number of days in the prior fiscal year that each child who had been in the detention center for more than forty-eight hours received an instructional program of at least two hundred forty minutes. ~~No~~ A school district may NOT count a child as being in attendance in that school district on a day that the child is counted for the purposes of this paragraph.

2. Multiply the number of days determined under paragraph 1 of this subsection by the following amount:

(a) For fiscal year ~~1994-1995~~ 2019-2020, ~~fifteen dollars~~ \$25.

1 (b) For fiscal year ~~1995-1996~~ 2020-2021 and thereafter, the amount
2 for the prior year adjusted by the growth rate prescribed by law, subject
3 to appropriation.

4 3. For each child with a disability as defined in section 15-761
5 who had been in the detention center for more than forty-eight hours:

6 (a) Determine the amount prescribed in section 15-1204, subsection
7 E, paragraph 1 or 2 and add ~~one hundred dollars~~ \$100 for capital outlay
8 costs.

9 (b) Divide the sum determined under subdivision (a) of this
10 paragraph by one hundred seventy-five.

11 (c) Subtract the amount prescribed in paragraph 2, subdivision (a)
12 or (b) of this subsection from the quotient determined in subdivision (b)
13 of this paragraph.

14 (d) Determine the number of days in the prior fiscal year that the
15 child received an instructional program of at least two hundred forty
16 minutes.

17 (e) Multiply the amount determined in subdivision (d) of this
18 paragraph by the difference determined in subdivision (c) of this
19 paragraph.

20 4. Add the amounts determined in paragraph 3 of this subsection for
21 all children with disabilities.

22 5. Add the sum determined in paragraph 4 of this subsection to the
23 product determined in paragraph 2 of this subsection. This sum is the
24 variable amount.

25 F. If a county detention center education program serves more than
26 one county, the county school superintendents and the presiding juvenile
27 court judges of the counties being served shall agree on a county of
28 jurisdiction. The county school superintendent shall deposit into the
29 detention center education fund of the county of jurisdiction monies that
30 are received from the superintendent of public instruction pursuant to
31 this section for all counties served by the county of jurisdiction.

32 G. If a county operated a juvenile detention center education
33 program through an accommodation school in the year before it begins to
34 operate its juvenile detention center education program as provided in
35 subsection D of this section, for the first year of operation as provided
36 in subsection D of this section, the student count of the accommodation
37 school shall be reduced by the student count attributable to the JUVENILE
38 detention center EDUCATION program.